ELECTIONS AND POLITICAL TRANSITION IN MYANMAR

Sam duPont • Matthew Holzgrafe • Ritika Katyal
Emina Kobiljar • Harry Krejsa • Vijay Kumar
Vanesa Sanchez • Emmett Sapp • Henry Burton

Project Advisor: Jeff Fischer

TABLE OF CONTENTS

ABOUT THE POLICY WORKSHOP

Cover Photo: Myanmar parliamentary committee building. Photo courtesy of Sam duPont.

EXECUTIVE SUMMARY

Myanmar (also called Burma) will hold national elections in the fall of 2015. With all elected parliamentary seats and the presidency on the line, the stakes are high. This report assesses the state of preparation for the elections, identifies crucial vulnerabilities in the electoral process, and recommends actions to ensure a credible election in 2015.

The 2015 elections should be understood as part of a managed transition. After decades of isolation, the current government wishes to be viewed as a full participant in the international community, gaining political and economic benefits. The regime is also eager, however, to maintain a share of political power. Government officials openly advocate for a "guided" or "disciplined" democracy. In this regard, the government seeks to emulate the slow transitions in places like Indonesia, Taiwan, or South Korea, while avoiding the more turbulent paths seen in the Arab Spring countries.

The central actor is Myanmar's Union Electoral Commission (UEC), which is charged with conducting the election. The UEC benefits from reform-minded leaders who seem intent on organizing a credible election. The institution has structural weaknesses, however, such as a lack of protected tenure for the commissioners and a weak mechanism for addressing electoral complaints. The UEC also has gaps in its technical capacity, which it is working to remedy.

The security forces are also crucial players. The military retains ultimate political control and will be deeply involved in the election at an operational level. The military is relatively competent, but the police are not well prepared to provide electoral security. The security forces need to establish a better relationship with the UEC and clearly articulate the responsibilities of the UEC, the military, and the police. Concerns linger that the military may yet attempt to influence the political outcome of the election.

Other key actors include political parties, civil society organizations, and the Burmese media. These entities are all organizationally immature but developing rapidly. With time and international support they are likely to fill their niches to the benefit of the Burmese people.

International donors and non-governmental organizations have a hand in nearly all aspects of the preparations for the 2015 election, by providing funding and training. This report suggests opportunities to make this engagement more effective in the short-run. Above all, international actors should develop a strategy to guide their activities in Myanmar beyond 2015.

The authors of this report hope and expect that Myanmar will take an important step towards democracy this fall. The 2015 election will likely build on the progress made between the 2010 and 2012 elections. Yet this year's election will still be marred by significant technical flaws.

Even so, an election can be both credible and imperfect. The international stakeholders in Myanmar should seek to agree upon minimal standards for an acceptable and credible election. This will entail prioritizing goals.

Even optimistic observers should recognize that the road to democracy is long and winding. The international community should work to set Myanmar on the right path at the crossroads this fall, and should remain on hand to serve as a guide farther down the road.

INTRODUCTION

This report was prepared by a group of graduate students at Princeton University's Woodrow Wilson School of Public and International Affairs, as part of the policy workshop *Managing Elections in Fragile States,* led by Professor Jeff Fischer. The workshop seminar addressed the policy elements of electoral processes in the context of fragile political and security environments.

The workshop focused on the case of Myanmar, which is slated to hold national elections in late 2015. Myanmar is a particularly relevant case study for this workshop, as the credibility of its upcoming elections will have significant bearing on the political future of that country.

The authors spent ten days in Myanmar conducting interviews with a range of stakeholders, including government officials, political party members, civil society leaders, representatives of international organizations, foreign diplomats, and local journalists. The conclusions of this report are based on these interviews and supplementary research conducted by the authors.

This report endeavors to analyze Myanmar's preparations for the 2015 elections, analyze the degree to which these preparations adhere to international standards and best practices, and offer recommendations to all stakeholders that may ensure a credible outcome.

Myanmar's last national elections, held in 2010, were the first in almost two decades and were internationally criticized for fraud and lack of transparency. The National League for Democracy (NLD), Myanmar's main opposition party, boycotted the elections, allowing the regime-backed Union Solidarity and Development Party (USDP) to win almost 80 percent of the contested seats.

By-elections held in 2012 met a higher standard of credibility. The NLD participated that year, winning 43 of the 44 seats it contested. Among the victors was Aung San Suu Kyi, founder of the NLD, longtime political prisoner, and Nobel Peace Prize winner. She now serves as leader of the NLD opposition in Parliament.

Myanmar's 2008 constitution, drafted by the country's former military government, mandates that national elections be held every five years to constitute the national legislature. In Myanmar, suffrage is universal for citizens over 18 years of age, except for members of religious orders, prisoners, debtors, people deemed to be of "unsound mind," and others disqualified by electoral law.

Like many former British colonies, Myanmar uses a *First-Past-The-Post* (FPTP) electoral system to elect the lower house of its bicameral legislature. In FPTP electoral systems, the country is delimited into single-member districts, and voters cast their ballots for individual candidates. The candidate who earns the most votes—even if not a majority of votes—wins the seat.

The Parliament of Myanmar includes the upper House of Nationalities (Amyotha Hluttaw) and the lower House of Representatives (Pyithu Hluttaw). In both houses, 75 percent of representatives are directly elected, while 25 percent are appointed by the military. This gives the military an effective veto power over constitutional amendments, which require support of over 75 percent of members in each house.

The House of Representatives, which enjoys the preponderance of political power in Parliament, includes 440 members. Of these, 330 are directly elected, while 110 are reserved for the military. Electoral districts for the lower house align with township boundaries. The Pyithu Hluttaw Election Law provides for densely populated townships to be divided into multiple electoral districts, or sparsely populated adjoining townships to be combined, to ensure a total of 330 single-member electoral districts.

The 168 elected members of the House of Nationalities compete in 12 multi-member districts, contiguous with the regions and states of Myanmar. The Amyotha Hluttaw Election Law provides for states or regions to be divided or combined into single districts based on population density, to ensure that there are 12 districts.

The current government is a coalition among the USDP, which holds 336 seats between the two Houses, and the military, which holds 166 seats. The NLD is the largest opposition party, holding 42 seats between the two bodies. Parties representing Myanmar's various ethnic minorities hold most of the remaining seats. Less than six percent of members of the House of Representatives are women; in the House of Nationalities, less than two percent of members are women.

According to the 2008 constitution, following national elections, three Vice Presidents are chosen from within the legislature: one from among the elected members of the lower house, one from among the elected members of the upper house, and one from the representatives of the military. A Presidential Electoral College, composed of representatives from each of these three groups, then chooses one of these three Vice-Presidents to serve as President. The President holds broad executive authority under the 2008 Constitution.

In October 2014, the Parliament put forward proposals to fundamentally modify the electoral system. The most widely discussed among these proposals would have shifted the country from an FPTP system to a proportional representation (PR) system. Each of these systems has advantages and disadvantages, although the proposal was widely seen as an attempt by the USDP to institute a system that would help ensure victory in 2015. These proposals were dismissed in November 2014 and no longer appear relevant.

STATE STAKEHOLDERS

Various stakeholders are playing a critical role in preparations for the 2015 elections. The most important of these – especially since Myanmar is undergoing a managed or "guided" transition – are the key state actors: the Union Electoral Commission (UEC) and the security forces. Below, each stakeholder is examined in turn, with analysis of its role in and preparations for the elections, as well as its potential deficiencies. Myanmar's electoral justice system (EJS) is also examined here, as it too will partly determine whether the elections unfold smoothly.

THE UNION ELECTORAL COMMISSION (UEC)

Past Performance and Precedents

Myanmar's electoral management body, the Union Electoral Commission (UEC), was established by the 2008 constitution and first formally constituted in March 2010. The UEC has run two national elections to date: the general elections in 2010 and the by-elections in 2012.

The UEC's record in implementing general elections in 2010 was poor. Its performance in 2012 was better, but the political stakes in the 2012 by-elections were lower than for the 2010 general elections, so it remains uncertain which of these models the upcoming 2015 election might resemble more closely.

In 2010, the UEC's independence from the regime and its overall capacity were very low. The UEC did not have adequate staff and did not engage in sufficient advance planning prior to the elections: it was formed just eight months before the elections. According to current UEC Chairman U Tin Aye, the UEC heavily depended on (and still depends on) local government employees and staff, such as teachers, to help administer elections.

The UEC chairman during the 2010 elections, former military general U Soe Thein, was also seen to be fostering questionable practices and discouraging electoral transparency. When commenting on electoral observation in 2010, he reportedly said, "We don't need foreign observers. We have abundant experience in holding elections...we don't need to clarify the credibility of these elections to other people."[1] U Soe Thein was replaced in 2011.

Inclusion and participation levels for the 2010 elections were also quite low. Before the election took place, regulations disallowed Aung San Suu Kyi from running for office, leading the NLD to boycott the elections.[2] Media outlets and international observers also reported an atmosphere of fear and voter intimidation.[3][4] Oversight of domestic advance voting was weak and votes were prone to fraud; the bulk of fraudulent votes were said to come from advance votes in military barracks, raising questions as to the UEC's independence and the military's involvement.[5] As a

[1] ElectionWatch Burma. "Burma Post-election watch: November 2010 Parliamentary Elections." The International Republican Institute Accessed at http://www.iri.org/sites/default/files/Burma%20Post-Election%20Watch,%20November%202010%20Parliamentary%20Elections.pdf

[2] BBC News Asia Pacific. "Western states dismiss Burma's election." BBC News. November 8 2010. Accessed at http://www.bbc.com/news/world-asia-pacific-11707294; also in-person interview with Aung Sun Suu Kyi, October 31 2014

[3] Ibid, ElectionWatch Burma

[4] The New York Times. "Myanmar Votes in Election Controlled by Military." November 6, 2010. Accessed at http://www.nytimes.com/2010/11/07/world/asia/07myanmar.html?_r=0

[5] Montlake, Simon. "Burma holds first vote in 20 years." November 7, 2010. The Christian Science Monitor. Accessed at http://www.csmonitor.com/World/Asia-South-Central/2010/1107/Burma-Myanmar-holds-first-vote-in-20-years

result, the Burmese public largely saw the USDP's overwhelming victory as illegitimate.[6] International actors also broadly rejected the legitimacy of the 2010 election results.[7]

More recently, however, the UEC is perceived to be making substantial progress. Soe Thein was replaced as UEC chairman by the apparently more reform-minded U Tin Aye, and the NLD's reinstatement and full participation in the 2012 by-elections helped to set a more positive precedent. The NLD won the contested seats in 2012 by a landslide, and the results were broadly perceived as credible, both by domestic and international observers.

Role in the elections

The UEC's constitutional mandate is to hold and supervise elections for the elected seats in the national and regional parliaments. (One-fourth of seats in the national parliament and one-third of seats in regional parliaments are reserved for the military and are appointments not subject to electoral laws or rules).

The UEC is responsible for designating constituencies, compiling and amending voter lists, determining whether elections should be postponed or cancelled as a result of weather or security conditions, promulgating regulations for political parties and electoral procedures, implementing relevant laws passed by the parliament, and constituting electoral justice tribunals. Moreover, the UEC is responsible for assembling and overseeing the sub-commissions at the local and regional levels.

The UEC's activities are also governed by five specific laws: the Union Election Commission Law, the Political Parties Registration Law, and three Hluttaw election laws.

The UEC law reiterates the roles and responsibilities outlined in the constitution, adding that the UEC will be funded through the state budget and that it can request help from other ministries departments and individuals in conducting elections.[8] UEC staff confirmed that the UEC often does request help from other ministries when faced with human resource needs.

The political party registration law lays out rules for forming and registering political parties, which the UEC must oversee and administer. It details who is eligible to form a party and who can be members, and provides broad guidelines for party financing and registration. Since its passage, the law has been amended twice: after the 2011 elections to enable the NLD to participate (by dropping a clause restricting convicts from forming parties)[9] and again last year to disallow temporary citizenship holders (who mostly belong to the Rohingya minority) from forming parties or being party members—thereby revoking rights that were previously codified in the law.[10]

---

[6] BBC News Asia-Pacific. "Myanmar profile." BBC News online. October 7 2014. Accessed at http://www.bbc.com/news/world-asia-pacific-12992883

[7] BBC News Asia-Pacific. "Western States Dismiss Burma's Election." BBC News online. November 8 2010. Accessed at http://www.bbc.com/news/world-asia-pacific-11707294

[8] The Union of Myanmar State Peace and Development Council. "The Union Election Commission Law." Accessed at http://www.networkmyanmar.org/images/stories/PDF3/l1b.pdf

[9] CBS News online. "Myanmar eases limits on political parties." November 5 2011. Accessed at http://www.cbsnews.com/news/myanmar-eases-limits-on-political-parties/

[10] Weng, Lawi. "Upper House Approves Ban on Politics for Non-Citizens." The Irrawaddy online. March 20 2014. Accessed at http://www.irrawaddy.org/burma/upper-house-approves-ban-politics-non-citizens.html

In addition, the UEC is tasked with developing by-laws and regulations to carry out its constitutional and legally mandated roles, but it has admitted in its strategic plan that:

> According to past election experience and recommendations by election observers, these by-laws and guidelines have not been clearly understood or correctly followed. International legal experts have pointed out that there are some guidelines that should be explicitly codified in by-laws. Distinct codes of conduct have yet to be developed for political parties and candidates, party finance, campaigning, or election observation. Based on the aforementioned recommendations, these by-laws and guidelines will be amended or developed as part of a strategic goal.

For example, the campaign rules for the 2015 elections were released in July 2014, with negotiations and amendments occurring in August.

By constitutional mandate, the UEC leadership is comprised of at least five commissioners, each appointed by the president. Eight commissioners are currently in place, including a chairman and a secretary general. To qualify to be a commissioner, the appointee must be at least 50 years old and cannot be a current member of a political party or a representative of parliament.

However, the appointment and removal process does not ensure the political independence of the commissioners. The constitution does not require any interval after leaving a political party or parliament before being appointed to the commission. Most commissioners are former generals in the military. Moreover, just as commissioners can be appointed by the president, they can also be removed by the president – for reason of high treason, breach of constitutional provisions, misconduct, or inefficient discharge of duties.[11]

The UEC is responsible for establishing sub-commissions at a regional, district, township, and village level. There is a sub-commission for each entity at a given level, resulting in 14 regional sub-commissions, 73 district sub-commissions, and 330 township sub-commissions.

Finally, other key UEC roles include voter education, delimitation of voting precincts, vote tabulation, and final pronouncement of election results.

Situation during assessment

Like the 2010 general election, the election scheduled for late 2015 will determine the balance of power in parliament and thus the Presidential Electoral College. This means that the stakes are far higher than they were for the 2012 by-elections.

The UEC has been working closely with the International Foundation for Electoral Systems (IFES) – through funding from the United States Agency for International Development (USAID) – and other international non-governmental organizations to improve its performance. To this end, it has published a 12-point strategic plan and placed commissioners in charge of different points.

The UEC has gradually increased its workforce and has had permanent staff in place at its Naypyidaw headquarters since 2012 (training polling staff is one of the key challenges identified in interviews with the UEC). The UEC is still in the process of building independent sub-commission offices with permanent staff at all levels. According to the strategic plan and information obtained from interviews, the amount of state resources that will be made available

---

[11] Union Election Commission of Myanmar. "Union Electoral Commission Myanmar: Strategic Plan 2014-2018." February 2014.

for improving staff, training, and equipment – and whether this will be sufficient – remains unclear.[12]

Interviews with political parties and civil society organizations in Myanmar showed that they generally view the UEC under Chairman U Tin Aye as reform-minded, although some distrust remains. Dialogue between the UEC on the one hand, and CSOs and political parties on the other, has nevertheless improved since 2010, and the UEC has proven more open to feedback. The UEC strategic plan specifically recognizes its role in conducting dialogue and engaging with civil society stakeholders, stating that, "receiving input from political parties, civil society, and sub-commissions of the UEC, we plan to amend the by-laws, guidelines, and develop codes of conduct, while also taking into account their recommendations."

In the first half of 2014, the UEC drafted campaign guidelines and shared them with political parties.[13] When these rules were largely viewed as overly restrictive due to unreasonably short timelines and high registration requirements for campaigning, the UEC reportedly met with several political parties and adopted some of their proposed changes.[14]

One positive aspect of prior elections – enfranchisement and political empowerment of approximately 850,000 temporary citizens – is not assured this time around.[15] In 2008, temporary citizenship cards (often referred to as "white cards") were given to the Rohingya minority by the former military regime, enabling them to vote in the 2008 constitutional referendum and the 2010 elections.

It is widely believed that "white card holders" may be disenfranchised altogether in advance of the 2015 elections. This view is supported by the speed with which Parliament recently adopted legislation to forbid temporary citizenship holders from forming or becoming members of political parties.[16] The UEC has no power to contest or overturn these rules, however, as only parliament and the president can change the laws governing political participation.

Open issues

The UEC's actions are of critical importance in ensuring the legitimacy of elections, yet a number of significant risks and open issues remain that should be addressed prior to the election.

The voter list is highly unreliable

The voter registration list is generated through a civil registry: all citizens above the age of 18 are eligible to vote and are automatically registered if they are on the civil registration list. Both

---

[12] Interviews with the Union Election Commission in Naypyidaw, Myanmar October 30 & 31 2014

[13] Aung, Shwe. "Controversial Campaign Guidelines Drafted." DVB online. May 12 2014. Accessed at https://www.dvb.no/news/controversial-campaign-guidelines-drafted-burma-myanmar/40592

[14] Aung, Shwe. "Election Commission Backtracks on new campaign rules." DVB online. August 2 2012. Accessed at https://www.dvb.no/news/election-commission-backtracks-on-new-campaign-rules-burma-myanmar/42947 and Nyein, Nyein. "Burma's Election Commission Rejects Opposition Call for Longer Campaigns." The Irrawaddy online. August 7 2014. Accessed at http://www.irrawaddy.org/burma/burmas-election-commission-rejects-opposition-call-longer-campaigns.html

[15] Paluch, Gabrielle. "Myanmar Begins Controversial Citizenship Verification Process." Voice of America online. July 7 2014. Accessed at http://www.voanews.com/content/myanmar-begins-controversial-citizenship-verification-process/1952081.html ; and Snaing, Yen. "President signs amended law barring non-citizens from politics." The Irrawaddy. October 3 2014. Accessed at http://www.irrawaddy.org/burma/president-signs-amended-law-barring-non-citizens-politics.html

[16] Ei EI Toe Lwin. "The Myanmar Times: White card-holders cut from voting in referendum." BurmaNet News. November 24 2013. Accessed at http://www.burmanet.org/news/2014/11/24/the-myanmar-times-white-card-holders-cut-from-voting-in-referendum-%E2%80%93-ei-ei-toe-lwin/

the UEC and the broader public recognize that the quality of the voter list has traditionally been poor, so much so that it is contested whether the deficiencies amount to a denial of service.[17]

Often, the voter list contains duplicate entries owing to people moving from one town to another and not being removed from the original town's list. It has also regularly included names of the deceased.

Compounding the issue, the onus is on voters to make corrections to the list. In the months leading up to the elections, voters must check their names on the list and write to the UEC if they are not properly registered. The UEC has conducted registration pilots and education efforts to help people better understand the registration process and to encourage people to check the lists in advance of voting day. The UEC expressed the view that this pilot effort has shown a need for more voter education to take place prior to Election Day.

Advance voting procedures are opaque

The transparency and results of advance voting will be critical to ensuring the election's credibility, and transparency falls largely under the auspices of the UEC.

Advance voting is conducted at certain locations and the votes are sealed and sent via post to the original constituency. This practice that should require – but in practice does not include – transparent and well-run procedures to minimize fraud opportunities.

In 2010 and 2012, votes were not tabulated at polling stations. Advance ballots were mixed in with regular ballots, and it is widely believed that the USDP abused this deficiency to submit false ballots, effectively stuffing ballot boxes.

IFES reports that it has worked closely with the UEC to encourage improvement of integrity measures such as using numbered plastic seals, reporting results at a local level, and pushing for full and free polling station access for observers. The UEC is also in the process of creating codes of conduct for observers for the first time, as there is no precedent from 2010 or 2012 for robust electoral observation.[18]

In an attempt to reduce the opportunity for vote fraud through advance voting, the UEC established a new rule that advance votes must arrive at the polling stations before 4pm on the day of voting. It is nevertheless unclear whether this will significantly reduce fraud during the voting itself.

There is talk of publishing the list of advance voters, which would sharply limit opportunities for fraud, but it is unclear whether this will be completed in time for the 2015 elections.

Non-citizens or those living in conflict areas may not be allowed to vote

Service denial by the UEC as a result of the security situation could have negative implications for national stability. Even if elections in the ethnic Burman areas – representing most of the country – are taken to be broadly free and fair, elections in conflict areas may not be, potentially creating a bifurcated perception of the election's credibility.

---

[17] Aung, San Yamin. "Election Commission Begins National Voter List Preparation." Reliefweb online. November 4 2014. Accessed at http://reliefweb.int/report/myanmar/election-commission-begins-national-voter-list-preparation
[18] Human Rights watch. "Q&A on Elections in Burma." November 3 2010. Accessed at http://www.hrw.org/news/2010/11/02/qa-elections-burma#_What_has_been

As noted above, it is possible that parliament will adopt a law to disenfranchise temporary citizens in the coming months. An overwhelming majority of our interlocutors in October 2014 from all sectors of society and the government expected this outcome. This would only serve to compound political fragmentation in the country, creating a precedent of democracy only applying to certain segments of society.

Voter education is lacking

The UEC was the first to acknowledge that voter education is a major undertaking and is currently inadequate. IFES and other international NGOs working in close cooperation with the UEC, as well as CSOs, expressed in interviews their concern about the UEC's and their own ability to fully educate voters in time for the 2015 elections.

Although the literacy rate in Myanmar is very high (approximately 93%, according to the CIA World Factbook), knowledge of the political process is wanting, both among the general public and the political parties themselves.[19] Moreover, interaction between the UEC and CSOs, and between the UEC and the media, is relatively new and underdeveloped.

Another obstacle to effective voter education is that most media is offered solely in Burmese, as are most government forms, rules, and lists. The UEC commented that it has plans to translate some, but not all, registration and adjustment forms into minority languages. Laws clearly state that Burmese is the country's official language, so efforts to translate materials are not mandated by law and are undertaken at the UEC's discretion. Although precise numbers are not available, it is estimated that as much as 35 percent of the country's population does not speak Burmese.[20]

UEC lacks political and budgetary independence.

The UEC currently relies heavily on international donors for technical assistance – especially training – which is primarily funneled through the government. This means that the UEC does not have true budgetary independence, and cannot provide its own independent, internal training. From a human resource standpoint, the UEC also relies heavily on government officials and ministries to recruit permanent and temporary staff, thereby compounding its dependence on the government.

Underpinning all of this is the appointment and removal process. As noted, there is no required interval between involvement in partisan politics and appointment to the commission. The law provides no protection against removal for political reasons, placing reform-minded commissioners at particular risk of sudden and unjustified dismissal, with no opportunity for redress.

Indeed, political parties have already identified these ambiguities as ways the government may influence the actions of the commissioners. The political parties have presented the UEC with a proposal that calls for the commissioners to abstain from any affiliation with a political party for three to five years before becoming a member. The UEC rejected this request, however, on the grounds that it would require a constitutional amendment, which is not within the scope of the UEC's abilities.[21]

---

[19] Interlocutors at UEC, IRI, the Yangon School of Political Science, and other civil society organizations expressed concern about the dearth of knowledge about political science and political party leadership.
[20] Ibid, ElectionWatch Burma
[21] Aung, Shwe. "Election Commission backtracks on new campaign rules." DVB online. August 2 2014. Accessed at https://www.dvb.no/news/election-commission-backtracks-on-new-campaign-rules-burma-myanmar/42947

In addition, the minimum age of 50 for individuals to be considered for appointment to the UEC means that only the older generation – which is more likely to support or have ties to the regime — can serve as commissioners.

ELECTORAL JUSTICE SYSTEM (EJS)

Role in the elections

Formal electoral justice systems tend to be based on four different models: a legislative model; a judicial model; an electoral management body (EMB) with judicial powers model; or ad hoc bodies created with international involvement or as an internal institutional solution to a specific electoral process.[22]

Myanmar's EJS is a combination of the judicial model and the EMB model. The country's judicial system, composed of regular courts, is responsible for adjudication of all electoral offenses covered under Chapter XIII of the Election Law.[23] All complaints relating to electoral offenses during the period leading up to and including the election – including bribery, threats, intimidation, or instigation violence – can only be lodged with the police and will be tried by the ordinary courts.

However, complaints alleging the election of an individual through malpractice (as defined in Chapter XIV of the Election Law) should be lodged directly with the UEC during the post-election phase. In these cases, the UEC is the final authority to adjudicate on these complaints as laid out in the UEC law and the election law. The UEC is responsible for forming electoral tribunals to examine disputes relating to the election in question.

The UEC chairman constitutes electoral tribunals whenever an electoral dispute is registered. The tribunals are comprised of three members: one of the UEC commissioners who heads the tribunal and two experts. No eligibility criteria or qualifications are laid out for the members of the tribunal except that they should not be members of political parties.

Tribunals have powers vested in courts under the civil procedure code to dispose cases. They can declare the election void or reverse its outcome. They can also order the losing party in the complaint to pay for all the costs of the adjudication process. The decision of the tribunal can be appealed to the UEC and its decision on the matter is final.

Past performance and precedents

Although the 2010 elections were widely regarded as being neither free nor fair, there were no complaints lodged during the pre-election and election phases. The fact that the NLD did not contest the elections and that the elections were conducted in a tense atmosphere perhaps explains why.

Twenty-eight cases, however, were filed with the UEC in the post-election phase on grounds of electoral malpractice. Electoral tribunals were set up to adjudicate all these cases. In eight of the 28 cases, the tribunals decided to overturn the election results.

During the 2012 by-elections, several complaints were filed during the pre-election and election

---

[22] "Electoral Justice: The International IDEA Handbook." International Institute for Democracy and Electoral Assistance Publication. 2010. Accessed at www.idea.int
[23] "The Pyithu Hluttaw Election Law." The State Peace and Development Council Publication. 2010

period. There were no serious investigations into the complaints but following the NLD's sweep of most contested seats, the NLD-affiliated complainants decided not to pursue their cases further. No complaints were filed with the UEC in the post-election phase.

Open issues

Public trust in criminal justice system is low

Since most electoral offenses are tried by regular courts, the capacity and independence of the electoral justice system – both real and perceived – depends on the criminal justice system, which itself lacks public trust.

Although there is no data to fully quantify this shortcoming, the local civil society organization Loka Ahlinn has composed a useful report on public perceptions of the domestic rule of law in Myanmar. According to the report,

> In Myanmar, public trust in the fairness of formal administrative and judicial dispute resolution mechanisms is generally low. A recurring issue raised in interviews and noted in some survey comments was the discriminatory treatment in favor of wealthier parties in a dispute by authorities. The fairness of the judicial process may vary at different stages where the judge exercises discretion. There is always the opportunity for bias whenever the judge issues an order.

Legal framework discourages complainants

The legal framework on elections seems to be designed to discourage complaints. The penalty for electoral offenses is imprisonment for a term of up to one year or a fine of up to one hundred thousand kyats (US $100) or both. Yet the penalty for "dishonestly or fraudulently lodging criminal proceedings" is three times as severe.

UEC has limited influence over the police

The police force, which is the entry point to the criminal justice system, is under the direct control of the executive [see section on security forces below]. The UEC has only limited control and influence over the police during the election process, leaving the UEC unable to provide any redress to complaints of bribery, threats, intimidation, and instigation of violence. As a result, the electoral justice system's ability to inspire confidence in the administration of a credible, free, and fair election is severely circumscribed.

Independence of electoral tribunals is not well established

As discussed above, many civil society organization leaders view the UEC as biased and doubt its independence from the government or the USDP. Since the electoral tribunals are an extension of the UEC, these doubts extend to the tribunals. That there are no clear eligibility criteria for membership on the tribunals further reduces their credibility.

Seeking redress through electoral tribunals is expensive

Given that the UEC election tribunals were used only once after the 2010 election, there is insufficient precedent to analyze their functioning in detail. On the basis of information gathered during interviews with the UEC and CSOs, however, it is clear that substantial costs are involved in making a complaint and fighting the case at the tribunal. One CSO leader remarked that contesting an election is a costly affair and filing a complaint and fighting the case in a tribunal is even costlier. The fee for lodging a complaint is US $500 and the cost of hiring lawyers and

bringing witnesses to Naypyidaw could run as high as several thousands of dollars. Although the stated rationale for a high complaint fee is to discourage frivolous cases, the fee undoubtedly also has the effect of discouraging sincere complainants who simply lack sufficient resources.

Alternative dispute resolution mechanisms do not exist

In some countries, formal electoral dispute resolution mechanisms are complemented by other means for managing disputes, which are normally referred to as informal or alternative electoral dispute resolution (AEDR) mechanisms.

In Myanmar, there are currently no AEDR mechanisms in place. The aforementioned report on public perceptions of rule of law states that non-governmental dispute resolution is a part of many people's lives and an important alternative to soliciting intervention from bureaucrats, courts, or the police. However, the preference for non-governmental intervention is restricted to civil matters and governmental intervention seems to be the preferred route in criminal matters.

It also seems that alternative dispute resolution is more common in rural areas – where traditional leaders and village elders are engaged in dispute resolution – than in urban areas. That governmental intervention is preferred in criminal matters, combined with the high level of distrust among the stakeholders around electoral issues, indicates that there is probably no space for AEDR mechanisms in the country at this stage.

Put simply, the electoral justice system in Myanmar suffers from weaknesses in structure, procedure, and reputation. These need to be addressed if the EJS is to be effective in safeguarding the rule of law and the political rights of the Burmese public.

SECURITY FORCES

Role in the elections

Myanmar's security forces will play a crucial role in the election, both because they are responsible for maintaining order on and around Election Day and—more fundamentally— because they remain the ultimate arbiter of Myanmar's transition. The country's security forces all fall under the umbrella of the Myanmar Armed Forces (Tatmadaw), including the national police and specialized units that handle everything from border patrol to intelligence gathering.

Although the Tatmadaw initiated and has continued to largely back Myanmar's transition— including certain reforms that have greatly reduced its own power in key areas—it still holds a monopoly on hard power and there are still hard-liners within its ranks.[24] As a result, it could choose to scuttle progress, as it did following the ill-fated election in 1990.

In that instance, once it became clear that the NLD had won overwhelmingly—a shock for the regime—the Tatmadaw decided to annul the results, ushering in another extended period of military rule.[25] Today, although the Tatmadaw appears more committed to reforms and better prepared for an NLD win than before, there is ultimately little to prevent it from again scrapping the results if it chooses to do so.

---

[24] "Myanmar's Military: Back to the Barracks?" International Crisis Group. April 22 2014. Accessed at http://www.crisisgroup.org/~/media/Files/asia/south-east-asia/burma-myanmar/b143-myanmar-s-military-back-to-the-barracks.pdf
[25] Tonkin, Derek. "The 1990 Elections in Myanmar: Broken Promises or a Failure of Communication?" Network Myanmar. September 5 2007. Accessed at http://networkmyanmar.org/images/stories/PDF5/ele.pdf

The military has also retained a central, active role within the political process itself, including on decisions related to the election. In parliament, a quarter of seats are reserved for the military—as mandated by the constitution—and its representatives usually (though not always) vote as a bloc.[26] This ensures that the Tatmadaw continues to wield enormous influence over the reform and elections process, and that no significant policy change can be approved without its blessing. In addition, almost all key "civilian" regime leaders are former generals, including the president, speaker of parliament, and UEC chairman.

On the operational level, the security forces will also play the primary role in ensuring that the election proceeds smoothly. First, the regime has increasingly linked holding the election to the prior conclusion of a nationwide ceasefire agreement[27] [see section on electoral violence]. This effectively means that the electoral process has come to rely, in large part, on the will and ability of the Tatmadaw to reach a peace agreement in the first half of 2015.

Second, the security forces will be responsible for providing security on Election Day itself. This will involve close coordination with the UEC, the deployment of police around polling stations, and the use of crowd-control tactics in the event of unrest. The security forces' conduct in this regard will determine not just whether the logistics are carried out smoothly, but also whether the election is generally perceived as credible.

In short, Myanmar's security forces should be regarded as one of the most important actors in the country's electoral process.

Situation during assessment

Although the security forces largely remain a black box, information gathered from research and interviews in the field suggests that the Tatmadaw generally remains supportive of the reform process, including the existing timeline for the 2015 elections. While it is generally believed that there is a hard-line faction within the Tatmadaw that may be alarmed by the pace of reforms, various interlocutors expressed that the reformist wing—including the likes of President Thein Sein and Speaker of Parliament Shwe Mann—remains ascendant.

In addition, the managed, incremental way in which the regime has overseen the transition since 2011, along with the guaranteed continued role of the Tatmadaw in politics, ensures that the military is unlikely to prove a spoiler this time around. The Tatmadaw remains a key stakeholder in the transition, with its reserved seats in parliament and its former generals serving in all major political posts.

The military appears poised not only to allow a relatively fair election in late 2015, but also a NLD victory in parliament, satisfied that it will retain significant influence over the country's development regardless of the outcome.

Assuming that the regime and Tatmadaw do stick to the plan for 2015 elections, it seems likely that the security forces will carry out related operations relatively effectively, and without major incident. Most interlocutors, even if skeptical of the Tatmadaw's intentions, emphasized the military's skill in executing logistics. Complex security issues that most developing countries

---

[26] Egreteau, Renaud. "Patterns of Military Behavior in Myanmar's New Legislature." East-West Center. September 24 2013. Accessed at http://www.eastwestcenter.org/sites/default/files/private/apb233.pdf

[27] Hiebert, Murray and Nguyen, Phuong. "Myanmar's Peace Process Carries High Stakes Ahead of 2015 Elections." Center for Strategic & International Studies (CSIS). August 21 2014. Accessed at http://csis.org/publication/myanmars-peace-process-carries-high-stakes-ahead-2015-elections

deal with during elections—protecting candidates, transporting and securing election materials, providing polling station perimeter security, etc.—will probably be handled better in Myanmar, due to the military's comparatively high operational capacity.

There will almost certainly be security incidents and instances of election-related violence, but it is unlikely that these will fundamentally threaten the conduct or credibility of the election. Indeed, Myanmar's own earlier elections in 1990, 2010, and especially 2012 (though certainly less open and less significant than that planned for 2015) transpired in relatively stable fashion, undoubtedly due largely to the effectiveness of the security forces.

Open issues

Despite our overall positive assessment of the security forces' intentions and capabilities, there still exist significant risks and vulnerabilities that have the potential to disrupt the elections.

The Tatmadaw may still choose to delay, or even scrap, the elections

Although the Tatmadaw still appears to back the reform process and timeline for the election, it cannot be entirely ruled out that it will turn against the reforms, particularly if the transition is perceived by conservatives as moving too fast.

Indeed, civil society and key opposition leaders—including Aung San Suu Kyi—expressed in interviews that the reform process appears to have slowed over the past year, a delay that some attribute to hesitancy within the military to push forward rapidly with additional reforms in the wake of the already extensive changes implemented since 2011. Even UEC Chairman Tin Aye—who is seen as belonging to the reformist camp—expressed his fear that Myanmar might democratize too quickly and thereby "end up like the Arab Spring countries."

In addition, the seeming intractability of the ethnic conflict has probably played a role in the slowdown, since the regime is reluctant to move forward with deeper reforms before national unity is realized. And the military takeover in neighboring Thailand in May 2014 probably had a sobering effect on the regime's reformist wing, empowering Tatmadaw hard-liners who question the wisdom of further democratization.

Most recently, observers have reported an emerging deal in parliament—i.e. not switching to a proportional representation (PR) electoral system, not reducing the military's guaranteed seats in parliament, and not allowing Aung San Suu Kyi to run for president in 2015.[28] This has likely served to placate conservatives for the time being.

Security considerations might result in the closure of polling stations

A national peace agreement might not be reached prior to the election, and even if it is, tensions will likely remain high in the former conflict areas. As a result, polling stations at high risk of violence could be shut down—as was the case during the 2012 by-elections[29]—thereby disenfranchising some voters. If this happens to a large number of stations (and especially if they are predominantly in ethnic minority areas), this could call into question the regime's intentions and the credibility of the election result.

---

[28] "Constitutional Games." *Mizzima.* December 6 2014. Accessed at http://www.mizzima.com/opinion/ed-op/item/15573-constitutional-games/15573-constitutional-games

[29] "Govt Withdraws 39 Polling Stations in Kachin State." *The Irrawaddy.* March 16 2012. Accessed at http://www2.irrawaddy.org/article.php?art_id=23228

Leaving such stations open, however, presents difficulties of its own. For one, interlocutors said in interviews that election security in some separatist areas will be provided by those regions' own local forces, whose level of training and commitment to the integrity of the election is at least as doubtful as that of the national forces.

Additionally, in those ethnic minority areas where the national forces do provide security, it is far from certain that they will demonstrate sufficient sensitivity to local concerns, especially since the national forces are almost exclusively made up of ethnic Burmans.

Police are ill prepared to deal with electoral security incidents

In contrast to the high logistical capacity of the military, Myanmar's police force appears underprepared to take on the tasks required of it in the 2015 elections.

As part of the political transition process, Myanmar's authorities decided that they needed to build up a robust police force to replace many of the functions previously reserved for the Tatmadaw. Starting in 2011, they began to train large numbers of police for an array of tasks that police normally perform in other countries; meanwhile, the military largely returned to their barracks.[30]

The new police forces performed poorly, however, in high-profile security incidents in 2012, 2013, and December 2014 (in which a protester was killed at a copper mine).[31][32][33] In multiple instances, the government declared a "state of emergency" in order to bring in the military to take over for the police.

At the same time, the government ramped up police training, funded to a large extent by the European Union. Since 2013, the EU has supplied numerous experienced police officers that are leading wide-scale training sessions on everything from human rights to non-violent crowd-control tactics.[34][35] Despite this, the police remain severely under-equipped, under-funded, and under-trained,[36] as demonstrated by the latest incident in December.

Without further attention directed toward building police capacity, it is unclear whether the police will be ready to respond to election-related security incidents in a manner that both maintains stability and preserves the integrity of the election.

---

[30] "Myanmar's Military: Back to the Barracks?" International Crisis Group. April 22 2014. Accessed at http://www.crisisgroup.org/~/media/Files/asia/south-east-asia/burma-myanmar/b143-myanmar-s-military-back-to-the-barracks.pdf

[31] "The Dark Side of Transition: Violence Against Muslims in Myanmar." International Crisis Group. October 1 2013. Accessed at http://www.crisisgroup.org/en/regions/asia/south-east-asia/myanmar/251-the-dark-side-of-transition-violence-against-muslims-in-myanmar.aspx

[32] Burke, Jason and Swe Win. "Burma: Riot Police Move in to Break Up Copper Mine Protest." *The Guardian*. November 29 2012. Accessed at http://www.theguardian.com/world/2012/nov/29/burma-riot-police-mine-protest

[33] Zarni Mann. "Police Kill Villager in Copper Mine Standoff." *The Irrawaddy*. December 22 2014. Accessed at http://www.irrawaddy.org/burma/police-kill-villager-copper-mine-standoff.html

[34] Hein Ko Soe. "Myanmar's Police Force Look to Extend EU Training Partnership." *Mizzima*. August 11 2014. Accessed at http://www.mizzima.com/mizzima-news/myanmar/item/12090-myanmar-s-police-force-look-to-extend-eu-training-partnership/12090-myanmar-s-police-force-look-to-extend-eu-training-partnership

[35] "EU Crowd Management Training Supports Reform of Myanmar Police Force." Europa. February 20 2014. Accessed at http://eeas.europa.eu/delegations/myanmar/press_corner/all_news/news/2014/20140220_en.htm

[36] Min Min. "Retired Police Officers Criticize Current Police Force." *Mizzima*. August 28 2013. Accessed at http://www.mizzima.com/mizzima-news/politics/item/9944-retired-police-officers-criticize-current-police-force

Division of responsibilities between police and the Tatmadaw is unclear

Related to the above, it remains unclear which branch of the security forces will respond in the event of an incident of electoral violence. Because of the low capacity of the police, severe emergencies will likely remain the purview of the Tatmadaw, which is both more competent and has a better track record of impartiality.[37] But this creates its own problems, particularly the tendency toward over-reliance on force (that is, the use of military forces for incidents that do not require it and for which local police would have been preferable), which has often proven in other countries to further inflame passions and undermine confidence in the integrity of the process.[38] [39]

The regime's recent tendency to arbitrarily declare a "state of emergency" in order to call up the military is also troubling, since it provides ample opportunity for abuse (there are currently no guidelines as to what constitutes an emergency) and could undermine perceptions of election credibility.

Public lacks trust in the security forces

The Burmese public has a complicated relationship with the security forces, with some polls showing high levels of respect for and confidence in the Tatmadaw,[40] while many individuals express distrust in private.

Views also vary dramatically across ethnic groups: those in separatist and minority regions remain distrustful of the security forces, but the Rohingya tend to trust the Tatmadaw more than the local forces or police, since the military was perceived as performing impartially during the strife in Rakhine State in 2012.[41] (According to information gathered in interviews, the Tatmadaw is almost exclusively made up of ethnic Burmans, and the police force is predominantly but less exclusively ethnic Burman.) Overall, however, there certainly remains simmering distrust of the military (and widespread skepticism that it is committed to democratic reform) due to its decades of authoritarian rule, which has at times been pursued with ruthless efficiency.

In addition, despite the country's opening up since 2011, the security forces largely remain a black box, refusing to conduct interviews with the media or outside groups, and divulging little about their internal workings. This opacity only serves to compound public suspicions of the security forces' true intentions. And in the context of the elections, the overall deficit in trust and mutual comprehension will undoubtedly make it more difficult for the security forces to peacefully resolve complex election-related disputes, and could have a pernicious effect on public perceptions of the credibility of the elections.

---

[37] "Myanmar's Military: Back to the Barracks?" International Crisis Group. April 22 2014. Accessed at http://www.crisisgroup.org/~/media/Files/asia/south-east-asia/burma-myanmar/b143-myanmar-s-military-back-to-the-barracks.pdf

[38] "Electoral Integrity: Election Security." ACE Project. Accessed at http://aceproject.org/ace-en/topics/ei/eif/eif09/eif09b

[39] "The use of the military in the electoral process of stable and semi-stable countries." ACE Project. January 14 2011. Accessed at http://aceproject.org/electoral-advice/archive/questions/replies/990357362

[40] "Survey of Public Opinion in Burma." International Republican Institute. February 2014. Accessed at http://www.iri.org/sites/default/files/flip_docs/2014%20April%203%20Survey%20of%20Burma%20Public%20Opinion,%20December%2024,%202013-February%201,%202014.pdf

[41] "Myanmar: Storm Clouds on the Horizon." International Crisis Group. November 12 2012. Accessed at http://www.crisisgroup.org/en/regions/asia/south-east-asia/myanmar/238-myanmar-storm-clouds-on-the-horizon.aspx

Security forces appear not to fully answer to the UEC

As mentioned above, the security forces' activities related to elections planning and operations appear to be largely autonomous. Best practice from elsewhere in the world, however, suggests that a country's EMB should play the lead role in determining the security forces' deployment and conduct during elections, so as to maximize the independence and integrity of the election process.[42]

The UEC should certainly respect the security forces' expertise in security matters, taking their concerns into account, but it should ultimately be in charge of election-related deployments. Myanmar's particular context—wherein the democratic transition is being managed, for all intents and purposes, by the military itself—might preclude the UEC from exerting full control, but the relationship could at least be better defined and more authority could be granted to the UEC.

---

[42] "Voting Operations: Operations and Security Centres." ACE Project. https://aceproject.org/ace-en/topics/vo/vof/vof04/vof04c

NON-STATE STAKEHOLDERS

In addition to the state stakeholders, there are important non-state stakeholders that are central to the election process: political parties, civil society organizations (CSOs), and the media. Over the past few months, all of these stakeholders have intensified their preparations for the 2015 elections, though certain deficiencies remain.

POLITICAL PARTIES

Role in the elections

There are 69 registered political parties in Myanmar, though two parties command much of the political discourse.

The military-associated Union Solidarity and Development Party (USDP), dominates the current government. The USDP is seen as the successor to Myanmar's previous system of military rule; many of its senior leaders held high military rank, including President Thein Sein and Speaker of Parliament Shwe Mann. Though a notionally civilian organization, the USDP controls parliament with an overwhelming majority in coalition with the military-appointed members.

The National League for Democracy (NLD), led by MP Aung San Suu Kyi, cemented its role as the leading opposition party after a sweeping victory in the 1990 elections. Although the military government rejected that result and repressed the party and its leadership for many years, the NLD and Aung San Suu Kyi have tentatively lent their participation and endorsement to Myanmar's new political transition effort. The NLD's overwhelming successes in 1990 and in the 2012 by-elections lead many to believe that the party continues to enjoy broad popular support.

There are also many smaller parties – including about 30 representing the country's numerous ethnic groups. These groups have varying levels of association with the USDP and the NLD.

Open issues

Organizational capacity is weak

Although Myanmar's major parties have made substantial improvements in recent years, organizational capacity remains a significant weakness of both.

The USDP is the successor to the Union Solidarity and Development Association, the mass organization linked to the former military government. It did not begin from a significant grassroots base, and though it is now seen as having broadened its reach, there is concern that the USDP is doing so through inappropriate means. (Specifically, campaign finance rules are allegedly being violated in an attempt to buy votes).

The NLD, though perceived as having much broader popularity, is still seen as organizationally under-developed because of the primacy of Aung San Suu Kyi at the expense of more structured roles for party members and aspiring leaders. Both parties (though perhaps especially the NLD) are also often perceived as primarily oriented toward majority ethnic Burman areas.

Focus on policy issues is inadequate

Both major parties lack a broad policy vision, especially on economic issues. This is troubling, considering that Myanmar is currently one of the poorest countries in Asia.

The USDP fares marginally better than the NLD in this regard: the party has recently centered its agenda on support for free market economics and is reaching out to the electorate on a platform of growth and development.

The NLD has made constitutional reform a core electoral plank.[43] In its outreach to the electorate, however, there is a conspicuous absence of discussion of key issues such as poverty and unemployment.

In interviews, Aung San Suu Kyi disagreed with this criticism, claiming that informal surveys conducted by her party indicate that people care equally about constitutional and economic matters, and that constitutional reform is a prerequisite to social, political, and economic progress.

Party funding lacks transparency

There are three official funding streams available to political parties: membership dues, public donations, and party businesses. The third stream is a major source of opacity in the political financing system and is considered to be a path for previously military-aligned conglomerates to channel funding to the USDP.[44] Both of the major parties, however, are believed to participate in questionable political financing practices, and consequently there has so far been little will to undertake substantial reform efforts.

Both major parties are personality-driven

Both the major political parties are driven by strong personalities and lack robust internal democracy. While the USDP is perceived to be controlled by a small group of retired senior generals, the NLD is often accused of being entirely centered on a single individual: Aung San Suu Kyi. Her leadership is frequently the beginning, middle, and end of the party's platform, structure, and dialogue with voters.

Although Aung San Suu Kyi denies that the centrality of her role constitutes a weakness for her party, several stakeholders – including NLD sympathizers – openly expressed concern that the lack of a second line of leadership is a major weakness of the NLD.

Party agendas are not broadly inclusive

The lack of representation of women, youth, and ethnic minorities in positions of power within political parties remains a major shortcoming. Less than six percent of the country's parliamentarians are women.[45] The NLD enjoys a better record than the USDP – 12 of its 43 parliamentarians elected in 2012 are women.

---

[43] The NLD is particularly focused on amending Section 59F and Section 436 of the constitution. Section 59F of Myanmar's 2008 constitution bars candidates from the presidency if they have a spouse or child who holds a foreign citizenship (a provision that applies to Aung San Suu Kyi). Section 436 prescribes that constitution amendments need the approval of more than three-fourths of all members of parliament, giving veto power to the military.

[44] Zeldin, Wendy. "Myanmar: New Political Parties Registration Law and Other Laws Adopted." The Law Library of Congress. May 14 2010. Accessed at http://www.loc.gov/lawweb/servlet/lloc_news?disp3_l205401981_text.

[45] The House of Representatives, the lower house of the Parliament, has 24 female parliamentarians of 429 current members. The House of Nationalities, the upper house, has even fewer women: 4 of 224.

In addition, the ethnic diversity of the country necessitates that the major political parties have strong ethnic representation to inspire confidence in the system among the whole population. But this is not currently the case.

As may be expected in a transitional state without recent democratic experience, political parties in Myanmar are structurally and ideologically immature. Going forward, efforts need to be made by all the stakeholders to continue growing political parties into robustly democratic, inclusive, transparent, and policy-focused organizations.

CIVIL SOCIETY ORGANIZATIONS (CSOs)

Role in the elections

As part of the reform process, the space for civil society has been expanding over the last few years. Most civil society organizations are concentrated in Yangon and focus primarily on issues of peace, human rights, development, and democratization. Major CSOs working on electoral issues include: Loka Ahlinn, Peoples Alliance for Conflict-free Elections (PACE), Myanmar Institute of Democracy (MID), and the Yangon School of Political Science (YSPS).

Thus far, CSOs have played three main roles in the 2015 elections: voter education, voter registration, and electoral observation. Most of the CSOs interviewed are currently focused on voter education and civic awareness of the electoral process. Two CSOs were involved in the UEC's voter registration pilot project implemented in mid-2014. No formal mechanism exists for engagement with the UEC, though the UEC is reportedly exploring creating one.

The CSOs also reported a lack of clarity regarding their roles in observing the election. Several CSOs expressed concern that the current plan – which envisions observation activities being restricted to Election Day alone – will not be effective, and that the UEC should allow observation both during the pre-election phase as well as on Election Day in order to ensure the election's credibility.

In addition to these primary roles, CSOs have also been engaged in conducting studies, organizing workshops, and initiating other such projects aimed at electoral awareness and information dissemination.

Open issues

The UEC and CSOs still distrust each other

The nature and the effectiveness of CSOs' engagement in the electoral process will depend to a large extent on their relationship with the UEC. There is a strong element of distrust on both sides. This can likely be attributed to the fact that many CSOs are founded and run by former political prisoners, while the UEC is composed of former military generals.

The UEC began engaging with CSOs in 2012, and although the level of engagement—at least with major CSOs – has increased since then, the relationship remains fragile. A prominent CSO representative reported:

> The UEC thinks the CSOs are supportive of the opposition political party [NLD] and hence doesn't trust us. We know that the UEC is very pro-government and can never trust them. I do not how we can establish mutual trust.

Several CSOs seem to believe that the UEC and the government are working in tandem to ensure the USDP keeps control of government. The crucial task for CSOs, then, is to manage the delicate balance between holding the UEC accountable while understanding the political and capacity constraints under which the UEC functions.

Meanwhile, the UEC and government perceive most CSOs as favoring the NLD, despite the CSOs' claim of political neutrality (and their actual criticism of the NLD on issues like political financing). This perception has been an impediment to the CSOs' ability to play an effective role in the electoral process.

While the UEC and the government should more openly engage with CSOs in the electoral process, CSOs should also make concerted efforts to demonstrate their impartiality.

CSOs lack internal capacity

Two key barriers to CSO capacity are experience and manpower. Most CSOs only started working on electoral issues in the past few years and have not yet built sufficient experience on several election issues. Few CSOs have ever performed actual electoral observation. Similarly, CSO personnel are inadequately trained in voter education and registration.

Although international NGOs are currently supporting several of the major CSOs by providing financial and technical assistance, greater attention needs to be placed on building internal capacity, especially since the election is less than a year away.

Reach and issue coverage are not comprehensive

Most major CSOs are based in Yangon and their reach in rural and ethnic areas is limited. Yet political and electoral awareness is actually *lowest* in these areas, and electoral laws and voter lists have yet to be translated into minority languages.[46] It is these areas, therefore, that are most in need of CSO attention.

In addition, the CSOs are largely avoiding some sensitive political issues in their education and awareness efforts, such as the peace process and the treatment of the Rohingya. It is important that CSOs create platforms for public discourse on these critical issues, which have an important bearing on the election. Without inclusive platforms to debate these issues, it is unlikely they will be addressed at all.

MEDIA

Role in the elections

Myanmar's reform process has seen a general relaxation of controls on the media. While state-run outlets—such as *New Light of Myanmar*, national radio, and the major TV broadcast stations—still promote the government line, censorship of independent print outlets has been formally relaxed since 2012. Outlets that were formerly exiled—such as *Mizzima* and *The Irrawady*—have been allowed back into the country, and they regularly publish content that is critical of the government.

---

[46] In both 2010 and 2012, all election related laws and documents were in Burmese only. The UEC initiated a project in collaboration with IFES to translate election laws, by-laws and voter list into 8 other languages. There are however, no plans to translate the forms for purposes such as correcting the voter list.

The media will play an important role in the upcoming election, as they are the public's primary source of information on political issues and election procedures. Rapidly expanding internet access and mobile phone connectivity has precipitated the advent of social media, will also likely play an important role. News of any election irregularities or security incidents will spread more rapidly than in previous election cycles.

Open issues

Apparent 'red lines' in coverage remain

Although the government has ended formal pre-publication censorship and independent news outlets are allowed to publish criticism of the government, there still appear to exist some red lines that the media are not allowed to cross. Coverage of particularly sensitive issues—such as the Rohingya, regime corruption, or power struggles within the military—often results in harassment by the military regime, according to interviews with media representatives. Harassment has even turned into physical threats in some cases; a journalist was killed while in military custody as recently as October 2014, under circumstances that remain unclear.

Media lacks organizational capacity

Media will play a critical role in educating voters in advance of the election, especially since the Burmese public is highly literate and avidly consumes political news. Media interlocutors said they see it as their duty to inform voters, but remain concerned that they do not have the adequate capacity to do so. Journalists are in short supply, and often lack experience or substantive knowledge on a full range of topics. Some media representatives suggested that the government sometimes deliberately complicates issues in order to confuse voters.

Professionalism is under-developed

Journalistic professionalism remains a concern. Media outlets sometimes publish stories that lack sufficient evidence, or simply copy rumors posted to social media. Some interlocutors attributed this to poor editing, and to a steep learning curve for newly-minted journalists with no prior experience. Both in-house and foreign organizations (such as groups from Thailand and Denmark) have been training journalists in tradecraft and ethics, however.

Penetration into rural, ethnic minority areas is low

At present, independent print media is mostly distributed in large urban areas. Burmese living in rural areas receive most of their information via national radio and broadcast TV, which are still dominated by the government. Moreover, most media is offered only in Burmese (or occasionally English). There are few outlets reporting in minority languages.

Social media has become a platform for hate speech

Although the expansion of social media in Myanmar has allowed for information to propagate faster and connected voters with each other more than before, it is also increasingly used as a platform for spreading hate speech (especially against the Rohingya). Social media sites such as Facebook have been actively removing content that preaches hatred or calls for violence, but the company's in-country capacity is limited and needs improvement.

Some traditional media representatives expressed that their organizations must play a role in better informing the public on often emotional topics like the Rohingya or Buddhist extremism.

INTERNATIONAL STAKEHOLDERS

Role in the elections

Myanmar has only recently emerged from decades of international isolation, a condition both self-imposed by its military leaders as well as enforced by extensive sanctions from the West over the country's human rights record.

After the transition to civilian rule in 2012 by-elections, the international community has returned to the country in force. The US and Europe are re-engaging both diplomatically and economically, having lifted most sanctions in 2013. Western donors are eager to encourage further progress towards democratization and improved human rights, and are now active in providing electoral assistance to the UEC, political parties and a variety of civil society organizations.

Countries and International Governmental Organizations involved

United States, United Kingdom, and Australia

Re-engaging with the Burmese government and encouraging democratic reform has been a major focus of President Obama's foreign policy. The United States Agency for International Development (USAID) is the primary donor agency providing assistance.

USAID coordinates with the United Kingdom's Department for International Development (DFID) and Australia's Department of Foreign Affairs and Trade (DFAT). Together, these three agencies provide much of the funding for the International Foundation for Electoral Systems, the National Democratic Institute and the International Republican Institute's operations in the country. American, British, and Australian ambassadors meet regularly to coordinate strategy and messaging.

European Union

The EU recently committed US $900 million in development aid to Myanmar. Only a small amount of this funding is dedicated to promoting democracy; most goes towards humanitarian assistance in health and education. EU support has included grants to civil society groups, media training, police training, and technical assistance to the UEC in drafting a code of conduct for electoral observers.

China

Long Myanmar's sole patron, relations between the two countries cooled in 2011 when President Thein Sein cancelled the unpopular, Chinese-funded Myitsone dam project. China has continued to play a significant role as an investor in Myanmar, but does not seem to be involved in preparations for the upcoming elections.

Association of Southeast Asian Nations (ASEAN)

Myanmar invited ASEAN to send a small delegation of observers to the 2012 by-elections, a first for both ASEAN and Myanmar. While ASEAN has been vocal about the need for free and fair elections in Myanmar, it is not yet clear whether it will again engage in electoral observation or other support during the 2015 elections.

United Nations

The UN's role in Myanmar has been limited thus far. The Secretary General has provided good offices to aid the transition, and the UN recently conducted a needs assessment mission to determine what role they could serve in advance of the elections.

International Institute for Democracy and Electoral Assistance (IDEA)

An international organization based in Stockholm, IDEA provides democracy assistance and conflict management support around the world. Norway funds IDEA's operations in Myanmar, and the organization works in a consortium with the Danish Institute for Parties and Democracy and Democracy Reporting International on a new 2015 electoral trust-building initiative.

IDEA currently works with the Myanmar Peace Center, assisting with a dialogue on constitution-building in the context of the peace process, and also provides technical assistance to the UEC, for example recently holding a workshop with the commission on how to use IDEA's Electoral Risk Management tool that identifies potential trouble areas before the election.

International Non-governmental Organizations involved

International Foundation for Electoral Systems (IFES)

IFES is a US-based international non-profit with expertise in strengthening electoral systems and building the capacity of electoral management bodies.

Under the auspices of their USAID-funded Elections and Political Processes Assistance program, IFES has become the primary partner of the UEC. Since 2013 IFES has held a wide variety of workshops and trainings to build UEC capacity, helped the UEC develop a five-year strategic plan and provided technical assessments for improvements on many issue areas, including voter registration, electoral legal and regulatory framework, advance voting and electoral dispute resolution.

IFES has also worked with the UEC and civil society organizations to support the inclusion of women, develop voter education programs, and hold regular stakeholder meetings to improve communication between the UEC and CSOs.

National Democratic Institute (NDI)

NDI is a US government-created organization that provides grant-based funding to support democracy throughout the developing world.

In Myanmar, NDI provides technical assistance to Myanmar's parliament through the creation of a Parliamentary Resource Center in Naypyidaw and trainings to strengthen parliamentary processes and the reform agenda. NDI also works with CSOs such as PACE to facilitate peer-to-peer trainings and best practices. NDI hopes to train 5,000 citizens as election observers who can monitor electoral processes before and during Election Day.

International Republican Institute (IRI)

Similar to NDI, IRI is also a US government-created organization that funds democracy assistance programs worldwide.

In Myanmar, IRI focuses on strengthening political parties. IRI provides training workshops to all parties – from the NLD and USDP to small ethnic parties – to teach them how to conduct

campaigns, organize internal party structures, and develop party platforms. IRI also supports civil society groups engaged in voter and civic education campaigns.

Carter Center

The Carter Center – a US-based international NGO that works on human rights and democracy promotion – plans to coordinate international observers in Myanmar before, during, and after the election. It envisions having five to seven teams of two to three people who will be long-term observers (e.g. spend a year in-country), so that teams monitor the elections throughout the country.

Asian Network for Free Elections (ANFREL)

ANFREL is a regional network of CSOs focused on election monitoring. The organization has been working in Myanmar since 1999 and partners with local CSOs and media organizations to develop talent and support their efforts to deepen civic engagement.

Open issues

Gaps remain in donor assistance to voter education

Despite the international community's substantial assistance to date, voter education and religious tolerance promotion are two areas that have received insufficient attention.

Many people lack sufficient knowledge of voting procedures and systems. Indeed, interviews with civil society groups suggest that many voters expect (incorrectly) to vote directly for the president. Since international groups are already providing technical assistance to the UEC, they could extend this to helping the commission – as well as civil society partners – to educate Myanmar's diverse population on the voting process.

In addition, long-term consolidation of democracy in Myanmar will require some level of assimilation and acceptance of minority Muslims by the Buddhist majority. The Rohingya Muslims have few allies in Burmese civil society, and growing freedom of speech in recent years has unfortunately coincided with increased persecution, as the voices of hard-line Buddhist monks have become louder and social media has facilitated the spread of anti-Rohingya hate speech online. Indeed, as of early 2015, parliament was considering a law that would disallow temporary citizens (most of whom are Rohingya) from voting in the 2015 elections.

There is still risk of "backsliding," absent sustained attention

Most international organizations operating in Myanmar focus on the upcoming elections. This is understandable, but longer-term engagement is required to ensure that progress is maintained. The authoritarian backsliding following successful early elections in neighboring Cambodia (and most recently, Thailand) illustrates the need for sustained international involvement.

The UEC will also require post-election support. Getting an early start on post-election strategic planning could thus be valuable.

Influx of donors could complicate assistance effort

Operational coordination is currently being conducted by IFES, but this will become more difficult as additional groups start work in Myanmar in 2015. The months preceding the election will feature a record number of donors and NGOs demanding time and resources from

government agencies and civil society groups. Duplication of efforts and resource waste must be minimized.

Donor funding and operations lack transparency

As international electoral and civil society assistance is a new phenomenon in Myanmar, some Burmese CSOs voiced concerns in interviews over the lack of transparency in how donor aid is allocated and distributed. They expressed gratitude for the immense amount of funding pouring into the country, but were also alarmed that some long-present domestic CSOs were being ignored in favor of international groups operating in the country only temporarily.

Another domestic CSO worried that their communication with the UEC was being dominated by international groups, such that domestic CSOs received attention from the commission only by way of an international contact or by attending one of IFES' roundtables. This lack of direct access to the UEC has only served to increase distrust among the domestic CSOs, which could complicate the electoral planning process.

CROSS-CUTTING ELECTORAL RISKS

This section covers three cross-cutting themes that risk compromising a free and fair electoral process in Myanmar: electoral malpractice, electoral violence, and marginalized electorates.

ELECTORAL MALPRACTICE

Electoral malpractice is broader than simply vote fraud. It can refer to acts of coercion, deception, vote buying, intimidation, damage or destruction to voting booths, the disenfranchisement of voters, and spreading false information. It may also include denial of service or failure to act, such as inconsistencies in the ways voters are identified or the arbitrary closure of polling stations. Dr. Sarah Birch, a professor at the University of Glasgow, defines electoral malpractice as encompassing manipulation of rules, voters, or votes.[47] This section will focus on voter and vote manipulation.

Background

During the 2010 national elections, there were widespread allegations of electoral malpractice. These included low transparency in counting votes, particularly advance votes, restrictions on electoral observation, coercion, violence, intimidation, and vote buying. Restrictions on media and observers contributed to an environment conducive to electoral malpractice.

According to a Burma Fund UN Office report, the vote tabulation process was non transparent, and undoubtedly vulnerable to electoral manipulation. This was evidenced by the dramatic change in results following the inclusion of advanced votes in some areas.[48] A 2012 IFES report argues that the flawed system of advance voting in Myanmar affected results in at least 25 percent of the districts.[49] The report also concedes that while there were fewer complaints in 2012 than in 2010, sub-commissions reportedly kept advance votes in unsecure conditions that undermined the integrity of the process.

According to the US State Department, foreign-based Burmese news organizations collected more than 500 reports of fraud, protests, illegal activity, and other irregularities.[50] There was also a prohibitively high candidate registration fee of around US $500 in the 2010 elections that may have deterred some political parties from fielding candidates.[51]

Open issues

While some of the restrictions outlined above (for example on media) have been lifted, vulnerabilities for manipulation of voters, votes, and rules still exist in the electoral framework.

Advance and out-of-country voting lacks transparency

As noted in the UEC section above, advance voting remains a significant vulnerability due to a lack of transparency. First, for advance votes coming from outside of Myanmar, the ballots go

[47] Birch, S. "Electoral Malpractice." Oxford.2011

[48] The Burma Fund UN Office. "Burma's 2010 Elections – A comprehensive report". The Burma Fund UN Office. 2011 Accessed at http://www.burmalibrary.org/docs11/BurmaFund-Election_Report-text.pdf

[49] International Foundation for Electoral Systems (IFES). "Burma 2012 By-elections Technical Assessment Report." 2012

[50] US department of State. "Burma's election results". 2012. Accessed at https://hiu.state.gov/Products/Burma_Elections2010and2012_2012Mar22_HIU_U553.pdf

[51] MacFarquhar N. "UN doubts Fairness of Election in Myanmar." New York Times. Oct 21 2010. Accessed at "http://www.nytimes.com/2010/10/22/world/asia/22nations.html"

through the relevant embassy before arriving at the UEC, and are then sent to the voter's district. Second, for in-country, out-of-constituency advance votes, the heads of designated out of district voting locations – such as military barracks, hospitals, and schools – collect votes and then send them via government postal service directly to local sub-commissions. Once there, the votes are sealed and counted on Election Day.

Transparency at each stage of this process has been extremely low in past elections. In 2010 and 2012, there was no estimate of how many advance votes were expected, nor was there a list of advance voters. Moreover, in the 2010 elections, the volume of advance votes from military barracks, though not officially recorded, was widely perceived to be excessive.

As for the 2015 elections, even more out-of-country votes are expected than before, since Myanmar is considering for the first time enfranchising the roughly two million undocumented Burmese immigrants in Thailand. Negotiations with Thailand are underway regarding the status of this group. Should they be deemed eligible to vote, the large number of new out-of-country voters would place a considerable logistical burden on the UEC and all other stakeholders involved in election preparations and operations.

ELECTORAL VIOLENCE

Electoral violence can be described as "any random or organized act or threat to intimidate, physically harm, blackmail, or abuse an electoral stakeholder in seeking to determine, delay, or to otherwise influence the electoral process."[52] This type of violence is not just limited to Election Day, but may manifest itself in the pre-election campaign period or post-election.

Background

Previous elections and conflicts within a country often provide important insight into what potential violence might look like in future elections. In the case of Myanmar, clear societal divisions along ethnic, religious, and regional lines make elections more prone to violence.

Myanmar contains over 40 ethnic groups. Ethnic insurgency and civil war has persisted for the last 60 years, and targeted ethnic violence —especially against the Rohingya Muslims—has worsened since the 2010 elections.[53] After Election Day in November 2010, violence erupted when the military tried to integrate ethnic insurgents (Karen fighters in the Myawaddy, a border town with Thailand), causing 15,000 people to flee.[54]

The 2012 by-elections— the first elections contested by the NLD since 1990—were also marred by reported acts of intimidation by USDP supporters toward NLD party members. Examples include stone throwing, vandalism of party posters, and setting fire to a haystack where an NLD member was giving a speech.

---

[52] USAID. "Best Practices in Electoral Security: A Guide for Democracy, Human Rights, and Governance Programming." January 2013. Accessed at
http://www.usaid.gov/sites/default/files/documents/2496/Electoral_Security_Best_Practices_USAID.pdf
[53] Su Mon Thazin Aung. "Why Burma's Top General is Playing Peacemaker". Foreign Policy.2014. Accessed at
http://www.foreignpolicy.com/articles/2014/05/15/why_burmas_top_general_is_playing_peacemaker
[54] CBC News."15,000 flee Burma in post-election violence." November 8, 2010. Accessed at http://www.cbc.ca/news/world/15-000-flee-burma-in-post-election-violence-1.899241

While widespread conflict is unlikely in the 2015 elections, isolated incidents of violence such as these are likely to recur.

Open issues

The following issues could affect the peaceful conduct of 2015 elections.

Possible failure of peace talks

Ahead of the upcoming elections, Ming Aung Hlaing – the current head of the Tatmadaw and possible presidential contender – has engaged ethnic groups in comprehensive peace talks.[55] President Thein Sein has tried to tie the peace process to the 2015 elections, with officials hinting that the election could be postponed unless the peace talks are successfully concluded in advance.

Currently, expectations are high. Both ethnic minorities and ethnic Burmans see the coming elections as the first relatively free and fair elections in their lifetime. If the peace process fails and ethnic minorities see the elections as biased and illegitimate, it could cause result in more instability, especially in border regions, and only worsen the ongoing civil war.

Political confrontation, hate speech, and rumors

Elections sometimes exacerbate existing tensions as politicians take advantage of social divisions to gain popularity. After the 2008 elections, large numbers of Rohingya were displaced from urban centers in Myanmar and relocated to isolated camps.[56] The run-up to the 2015 election has seen widespread anti-Muslim sentiment and hate speech directed against the Rohingya (through both traditional and social media). Such indicators point to the heightened possibility of aggression against the Rohingya in the coming months.

High expectations due to the reform process

The 2015 elections have high stakes because both locals and the international community hold high expectations for continued progress. The greater the stakes of the election, the greater the likelihood motivated participants will employ violence to achieve their goals. If opposition parties do not prevail, this may trigger waves of popular protest and unrest following the election. On the other hand, the regime and the Tatmadaw might employ violence to maintain their hold on power if they see the election result as fundamentally threatening their interests.

MARGINALIZED ELECTORATES

Marginalized electorates include all social groups that are at risk of exclusion from the electoral process.

Open issues

As much as possible, the 2015 elections should express the voices of all segments of Burmese society. There are a number of constituencies in Myanmar that are vulnerable to marginalization.

---

[55] Fischer, Jeffrey. "Electoral Conflict and Violence: A Strategy for Study and Prevention". IFES White Paper. 2002. Accessed at http://www.ifes.org/~/media/Files/Publications/White%20PaperReport/2002/265/EConflictPaper.pdf
[56] Kristoff, Nicholas. "Myanmar's Persecuted Minority". NY Times. June, 2014. Accessed at http://www.nytimes.com/interactive/2014/06/16/opinion/nicholas-kristof-myanmar-documentary.html?_r=0

In this section, we call attention to six such groups: women, youth, citizens living abroad, internally displaced persons, ethnic minorities, and the Rohingya Muslims.

Women and youth

Women and youth are vulnerable due to low social status and a lack of representation in key political institutions. These two groups present similar issues. By all accounts, they are politically engaged and will be able to participate as voters. However, both groups are poorly represented in leadership roles in political parties and government institutions.

The major political parties need to do more to bring women and youth into leadership roles. Notwithstanding the prominent example of Aung San Suu Kyi, there are few female parliamentarians. The NLD has done reasonably well in this regard: about one fourth of its parliamentarians are women. The USDP, however, is dominated by older men, since many of its leaders entered politics after military careers. The government should also make an effort to recruit women into leadership positions in the civil service.

One place where young Burmese have been able to find a substantial voice is in civil society organizations. The civil society sector in Burma is young both institutionally and in the age of its leaders. However, the leaders are mostly men.

Citizens living abroad and internally displaced persons (IDPs)

Citizens living abroad and internally displaced persons are at risk of exclusion because of their physical displacement. Enabling these groups to vote presents a major organizational challenge. These are large groups, numbering in the millions. The UEC has expressed a commitment to enfranchise both groups, but this may not be achievable in 2015.

As noted above, there are millions of Burmese migrant workers living illegally in Thailand and Malaysia. They are disqualified them voting under the current electoral law, but the Burmese government aims to legalize and enfranchise these citizens.

The UEC plans to conduct out-of-country voting through embassies and consulates. The UEC has conducted out-of-country voting before, but enfranchising all the migrant workers would be an undertaking of a different magnitude. By comparison, only 6,000 votes were received from abroad in 2010 and 2,000 votes in 2012.

Registering and distributing ballots to two million or more migrant workers abroad would be a monumental task in a period of a few months. This is an important goal, but one that will require more time. Furthermore, given the limited staff and budgetary resources of the UEC, prioritizing this goal would mean neglecting some of the UEC's duties within Burma.

There are also 641,000 internally displaced persons (IDPs) as a result of ethnic conflicts in the borderlands.[57] Since the IDPs mostly come from the ethnic minority regions, enfranchising them is critical to ensure fair representation of the ethnic minorities.

The electoral law allows IDPs either to cast an advance vote in their home constituency or to vote in the place where they currently reside (if they have been there at least 180 days).

---

[57] UEC officials did not offer an estimate of the IDP population. The estimate of 641,000 is from the CIA World Factbook, 2013.

Drawing up voter lists for IDPs will be a major challenge, as it is for overseas voters. When the voter lists are published, it will be up to the IDPs to check that they are included in the list for the appropriate place and correct the voter list if needed. Even with a good faith effort, we should expect that some IDPs will be omitted from the voter list or registered in the wrong place, and many IDPs will miss the opportunity to correct their registration.

Ethnic minorities

Ethnic minorities are vulnerable to marginalization in a variety of ways. One concern is discrimination. With the conspicuous exception of the Rohingya, though, ethnic discrimination is not evident in Burma. The two main national parties appear intent on courting ethnic voters and both are likely to pursue a parliamentary coalition with ethnic parties after the election.

Another concern is that minorities may be excluded by geography, since they live predominantly in ethnic states and in rural areas. Armed conflicts will likely prevent the UEC from conducting voting in a few areas. Although this is a serious long-term issue, it affects relatively few voters and is expected to have little impact on the election results.

The most serious concern with regard to ethnic minorities is linguistic exclusion, as discussed above. Only 68 percent of the population is ethnically Burman, yet few official documents or political communications are translated into minority languages.

The independent (print and online) media is predominantly in Burmese as well as being mostly urban. It has limited reach to ethnic minority areas and little expertise in minority languages. The national political parties also need to improve their linguistic capabilities so that they can reach minority voters and build broad, multiethnic bases of support.

The Rohingya

The Rohingya Muslims mostly live in Rakhine State. Most hold temporary citizenship and are legally barred from leaving Rakhine State. Animosity towards the Rohingya is widespread among Buddhist majority in Burma, across ethnic groups and political affiliations.

Concerns regarding the political rights of the Rohingya have been discussed elsewhere in this report. The international community should remain attentive to the problem, even though international pressure may have limited efficacy on this politically sensitive issue.

Additionally, political rights are only one dimension of a broad human rights crisis facing the Rohingya.[58] It is possible that the international community will enjoy more success with a focus on issues other than voting rights.

---

[58] Perlez, Jane. "Myanmar Policy's Message to Muslims: Get Out." NY Times. November 2014. Accessed at http://www.nytimes.com/2014/11/07/world/asia/rohingya-myanmar-rakhine-state-thailand-malaysia.html. Pitman, Todd and Esther Htusan. "Myanmar profits off Rohingya exodus." Associated Press. November 2014. Accessed at http://www.bigstory.ap.org/article/f406a48db2cd41a0be679227f73eca7c/ap-exclusive-myanmar-aiding-rohingya-trafficking.

RECOMMENDATIONS

STRATEGIC OBJECTIVE I: CONTINUE TO BOLSTER THE CAPACITY AND IMPARTIALITY OF THE UEC

1. Enact measures to strengthen perceptions of the UEC's legitimacy. [*Actors: Government, Parliament, UEC*] Lingering suspicions about the UEC's impartiality and integrity are widespread among the general public and CSOs. The regime should set more specific criteria for removing commissioners and codify legal protections regarding commissioner independence; make more specific requirements for selecting commissioners, and build in checks to the regime's discretion in choosing them; and reduce the UEC's over-reliance on government employees for both temporary election administration and for longer-term staff. These changes would boost the UEC's perceived legitimacy, and thereby its effectiveness.

2. Hire independent non-government staff. [*Actor: UEC*] The UEC should hire independent staff for both permanent positions and lower level election administration, instead of relying on staff provided by the government. To do this, the UEC will need to set aside funds for hiring independent staff and obtain their budget well in advance of the 2015 elections. Also, lower level staff (including school teachers) need to be trained to understand their role and responsibilities regarding election administration. This will enhance the independence and impartiality of the UEC.

3. Use social media and mobile phone messaging to increase transparency. [Actor: UEC] The UEC can employ such methods to educate voters on election procedures and spur them to vote on Election Day. They can also be useful tools for voters to report malpractice.

STRATEGIC OBJECTIVE II: PROTECT THE INTEGRITY OF VOTING

Legal framework

1. Leave the electoral process and system untouched prior to the election. [*Actors: Government, Parliament*] It is now too far along in the process to make additional changes to the electoral process—such as the recently abandoned plan to switch from a first-past-the-post to a proportional representation (PR) system. Any such changes would first have to be communicated to the voters, overwriting previous voter education efforts. The UEC would rush to carry out logistics. Disallowing such changes if proposed less than 18 months before the elections by law would help stabilize the electoral environment, as conducting the elections in such a hurried environment would increase the potential for electoral malpractice.

2. Clarify financing rules and norms. [*Actors: Government, Parliament, UEC, Political Parties*] Both the USDP and the NLD are seen as complicit in unethical, undemocratic political financing practices. To improve the democratic sustainability of the system, political parties should set a future date for a general compliance audit, consider a long-term exit from party businesses, and engage in educational campaigns on proper financing rules. The government should also establish a more formal and detailed legal framework for campaign and party financing practices. This includes disallowing the use of funds from political party businesses.

Transparency-Building

3. Increase transparency in counting votes, particularly advance votes. [*Actor: UEC*]
Advance voting was a major concern in the 2010 election, especially when it came to military
and IDP voting as well as overseas voting. Advance votes must be counted with regular votes.
The advance voting list should also be published outside the polling station and must be easily
verifiable by independent observers. Additionally, polling stations should be set up in neutral and
accessible locations, which are pre-agreed to by the UEC, domestic CSOs, and political parties.

4. Allow for extensive electoral observation and relax observation constraints. [*Actors:
UEC, CSOs, Internationals*] Push for observer accreditation rules and for unfettered access to
polling stations, including the freedom to randomly select polling stations for observation
(including in rural areas)**.** Observation should also be extended to domestic advance voting in
schools, military barracks, and hospitals. Enable long-term, short-term, and both domestic and
international observers to participate. Thematic observation should also be considered – such as
observation of electoral violence, political finance, and electoral disputes. The UEC must soon
finalize rules on which groups are allowed to observe and how they can apply to do so.

5. Consider having the UN play an electoral verification role. [*Actors: Government, UN*]
While the government of Myanmar would remain wholly responsible for the organization and
conduct of the elections, a United Nations mission could verify the legitimacy of the various
stages of the electoral process and the adherence of the election to both domestic regulations and
international standards. The UN mission could verify, for example, that voter registration was
achieved successfully and that no systemic voter disenfranchisement occurred, thereby certifying
that this stage of the process met international norms. Given the UN's reputation and lack of
prior involvement in Myanmar's elections, a potential UN mission would likely be seen by both
the government and critical outsiders as impartial This could help boost the legitimacy of the
election, in the event that it goes well.

STRATEGIC OBJECTIVE III: STRENGTHEN ELECTORAL JUSTICE MECHANISMS

1. Change the legal and procedural framework concerning complaints. [*Actors: Parliament,
UEC*] The current structural and procedural framework for electoral dispute resolution is very
expensive. It is also weighted against the complainant. This framework should be amended to
create an atmosphere in which complainants are not discouraged, so as to increase public
confidence in the electoral justice system. In particular, the US $500 fee for lodging a complaint
should be lowered. The UEC should also publish a procedure for reporting voter intimidation
complaints, and establish procedures whereby individuals can seek resolution for voter
intimidation or electoral violence cases.

**2. Strengthen the independence and broaden the mandate of the dispute resolution
mechanism.** [*Actors: Government, Parliament, UEC*] The mechanism needs to be more
independent from the UEC itself: specifically, eligibility criteria should be laid out to ensure
independent and well-reputed individuals staff the tribunals, and staff should not be so directly
linked to UEC commissioners. In addition, the cost and procedures for its use remain onerous.
Finally, the dispute resolution mechanism is not available to deal with voter intimidation,

campaign finance violations, or violence complaints before or after the elections. Its remit should be expanded to include these types of complaints.

3. Complete election bylaws and guidelines on complaints. [*Actors: UEC, Parliament*] This must be done in order to pave the way to obtaining accurate and efficient outcomes in judging election complaints. By-laws (including those on advance voting and dispute resolution) need to be recommended by the UEC, so that the Parliament can pass them in time for the 2015 elections.

STRATEGIC OBJECTIVE IV: MINIMIZE THREATS TO PEACE AND SECURITY DURING THE ELECTION

Environment & deployment

1. Make reaching a ceasefire agreement ahead of the elections a priority. [*Actors: Government, Tatmadaw*] It is currently unclear whether a negotiated ceasefire will be reached before the elections. The government needs to engage in an intense goodwill effort to resolve the outstanding issues. A ceasefire before the elections will allow polling stations to remain open in previously excluded areas, which would in turn enhance the election's credibility.

2. Establish integrated national security presence in sensitive conflict areas. [*Actors: Government, Tatmadaw*] Historically, ethnic armies have controlled conflict areas. If a negotiated ceasefire is reached, the national military should establish an integrated presence (a mix of Tatmadaw and local forces) in these areas. Particular priority should be placed on deploying to Rakhine State, where there is a risk of violence against the Rohingya. These integrated security forces should receive special training in early warning and conflict mapping to help prevent electoral violence in sensitive areas.

Training

3. Expand existing police training, extend to Tatmadaw. [*Actors: Government, Tatmadaw, Police, Internationals, CSOs*] The European Union's police training program is a good start, but the police remain ill-prepared for the upcoming election. Training should be accelerated and expanded, not just among low-level officers, but also to senior commanders. The government and Tatmadaw leadership should also consider extending the human rights component of the EU training to the Tatmadaw itself, since it too will play a key security role during the elections. The security forces should also consider enlisting Burmese CSOs in training, since these CSOs are already training others on human rights and election issues.

Responsibilities & conduct

4. Place election-related security under direction of the UEC. [*Actors: Government, UEC, Tatmadaw, Police*] Currently, the security forces appear to be mostly autonomous in designing and implementing security procedures for the election. Instead, the UEC should be granted ultimate control over security posture, in accordance with international best practice**.** The UEC should also coordinate more with the police, to work closely on issues such as voter intimidation and harassment. A plan for areas particularly vulnerable to ethnic violence needs to be devised, again in coordination with the security forces.

5. Reallocate some funding from military to police. [*Actors: Government, Tatmadaw, Police*] The police are severely underfunded relative to the mandate set out for them by the Burmese authorities. Although the regime envisions the police taking over many of the Tatmadaw's former functions, there has been no associated shift in funding. Reallocating some funding from the Tatmadaw to the police would boost police capacity to deal with crisis situations, thereby enhancing stability in advance of and during the elections.

6. Enhance transparency and inclusivity. [*Actors: Tatmadaw, Police*] The security forces continue to be viewed by the public with distrust. The Tatmadaw should be more open with the media, and proactively reach out to political parties, CSOs, and ethnic minorities. This would serve to reduce the public's distrust of the security forces and would also better equip the security forces to effectively respond to localized incidents. The security forces should also work to integrate more women and minorities into its ranks, which would make them more effective at anticipating and resolving the particular concerns of those groups.

Monitoring

7. Work to avert electoral violence by monitoring for signs of trouble. [*Actors: Internationals, Government*] Numerous international NGOs now have a presence in Myanmar. The international community should use its eyes and ears there to watch for developing conflicts or incitement to violence. The Myanmar government could also consider setting up a formal incident-monitoring program—overseen by the domestic and international NGOs—that alerts the government to any developing risks to the election process. This would serve to both enhance perceived election integrity and help the government anticipate developing security problems.

STRATEGIC OBJECTIVE V. ENSURE FULL PARTICIPATION OF MARGINALIZED GROUPS

1. Increase participation of marginalized electorates, especially women. [*Actors: Parliament, Political Parties*] Currently, the country's political parties are dominated by ethnic Burman males. The political parties should institute more inclusive leadership succession plans and recruitment practices. Parliament should also require parties to nominate a minimum proportion of female candidates. A modest standard, such as 10 to 15 percent, should be feasible and would represent a marked improvement over the status quo of 5 percent. This standard could then be increased in future elections.

2. Prioritize the organization of IDP voting. [*Actors: Parliament, UEC*] This is a major task, but it should be made a priority so as to alleviate concerns over ethnic discrimination. Failing to realize the voting rights of IDPs could heighten ethnic tensions, set back the national peace process, and undermine the credibility of the election.

3. Prioritize civic and voter education, especially in rural and minority areas. [*Actors: Government, CSOs, Media*] Since democratic elections are still somewhat of a novelty in Myanmar, much work needs to be done in educating voters about the electoral process, voter rights, and the policy platforms of the various parties. This is especially true in rural areas where CSO and media coverage is weak. Ensuring that all citizens have this knowledge will encourage broader participation and ensure a more credible election result.

4. Translate electoral documents and information into minority languages. [*Actors: UEC, Media*] Voter lists and election forms should be available in the most widely spoken minority languages. There are approximately one hundred languages spoken in Myanmar, but simply offering documents in Burmese and six other languages would serve 95 percent of the population. In addition, media organizations—which primarily target major cities—should recruit reporters to cover news in minority areas. They should also hire translators to make their coverage of events in Yangon, Naypyidaw, and Mandalay accessible to non-Burmese speakers. These efforts will help ensure broad participation in the elections.

STRATEGIC OBJECTIVE VI: PROTECT THE RIGHTS OF MINORITIES, ESPECIALLY THE ROHINGYA MUSLIMS

1. Propose citizenship rules that minimize disenfranchisement. [*Actors: UEC, Parliament*] Since it remains uncertain whether a ceasefire will be reached prior to the elections, the UEC should at least propose to parliament a plan that (1) ensures that militant groups are not disenfranchised or disallowed from forming political parties as part of peace agreements, (2) ensures that people with temporary status under the 1982 citizenship law are granted citizenship with full voting and political participation rights, and (3) re-evaluates existing rules that disenfranchise prisoners. The freedom of association law, which disallows assembly of persons who are not in a political party but who discuss political issues, should also eventually be eliminated.

2. Place greater focus on instilling religious and ethnic tolerance. [*Actors: Government, CSOs, Media, Internationals*] Hostility between Buddhists and Muslims is a significant and growing problem, but few domestic CSOs or international NGOs are focused on the issue. These organizations should bring religious and ethnic leaders who are widely revered and respected in Myanmar together in public forums. They should also encourage more interethnic interaction, especially among youth, and develop and conduct training sessions on religious and ethnic tolerance.

3. Remain attentive to the plight of the Rohingya. [*Actors: Internationals, Media*] Religious intolerance toward the Rohingya Muslims is increasing, especially in online media. Media companies should play a role in ensuring that their websites are not used to spread hate and should suppress any incitement to violence. (Social media companies, such as Facebook, particularly need to increase their commitment to this task.) The parliament has recently passed legislation that disallows Rohingya from participating in political parties. The international community has a responsibility to condemn such actions. Protecting the rights of religious minorities such as the Rohingya is a prerequisite for promoting inclusive democracy in Myanmar.

CONCLUSION

Myanmar's reform process represents a relatively rare case of an authoritarian state choosing to undertake a managed transition to democracy. Most democratic transitions elsewhere in the world have occurred as the result of revolution, civil war, or independence from colonialism. The fact that Myanmar's transition is top-down and controlled by the existing regime sets it apart in important ways.

A careful transition…

To a large extent, the path chosen by Myanmar's former military regime appears designed to avoid problems associated with failed democratic transitions in the past. Senior Burmese officials said that they are particularly wary of following in the footsteps of Arab Spring countries, many of which now struggle with severe instability.

Myanmar's own recent history also contains examples of reforms abandoned halfway, notably the country's 1990 election, in which the opposition won big and the military annulled the results to prevent a loss of influence over the country.

The current reform process, in contrast, purposely preserves the military's role in politics. Although the regime has been criticized for retaining the constitutional provision reserving one-fourth of parliamentary seats for the military, that guarantee ensures that the military would retain a stake in the political transition process even if the opposition were to sweep the elections. The civilian regime seems preoccupied with ensuring the military remains onboard.

…Drawing on regional precedents

Such a path, though rare, has been traced successfully before. The democratic transitions in South Korea and Taiwan were both initiated by autocratic, military-backed regimes that decided to gradually hand power over to the people.

South Korea's first free presidential election in 1987 saw former general Roh Tae-woo win with the full backing of the military establishment, which at that point retained considerable influence over the political process. Similarly, in Taiwan's first open election in 1989, the ruling Nationalists (Kuomintang) won the vast majority of legislative seats—the preferred outcome of Taiwan's security establishment.

In neither country did elections go off without incident: police contended with large-scale protests after the election in Korea and armed police confronted sporadic violence in Taiwan. Since then, however, democracy has become deeply entrenched in both places, especially following subsequent consolidating elections and stable transfers of power.

Indonesia's transition to democracy over the past 17 years is another potential model for Myanmar. Even after the resignation of President Suharto in 1998, the Indonesian constitution retained a percentage of parliamentary seats for the military until 2004—a direct parallel to the Tatmadaw's reserved seats in Myanmar's parliament. Since 2004, the Indonesian military has occasionally sought to rebuild its political power, but successive elections have ingrained the democratic process ever deeper into Indonesia's political life.

It is therefore critical to view Myanmar's 2015 election as a first step in a process, rather than an endpoint. It would be unrealistic to expect truly free and fair elections in Myanmar in 2015, but

an election that is perceived as generally fair and widely credible will set a precedent for freer and fairer elections in the future.

Remaining challenges

Still, Myanmar faces serious obstacles on its way to a successful election in 2015.

First, although we assess that the regime is earnest about desiring a national ceasefire agreement prior to the 2015 election, it remains uncertain whether an agreement will be concluded in time. The regime has warned repeatedly that the election could be postponed if a peace agreement is not reached; even if the election is not postponed, ongoing violence could undermine the credibility of the electoral process.

Second, even as we assess that the Tatmadaw continues to back the transition and the timeline for elections in late 2015, there is little to prevent it from rejecting the election results, and the 2008 constitution even allows for a return to military rule in the event of "instability."

Besides these fundamental challenges, Myanmar also faces a host of procedural and technical obstacles that could spoil the election process and its integrity. As spelled out in detail in this report, these challenges include everything from voter registration, to advance voting, to election observation, to police training, to the participation of marginalized populations. Deficiencies in any of these areas have the potential to tarnish election results.

A great deal of work therefore remains for Myanmar's domestic stakeholders to ensure that elections proceed smoothly and credibly. The international community must be attentive to these potential flashpoints, remain actively involved in mitigating them, and not take success for granted.

International donors – especially the United States and the European Union – have thus far struck a balance between actively engaging Myanmar in areas such as electoral observation, political party capacity-building, and police training, while concurrently pressuring parliament and the UEC in Naypyidaw to remain on the path of reform. In the run-up to the election, the international community should prepare an increased level of engagement to help ensure a smooth outcome.

APPENDIX A: LIST OF ACRONYMS AND TERMS

AEDR	Alternative Electoral Dispute Resolution
Amyotha Hluttaw	House of Nationalities (upper house), National Parliament
ANFREL	Asian Network for Free Elections
CSO	Civil Society Organization
DFAT	Australian Department of Foreign Affairs and Trade
DFID	UK Department for International Developmen
EJS	Electoral Justice System
EMB	Election Management Body
EU	European Union
FPTP	First-Past-the-Post
Hluttaw	National Parliament
ICG	International Crisis Group
IDEA	International Institute for Democracy and Electoral Assistance
IDP	Internally Displaced Person
IFES	International Foundation for Electoral Systems
IRI	International Republican Institute
M-LAW	Myanmar Legal Aid Network
MID	Myanmar Institute of Democracy
MIDO	Myanmar ICT for Development Organization
MPWG	Myanmar People's Forum Working Group
Naypyidaw	Capital city of Myanmar
NDI	National Democratic Institute
NGO	Non-Governmental Organization
NLD	National League for Democracy
PACE	People's Alliance for Credible Elections
PR	Proportional Representation
Pyithu Hluttaw	House of Representatives (lower house), National Parliament
Rohingya	Muslim minority group primarily living in Rakhine State
Tatmadaw	Military of Myanmar
UEC	Union Election Commission
USAID	United States Agency for International Development
USDP	Union Solidarity and Development Party
Yangon	Largest city in Myanmar
YSPS	Yangon School of Political Science

APPENDIX B: LIST OF MEETINGS

Bidhayak Das	Asian Network for Free Elections (ANFREL)
Jen Herink	Australian Department of Foreign Affairs and Trade (DFAT)
Cicer Nyi Nyi	Civil Authorize Negotiate Organization
Amb. Derek Mitchell	Embassy of the United States in Burma
Rob McDonald	Embassy of the United States in Burma
Thu Nguyen	Embassy of the United States in Burma
Carine Jaquet	IMG/EU Election Support Project
Richard Horsey	International Crisis Group (ICG)
Meredith Applegate	International Foundation for Electoral Systems (IFES)
Michael Lidauer	International Foundation for Electoral Systems (IFES)
Paul Guerin	International Foundation for Electoral Systems (IFES)
Sophia Fernandes	International IDEA
Tom Cormier	International IDEA
Darin Bielicki	International Republican Institute (IRI)
Nyi Nyi Aung	Local Resource Center
Kyaw Swa Swe	Loka Ahlinn Social Development Network
Myo Tha Htet	Mizzima Media Group
Yatanar Htun	Myanmar ICT for Development Organization (MIDO)
Maw Zin	Myanmar Institute of Democracy (MID)
Khin Maung Win	Myanmar Legal Aid Network (M-LAW)
Min Zaw Oo	Myanmar Peace Center
Kyaw Lin Oo	Myanmar People's Forum Working Group (MPWG)
MP Aung San Suu Kyi	National League for Democracy (NLD)
MP Mahn Johnny	National League for Democracy (NLD)
MP Phyo Min Thein	National League for Democracy (NLD)
Chamtha Kyaw	Pandita Development Institute
Pyo Tin Oo	Pandita Development Institute
Sai Ye Kyaw Swar Myint	People's Alliance for Credible Elections (PACE)
Toe Naing Mann	Redlink Communications
Myo Win	Smile Education & Development Foundation
Frederick Rawski	The Carter Center
Kyaw Zwa Moe	The Irrawaddy
Peter McDermott	UK Department for International Development (DFID)
Chairman Tin Aye	Union Election Commission (UEC)
Commissioner Aung Myint	Union Election Commission (UEC)
Commissioner Myint Kyi	Union Election Commission (UEC)
Commissioner Nyunt Tin	Union Election Commission (UEC)
Commissioner Win Kyi	Union Election Commission (UEC)
Secretary Tin Tun	Union Election Commission (UEC)
MP Shu Maung	Union Solidarity and Development Party (USDP)
Andrea Sawka	United States Agency for International Development (USAID)
Michael Ronning	United States Agency for International Development (USAID)
Myat Thu	Yangon School of Political Science (YSPS)

APPENDIX C: MAP OF MYANMAR AND ITS REGIONS

MYANMAR
States/ Divisions & Townships
Overview Map

MIMU

Myanmar Information
Managment Unit

IASC

The Myanmar Information Managment Unit (MIMU) is an Inter-Agency Standing Committee (IASC) common service providing information management services, including GIS mapping and analysis, to the humanitarian and development actors both inside and outside of Myanmar.

Ayeyarwady Division
1 Bogale
2 Danubyu
3 Dedaye
4 Einme
5 Hinthada
6 Ingapu
7 Kangyidaunt
8 Kyaiklat
9 Kyangin
10 Kyaunggon
11 Kyonpyaw
12 Labutta
13 Lemyethna
14 Maubin
15 Mawlamyinegyun
16 Myanaung
17 Myaungmya
18 Ngapudaw
19 Nyaungdon
20 Pantanaw
21 Pathein
22 Pyapon
23 Thabaung
24 Wakema
25 Yegyi
26 Zalun

Bago East Division
27 Bago
28 Daik-U
29 Kawa
30 Kyaukkyi
31 Kyauktaga
32 Nyaunglebin
33 Oktwin
34 Phyu
35 Shwegyin
36 Tantabin
37 Taungoo
38 Thanatpin
39 Waw
40 Yedashe

Bago West Division
41 Gyobingauk
42 Letpadan
43 Minhla
44 Monyo
45 Nattalin
46 Okpho
47 Padaung
48 Pauk Kaung
49 Paungde
50 Pyay
51 Shwedaung
52 Thayarwady
53 Thegon
54 Zigon

Chin State
55 Falam
56 Hakha
57 Htantlanghsu
58 Kanpetlet
59 Madupi
60 Mindat
61 Paletwa
62 Tiddim
63 Tonzang

Kachin State
64 Bhamo
65 Chipwi
66 Hpakan
67 Injangyang
68 Kawnglanghpu
69 Machanbaw
70 Mansi
71 Mogaung
72 Mohnyin
73 Momauk
74 Myitkyina
75 Nogmung
76 Puta-O
77 Shwegu
78 Sumprabum
79 Tanai
80 Tsawlaw
81 Waingmaw

Kayah State
82 Bawlakhe
83 Demoso
84 Hpasawng
85 Hpruso
86 Loikaw
87 Mese
88 Shadaw

Kayin State
89 Hlaingbwe
90 Hpa-An
91 Hpapun
92 Kawkareik
93 Kyain Seikgyi
94 Myawaddy
95 Thandaung

Magway Division
96 Aunglan
97 Chauk
98 Gangaw
99 Kamma
100 Magway
101 Minbu
102 Mindon
103 Minhla
104 Myaing
105 Myothit
106 Natmauk
107 Ngape
108 Pakokku
109 Pauk
110 Pwintbyu
111 Salin
112 Saw
113 Seikphyu
114 Sidoktaya
115 Sinbaungwe
116 Taungdwingyi
117 Thayet
118 Tilin
119 Yenangyaung
120 Yesagyo

Mandalay Division
121* Amarapura
122* Aungmyaythazan
123* Chanayethazan
124 Chanmyathazi
125 Kyaukpadaung
126 Kyaukse
127 Lewe
128* Madaya
129 Mahaaungmyay
130 Mahlaing
131 Meiktila
132 Mogoke
133 Myingyan
134 Myittha
135 Natogyi
136 Ngazun
137 Nyaung-U
138 Patheingyi
139* Pyawbwe
140 Pyigyitagon
141 Pyinmana
142 Pyinoolwin
143 Singu
144 Sintgaing
145 Tada-U
146 Tatkon
147 Taungtha
148 Thabeikkyin
149 Thazi
150 Wundwin
151 Yamethin

Mon State
152 Bilin
153 Chaungzon
154 Kyaikmaraw
155 Kyaikto
156 Mawlamyine
157 Mudon
158 Paung
159 Thanbyuzayat
160 Thaton
161 Ye

Rakhine State
162 Ann
163 Buthidaung
164 Gwa
165 Kyaukpyu
166 Kyauktaw
167 Maungdaw
168 Minbya
169 Mrauk-U
170 Munaung
171 Myebon
172 Pauktaw
173 Ponnagyun
174 Ramree
175 Rathedaung
176 Sittwe
177 Thandwe
178 Toungup

Sagaing Division
179 Ayadaw
180 Banmauk
181 Budalin
182 Chaung-U
183 Hkamti
184 Homalin
185 Indaw
186 Kale
187 Kalewa
188 kanbalu
189 Kani
190 Katha
191 Kawlin
192 Khin-U
193 Kyunhla
194 Lahe
195 Lay Shi
196 Mawlaik
197 Mingin
198 Monywa
199 Myaung
200 Myinmu
201 Nanyun
202 Pale
203 Paungbyin
204 Pinlebu
205 Sagaing
206 Salingyi
207 Shwebo
208 Tabayin
209 Tamu
210 Taze
211 Tigyaing
212 Wetlet
213 Wuntho
214 Ye-U
215 Yinmabin

Shan State (East)
216 Kengtung
217 Matman
218 Monghpyak
219 Monghsat
220 Mongkhet
221 Mongla
222 Mongping
223 Mongton
224 Mongyang
225 Mongyawng
226 Tachileik

Shan State (North)
227 Hopang
228 Hseni
229 Hsipaw
230 Konkyan
231 Kunlong
232 Kutkai
233 Kyuakme
234 Lashio
235 Laukkaing
236 Mabein
237 Manton
238 Mongmao
239 Mongmit
240 Mongyai
241 Muse
242 Namhsan
243 Namphan
244 Namtu
245 Nankhan
246 Nawnghkio
247 Pangsang
248 Pangwaun
249 Tangyan

Shan State (South)
250 Hopong
251 Hsihseng
252 Kalaw
253 Kunhing
254 Kyethi
255 Laihka
256 Langkho
257 Lawksawk
258 Loilen
259 Mawkmai
260 Monghsu
261 Mongkaung
262 Mongnai
263 Mongpan
264 Nansang
265 Nyaungshwe
266 Pekon
267 Pindaya
268 Pinlaung
269 Taunggyi
270 Ywangan

Tanintharyi Division
271 Bokpyin
272 Dawei
273 Kawthoung
274 Kyunsu
275 Launglon
276 Myeik
277 Palaw
278 Tanintharyi
279 Thayetchaung
280 Yebyu

Yangon Division
281* Ahlone
282* Bahan
283* Botahtaung
284* Cocokyun
285* Dagon
286* Dagon Myothit(East)
287* Dagon Myothit(North)
288* Dagon Myothit(Seikkan)
289* Dagon Myothit(South)
290* Dala
291* Dawbon
292* Hlaing
293* Hlaingtharya
294 Hlegu
295 Hmawbi
296 Htantabin
297* Insein
298* Kamaryut
299 Kawhmu
300 Kayan
301 Kungyangon
302* Kyauktada
303 Kyauktan
304* Kyeemyindaing
305* Lanmadaw
306* Latha
307* Mayangone
308 Mingaladon
309* Mingalartaungnyunt
310* North Okkalapa
311* Pabedan
312* Pazundaung
313* Sanchaung
314* Seikgyikanaungto
315* Seikkan
316* Shwepyithar
317* South Okkalapa
318 Taikkyi
319* Tamwe
320* Thaketa
321 Thanlyin
322* Thingangkuun
323 Thongwa
324 Twantay
325* Yankin

* Does not appear on the map at this scale

Arunashal Pradesh
Indian Line
Chinese Line

KACHIN STATE
Myitkyina

INDIA
CHINA

BANGLADESH

SAGAING DIVISION

Hakha
Lashio
SHAN STATE (NORTH)

CHIN STATE
Monywa
Mandalay
MANDALAY DIVISION
Kengtung
SHAN STATE (EAST)

SHAN STATE (SOUTH)
Taunggyi
LAO P.D.R

MAGWAY DIVISION
Magway
Nay Pyi Taw

Sittwe
Loikaw
KAYAH STATE

RAKHINE STATE

Pyay
BAGO DIVISION (WEST)
BAGO DIVISION (EAST)

Bago
MON STATE
KAYIN STATE
Hpa-An
Mawlamyine
THAILAND

AYEYARWADY DIVISION
Pathein
Yangon
YANGON DIVISION

TANINTHARYI DIVISION

Myeik

Elevation
meters from sea level

High : 7,000 meters
Low : <= sea level

2000 Estimated Population Density
people per square km

Mandalay
Yangon

High : 40,400 people per square km
Low : 4 people per square km

0   250   500 Kilometers

Disclaimer: The names shown and the boundaries used on this map do not imply official endorsement or acceptance by the IASC membership.

Source: Boundaries-Ministry of Health 2001, modified by UN RC's Office 2004; Place names-Ministry of Home Affairs (GAD) and Ministry of Agriculture & Irrigation (SLRD) translated by MIMU; Population-Govt of Myanmar, adjusted by FAO and CIESEN 2000; Elevation-SRTM 90 meter resolution from NASA/USGS.

Map Created by: Myanmar Information Management Unit
Creation Date: December 2007
Map ID: MIMU001