On 26 November, various groups of Malaysians living overseas will be organising events to demand for their right to absentee voting. In solidarity with these groups, BERSIH 2.0 would like to highlight BERSIH 2.0 Demand #2: Reform Postal Voting which is one of our 8 demands.

BERSIH 2.0 would like to reiterate that it is critical for the current postal voting system to be reformed to ensure ALL absent voters are able to access their right to vote and to reduce any gaps that may lead to manipulation and abuse.

A.   Weaknesses:

1.   Current postal voting system is susceptible to fraudulent practices

The lack of transparency in the postal voting process allows for potential manipulation, intimidation or corruption.

Postal voting typically takes place in the army camps or police stations and it is difficult for independent ejen undi pos to observe the balloting. The lack of independent or party observers leave room for fraud to occur as has been testified by former army officers.

In August, three former army officers admitted to manipulating postal ballot under orders from superiors. They marked hundreds of ballot papers on behalf of other army officers and their spouses[1]. In another exposé, MP Anthony Loke[2] discovered an army spouse who was registered in the electoral roll under her husband's civilian IC[3]. These cases are merely the tip of the iceberg and an indication that the postal electoral roll needs a thorough audit.

Another issue leading to fraud is the separation of postal voter roll from ordinary voters roll. Any postal voter registered under the army IC could also register as an ordinary voter using his or her civilian IC[4].

2. Poorly designed procedures for control of postal voting

Postal voting is a complicated and tedious process. The forms used to control the issuing, returning, opening and rejection of envelops and ballots are poorly designed as they require

only the date and signature of an Election Commission (EC) officer. Any ejen undi pos present is not allowed to sign on these forms or to have a copy to ensure check and balance. As such, any manipulation of the figures can occur easily.

3.   Discrimination and marginalisation of absent voters

One of the major defects of the postal voting system is the disenfranchisement of other absentee voters such as those living overseas and those living in Malaysia but unable to return their constituency to cast their votes. Recently, six Malaysians living overseas have taken the EC to court to fight for their right to absentee voting.

In addition, the short period of 4 days for dispatch of postal ballots before polling day makes it practically impossible for almost all overseas voters to receive and return their ballots. In reality, overseas voters would be unable to return ballot papers in time for polling day if the campaign

period is less than 28 days. Due to this, various other countries including the USA, England and Australia has employed the method of advance voting instead.

4.   Postal voting system is expensive and inefficient

Based on the attached chart outlining the process of postal voting[5], it is clear that postal voting is a very tedious process. Some of the issues with the process include the compromise of the secrecy of the ballot.

B.   BERSIH 2.0 Proposal for Immediate Reform of Absentee Voting

Please refer to Appendix 4 for BERSIH 2.0 full proposal for reform of absentee voting submitted to the Parliamentary Select Committee for Electoral Reform (PSC) on 12 November 2011.

1.   Utilise various methods of Absentee Voting

a.   Postal voting – only available for overseas voters except in Singapore and Brunei

b.   Advance voting – available for service voters and overseas voters except in Singapore and Brunei[6]

c.   Distance voting– available for service voters, domestic absent voters and overseas

voters in Singapore and Brunei

In July, the EC Deputy Chair Wan Ahmad Wan Omar announced that the EC has previously tested out advance voting and will be using this method in the next GE[7]. Based on this, the EC can easily extend advance voting to overseas voters as well.

2.   Improve safeguards of absentee voting

Election candidates their agents and election observers should be allowed to monitor the entire process of absentee voting. Procedures should be designed to ensure check and balance and safeguards against abuse.

BERSIH 2.0 is of the view that there is no reason why these proposals cannot be implemented before the next General Elections. The EC would be failing its constitutional duties if it fails to do everything within its powers to ensure access to the right to vote for all eligible voters.

Once again, BERSIH 2.0 calls on the EC and Government to "Tunaikan 8 Tuntutan, Barulah PRU-13" (Implement the 8 Demands before GE-13).

Salam BERSIH 2.0!

Steering Committee

Coalition for Clean and Fair Elections (BERSIH 2.0)

The Steering Committee of BERSIH 2.0 comprises:

Dato' Ambiga Sreenevasan (Chairperson), Andrew Khoo, Arul Prakkash, Arumugam K., Dr Farouk Musa, Liau Kok Fah, Maria Chin Abdullah, Richard Y W Yeoh, Dr Subramaniam Pillay, Dato' Dr Toh Kin Woon, Dr Wong Chin Huat, Dato' Yeo Yang Poh and Zaid Kamaruddin.

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[1] Free Malaysia Today (2011) "3 lagi bekas tentera mengaku manipulasi undi pos", 17 August at http://www.freemalaysiatoday.com/2011/08/17/3-lagi-bekas-tentera-mengaku-manipulasi-undi-pos, accessed 24 November 2011.

[2] The Malaysian Insider (2011) "DAP claims Rasah postal voters using army spouses' IC numbers", 6 September at http://www.themalaysianinsider.com/malaysia/article/dap-claims-rasah-postal-voters-using-army-spouses-ic-numbers, accessed 24 November 2011.

[3] See Appendix 1

[4] See Appendix 2

[5] See Appendix 3

[6] Advance voting and distance voting are basically the same, except the later happens on the polling day. The advance/distance polling centres are expected to be larger than ordinary voting centres, where voters will vote by state, resulting in up to 16 ballot boxes for parliamentary contests and 13 ballot boxes for state contests.

[7] New Straits Times (2011) "Postal Voting Overhaul", 12 July.