



## Global Bersih Data Collection on Malaysia's 14th General Election- Overseas Voting Process



### OVERSEAS MALAYSIANS GE14 DATA COLLECTION

Global Bersih is collecting data on GE14 overseas voting process for future elections

We are appealing to overseas Malaysians to email us your documentation on your overseas voting process (eg. tracking slips, emails, etc). This will serve as proof to support our data collection, and will only be used for our research.

Below is the information we require:

- Exact date you sent in your Borang 1B
- Exact date of the EC confirmation email on receiving your application
- Exact date of the application approval email from EC
- Exact date of the ballot arrival - proof of receipt and the exact date the ballot has been sent out

- Exact date, cost and the method you used to you send your ballots back to Malaysia
- Exact date of the arrival of your ballot at your polling station

Email your documentation to [nirmala.wind@globalbersih.org](mailto:nirmala.wind@globalbersih.org)

Thank you for assisting us in this data collection!

GlobalBersih GlobalBersih

global bersih  
MALAYSIANS ACROSS BORDERS

## CONTENTS

<b>Executive Summary</b>	3
<b>Background</b>	4
<b>Data Analysis results</b>	
<b>Participation</b>	6
1a) Total Participants	
1b) Participants according to countries	
<b>Registration</b>	9
2(a) Number of Borang 1B submitted	
2(b) Borang 1B submission dates	
2(c) Numbers and percentages of received confirmation email from Election Commission (EC) after submission of Borang 1B	
2(d) The frequency of the Borang 1B confirmation email	
2(e) Interval between submission of Borang 1B and confirmation email from Election Commission (EC)	
3 Confirmation Email from EC on status approval.	
4 Voters encountering problems with the registration process	
4(a) List of problems in the registration process	
5 Agencies contacted during the registration process	
(a) List of problems with these agencies	
<b>Voting</b>	18
6 Percentage/number of people who received their ballot	
7 Percentage of ballots that were complete upon receipt by voters	
(a) If incomplete – a list of what was missing	
8 Ballots received by voters on which date?	
9 Ballots returned	
9(a) If not, why?	
<b>Observation &amp; Summary</b>	21
<b>Recommendations</b>	25

## EXECUTIVE SUMMARY

Global Bersih's findings from our data collection of the 14th General Election (**GE14**) are as follows:

- The Election Commission (**EC**) and foreign Malaysian missions did not provide adequate and timely information on the registration and voting process. The information that was relayed conflicted and varied from agency to agency. This caused widespread confusion, frustration and disenfranchisement.
- The EC demonstrated incompetence by not processing applications and notifying citizens of their voting status in a timely manner, allowing discrepancies on the electoral roll, erring with regards to voter eligibility and not having an appeals process.
- The illogical timeline for overseas voting has been well documented. There was not enough allowance for ballots to reach voters and return to the respective constituencies in time. This cause many voters to expend extraordinary time, effort and money in order to get their ballots counted in time.

We propose the following reforms to the entire process before the 15<sup>th</sup> General Election. You will find them in the final section of this report.

- Implement automatic voter registration
- Lower the voting age to 18 years old
- Minimum 28-30 days campaign period
- Standardise on an on-going basis the system for overseas voters
- The EC to take responsibility for the overseas voting process
- Mobilise overseas Malaysians to vote

## Background

Global Bersih is a non-profit organisation made up of Malaysians overseas, in efforts to strengthen Malaysia's maturing democracy using peaceful action.

We aim to empower and enable Malaysians overseas to participate in the democratic process, such as registering and voting.

One of our primary focuses has been the improvement of the overseas voting process for the Malaysian diaspora all over the world.

In the 13th General Election (**GE13**) the postal vote was, for the first time, accorded to Malaysian citizens overseas who previously did not fit the description of an "absent voter" as defined in Regulation 2 of the Elections (Registration of Electors) Regulations 2002.

In the spirit of offering a solution, we proposed to amend the electoral regulations and introduce new practices. The proposal is to improve the structure put in place during GE13, including renaming the procedure to 'overseas advance voting' as the GE13 overseas method of voting is not, in fact, a postal vote since voters still have to submit ballots in person at the overseas polling locations. Additional procedures proposed are also desirable to ensure voter secrecy, a more transparent election process and an election outcome that is seen as legitimate among most voters. We presented a proposal on these issues to the EC who never engaged with Global Bersih.

In GE14, another system was introduced for overseas Malaysian to vote. The Process was as below:

All overseas Malaysians can apply to be included in the overseas voting facility by filling up Borang 1B and sending it per fax/post/email to EC before the dissolution of the existing parliament.

Application requirements were a) Must be a registered voter b) must have been in Malaysia or returned in Malaysia not less than 30 days within 5 years before the dissolution of Parliament or State Assembly c) Must reside overseas EXCEPT those residing in southern Thailand (Narathiwat, Pattani, Yala, Songkhla, and Satun), Singapore, Brunei, Kalimantan

province, Indonesia. All Malaysians residing in these areas will have to return to cast their votes.

All applications will receive a confirmation email from SPR upon of the application.

All application will be processed, and a confirmation email will be sent out upon approval/rejection of the application.

Once the Election date is announced, the ballots will be sent to the voters according to the address registered on the Borang 1b.

The voters will fill in their ballots and send the ballots back to the returning officer in the constituency before 5 pm, 9th May. (**Election day**).

Global Bersih has carried out a data collection exercise to keep track of and assess the effectiveness of the overseas voting process in GE14. Malaysians from all over the world took part in this exercise by filling out a survey documenting their individual experiences with the overseas voting process. This report summarises the findings from this data collection exercise are summarised.

### **Important dates**

Application for overseas voting facility opened - 23rd January 2018

Application for overseas voting facility closed - Midnight 7th April 2018

Dissolution of the Parliament - 7th April 2018

Announcement of the Nomination day and Election day - 10th April 2018

Nomination Day - 28th April 2018

Ballots printed and sent out to the Returning Officers - 29th/30th April 2018

Ballots sent out by the Returning Officers - 1st/2nd May 2018

Election day - 9th May 2018

## Participation

1 a) Total Participants - 1620

b) Participants according to country

Countries	Participants
UK	439
Australia	320
Malaysia	100
USA	81
Germany	74
Japan	67
New Zealand	66
Taiwan	49
China	43
Hong Kong	43
Netherlands	25
Switzerland	17
Canada	17
France	16
South Korea	15
Finland	14
UAE	11
Thailand	10

Italy	9
Belgium	8
Qatar	7
Ireland	7
Singapore	7
Russia	5
Indonesia	5
Saudi Arabia	5
Czech Republic	5
Sweden	5
Austria	4
Philippines	4
Vietnam	4
Jordan	3
Norway	3
Denmark	3
Turkey	3
Myanmar	2
Egypt	2
Nepal	2
South Africa	2
Ecuador	1

Romania	1
French Polynesia	1
Poland	1
Greece	1
Hungary	1
Morocco	1
India	1
Azerbaijan	1
Serbia	1
Malta	1
Tunisia	1
Canada	1
Maldives	1
Spain	1
Others	74

The table above shows that Malaysians all over the world took part in this data collection exercise. Therefore this report represents problems faced by Malaysian diaspora all over the globe during the overseas voting process in GE14.



**REGISTRATION**

2. a) Total number of Borang 1B submitted : 1620

b) Dates of Borang 1B submission.

<b>Submission date of Borang 1b</b>	<b>Frequency</b>	<b>Percent (%)*</b>
January 23-25	43	5
January 26-31	59	5.4
February 1-5	32	2.9
February 6-10	34	3.1
February 11-15	26	2.4
February 16-20	22	2
February 21-25	19	1.7
February 26-28	31	2.8
March 1-5	28	2.6
March 6-10	27	2.5
March 11-15	26	2.4
March 16-20	32	2.9
March 21-25	30	2.8
March 26-31	68	6.3
April 1-2	38	3.5
April 3	65	6
April 4	78	7.2
April 5	73	6.7
April 6	198	18.2
April 7	159	14.6
No indication/Wrong indication of dates (before Jan 23 or after April 7)	484	--

Applications for postal voting opened on the 23rd January 2018 and closed at midnight, 7th April 2018 (1). Even though the numbers of the no/wrong indication in the table is comparatively high, we can still deduce that most of the applications were submitted within the given time deadline. Therefore it must be within EC's capacity to be able to process all these applications according to the process that they have set up.

The more significant problem here was the timeline of the whole process that was very ambiguous making it very difficult for overseas Malaysians to exercise their right to vote consciously.

Here are some of the problems faced by overseas Malaysians with the registration timeline.

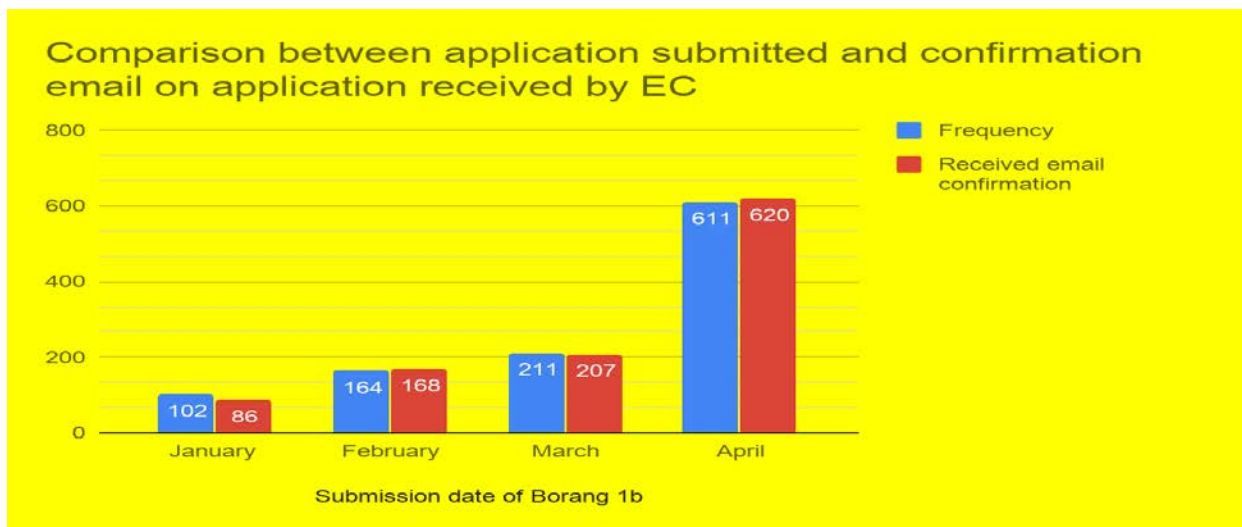
- The overseas voting registration was opened on 23rd January, and the announcement was made one day before. The deadline was also wasn't clear because it was on the midnight of the date parliament dissolution.
- The announcement was unclear as many important points were missing such as the fact that you still have to register using Borang 1B even if you have register to vote in overseas during GE14.
- Overseas Malaysians also were not explicitly informed about the fact that their ballots will be sent to them at the address that was submitted on their Borang 1b and there will not be any ballots at their voting station. Therefore overseas Malaysians had to decide for one option or another even when they cannot plan to fly back to vote as yet the elections dates were not announced.

c) Numbers and percentage of received acknowledgement email from EC regarding their Borang 1B : 1179 (72.78%)

Numbers of applicants who didn't receive any acknowledgement email from EC regarding their Borang 1B - 130

d) The frequency of the Borang 1B acknowledgement email.

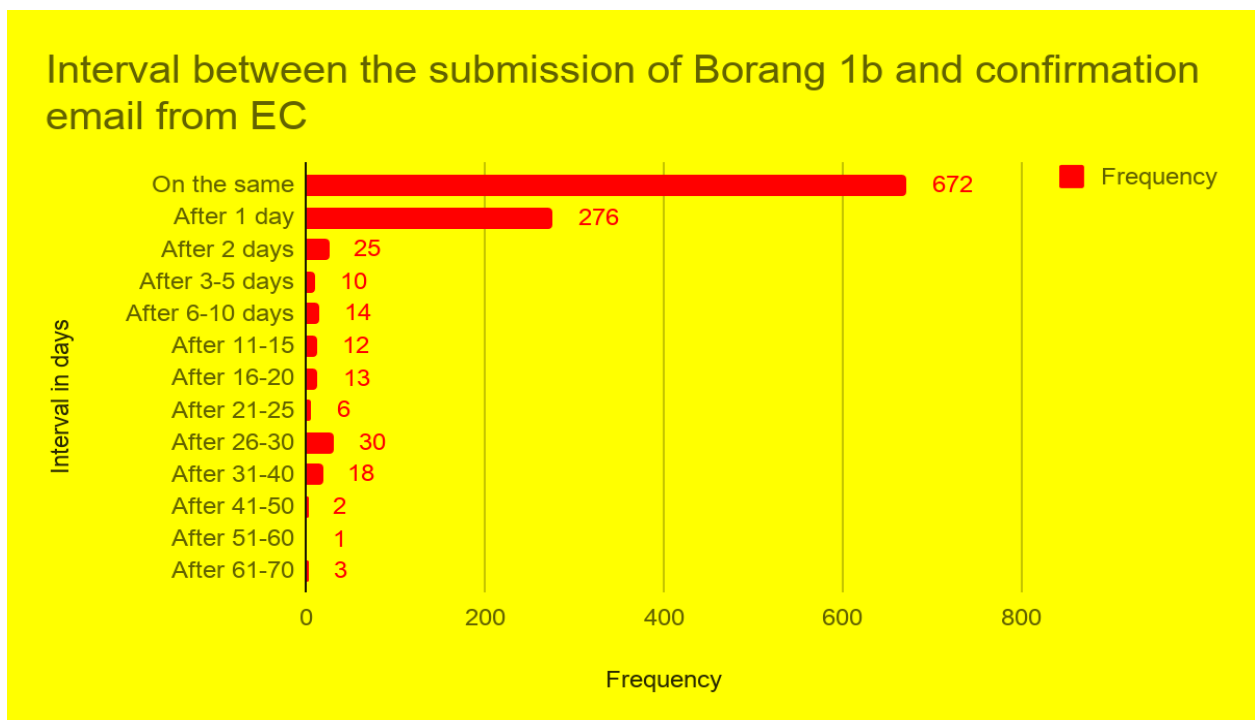
Month	Frequency
January	86
February	168
March	207
April	620



e) Interval between submission of Borang 1B and acknowledgement email from EC.

Borang 1b confirmation email since the sending of borang 1b	Frequency
On the same day	672
After 1 day	276
After 2 days	25
After 3-5 days	10
After 6-10 days	14
After 11-15 days	12
After 16-20 days	13
After 21-25 days	6

After 26-30 days	30
After 31-40 days	18
After 41-50 days	2
After 51-60 days	1
After 61-70 days	3

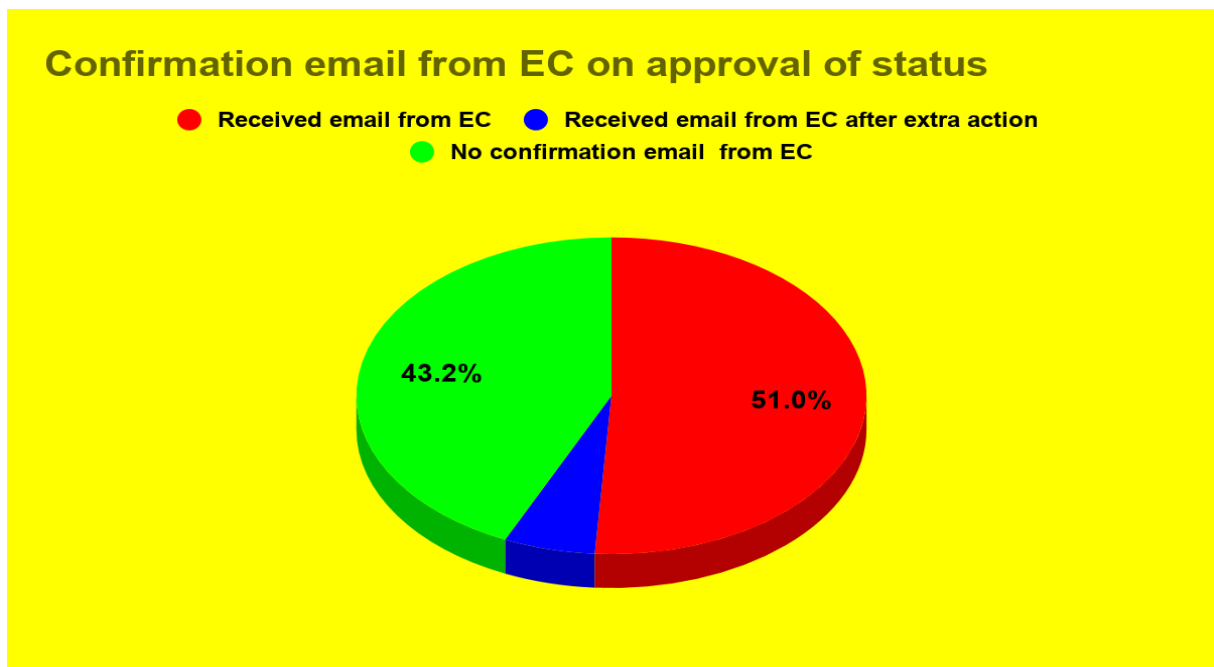


At the first glance , section 2 might seem to show that EC has been reacting promptly to the applications as shown on section 2(d) and 2(e).

If we look at the at the other side, section 2(e) also shows that many of the applicants had to wait for more than a week to get their confirmation email on the Borang 1B. If we project these numbers into a global scale, it cannot be ignored that many Malaysians didn't receive any confirmation email from EC on their Borang 1b even till the election date.

3. Confirmation Email from EC on approval of the status.

	Amount	Percentage
Participants who received confirmation email on their overseas voting status approval from EC	757	46.73%
Participants who received confirmation email on their overseas voting status approval from EC after extra action per email/phone calls	86	11.36%
Participants who didn't received confirmation email on their overseas voting status approval from EC	640	39.51



Section 3 clearly shows that EC has entirely failed their duty in upholding the overseas voting process that they have set up. The fact that nearly half of the applicants didn't receive their reply email from Ec to confirm their status is unacceptable. Overseas Malaysians were left in the dark and were helpless in their pursuit for clarification.

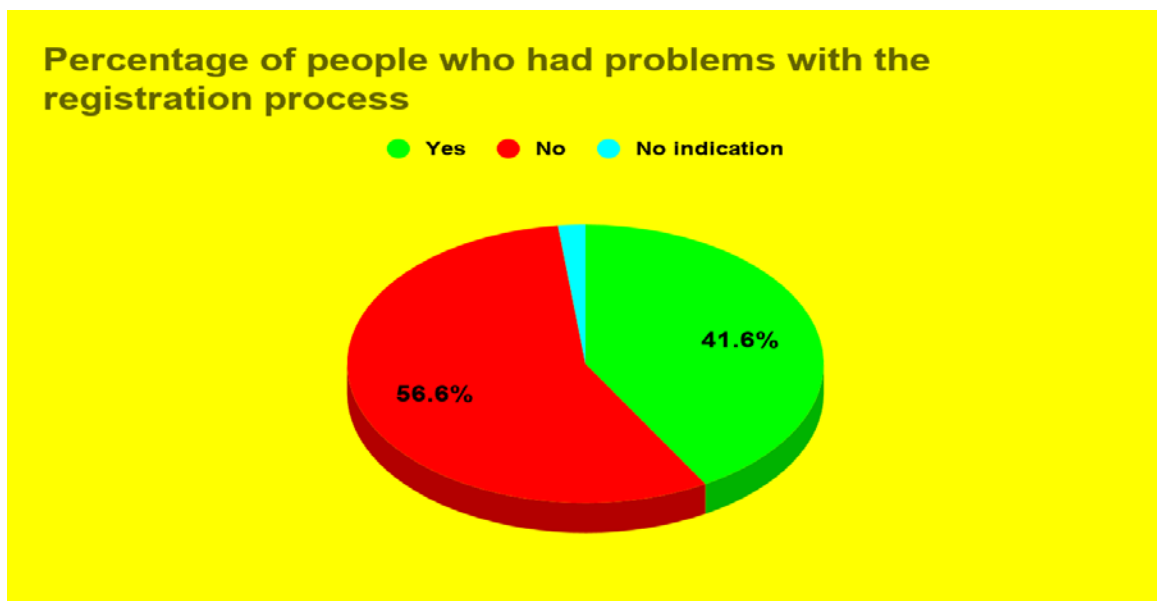
The problems from this situation were

- Overseas Malaysian had to spend time and money contacting all related parties to get a status update.

- There is no other way to find out if the application has been approved as this email is the only proof of status approval. The voting status will not be changed on the voting registry
- Malaysians in overseas couldn't make alternative plans such as flying back to vote in case if their application is rejected as there were no indication if the application was approved or denied.

#### 4. Percentage of people who had problems with the registration process

	Frequency	Percent (%)
Yes	654	41.6
No	889	56.6
No indication	29	1.8



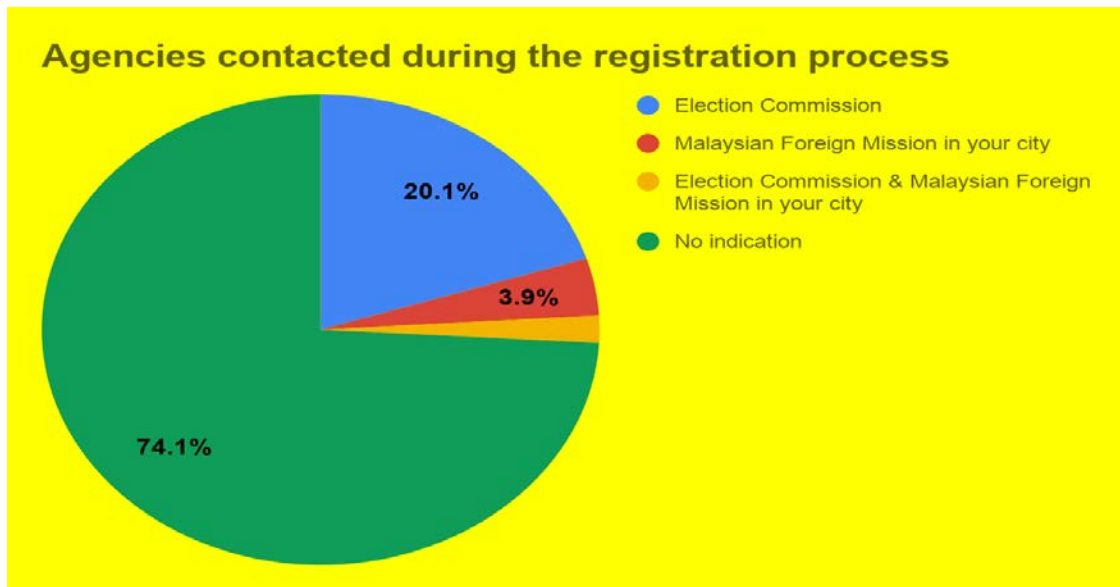
#### 4a. Problems faced during the registration process

Problems
<ul style="list-style-type: none"> <li>• Had to contact Election Commission/ Malaysian Foreign Mission for information on registration process</li> </ul>

<ul style="list-style-type: none"> <li>• Poor response and lack of information from Malaysian Foreign Mission</li> </ul>
<ul style="list-style-type: none"> <li>• Had to contact Election Commission for application status update</li> </ul>
<ul style="list-style-type: none"> <li>• No reply from EC</li> </ul>
<ul style="list-style-type: none"> <li>• Poor response and lack of information from Election Commission</li> </ul>
<ul style="list-style-type: none"> <li>• Lack of information about how to fill the form /complete the process</li> </ul>
<ul style="list-style-type: none"> <li>• Rejected for using outdated Borang 1b ( provided by EC website and the Malaysian Foreign Mission)</li> </ul>
<ul style="list-style-type: none"> <li>• Registered as postal voters without notification</li> </ul>
<ul style="list-style-type: none"> <li>• Last minute rejection</li> </ul>
<ul style="list-style-type: none"> <li>• No confirmation from EC about the Borang 1B receipt</li> </ul>
<ul style="list-style-type: none"> <li>• No confirmation on rejection/approval of status from EC</li> </ul>
<ul style="list-style-type: none"> <li>• Application not processed by EC</li> </ul>
<ul style="list-style-type: none"> <li>• Rejected on the ground of incomplete form( the forms were complete)</li> </ul>
<ul style="list-style-type: none"> <li>• Rejected without reason</li> </ul>
<ul style="list-style-type: none"> <li>• Rejected because name not found in the Electoral polls ( The person has voted in GE13 )</li> </ul>
<ul style="list-style-type: none"> <li>• Cannot find information on the electronic passports (no stamps) as reference for 30 days in Malaysia within the last 5 years rule.</li> </ul>
<ul style="list-style-type: none"> <li>• Received approval email only later to be told that the email was a mistake and the application is not approved without reason.</li> </ul>
<ul style="list-style-type: none"> <li>• No confirmation on Borang 1b sent by Pos</li> </ul>
<ul style="list-style-type: none"> <li>• No confirmation on Borang 1b even after being sent multiple times per email.</li> </ul>
<ul style="list-style-type: none"> <li>• Application rejected for not fulfilling the 30 days rule - even when applicant can prove otherwise</li> </ul>

5. Agencies that were contacted during the registration process.

Agencies contacted during registration	Frequency	Percent (%)
Election Commission	316	20.1
Malaysian Foreign Mission in your city	62	3.9
Election Commission & Malaysian Foreign Mission in your city	29	1.8
No indication	1165	74.1



5 a List of problems with these agencies

Problems	Frequency
Had to contact them to check for application status	125
No reply/answer from them	74
Poor response/lack of information from SPR	61
Embassy/Consulate didn't have enough info/knowledge	25
Late delivery of ballot	25
Lack of information about how to fill the form/complete the process	24



No ballot paper	23
No tracking number	7
Rejected for using old borang 1b form although it's still available on SPR website and in consulate offices	6
Registered as postal voter without being notified	6
Last minute rejection	4

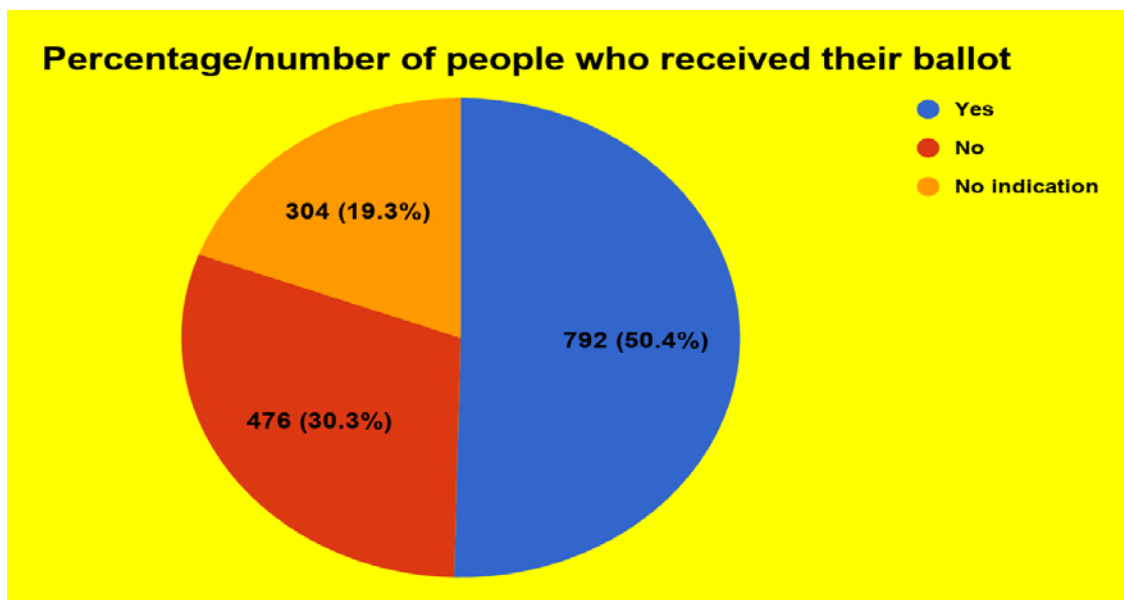
The fact that 41.6% of the participants of this data collection had problems or difficulties with the registration process already speaks for itself. The list of the issues indicates that the central questions revolve around the fact that the two official departments, The Election Commission and the Malaysian Foreign Office, that should have played an essential role in the process failed to do so. There were many instances of no information and misinformation on the registration process and overseas voting from both these department.

**VOTING**

**Ballots**

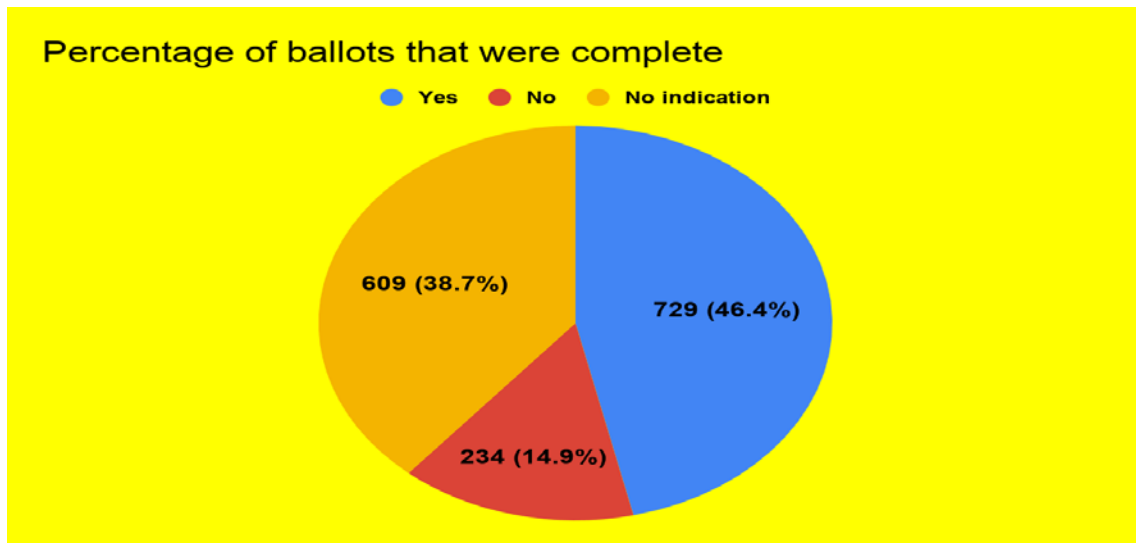
6. Percentage/number of people who received their ballot from total participants.

	Frequency	Percent (%)
Yes	792	50.4
No	476	30.3
No indication	304	19.3



7. Percentage of ballots that were complete

	Frequency	Percent (%)
Yes	729	46.4
No	234	14.9
No indication	609	38.7



7(a) If incomplete – a list of what was missing

Incompleteness	Frequency
Did not receive ballot	68
Missing/incomplete address of receiving officer on the envelope(s)	57
Wrong/missing information on the documents by SPR	6
Last-minute delivery of ballot by SPR	5
No tracking number	3
Stained ballot	1
No sealing envelope	1

This section clearly shows that the problem wasn't only the incompetence of the Election commission but also the incompetent of the returning officer for the constituencies as they are responsible for ensuring that the ballots are complete.

8. Ballots returned to Malaysia

	Frequency
Yes	394
No	533
No indication	645

8(a) Reasons for not returning the ballots

Reasons	Frequency
Not enough time as ballot arrived too late	388
Did not receive ballot	84
Express postal fee too high, SPR to blame for late arrival of ballot	47
No returning address	9
Unable to find runner, SPR to blame for late arrival of ballot	8
Unable to find witness	5
No confirmation on the ballot arrival date by the courier company. Therefor couldn't male preparations to return the ballots.	4
Feel that it's not safe	4

The section above clearly shows that the main reason for not returning the ballots is due the fact that the late arrival of ballots. Again it shows that the Election commissions has failed its duty to uphold the rights of overseas Malaysians to vote. **The fact that only a few of the participants felt that the system was unsafe clearly shows that they put their trust on the EC, only to be disappointed by them.**

## Observations and Summary

These data show that the overseas voting process for GE14 was faulty and the departments that were involved should take responsibility to ensure the voting rights of all overseas Malaysians

These are a few of the significant issues :

### 1) Lack of / inadequate information dissemination on the registration and voting process

- Information on overseas voting process and timeframes were not proactively disseminated to overseas Malaysians in a timely, effective and transparent manner.
- The announcement to open the overseas voting facilities was made in January 2018, but no clarification was given on the process such as the processing period for the application and when/how the ballots will be sent.
- There were few announcements by EC on overseas voting procedures and little or no communication and coordination between EC and foreign Malaysian missions to ensure that the overseas Malaysian missions were in possession of accurate information and that they disseminated this in a timely and effective way.
- The Malaysian overseas mission failed to inform the overseas Malaysians on such necessary information like the fact that overseas Malaysians still have to register with using Borang 1B even if they have voted from overseas during GE13.
- The degree of information shared and the methods used to transmit data to overseas Malaysians varied considerably from country to country.
- Many overseas Malaysians were confused on where to return the ballots as there were many versions of answers from Election Commission and the Malaysian overseas missions.

- There was no clear indication on the ‘Semakan Daftar Pemilih’ that the overseas voting has been approved as the polling station shown is the one in the constituency, thus creating confusion among the overseas voters.
- Details of the voting procedure were not communicated in advance to allow overseas voters to organise themselves. For instance, the late communication of the requirement for a Malaysian adult to witness their vote caused problems in practice for overseas voters living in areas with few other Malaysians as they did not have time to find other available Malaysians in the short timeframe.
- No effort was made to clarify the questions that have been brought up by civil society organisations such as Bersih 2.0 and Global Bersih regarding the registration or voting process.
- The Election commission also did not make any effort to inform Returning Officers on the overseas voting process as many overseas Malaysians received contradictory information, especially on the ballot returning method and location.

## 2). The incompetence of Election Commission

- We can also deduce that the Election Commission was utterly incompetent in handling the overseas voting process in GE 14.
- It starts already with the fact that they were not capable even of processing the applications timely and sending the confirmation email on the rejection or approval of the applications. Many overseas Malaysian had to call and demand their email confirmation as that is the only proof they have on their status to vote from overseas
- There was an extraordinary confusion as there were many discrepancies on the electoral roll such as non-registered voters appearing on the electoral roll, registered voters disappearing from the electoral roll and many more. It is unacceptable for such incidents to happen as it challenges the reliability of the process.
- As one can see there were rejections that were made without proper information. Some of the rejections were made without any explanation meanwhile some are

made based on false reasons such as the non-compliance with the 30 days requirement even if the candidate can prove otherwise. Some of the rejections were made too late that there was no chance to appeal. An appeal process should be put in place with clear procedures and reasonable timeline.

- The election commission also ignored and denied all the possible problems of the overseas voting process that was presented by Global Bersih chapters all over the world.

### 3. Illogical timeline for overseas voting

#### Important dates

Application for overseas voting facility opened	23 January 2018
Application for overseas voting facility closed.	Midnight 7th April 2018
Dissolution of the Parliament	7th April 2018
Announcement of the Nomination day and Election day	10th April 2018
Nomination Day	28th April 2018
Ballots prepared and sent out to Receiving officer	29/30th April 2018
Ballots sent out by the receiving officer	30th April 2018
Deadline for overseas votes to arrive at the receiving officer	Before 5pm , 9th May 2018

It is clear that the timing that was allocated for the overseas voting process has made it nearly impossible for overseas Malaysians to return their ballots. As there were only about 9-10 days between the day the ballots are sent out and the deadline on 9th May, Overseas Malaysians had to incur the unimaginable cost - monetary and stress.

Overseas Malaysians had to use express postal service that went up to RM500 to send the ballots back on time, provided that they received the ballots early enough. The ones that received their ballots late or didn't receive their ballots were left in the dark without explanation.

It is unimaginable that EC would be so blind to these matters that they were surprised that the ballots did not reach the voters in overseas on time.

Global Bersih and Bersih 2.0 has brought this issue to the attention of the EC many times. EC has assured that the process is a tangible and workable one and many overseas Malaysians trusted EC to keep their word, only to be disappointed.

Many Malaysians did not receive their ballots on time or at all hence having to forgo their right to vote.

Election Commission has ignored and brushed aside claims from Bersih chapters all over the world on the impossibility of this timeline.

The fact that so many people registered to use this process to vote from overseas shows that they have put their faith on this process set by the election commission only to be short-handed by the Election Commission's incompetence.

EC admitted its inability by apologising for the late arrival of the ballots, but it is unacceptable as many overseas Malaysians lost their right to vote.



## **RECOMMENDATIONS**

**We call upon the EC to implement these reforms before the 15th General Election (GE15).**

The EC has the power – under Section 16 of the Elections Act 1958 with the approval of the Yang di-Pertuan Agong – to make regulations for the conduct of elections and all matters incidental to that. We therefore strongly urge the EC to consider these recommended amendments to such regulations.

The following suggestions are made based on the outcome of the overseas voting process for the 14th General Election (GE14), and the data collection exercise carried out by Global Bersih during GE14:

- Implement automatic voter registration
- Lower the voting age to 18 years old
- Minimum 28-30 days campaign period
- Standardise on an on-going basis the system for overseas voters
- The EC to take responsibility for the overseas voting process
- Mobilise overseas Malaysians to vote

### **Registration**

#### **1) Automatic voter registration**

Citizens that are eligible to vote must currently proactively register to vote to be added to the electoral roll. Registration can be done at any computerised post office, Election Commission branches, local district offices and by any accredited Assistant Registrar Officer (ARO). For Malaysians living overseas, they will have to register personally at the Malaysian Overseas Missions.

As the Electoral Roll is updated and gazetted every quarter, the process is subject to delays and inconsistencies. In reality, it can take up to six (6) months for new voters to be added to the electoral roll, sometimes more for overseas Malaysians. This process is time-consuming and unreliable as there have been many discrepancies in past General Elections.

**Therefore we propose that qualified citizens be automatically registered to vote upon reaching the age of 18.**

Many countries with a national register of citizens – including Norway, Denmark, Finland, Sweden, France, Germany, Austria, Belgium, Italy, Estonia, Slovenia, Switzerland, Iceland, Israel, Argentina and Peru – have automatic voter registration.

The National Registration Department (NRD) already has the requisite information on Malaysian citizens, and through the existing Agency Link-Up System (ALIS), the Election Commission can easily carry out automatic voters registration.

Please note that automatic voter registration is not the same as compulsory voting.

Automatic voters registration will ensure that the registration process will be more efficient and less open to manipulation.

**Automatic voter registration would require a constitutional amendment to Article 119(4)(b) in the Federal Constitution to change the definition of "qualifying date". It would also need changes in the Election (Registration of Electors) Regulations 2002.**

### 2) The case for lowering the voting age

We believe that 18 is an ideal cut-off point for the voting age because it is a time when young people are pursuing tertiary education or working. It only makes sense to enfranchise this group of youths and encourage them to participate in the democratic process. Civics education should start early which would lead to a more engaged young electorate.

### 3) Standardised system for overseas voters

We call on the EC to develop and implement a standardised system for registration as overseas voters, on an ongoing basis as explained below:

- a) Any Malaysian living overseas for any length of time who fulfils all the requirements should be able to download Borang 1b from the EC website and apply to use the overseas voting process at any point in time;
- b) Once the application has been approved/ rejected, the EC should inform the applicants by e-mail or post;
- c) Once the application is approved, the status should be updated on the Semakan Daftar Pemilih;
- d) If there is a change of address, it is the responsibility of the applicant to inform the EC;
- e) As the election approaches, the EC should announce the registration deadline as early as possible or better yet, a standard deadline should be applied such as after the date of the parliament dissolution.

This ongoing registration will ensure that the EC will be able to process all applications on an ongoing basis without time pressure. At the same time, overseas Malaysians will also have a more transparent registration system and are informed of their registration status. This system also allows overseas Malaysians to be prepared with all the requirements.

#### 4) Mobilising overseas Malaysians to vote

The EC should also play its role to encourage more Malaysians to take part in the voting process by having campaigns to promote the democratic process. Information about the standardised voting system for overseas Malaysians should be disseminated.

At the same time, Malaysian missions abroad should be informed about the standardised system so they can encourage overseas Malaysians to vote and also be the primary contact point for information for those overseas.

The EC and Malaysian missions overseas should also engage with Malaysian civil society and organisations to disseminate the information on the registration process as they are also working towards enfranchising all Malaysians in the voting process.

Organisations like Global Bersih or Malaysian clubs abroad can help the EC and Malaysian missions to mobilise overseas Malaysians to register and vote.

## **Voting Process**

### **5) Standardised voting process**

Global Bersih encourages the EC to review the last two overseas voting processes that were used in GE13 and GE14, and decide on a standardised voting process for overseas Malaysians. The standardised voting process has to fulfil the four areas that we have brought up before in our overseas voting proposal (see Appendix):

- Enfranchisement of all Malaysians living abroad
- Maintenance of voter secrecy
- Maintenance of transparency and security
- The legitimacy of the elections outcome

We believe that a standardised overseas voting process that covers the four areas above will be a significant step in solving most of the problems that have arisen till now.

The voting procedure should be the same for all upcoming elections, and any changes or new requirements must be publicized at least six months before Nomination day.

Global Bersih also urges the EC to look into possible new overseas voting options like online voting before standardising the process. Online registration and voting have been successfully carried out by many countries around the world, including Switzerland and the Philippines.

### **6) The EC to take the whole responsibility for the overseas voting process**

We call on the EC to take the whole responsibility in carrying out the overseas voting process, from registration to voting. This centralised system is to ensure that the EC is solely responsible for all matters involving overseas voting. **The best option will be to have a particular department focusing on overseas voting – an office for Overseas Voting.**

Countries like the Philippines have a special department in their Commissions of Elections to handle overseas voting.

During GE14, the ballots were sent from the EC to the returning officer who then sent the ballots out to overseas Malaysians voters through Pos Malaysia Bhd. There was no accountability for the faulty system. The EC having the most appropriate jurisdiction should be the one sending out the ballots and must be able to track the ballots in case of discrepancies. This not only saves time but also ensures the credibility of the system as the ballots are not passed through so many different hands before being received by the voter.

7) Minimum 28-30 working days campaigning period

One of the major breakdowns in the overseas voting process in GE14 was the lack of time for the ballots to be returned from overseas locations. As there were only about 9-10 days between the day the ballots were sent out and the deadline on 9th May, it was nearly impossible for overseas Malaysians to receive their ballots and to return the ballots on time.

Therefore it is crucial and vital that there is enough time for the EC to be able to send out the ballots, and for the overseas Malaysians voters to return the ballot on time.

Global Bersih surveyed the duration of sending a registered letter to Malaysia from different locations all over the world. Global Bersih found that it takes at least 12 to 15 days for a registered letter to arrive in Malaysia. In GE14, Pos Malaysia Bhd was used to send the ballots to overseas Malaysians voters, and the ballots took about 5 to 8 days to arrive at the locations, depending on the distance and accessibility.

ACTION	WORKING DAYS
Ballots sent to Returning Officer	1 day after Nomination day
Ballots sent to voters by Returning Officer	2-3 days after Nomination day
Ballots arrival duration	5-8 days
Buffer time for ballot arrivals	2 days

Ballots return duration	12-15 days
-------------------------	------------

The table above shows the possible duration for a ballot to travel from the EC to Malaysian overseas voters in the existing system. **Because of this, there should be at least 28 to 30 working days in between the nomination day and the election date** for all involved parties to carry out their responsibility correctly.

### **CONCLUSION**

Our data collection during GE14 revealed that many Malaysians were prepared to trust the overseas voting process in place. They valued exercising their democratic right, a right that was often obstructed by the haphazard operations of the multiple parties involved. We believe that an integrated and standardized electronic system overseen by a central Overseas Voting office will greatly improve confidence in the process and will encourage a stronger uptake among overseas Malaysians.