

## The By-Election Goes Well in Burma

**This observation has been conducted through the Yangon School of Political Science's extended networks of nearly 400 trained observers in 21 constituencies.**

### The Voting Process

The Election Day was largely peaceful, except for a handful of isolated contentious incidents, and was assessed as relatively positive by the observers. However, regarding *Voter Lists*, our observers have taken note of the following shortcomings of polling commissions at various levels:

- Inaccuracies in the voter lists, despite political parties' effort to update the data in time;
- Listing of the dead, children, and unknown identities in many voter lists;
- Incidences of eligible voters not being able to vote and non-eligible voters showing up to vote;
- Not displaying voter lists in front of polling stations;
- Deviations in the number of registered voters in some constituencies.

Also, disputes on polling and other technical difficulties exist in a limited number of polling centers. One common complaint made by voters in no fewer than six constituencies is that wax had been put on polling papers so as not to be able to tick next to the opposition party's logo.

### Key Findings

The findings below came from 101 polling stations in 21 constituencies on the election day.

- The administration of the voting process on the election day was mostly smooth and regulations were mostly followed by the local authority and local election commissions. Ninety five percent (95%) of our observers reported that opening process was in accordance with the regulations although some infractions were observed such as entering into the polling booth by the ward authorities, who were not allowed to do this under election commission laws.
- Sixty-four percent (64%) reported that voters were allowed to vote without scrutiny; that is, in some places, the station's administrators failed to identify the voters carefully.
- Though there found no systematic effort to disenfranchise large numbers of voters on election day, there were some reports that some eligible voters, who were officially announced eligible, were denied to vote on the reason that their name did not appear on the voter list in the polling booth. Ninety one percent (91%) of our respondents reported that the denials were based on the missing voter list. In Myothit Ward Dhamaryone polling station in Pakokku Constituency, two hundred out of one thousand five hundred eligible voters were denied voting; in that two hundred, all eligible voters from Dhamaryone Street included.
- Polling stations were closed at the set time.
- The counting process was made practically difficult to watch by the general public, though not banned officially.

## Conclusion

Except for the above irregularities in some places, the whole election process in almost all of the constituencies is generally fine. No significant bias and rigging on the part of the officials was not reported. Compared to the past election, advance voting is not very controversial, except some occasions in very few villages and wards. We received some reports, (for example Mawlamyine Constituency), about wax on the space for NLD on the ballot paper, but there was no report that “wax incidence” has effect on the election result. In accordance with the impression reflected in our observers’ report, we assessed the vote count and the tabulation of the result would be true and accurate.

All in all, the by-election is freer than the previous one, though slightly unfair practices were still adopted.

## Background

Previous elections in November 2010 were boycotted by the National League for Democracy (NLD), Burma’s main opposition party, stressing unfair electoral rules. Its leader and democratic icon Aung San Suu Kyi was released six days after those elections. However, President Thein Sein has adopted a more reconciliatory policy toward the pro-democracy oppositions since taking office in March 2011. His government has released hundreds of political prisoners and began to reform the economy. Thein Sein’s meeting with Aung San Suu Kyi and changes in the party registration law led the NLD’s decision to enter the country’s new political structure.

The by-election that took place on 1<sup>st</sup> April 2012 are considered as a landmark event, since Aung San Suu Kyi and her party National League for Democracy (NLD) decided to contest 44 out of 45 vacant seats in all three types of parliaments. The vacant constituencies are 6 in the National Assembly, 37 in the People’s Assembly, and 2 in regional/state assemblies. The Union Election Commission announced on 23<sup>rd</sup> March 2012 that by-election in three constituencies in Kachin State would be postponed.

In a significant development in the run up to the by-election, the government made relaxations on the media, on civil society organizations, as well as on organized political oppositions and dissidents. This by-election is the first election in Burmese history that international observers are allowed to watch. The by-election provided an opportunity for further assistance in Burma’s transition to a democratic system.

The Yangon School of Political Science (YSPS) has taken this opportunity and formed election observation teams to monitor the by-election.