

Bersih declared legal by court, so let's meet, EC told
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Bersih committee says immediate reforms need to take place if the EC wants to run free and fair elections during GE14.

PETALING JAYA: Bersih 2.0 has reminded the Election Commission (EC), which dismissed the coalition as not an NGO, that it is indeed a legal organisation as ruled by the High Court in 2012.

“We respond by reminding the EC that in 2012, the court affirmed that Bersih 2.0 is a legal entity consisting of endorsing NGOs,” the group’s steering committee said in a statement today.

“Bersih 2.0 is still willing to hold a meeting with the EC,” it added.

“The agenda for the meeting is not just about the delineation processes. We are of the view that if the EC wants to run a free and fair election at GE14 (14th general election), immediate reforms need to take place.”

EC chairman Mohd Hashim Abdullah was quoted by Oriental Daily as saying that the agency will not cooperate with Bersih to monitor and ensure that GE14, which is due by the middle of next year, is held in a fair manner.

He said this was because the organisation was registered with the Companies Commission of Malaysia (CCM) and not the Registrar of Societies (RoS).

“The EC will only work with non-governmental organisations (registered with the RoS),” he reportedly said yesterday.

On July 24, 2012, the Kuala Lumpur High Court ruled that Bersih fell within the ambit of the Societies Act 1966 as it can be defined as a society under Section 2 of the said act.

Judge Rohana Yusof made the ruling, quashing a decision by then-Home Minister Hishammuddin Hussein to declare Bersih an illegal organisation.

She ruled that it was “unreasonable” for the minister to find Bersih unlawful for the serious reason of being “prejudicial to public order and security”, only for the authorities to subsequently continue negotiating with the organisers and allow its rally.

The Bersih statement also called on Hashim not to use Bersih’s ongoing court cases as an excuse not to meet the group.

“The court cases are manifestation of the misdemeanour carried out by the EC and they, unfortunately, can only be fixed through court actions. The court cases cannot and must not be an excuse to not meet,” it said.

On May 16, Bersih chairperson Maria Chin Abdullah handed a memorandum to the EC for reforms in the electoral system to be implemented in GE14, and also sought a meeting with Hashim on Bersih’s concerns.

The proposed reforms included the strengthening of the EC’s independence, ending political corruption, establishing automatic voter registration and cleaning up the electoral roll.

The memorandum also called for reforms in absentee voting and election observation, with fair election boundaries, a minimum 21-day campaign period, and free and fair access to media.

“If committed, the EC can work with the relevant stakeholders, including NGOs, government agencies, Parliament and the media, to implement these reforms in the next six months,” the statement today said.

“It is therefore urgent for Bersih 2.0 to meet with the EC if they are still concerned with instituting a fair election and repairing its poor public confidence. Bersih 2.0 is ready to meet the EC anytime and any day.”

The committee also thanked the group’s lawyers and volunteers for helping to expose illegal delineations.

“We will continue with our work to raise the issue of unfair delineation, even if it means more court cases,” it added.

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