



ASIAN NETWORK FOR FREE ELECTIONS (ANFREL) FOUNDATION

REGISTERED UNDER CIVIL AND COMMERCIAL CODE ACT OF THAILAND, REGISTRATION NO. 1690 (KOR TOR)

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FOR IMMEDIATE RELEASE

Malaysian Electoral Reforms Crucial for Democracy in ASEAN

BANGKOK, 04 May 2012 – While the significance of the rallies on 28th April will undoubtedly continue to be debated for some time, it is important that the debate not obstruct or delay badly needed electoral reforms in the country. Accusations about the protest began before the smell of tear gas had cleared the air. While the facts about Saturday's demonstration matter, they will not change the central truth that is the pressing need for electoral system reform. This truth is why it is important that the focus remains on reform, both those changes that can be implemented before the coming election and those that will be more long term projects.

ANFREL agrees with recommendations that an impartial commission should investigate the events of April 28th and hold accountable those responsible for violence, be they protesters, police, or leaders of either group. Those that triggered the violence and chaos that came at the end of the day, overshadowing what had to that point been a peaceful turnout of protesters, should be held accountable. That said, overly politicizing this event misses, and could distract from, the larger purpose of the rally and the reason why so many people took to the streets Saturday.

One of the most publicised issues, that of the electoral roll, is also one that is central to the integrity of the electoral system. The use of a clean voter list, or electoral roll, is a fundamental condition to manage voting on election day, to build trust in the electoral system and the election commission. Having a clean electoral roll prevents many types of possible fraud. The Election Commission must work to audit, clean and update the electoral rolls to eliminate the deceased, voters that have moved, duplications, and other such clear examples of problems with the electoral roll. To ensure it is as up-to-date as is possible, the EC must clearly define the process of registration. If a system of automatic registration, like those practiced successfully in some neighbouring countries – and as recommended by the Parliamentary Select Committee (PSC), is not implemented, the system of voter registration should be clear, far-reaching, and non-partisan. The electoral roll has long been an issue in Malaysia despite a great deal of research and study into the problems. The expertise, information and resources necessary to correct the electoral roll are all readily available in Malaysia. The only remaining ingredient is the political will within the Election Commission.

An issue raised by ANFREL and others many times, and one relevant again in the aftermath of the protests, is the need for a free and impartial media. Greater objectivity and fairness is needed from many media outlets both in their reporting and in parties' access to the media while campaigning.

More broadly, 'independent' Malaysian institutions that are insufficiently independent and professional weaken the entire system. Too often, these institutions have earned the suspicion and mistrust the public holds for them. When an agency as central to the electoral system as the Election Commission acts in ways that raise questions about its impartiality, it understandably undermines the entire system. As mentioned, the repeated and sustained mismanagement of the electoral roll as well as the EC's continued reliance on gerrymandered constituency boundaries call into question the neutrality and independence of the Election Commission. There is little excuse for the huge differences in voters between the smallest and largest constituencies in the country. Such enormous differences make a mockery of the principle of equal voting



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power, or one person one vote. The Election Commission's planned re-drawing of the boundaries using a modern GIS system cannot come soon enough, assuming that it is done fairly based on established best practices.

The PSC's recommendations about creating more space and independence for the Election Commission should be explored and promoted. Having its own budget and a more independent selection process are two good places to start to institutionalize independence in the body. The Election Commission's neutrality and competence, as well as the perceptions of their neutrality and competence, are crucial to the electoral system and whatever measures can improve the organisation should be explored.

The aforementioned issues are but a few of the badly needed reforms in Malaysia. Some, such as adequate time to campaign before the election, can be addressed in time for the coming election while others will have to come after the election. Real progress is possible in Malaysia as some of the reforms are quite concrete and feasible given Malaysia's level of development. This is why short-term controversies over protests should not divert attention from the larger picture. In the wake of the protests, it is important that everyone not lose sight of the real issues at stake for the electoral system and the country.

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