

27/08/2012

Attention: AEC Commissioner C/of Tim Shaughnessy and Peter Kramer Australian Electoral Commission Po Box 6172 Kingston ACT 2604

RE: WA Senate Vote Recount

Dear Commissioner of the Australian Electoral Commission.

In light of recent events and the Australian Electoral Commission's inconsistencies in ruling in favour of natural justice for some but not for others, the WikiLeaks Party is obliged to lodge a formal complaint in regards to the AEC's indiscriminate insistence to proceed with a declaration of an asserted ballot result despite 1,375 missing ballots for the Western Australian Senate component of the Federal Senate results.

We note, that our Western Australia Senate lead candidate, Gerry Georgatos, in three emails to the AEC has raised concerns and lodged objections that should have culminated in the declaration of any results being in the least delayed. We endorse his views and the objections. This statement reinforces his statements and hence our Party's official views and status on the matters. For reference we have included the third of Gerry's emails to the AEC - see below.

The WikiLeaks Party objects to the declaration of any Senate results without the 1,375 missing votes. The WikiLeaks Party cannot dutifully accept today's declaration and stands by the premise that the results are invalid. We formally dispute the result and call for a fresh election.

Further objections are raised on the grounds that these missing votes may affect preference flows - and therefore the final outcome. The 1,375 votes are more in number than some of the margins that provisionally decided preference flows and that without any question any one preference flow has a myriad effect on subsequent flows.

Preference flows were so close and remained so till the final round in any count, therefore it is inconsistent and wrong for the AEC to discount the 1,3750 votes.

Our view is if the AEC persists in upholding the declared results then the AEC is discriminating against all the other candidates and parties. The WikiLeaks Party considers the election tainted and does not accept the results whatever they maybe without the 1,375 votes.

It is our view that unless the votes were found only then should the count have continued and results declared otherwise a fresh election with the 62 candidates and 26 parties is the only available option. We will support High Court action in reference to Disputed Results. We do dispute the result. Does the AEC unequivocally state the result would not have been affected if the 1,375 ballots were included? Will the AEC provide an affidavit to that effect?

The will of the people, in its entirety, must decide the election not any AEC premise to expedite any other Statutory limitations which if they had not been met would had invalidated the election results and brought on a fresh election.



The loss of the votes are the AEC's responsibility and the recount should have been halted. In light of the current circumstance, the only honest and fair pathway is for the AEC to reverse its decision today and proceed to a fair election. Not only is the Senate election tainted but so is the AEC in its decision to step into various inconsistencies and various discriminatory ruling and declare a result today. The AEC's reputation and trust as one of the best in the world must remain intact. CEO John Shipton and myself are in Western Australia if the AEC is ready to meet in us in person to discuss this complaint and the ways forward.

Yours Sincerely,

[Signature redacted.]

Omar Todd Deputy Chairman WA WikiLeaks Party Deputy Registered Officer



Email sent to: Tim Shaughnessy's and Peter Kramer at 9:15 EST on 2nd November 2013

To be forwarded to the AEC Commissioner and to the AEC Dispute Resolution team or Complaints Team,

I have cc-ed in, John Shipton, CEO of the WikiLeaks Party and Omar Todd, Deputy Chair for the National Council of the WikiLeaks Party

We ask once again that the declaration is not made, the issue of the 100 days and the return of the Writ should not sway the AEC, the AEC's duty is to the full and proper counting of the voters will. Senator Xenophon has also made a public recommendation for a fresh election.

Today, the AEC will receive another statement of complaint from the WikiLeaks Party objecting to the proceeding of any declaration of results.

We are argue the following, and the following should be considered as substantive objection to any declaration today.

The WikiLeaks Party objects to the declaration of any Senate results without the 1,375 missing votes

There can be suggestion that the counting has been finalised with 1,375 votes missing

The WikiLeaks Party further objects on the grounds that these missing votes can affect and do affect preference flows

The 1,375 votes are more in number than some of the margins that provisionally have decided preference flows

Any one preference flow has potential myriad effect on subsequent flows

Preference flows were so close that this remained the case right to the last round of counting

If the declaration goes ahead WikiLeaks considers the election tainted and will not accept the results whatever they may be, that is without the 1,375 votes

Unless the votes are found prior to any declaration, a fresh election with the 62 candidates and 26 parties is the only available option

The WikiLeaks Party accepts the will of the people, in its entirety, and it is the will of the people that must decide the election - this includes the 1,375 missing ballots

The loss of the ballots are the AEC's responsibility and the loss of these ballots have now made null and void the election



The AEC ordered a recount with the complaint of a preference flow margin decided by only 14 votes but we now have 1,375 ballots in question, therefore supported by the AEC's decision to recount on the premise of a margin of 14, for fairness, consistency and justice, the AEC has no choice but to follow its own decision making premises.

Gerry Georgatos, WikiLeaks Party candidate

