

Written by straits-mongrel

Thursday, 14 July 2011 01:13 - Last Updated Thursday, 14 July 2011 01:46



Mengadap Seri Paduka Baginda Yang Di-Pertuan Agong Al-Wathiqu Billah Tuanku Mizan Zainal Abidin ibni Al-Marhum Sultan Mahmud Al-Muktafi Billah Shah, yang bersemayam di atas takhta kerajaan Malaysia dengan segala kebesaran dan kemuliaannya.

Assalamu`alaikum warahmatullahi wabarakatuh

Ampun Tuanku Beribu-ribu Ampun,

Patik sekalian merafak sembah Kebawah Duli Seri Paduka Baginda Yang Di-Pertuan Agong memohon izin untuk mengusulkan rayuan kami mengenai penambahbaikan sistem dan proses pilihanraya di Malaysia.

Memorandum to SPB Yang Di-Pertuan Agong (BM/Eng)

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Seri Paduka Baginda Tuanku,

Gabungan Pilihanraya Bersih dan Adil 2.0 (BERSIH 2.0) yang disertai enam puluh dua (62) badan-badan masyarakat madani menjunjung kasih Seri Paduka Baginda Yang Di-Pertuan Agong di atas perkenan kami mengadap pada 5 Julai 2011 lalu.

BERSIH 2.0 percaya sudah tiba masanya menambahbaik pilihanraya di Malaysia. Demokrasi yang berjaya adalah demokrasi yang dibina berlandaskan pilihanraya yang bersih, bebas dan adil. Hak untuk mengundi termaktub di bawah Artikel 21 Deklarasi Hak Asasi Manusia Sejagat (UDHR). Mengundi adalah penting bagi membolehkan rakyat mempunyai suara yang aktif dalam kerajaan dan untuk memastikan perlindungan hak asasi yang lain.

Walaubagaimanapun, sistem pilihan raya yang bersih, bebas dan adil harus diadakan supaya para pengundi dapat menikmati sepenuhnya hak untuk mengundi dan supaya undi-undi mereka dicerminkan dengan tepat dalam urusan tadbir negara. Pilihan raya yang bersih, bebas dan adil juga akan mengelak pertikaian keputusan pilihanraya yang jika berlaku boleh menjelaskan keamanan dan kemakmuran negara.

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Adalah menjadi hasrat dan niat BERSIH 2.0 bersama ribuan rakyat Tuanku yang berhimpun pada hari ini, Sabtu 9 Julai 2011, dengan menjunjung kasih memohon kepada Tuanku agar dapat ditubuhkan satu Suruhanjaya Siasatan DiRaja (RCI) untuk mengkaji secara menyeluruh kelemahan-kelemahan di dalam dan mencadangkan penambahbaikan kepada sistem dan proses pilihanraya yang sedia ada. Suruhanjaya ini, BERSIH 2.0 memohon dianggotai mereka yang berkaliber dan mewakili semua pihak yang berkepentingan (stakeholders).

Ampun Tuanku,

Memandangkan pilihanraya umum boleh diadakan pada bila-bila masa, BERSIH 2.0 bersama ribuan rakyat Tuanku yang berhimpun pada hari ini, dengan menjunjung setinggi-tinggi kasih memohon kepada Tuanku agar lapan (8) langkah-langkah jangka pendek dapat dipenuhi sebelum Pilihanraya Umum ke-13.

1. Bersihkan senarai undi

Senarai undi harus dibersihkan untuk memastikan ketidakakuratan yang sedia ada seperti penyamaran dan ‘pengundi hantu’ disingkirkan.

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Dalam jangka masa panjang, BERSIH 2.0 mencadangkan pendaftaran pengundi secara automatik dilaksanakan berdasarkan data di Jabatan Pendaftaran Negara.

2. Mereformasikan undi pos

Sistem undian pos yang sedia ada perlu diperbaharui. Penafian hak terhadap pengundi yang tidak dapat hadir boleh diselesaikan dengan memberi pilihan kepada semua pengundi untuk mengundi melalui pos ataupun secara lebih awal jika mereka tidak dapat hadir di kawasan pengundian pada hari mengundi, tidak kira sama ada mereka berada di Malaysia maupun di luar negara. Anggota Polis, tentera dan penjawat awam harus mengundi secara biasa seperti para pengundi lain jika mereka tidak bertugas pada hari mengundi. Bagi memastikan ketelusan proses undian pos, ejen-ejen parti politik harus dibenarkan untuk memantau keseluruhan proses undian pos atau undian lebih awal.

3. Gunakan dakwat kekal

Dakwat kekal adalah penyelesaian yang mudah, menjimatkan dan berkesan bagi mengelakkan pengundian berganda.

4. Masa kempen minima 21 hari

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Tempoh kempen minimum dua puluh satu (21) hari akan memberi lebih masa kepada para pengundi untuk mengumpul maklumat dan mempertimbangkan pilihan mereka.

5. Akses media yang bebas dan adil

Semua agensi media, terutamanya agensi media yang dibiayai oleh kerajaan seperti Radio dan Televisyen Malaysia (RTM) dan Bernama, harus memperuntukkan liputan yang seimbang dan objektif terhadap semua parti politik. Debat umum antara para calon harus disiarkan.

6. Kukuhkan institusi awam

Suruhanjaya Pilihanraya (SPR) harus melaksanakan tanggungjawab perlembagaannya untuk bertindak secara bebas dan saksama supaya mendapat keyakinan orang ramai. SPR harus mengambil langkah-langkah bebas dan proaktif untuk menegakkan integriti proses pilihanraya dan menguatkuasakan Akta Kesalahan Pilihan Raya 1954 seperti yang dimandatkan oleh Akta Pilihan Raya 1958. Kenyataan SPR yang berulang kali bahawa mereka tiada kuasa untuk bertindak adalah salah dari segi undang-undang dan tidak membangkitkan keyakinan orang ramai dalam kebolehan SPR untuk memenuhi peranan perlumbagaan mereka.

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Selain daripada SPR, institusi-institusi awam seperti Badan Kehakiman, Peguam Negara, Polis Diraja Malaysia dan Suruhanjaya Pencegah Rasuah Malaysia harus bertindak dengan bebas, saksama dan penuh integriti pada setiap masa dalam melaksanakan tanggungjawab menurut Perlembagaan Persekutuan.

7. Hentikan rasuah

Semua bentuk pembelian undi, termasuklah janji peruntukan kewangan bagi projek-projek pembangunan oleh wakil-wakil rakyat semasa tempoh kempen, harus diberhentikan. Tindakan tegas mesti diambil ke atas semua yang mengamalkan sebarang bentuk pembelian undi.

8. Hentikan politik kotor

Rakyat Tuanku sudah jemu dengan politik kotor yang semakin menjadi ciri utama politik Malaysia. Kesemua parti dan ahli politik hendaklah berhenti mengamalkan politik kotor. Rakyat dan pengundi, lebih berminat mendengar polisi dan perancangan yang ingin dijalankan.

Ampun Tuanku,

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Pada hari ini, Sabtu 9 Julai 2011, di Kuala Lumpur, BERSIH 2.0 bersama dengan ribuan rakyat Tuanku telah bersatu dalam satu perhimpunan damai untuk merealisasikan reformasi pilihanraya, penegakan prinsip-prinsip demokrasi dan menuntut hak untuk pilihanraya yang bersih, bebas dan adil bagi Malaysia.

Rakyat Tuanku telah melalui berbagai-bagai halangan dan kesusahan hanya kerana ingin menjadikan pilihanraya di negara Malaysia yang terbaik di dunia.

Ramai di antara kami yang ditahan atau dikenakan tindakan undang-undang. Rakyat Tuanku yang berhimpun pada hari ini, dengan menjunjung kasih memohon kepada Tuanku agar semua yang telah ditahan berkaitan sokongan kepada BERSIH 2.0 dibebaskan dan tindakan undang-undang digugurkan.

BERSIH 2.0 bersama dengan ribuan rakyat Tuanku menjunjung setinggi-tinggi kasih, secara khusus memohon kepada Tuanku agar keenam-enam pemimpin Parti Sosialis Malaysia (PSM) termasuk Ahli Parlimen Dr. Michael Jayakumar Devaraj yang ditahan di bawah Ordinan Darurat (Ketenteraman Awam dan Mencegah Jenayah) 1969 dibebaskan serta-merta, atau dihadapkan ke mahkamah.

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Ampun Tuanku Beribu-ribu Ampun,

Sekian sahaja kami patik-patik sembah maklum, diiringi dengan salam takzim jua adanya. Amin Ya-Rabbal-Alamin dan Jazakallahu Khairan Kathira.

Mohon di ampun,

Wassalamu`alaikum warahmatullahi wabarakatuh.

Jawatankuasa Pepandu Gabungan Pilihanraya Bersih dan Adil (BERSIH 2.0), mewakili Rakyat Tuanku yang mengusul,

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1. Dato' Ambiga Sreenevasan (Pengerusi)

2. Andrew Khoo

3. Arul Prakash

4. Arumugam K.

5. Dr Farouk Musa

6. Haris Ibrahim

7. Liau Kok Fah

8. Maria Chin Abdullah

9. Richard Y W Yeoh

10. Dr Subramaniam Pillay

11. Dato' Dr Toh Kin Woon

12. Dr Wong Chin Huat

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13. Dato' Yeo Yang Poh

14. Zaid Kamaruddin

Mengadap Seri Paduka Baginda Yang Di-Pertuan Agong Al-Wathiqu Billah Tuanku Mizan Zainal Abidin ibni Al-Marhum Sultan Mahmud Al-Muktafi Billah Shah, yang bersemayam di atas takhta kerajaan Malaysia dengan segala kebesaran dan kemuliaannya.

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Ampun Tuanku Beribu-ribu Ampun,

Patik sekalian merafak sembah Kebawah Duli Seri Paduka Baginda Yang Di-Pertuan Agong memohon izin untuk mengusulkan rayuan kami mengenai penambahbaikan sistem dan proses pilihanraya di Malaysia.

Your Majesty,

The Coalition for Free and Fair Elections 2.0 (BERSIH 2.0) which comprises sixty-two (62) civil society organisations are grateful to Your Majesty for granting us an audience on 5 July 2011.

BERSIH 2.0 believes that the time has come for electoral reform in Malaysia. A successful democracy is one that is built based on elections that are clean, free and fair. The right to vote is enshrined in Article 21 of the Universal Declaration of Human Rights (UDHR). Voting is important to allow the rakyat an active voice in government and to ensure the protection of other fundamental rights.

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However, a system of clean, free and fair elections must exist so that voters may fully enjoy their right to vote and in order for their votes to be accurately reflected in the governance of the country. A clean, free and fair election would also avoid disputes of election results which, if allowed to occur, may jeopardise the peace and prosperity of the country.

It is the desire and intent of BERSIH 2.0, together with thousands of Your Majesty's subjects gathered this day, Saturday, 9 July 2011, to appeal to Your Majesty for the establishment of a Royal Commission of Inquiry to comprehensively study the weaknesses in, and to propose improvements to, the existing electoral system and process. BERSIH 2.0 requests that this Royal Commission of Inquiry comprise members of calibre and who represent all stakeholders.

Your Majesty,

Given that a general election may be called at any time, BERSIH 2.0 together with thousands of Your Majesty's subjects gathered on this day, humbly invite Your Majesty's attention to the following eight (8) short-term measures that should be implemented before the 13th General Election.

1. Clean the electoral roll

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The electoral roll must be immediately revised and updated to ensure existing irregularities such as impersonation and ‘phantom voters’ are removed.

In the longer term, BERSIH 2.0 suggests for the establishment of an automated voter registration system which is based on the National Registration Department database.

2. Reform postal ballot

The current system of postal ballot needs to be reformed. Disenfranchisement of absent voters can be solved by extending the option to vote by postal ballot or in advance to ALL voters if absent from their constituency on polling day, regardless of whether they are in Malaysia or abroad. In addition, police, military and civil servants must vote normally like other voters if not on duty on polling day. To ensure transparency of the postal voting process, party agents must be allowed to monitor the entire process of postal or advanced voting.

3. Use of indelible ink

Indelible ink is a simple, inexpensive and effective solution to voter fraud used in other parts of the world to minimise voter fraud.

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4. Minimum 21 days campaign period

Minimum 21 days campaign period would allow voters more time to gather information and deliberate on their choices.

5. Free and fair access to media

All media agencies, especially state-funded media agencies such as Radio and Television Malaysia (RTM) and Bernama, should allocate proportionate and objective coverage for all political parties. Public debates between candidates should be broadcasted.

6. Strengthen public institutions

The EC must perform its constitutional duty to act independently and impartially so as to enjoy public confidence. The EC must take independent and proactive measures to uphold the integrity of the electoral process and enforce the Election Offences Act 1954 as mandated by the Elections Act 1958. The EC's repeated mention that they have no power to act is neither accurate in law nor does it inspire the confidence of the people in their ability to fulfil their constitutional role.

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Apart from the EC, the public demand that the institutions of this country such as the Judiciary, Attorney-General, Royal Malaysian Police and Malaysian Anti-Corruption Agency (MACC) act independently, impartially and with integrity at all times in the execution of their duties and in accordance with the Federal Constitution.

7. Stop corruption

All forms of vote-buying during elections, including promises of financial allocations for development projects by Federal and State elected representatives holding administrative positions during the campaign period must stop. Stern action must be taken against those who commit any form of vote-buying.

8. Stop dirty politics

Malaysian citizens are tired of dirty politics that has been the main feature of the Malaysian political arena. All political parties and politicians must put an end to gutter politics. As citizens and voters, we are not interested in gutter politics; we are interested in policies that affect the nation.

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Your Majesty,

On this day, Saturday, 9 July 2011, at Kuala Lumpur, BERSIH 2.0 together with thousands of Your Majesty's subjects have united in a peaceful assembly in order to realise electoral reform, uphold democratic principles and claim the right for clean, free and fair elections for Malaysia.

Your Majesty's subjects have experienced numerous obstacles and difficulties only because we wish to make elections in Malaysia the best in the world.

There are many amongst us who have been detained or made subject to legal action. Your Majesty's subjects gathered on this day, humbly beseech Your Majesty that all those who have been detained because of their support for BERSIH 2.0 should be released and all legal action against them withdrawn.

BERSIH 2.0 together with thousands of Your Majesty's subjects humbly beseech Your Majesty that the six leaders of Parti Sosialis Malaysia (PSM), including Member of Parliament Dr.

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Michael Jayakumar Devaraj, who has been detained under the Emergency (Public Order and Prevention of Crime) Ordinance 1969, be released immediately or charged in court.

Ampun Tuanku Beribu-ribu Ampun,

Sekian sahaja kami patik-patik sembah maklum, diiringi dengan salam takzim jua adanya. Amin Ya-Rabbal-Alamin dan Jazakallahu Khairan Kathira.

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Jawatankuasa Pepandu Gabungan Pilihanraya Bersih dan Adil (BERSIH 2.0), mewakili Rakyat Tuanku yang mengusul,

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10. Dr Subramaniam Pillay

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12. Dr Wong Chin Huat

13. Dato' Yeo Yang Poh

14. Zaid Kamaruddin