

ELECTION MONITOR NO.29

NEW APPROVED APPLICATIONS TO REGISTER AS A POLITICAL PARTY

Of the parties that have been granted permission to set up political parties, the following have submitted their applications to register with the Union Election Commission:

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| 1. Khami National Development Party | 21 June 2010 (Date of Application) ¹ |
| 2. Mro National Party | 23 June 2010 (Date of Application) ² |
| 3. National Democratic Force | 24 June 2010 (Date of Application) ³ |

To date, 33 of the 38 parties that have requested registration as political parties have been permitted to register.

WA PARTY TO CONTEST FEW HOME SEATS

The Wa National Unity Party (WNUP) plans to field candidates in four constituencies in Shan State according to a senior party official. It does not expect to contest many seats in the Wa self-administered Division because most areas there are still not “stable”, said 71-year-old party patron U Saw Phillip San. “When the day comes that there is real peace and stability in the whole Wa region, we will expand our campaigning and political activities in those areas. But now it is impossible for most residents from the Wa self-administered region to participate in the election because of the lack of stability there,” he added. The WNUP is focusing on securing seats in the Shan State (Regional) Hluttaw, rather than the Pyidaungsu Hluttaw, or national parliament. The Lashio-based party expects to field candidates in Lashio, Kengtung, Tang Yan and Hopang townships, where there are significant numbers of Wa people. Of these, only Hopang is in the Wa self-administered Division presently known as Northern Shan State Special Region (2). Under election laws, groups planning to contest only State or Regional Hluttaw seats are required to have at least 500 members within 90 days of the party’s official formation. U Saw Phillip San said that the WNUP had signed up 400 members at the beginning of June and expected to have 500 by the end of the month.⁴

KDA OPTS OUT OF 2010 ELECTION

Shan State-based ceasefire group the Kachin Defense Army (KDA) will not form a political party to contest this year’s election, the group’s chairman said last week. U Mahtu Naw said the KDA would focus on regional development and had no plans to enter politics in 2010. “If we look at the past, we can see that all most of the political parties did was fight. Because they didn’t have any unity, the system of democracy didn’t move forward,” said the 66-year-old KDA chief. However, U Mahtu Naw added that he supported the 2008 constitution and expected that KDA members would vote in the elections. The KDA broke away from the Kachin Independence Army in 1990 and signed a ceasefire agreement with the government in 1991. In January, it acceded to government requests to

¹ New applications to register as political party - <http://www.burmalibrary.org/docs09/NLM2010-06-22.pdf> (NLM) 22 June 2010

² New applications to register as political party - <http://www.burmalibrary.org/docs09/NLM2010-06-24.pdf> (NLM) 24 June 2010

³ New applications to register as political party - <http://www.burmalibrary.org/docs09/NLM2010-06-25.pdf> (NLM) 25 June 2010

⁴ Wa party to contest few home seats - <http://www.mmtimes.com/2010/news/528/news001.html> (Myanmar Times) 21 June 2010

transform into a Border Guard Force. It is officially known as the Kaung Khar Region Militia based in Northern Shan State and the group is now focused on socio-economic development of its region.⁵

FIRST POSTERS AGAINST 2010 ELECTIONS APPEAR IN KACHIN STATE

Kachin State is witnessing the first poster protests against the forthcoming general elections. Pamphlets are being distributed and posters pasted in Myitkyina, the capital of Kachin State, since June 19. The posters have been pasted on the walls around the three major cities in Kachin State - Myitkyina, Bhamo and Waingmaw Townships - said eyewitnesses. While no group has officially taken responsibility for the recent activities, directions are pointing towards the All Kachin Students Union (AKSU) in Kachin State, which has protested against the Irrawaddy Myitsone dam construction and the 2008 constitution. The protesters also condemned the junta for refusing to hand over power after the 1990 general election results to the National League for Democracy (NLD). Meanwhile, ethnic Kachin parties such as the Kachin State Progressive Party, the United Democracy Party (Kachin State) and the Northern Shan State Progressive Party have applied to form parties to contest the polls and are still awaiting approval from the Union Election Commission.⁶

USDP USES COERCIVE CANVASSING TACTICS IN MON STATE

The party created by Burma's ruling military junta is employing coercive measures to recruit new members while canvassing in Chaungson Township, Mon State, according to residents. On an election campaign tour this week, Union Solidarity and Development Party (USDP) township organiser Myo Min Hlaing's team ordered village peace and development council chairmen to assemble 50 people from each village and instructed them to vote for the USDP (led by Prime Minister Thein Sein) a resident said. Prior to the visit by the USDP officials, local village heads took the initiative to register local residents and enrolled them as party members. The organizers also informed the residents to vote for the lion (the election logo of the USDP). The only group representing ethnic Mon people in Mon State, the All Mon Regions Democratic Party (AMRDP), has yet to start organising and canvassing in the state, according to its party chairman Nai Ngwe Thein.⁷

ELECTION COMMISSION BEGINS POLL PREPARATIONS

In preparation for the upcoming election, Burmese authorities have tasked 600 schoolteachers in Rangoon Division with the mission of organizing voter lists and inputting the information into computers, according to sources in Rangoon. They were asked to take lists of eligible voters collected from across the country, organize the lists and place the information on government computers. According to a teacher who took part, the process will take at least two months and, once completed, the voters list will be handed over to the Election Commission. Most of the schoolteachers involved in organizing and inputting the voter lists are members of the Union Solidarity and Development Association (USDA), a junta-backed civil organization. In Burma, school teachers are usually assigned as supervisors and polling centre watchers during elections.⁸

⁵ KDA opts out of 2010 election - <http://www.mmtimes.com/2010/news/528/news003.html> (Myanmar Times) 21 June 2010

⁶ First posters against 2010 elections appear in Kachin state - <http://www.kachinnews.com/News/First-posters-against-2010-elections-appear-in-Kachin-State.html> (Kachin News) 22 June 2010

⁷ USDP uses coercive canvassing tactics in Mon state - <http://www.mizzima.com/news/election-2010/4058-usdp-uses-coercive-canvassing-tactics-in-mon-state.html> (Mizzima) 24 June 2010

⁸ Election commission begins polls preparations - http://www.irrawaddy.org/article.php?art_id=18772 (Irrawaddy) 21 June 2010

COURSE ON ELECTION PROCESS OPENS IN TAUNGGYI, SHAN STATE

The opening of an election process course for members of Taunggyi Township Election Sub-commission and ward and village-tract election sub-commissions in Shan State (East) took place at the Shan Literature and Culture Association Hall in Taunggyi on 21 June. The Chairman of the township election sub-commission delivered an introductory speech. Township election sub-commission members U Khin Maung Kyi, U Shwe Mann and U Aung Naing gave clarifications on the Pyithu Hluttaw, Amyotha Hluttaw and Region/ State Hluttaw Election Laws and Regulations. Also, Township election sub-commission officials U Myint Thein and U Myo Thet Kyaw explained the work guidelines for ward/village-tract and township election sub-commissions, respectively. The course was attended by 245 trainees.⁹

UNION ELECTION COMMISSION ISSUES DIRECTIVE NO.2/2010

The Union Election Commission issued Directive No.2/2010 dated 21 June 2010. The informal translation of the directive is as follows:-

Union of Myanmar Union Election Commission
Nay Pyi Taw
Directive No.2/2010
10th Waxing of First Waso 1372 ME
(21 June 2010)
Subject: Enlisting the strength of political parties

Introduction

1. For holding a free and fair multi-party democracy general election in 2010, the Union Election Commission is granting permission to set up political parties and register as political parties in accord with the Political Parties Registration Law.
2. Under Section 9 of Political Parties Registration Law, the parties that have been granted permission to register as political parties shall have to submit a report to the UEC that they have enlisted the prescribed strength of their parties in accord with Section 11 and Rule 13(a) (b) after mobilizing their members in accordance with Section 10.
3. The UEC, therefore, has issued the directive under Section 26 of Political Parties Registration Law in order that the political parties that have been granted permission to register shall act in conformity with the law in enlisting the prescribed number of party members.

Procedures to follow

4. Political parties may follow the following procedures for enlisting the prescribed number of party members:-
 - a. Assembling and giving speeches at a designated place with the permission of the sub-commission concerned
 - b. Writing, printing and publishing

Applying for permission to assemble and give speeches

5. Those political parties that want to assemble and give speeches at a designated place shall have to apply to the sub-commission concerned at least seven days ahead as mentioned hereunder to get a permit.
 - a. The State or Division Sub-commission concerned for the townships where State or Division Sub-commission office is located.
 - b. The District Sub-commission concerned for the townships where District Sub-commission office is located.
 - c. The Township Sub-commission concerned for the remaining townships except the townships mentioned in sub-paragraphs (a) and (b)
6. Those political parties that want to assemble and give speeches at their party headquarters or branches shall have to report to the sub-commission concerned at least seven days ahead without necessity to apply for permission.
7. **The political parties entitled to apply:** In applying for permission according to the paragraph 5, the chairman, the secretary of the party headquarters, state/division, district, or township concerned or a person who takes the same responsibility of the said chairman or secretary shall have to sign the application.

⁹ Course on election process opened in Taunggyi, Shan state - <http://www.burmalibrary.org/docs09/NLM2010-06-25.pdf> (NLM) 25 June 2010

8. **Points to be mentioned in the application:** In applying for the permit, political parties concerned shall have to mention that they will assemble and give speeches in conformity with the prohibitions, provisions included in the permit and the rules and regulations in addition to the following points in the application.
 - a. the planned place
 - b. the planned date
 - c. starting time and finishing time (estimate)
 - d. the number of attendees (estimate)
 - e. the names, National Registration Card Nos. and addresses of permitted speaker or speakers
 - f. The name, NRC No and address of the applicant
9. **Scrutiny to be conducted by the sub-commission concerned:** As regards for applying for the permit according to paragraphs 5, 7 and 8, the sub-commission concerned:-
 - a. shall issue the permit or reject the application after scrutinizing the application as necessary
 - b. shall have to mention the following points in the permit if it is to be issued:-
 - 1) date and Venue of the issuance
 - 2) starting and finishing time.
 - 3) Name, National Registration Card No. and address of permitted speaker or speakers.
 - c. Rules prohibiting the act of marching to the designated gathering point and the venue holding flags or marching and chanting slogans in procession, and stating to disperse without any slogan-chanting marches at the end of assembling and speeches shall be stipulated in the permit.
 - d. The following points shall be stipulated in a permit as necessary:
 - 1) Not to disturb any public places such as government offices, organizations, factories, workshops, workplaces, markets, sports grounds, religious places, schools and people's hospitals.
 - 2) Not to exceed the capacity of buildings or halls designated as assembling venue for speeches (To make the party concerned to take the responsibility to ensure that there is no assembling outside the building or hall).
 - 3) If a place permitted for assembling and giving speeches is a ground, the number of the attendees shall not exceed the capacity of the ground.
 - 4) Holding sticks, knives, weapons and ammunition, and any harmful objects are prohibited.
 - 5) Any acts to disturb traffic or to block roads are prohibited.
 - 6) The sound amplified by sound boxes shall be just loud enough to hear inside the permitted room or ground in order to avoid public annoyance.
 - 7) The sound amplifying system shall be used in accordance with the existing rules and regulations as necessary.
 - 8) Other restrictions as necessary.
 - e. The permit to assembly and give speeches shall be issued at least 48 hours before the due time. If the application for assembling and giving speeches is rejected, the rejection shall be informed with the reasons at least 48 hours before the due time for assembling and giving speeches.
 - f. If necessary, the rules and regulations enumerated in the permit may be amended or the permit may be revoked for the sake of security, the rule of law and peace.
 - g. Potential public places for permission to assemble and give speeches in home regions shall be designated in advance in coordination with Peace and Development Councils concerned.
 - h. Measures shall be taken through coordination for Peace and Development Councils and security forces concerned to provide protection in order that the process of assembling and giving speeches cannot be harmed.
 - i. Measures shall be taken through coordination for Peace and Development Councils and security forces concerned to make necessary arrangements to ward off any forms of acts that can harm security, the rule of law and community peace.

The right of publication

10. If political parties wish to publish and distribute documents, booklets and pamphlets for public knowledge of their policies, vision and work programmes, they shall strictly follow Directive (42) dated 17 March 2010 issued in accordance with 1962 Printers and Publishers Registration Law by the Central Body for Supervising Registration of Printers and Publishers and Scrutinization of Literary Works.

Prohibitions

11. In assembling, giving speeches and publishing and distributing publications, political parties shall not violate any of the following prohibitions.
- a. acts to harm non-disintegration of the Union, non-disintegration of national unity, and perpetuation of sovereignty,
 - b. acts to harm security, the rule of law, and community peace,
 - c. failure to respect the constitution of the Union of Myanmar and existing laws,
 - d. giving talks and publishing and distributing publications with the intention tarnishing the image of the State,
 - e. giving talks and publishing and distributing publications with the intention of breaking up the Tatmadaw or tarnishing the image of the Tatmadaw,
 - f. creating literary works, giving talks or taking organizing measures that can spark disputes on racial affairs or religious affairs or individuals or others, and that can harm dignity and morality,
 - g. misusing religion for political gains,
 - h. Making instigation, giving talks and publishing and distributing publications with the intention of harming peaceful pursuit of education,
 - i. Making instigation giving talks and publishing and distributing publications with the intention that government service personnel cannot shoulder their duties with a sense of duty or they take to the streets to protest the government.
12. Political parties shall not be against the existing laws, prohibitions, stipulated in this directive, and principles in the permit in giving talks and publishing and distributing publications on their policies, vision and work programmes.
13. If a political party fails to honour any of the prohibitions in this directive, or any of the rules and regulations in the permit, action will be taken against the party in accordance with not only the existing law but also Political Parties Registration Law.

Conclusion

14. Therefore, political parties are to honour this directive in recruiting new party members, giving speeches and publishing and distributing publications to ensure that the Multi-Party Democracy General Election to be held in 2010 will be free and fair.¹⁰

**Chairman
Union Election Commission**

ANALYSIS

This week's controversial directive No.2/2010 dated 21 June announced by the Union Election Commission (UEC) introduced rules and regulations prohibiting political parties from marching in procession and displaying party flags outside party premises. Furthermore, parties must seek permission to hold political gatherings and give speeches at least seven days prior to the event. They must provide details about the specific place, date, starting and finishing time and name of speakers. The UEC will issue a permit or reject the request at least 48 hours before the requested date. However, if necessary, *"the rules and regulations enumerated in the permit may be amended or the permit may be revoked for the sake of security, (or) the rule of law and peace."*

The regulations are stricter than those issued during the last elections in 1990. The directive has been strongly criticised by registered parties as being undemocratic and it is also being perceived as

¹⁰ Union election commission issues directive No.2/2010 - <http://www.burmalibrary.org/docs09/NLM2010-06-23.pdf> (NLM) 23 June 2010

political suppression. But harsh as it may seem, these measures and similar ones will likely follow in the months to come as Burma prepares for its elections.

With party registration on-going, the unresolved issue of the registration for three ethnic Kachin parties remain unanswered. Many observers are now beginning to wonder whether the applications will be approved in time for the elections or whether they will be disqualified. These delaying tactics being used on the Kachin parties once again reflects on the insincerity of the authorities and their sheer disregard for an open and transparent electoral process.

The decision by the Kachin Defense Army (KDA) to opt out of the 2010 elections could be seen as another setback for ethnic Kachins even though the group is based in Shan State. It could maybe also be seen as a set-back for the regime because the group is one of the few that have accepted to transform its forces into a militia under the regime but is not conforming to the regime's plans. It will be interesting to see if the regime will try to persuade the KDA to contest the elections.

Campaigns aimed at opposing the elections have surfaced in Myitkyina, Kachin State, something that will not go down well with Nay Pyi Taw. Such actions are but signs of frustration and anger of local residents towards the military's handling of ethnic tensions, which have plagued the country for many decades. The situation is further evidence that the role of the ethnic nationalities and cease-fire groups will have to be an integral part in shaping Burma's future political landscape.