

Advancing Electoral Reform in Malaysia

The recent General Election that resulted in a change in government provided an opportunity to Global Bersih and Bersih 2.0 to organise a two-day Electoral Reform Roundtable discussion at the Malaysian Parliament. Being allowed to have the roundtable discussion on Electoral Reform at the Parliament on its own was a historic moment for all of us. Within 6 months of GE14, we got as far as achieving this roundtable discussion at Parliament – a place we were previously forbidden from. All the hard work everyone had put in through organising rallies, pressuring the authorities, not to mention the commitment and the trust placed on Global Bersih and Bersih 2.0, had made this possible.

The other co-organisers of the roundtable were Kofi Annan Foundation, International Institute of Democracy and Electoral Assistance (“IDEA”) and International Foundation for Electoral Systems (“IFES”), the Speaker’s Office of Dewan Rakyat and Election Commission (“EC”).

We heard from recognised Malaysian and international election experts from several countries on the following 9 aspects which were in line with the Electoral Reform Committee’s focus areas:

- a. Reform of electoral system
- b. Absentee voters/voting
- c. Power of caretaker government
- d. Fair representation
- e. Election integrity in the digital era
- f. Election laws against offences
- g. Voters registration
- h. Political financing
- i. Independence of Election Management Body

Global Bersih and Bersih 2.0 have now received official recognition as the main stakeholders in the reform of the electoral system. We certainly do believe that our current EC Chairman, Mr Azhar Azizan Harun (Art Harun) would carry out his duties diligently after hearing him at Parliament. Mr Azhar stated that a lot has to be done to reform EC and that he wants an EC that is independent, fearless and impartial and an agency that would produce clean and fair elections. When asked what legacy he wishes to leave behind, he said he would like to leave behind an EC that facilitates true democracy through clean and fair elections. He said it should not be just a procedural democracy but democracy in substance. He also assured that he would consult all stakeholders in bringing about changes within the electoral system in Malaysia. With the opportunity to discuss about 9 different aspects of electoral reform, we believe we are on track with electoral reform in Malaysia.

The Chairman of Electoral Reform Committee (“ERC”), Tan Sri Ab Rashid Ab Rahman applauded Global Bersih and Bersih 2.0 for its work to-date and said that we have the best Chairman for the EC. He stated that his committee would be busy working together with us on electoral reform.

Mr Alan Doss of Kofi Annan Foundation stated that the suggestions made at the roundtable discussion would take time and persistence to be implemented. He also mentioned that we should hold the roundtable discussion in a year's time so we could come back and measure the performance. Thomas Fann, the chairman of Bersih 2.0, echoed this statement.

Global Bersih presented to the roundtable on 'absent voters' and addressed the issues where 'absent voters' were not defined in Federal Constitution or Elections Act 1958. The excluded categories of absent voters were:

- a. Malaysian voters in neighboring countries – Singapore, Brunei, the Indonesian province of Kalimantan and the Southern provinces of Thailand.
- b. Malaysian voters residing in West Malaysia who are registered to vote in East Malaysia and vice versa.
- c. Malaysian voters who are working in West Malaysia but who are not residing in their West Malaysia constituency at the time of polling (similarly with those working in East Malaysia but who are not residing in their East Malaysia constituency at the time of polling).
- d. Malaysian voters residing overseas.

What we wish to achieve from this roundtable:

We have been invited to work with the Electoral Reform Committee and the EC to bring about the required reforms in our electoral system. Encouragingly, they are aiming for most reforms to take place by the next general election ("GE15").

As for Global Bersih, when we presented on 'Absent Voters', we wanted the EC to redefine 'absent voters' to include the 4 excluded categories above.

We also recommended the following:

- a. To have a consistent and standardised registration and voting system for all absent voters especially the overseas absent voters.
- b. To consider a fixed-term election.
- c. To extend the campaign period – a minimum of 28 to 30 working days of campaigning period.
- d. EC to take full responsibility for the absent voting process – an integrated and standardised system overseen by a proposed central Postal Voting Office under the EC.

There is a lot more that must be done to achieve a mature democratic election process and Global Bersih will continue to work hard to get there!