

Press Release from BERSIH

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Major Reform Needed to Postal Voting Process to Enfranchise Over 1 Million Malaysians Living Overseas

While BERSIH welcomes the expansion of postal voting rights to all overseas voters, including those who lives in neighbouring countries like Singapore, Southern Thailand, Brunei and Kalimantan, we have noted major shortcomings in the postal voting process and the experiences of voters who took part in our post-Johor Election survey confirmed many of the problems we have observed.

Summary of the issues

1. **Lack of time.** This has been a common complaint among eligible overseas voters, and it can be divided into two areas – the registration and application period and the campaign period (period to send back postal ballot by Polling Day).

a. Registration/application period – For the Johor election, the window to apply as a postal voter is 10 days, from 9 to 18 February, a week before Nomination Day. Many had complained that 10 days is insufficient time for them to apply since they only became aware of the postal voting option much later.

b. Campaign period (Period to send back postal ballot) – For Johor it was 2 weeks from 26 February to 12 March 2022. From our survey, the earliest recipient of his postal ballot in Singapore received it on 2 March, 5 days after Nomination Day with most in Singapore receiving theirs the next day. For Australia, the earliest was on 6 March, Taiwan was the next day on 7 March, while New Zealand was 9 March. It is clear that given the current process of delivering postal ballots and the short campaign period, voters living in countries further away from Malaysia or countries with slower postal services, the postal voting option is meaningless to them.

2. **Lack of awareness.** The fact that only 7,814 voters out of at least 200,000 Johoreans living overseas, or less than 4 percent applied to be postal voters, reveals that many are still not aware that they can participate in the Johor election as a postal voter. If we look at the take-up rate for GE14 it is even more dismal. Only 7,979 applied, out of at least 1 million Malaysians overseas, a mere 0.8 percent.

3. **Lack of trust.** We also observed among some who are aware of the postal voting facility expressing doubts in the integrity of the process.

Recommendations to Improve Postal Voting System

The current EC's method of processing and managing postal votes rely too much on manual and human processes which leads to very limited capacity and human errors. It is our estimation that using the current process, the EC cannot handle more than 10,000 postal vote applications without running into serious backlogs and delays. This would be an administrative bottleneck that would effectively disenfranchise hundreds of thousands of potential voters. A total revamp of the process must be in place before GE15.

1. Eliminate the need to print paper postal ballots, Borang 2 and even envelopes by allowing approved postal voters to download PDF version of these documents from their MySPR account. This would save at least 5 to 14 days to print, stuff envelopes and time for postal delivery. This would also save much cost required to employ people to do manual tasks, material costs and eliminate administrative human errors like stuffing ballots into wrong envelopes or writing wrong serial numbers on Borang 2, etc.
2. To strengthen identification, copies of passport and MyKad should be attached with a warning of penalties clearly stated for those who are thinking of committing fraud of

impersonation or making multiple copies of their ballot.

3. When the postal ballots are counted on Polling Day, candidates' agents should be present to observe and cross out on their copy of the registered postal voters for their polling districts to ensure that only one voter can cast one vote and their attached identity documents matches their details on the electoral roll. This would minimize the possibility of any large-scale electoral fraud that would compromise the integrity of the election.

To increase participation and improve overseas Malaysians' access to voting, we call for the following procedural reforms.

4. The application period to be an overseas postal voter should be extended by opening up for application as soon as the Assembly is dissolved and closed just before Nomination Day.

5. The Campaign Period should not be less than 21 days to allow sufficient time for postal ballots to return before Polling Day.

6. All instructions, be it online or offline, should be bilingual in Bahasa Malaysia and English.

7. The witness to the signing of Borang 2 need not be a Malaysian as there may be situations where that voter may be the only Malaysian in that foreign town or city.

With the implementation of Undi18 and Automatic Voters Registration (AVR), the electoral roll in Malaysia grew to 21.1 million voters, up from 14.9 million in GE14. As a result, the recently concluded Johor election saw the lowest ever voters turnout for a state election in our history, without only 55 percent. Unless the EC makes serious effort to improve access to voting for all eligible voters, we would continue to see voters turnout rates of between 55 to 60 percent for all our elections.

Such procedural reforms are within the present scope of the EC and does not require any major legal amendments to existing laws and they can be implemented in time for the next General Election due at the latest by September 2023.

For the full report of our Evaluation of Postal Voting for the Johor Election, please read the attached document. We also highly recommend the comprehensive 3-volume report by Global Bersih, Overseas Voting Reform Proposals, downloadable from <https://www.globalbersih.org/resources/overseas-voting-reform-proposal/>

Statement issued by:

The Steering Committee of BERSIH

