

Mat Zain calls for tribunal on EC's top guns
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Former Kuala Lumpur CID chief Mat Zain Ibrahim has called for a tribunal to be set up against Election Commission (EC) chairperson Abdul Aziz Mohd Yusof and his deputy Wan Ahmad Wan Omar, for misleading the public.

As Minister in the Prime Minister's department Nazri Abdul Aziz has confirmed that Aziz was indeed a former Umno member, Mat Zain said action should be taken.

"I have stated in my open letter to the premier last week that being an Umno member is not an offence but concealing it from the Yang di Pertuan Agong is.

"Abdul Aziz's appointment is considered a deception within the meaning of 'cheating' under section 415 of the Penal Code.

"Irrespective of whether the EC chief's membership has lapsed or otherwise, Prime Minister Najib Abdul Razak has reason to call for a tribunal."

Mat Zain said had Abdul Aziz disclosed that he was an Umno member at that time, he would not have been appointed as EC chairperson as the agong would have wanted an EC that is impartial and that enjoyed public confidence.

As for Wan Ahmad (*left*), the former top cop said he could be cited for abetting Abdul Aziz in the commission of the offence as Wan Ahmad was with the EC since 1998 and should be well versed with EC rules regarding appointments, particularly for vital positions.

"This is not about deceiving just a man in the street. It is about deceiving the Conference of Rulers and the agong.

"The two cannot remain in their respective chairs a minute longer. Investigations must commence right away," he urged.

"People still remember that the former lord president Salleh Abas was brought before a tribunal for writing a personal letter to the then agong. That was considered misconduct and resulted in Salleh being removed and disgraced.

"What is writing a letter to the agong, compared to deceiving the agong and the Conference of Rulers at the same time?" he asked.

Urging the PM to advise the Yang di Pertuan Agong to form a tribunal immediately, Mat Zain said Najib should do it before he goes on his impending vacation, if he felt deceiving the agong and Conference of Rulers was a serious matter.

Mat Zain pointed out that Najib himself is in a sticky situation following questions on his actual name when he signed the affidavit on not wanting to testify, in the Anwar Ibrahim sodomy II

trial, as that could be considered deceptive.

"Attorney-general Abdul Gani Patail will not be able to assist him as Abdul Gani is also embroiled in allegations that he deceived the cabinet and the agong in 1999."

'Declare electoral roll void'

Mat Zain also called for legal action to be taken regarding the electoral roll and for it to be declared void due to the inconsistencies that have been highlighted, and the alleged deception by the EC's leaders.

He said that the only option citizens had was to challenge the validity of the electoral roll in court through capable legal eagles like Bersih co-chairperson Ambiga Sreenevasan and Subang MP Sivarasa Rasiah.

He added that if an entity as powerful as Umno could be declared illegal, as happened in 1988, so could the electoral roll.

"With all the evidence being laid before them especially with Nazri's (*right*) confirmation that Abdul Aziz is a former Umno member, getting the electoral roll declared invalid and illegal shouldn't be an issue."

He also suggested that any parties that have the means or state governments that claim to have been affected seriously, like Selangor, should file an injunction to secure a court order to restrain or prohibit both the EC chairperson and his deputy from continuing to meddle with the affairs of the EC until their positions are clarified.

Bersih 3.0 findings

Mat Zain also commented that regardless of whoever chaired the independent panel probing Bersih 3.0, be it former inspector-general of police Hanif Omar or former chief judge of Sabah and Sarawak Steve Shim even United Nation special rapporteur Frank La Rue, what was important was the action that would be taken after the final report is submitted to the AG.

He said the people have seen what happened to the reports and recommendations of the royal commissions of inquiry (RCI) on a senior lawyer allegedly brokering the appointment of judges and on Teoh Beng Hock who had died under detention.

Both the reports were snubbed by the AG.

"If a serving senior Federal Court judge who presided in Teoh's RCI can be ignored by the AG, then what is the weight of the recommendations by Hanif (*left*) or Shim to him?"

Mat Zain also questioned how a balanced and fair outcome of any of the panels or RCIs could be expected when the person making the final decision of the effort, is himself a subject of a tribunal or one who should have been charged for several serious criminal offences.

"I have seen for myself how evidence in the Anwar 'black-eye incident' investigation in 1998 was manipulated, fabricated and concealed so deliberately and blatantly by the person who later was appointed as the AG in 2002 and who still is," he said.

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