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Elections in Myanmar

2017 Legislative By-Elections

Frequently Asked Questions

Asia-Pacific

International Foundation for Electoral Systems

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March 27, 2017

Frequently Asked Questions

When is Election Day?.....	1
Who are citizens voting for on Election Day?.....	1
Who is eligible to vote in the by-elections?.....	1
Who is not eligible to vote in the by-elections?	1
How many registered voters are there in by-election constituencies?.....	1
How was the voter list prepared?.....	1
What is the structure of the government?	2
Are there reserved seats for women? What is the gender balance within the candidate pool?.....	3
What is the election management body? What are its powers?	3
How many polling places are set up on Election Day?	4
Will the on-going peace process affect by-elections?	4
What integrity measures are being used to prevent fraud in the polling station?	4
How will voters with disabilities cast their ballots?.....	4
Are there any codes of conduct?	5
Who is managing security on Election Day?	5
How will election results be counted?.....	5
Who can observe during Election Day? How can they get accreditation?	5
When will official results be announced?	6
How will election disputes be adjudicated?	6
Resources	7

Disclosure:

These FAQs reflect decisions made by the Myanmar elections authorities as of March 27, 2017, 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 Saturday, April 1, 2017 and polling stations will be open from 6 a.m. to 4 p.m.

Who are citizens voting for on Election Day?

Voters will directly elect representatives to 19 seats on Election Day including three seats out of 168 elected seats in the *Amyotha Hluttaw*, Myanmar's upper house of Parliament; nine seats out of 330 elected seats in the *Pyithu Hluttaw*, Parliament's lower house; and seven seats across two of the 14 state and region assemblies.

Who is eligible to vote in the by-elections?

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.

To vote in the by-elections, a person must also be registered as a resident in one of the 19 constituencies where by-elections will be held.

Who is not eligible to vote in the by-elections?

Myanmar's election laws state that the following persons are not eligible to vote:

- Members of religious orders;
- Convicts;
- Persons judged to be of unsound mind by a relevant court;
- Persons who have not yet been discharged from bankruptcy;
- Persons who have committed a violation of the electoral law; or
- Foreigners or persons who have assumed foreign citizenship.

How many registered voters are there in by-election constituencies?

There are approximately 2.1 million voters registered in constituencies that will hold by-elections, which is approximately six percent of all eligible voters in Myanmar.

How was the voter list prepared?

Following a review of recommendations from the 2015 elections, the Union Election Commission (UEC)

decided that it would conduct a door-to-door verification of the voter list and hold a voter list display to update eligible voter information for the 2017 by-elections. The door-to-door verification process began across the 19 by-election constituencies in November 2016 to correct information and to organize voters by household, an important recommendation following the 2015 elections. Following the door-to-door verification, 226,090 registrants were added to the voter list and 228,828 registrants were removed from the voter list during data entry that occurred from December to January, prior to the voter list display.

Voter lists were displayed in the 19 by-election constituencies from February 1 through February 14, 2017 at the ward/village tract level so that eligible voters could check their names. In addition, voters could check their individual names on [a UEC website](#).

During the display, voters could submit correction forms at a ward/village-tract UEC sub-commission. Corrections that could be filed included adding an individual to the voter list, such as voters that reached 18 years of age after the 2015 elections; removing a deceased person from the voter list; transferring a voter record to a new constituency; and correcting information in voter records for misspelling or inaccurate data fields such as date of birth, address, identity card number or parents' names. After the form is approved, changes are made to the voter list.

The UEC completed data entry for corrections submitted during the voter list display by mid-March. The voter list will be printed in time to be posted at polling stations on March 17. From March 17 to 25, eligible voters will have a final opportunity to submit corrections to be included in the final voter list. On Election Day, voter names will be checked against this list.

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, the Constitutional Tribunal and the Courts 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 pool?

Myanmar does not have a quota or reserved seats for women. Of the 96 candidates, 17 candidates are women, which is approximately 18 percent of the candidates contesting the by-elections. This represents a slight improvement from 2015 where 13 percent of candidates were women.

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

The election management body in Myanmar is the Union Election Commission (UEC). The UEC is led by Chairman U Hla Thein and currently consists of four commissioners. The UEC is a mixed electoral management body composed of a constitutionally mandated independent election commission, the UEC, and secretariat, as well as countrywide sub-commissions mostly staffed by members and supported by the General Administration Department, as well as the Ministry of Immigration and Population and various line ministries with offices at the township and ward/village tract administration levels. The UEC also has several levels of sub-national offices including at the ward/village, townships, district and state/region level.

The commission 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 its 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 results, recognizing 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 including the Naypyitaw Union Territory;
- 79 district sub-commissions (including six specially administered zones and divisions);
- 330 township sub-commissions; and
- 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 2,000 polling stations across the 19 by-election constituencies on Election Day, with an expected 1,500 to 2,000 voters per polling station.

Will the on-going peace process affect by-elections?

By-elections are scheduled in Kyethi and Mongshu townships in Shan State where elections were held in 2010, but cancelled in 2015 due to security concerns. The Shan State Army North, which is based in the area surrounding Kyethi, is not a signatory to the Nationwide Ceasefire Accord that was signed in 2015. Conflict could arise in the area immediately surrounding Kyethi and Mongshu before by-elections, which could affect the UEC's ability to administer polling. The UEC will consult political parties and assess the security situation in the weeks leading up to Election Day to determine if any additional security measures should be taken, such as relocating some polling stations to more secure areas within these townships.

An outcome of the 2015 elections was that very few ethnic political parties successfully contested seats in national and regional legislative assemblies. The by-elections will present an opportunity for ethnic political parties to gain representation in national and regional assemblies. Twelve contested seats are in ethnic states and over 10 ethnic political parties will be represented in the 2017 by-elections. Although the by-elections and the peace process in Myanmar are not directly linked, the by-elections come at a crucial time in the peace process as stakeholders prepare to engage in political dialogue mechanisms.

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

The UEC will use four serial-numbered tamper proof plastic seals to prevent tampering with ballot boxes as well as apply indelible ink to voters' left little fingers to prevent multiple voting. The counting of the ballots will also be witnessed by international and domestic observers and political party agents and the results will be posted publicly at each polling station. In addition, two security officers at each polling station will check that each voter's finger has not been inked prior to entering, and inked prior to leaving 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. Voting booths and ballot boxes will be at a height that is easily accessible. Signs will also be posted that include photos to ensure that voters are aware of how to cast their vote without having to read procedures. In addition, the polling manual includes improved guidelines for implementing inclusive polling operations and assisting voters with visual, physical, hearing and intellectual disabilities.

Are there any codes of conduct?

Yes, there are five 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 UEC sub-commissions and the Myanmar Police Force, which is in charge of enforcing security on Election Day. The Myanmar Police Force will recruit auxiliary police who will be placed around the polling stations.

How will election results be counted?

After polling has concluded, ballots cast on Election Day and ballots cast in advance within the constituency will be counted by polling station staff at each of the 2,000 polling stations. During counting, polling officials and political party agents will verify whether ballots represent a valid or invalid vote. Valid votes will be tallied per candidate, while invalid votes will be recorded, but not tallied for a candidate. After concluding counting at polling stations, the polling station team will fill out Form 16, which is the form to tally the total number of votes per candidate, and post a copy of it outside the polling station.

Ballots and a copy of Form 16 will then be transferred to township level sub-commissions where ballots from all polling stations in a township will be aggregated. Outside constituency advance voting will also be counted at the township sub-commission level and the results will be recorded on Form 18 and posted at township sub-commission level. After completing aggregation of all polling stations in a constituency, the township UEC offices will fill in Form 19.

After the results are verified they will be announced to candidates and the media at the UEC's state/region offices.

Domestic and international observers as well as party agents will be allowed to witness the counting process at both the polling station and township levels. Results forms will be signed by six polling station members and at least four party agents and/or witnesses, which can include voters.

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 2017 by-elections will also be the second time international and domestic observers can officially observe elections in Myanmar. Observers can request accreditation by submitting an application form to

the UEC. The UEC will review applications and issue an accreditation certification and identification card to the observers it has 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 later due to the length of time it will take to count and verify ballots. There is no legal deadline for the announcement of results. Results forms will be archived at the national level, within the offices of the UEC.

How will election disputes be adjudicated?

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 Union Election Commission (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. The decisions will be made available to the public and affixed at the respective office, and a consolidated report will be posted on the UEC website to ensure transparency of the adjudication process. If an allegation pertains to a criminal act, the hearings will be resolved in local courts.

Resources

- [Myanmar 2015 General Election Infographic](#)
- [Myanmar Electoral Resource and Information Network: English Resources](#)
- [Myanmar Information Management Unit By-Elections Locations](#)
- [Myanmar Union Election Commission 2017 By-Elections FAQs](#)