

Feature: Myanmar's Historic Elections

*Jonathan Stonestreet, Maura Scully, and Justin Cradit**

In 2015, Myanmar overcame decades of entrenched mistrust between the government, civil society, political parties and voters to host an election leading to a peaceful transition of power. As the new government stands ready to take their seats and tackle the challenges that remain with Myanmar's transition to democracy, it is worth considering the factors that have facilitated this change.

From 1962 to 2011, Myanmar was ruled by military regimes. Prior to 2015, the country held only two multi-party national elections (in 1990 and 2010)—neither of which resulted in a transfer of power to a genuine civilian government. The 2010 election was the result of a seven step roadmap to transition to democracy issued in 2003. This roadmap included establishing the 2008 Constitution, which, while an important step towards democracy, maintained 25 percent of parliamentary seats for the military (giving the military veto power over constitutional reform), kept key ministries under the control of the military, and effectively barred opposition leader Aung San Sui Kyi from becoming president due to her family's citizenship status.

The 2010 elections resulted in a transfer of power to a nominally civilian government, but the Union Solidarity and Development Party (USDP), a party composed of former military generals, won a majority in both chambers of parliament. The main opposition party, the National League for Democracy (NLD), led by Aung San Suu Kyi, boycotted the election. Though more credible by-elections were held in 2012, doubts lingered over whether the military and the USDP-led government would permit credible elections in 2015. The international and domestic community were concerned about whether a credible election could be held given the legal limitations set out in the 2008 Constitution, the challenges facing the administration of the elections and the potential for disenfranchisement.

The Union Election Commission (UEC), Myanmar's election management body, was the institution responsible for coordinating the 2015 elections. A major challenge the institution faced was a long-standing lack of trust in its impartiality. Although the UEC is constitutionally independent from the government, its members are appointed by the president. Political parties, the media and civil society questioned whether it would fairly administer the elections. Perhaps the highest-profile issue that the UEC faced in the run-up to the 2015 elections was the voter list. In previous elections, observers criticized the decentralized, largely hand-written list for being inaccurate and open to manipulation as the list was not secure.

Although Myanmar is a diverse country, home to over 130 ethnic groups and a large population of internally displaced persons, the pre-election period also saw a growth in Burman nationalism and anti-Muslim sentiment propagated by extremist Buddhist groups such as Ma Ba Tha. The government's cancellation of temporary registration cards in early 2015 resulted in the disenfranchisement of hundreds of thousands of ethnic and religious minorities. This decision particularly affected the marginalized Rohingya community, who are already living in conditions that prevent them from exercising most civil and political rights, including basic freedom of movement.

Parallel to election preparations, Myanmar conducted a ceasefire negotiation between the military and ethnic armed groups (EAGs), which was intended to end one of the world's longest civil wars. This resulted in the signing of the nationwide ceasefire agreement by the government and eight EAGs in October 2015. Despite this, voting was cancelled in five townships and 403 village tracts, primarily in Shan State, Kachin State and Kayah State. As a result of the cancellations, seven seats in the lower house of the parliament and 14 Shan State assembly seats remain vacant.

Dear Reader,

Happy New Year! The February 2016 edition of the ACE Newsletter highlights:

- Feature: Myanmar's Historic Elections
- The latest questions and discussions on the Practitioners' Network
- ACE Encyclopaedia: The Latest Updates
- New Publications by ACE partner organizations

The ACE Electoral Knowledge Network promotes credible and transparent electoral processes with an emphasis on sustainability, professionalism, and trust in the electoral process. ACE offers a wide range of services related to electoral knowledge, assistance, and capacity development.

Thank you for reading February's newsletter and for your involvement with ACE. We look forward to your contributions to the Network!

Best regards,

The ACE Electoral
Knowledge Network

Yet on November 8, 2015, more than 20 million people queued at polling stations across Myanmar to vote in the country's first competitive national elections since 1990, with turnout reaching approximately 69 percent. Voters cast their ballots for members of two houses of the national parliament and 14 state and regional legislatures. The vote took place peacefully, and NLD won a large majority in both houses of parliament. Both the military and USDP stated that they accepted the outcome and that they were willing to work with the incoming NLD-led government.

Based on preliminary findings of The Carter Center and other international and domestic observers, Election Day surpassed expectations. The people of Myanmar exercised their political rights and demonstrated their commitment to the democratic process as voters, observers, political party agents and polling officials. The polling and counting processes were generally well-conducted, with 95 percent of monitored stations assessed as "very good" or "good." Furthermore, the polls were competitive: more than 90 parties ran candidates, and candidates were generally able to campaign freely in most areas of the country.

Nevertheless, there were some significant shortcomings. For instance, little to no provisions were made for the observation of the casting of out-of-constituency advance ballots by the military, security forces, and civil servants, raising questions about the integrity of the process. In addition, the tabulation of votes was not conducted transparently in a few constituencies observed, with observers denied meaningful access to the process.

Despite concerns about the voter list before the election, the vast majority of registered voters were able to vote on Election Day. Observers reported that only seven percent of monitored stations saw voters turned away due to their name not being on the list and, even in those stations, small numbers were turned away. Observers also commended the UEC's efforts to make the list as inclusive and accurate as possible within a limited timeframe. This was a result of the UEC's efforts to correct the voter list through two national display periods when eligible voters could verify their names, as well as a concerted effort to involve stakeholders in the process.

During the year, the UEC worked to collaborate with stakeholders on a variety of electoral issues. The UEC institutionalized

national and regional meetings with both civil society and parties and worked together to develop materials, such as codes of conduct, through a consultative process. In partnership with civil society and parties, the UEC also conducted a national voter education campaign and provided them with voter education materials to use in their own outreach efforts.

Civil society played an important part in the 2015 elections, both in election observation and in outreach to voters. The UEC accredited 31 organizations to observe elections, and numerous CSOs undertook efforts to increase the participation of traditionally marginalized groups. The Myanmar Independent Living Initiative (MILI) and Yangon Chi Thit (YCT), both supported by the International Foundation for Electoral Systems (IFES), were two such organizations. The work of MILI, a disabled persons' organization, led to the adoption of new election regulations to support persons with disabilities and the piloting of accessible polling sites and braille ballot guides. YCT also played an important role in the 2015 elections, implementing a women's leadership program entitled *She Leads* that trained more than 500 women to participate in the election.

This snapshot of challenges and improvements illustrates the complex electoral environment in which Myanmar held the 2015 elections. Without a committed electorate, active civil society, engaged political parties and an election commission open to improving the electoral process, the elections would have likely had a different outcome. Still, it is important to note that significant challenges remain, including improving the legal framework for elections, undertaking constitutional reform, strengthening the independence of the UEC, addressing disenfranchisement and citizenship issues, making the advance voting process more transparent, developing civic education programs, and advancing the peace process. The extent to which the new government is able to make progress on these issues will shape the environment for the successful conduct of the 2020 elections.

** This article is the result of collaboration between Jonathan Stonestreet, Maura Scully, and Justin Cradit. Jonathan is an Associate Director in the Carter Center's Democracy Program and manages projects in Burundi and Myanmar. Maura is a Program Coordinator and Justin is Program Associate for the International Foundation for Electoral Systems Myanmar team.*

Practitioners' Network

Since September, over **600 members** logged on to the Practitioners' Network and shared their experiences, knowledge and expertise through **54 contributions** to questions asked by their peers. Recent questions include [External Relations Staffing Best Practices](#), [Online candidate nomination](#), [Peer-to-Peer Capacity Building](#), [Electoral participation of domestic migrants](#), and [Political parties binding elected members in voting](#).

[Consolidated replies](#) are published summaries of the discussions on the Practitioners' Network. The following page highlights some of the consolidated replies published since September. Dozens of questions have been consolidated already, so be sure to look [here](#) for a full overview.

Join the Network!

- Are you an election practitioner with expertise and experience?
- Are you not yet a member of the ACE Practitioners' Network?

If so, submit an application to be a member of the Practitioners' Network now: www.aceproject.org/apply.

Recent Consolidated Replies

[Collecting Population Data for Boundary Delimitation : Alternative Practices](#)

If constituency delimitation is required, but the delimiting authorities do not have accurate population figures, what alternative practices have PN members employed (or witnessed) to establish voting constituencies and districts, where this data is absent?

[Citizen Police Officers at Polling Stations](#)

Burma is slated to hold parliamentary elections in November 2015. The Myanmar Police Force (MPF) is seeking to recruit more than 20,000 special police officers to bolster security at polling stations nationwide during the general election.

These "special police officers" will be citizens employed temporarily as police officers. Selection criteria remain unclear, though it seems any man in general health from the age of 18-60 is eligible. The special police will reportedly provide security around polling stations and wear police uniforms.

What other countries, if any, have employed this approach for hiring and using citizens as police around elections?

For these countries, what have been the roles and responsibilities of these "special" or auxiliary police?

For related cases, are there any best practices for employing citizens as special police?

For related cases what, if anything, went wrong and should be avoided?

Note: An update from [The Irrawaddy](#) indicates that over 40,000 special police have been hired for Burma's 2015 elections

[Time Sensitive: Prohibiting government from making statements before election](#)

There are "purdah" rules in some countries, which are the rules – whether constitutional, statutory, or conventional – prohibiting the government, in a period immediately before an election or referendum, from making statements or undertaking actions, that might influence the outcome of the vote.

During this period (usually 28 days in the UK), the government is said to be 'in purdah.'

Does anyone have information about similar comparative practices, particularly in other European democracies?

[Monitoring and Evaluation and Risk Management for EMBs](#)

The National Electoral of Sierra Leone in its 2015-2019 Strategic Plan titled "Consolidation for Sustainability" has identified key issues such as monitoring and evaluation and risk management. I would like to get relevant information about the issues related to the development of M&E, Post Elections Audits and Risk Management Frameworks.

Please help me with relevant suggestions as to the contents of such documents and any other relevant information that might be of help in the development and implementation of such programmes within the Commission's operations.

[Electoral reforms initiated by state stakeholders](#)

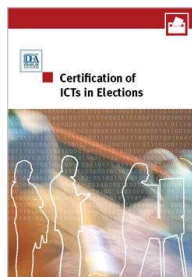
Can cases be cited where an EMB, legislative body, or judiciary initiated reforms to address factors which were diminishing electoral integrity? These factors could involve voter identification and registration, political campaign practices and financing, voting problems, tabulation, or the adjudication of electoral disputes.

ACE Encyclopaedia: The Latest Updates

ACE recently completed an update of the [Voter Registration](#) Encyclopaedia topic area in Spanish and published a Focus On series about [Campaign Finance](#) by Barbara Jouan. ACE also published the following case studies: [Primary Elections in Latin America](#) by Eva Estuan, [Unexpected implications of the open lists and the parties' drive to close them – the experience of two new democracies: Bulgaria, Bosnia and Herzegovina](#) by Velko Miloev, [Zambia: Insights into EMB role and approaches of engagement](#) by Dimpho Motsamai, [Using Performance Benchmark Standards to Improve Electoral Management](#) by Toby James, [Biometric Voter Registration in Cameroon](#) by Thaddeus Menang, [Electoral Support to the Sudan Comprehensive Peace Agreement](#) Jeremy Eckstein, and [Barriers Preventing the Electoral Participation of Persons with Disabilities in Jordan](#) by Ezra Karmel.

If you would like to see a particular topic addressed in an ACE Focus On or translated into Spanish or French, please send your suggestions to facilitators@aceproject.org.

Recent Publications by ACE Partners



[Certification of ICTs in Elections](#) (International IDEA)

Certification of ICTs for use in elections is often seen as an option for EMBs seeking to provide this assurance that a technical solution fulfills legislated requirements, is secure and trustworthy, is of high quality, and will perform as expected. However, certification practice varies greatly between countries and EMBs. Some do not conduct any kind of certification, while others use very distinct processes with vast differences in scope. Certification terminology is also badly defined and applied inconsistently. Moreover, as there is currently no global technical standard for the various ICTs used in electoral processes, it is usually up to the individual EMB to develop requirements for the certification process and assure compliance.

This publication provides guidance on what the certification of ICTs for elections can and cannot achieve, outlines the relationship between the legal and technical requirements for certification, and presents a quality-assurance framework that summarizes best practices for planning and implementing certification.



CRISIS IN SYRIA:
NOW IS THE TIME TO SEEK MALE
ALLIES FOR LEADERSHIP EQUALITY



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[Crisis in Syria: Now is the Time to Seek Male Allies for Leadership Equality](#) (IFES, with the support of USAID)

Men and women in Syria point to the critical role of women during the revolution and their actions that supported the movement. So while both men and women acknowledge the importance of women's role in the revolution, *why doesn't this translate to a greater role in leadership and decision-making in Syria's political transition and in Syrian society?* Responding to and finding ways to alleviate this concern will be critical to the success of alliances between men and women in the resolution of Syria's conflict by showing them that gender equality is important for everyone and important for peace. Under the USAID funded Global Women's Leadership program, IFES set out to address this question directly with men and women in Gaziantep and Kilis, Turkey as they seek solutions to the crisis. IFES' report "Crisis in Syria: Now is the Time to Seek Male Allies for Leadership Equality" analyzes the outcomes and provides recommendations from this mission.