



TINDAK MALAYSIA

REDELINEATION IN THE AGE OF UNDI 18

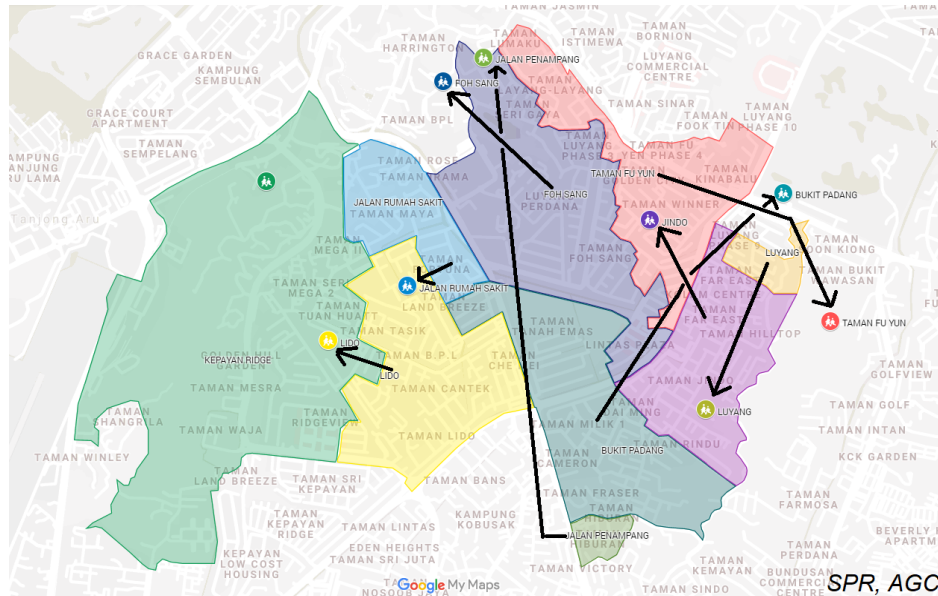
(for GBM) 19/8/2021

Danesh Prakash Chacko

Contents

- Basics of Legislature Size and Redelineation
- Tindak's views on fair boundaries
- Contextualizing Redelineation in Undi 18/Post GE14 Era
- Preparation for Voters to be Objectors
- Call for Action: What you can do

PROBLEM – HIDDEN ONES



Illogical voter movement flow as prescribed by EC (DUN Luyang, P.172 Kota Kinabalu)

One polling district (a subset of subset of Parliament) is bigger than one Parliament Seat!

**KUALA BARAM
(Parlimen: Miri)
20704 Voters**

**Parlimen: Igan
19639 Voters**

Source: SPR Malaysia, Tindak Malaysia (2020)

A polling district carrying an electorate size bigger than the entire parliamentary seat of Igan

Basics of Legislature Size and Redelineation

-
- Our Parliament and DUN size determines the size of their legislative houses. Currently 222 Parliamentary Seats and 600 DUN Seats
 - To trigger redelineation, there are three ways
 - After 8 years from the completion of last review of boundaries
 - Alteration of state boundaries/or addition of states to Malaysia
 - Change in number of seats in Dewan Rakyat and DUN
 - Is our Parliament size ideal? (Open for debate)
 - For Reduction (use Wyoming Rule – Perlis* as the base): 128 seats for Dewan Rakyat
 - For increase (use cube root law): 318 seats for Dewan Rakyat
 - For increase (use Wyoming Rule – Labuan as the base): 327 seats for Dewan Rakyat
 - No recommended size for each DUN in Malaysia (more so, after 1983)

**We assume Perlis to have one Parliament Seat*

Basics of Legislature Size and Redelineation

- As Parliament determines the Parliamentary seat allocation for every state (first sign in 1963 and full coverage in 1973), we have interstate malapportionment
- Currently, our redelineation guidelines has four principles (13th Schedule):
 - Parliament and DUN seats shall not cross state boundaries. DUN Seats not to cross parent Parliament seat (**HONOURED**)
 - Parliament and DUN seats ought to have enough facilities for voter registration and polling machinery (**VIOLATED**) – OUR FOCUS TONIGHT
 - Number of electors among seats in a state shall be approximately equal with exception of rural areas which face issues in reaching electors, where a weightage of area ought to be given (**VIOLATED**) - OUR FOCUS TONIGHT
 - Maintenance of Local Ties and consideration of any inconveniences to change of boundaries (**VIOLATED**)

TINDAK'S VIEWS FOR FAIR BOUNDARIES

-
- Advocate the following principles
 - Equalization of all constituencies within and among states is paramount
 - Election Commission or future Boundaries Commission should have the power to add or remove seats among states
 - Adoption of Electoral Quota (average size for DUN and Parliament per state) formally in the constitution. Similarly have Population Quota for interstate Parliament seat allocation
 - Reinstatement of Merdeka Era +/-15% deviation from Electoral Quota for Peninsular Malaysia and +/-25% deviation for Sabah and Sarawak. By 2030, every constituency in Malaysia should fall under +/-15% deviation
 - Reinstatement of the ratio of number of Parliamentary seats to number of DUN seats. Equalize DUNs, you equalize Parliamentary seats – yes, we are aware of EC's tricks too
 - Local ties consideration must be unique by state ([refer to Tindak Malaysia's Objector Guide Series – Redelineation Guidelines \(for Technical Counter Proposal\)](#))

TINDAK'S VIEWS FOR FAIR BOUNDARIES

-
- Comparative of views on Equalization
 - Tindak Malaysia: +/-15% deviation from Electoral Quota for Peninsular Malaysia and +/-25% deviation from Electoral Quota for Sabah and Sarawak until 2030. Thereafter, every seat must fall under +/-15%
 - Bersih: +15% to – 33% from a state average for constituency size
 - Huazong: The largest constituency shall not be more than 3 times larger than the smallest constituency in terms of number of electors
 - Base for Fair DUN and Parliament seats is fair polling districts. A fair polling district shall have:
 - 2 in-house polling stations
 - Respect local council/district boundaries and respect micro local ties
 - Have an elector population of 2 – 4% of State Electoral Quota (for Parliament)
 - Correct association of voters to polling district
 - Meaningful names

REDELINEATION IN THE UNDI18/POST GE14 ERA

-
- Three Tsunamis of Change:
 - Implementation of Undi18 and AVR: bringing in 5.6 million new voters
 - Increasing Voting Accessibility: Since Cameron Highlands By Election of 2019, all registered OKU voters are channelled to Saluran 1
 - Increase in Number of Voting Streams (Saluran): After GE14, maximum number of voters have dropped from 750 to 600. During COVID, the maximum number had dropped to 400 for one of the by-elections
 - While we see the impact of Undi18 more so for the issue of malapportionment, today, we will talk about the issue of sufficient polling facilities

REDELINEATION IN THE UNDI18/POST GE14 ERA

-
- In 13th Schedule, clause 2(b) states:

“regard ought to be to the administrative facilities available within the constituencies for the establishment of the necessary registration and polling machines;”

- We usually think EC has considered enough facilities for polling. The answer is NO!
- Let’s start with an example that [Bersih’s 2019 Pemerhati Report for Sandakan By-election](#) (refer below)

5.2 Kemudahan Pusat Pengundian

1. Pusat pengundian di Wisma Sandaraya dibuat di tempat letak kereta sangatlah tidak sesuai sebagai pusat mengundi kerana keadaannya yang tidak selamat disebabkan jalan masuk ke pusat pengundian tersebut agak curam serta jauh bagi pengundi yang menggunakan kerusi roda serta warga emas kerana hanya saluran 1 dan 2 mengundi di sana. Cuaca yang panas menyebabkan keadaan yang sangat tidak selesa kepada petugas pilihan raya di sana. Semasa pengiraan undi keadaan menjadi sedikit gelap menyebabkan KTM terpaksa memasang lampu limpah bagi membantu proses pengiraan undi.

*Why one of the polling centres in the heart of old Sandakan is found in a car parking lot of this Wisma?
Didn’t RO or EC team couldn’t find better alternatives?
Or Sandakan Parliament seat does not have enough facilities for polling?*

REDELINEATION IN THE UNDI18/POST GE14 ERA

- Penang (Examples of violations of 2(b))

- DUN Air Putih – YB Lim Guan Eng's DUN seat – 80% of the voters are asked to physically leave their constituency and vote in polling centres in neighbouring DUN

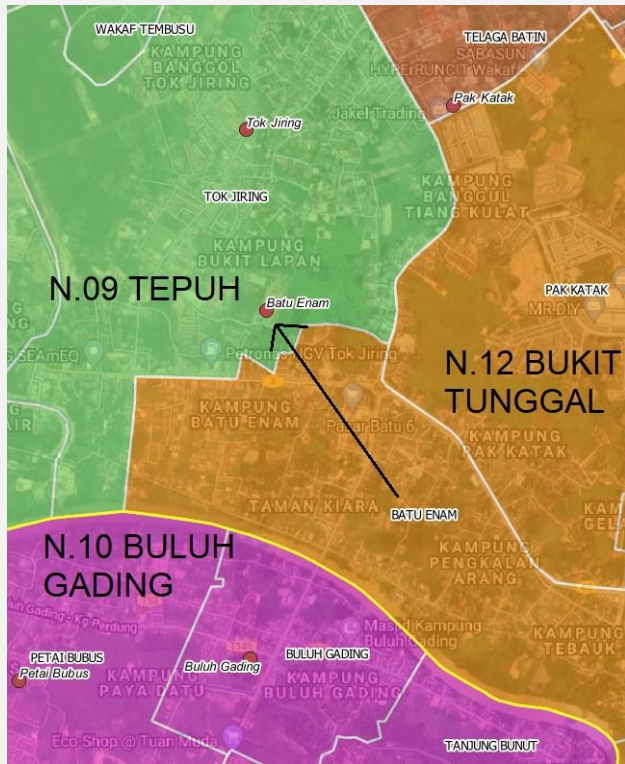
- Other Statistics (Tindak's estimates)

- 124 667 voters in 2020 are expected to travel outside their home DUN to cast their ballots due to poor EC allocation (12.8% of Penang voters are affected) – Strong occurrence in urban centres
- 161 644 voters in 2020 are allocated to a polling station where that polling station is serving two or more polling districts (16.7% of Penang voters are affected)
- 228 293 voters in 2020 have to leave their polling district to vote in a polling station found in a neighbouring polling district (23.6% of Penang voters are affected)

**Assuming GE14 polling station allocation is used again for any coming elections*

REDELINEATION IN THE UNDI18/POST GE14 ERA

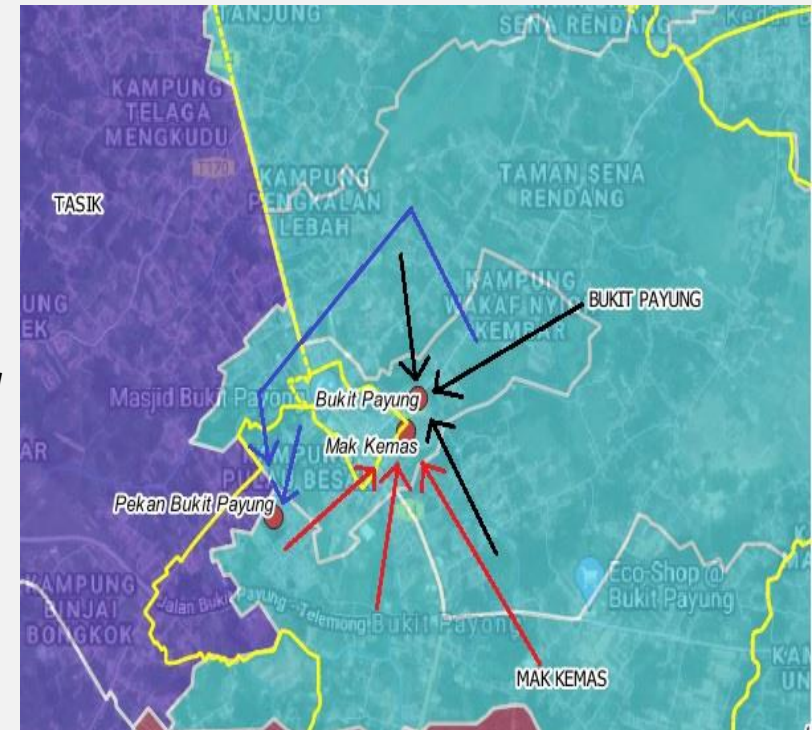
- Terengganu (two examples)



FOR LEFT MAP:
Voters of Batu Enam had to leave their home DUN, Bukit Tunggal and vote in a polling centre in neighbouring DUN Tepuh

Question. Was Bukit Tunggal drawn with enough polling facilities in the first place?

FOR RIGHT MAP:
*Illogical allocation of
polling stations to
polling districts for
DUN Bukit Payung.
Voters criss-crossing
each other and travel
unusual distances*



PREPARATION FOR VOTERS TO BE OBJECTORS

-
- We are preparing relevant materials for future Objectors
 - Objector Guide Series
 - Infographics
 - Webinars
 - We are willing to collaborate with relevant NGOs who have big reach among many Malaysian voters to prepare for future redelineation objection
 - We have updated our website section (register yourself as an Objector via here): <http://www.tindakmalaysia.org/persempadanan>
 - We are looking out for future objectors for Penang, Terengganu and Sarawak

CALL FOR ACTION

-
- Demand EC to allocate a minimum two in house polling stations per polling district
 - Demand your local councils, district offices, Ministry of Education, other federal and state agencies to ensure their physical buildings are accessible for elderly and OKU voters
 - Call upon all elected leaders to reinstate +/-15% from Electoral Quota for all constituencies' sizes in Malaysia
 - Be prepared to be an Objector. Own your electoral boundary!

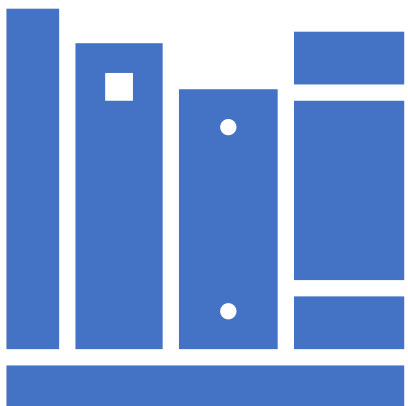
REFERENCES

- <http://www.tindakmalaysia.org/wp-content/uploads/2013/08/OBJECTOR-GUIDE-SERIES -REDELINEATION-GUIDELINES-FOR-TECHNICAL-COUNTER-PROPOSALS.pdf>
- <https://web.facebook.com/TindakActionMalaysia/photos/a.4271626396229290/4296829197042343> (Triggering Redelineation)
- <https://www.slideshare.net/daneshchacko/tindak-malaysia-2021-training-3-understanding-redelineation-from-law-perspective>
- <https://www.slideshare.net/daneshchacko/tindak-malaysia-2021-training-4-case-studies-for-redelineation>
- <http://www.tindakmalaysia.org/persempadanan/towards-a-fairer-electoral-system-feb-2014-forum>
- <http://www.tindakmalaysia.org/wp-content/uploads/2020/02/KAJIAN-DAERAH-MENGUNDI-KIMANIS TINDAK MALAYSIA 28012020.pdf>
- http://www.bersih.org/ge14-electoral-reforms-memo/#_Toc480554789

Conclusion

- We will keep you updated with our ongoing redelineation research
- Advocate our principles of equalization to our elected leaders
- Ready to be an Objector (a message to all voters in Malaysia)
- Contact us: info@tindakmalaysia.com





THANKS
