



EDITOR, NEWS DESK

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PRESS STATEMENT

KUALA LUMPUR (11 APRIL 2018) - Elections with integrity is a basic requirement for sustained efforts to promote and protect human rights and in turn, democracy. As the country gears up to face the 14th general election (GE14), the Human Rights Commission of Malaysia (SUHAKAM) in line with its legal mandate sees it as its duty to play a necessary role. All citizens have the right to participate in government and public affairs by voting, or by being elected through elections with integrity that are genuinely free and fair. The right of political participation shall be guaranteed by the respect for the right to vote, freedom of speech and expression, freedom of assembly and association as well as the right to liberty and security of person.

SUHAKAM is of the view that GE14 will be a watershed for Malaysian democracy that will significantly shape the future of our country. SUHAKAM cautions that GE14 cannot be blemished by polarisation and division, particularly along racial and societal lines threatening our pluralism.

Underlining that democracy is underpinned by respect for human rights, respect for the rule of law, free and fair elections, as well as bearing in mind the monitoring principles of independence and impartiality, SUHAKAM will observe and monitor the election process. By reason of public concern over the integrity of the present electoral process, SUHAKAM's overarching aim is to help promote transparent and democratic elections with integrity. SUHAKAM's observations and monitoring will seek to provide an accurate measure of the quality of the election; promote confidence in the process; and provide recommendations for improving the process. SUHAKAM will also vigilantly observe actions that can amount to vote buying and will not hesitate in pursuance of its mandate, to investigate and follow up on complaints and bring these to the consideration of the authorities including the Attorney General's Chambers.

The degree to which the country's Election Commission (EC) demonstrates its independence, credibility, integrity and transparency can determine if elections are free and fair. Sections of



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the public have questioned the independence and integrity of the EC and whether it is totally and manifestly impartial. SUHAKAM accepts the legitimacy of these questions and understands the declining public confidence in the EC as the redelineation of electoral boundaries was widely seen to be unfair, biased and disproportionate. SUHAKAM found that there was insufficient information on the effect of the redelineation and a lack of meaningful public consultation on the exercise, in breach of the right to freedom of information. SUHAKAM is deeply concerned with allegations that voters may not have full information on their new polling stations following the re-drawing of electoral boundaries in many areas. It is the responsibility of the EC to ensure that voters are duly informed of their place of voting if this has changed. SUHAKAM also found that the local inquiry process was not open to the public and the spokespersons at the inquiry were not allowed legal representation, which is fundamental to the rule of law and to democracy itself.

The role that elections with integrity plays in ensuring respect for civil and political rights is also enshrined in International Covenant on Civil and Political Rights (ICCPR) that the government has not acceded to, which can be seen as reflecting upon our prejudices in the development of international human rights standards.

SUHAKAM has observed with dismay the position taken by the mainstream media in not providing all political parties with equal and non-discriminatory access to the media during this period. The same level of neutrality, impartiality and balance in covering party manifestos for example were not provided by the mainstream media for Malaysians and voters to receive a diverse range of information to enable them to make an informed choice. SUHAKAM emphasizes that when equal access or equal advertising opportunities to the media are denied, the ability to fairly and democratically compete in elections will be impaired.

SUHAKAM is increasingly noticing the spread of hate speech ahead of GE14. Worried about this tendency, SUHAKAM calls on politicians to exercise their right to freedom of expression responsibly as it is our fundamental responsibility to ensure peace and harmony in Malaysia. SUHAKAM appeals to all politicians to refrain from racially charged speeches during the election period that can shamefully characterise Malaysian politics.

“Human Rights For All”

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SUHAKAM will also focus its observations on women's participation during the different phases of GE14 as we recognise the under representation of women in politics.

Persons with disabilities (PWDs) have an equal right to participate in the electoral process and SUHAKAM advises that the must EC guarantee that PWDs are given the same opportunities as every other citizen to vote.

SUHAKAM's observations and monitoring will also include issues connected to political financing, commitments made and limits to the use of government structures and vehicles during the caretaker government period. Given its limitations and budget, SUHAKAM will not be able to comprehensively monitor the length and breadth of the election but will try to monitor effectively some out of the 222 parliamentary seats. As SUHAKAM's role is built in our mandate, we expect all bodies to respect our role on the ground and right to access to all relevant areas.

SUHAKAM calls on all relevant bodies and government agencies to ensure an enabling environment to encourage full participation in the election and refrain from using administrative reasons to prevent individuals or political parties from participation.

SUHAKAM reiterates that genuine democratic elections expressing the will of the people are a fundamental human right.

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