

Election Commission adamant it wants nothing to do with Bersih People's Tribunal
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There will be no input from the Election Commission (EC) when a report on complaints of election irregularities heard last week is submitted to the Bersih People's Tribunal's five-man panel tomorrow.

This despite the offer made by the tribunal's legal head, Professor Gurdial Singh Nijar, to the commission to do so – after the EC said that although it did not officially attend the five-day tribunal, it had taken note of each and every complaint made.

EC deputy chairman Datuk Wan Ahmad Wan Omar (pic) told The Malaysian Insider that the commission will ignore Gurdial's request to submit a written report to the panel as the "Bersih People's Tribunal is not recognised under the law".

Wan Ahmad also questioned the composition of the five-man panel, two of whom are foreigners.

"They cannot pass judgment although they may be experts in election law in their respective countries," he said.

He said Bersih could send its report to the EC once the tribunal had made public its findings and recommendations.

To Wan Ahmad, the tribunal was set up only as a political forum to pass judgment on the government.

"As such, we will not give any legitimacy to the tribunal," he said, adding that the EC was guided by the advice of its experienced legal advisers.

Wan Ahmad was responding to a statement by Gurdial, who said he still hoped to see a written submission by the EC.

A total of 47 people testified and 70 statutory declarations were presented to the panel during the proceedings at a hotel in Subang Jaya last week.

Gurdial, who worked with a team of about 30 lawyers, had submitted two documents on irregularities in the conduct of polls by the EC, expert reports and surveys from political parties and non-governmental organisations.

Also tendered were three studies by experts to determine whether the media played its democratic role in providing balanced information to voters.

The legal team also gave the panel copies of almost all the election petitions filed in court by Barisan Nasional and Pakatan Rakyat.

Gurdial said the tribunal was a success because it offered an alternative channel for the public and interested parties to voice their grievances.

The tribunal, he said, was basically making an inquiry whether GE13 was conducted in a free and fair manner.

The panel is led by Yash Pal Ghai, an expert in constitutional law and Head of the Constitution Advisory Support Unit of the UN Development Programme in Nepal and Ramlan Surbakti (former deputy chairman of the Indonesian Election Commission).

The Malaysians on it are lawyer and former administrative and diplomatic officer with the Ministry of Foreign Affairs Datuk Azzat Kamaludin, Dr Mavis Puthuchearry (former associate professor Faculty of Economics and Administration, Universiti Malaya) and Rev Dr Hermen Shastri (general secretary of the Council of Churches of Malaysia). – September 26, 2013.

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