P.O Box 2340, Lilongwe

HUMAN RIGHTS DEFENDERS COALITION AND CITIZENS PETITION

Reclaiming Our Destiny Through Electoral Justice

TO: The Chairperson, Justice Dr Jane Ansah S.C Malawi Electoral Commission

CC: All MEC Commissioners
The Chief Secretary, The Office of Cabinet and President
The Speaker, National Assembly
The Chief Justice, Judiciary
Chief Election Officer (MEC)
Malawi Electoral Commission; Commissioners, Presiding Officers & Returning Officers
All Political Parties in Malawi
All Religious Mother Bodies in Malawi
All Development Partners In Malawi

DATE: 20th June 2019

RE: CALLING FOR YOUR IMMEDIATE RESIGNATION AS MALAWI ELECTORAL COMMISSION CHAIRPERSON AND FOR ELECTORAL JUSTICE AND ACCOUNTABILITY.

Madam Chairperson,
We, the undersigned activists and Civil Society Organisations in Malawi, together with all Malawians of goodwill gathered in different parts of the country today, have noted with grave concern the prevailing tense and uncertain post-elections political atmosphere as a result of the fraudulent 21st May 2019 Presidential Elections, and hereby declare that;

**Recalling** that the office you are currently holding demands the bearer to demonstrate such high levels of integrity as to command the public trust necessary for the management of presidential elections and the running of the Malawi Electoral Commission and to take full responsibility and be held accountable for the activities thereof;

**Concerned** with the scandalous approach and stubborn attitude that you displayed in handling electoral stakeholders’ complaints, especially the results management component of the 2019 tripartite as evidenced by;

1. Your shameless act of telling the nation that your office had received 147 complaints related to the elections, only for you to wish those complaints away without comprehensively accounting for the nature, source, substance, and resolution of each complaint.

2. Your brazen failure to heed the reasonable calls of various stakeholders, including the Human Rights Defenders Coalition, upon your office to halt the announcement of the Presidential results to give room for the resolution of outstanding and emerging complaints.

**Believing** that the elections you presided over were fraught with multiple allegations and incidents of fraud that illegally tipped the outcome thereof in favor of a candidate not duly elected by Malawians;

**Cognizant** that you turned a blind eye to the allegations against and arrests of officials of MEC for doctoring results sheets to subvert the will of Malawian voters;
Saddened by your insensitivity to and disregard of Malawian voters’ concerns and grievances, as evidenced by your partisan decision to celebrate the disputed victory of the Democratic Progressive Party with members of the same, as well as your reckless act of taking celebratory photographs with supporters of Professor Arthur Peter Mutharika on the occasion of his inauguration, thus sacrificing the impartiality demanded by both your office as MEC Chairperson and your stature as a Justice of the Supreme Court on the altar of your personal political bias;

And so we hereby demand, by way of petition, that you, Madam Chairperson and your fellow Commissioners:

RESIGN IMMEDIATELY TO PAVE WAY FOR INVESTIGATIONS INTO THE FOLLOWING:

1. Identifying and prosecuting who supplied Tippex to be used for doctoring elections figures so as to bring them to justice.
2. Your involvement and other Commissioners in the electoral fraud and manipulation of elections.
3. Identifying and prosecuting any MEC presiding, returning officers & clerks involved in acts of electoral fraud and misconduct so as to bring them to justice.
4. Identifying and prosecuting all MEC staff who have allegedly accepted bribes in exchange for rigging the elections, so as to bring them to justice.
5. Identifying possible acts of misconduct by you and the entire MEC in using the office to facilitate the aforementioned criminal violations of Malawi’s electoral laws and Constitution.

CONCLUSION

Madam Chairperson,
Our demand is singular, unequivocal, and non-negotiable: **YOU MUST RESIGN NOW!**

Until we are granted this simple demand we are making as citizens in whose name and at whose expense you hold this office, we will not relent in our protest against your occupancy of this office, nor will we stop making this demand, doing so for the good of our country, for the safeguarding of our democracy, for the upholding of our rights, and on behalf of all Malawians of goodwill.

Together we stand as we reclaim and restore our destiny.

God bless Malawi!

On behalf of all Malawians of good will.

Timothy Mtambo – National Chairperson Human Rights Defenders Coalition (HRDC)

Gift Trapence – National Vice Chairperson Human Rights Defenders Coalition (HRDC)

Happy Mhango – Chairperson North

Billy Mayaya – Chairperson Centre

Masauko Thawe – Chairperson South

Madalitso Banda – Chairperson Eastern Region