

EC lies to foreign mission about postal voter proposal

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The Election Commission had allegedly told an international mission that the Parliament had rejected the proposal to introduce postal voting for Sabah and Sarawak voters working in peninsular Malaysia.

However, the report by parliamentary select committee (PSC) on electoral reform released last month revealed that it was the EC that gave the thumbs down.

According to the 12-page interim report from the seven-member international fact-finding group on Malaysia's electoral system, the negative response came from EC deputy chief Wan Ahmad Wan Omar (*right*).

The report states that the group has found out that Sabahans and Sarawakians working in the peninsula face difficulties in returning home to vote, recommending that legislation be introduced for them to be absentee voters.

However, Wan Ahmad told the group: "That's the reality in Malaysia. They should change their registration (addresses). We proposed that Parliament legislate to introduce postal voting for the people in Sabah and Sarawak. Our proposal was not accepted."

In fact, the PSC report had stated clearly that one of electoral reforms proposal is to allow outstation voters to cast their ballots without having to return to their constituencies.

Evidence of EC digging in

The report added that the EC refused to implement it in the next general election, only agreeing to study the proposal further in relation to Article 119 of the Federal Constitution, which stipulates that an eligible voter must be a resident in his or her voting constituency.

It is among the six preliminary proposals rejected by the EC.

The international group also noted that the Federal Constitution empowers the EC to compel state-owned media to give parity of coverage for political parties during the election campaign period, but the EC chose to adopt a narrower interpretation of the clause.

The group pointed out that Article 115(2) of the Constitution which states that "All public authorities shall on the request of the (Election) Commission give the Commission such assistance in the discharge of its duties as may be practicable" can be used by the electoral body to ensure fair reporting.

But the group's interim report records Wan Ahmad as replying that the Article empowers the EC to obtain "logistical assistance only".

To clear doubts on this matter, the group recommended clear legislation to compel state-owned media to provide fair coverage.

In the absence of a legal provision, the group proposed that the EC exercise its moral and persuasive authority by releasing a report each day of the campaign on its views whether public and private national TV stations have provided balanced coverage over that 24-hour period.

It reiterated that the Constitution provides the EC with wide latitude in the conduct of the electoral process.

The group comprises Australian senator Nicholas Xenophon, Pakistani senator Hasil Khan Bizenjo, Filipino University of East College of Law dean Amado Valdez, Germany's Freidrich Naumann Foundation for Freedom coordinator Juliane Schmucker, University of New South Wales associate professor of politics Clinton Fernandes, Indian journalist Mobashar Jawed Akhbar and the Indonesian International Scholars Association chairperson Mohamad Nasir Tamara Tamimi.

They visited Malaysia from Apr 25 to 29 at the invitation of Opposition Leader Anwar Ibrahim's office to assess the Malaysian electoral system.

EC described as backward

During a press conference to release the findings last Sunday, Bizenjo described the EC as "backward", a cause for the country's weak democracy.

Besides Wan Ahmad, they had met with Umno secretary-general Tengku Adnan Tengku Mansor, Minister in the Prime Minister's Department Nazri Abdul Aziz, Bersih steering committee member Maria Chin Abdullah, Selangor MB Khalid Ibrahim and Anwar.

The group had also heard disturbing testimony from a former senior military officer, who requested anonymity, on the pervasive fear among military personnel regarding the secrecy of their votes during the 2008 election.

The report quoted the ex-officer as saying: "There was a definite fear factor among the soldiers that if they did not vote for the government they could be victimised because they knew that their vote could be traced".

"Troops would discuss this in front of me. I and other officers would say 'You can vote any way you want'. Troops would laugh and say 'Who will give us protection if we're traced?'

"It was common and widespread knowledge among military personnel that they knew they could face retribution if they voted the wrong way."

Hence the group recommended that the postal vote system for military personnel be reformed and protocols changed to ensure fair practice.

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