

Voters' lobby group ticks off 'ignorant' Najib
Malaysiakini.com
August 3, 2011

A group advocating voting rights of Malaysians living abroad has expressed disappointment with the premier's ignorance of the issue of overseas voting.

It has also urged Najib Abdul Razak to take immediate action to rectify the disenfranchisement of overseas voters.

The lobby group, MyOverseasVote, claimed that Najib's answer to a question during the 5th Annual Malaysian Student Leaders Summit last Sunday proves that he is not clued-in about the rights of voters living abroad.

Najib had said that allowing Malaysians students and workers overseas to vote is a constitutional issue that will require constitutional amendments.

In a statement issued last night, however, MyOverseasVote clarified that Article 119 of the federal constitution states that every citizen who has attained the age of 21 has the right to vote, either as a resident in a constituency or as an 'absent voter'.

The constitution does not define which voters fall into the category of 'absent voter'. This is instead defined by the Elections (Registration of Voters) Regulations 2002.

This regulation made by the Election Commission (EC) and approved by the government allows only three categories of Malaysian citizens to register as absent voters:

- * those serving members of a Malaysian, Commonwealth or foreign military and their spouses;
- * government servants serving outside Peninsular Malaysia or Sabah or Sarawak and their spouses;
- and
- * full-time students studying outside Peninsular Malaysia or Sabah or Sarawak and their spouses.

MyOverseasVote is of the view that this regulation has discriminated against citizens on the grounds of occupation and employment.

"The regulation excludes nearly a million Malaysians stationed overseas who work in the private sector or who are retired," said the group.

"The prime minister should explain why it is that a Malaysian who is serving with a foreign military is entitled to vote as an absent voter, (while) a Malaysian who works overseas for a Malaysian or multinational company is deprived of the right to vote."

The group urged Najib, who had claimed that the government is committed to and will undertake electoral reforms, to do away with the EC regulation which is contrary to the constitution.

Another anomaly in overseas voting rights, said the group, is the disenfranchisement of full-time students from Sabah or Sarawak who are studying in the peninsula, and vice versa, even though the Elections (Registration of Voters) Regulations 2002 categorises them as 'absent voters'.

"We are unaware of any (such) student who has successfully registered as an absent voter."

Lapses of diplomatic missions

MyOverseasVote also raised the failure of Malaysian foreign missions to register overseas students as

'absent voters'.

According to the group, Foreign Affairs Minister Anifah Aman, at a meeting with concerned citizens in Melbourne on Monday, had said he agreed that "every Malaysian overseas has the right to vote" but added that "it is not easy to implement".

He was also asked about the progress of appointing assistant EC registrars at Malaysian diplomatic missions to facilitate the registration process as mentioned by EC chairperson Abdul Aziz Yusof in January 2011.

Anifah (right) answered: "Again, that may be his statement but the system has not been set up yet, so we have to wait for the EC to brief us on how the overseas voting works. Believe me, we are working on it but these things take time."

On the issue of improving the postal voting system by learning from other countries, the group claimed that Anifah's reply was: "Not everything that works overseas can work in Malaysia. We cannot compare mature democracies to our situation in Malaysia. For those who want to vote, we must put in the effort to allow people to vote.

"I'll give you an example of an American missionary in Sabah who had to fly to Kuala Lumpur to vote. Perhaps a solution we can consider is to set up voting centres at the consulates for people to vote, but we can't set one up in remote areas."

During the session, Anifah was handed a memorandum on behalf of NGO Saya Anak Bangsa Malaysia and MyOverseasVote, as well as 24 'frequently asked questions' (FAQ) about voter registration at Malaysian missions and procedures surrounding postal voting.

The FAQ was compiled after MyOverseasVote found that Malaysian missions are not adequately briefed on, or equipped to handle, voter registration.

"We would like to remind the minister that a system already exists to enable students, civil servants and the armed forces who are overseas to vote with a postal vote," MyOverseasVote said.

"It seems clear to us that the problem with overseas voting is not the lack of any provision in the constitution or in any laws passed by Parliament, but rather the nonsensical and discriminatory regulations that have been drawn up by the EC and the government, coupled with the government's failure even to comply with its own existing regulations."

The group told Najib to act immediately to demonstrate that he abides by the constitution and that he walks the talk.