

Pakatan sues EC members to force re-election

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By Nigel Aw

Pakatan Rakyat has filed a lawsuit against all seven members of the Election Commission (EC) in a bid to seek, among others, a declaration that the results of the 13th general election are null and void.

NONEPKR's Subang MP R Sivarasa (right in photo) said this is with regard to the EC members' alleged fraud in the botched implementation of indelible ink and 'biased' conduct.

"We want a specific court case to highlight and expose this issue and the main relief is the declaration that the EC failed to perform the constitutional duty, and maliciously and dishonestly engaged in fraud in the misuse of indelible ink in the 13th general election," he told a press conference at the Parliament lobby this morning.

"If the court agrees with us, then the logical conclusion is the results (of the general election) would be set aside. We want a declaration (for the outcome) in all 222 parliamentary seats to be declared void."

As a consequence of the alleged fraud, Pakatan is also seeking a court order for the removal of all seven EC members, including its chairperson and deputy chairperson.

perak state govt crisis 030309 tommy thomasPakatan is further seeking damages from the seven EC members, but said the amount would be assessed by the court.

The suit was filed at 10am today at the Kuala Lumpur High Court.

The plaintiffs - PKR, PAS and DAP and several individuals - were represented by constitutional lawyer Tommy Thomas (left), who is the lead counsel.

The individual plaintiffs include two ordinary voters and PKR's Kulim Bandar-Bahru candidate Saifuddin Nasution, PAS' Kuala Selangor candidate Dzulkefly Ahmad and DAP's Cameron Highlands candidate M Manogaran.

'EC members must take responsibility'

PKR's Lembah Pantai MP Nurul Izzah Anwar said the suit did not name the EC, but all seven individual members of the commission in their capacity as EC members.

The move, she explained, is for the individual members to take responsibility so that the buck will not be passed to the government if any damages are ordered to be paid.

"This (is the) best way to manage and hold the top seven (members of the EC) responsible for their action or abuse ... we want to protect taxpayers' money," she said.

NONENurul Izzah noted that the EC is planning to conduct a redelineation process at the end of this year and said she hopes the hearing of the suit will be expedited to remove the EC members before then.

PAS' Kota Bahru MP Takiyuddin Hassan said that, despite the countless police reports about the 'removable' indelible ink, no action has been taken.

The DAP's Seremban MP Anthony Loke said the EC has continued to protect the identity of the supplier of the indelible ink, which has been found not to match the specifications.

The EC had initially said the indelible ink would last up to a week. On polling day, however, many voters found that they could wash it out within hours of having their index finger marked.

Minister in the Prime Minister's Department Shahidan Kassim later revealed that the ink only contained food dye and there was no silver nitrate, a critical component that makes the ink indelible.

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