

## WILL THE WINNER TAKE ALL?

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Many in the international community believe that if the by-elections on 1 April in Burma are ‘free and fair’, Daw Aung San Suu Kyi (DASSK) and her National League for Democracy (NLD) will win all 48 seats<sup>1</sup>. Is this true? Can the NLD sweep the board?

First, while anything is possible, it is not probable. Why? The perception of a landslide is based on the 1990 general elections when the NLD won over 80% of the seats. This time with DASSK herself running, it is assumed that the results will be better. But the situation in Burma today is not what it was in 1990. Then, people were fed up with General Ne Win’s regime and euphoric about the possibility of a popular democratic transition. Today, people are hopeful that the reforms introduced by President Thein Sein in 2011 will usher in a new period of democracy and prosperity and fearful that any instability will set the reforms back.

Second, half the voting population today did not have the vote in 1990. Most were not yet born or were too young. Other than DASSK, the electorate does not know the other candidates. The NLD does not have a track record, whereas, the ruling Union Solidarity and Development Party (USDP) has delivered tangible benefits since the new government took office in April 2011.

Third, the 48 seats being contested are ‘safe’ seats of the USDP. The seats were by and large vacated by the President and his cabinet, as stipulated in the 2008 Constitution.

Fourth, the NLD took a very uncompromising stand during the 2010 general elections. Not only did it boycott the elections but it branded the other democratic parties that took part in the elections as ‘opportunists’ and ‘traitors’. The wounds have not healed. Moreover, instead of trying to build an alliance with the existing opposition parties, the NLD decided to go it alone, fielding 48 candidates<sup>2</sup>. This could split the democratic vote giving seats to the USDP.

Fifth, the NLD executive decided to parachute in key candidates into constituencies where it believes it has strong local support. This move has upset some in the party and candidates favoured by the rank and file, are running against the NLD’s candidates as independents.

Given these dynamics, it is not at all certain how many seats the NLD will win. DASSK herself will definitely win. She is very popular and a celebrity but whether that will transform into votes for her party is an open question. The party could maybe win 60% of the seats.

Therefore, it would be prudent for the international community not to jump to a conclusion that the vote was not ‘free and fair’ if the NLD does not win all the 47 seats it is contesting. This is important because the international community has set the conducting of free and fair elections for the 48 seats country-wide as a benchmark for the removal of sanctions, and allowing increased involvement from International Financial Institutions (IFIs).

Elections irregularities have been reported by the exile media, especially the Alternate ASEAN Network and Burma News International. On 21 March 2012, DASSK was also quoted as saying “*Fraud and rule violations are continuing and we can even say they are increasing.*”<sup>3</sup> In the past, as a national leader, her word could be taken at face value. However, today, her words need to be seen

<sup>1</sup> As per the 23 March 2012 announcement by the Union Election Commission, there will be no by-elections in Kachin State – 3 seats in the Pyithu Hluttaw (Lower House) – due to security reasons. 11 candidates from 5 parties and one independent are affected.

<sup>2</sup> One was disqualified by the Union Election Commission – Saw Hlaing, Upper House, Sagaing Region.

<sup>3</sup> “Western Election Observers Invited”, *Radio Free Asia*. 21 March 2012.

as that of a party leader campaigning to win an election. Impartial election monitors and observers are needed to ascertain whether the elections are truly 'free and fair'.

The government of President Thein Sein seems to have belatedly woken up to this danger and has invited international observers. But it may be a case of too little too late since there is not enough time for the observers to actually monitor the elections. The best they can do would be to deny or confirm whether the voting on 1 April is relatively 'free and fair'.

At stake are six seats in the Amyotha Hluttaw (Upper House – National Parliament) out of 224 seats; 40 seats in the Pyithu Hluttaw (Lower House – National Parliament) out of 440 seats; and two seats in two regional parliaments (Ayeyarwady and Bago) out of 884 seats.

In terms of numbers, the results of the by-elections will make no difference to the power structure. It is, however, important in terms of gauging how serious the government of President Thein Sein in terms of national reconciliation and reforms. To date, his commitment seems clear with the exception of the continued fighting in Kachin State which saw elections there cancelled.

In total, there are 158 candidates (15 parties and seven independents) competing on 1 April: 20 (7 parties) for six seats in the Upper House; 132 (14 parties & 7 independents) for 40 seats in the Lower House; and six (3 parties) for 2 seats in Ayeyarwaddy and Bago Parliaments.

**Abbreviations:**

<b>AMRDP</b>	All Mon Region Democracy Party – 1 candidate, Lower House, Mon State
<b>DP (M)</b>	Democratic Party (Myanmar) – 1 candidate, Lower House, Yangon Region
<b>KDUP</b>	Kokang Democracy and Unity Party – 1 candidate, Upper House, Shan State
<b>LNDP</b>	Lahu National Development Party – 1 candidate, Upper House, Shan State
<b>MNC</b>	Myanmar National Congress – 2 candidates, Lower House, Yangon Region
<b>MPP</b>	Modern People's Party – 1 candidate, Lower House, Ayeyarwaddy Region
<b>NNDP</b>	New National Democracy Party – 3 candidates, Lower House, Yangon Region
<b>NDF</b>	National Democratic Force – 13 candidates, Lower House
<b>NLD</b>	National League for Democracy – 48 candidates nationwide, one disqualified.
<b>NUP</b>	National Unity Party – 23 candidates nationwide, one disqualified
<b>PNO</b>	Pa-O National Organization – 1 candidate, Lower House, Shan State
<b>SNDP</b>	Shan Nationalities Democratic Party – 4 candidates, Lower & Upper House
<b>UEC</b>	Union Election Commission
<b>UMFNP</b>	Union of Myanmar Federation of National Politics – 2 candidates, L House
<b>UPP</b>	Unity and Peace Party – 4 candidates, Upper & Lower House
<b>USDP</b>	Union Solidarity and Development Party – 48 candidates nationwide

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		Vacated by	Candidates for the By-elections (01.04.2012)				
Upper House (Amyotha Hluttaw)			USDP	NUP	NLD	NDF	Other
1	Sagaing No. 3	Win Myint, Minister, Commerce	Tin Maung Win	Bo Myint Aung	Dr. Myint Naing		<b>SNDP</b> - Sai Sam Min
2	Sagaing No. 7	Khin Maung Aye, Deputy Minister, Livestock & Fisheries	Tin Mya	Chit Han	Saw Hlaing - disqualified by UEC		<b>SNDP</b> - Mar Kyin
3	Bago No. 7	Daw Cho Nwe Oo, disqualified because of not meeting citizenship requirements	Daw Than Than Nwe		Min Oo		
4	Magway No. 4	Khin Zaw, Deputy Minister, Agriculture & Irrigation	Maung Maung Win	Maung Win @ Aung Win	Aung Kyi Nyunt		<b>UPP</b> - Aung Than Tin
5	Shan State No. 3	Sai Mauk Kham @ Maung Ohn, Vice-President	Dr. Nan Kyain Phaung Tit		Sai Myint Maung		<b>KDUP</b> - Law Shin Kwan / <b>LNDP</b> - Yaw Thup
6	Ayeyawady No. 10	Dr. Myat Myat Ohn Khin, Deputy Minister, Health	Aye Kyaing	Mahn Thein Hla	Thein Swe		
Lower House (Pyithu Hluttaw)			USDP	NUP	NLD	NDF	Other
1	Phakant, Kachin State*	Ohn Myint, Minister, Cooperatives and Livestock Breeding & Fisheries	Sai Thein Tun		Dar Shi La Saing	Daw Bauk Ja	
2	Mogaung, Kachin State*	Phone Swe, Deputy Minister, Social Welfare, Relief and Resettlement	Tun Tun Aung		Daw Khin Kyi	Myat Moe Myint	<b>SNDF</b> - Than Tint Aung / <b>Independent</b> - Dr Tu Ja
3	Bhamo, Kachin State*	Lune Maung, Union Auditor General	Myint Soe	Tin Pe	Ba Myint		
4	Sagaing, Sagaing	Khin Maung Myint, Minister, Construction	Soe Naing		Khin Maung Thein		
5	Pale, Sagaing	Kyaw Hsan, Minister, Information and Culture	Htay Naing		Daw Khin San Hlaing		
6	Mingin, Sagaing	Maung Myint, Deputy Minister, Foreign Affairs	Dr. San Win	Htay Aung	Daw Khin Hmway Lwin		
7	Kyunsu, Tanintharyi	Soe Thein, Minister, Industry	Chit Than		Daw Tin Tin Yi		

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8	Launglon, Tanintharyi	Kyaw Kyaw Htay	Sein Maung		Aung Soe		
9	Taungoo, Bago	Aung Min, Minister, Rail Transportation	Dr. Daw Wai Wai Thar		Aung Soe Myint	Win Tun	
10	Htantabin, Bago	Win Tin - deceased	Kyaw Kyaw Oo	Tin Win	Sein Tun		<b>UPP</b> - Thet Oo
11	Thanatpin, Bago	<b>Arnt Gyi - disqualified because of not meeting citizenship requirements</b>	Dr. Sein Htoo	Than Hlaing	Myint Oo		
12	Letpadan, Bago	Win Myint, State Minister, Inn National Race Affairs, Shan State	Aung Thein	Win Hlaing	Kyaw Min	Daw Nan Kyu Than Win	
13	Magway, Magway	Zaw Min, Minister, Electric Power 1	Aung Thein Kyaw	Hla Myint	Myint Thein	Kyaw Sein Han	
14	Yezagyo, Magway	Soe Maung, Minister, President's Office	Boe Win		Dr. Tin Htay Aung		<b>Independent</b> - Han Shin Win
15	Myaing. Magway	Thein Tun, Minister, Communications, Posts & Telegraphs	Kyaw Myint Than		Myint Aung		
16	Pakokku, Magway	Saw Hla, Member of Nay Pyi Taw Regional Government	Kyaw Tint		Paik Ko		
17	Pwintbyu, Magway	Dr. Maung Maung Htay, Deputy Minister, Religious Affairs	Tint Lwin	Tint Lwin	Dr. Aung Moe Nyo		<b>UMFNP</b> - Kyaw Swa Sie
18	Zabuthiri, Nay Pyi Taw	Thein Sein, President	Win Htay		Daw Sandar Minn @ Shwee (88 GS, released 13.01.2012)		
19	Pobbathiri, Nay Pyi Taw	Tin Aung Myint Oo, Vice- President	Thar Htay		Phyo Zeyar Thaw @ Zeyar Thaw (Generation Wave)		<b>Independent</b> - Lwin Myint Than
20	Dekkhinathiri, Nay Pyi Taw	Myint Hlaing, Minister, Agriculture & Irrigation	Maung Shein		Naing-Ngan Lin		
21	Ottarathiri, Nay Pyi Taw	Kyaw Swar Khine, Minister, President's Office (Retd. 6.1.2012)	Hla Thein Swe	Kyi Myint	Min Thu, released 13.01.2012		

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22	Kyaukpadaung, Mandalay	Hla Tun, Minister, Finance & Revenue	Aung Win Kyi		Dr. Zaw Myint Maung		
23	Natogyi, Mandalay	Nyan Tun Aung, Minister, Transport	Soe Naing Win	Aung Than	Paw Khin		
24	Maha-aungmye, Mandalay	Dr. Mya Aye, Minister, Education	Than Tun	Tun Kyi	Ohn Kyaing	Hla Ko	<b>Independent</b> - Sein Hla / <b>Independent</b> - Nyunt Oo / <b>Independent</b> - Kyaw Kyaw
25	TadaU, Mandalay	Tin Aye, Chairman, Union Election Commission	Aung Mon		Daw Khin Thandar	Nan Htike Zaw	<b>UPP</b> - Sann Tun
26	Meiktila, Mandalay	Thein Aung, Chief Minister, Ayeyawady	Hla Myint		Win Htein		<b>UMFNP</b> - Win Zan / <b>Independent</b> - Daw Myint Myint Aye
27	PyinOoLwin, Mandalay	Myint Aung	Khin Maung Win		Kyaw Thiha		
28	Mawlamyine, Mon State	Aye Myint, Minister, Science & Technology	Tin Soe Moe Naing	Aung Than Oo	Daw Khin Htay Kywe		<b>AMRDP</b> - Daw Myint Myint Wai
29	Kawhmu, Yangon	Soe Tint, Deputy Minister, Construction	Dr. Soe Min		Daw Aung San Suu Kyi		<b>UPP</b> - Tin Yi
30	Thongwa, Yangon	Myint Maung, Minister, Religious Affairs	Aung Kyaw Min		Daw Su Su Lwin	Kyi Than	
31	Dagon Myothit (Seikkan), Yangon	Thein Htaik, Minister, Mines	Aung Win	Win Myint	Dr. Myo Aung	Kyee Myint	<b>NNDP</b> - Win Shwe
32	Mingalar Taungnyunt, Yangon	Aung Kyi, Minister, Labour and Social Welfare, Relief & Resettlement	Daw Lei Lei Aye	Daw Sandar Myint - disqualified by the UEC.	Daw Phyu Phyu Thinn		<b>NNDP</b> -Phone Myint / <b>DP(M)</b> - Thu Wai / <b>MNC</b> - Kaung Myint Htut
33	Hlegu, Yangon	Khin Maung Soe, Minister, Electric Power 2	Dr. Aung Myat Thu		Phyo Min Thein		
34	Mayangon, Yangon	Pwint Hsan, Deputy Minister, Commerce	Ye Htut		Dr. May Win Myint	Daw Khin Phyu Phyu Nyein	<b>NNDP</b> - Ye Min Thein @ Yatha / <b>MNC</b> - Daw Haymar Htay / <b>Independent</b> - Khin Hlaing (Zawtika)

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35	Kalaw, Shan State	Tin Naing Thein, Minister, National Planning and Economic Development	Mya Win	Hla (a) Khin Maung Hla	Dr. Daw Than Ngwe		<b>SNDP</b> - Sao Tha Oo / <b>PNO</b> - Khun Than Maung
36	Patheingyi, Ayeyarwaddy	Than Tun, Deputy Minister, Cooperatives	Aung Tin Myint		Win Myint	Tin Win	
37	Maubin, Ayeyarwaddy	Thein Nyunt, Minister, President's Office	Dr. Myo Thant Tin	Maung Maung Thin	Sein Win Han (@) Sein Win	Daw Khin Su Su Aung	<b>MPP</b> - Thein Shwe
38	Myaungmya, Ayeyarwaddy	Daw Khin Than Myint	Dr. Phyo Ko Ko Tint San		Mahn Jonny	Aung Myo Hlaing	
39	Wakema, Ayeyarwaddy	Khin Maung Aye, Deputy Minister, Livestock & Fisheries	Tun Aung Kyaw	Than Aung	Daw Myint Myint San		
40	Myanaung, Ayeyarwaddy	Than Htay, Member, Nay-Pyi-Taw Council	Dr Than Htut	Win Hlaing	Kyaw Myint		
<b>Regional Parliaments</b>			<b>USDP</b>	<b>NUP</b>	<b>NLD</b>	<b>NDF</b>	
1	Kawa No.2, Bago	Aye Naing	Aye Win	Kyi Lwin	Myo Khine		
2	Yekyi No.2, Ayeyarwaddy	Thaung Han	Tin Soe	Aung Kyaw	Dr Hla Myat Thway		
48	<b>TOTAL</b>						
	Amyotha		6	4	6	0	2
	Pyithu		40	17	40	13	2
	State/Region		2	2	2	0	0
			48	23	48	13	4 - SNDP
	AMRDP	1				1	0
	MNC	1				3	3
	Independent	2				0	0
						4	3
						UPP	NNDP

Red indicates disqualified or postponed by the Union Election Commission.