

General Elections in Malaysia 20-21 October 1990

The Report of the
Commonwealth Observer Group



Commonwealth Secretariat

General Elections in Malaysia 20-21 October 1990

The Report of the
Commonwealth Observer Group

Commonwealth Secretariat

MARLBOROUGH HOUSE · PALL MALL · LONDON SW1Y 5HX

CONTENTS

	Page
Letter of Transmittal	v
1. Introduction	1
2. Method of Work	2
3. Preparations for the Election	4
4. The Nominations	9
5. Political Parties	10
6. The Campaign	11
7. Role of the Media	13
8. Preparations for Conduct of the Poll	16
9. Conduct of the Poll	18
10. Counting of the Votes	20
11. Complaints	21
12. Acknowledgements	21

APPENDIX

ANNEXES

- I. Press Statement by the Advance Team on arrival in Kuala Lumpur - 9 October 1990
- II. Checklist of Issues for the Observers
- III. Letter sent on behalf of the Chairman to Political Parties
- IV. List of Political Parties with addresses and telephone numbers
- V. Press Statement by the Chairman on arrival in Kuala Lumpur - 15 October 1990
- VI. Deployment of Observer Teams to centres throughout the country
- VII. Schedule of engagements
- VIII. Statement by the Chairman of the Observer Group to the Secretary-General at the close of the poll
- IX. Symbols used by Political Parties
- X. Checklist of some aspects of the Electoral Process for Observation before and during Polling Day
- XI. Letter from Chairman, Observer Group, to Chairman, Election Commission, on access to polling stations



Malaysian Elections

Commonwealth Observer Group

22 October 1990

Dear Secretary-General,

Pursuant to the request made to you by the Government of Malaysia, we were appointed by you to observe the elections which have just concluded. A Statement was sent to you, on our behalf, by our Chairman on 21 October immediately polling closed and before declaration of the results. We have pleasure in forwarding our Report.

May we, all of us, say how privileged we feel to have been invited to participate in this most important exercise. It is our hope that we have been of service in the cause of the Commonwealth in general and to the people of Malaysia in particular.

Yours sincerely

Dudley Thompson (Jamaica)
Chairman

Sir Peter Kenilorea

Baroness Patricia Hollis

Mr Mark Robinson

Mr Inderjit

Sir Carlisle Burton

Mr Hustace Seignoret

Mr Nathaniel T K Mmona

Mr Sourahata Semega-Janneh

Mr David Daubney

Mr Henry Veratau

Mr Gordon Fairweather

Chief Emeka Anyaoku
Commonwealth Secretary-General
LONDON SW1

1. INTRODUCTION

The decision of the Government of Malaysia to invite the Commonwealth Secretary-General, Chief Emeka Anyaoku, to send a team of independent Observers to its 1990 general elections was significant in many ways not only for the Commonwealth but for the wider international community. It is important therefore to record here the background against which the Secretary-General was invited to organise and send the Observer Team.

In the context of their review of the global situation and the role the Commonwealth should play in the 1990s and beyond, Commonwealth Heads of Government at their 1989 Meeting in Kuala Lumpur last October said in their Communique that:

"7. Heads of Government also agreed that one area where the Commonwealth might usefully make a distinctive contribution is in the strengthening of democratic institutions in member countries. Heads of Government have long recognised a commitment to democratic processes as being among the values they most cherish. It was an ethic enshrined in the 1971 Singapore Declaration of Commonwealth Principles in which member countries undertook 'to promote in each of their territories those representative institutions and guarantees of personal freedom under the law that are our common heritage'. In reaffirming these principles and in reviewing the international political scene, Heads of Government agreed with the Secretary-General's proposal that one of the Commonwealth's contributions to strengthening democracy might be the provision of Commonwealth assistance in helping member countries to reinforce their election and other constitutional processes through a facility for mounting observer missions at the request of member governments, and in responding to such requests in other relevant ways. They requested that the modalities of such a facility and related assistance should be examined in greater detail by the high level group on future Commonwealth roles."

It was against this background and in the spirit of this paragraph of the Communique that the Prime Minister of Malaysia, The Hon. Dato Seri Dr Mahathir bin Mohamad, invited the Secretary-General to send an Observer Team to observe the 1990 elections. There was broad agreement on this among the major parties which welcomed the Observer Group.

Malaysia is a Federation of 13 states, 11 of which were concurrently engaged in state elections for which the Election Commission was also responsible but which we were not called upon to observe. It would also not be inappropriate to observe that our understanding was that the question of whether an election has been free and fair has not in the past been a seriously contentious issue in Malaysia and that our task would be carried out in an atmosphere in which there was reasonable consensus among the competing parties on how the election should be conducted. The period allowed for the election campaign was short - two weeks. This short campaign period was due, it was explained to us, to the need for security precautions to prevent tensions rising and leading to violence as happened in 1969.

However, this view was not universally shared by all the political parties, many of which complained to us that the short campaign period placed them at a severe disadvantage.

This is the background to the task we were given, and for which we were given the following Terms of Reference:

"The Group will observe every relevant aspect of the organisation and conduct of the elections by the Election Commission in accordance with the law of Malaysia relating to elections. Its functions will be to ascertain in its impartial judgment, whether in the context of the law, the elections have been free and fair.

The Group will have no executive role; its function is not to supervise or act as a Commission of Inquiry but to observe and to form a judgment on the freeness and fairness of the elections. It will submit its report to the Secretary-General who will make it available to the Government of Malaysia."

Because of the difficulty of putting the Group together in view of the short time allowed for the election campaign, two of our members arrived in Kuala Lumpur on 9 October in advance of the whole Group. A statement to the Press announcing its arrival was issued and this statement is reproduced at **Annex I**. The rest of us arrived on 15 October and widened the scale of operations. A broad conclusion was immediately transmitted to the Secretary-General at the close of the poll on 21 October and our work was completed with the finalisation of our Report on 22 October.

2. METHOD OF WORK

On Sunday 7 October, two of our number met the Commonwealth Secretary-General in London for briefing on our work. The Secretary-General emphasised the importance and far-reaching significance of the election observation exercise and the need for it to be carried out successfully. The advance group of two Observers and a complement of 5 support staff left London on Monday, 8 October 1990 arriving in Kuala Lumpur on 9 October. A sixth member of the support staff arrived on Wednesday, 10 October.

The advance group began work on the evening of its arrival with a briefing session with the Task Force set up by the Malaysian Government to assist the work of the Observer Group. Further briefing sessions with the Task Force and numerous strategy meetings with our own support staff assisted our advance group in arriving at a check list for observing the nominations which were due to be held on Thursday, 11 October, before the rest of us arrived (**Annex II**). As a result of these briefings, one member of the advance group was deployed to observe the nomination centres in urban Kuala Lumpur, while the other visited the mainly rural centres in the surrounding State of Selangor.

There were also briefing sessions, followed by discussions, with the Election Commission in its operations room and a joint meeting with the Director General of the Foreign Ministry, members of the staff of the Ministry of Home Affairs including a Commissioner from the Royal Malaysia Police and lawyers from the Attorney General's Chambers. A letter in the name of the Chairman was addressed to 40 political parties, advising them of our readiness to meet with them and where we could be contacted (**Annexes III and IV**). Prior to the arrival of the main body of the Group, the opportunity was taken by the advance team to undertake a day trip to Melaka and to a town in the north-east of Johor, the southern-most state of Peninsular Malaysia, in order to assess the practicability of using Kuala Lumpur as a base for observing that state and the intermediate states (of Selangor and Negri Sembilan). They also met with the Chief Election Officer for Melaka and were able to assess the preparations for and readiness for the poll.

The main body of the Observer Group subsequently assembled and, having been similarly briefed by the Commonwealth Secretary-General, left London on Sunday, 14 October, arriving in Kuala Lumpur on Monday 15 October. On their arrival the Chairman, H E Mr Dudley Thompson, issued a formal statement to the press (**Annex V**). The full complement of the Observer Group met the Task Force, and the Election Commission. Consequently with the benefit of the groundwork already done by our advance team, we established a schedule of work for the whole Group during the period remaining up to polling day and until our departure. It was agreed that the Group would be organised in five teams which would operate from five regional centres. One team based in Kuala Lumpur would cover the Federal Capital Territory and the southern peninsular states, another based in Penang would cover the north western states; a third in Kota Bharu covered the north eastern states, with the remaining two teams deployed in Sabah and Sarawak.

We utilised some of the time available to us to meet with those political parties and interest groups who wished to see us. We took it in turn wherever possible to observe some of the many 'ceramahs' (political meetings) which were held in Kuala Lumpur and had the opportunity to talk freely to party officials and members.

We obtained much information and assistance from official quarters and sources, making every effort to cross-check these with other available sources. We were always conscious of the need for us to be seen by the people of Malaysia as independent.

As polling day approached Observers departed with their assigned support staff for the regions in order to monitor the conduct of the poll in all five regions. Our deployment throughout the country is set out in **Annex VI**. In the event, over the period of the poll we covered most of the states of the Federation and visited a representative sample of polling stations throughout the country, the logistics of which were made possible only by the excellent road and river network throughout the length and breadth of the country. Apart from the flights from Kuala Lumpur to the other four regional centres at which the teams were deployed, no air transport was involved. Visits

within the regions were conducted on motorised transport. The schedule of our engagements appears at **Annex VII**.

At the close of the poll and before counting commenced, and as had previously been arranged, preliminary reports were transmitted from each of the four regional teams operating away from Kuala Lumpur to the Chairman, who headed a team based there. The Chairman's statement on behalf of the Group to the Secretary-General at the end of the poll appears at **Annex VIII**.

The polls having closed, the teams at the regional centres returned with their support staff to Kuala Lumpur and we assembled to finalise our Report.

3. PREPARATIONS FOR ELECTIONS

The essential legislative framework for the holding of elections in Malaysia consists of the Constitution of 1957, the Elections Act 1958, the Election Offences Act, 1954 and the Elections (Conduct of Elections) Regulations 1981. There are other related enactments. Their provisions take root from the system obtaining at the time of independence. They mirror in large measure the electoral provisions and procedures found in many other jurisdictions in the Commonwealth. But, of course, they are special provisions drawn, and since amended, very much to suit and to reflect the character and experience of Malaysia.

At the centre of the electoral system is the legislative framework and the Election Commission. But over and above all, the system is shaped by the character of the Malaysian people. At every stage of our observations we were struck by their high degree of political awareness and their attachment to things Malaysian and to what is best for the country. The existence of a large number of political parties and other groups and the turn-out at the polls seemed to us to point clearly to a deep commitment to the political process of shared responsibility and freedom of choice. We are reminded that elections are after all a means of making political choices by voting. And with the proliferation of political groupings it cannot be said that in Malaysia there is a lack of alternatives for choice.

The Election Commission

The Constitution provides for an Election Commission to conduct and to ensure the fair conduct of elections. It is charged with the preparation and revision of electoral rolls, and with the review and redrawing of constituencies for purposes of elections to both the House of Representatives and to the Legislative Assemblies of the States. Members of the Commission consisting of a Chairman, a Deputy Chairman and three others are appointed by the Yang di-Pertuan Agong on the recommendation of the Prime Minister and after consultation with the Conference of Rulers. The present administrative head of the Commission is the Secretary who, we were told, was seconded from the public service. The Constitution requires that in their appointment

regard be paid to the importance of securing an Election Commission which enjoys public confidence. To underline the importance and independence of the Commission the Constitution further provides that a member may not be removed from office except on the same grounds and in like manner as a judge. We noted that the Election Commission reports to the Government, not to Parliament.

We had three formal meetings with the Commission. The members appeared to us to be persons of considerable experience and drawn from representative regions of Malaysia. There was a high standard of organisation both at the Kuala Lumpur headquarters and the State election offices, and we were particularly impressed by the professionalism amongst the Commission staff, especially those in the field.

This perception of independence was not shared by some of the political parties and concerned citizens we met. It is crucial to the democratic process that the Election Commission is independent and seen to be independent. This perception of independence would be enhanced if the Commission were to report not only to Government but also to Parliament.

Parliament

The Federation of Malaysia consists of 13 separate states, each with its own state assembly, and two Federal Territories. The Federal Parliament and a state assembly each has a life of 5 years and so, unless dissolved early, there is a general election every 5 years to be held within 60 days (90 in the case of Sabah and Sarawak) from the date of dissolution. The elections this year on 20 and 21 October were held well within this time frame, Parliament having been dissolved on 5 October 1990. There was nothing untoward about this since the minimum time allowable by law is 14 days after dissolution and a quick election had been widely expected. The previous general election on 3 August 1986 was also held within 15 days following dissolution of the House on 19 July 1986.

It will be observed from these dates that the life of the recently-dissolved Parliament was almost exactly 4 years. This was also the case in the period from 14 June 1982 (when Parliament was convened) until the dissolution on 19 July 1986. As in a previous election a short time was allowed for the holding of the election campaign. This was deliberate, we were told, for security reasons, as prolonged political activity at previous elections had generated high tension and unrest in the past with the tragedy of 1969, the prime example. Both the Election Commission and the Government emphasised their concern to minimise the risk of recurrence, but we must mention that some political parties expressed the view to us that the campaign period should last longer than 15 days. Also as was done in previous years, Federal and State general elections were held simultaneously in 1990, except for Sabah and Sarawak which had State elections earlier in the year. Under its terms of reference the Observer Group was concerned only with elections to the Federal Parliament.

The Constitution provides for a Parliament to consist of the Yang di-Pertuan Agong and two Majlis (Houses of Parliament) known as the Dewan Negara (Senate) and the Dewan Rakyat (House of Representatives). The Senate (which is not affected by the dissolution of Parliament and with which the Observer Group was not concerned), consists of 69 elected and appointed members. The House of Representatives consists of 180 elected members; 172 from the states in Malaysia and 8 from the Federal Territories of Kuala Lumpur and Labuan. Every citizen resident in the Federation is qualified to be a member of the House of Representatives if not less than 21 years old and not affected by the grounds for disqualification stipulated in the election laws. We refer to the procedures for the nomination of candidates for election to the House below.

Polling Arrangements

The Federation is divided into 180 constituencies equal to the membership of the House. Every constituency returns one member and every voter has one vote, and the voting is by secret ballot. The Election Commission is required by the Election Act to divide each constituency into polling districts and to establish polling stations for the districts.

A total of 14,645 polling stations was established for the 1990 elections. In terms of the Conduct of Elections Regulations public notification was duly given on 27 September 1990 of the details as well as exact location of each polling station throughout the country. Additionally, the Election Commission had established for the first time in a general election, a "hot line" system by which any elector may telephone through on advised telephone numbers to seek information and guidance on the polling stations and, indeed, on any matter relating to that voter's ballot. By this highly sophisticated and computerised system every enquiry could be answered immediately with precise details of an elector's identification or registration number, constituency, together with the location of the polling station, its address, and the exact room in the building where the ballot box would be located. The existence of the "hot line" was itself given the widest publicity and we were able to observe its operation at several state Election Commission offices. We could not judge how effective the "hot line" system was.

Electors

Every citizen is qualified and entitled to vote if aged 21 years on the date the electoral roll is prepared or revised, and if residing in a constituency or is an absent voter. A qualified voter may vote only if registered on the electoral roll. Both parliamentary and state electors are registered in the same electoral roll.

Absent voters vote by post. But they must first register as such in the constituency in which their home addresses are situated. These voters include members of the Malaysian armed forces, public servants serving abroad, full-time students studying abroad and their spouses. Together with members of the

police force absent voters form the category of postal voters whose names are shown separately in a list of postal voters at the end of each section of the electoral roll in a registration unit. There were 196,522 postal voters contained in the electoral roll for 1990 including 120,000 to military personnel and 72,000 to the police. Postal voters are sent ballot papers in advance. The Election Commission stipulates the arrangements for the security of ballot papers and transportation of ballot boxes to specified counting centres. Postal votes which are not received in time for the official count are simply discarded. This problem is accentuated when the election period is so short. The Election Commission recognises the difficulties relating to voting by the military and police and that the present system has imperfections. It was also pointed out to the Observer Group that the relatively small number of votes at stake is unlikely to materially affect the results, but we were advised that postal votes could be decisive in some constituencies. We believe that it would be wise to review arrangements for postal votes before the next general election to see if such recognised imperfections can be corrected.

Preparation of the Electoral Roll

This process is begun by the Election Commission calling publicly on every person qualified and wishing to be registered as an elector to make application to the registering officer by a stated time. This application must contain certain details of the identity card, which every Malaysian citizen over the age of 18 is required by law to carry. The registration period set in respect of the current elections was 1 - 27 March 1990. The registering officer and his staff also make house to house and other enquiries. In revising the roll the registering officer expunges from it the names of persons who are dead and who appear to him to have become disqualified for registration and inserts in it the names of every person from whom an application had been received within the prescribed time and who appear to him to be qualified for registration as an elector. On completion of the revision the registering officer gives public notice of the fact and advises also that the revised electoral roll is open for inspection. Any applicant whose name has been omitted may file a claim to have it entered on the roll and any person whose name appears on the roll may object to the inclusion of his/her name or the name of any other person. A dissatisfied claimant or objector has the right to appeal to a revising officer who hears and determines the appeal. The registration officer then certifies the roll. The law requires further public notification of the certification of the roll and its availability for inspection.

The electoral roll for the current general election was certified on 27 July 1990. Printing was completed in September. The roll for 1990 contains a total of 7,958,640 registered electors compared to the 6,964,960 for the 1986 general elections, an increase of approximately 14 per cent.

General Observations

The registration of voters is a most important element in the election process. In Malaysia it is entirely voluntary and every year the Election Commission opens the register and invites people to come forward to check if they are correctly listed and register if they are not. In previous elections, there have not been many complaints about the process, but during the past year, events have shaken the confidence of many people in the system. Earlier this year the Election Commission itself announced that a large number of voters had had their names and addresses changed to other constituencies without their knowledge, as a result of its alerting party workers to submit "names for bulk registration". The Commission itself also admitted publicly that false particulars and signatures were used by certain groups to effect the changes. The matter was brought up in Parliament, and the Election Commission made a new ruling on the manner in which a voter could register a change of constituency. The Secretary of the Commission announced on 3 March 1990 that 9,000 voters in Kelantan and Terengganu were adversely affected as a result of changes wrongly entered. Later that month the Commission warned of legal action being taken against those of its officers who refused to register voters under the new system. There were reports of thousands of voters either "missing" or "phantom" and shortly before the election was announced on 4 October, the Chief Minister of Kelantan announced that 27,100 "phantom" voters had been discovered on the roll in his state. In fact the suggestion was made to us that these problems affected about 300,000 voters of which 200,000 were possibly carrying duplicate identity card numbers. In addition we observed that on polling day some voters were turned away because their names were not on the roll or that their identity card number did not tally with the number on the roll. In fact the following day some newspapers reported that some polling stations were besieged by angry voters.

It was not surprising that the strongest possible representation was made to us about the situation and several political parties expressed concern to us about the registration process and the potential for the creation of "phantom" voters and for movement of voters between constituencies from the safest to the marginal.

Because confidence in the integrity of the Commission and of the registration process is such a vital component of the democratic process, we decided that this was a matter which we should take up with the Election Commission. Late on the evening of Saturday 20 October on the eve of polling day, we asked for an appointment with the Commission, which was immediately granted, and we raised the matter with the Chairman and Secretary. They admitted that they were aware of the situation and that the discrepancies affected about 300,000 voters.

This again is an area of the electoral process that we believe might benefit from an urgent review well before the next general election. We reiterate our view that the registration process is at the heart of the conduct of any election. However immaculate the nomination and voting procedures may be, if the voters' roll is flawed, and it is admitted that it was, then this must raise a question mark over the process. This is why it

should be addressed as a matter of urgency.

4. THE NOMINATIONS

The nomination of candidates marks the beginning of the election process. It triggers some significant election activities. For example, where only one candidate has been nominated in a constituency that person becomes the duly elected representative for that constituency. Where, however, more than one candidate is nominated in a constituency, a poll has to be taken to determine the successful candidate. The nomination process is thus an important attribute of a free and fair election.

It was therefore important that the advance team of the Observer Group should visit some nomination centres selected on a random basis. Two separate observer teams, each accompanied by members of the support staff, visited nomination centres in the Kuala Lumpur area and the other observed centres in Selangor.

The visits to these centres were carried out in accordance with the electoral laws of Malaysia. Regulation 6(5) of the Elections (Conduct of Elections) Regulations 1981 prohibits the returning officer from permitting into the nomination centre any persons other than the candidates, their proposers and seconders and one other person appointed by each candidate. However, despite this apparent constraint, the Observer Teams were able to visit the vicinity of a number of nomination centres.

Our advance team visited a number of nomination centres in Kuala Lumpur and one neighbouring state. They were impressed by the orderliness of the crowds that supported both the opposition and the ruling party candidates. They were well received by the returning officers who explained the procedures governing the nomination of candidates. In some cases they were permitted to observe the proceedings from vantage points in the immediate vicinity of the nomination hall. From their observations, they concluded that the nomination proceedings they had observed were efficiently conducted. The nomination officers appeared to be competent and carried out their duties efficiently.

While there were some disadvantages in not being able to observe clearly the actual nomination proceedings, the teams formed the view that the venues were well chosen for the convenience and benefit of supporters and the public. They felt that the presence of so many members of the public and supporters seemed to indicate a high degree of public awareness as well as clear political commitment and involvement in the election process. Although they could only visit a few nomination centres, they were of the view that the nomination process was conducted in a free and fair manner.

5. POLITICAL PARTIES

At the time of the present election 40 political parties were known to be in existence though not all of them contested the elections. In the past, the ruling coalition was opposed by individual parties. What appeared distinctive about the 1990 elections was the emergence of a broadly based coalition opposition.

Until 15 October 1990 the Barisan Nasional (National Front) embraced the following political parties in Peninsular Malaysia, Sabah and Sarawak:

- (i) United Malays National Organisation (UMNO)
- (ii) Malaysian Chinese Association (MCA)
- (iii) Malaysian Indian Congress (MIC)
- (iv) Parti Gerakan Rakyat Malaysia (Gerakan)
- (v) Peoples' Progressive Party of Malaysia (PPP)
- (vi) Parti Bersatu Sabah (PBS)
- (vii) United Sabah National Organisation (USNO)
- (viii) Parti Pesaka Bumiputra Bersatu Sarawak (PPBB)
- (ix) Sarawak United Peoples' Party (SUPP)
- (x) Parti Bansa Dayak Sarawak (PBDS)

The PBS left the National Front coalition on 15 October 1990 and allied itself with the Opposition coalition.

The main Opposition parties were:

- (i) Parti Semangat '46
- (ii) Parti Islam Se-Malaysia (PAS)
- (iii) The Democratic Action Party (DAP)
- (iv) Barisan Jemaah Islamiah Se-Malaysia (BERJASA)
- (v) Bersatu Rakyat Jelata Sabah (Berjaya)
- (vi) Kongress Indian Muslim Malaysia (KMMA)
- (vii) Parti Rakyat Malaysia (PRM)
- (viii) Persatuan Rakyat Malaysia Sarawak (Permas)
- (ix) Angkatan Keadilan Rakyat (Akar)
- (x) Sarawak United Labour Party (PLUS)
- (xi) Malaysian Indian Progressive Front (AMIPF)

(xii) Malaysian Solidarity Party (MSP)

All the political parties have their party symbols. The symbols used at the 1990 elections are reproduced as **Annex IX**.

The ruling coalition and the Opposition coalition comprising Semangat '46, DAP, PRM, MSP and AMIPF launched their manifestos on 12 and 13 October respectively. In very general terms the emphasis of the BN manifesto was on maintaining continuity and building upon its record in office while the Opposition emphasised the need for change of political leadership and national economic and social direction.

6. THE CAMPAIGN

The election campaign lasted just 10 days; it was described as the first since independence which presented the voters of Malaysia with an alternative alliance to the ruling coalition. This was an important election, with over 1,000 candidates and made for a short, intensive, and passionate campaign. The ghost of 1969 still hovers and many of the restrictions which circumscribed this election stem from that period.

In addition to the restrictions on the press which are dealt with in the following section, the restrictions on political campaigning are embodied in several laws including the Internal Security Act and the Police Act. These give the authorities powers to control political activities. The end result was an orderly, peaceful but controlled election campaign.

To many outsiders the many restrictions might seem surprising, but they were accepted by most Malaysians who assured us that they were necessary deterrents to any activities which might lead to communal violence. However it was put to us on several occasions that these restrictions have outlived their usefulness. Indeed, the Opposition alliance made this one of the planks of their manifesto.

The freedom of candidates to campaign without undue restriction is one of the principal attributes of a free and fair election and these campaign activities should enable a candidate to get his message across to the electorate through the media and advertising, through public and private meetings freely held and by house to house canvassing. We also considered that it was important for us to take into account such issues as whether all candidates had adequate freedom of movement and expression, had reasonable access to the media, and whether political meetings were prevented or even disrupted by the security forces or other bodies.

Only one type of political meeting is permitted. This is an indoor meeting called a *ceramah* and for which police permission is required. It must be held in an enclosed area such as a hall, hotel or private house. The police can intervene and stop the meeting if it attracts 20 or more people in the public area and if in the opinion of the police the meeting could be

detrimental to public order and security. However, we were assured on all sides that the police had been very liberal in enforcing the law.

We took the opportunity to attend some of these meetings in Kuala Lumpur and its environs as well as in the rural areas. These were very well attended, some with thousands of cheering well-behaved people and were in effect ordinary political meetings. Although political parties are not allowed to use either radio or television to advertise their meetings, and as far as we could make out, no notices about them were printed in the newspapers, the public clearly had ways of finding out where they were to be held and turned out in full strength to support their candidates. Surprisingly, one of the ceramahs we attended attracted over 3,000 people and was held in a large open field. The organisers told us that the police, of whom only 2 were present, had given them a licence for the evening, withdrawn it and then reinstated it. It had placed the organisers in a difficult situation but if the intention had been to prevent them from informing their supporters, this had clearly not been successful. But we also met Opposition members who alleged that it was almost impossible for them to get permits for meetings in certain constituencies.

As polling day drew nearer, we attended ceramahs all over the country. These ranged from quite small house meetings of about 20 people to very large ones attended by several thousands. On all occasions we were warmly welcomed by the political parties. In the rural areas, political activity was intense, and in one state at least, women's groups were active in house to house canvassing. Last minute voter education was organised with the importance of voting and voting correctly being emphasised.

An interesting feature of the campaign was the way the message was put across to the public. With such limited time devoted to the campaign on radio and television and no allowance for advertising on either, the main channels of communication therefore were newspaper coverage, house to house canvassing and ceramahs. The parties clearly had their own impressive network of planning and organisation to get their message across and maximise the votes.

The campaign was also strongly visual depending for its vitality not only on the excitement generated at meetings, but on images displayed on posters and miles and miles of bunting and posters. They criss-crossed cities and villages. Roads and highways gradually became festooned with buntings carrying small posters of party emblems and photographs of candidates. In some areas party emblems and bunting of opposing sides were hanging together as though they belonged to the same party. This presented an attractive image although as far as we could see no attempts were made to put forward the issues in the campaign by these methods.

This was an important election and as we expected the media's role was significant. Because of this we have devoted the following section to it.

7. THE ROLE OF THE MEDIA

We discovered that the media's role was not only significant but was presented to us as one of the problem areas in the election campaign. Wherever we went, we heard complaints about it and it was clear that there was a widespread perception that important sections of it were biased - a situation we could not ignore.

Malaysia, like many other countries, has a large body of legislation regulating the activities of the media. Some give powers to prohibit the printing and distribution of any publication deemed to be prejudicial to public order; others require newspapers and even printers to apply annually for licenses. The implication of this is to make publishers and printers unsure as to whether they will get another licence with all its commercial and investment consequences.

The Media in Malaysia

(a) Print Media

The major daily newspapers are published by two big newspaper groups, the New Straits Times and Utusan Melayu. Political parties including the dominant party in the ruling coalition, UMNO, have interests in them. **The New Straits Times** publishes three well-known English language dailies - **The New Straits Times**, **Business Times** and the afternoon **Malay Mail** as well as, among others, the **Shin Min Daily News** (Chinese) plus **Berita Harian**, a Malay language daily and its Sunday edition **Berita Minggu**. The Utusan Group publishes newspapers in the Malay script and in romanised Malay. The other English language daily, the Star and its Sunday Star, and two Tamil language newspapers have close ties with the Malaysian Chinese Association (MCA) and the Malaysian Indian Congress (MIC) respectively, which are both in the ruling coalition. Other less well-known newspapers are aligned to Opposition parties, such as the **Monthly Rokat**, published by the Democratic Party (DAP) in English and Malay, and the bi-monthly **Harakah** published by the Islamic Party (PAS), while **Watan**, is a twice-weekly English language newspaper.

(b) Radio and Television

Broadcasting facilities fall under the Ministry of Information where a Department of Broadcasting runs Radio Television Malaysia (RTM). RTM has two television networks, which broadcast mainly in Malay, but have news and some other programmes in English, Chinese (Mandarin) and Tamil. Radio Malaysia broadcasts throughout the country in four languages, through four main networks - National, Blue, Red and Green. There are two regional broadcasts, some partially in the main native languages of Sabah and Sarawak and other services such as FM stereo broadcasts. There is also a privately owned television Channel TV3, belonging to the Group of companies which publishes the New Straits Times stable of newspapers and whose news

broadcast policies differ little from those of RTM or the New Straits Times Group.

(c) National News Agency

The National News Agency **Bernama** which is partially Government-owned reports in both Malay and English. It has correspondents in all parts of Malaysia and all the major international news agencies service Malaysia through Bernama.

(d) Foreign Press

Foreign newspapers and magazines, including those which deal fairly extensively with internal political, economic and financial issues in countries such as Malaysia, are freely sold. Many have correspondents in Malaysia. They have freedom of movement and their reports are independent. Under a special Act, local agents acting as distributors must apply for a distribution license annually and the Government has a legal right to refuse to grant such a license.

Assessment of Coverage

In order to assess how the media conducted itself during the period leading up to polling day we had to adopt certain criteria, which would enable us to make a judgement on whether the media were treating all the participants in the election as fairly as possible in the circumstances. For instance, some of the information we sought was whether all political parties and candidates had access to space in the media not only through reports of their activities but through advertisements; whether reporters were given access to political meetings and could report freely on what was said; and lastly whether the views of all the parties were fairly reported in the print media.

Radio and television which normally play an important role in election campaigns, provided restricted coverage. Air time on radio was strictly rationed, with a limited number of party political broadcasts. These were not allowed at all on television. It was observed however that while political coverage was not permitted, the three television networks transmitted programmes on the election campaign and covered in the news the activities of Government Ministers as they toured the country. It appeared that these arrangements virtually denied access to the Opposition and information about their personalities and policies - save as described by Government-run television and radio - was prevented from reaching the electorate through the electronic media.

Political broadcasts rather than news reports of campaign activities on the radio were curtailed until a week before polling day when Radio Malaysia announced that agreement had been reached with the main political parties on how the limited radio time set aside for the campaign would be shared out.

The agreement provided that radio political broadcasts, restricted to the presentation of party manifestos, would be allowed for half an hour after every news programme, providing a total of 3 or 4 such broadcasts every day for 7 days prior to the election. This facility would be free and open only to parliamentary candidates, who could however elect someone to speak on their behalf. Only parties which had 20 or more candidates in the election were eligible, and air time would be allotted according to a formula of one broadcast for every 20 candidates. This meant that only the BN, DAP, Semangat 46 and PAS, of all the political parties and 79 independent candidates contesting qualified; none of the smaller parties or independent candidates was allowed this facility.

According to press reports the main opposition party's Secretary-General was unhappy with these arrangements and regretted that RTM did not allow the political parties to broadcast "live". He added that he had submitted a counter-proposal that RTM should allow "live" broadcasts, equal air time to all parties and television coverage.

One of the difficulties facing us in assessing how the campaign was being covered by all the print media was the fact that many newspapers were published in languages with which members of the Group were unfamiliar.

We monitored coverage in the two mainstream English language newspapers - in particular the New Straits Times, and the Star. We followed closely such news items as the launch of the two manifestos, the Declaration by a group of Opposition parties, the coverage given to the leaders of the coalitions, and the treatment of the candidates in news stories.

We received widespread complaints about perceived media bias. We had representations from concerned individuals, from Opposition supporters and even from some representatives of parties which are in the ruling coalition that the mainstream media, radio and television were blatant in their support for the BN. We were told of the disadvantages the Opposition faced during the campaign because access to the mainstream media, radio and television, were denied to them. Except for the few permitted radio broadcasts on their manifesto, the Opposition alleged that their campaign was poorly and unfairly covered and that mainstream newspapers even refused to accept advertisements from them.

Following our observations it appeared that the media, particularly television, overwhelmingly favoured the Government, giving almost exclusive coverage to Ministers in particular. The Opposition was not given an opportunity to put its message across nor was it able to buy time on radio and television.

Opposition parties also complained that no daily newspaper would accept their advertisements. We had no way of verifying this but on the final days prior to polling, full page BN advertisements appeared in the dailies. We saw no similar Opposition advertisements.

General Conclusion

We concluded that the denial to the voters of adequate coverage of the personalities and policies of the Opposition prevented them from getting a balanced picture of all the issues raised in the election campaign. We, therefore, express the hope that in future campaigns Opposition parties would be allowed greater access to the media, especially television, which could accommodate party political broadcasts. Such a decision would undoubtedly strengthen the electoral process in Malaysia.

8. PREPARATIONS FOR CONDUCT OF THE POLL

The general election of 1990 was the eighth held in the states of Peninsular Malaysia since independence. For Sabah and Sarawak it was the sixth occasion on which a Federal general election was held since the two states became part of Malaysia. Polling in the states of the Peninsular was completed in one day, whereas two days were required to complete the poll in Sabah and Sarawak. The people and the terrain were important determinants of the kind of arrangements made for the conduct of the poll.

Polling Centres

A total of 14,645 polling centres were established for the 1990 elections. This was more than twice the number (of 6,613) used in the 1986 elections. This was a very substantial enlargement of the provisions previously made and was designed to cater for a voter population which had increased by approximately 14 per cent since 1986.

As is its practice, the Election Commission took early steps to determine the suitability of existing polling centres and a revised list was gazetted for the information of the public on 27 September 1990. In order to ensure that the voting public was not unnecessarily inconvenienced, the Commission normally allows changes to be made to polling centres even a few days before polling. Most of the buildings used as polling centres were centrally located or reasonably accessible public buildings, usually schools, community centres and halls. We were told that in the absence of suitable buildings in some rural areas it was necessary to construct temporary sheds in some polling districts. Similarly, in efforts to reach outlying voters in Sarawak, polling stations were placed in villages only accessible by boat.

The presiding officer at each polling centre is required to affix a notice in a conspicuous place outside the centre stating the name of the constituency, the time and date of polling, the places of polling and the names and details of the candidates. Another notice in the national language or understandable script is also exhibited outside the polling centre to give guidance to voters. It is the duty of the returning officer to provide at each polling station proper facilities for the electors to enable them to mark their votes, screened from observation and able to

vote in privacy.

Election Officers

The availability of experienced and trained election officers is vital to the proper conduct of elections. In each state there are state election offices normally headed by a senior employee of the Election Commission which administer and co-ordinate general election matters. In advance of the date of elections, state election officers are requested to prepare lists of suitable and responsible persons for appointment as returning or administering officers, assistants, and polling clerks. From this list the Election Commission approved the appointment of a total polling staff of 84,959 people including 180 returning officers, 694 assistant returning officers, 631 election assistants, 14,048 presiding officers, 51,959 polling clerks and others. This number may be compared with the total of 69,194 polling staff approved for the 1986 elections. The majority of the senior polling staff were District Officers or their assistants or school masters and senior public servants who, generally, had previous experience in conducting elections.

The Election Commission takes particular care to ensure that all election staff, especially the returning officers and assistant returning officers, are fully conversant with their duties and the applicable election laws. Meetings and training sessions are held on a regular basis and repeated as necessary. In addition, there are handbooks in the national language which provide guidelines for all levels of election staff in the performance of their duties and on the requirements of the law. State election officers also provide briefings and practical training in the form of mock elections, and show films on the conduct of elections.

At the constituency level returning officers also play an extremely important part in the preparations for the poll by conducting meetings with the candidates and their agents to obtain their co-operation in the observance of the electoral behaviour code and the regulations. Representatives of the Police and Information Departments are often invited to take part in these meetings. Additionally, the Election Commission has prepared a handbook written specifically to inform candidates about all the important regulations which a candidate, his agent, his workers and helpers would need to know to enable them to be totally familiar with the procedures before, during and after the election.

Ballot Papers and Boxes

Every elector voting at an election casts a vote by marking a ballot paper so as to indicate a choice which is then inserted into a sealed ballot box in such manner that the vote shall be secret. In those areas where both Federal and State elections are held separately voting papers of distinguishing colours are provided as well as separate ballot boxes. Special arrangements are prescribed by law for voting by a blind person or one unable to read. It is the duty of the returning officer to assist such

persons and to provide at each polling centre reasonable facilities for electors to mark and cast their votes in privacy. Every ballot paper is numbered in the form prescribed by law and consists of a list of candidates arranged in an order determined by lot by the returning officer, together with any party symbol assigned to each candidate.

The law requires that every ballot box be so constructed that the ballot paper can be put in but cannot be taken out other than by unlocking the box. Immediately before commencement of the poll the presiding officer at the polling centre shows each ballot box to the polling agents and other persons lawfully present so that they may see it is empty. The presiding officer then locks up the ballot box and affixes upon it his seal and those of the candidates or their agents wishing to affix their own seals, and the box shall not again be opened until after the close of the poll. The ballot box remains in the custody of the presiding officer until it is despatched and delivered to the returning officer.

Postal Ballots

These ballots for use by members of the armed forces, police, public servants and students abroad are issued from the office of the returning officer in each district. The ballot papers are issued in special envelopes to ensure security and privacy accompanied by declaration forms for execution by the electors as to their identity and to maintain secrecy in the voting process. They are issued in advance of polling day usually by special courier, with instructions that they are returned in time for the official count. The issuing of ballot papers and their opening on return are checked and witnessed by candidates and their agents. There is postal voting in almost every state. A total of 196,522 postal votes were issued in 1990 including 120,000 to military personnel and 72,000 to the police.

9. CONDUCT OF THE POLL

The conduct of the poll marks the climax of the election process. This single event, perhaps more than any other, usually attracts final judgment on whether the election was free and fair, and on the quality of the services delivered to the electors. It is also this occasion that provides an opportunity for public scrutiny of election officers by the voting public, which will have the chance to assess their competence and integrity. The proper training of election officers and candidates' agents usually serves to enhance the confidence of these officers and hence the quality of the service offered voters at the polling stations.

An observer of the conduct of the poll on election day would be interested in many aspects of the election process at each polling station, namely, the prompt opening of the polling station; the presence of agents of the political parties or independent candidates at the commencement of polling; the

application of the procedures to be followed to ensure that ballot papers are in good order; the rate of the flow of voters through the polling station; the identification process of voters, when required; the measures to be taken to ensure and safeguard the secrecy of the ballot; the procedures to be followed when dealing with disabled or other disadvantaged electors; the physical facilities available at the polling station; the siting of the polling station; the length of the queue at the polling station; the general orderliness or otherwise in the precincts of the station; and the restrictions on persons who may enter the premises without permission from the proper authority.

The closing of the poll is also of considerable interest to an observer. There are strict procedural rules which the election officer presiding over the business of the station has to follow when counting the valid ballots cast as well as the spoiled and tendered ballots (if any) and the observer will wish to see how these rules are executed.

Against this background, we visited over 200 polling stations spread across the country. We organised ourselves in five teams which were deployed at five centres, namely, Kuala Lumpur, Penang, Kota Bharu, Kuching and Kota Kinabalu, from which each of the respective teams travelled to surrounding districts to observe the conduct of the poll. (A checklist of some aspects of the electoral process for observation before and during polling day is attached at **Annex X**.) Prior to the deployment of the teams in the regions, we had sought and received the permission of the Election Commission to enter polling stations. A letter from the Chairman of the Group to the Chairman of the Election Commission seeking written authorisation to enter polling stations and counting centres is attached as **Annex XI**. Our findings are set out below as follows:

The team based in Kuala Lumpur which comprised the Chairman of the Group, HE Mr D. Thompson, Baroness Hollis and Mr Carl Dundas of the Support Staff, visited eight polling centres in constituencies in the States in and around Kuala Lumpur. They noted that the voters were orderly and that the election officers were generally efficient. They noted that at most of the centres visited, several voters turned up to vote and their names were not on the list and hence were not allowed to vote at those respective stations.

The Penang-based team, Sir Peter Kenilorea, Mr David Daubney, Mr N. K. Mmono and Mr R. Nzerem of the Support Staff, visited over 70 polling stations. They were of the view that the voting proceedings observed were efficiently executed. They did not encounter any untoward incidents and so they concluded that the taking of the poll at the centres visited was conducted in a free and fair manner.

The team which went to Sabah comprised Mr Gordon Fairweather, Mr Mark Robinson and Mr Dominic Sankey of the Support Staff. The team observed 24 polling stations in 5 constituencies and was impressed with the efficiency of the election officers and with the general conduct of the proceedings at the polling stations visited. They concluded

that the polling observed was free and fair.

The team which covered the Kelantan and Terengganu consisted of Sir Carlisle Burton, Mr Sourahata Semega-Janneh, Mr Henry Veratau and Mr Neroni Slade of the Support Staff. They visited some 70 polling stations. They were impressed with the performance of the election officers. No incident was witnessed at the stations visited. The team concluded that the observed polling in these centres were free and fair.

The team based in Sarawak consisted of Mr Eustace Seignoret, Mr Inder Jit and Mr Nestor Rweyemamu of the Support Staff, they observed 22 polling stations in 4 constituencies. In all these stations, polling was orderly and peaceful; the arrangements were properly planned and executed. The team concluded that the polling observed was free and fair.

General Observations

These reports all pointed to the fact that the election officers had been well-trained and performed efficiently at the polling centres visited. The voters formed long queues early on polling day in many areas and were orderly and cheerful.

Many electors, however, were disappointed in not being able to vote because their names were not on the voters' roll. This was a particularly frequent occurrence at the centres visited by the Observer team based in Kuala Lumpur.

In all the polling stations we visited, we were impressed by the competence and courtesy of polling staff, returning officers, presiding officers and counting clerks, who were scrupulous in carrying out their duties.

10. COUNTING THE VOTES

The counting of the votes, though a routine exercise, is a key event in the election process. This should be done promptly and efficiently in the presence of the parties' and/or the candidates' agents.

On occasion, the counting officers are faced with the difficult task of deciding whether or not a ballot is valid or spoiled. In discharging this function, counting officers are usually guided by instruction booklets prepared for the purpose. In order to maintain the confidence of all the parties and candidates in the counting process, strict procedures are usually stipulated for the counting officer to follow.

In Malaysia, the votes cast at each polling station are counted by the presiding officer at the close of the poll. Counting takes place under the supervision of the presiding officer in the presence of the candidates or their election agents or counting agents. At the end of the counting of the votes the presiding officer announces the number of votes given

to each candidate and completes enough copies of a statement of the poll so that each candidate, or their respective election or counting agent, receives one copy and another is sent to the returning officer.

The postal ballots are counted by the returning officer. We observed the counting proceedings at several polling stations and the counting of postal votes by the returning officers. All the teams found the counting procedures to be in accordance with the relevant rules and regulations and to have been efficiently executed.

11. COMPLAINTS

We received a number of representations from leaders of Opposition parties, certain pressure groups and individuals making complaints concerning unfair practices on the part of the Government and the Election Commission relating to various aspects of the election process. Basically, the complaints were of two categories: long-standing complaints such as uneven application of the law with regard to the use of the media in election campaigning, restrictions on election campaign meetings and malpractices in the operation of postal ballots; and allegations relating to specific irregularities in the actual preparation and supervision of the 1990 general elections.

We did not see it as our task to become embroiled in any disputes or to take sides in any arguments. We explained to the complainants that our role was to observe the organisation and conduct of the elections by the Election Commission in accordance with the law of the country. Accordingly, we did not see it as within our terms of reference to investigate and establish the validity of the allegations made, although we felt it was important to bring to the attention of the Election Commission the complaints we received. In particular, in those cases where the allegations made related to specific aspects of the procedures, we drew the attention of the Election Commission and sought their clarification.

Finally, we would like to express our appreciation to all individuals and groups from both Government and Opposition who volunteered to come forward and discuss their views with us and more so in the demanding circumstances of the election.

12. ACKNOWLEDGEMENTS

We wish to record our deep appreciation to all those who contributed to the carrying out of our mandate, and particularly to those without whose assistance we would not have been able to function effectively. To the Ministry of Foreign Affairs of Malaysia, we extend our special thanks for support and for facilities so willingly placed at our disposal. We wish in particular to pay a warm tribute to the devoted and untiring

labours of Ambassador Hashim Taib and members of the Malaysian Task Force, both in the States and in Kuala Lumpur. They worked efficiently and with a high sense of purpose, and our mission would not have been possible without their tireless devotion to their task. We would also like to thank all those, including the Chairman and members of the Election Commission and their staff, as well as the many Malaysian officials throughout the country, for the help and co-operation which we received from them.

We wish to acknowledge the assistance of the Commonwealth Secretary-General, Chief Emeka Anyaoku, the Deputy Secretary-General (Political), Sir Anthony Siaguru, and those members of the Commonwealth Secretariat who accompanied us to Malaysia. Their support was invaluable in helping us to discharge our responsibilities in all their aspects. In expressing our deep appreciation to all of them, we would like, in particular, to highlight the special contribution to our work of Mr Carl Dundas, the leader of the Secretariat team.

Our final words of thanks must be to the political leaders and people of Malaysia and especially to those who spent their time in the most demanding circumstances of the election to express their views to the Observer Group. We would like to express our deep appreciation for the kind hospitality and welcome accorded to us.

Kuala Lumpur
22 October 1990

APPENDIX

COMMONWEALTH OBSERVER GROUP IN MALAYSIA

H.E. Mr Dudley Thompson, OJ, QC, (Chairman)
A senior Caribbean Statesman and former Foreign Minister of
Jamaica

Sir Peter Kenilorea
Former Prime Minister of Solomon Islands

Baroness Patricia Hollis
Member of the House of Lords, Britain

Mr Mark Robinson
Former Member of the House of Commons, Britain

Mr Inder Jit
Member, Lok Sabha, India

Sir Carlisle Burton
Former Head of the Civil Service and former Chairman of Public
Service Commission, Barbados

Mr Eustace Seignoret
Former Secretary-General of the Ministry of Foreign Affairs and
Senior Ambassador, Trinidad and Tobago

Mr Nathaniel K.T. Mmono
Supervisor of Elections, Botswana

Mr Sourahata Semega-Janneh
Former Registrar of the Supreme Court, The Gambia

Mr Gordon Fairweather
Former Federal Member of Parliament
Chairman, Immigration and Refugee Board, Canada

Mr David Daubney
Former Federal Member of Parliament, Canada

Mr Henry Veratau
Former Chief Electoral Commissioner, Papua New Guinea

SECRETARIAT SUPPORT STAFF

Mr Carl Dundas (Jamaica) (Team Leader)

Mrs Patsy Robertson (Jamaica)

Mr Richard Nzerem (Nigeria)

Mr Neroni Slade (Western Samoa)

Mr Nestor Rweyemamu (Tanzania)

Mr Dominic Sankey (Britain)

Ms Jean Fryer (Britain)

Ms Charlene Lee Ling (Trinidad & Tobago)

OBSERVERS

The twelve Observers were:

H E Mr Dudley Thompson OJ, QC (Jamaica) (Chairman)

Mr Thompson has had a distinguished career as a Barrister and Statesman, and served his country in several Ministerial posts, including Minister of National Security and Foreign Minister. He is at present Jamaica's High Commissioner to Nigeria. After serving in the Royal Air Force during the Second World War, Mr Thompson was awarded the Rhodes Scholarship in 1947, which took him to Oxford University. He qualified for the Bar at Gray's Inn and then went to East Africa where he served on the defence team at the trial of Jomo Kenyatta in the early 1950s, before returning to Jamaica to practice as a Lawyer and be active in politics. Mr Thompson was a member of the Commonwealth Observer Group in Namibia in 1989.

Sir Peter Kenilorea (Solomon Islands)

Sir Peter has twice been Prime Minister of Solomon Islands. His first term was from 1978 to 1981, and after spending three years as Opposition Leader, he was returned to Office and served again as Prime Minister from 1984 to 1987 and later was Minister of Foreign Affairs for a year until 1988. Sir Peter was educated in Solomon Islands and New Zealand and was a teacher and civil servant before he entered politics in 1976.

Baroness Hollis of Heigham (Britain)

Baroness Hollis is an academic who has served as Leader of her City Council in Norfolk, England. Educated at Cambridge, Oxford and the University of California, she is a senior lecturer in Modern English History at the University of East Anglia and during the past year has been Dean of the University's School of English and American Studies. Since 1974 she has been a member of the National Local Government Committee of the British Labour Party; she is a member of the British Press Council. She was appointed to the House of Lords earlier this year.

Mr Mark Robinson (Britain)

Mr Robinson was elected to Parliament in 1983 and two years later became a Junior Minister as Under-Secretary of State at the Welsh Office. Educated at Oxford University, he was called to the Bar at the Middle Temple in 1975. After Oxford, he spent the year 1970-71 as a research assistant to a Member of Parliament and the following year as a special assistant to a United States Congressman. From 1977 to 1983, he was an Assistant Director in the Commonwealth Secretariat. Since leaving Parliament in 1987, he has been a Director of a merchant bank in the City of London. He is a member of the Board of the Commonwealth Development Corporation.

Mr Inder Jit (India)

Mr Jit is a member of India's House of the People (Lok Sabha) from Darjeeling and was elected to Parliament at the last general election. He is a member of India's Electoral Reform Committee. He is a member of the Indian Parliament's Consultative Committee on External Affairs and its Standing Committee on Environment and Forests. He is presently a member of India's Delegation to the current 45th Session of the United Nations General Assembly. Mr Jit is an eminent journalist with 40 years in the profession and is the Editor of the Indian News and Feature Alliance syndicate. Amongst other things, his journalistic interests cover the working of India's Parliament, the democratic system and the country's electoral system.

Sir Carlisle Burton (Barbados)

Sir Carlisle has spent nearly half a century in the public service of Barbados. It is a career which began as a young schoolmaster in 1943 and officially ended as Permanent Secretary to the Prime Minister and Head of the Civil Service in 1981. But he has continued to serve as High Commissioner to The Bahamas and as Chairman of the Public Service Commission, 1981-1987 as well as Deputy Chairman of the Barbados National Bank 1984-86 and Chairman of the Insurance Corporation of Barbados 1981-86. He was a member of the United Nations Expert Group on Public Administration and went to Southern Rhodesia with the Commonwealth Observer Group for the General Elections in 1980 which led to the independence of Zimbabwe. Since 1984 he has been Chairman of the Council of one of the three main campuses of the University of the West Indies.

Mr Eustace Seignoret (Trinidad and Tobago)

Mr Seignoret, was one of the first members of the Diplomatic Service of newly independent Trinidad and Tobago in 1962. He had been in the Civil Service since 1953, and his first posting was for three years at the United Nations, New York before he was sent to Geneva and then to London. He went back to the United Nations in 1971 as Permanent Representative before returning home in 1975 to become Permanent Secretary at the Ministry of External Affairs. In 1977 he was appointed High Commissioner in London where he served as Chairman of the Commonwealth Committee on Southern Africa from 1978 to 1982. His last posting before retirement was High Commissioner to Guyana. While at the United Nations he was, 1972-75, Vice-Chairman of the United Nations Committee against Apartheid and he led a high-level delegation of the Committee to Latin America.

Mr Nathaniel Mmono (Botswana)

Mr Mmono has been Supervisor of Elections in Botswana since 1988. He joined the Public Service in 1957 and after serving in various capacities became Permanent Secretary, Ministry of Works, Transport and Communications in 1976. In 1979 he was appointed

Chairman of the Botswana Telecommunication Corporation and from 1985 to 1988 he was Chairman of the Public Service Commission and Vice-Chairman of the Judicial Service Commission. For four years from 1984 he was General Secretary of the Botswana Christian Council.

Mr Sourahata Semega-Janneh (The Gambia)

Mr Semega-Janneh is a Barrister, who was educated at Hull University and Grays Inn. After serving in his country's legal service he was appointed Registrar of the Supreme Court of The Gambia in 1973. He has recently been in private practice and was an Executive Committee member of the African Bar Association from 1978 to 1980 and is a member of the African Commission on Human and People's Rights. Since 1973 he has been a member of the Law Reform Commission of The Gambia and for the past seven years has served as Treasurer of The Gambia Bar Association. Mr Semega-Janneh was a member of the Commonwealth Observer Group in Namibia in 1989.

Mr David Daubney (Canada)

Mr Daubney is a Lawyer who was educated at Queens University and the University of Western Ontario. As a member of the Public Service he served in Canada's Department of Justice before entering Parliament in 1984. He became Chairman of the Standing Committee on Justice and was a member of Canada's NATO Parliamentary Association and the Commonwealth Parliamentary Association. He is a director of Canada's International Centre for Human Rights and Democratic Development

Mr Henry Veratau (Papua New Guinea)

Mr Veratau, former Chief Electoral Commissioner of Papua New Guinea, has been a Civil Servant from 1968. He held various positions in Government Departments before becoming Electoral Commissioner from 1981 to 1986. He then served as Public Services Commissioner until 1989 when he became Secretary of Department of Defence.

Mr Gordon Fairweather (Canada)

Mr Gordon Fairweather was elected to the Legislative Assembly of New Brunswick, Canada, in 1952 and served as Attorney-General of the Province. He resigned his seat to run for Parliament in 1962 and was re-elected five times. In 1977 he was appointed first Chief Commissioner of the Canadian Human Rights Commission. In 1987 he became Chairman of the Immigration and Refugee Board. Mr Fairweather was a member of the Commonwealth Observer Group for the Zimbabwe Independence Election of 1980. He also observed elections in El Salvador and Guatemala in 1984 and 1985. He is an Officer of the Order of Canada and is the 1990 winner of the outstanding achievement award of the Public Service of Canada.

**PRESS STATEMENT GIVEN BY THE ADVANCE TEAM
OF THE COMMONWEALTH OBSERVER GROUP ON ARRIVAL IN KUALA LUMPUR**

We are in Kuala Lumpur as an advance party of the Commonwealth Group of Observers for the Malaysian elections. The rest of the Group including the Chairman, Mr Dudley Thompson, will arrive in the next few days.

You will recall from the Press Statement issued yesterday by the Commonwealth Secretary-General, the Observer Group is here with the support and concurrence of all the parties to observe all aspects of the organisation and conduct of the elections. The Group is entirely independent and its judgement in ascertaining whether the elections have been free and fair will be wholly unfettered.

I am sure you will appreciate that we are not in a position to comment any further on the Group and its work at this stage. That must await the arrival of the Chairman.

9 October 1990

CHECKLIST OF ISSUES FOR THE OBSERVERS

NOMINATION

Number of candidates

Number of political parties represented

Number of independent candidates

Whether a candidate is accompanied by supporters

The behaviour of the accompanying supporters

The procedure for filing the nomination papers

Acceptance or otherwise of nomination papers

Where there is an objection, the nature thereof and the procedure for disposing of such objections.

If there is only one candidate, the procedure for declaring that candidate an elected member.



Malaysian Elections

ANNEX III

Commonwealth Observer Group

c/o Kuala Lumpur Hilton
Jalan Sultan Ismail

Room 704
Telephone: 2441780/2441729

COGMAY/CWD

11 October 1990

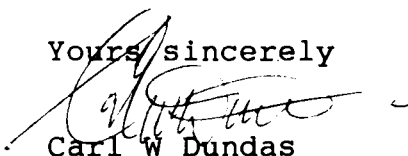
I am writing to you on behalf of the Chairman of the Commonwealth Observer Group who, together with the main body of Observers, is due to arrive in Malaysia on 15 October 1990. Two members of the Group, Mr Sourahata Semega-Janneh of The Gambia and Mr Eustace Seignoret of Trinidad & Tobago arrived here earlier so that the Group could begin its work in advance of Nomination Day. A full list of the Observers and a copy of their Terms of Reference are enclosed.

The Group comes to Malaysia inspired by the commitment to the strengthening of democratic institutions in Commonwealth countries, reaffirmed last October by Heads of Government in Kuala Lumpur; a commitment clearly reinforced by the invitation for the Group's presence here. The individual backgrounds and experiences of the Observers are diverse, but they are all from Commonwealth democracies and have come in a community spirit of helpfulness and objectivity. All of them serve in their personal capacities, not as representatives of their governments.

In order to help the Observers discharge their functions, the greatest importance will be attached to establishing personal contact with you and the leaders of other political parties and, mindful of the heavy demands on your time, they would willingly fit in with any arrangements you may suggest.

With my personal regards

Yours sincerely



Carl W Dundas

(Leader of the Secretariat's Support Team to the Observer Group)
for Chairman

ADDRESSES AND TELEPHONE NUMBERS
OF POLITICAL PARTIES

Barisan Nasional (BN) Component Parties

PENINSULAR

1. Pertubuhan Kebangsaan Melayu Bersatu Baru (UMNO),
(United Malay National Organization),
8th Floor, Menara Dato Onn,
Putra World Trade Centre (PWTC),
Jalan Tun Ismail, Kuala Lumpur.

Tel: 03-2939511

2. Malaysia Chinese Association (MCA),
No. 163 Jalan Ampang,
50450 Kuala Lumpur.

Tel: 03-2618044

3. Malaysia India Congress (MIC),
Bangunan MIC, No: 1 Jalan Rahmat,
off Jalan Tun Ismail, Kuala Lumpur.

Tel: 03-4424377

4. Parti Gerakan Rakyat Malaysia (Gerakan),
No. 10/12 Jalan 1/77B off Changkat Dollah,
Pudu, Kuala Lumpur.

Tel: 03-2417855

5. People's Progressive Party of Malaysia (PPP),
No. 43 (15th Floor) Jalan Station, Ipoh, Perak.

Tel: Not listed.

SABAH

6. Parti Bersatu Sabah (PBS),
Blok M, Lot 4, 3rd Floor,
Donggongan New Township,
Penampang, Sabah.

Tel: 088-50920

7. Pertubuhan Kebangsaan Sabah Bersatu (USNO),
No. 3 Lorong Dewan, P.O. Box 927,
Kota Kinabalu, Sabah.

Tel. 088-51052

SARAWAK

8. Parti Pesaka Bumiputra Bersatu Sarawak (PPBB),
No. 153 F Jalan Satoh, P.O. Box 1053,
Kuching, Sarawak.

Tel: 088-59145

9. Parti Rakyat Bersatu Sarawak (SUPP),
(Sarawak United People's Party),
No. 7 Central Road West,
9300 Kuching, Sarawak.

Tel: 088-241548

10. Sarawak National Party (SNAP),
Lot 304-305 (Tingkat 1) Bangunan Mei Jun,
Rubber Road, Kuching, Sarawak.

Tel. 088-254244

11. Parti Bangsa Dayak Sarawak (PBDS),
No. 3 Lot 1526 Batu 3 1/2,
Jalan Penrisen, Kuching,
Sarawak.

Tel: 088-752402

OPPOSITION

PENINSULAR

12. Parti Islam Se Malaysia (PAS),
Markas Tarbiyyah PAS Pusat,
Lot 2549/3, Lorong Haji Hassan,
off Jalan Batu Geliga, Taman Melawar,
68100 Batu Caves, Selangor.

Tel: 088-6895592

Tel: 088-6895612

13. Democratic Action Party Malaysia (DAP),
No. 24, Jalan 20/9,
46300 Petaling Jaya.

Tel. 03-7578022
14. Parti Semangat 46,
No. 2 Jalan 105 Lembah Jaya Selatan,
68000 Ampang, Selangor.

Tel: 03-2911099
15. Parti Sosialis Rakyat Malaysia (PSRM),
No. 6A Jalan K-2 Kampong Sekudai Kiri,
Batu 4 1/2 Jalan Sekudai,
82200 Johor Baru.

Tel: Not listed.
16. Hizbul Muslimin Malaysia (HAMIM),
No. 4815-D Tingkat Satu,
Jalan Dusun Muda,
15200 Kota Bharu, Kelantan.

Tel: Not listed.
17. Barisan Jemaah Islamiah Se Malaysia (BERJASA),
No. 1618 Jalan Kerbau,
15300 Kota Baharu, Kelantan.

Tel: Not listed.
18. Kongress Indian Muslim Malaysia (KIMMA),
No. 97-4 Flat Jalan Pekeliling,
Kuala Lumpur.

Tel: 03-2930401
19. Parti Demokratik Indian Malaysia,
(Democratic Malaysian India Party (DMIP)),
No. 10-B Tingkat 2 Jalan 54,
Desa Jaya, Kepong, Selangor.

Tel: Not listed

20. Parti Punjabi Malaysia (Malaysia Punjabi Party),
Tingkat 3 Bangunan Transport Workers Union,
21 Jalan Barat 46200 Petaling Jaya.

Tel: Not listed.

21. Parti Perpaduan Anak Malaysia,
(Malaysia Unity Movement (MUM)),
Suite 903 Tingkat 9 Selangor Complex,
Jalan Sultan 50000 Kuala Lumpur.

Tel: Not listed

22. Kongress Penyatuan Masyarakat,
(Community Coalition Congress) (CCC),
No. 1 Jalan Tambun, 30350 Ipoh.

Tel: Not listed.

23. Parti Merdeka Malaysia,
Lot 2 Tingkat 2 Bangunan Mah Sing,
112 - 114 Jalan Pudu,
55100 Kuala Lumpur.

Tel: Not listed.

24. Malaysia Ceylonese Congress,
No. 11 Jalan Eman, Batu 3 1/2,
Jalan Sungai Besi, Kuala Lumpur.

Tel: Not listed.

25. Pertubuhan Pekerja-Pekerja Malaysia,
18A Jalan 13B,
68000 Ampang Jaya, Selangor.

Tel:Not listed.

SABAH

26. Parti China Sabah,
(Sabah Chinese Consolidated Party) (SCCP),
No. 2 Blok E Sinsuran Complex,
Kota Kinabalu,
Sabah.

Tel: 088-234606

27. Parti Momogon Kebangsaan Sabah,
(Sabah National Momogon Party (MOMOGON),
11A, Taman Likas Jaya, 88000 Kota Kinabalu,

Tel: Not listed.
28. Parti China Sabah (PCS) (Sabah Chinese Party),
Tingkat 1 Lot 4 Jalan Pinang, Tanjung Aru,
Kota Kinabalu, Sabah,

Tel. 088-234606
29. Parti Bersatu Rakyat Bumiputra Sabah (BERSEPADU),
Lot 1 Tingkat 4 Bangunan Natihar,
Jalan Padang, Kota Kinabalu, Sabah.

Tel. 088-234606
30. Parti Rakyat Sabah (PRS) (Sabah People's Party),
(BERSEPADU),
Lot 1 Tingkat 4 Bangunan Natihar,
Jalan Padang, Kota Kinabalu, Sabah.

Tel. 087 - 211476
31. The Liberal Democratic Party (LDP),
(Parti Liberal Demokratik),
88300 Kota Kinabalu, Sabah.

Tel: 088-62587
32. Angkatan Keadilan Rakyat (AKAR),
(People's Justice Party),
Lot 3, 1st Floor, Paramount Industrial Centre,
Jalan Kalombong off Mile 5,
Jalan Tuaran, Kota Kinabalu, Sabah.

Tel: Not listed.
33. Pertubuhan Kebangsaan Pasok Nunukragang Bersatu,
(United Pasok Nunukragang National Organisation),
No. 5 Oh How Teck Place (Tingkat 4),
Jalan Sentosa, Kampong Au,
Kota Kinabalu, Sabah.

Tel: Not listed

34. Bersatu Raayat Jelata Sabah (BERJAYA),
(Sabah People's Party),
Sinsuran Building, Blok 'M',
Kota Kinabalu, Sabah.
- Tel. 088-211408
35. Parti Murut Sabah,
Bangunan Sedco Complex, Lot 5 Blok B,
(Tingkat 3) Peti Surat 23,
Kota Kinabalu, Sabah.
- Tel. 089 - 214371
36. The United Action Party,
1st Floor, Lot 15 Karamansing,
88000 Kota Kinabalu,
P.O.Box 10462, 88805 Kota Kinabalu, Sabah.
- Tel. 089-214371

SARAWAK

37. Persatuan Rakyat Malaysia Sarawak (PERNAS),
Tingkat 2, Bangunan Salmas, Lot 271,
Jalan Satok,
Kuching, Sarawak.
- Tel. 082-425650
38. Parti Buruh Bersatu Sarawak,
132, 1st Floor, Sarawak House,
Sibu, Sarawak.
- Tel: Not listed.
39. Parti Negara Rakyat Sarawak (NEGARA),
No. 30 - 8, 1st Floor, Jalan Tabuan,
P.O. Box 1073, Kuching, Sarawak.
- Tel: Not listed.
40. Sarawak Demokratik Bersatu (BERSATU),
No. 180 - 306, Jalan Tabuan (1st Floor),
Kuching, Sarawak.
- Tel: Not listed.

**PRESS STATEMENT BY MR DUDLEY THOMPSON
CHAIRMAN OF THE COMMONWEALTH OBSERVER GROUP FOR THE
MALAYSIAN ELECTIONS, ON ARRIVAL AT KUALA LUMPUR
Monday 15 October 1990**

I want on behalf of all my colleagues on the Observer Group, to say how great a pleasure it is for us to be in your beautiful country. I must also thank our hosts for their warm welcome.

As you are no doubt aware, the Commonwealth Observer Group for the Malaysian elections, which I have the privilege to lead, was constituted by the Commonwealth Secretary-General following a request from the Government and contacts by a Secretariat planning mission with the major political parties of Malaysia. A list of the Observers has already been made available to you. I should like to confirm that Mr Gordon Fairweather from Canada, a distinguished former member of the Federal Parliament and Chairman of the Canadian Immigration and Refugee Board, has been added to the list, and is with us here today.

Two of our colleagues on the Group, Mr Eustace Seignoret and Mr Semega-Janneh, have of course been here now for nearly a week as an advance party. The rest of us look forward to being briefed by them on their discussions and perceptions so far.

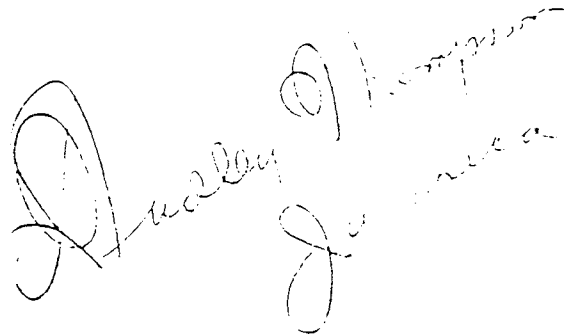
The Group's terms of reference will be to observe every relevant aspect of the organisation and conduct of the general elections by the Malaysian Election Commission in accordance with Malaysian law governing elections. The Group's function will be to ascertain whether, in the context of that law, the elections have been free and fair.

I wish to emphasise at this point that as a Group we are here to observe the elections and to form a judgement on whether they have been free and fair.

I also wish to stress that our judgement will be an independent one, for which we are collectively responsible as individuals. Accordingly, our views will in no way represent those of the Office of the Commonwealth Secretary-General, or of governments.

We will submit a Report to the Secretary-General, who will make it available to the Malaysian Government.

My colleagues and I are looking forward to meeting with the leaders of the political parties contesting the elections. We shall of course also be available to meet with those other sections of the community participating in the elections. We hope, between the lot of us, to travel as widely as possible within the country, before and during the actual polling process.



Audrey Thompson
Secretary-General

DEPLOYMENT OF OBSERVER TEAMS

18 - 21 October 1990

Observer Teams	Support Staff	Area Deployed
1. H E Dudley Thompson Baroness Patricia Hollis	Carl Dundas	Kuala Lumpur
2. Sir Peter Kenilorea Mr David Daubney Mr N.K. Mmono	Richard Nzerem	Penang
3. Sir Carlisle Burton Mr Sourahata Semega-Janneh Mr Henry Veratau	Neroni Slade	Kota Bharu
4. Mr Eustace Seignoret Mr Inder Jit	Nestor Rweyemamu	Sarawak
5. Mr Gordon Fairweather Mr Mark Robinson	Dominic Sankey	Sabah

COMMONWEALTH OBSERVER GROUP

SCHEDULE OF ENGAGEMENTS

1. **TUESDAY, 9 OCTOBER 1990**

2315 hours - Meeting (2 Observers and Secretariat Staff)
with Ambassador Hashim and Task Force

2. **WEDNESDAY, 10 OCTOBER 1990**

(i) 0910 hours - Working Breakfast (2 Observers and Secretariat
Staff) with Ambassador Hashim and Task Force

(ii) 1600 hours - Strategy Meeting (2 Observers and Secretariat
Staff)

(iii) 1720 hours - Meeting (2 Observers and Secretariat Staff)
with Ambassador Hashim and Task Force

3. **THURSDAY, 11 OCTOBER - NOMINATION DAY**

(i) Group 1:
Mr Sourahata Semega-Janneh visits Nomination Centres in
Selangor accompanied by - Mr Carl Dundas
Mrs P Robertson
Mr N Rweyemamu
(See attached list of Centres)

(ii) Group 2:
Mr Eustace Seignoret visits Nomination Centres in Kuala
Lumpur accompanied by - Mr R Nzerem
Mr N Slade
(See attached list of Centres)

4. **FRIDAY, 12 OCTOBER**

(i) 0900 hours - Meeting (2 Observers and Secretariat staff)
with the Election Commission

(ii) 1210 hours - Interview with the Press (Secretariat Spokes-
person)

(iii) 1500 hours - Joint Meeting (2 Observers and Secretariat
staff) with the Ministry of Home Affairs
and Ministry of Information, and staff of
Attorney General's Chambers

- (iv) 1700 hours - Press Briefing
(Secretariat Spokesperson)
- (v) 1700 hours - Visit to UMNO Party Headquarters
(Member of Secretariat Staff)
- (vi) 2230 hours - Visit to UMNO Campaign Meeting
(Member of Secretariat Staff)

5. SATURDAY, 13 OCTOBER 1990

- (i) 1000 hours - Strategy Meeting
(Secretariat Staff)
- (ii) 1030 hours - Meeting (2 Observers and Secretariat Staff)
with Ambassador Taib and Task Force
- (iii) 1200 hours - Strategy Meeting, contd.

6. SUNDAY, 14 OCTOBER 1990

- (i) 0800 hours - Day trip to Melaka via Negeri Sembelang
(2 Observers and Secretariat Staff)
- (ii) 2030 hours - Review of the day

7. MONDAY, 15 OCTOBER

- (i) 1500 hours - Meeting of full Group (12 Observers) and
Secretariat (8 Staff)
- (ii) 1600 hours - Press Briefing with full Observer Group
- (iii) 1730 hours - Meeting with Ambassador Taib and Task Force
(full Observer Group and Secretariat staff)
- (iv) 1930 hours - Buffet dinner hosted by Chairman of Observer
Group for Observers and Secretariat Staff

8. TUESDAY, 16 OCTOBER 1990

- (i) 0900 hours - Observer Group and Secretariat
Consideration of complaints
- (ii) 0930 hours - Meeting of full Observer Group with Election
Commission
- (iii) 1700 hours - Strategy Meeting : Observer Group and
Secretariat - consideration of framework of
draft report and review of the day
- (iv) 1930 hours - Observe political meetings/rallies

9. **WEDNESDAY, 17 OCTOBER 1990**

- (i) 0820 hours - Trip to Kota Bahru : Baroness Hollis,
1855 hours Mr Daubney, Mr Fairweather, Mr Robinson
- (ii) 1700 hours - Chairman's Meeting with remaining Observers
and Secretariat
 - (a) Consideration of draft chapters
 - (b) Briefing for departure 18.10.90
 - (c) Itinerary for evening visits to political
party rallies
- (iii) 1900 hours - Observe political meetings/rallies

10. **THURSDAY, 18 OCTOBER 1990 - DEPARTURES**

Departure of Observers and Support Staff to Penang, Kota Bharu, Sarawak and Sabah areas as per attached schedule. On arrival at region:

- (i) Briefing by State Election Officers as appropriate
- (ii) Visits to polling and counting stations
- (iii) Observation of campaign meetings
- (iv) Review of the day's events and preparation of draft report

KUALA LUMPUR

- 1030 hours - Observers and Secretariat Staff remaining in Kuala Lumpur meet with Tun Omar Ong Yoke Lin Chairman of the "Concerned Citizens" Committee
- 1400 hours - Meeting with Datuk Chan Choong Tuck, Secretary General, Gerakan Party at the Hilton Hotel
- 1500 hours - Meeting with Tunku Hasmuddin, CCC Party, at the Hilton Hotel
- 2000 hours - Observe political meetings/rallies in Kuala Lumpur area

11. **FRIDAY, 19 OCTOBER 1990**

COUNTRY AREAS

- as for 18 October -

KUALA LUMPUR

Visit to Kota Bharu - Mr Thompson/Mrs Robertson
Depart 0850 Return 1815
General observance

- Visit to Penang - Baroness Hollis/Mr Dundas
Depart 1000 Return 1845
General observance
- 1900 hours - Observe political meetings/rallies

12. **SATURDAY, 20 OCTOBER 1990**

COUNTRY AREAS

- (i) Observe opening of polling station for the poll
- (ii) Random visits of polling stations to observe polling
- (iii) Observe close of poll and count and declaration of result, and/or arrangements for security of ballot boxes as appropriate
- (iv) Review of the day's events and updating of draft report

KUALA LUMPUR

- 0900 hours - Meeting with Ambassador Taib - Mr Dundas only
- 1000 hours - Meeting with Tan Suffian, and 6 members of Election Watch at the Hilton Hotel (Room 721)
- 1230 hours - Meeting with Dato Vadiveloo, Secretary-General MIC at the Hilton Hotel (Room 721)
- 1430 hours - Meeting with Mr Kuakia Soong and Mr K. Das, DAP (Room 721)
- 1600 hours - Press Conference
- 1730 hours - Meeting with Chairman of the Election Commission
- 2030 hours - Dinner at Carcosa, hosted by Dato Kamil Jaafar, Secretary General, Ministry of Foreign Affairs for the Kuala Lumpur based Observers and Secretariat staff

13. **SUNDAY, 21 OCTOBER 1990**

ALL AREAS, INCLUDING KUALA LUMPUR

- (i) Observe opening of polling station for the poll
- (ii) Random visits of polling stations
- (iii) Observe close of poll and preliminary count
- (iv) Observe final count and declaration of result

- (v) Review day's events in region immediately after close of poll, and advise Chairman in Kuala Lumpur of provisional general observations by telephone or fax
- (vi) Prepare and send Statement to Secretary-General (KL)
- (vii) Finalise Draft Report for region

RETURN TO KUALA LUMPUR FROM COUNTRY AREAS

- (viii) File regional reports

14. MONDAY, 22 OCTOBER 1990

- (i) Consolidation and discussion of Draft Report
- (ii) Finalise Report
- (iii) Approval and signature of Report

15. TUESDAY, 23 OCTOBER 1990

- (i) 1130 hours - Press Conference
- (ii) DEPART FOR LONDON

16. WEDNESDAY, 24 OCTOBER 1990

SUBMISSION OF REPORT TO SECRETARY-GENERAL

NOMINATION CENTRES - KUALA LUMPUR

9.00 - 11.00 a.m. Submission of Nomination Paper
11.00 - 12.00 noon Lodging of Protest, if any
Announcement of Confirmation of
Candidacy can be any time after the one
hour grace period for Lodging of Protest

KEPONG
P 096

DEWAN SERBAGUNA KEPONG,
SRI DELIMA, JINJANG SELATAN

BATU
P 097

DEWAN SERBAGUNA TAMAN IBU KOTA

TITIWANGSA
P 098

DEWAN SERBAGUNA KG DATUK KERAMAT
JALAN JELATEK, KUALA LUMPUR

BUKIT BINTANG
P099

DEWAN SUKAN (POSTAL CLUB)
No. 32 JALAN RAWA, IMBI, KUALA LUMPUR

LEMBAH PANTAI
P100

DEWAN KOMPLEKS SUKAN BANGSAR DEWAN BANDARAYA
JALAN TERASEK 3
BANGSAR, KUALA LUMPUR

SEPUTEH
P101

DEWAN PERHIMPUNAN CINA SELANGOR
JALAN MAHARAJELA, KUALA LUMPUR

SG. BESI
P102

KOMPLEKS BALAI DEWAN BANDARAYA
BT. 3 1/2 JALAN CHERAS, KUALA LUMPUR

NOMINATION CENTRES - SELANGOR

BANTING

-

DEWAN SRI JUGRA
TELOK DATO', BANTING

KUALA SELANGOR

-

BILIK GERAKAN
KUALA SELANGOR

KLANG

-

DEWAN HAMZAH KLANG
(DEKAT BRIDGE)

SHAH ALAM

-

DEWAN SEKOLAH MENENGAH
VOKESYENAL
SEK.17, SHAH ALAM

STATEMENT OF THE OBSERVER GROUP TO THE SECRETARY-GENERAL





































In accordance with our Terms of Reference we observed the 1990 Malaysian Elections. We have witnessed the nomination proceedings and have observed the balloting and the counting of votes in several centres throughout the country and we have concluded that the nomination proceedings and the organisation and conduct of polling were properly and impartially carried out. We also monitored the election campaign. To this extent the 1990 elections allowed the voters of Malaysia an opportunity to freely express their choice in accordance with Malaysian law.

However, in the interest of strengthening democracy as expressed at the Commonwealth Heads of Government Meeting in Kuala Lumpur in October 1989, we will find it necessary in our report to express our serious concern about the many inaccuracies and imperfections which have been brought to our notice concerning the electoral rolls. These we have already communicated to the Election Commission and been in discussion with them against the background of certain statements reportedly made by the Commission itself. During such discussions the Commission admitted to the Group that they were aware of these defects and had made recommendations for correcting them.





















We will also be expressing our concern about the unequal access of the Opposition parties to the mainstream media especially television and this will be addressed in our final report.

**SENARAI SIMBOL-SIMBOL PARTI YANG TELAH DIDAFTARKAN OLEH SURUHANJAYA PILIHANRAYA
YANG KEMASKINI SEHINGGA 31-8-1990**

ANNEX IX

- | | | | | | | |
|--|--|---|--|--|--|---|
| 
1. BARISAN NASIONAL | 
2. BARISAN JAMAAH ISLAMIAH SEMALAYSIA (BERJASA) | 
3. BERSATU RAKYAT JELATA SABAH (BERJAYA) | 
4. PARTI GERAKAN RAKYAT MALAYSIA | 
5. PARTI KEBANGSAAN SARAWAK (SNAP) | 
6. PARTI PESAKA BUMIPUTERA BERSATU SARAWAK | 
7. PEOPLES' PROGRESSIVE PARTY (P.P.P) |
| 
8. SARAWAK UNITED PEOPLES PARTY | 
9. UNITED SABAH NATIONAL ORGANISATION (USNO) | 
10. PARTI ISLAM SEMALAYSIA (PAS) | 
11. PARTI KONGRES INDIAN MUSLIM MALAYSIA (KIMMA) | 
12. PARTAI PEKERJA-PEKERJA MALAYSIA | 
13. PARTI SOSIALIS RAKYAT MALAYA | 
14. PARTI TINDAKAN DEMOKRATIK |
| 
15. PARTI CHINA BERSATU SABAH (PCBS) | 
16. PERTUBUHAN KEBANGSAAN PASOK NUNUKRAGANG BERSATU (PASOK) | 
17. PARTI NEGARA RAKYAT SARAWAK | 
18. SARAWAK DEMOKRATIK BERSATU (BERSATU) | 
19. PARTI HIZBULMUSLIMIN (HAMIM) | 
20. PARTI BANSA DAYAK SARAWAK | 
21. PARTI BERSATU RAKYAT BUMI-PUTRA SABAH (BERSEPADU) |
| 
22. PARTI BURUH SARAWAK (SARAWAK UNITED LABOURS PARTY) | 
23. PARTI BERSATU SABAH (PBS) | 
24. PARTI MOMOGUN KEBANGSAAN SABAH (SABAH NATIONAL MOMOGUN PARTY) (MOMOGUN) | 
25. PARTI CHINA SABAH | 
26. PARTI MURUT SABAH | 
27. PERSATUAN RAKYAT MALAYSIA SARAWAK (PERMAS) | 
28. PARTI KONGRES PENYATUAN MASYARAKAT |
| 
29. PARTI RAKYAT SABAH | 
30. PARTI MERDEKA MALAYSIA | 
31. SEMANGAT 46 | 
32. PARTI ANGGATAN KEADILAN RAKYAT (AKAR)—SABAH | 
33. PARTI LIBERAL DEMOKRATIK—SABAH | 
34. PARTI TINDAKAN BERSATU—SABAH | 
35. PARTI BARISAN RAKYAT SABAH BERSEKUTU (BERSEKUTU) |
| 
36. PARTI IKATAN MASYARAKAT ISLAM MALAYSIA | | | | | | |

**SENARAI SIMBOL-SIMBOL UNTUK CALON-CALON BEBAS YANG
TELAH DILULUSKAN OLEH SURUHANJAYA PILIHANRAYA**

- | | | | | | | |
|---|---|---|--|--|--|---|
| 
1. ANAK KUNCI | 
2. AYAM JANTAN | 
3. BAS | 
4. BASIKAL | 
5. BUKU | 
6. MESIN TAIP | 
7. GUNTING |
| 
8. KEPALA HARIMAU | 
9. IKAN | 
10. JAM LOCING | 
11. KAPAL-TERBANG | 
12. KASUT | 
13. KERUSI | 
14. PAYONG |
| 
15. POKOK KELAPA SAWIT | 
16. GASING | 
17. PAIP | 
18. TALIPON | 
19. TREKTOR | 
20. WAU | |

**SOME SUGGESTED ASPECTS OF THE ELECTORAL PROCESS
FOR OBSERVATION BEFORE AND DURING POLLING DAY**

Political Campaign

1. Freedom or otherwise of expression
 - (a) Political broadcasts on radio are allowed but not on television
 - (b) Television broadcasts news items on election matters
2. Freedom or otherwise of assembly
 - (a) Meetings are held in closed premises only because of security.
 - (b) Some candidates apparently get around this perceived hurdle by allowing such meetings to spill over outside the closed premises. The police sometimes observe this and file a report with the law officers and leave them to pursue charges as they see fit.
3. Freedom or otherwise of association and movement
4. Question of whether there is non-discrimination of the application of any restriction on campaigning opportunities by any of the political parties
5. The role of the Media in general during the election campaign.

Conduct of the Polls

1. The accuracy of the list of electors at the polling stations
2.
 - (a) The siting of polling stations, i.e. static polling stations
 - (b) The nature and use of mobile polling station (if any is present in the area visited)
3. Distances travelled by voters to polling stations in rural areas
4. Do voters have to wait unreasonably long periods to cast their votes?
5. What safeguard (if any) has been taken to protect secrecy of the ballot

6. Performance of election officers at the polling stations visited
7. Were polling stations opened on time?
8. The adequacy or otherwise of polling stations' facilities
9. The extent of the use of tendered ballot
10. The extent of the use of postal votes in the constituencies visited
11. Procedures for controlling the distribution of postal ballot papers
12. Procedures to ensure the security of ballot papers

The Count

1. Counting the ballots at polling station by the presiding officer
 - (a) Treatment of spoilt ballots
 - (b) Tendered ballots
 - (c) The preparation of the statement of the poll for the returning officer and agents
 - (d) Recount
2.
 - (a) Postal votes
 - (b) Late postal votes
 - (c) Announcement of results



Commonwealth Observer Group

c/o Kuala Lumpur Hilton
Jalan Sultan Ismail

Room 704
Telephone: 2441780/2441729
Fax: 244 1811

17 October 1990

Dear Mr Chairman

We refer to our earlier discussions and wish to confirm our request for the appropriate authorisation for the Observer Group to observe at the polling stations. We understand such authorisation should be in writing. While we have noted your undertakings we felt it desirable to ensure that members of the Group will be able to have access to and able to observe both the voting and counting at the polling stations to be visited. At this stage of our work we would like to feel that there would be no difficulty with this. Accordingly, we would be most grateful for your assurance in the matter.

Perhaps you could be kind enough to signify your agreement and authorisation by the Commission by signing and returning the enclosed copy of this letter.

Dudley Thompson

Dudley Thompson
Chairman
Commonwealth Observer Group

I agree. We are making arrangements on the ground to implement this.

Dato Harun Din
Chairman
Election Commission
Kuala Lumpur
MALAYSIA

Harun Din

18/10/90.

ISBN 978-1-84859-583-5



9 781848 595835