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Elections in Myanmar

2015 General Elections

Frequently Asked Questions

Europe and Asia

International Foundation for Electoral Systems

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Frequently Asked Questions

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Disclosure:

These FAQs reflect decisions made by the Myanmar electoral authorities as of November 2, 2015 to the best of our knowledge. This document does not represent any IFES policy or technical recommendations.

When is Election Day?

Election Day will be on Sunday, November 8, 2015 and polling stations will be open from 6 a.m. to 4 p.m.

Who is eligible to vote?

The Constitution and election laws state that a person is eligible to vote if he or she:

- Holds full citizenship, associate citizenship, or naturalized citizenship;
- Is 18 years old or older on Election Day; and
- Is registered on the voter list in his or her constituency.

Who are citizens voting for on Election Day?

Voters will directly elect representatives to the *Amyotha Hluttaw*, Myanmar's upper house of Parliament; the *Pyithu Hluttaw*, Parliament's lower house; and State and Region Assemblies on Election Day.

Some voters will also elect an Ethnic Affairs Minister. The Ethnic Affairs Ministers are elected by voters in states and regions where an ethnic community has a population equal to, or greater than, 0.1 percent of the national population of Myanmar. This rule however does not apply to ethnic minorities in a self-administered zone or division. Based on provisional census results, the population required to elect an Ethnic Affairs Minister is approximately 51,400 people.

How many registered voters are there?

There are approximately 33.5 million voters included on the voter list.

How was the voter list prepared?

Due to widespread criticism of the 2010 and 2012 voter lists, the voter list was updated for the 2015 elections through a national voter list update process, which represents the first time in Myanmar's history that such a large computerized and centralized database of names in Myanmar script was created.

Complying with Union Election Commission (UEC) Election Law Chapter 6, the data used to compile the list was based on household lists and logbooks received from the Ministry of Immigration and Population and the General Administrative Department (GAD) respectively. These are handwritten lists that have not been regularly updated and do not always include birthdates, addresses or other key information.

To address the gaps in these lists, the UEC introduced a double verification process. The lists were displayed at the ward/village tract level during two distinct periods so that eligible voters could check their names and file correction forms. The preliminary display ran from April to June 2015 and the second national voter list display ran from September 14-27, 2015. In addition, voters were able to check their

names on [a UEC website](#) and submit correction forms to their sub-commission office during the official display periods. In previous elections, the display was only held once for seven days.

Correction forms are submitted to the ward/village-tract UEC sub-commission. When the form is approved, changes are made to the voter list. For the forms that are rejected due to ineligibility or incomplete information, the individual who submitted the form should be notified within seven days of the submission date either by phone or in person from the respective sub-commissions and/or GAD. They then have three days to appeal the decision by referring the matter to the township sub-commission for adjudication.

The process should be finalized by the end of October so that lists can be printed in advance of polling. On Election Day, voter names will be checked against these lists.

What is the structure of the government?

The national government of Myanmar consists of three different branches of government:

- The executive branch consisting of the President and two Vice Presidents;
- The legislative branch made up of the upper and lower houses of Parliament; and
- The judicial branch consisting of the Supreme Court, Constitutional Tribunal and Court Martial.

Each state and region also has a government that consists of:

- A Chief Minister;
- A Legislative Assembly; and
- A Judiciary.

Are there reserved seats for women? What is the gender balance within the candidate list?

Myanmar does not have reserved seats for women. Of the 6,072 candidates, 800 candidates are women, which is approximately 13 percent of the candidates.

What is the election management body? What are its powers?

The election management body is the Union Election Commission (UEC). The UEC is led by Chairman U Tin Aye and currently consists of 17 Commissioners. The UEC is a mixed electoral management body staffed by an independent election commission and secretariat, as well as countrywide sub-commissions mostly staffed by members and supported by the General Administration Department.

The UEC is responsible for organizing elections; compiling a voter list; informing and educating the electorate using mass media; registering political parties and vetting candidate nominations; training all

their staff on operations and procedures; conducting polling and counting; resolving electoral disputes; and verifying and announcing the results. The UEC has the power to:

- Designate constituency boundaries;
- Prepare, amend and review the voting list;
- Postpone or cancel elections;
- Issue the certification of recognition as a parliamentary representative;
- Form election tribunals to review electoral disputes; and
- Supervise political parties to ensure they are complying with the laws.

The commission is made up of several sub-national offices including:

- 15 state/region sub-commissions and the Naypyitaw Union Territory
- 79 district sub-commissions (including six special administered zones and divisions)
- 330 township sub-commissions
- 15,870 ward/village tract sub-commissions

The ward/village tract sub-commissions are staffed by individuals from the General Administrative Department.

How many polling places are set up on Election Day?

There will be an estimated 41,000 polling stations on Election Day.

Where have elections been cancelled?

In October, the Union Election Commission announced areas where elections have been cancelled due to security concerns. The areas include seven townships in Shan State and approximately 450 village tracts in 27 other townships in Bago, Kachin, Kayin, Mon and Shan State, which represent 2.6 percent of all ward and village tracts in Myanmar.

Is out-of-country voting allowed?

Myanmar allows out-of-country voting. To be eligible to register for out-of-country voting, individuals must be:

- Legally out of the country;
- Provide documentation that they are over 18 years old;
- Hold a form of citizenship; and
- Prove that their name is included on the voter list in their home constituency.

The registration period closed on September 20, and 34,697 individuals registered for out-of-country voting. This is an 80 percent increase from the number of out-of-country registered voters for the 2010 election.

Is there advance voting in Myanmar?

Yes, per Section 45 of the Election Law, if a voter has to work on Election Day or is not in the constituency where he or she is registered, he or she can vote through advanced voting procedures. There are two categories of advance voting outlined in the by-laws: inside constituency and outside constituency.

Individuals that can register for inside constituency advance voting include:

- Those who are elderly, sick or giving birth;
- Individuals in custody; or
- Military, civil service and police officials.

Civil servants that work on the election will vote before Election Day between October 29 and November 6. Other voters eligible for inside constituency advance voting can vote between 6 a.m. and 4 p.m. on November 6 and 7. If voters are unable to vote at their ward/village tract sub-commission office, an advance voting team will come to their home so they can cast their vote. The voting process for inside constituency advanced voting is the same as in a polling station. The ballots for the elections will be cast in the advance voting ballot box at each polling station. On Election Day, the advance voting ballot box will be delivered to each the polling station before 6 a.m. and counted at polling station after closing.

Individuals who can register for outside constituency voting include:

- Defense services personnel and members of their households;
- Students;
- Detainees; or
- In-patients who are undergoing medical treatment in a hospital.

For outside constituency advance voting, eligible voters may request to vote in advance. The township sub-commission will then send advance ballots and envelopes to the relevant institution or military unit. The military commanders or department heads will collect the envelopes containing the advance votes, check the ward/village tract names and polling station numbers and send the envelopes back to the relevant township sub-commission. Outside constituency advance voting will be counted after the polling station closes.

What integrity measures are being used to prevent fraud in the polling station?

For the first time, the Union Election Commission will use serial numbered plastic seals to prevent tampering with ballot boxes and will also use indelible ink applied to the voter's left little finger to prevent multiple voting. The counting of the results will also be witnessed by observers and agents and will be posted at the polling station.

How will voters with disabilities cast their ballots?

Voters with disabilities will be able to cast their ballots with assistance from a person of their choice. Polling stations entrances and exits should have ramps and be wide enough to facilitate access. Voting booths and ballot boxes will be at a height that is easily accessible. Signs will be posted that include sign language or photos to ensure that voters are aware of how to cast their vote.

Are there any Codes of Conducts?

Yes, there are five newly established electoral Codes of Conduct for polling staff, political parties and candidates, international and domestic observers, members of the media and the Myanmar Police Force.

Who is managing security on Election Day?

The President established Electoral Security Management Committees to coordinate electoral security concerns for each state and region. The committees are led by the Ministry for Security and Border Affairs at the state and regional level and consist of other members of state/region governments, the Union Election Commission sub-commissions and the Myanmar Police Force, which is in charge of enforcing security on Election Day. The Myanmar Police Force has recruited 40,000 auxiliary police, who will be placed around the polling stations, but are not allowed to enter unless their support is requested.

Will the national ceasefire agreement impact the elections?

The electoral and peace processes are not institutionally linked. The electoral timeframe is constitutionally mandated whereas the peace process is open ended. Since 2011, many bilateral ceasefires have been signed or renewed and this has culminated in a Nationwide Ceasefire Agreement (NCA), which was signed on October 15, 2015. Eight ethnic armed groups out of more than 18 signed the NCA. The government will keep the political dialogue open with non-signatories.

How will election results be counted?

Regular voting and inside constituency advance voting ballots will be counted by polling station staff at each polling station. Outside constituency advance voting will be counted at the township sub-commission

level. First the ballot papers will be counted and checked to make sure they are valid or invalid. Then the polling station agents will count the number of voters for each candidate. Ballots will be counted beginning with advance voting ballots, lower house candidates, upper house candidates, State and Regional Assembly candidates and then Ethnic Affairs Minister candidates.

Domestic and international observers as well as party agents will be allowed to witness the counting process. Results forms will be signed by six polling station members and at least four party agents and/or witnesses, which can include voters. Results forms will be sent from each polling station to the township sub-commissions. Results will then be aggregated at the division level to scan and upload to the Union Election Commission's results website, where they will be accessible for review.

Who can observe during Election Day? How can they get accreditation?

Political party agents and candidate agents will observe the voting at polling stations on Election Day. The 2015 elections will also be the first time international and domestic observers can officially observe elections in Myanmar. Observers can request accreditation by submitting an application form to the Union Election Commission (UEC). The UEC will review applications and issue an accreditation certification and identification card to the observers they have approved.

When will official results be announced?

Preliminary results for the national Parliament and State and Regional Assemblies may be announced within a few days after the election. Results from remote areas are expected to be received within seven to 14 days due to the length of time it will take to count and verify ballots. There is no legal deadline for the announcement of the results. The results forms will be received and scanned at the district level first, and announced at region/state levels. Results forms will be archived at the national level, within the offices of the Union Election Commission.

How will election disputes be adjudicated?

Election disputes will be adjudicated by the Union Election Commission (UEC). The authority for the adjudication depends on the specific allegation. Post-election complaints pertaining to the results are adjudicated by an election tribunal established by the UEC. The election tribunal will hold an investigation and public hearing for each claim. The tribunal will then respond based on the deadlines set out in the election laws.

Can elections be held in flood affected areas?

As of October 22, the Union Election Commission does not anticipate that flooding will impact its ability to hold elections in flood-affected areas and will hold elections in these locations on November 8. The Union Election Commission continues to monitor the areas that are flood affected and make preparations to accommodate these locations.

How will the President be elected?

Voters will not directly elect the President. The President will be elected by representatives of both houses of Parliament through the formation of a presidential electoral college following the elections.

The elected and appointed representatives of Parliament will form a presidential electoral college comprised of three groups that include the following representatives:

1. Elected representatives to the upper house;
2. Elected representatives to the lower house; and
3. Appointed military representatives to both houses of Parliament.

Each group will nominate a single candidate for the presidency. The three candidates can be chosen from elected and appointed representatives to Parliament, or be any person that is not a Member of Parliament that meets eligibility criteria established under Article 59 of the 2008 Constitution. Under Article 59, qualified candidates must be citizens who are at least 45 years old and have lived in Myanmar for 20 years. Candidates' immediate family members must also be citizens and not hold foreign citizenship, which effectively bars opposition leader Aung San Suu Kyi from becoming President because her children hold British citizenship as did her late spouse.

In addition, Article 59 states nominees must meet the requirements for standing as candidates in Parliament and be loyal to Myanmar and its citizens as well as possess knowledge of the country's political, administrative, economic and defense affairs.

Parliament then holds elections. Each Member of Parliament from both houses will cast a single vote for his or her preferred presidential candidate. The candidate with the most votes will become the President, and the other two candidates will become Vice Presidents.

When will the President be elected?

In 2010 this process took three months following Election Day. It is possible that the process could take a similar or longer period of time in 2015, meaning that a President may not be elected until early to mid-2016.

Resources

- [ElectionAccess.org: Myanmar](#)
- [Myanmar Electoral Resource and Information Network: English Resources](#)
- [Myanmar 2015 General Elections Fact Sheet](#)
- [Myanmar 2015 General Election Infographic](#)
- [Myanmar Voter List Update](#)
- [Myanmar Information Management Unit](#)