



**Election Report, 2010
Myanmar (Burma)**

Pre-Election Observations

**By
Burma News International**

Contents

Acknowledgement

List of Acronyms.....	6
Introduction.....	8
Methodology.....	10
I.General Overview.....	11
II. Electoral Frame Work.....	18
III. Election Administration	
III.a. Union Election Commission.....	30
III.b. Political Parties.....	33
III.c. Political Parties Contesting in States and Regions.....	40
III.d.Individual Candidates.....	48
III.e. Cancellation of Constituencies.....	51
III.f. Population and Eligible Voters.....	52
III.g. Voting Procedure.....	54
IV. Voter Education and Campaign.....	56
V. Human Rights, Border Guard Force.....	62
VI. Irregularities.....	67
VII. Complaints.....	69
VIII. Observations on Challenges.....	77
Conclusion.....	80
Appendix.....	82
References.....	112

Acknowledgements

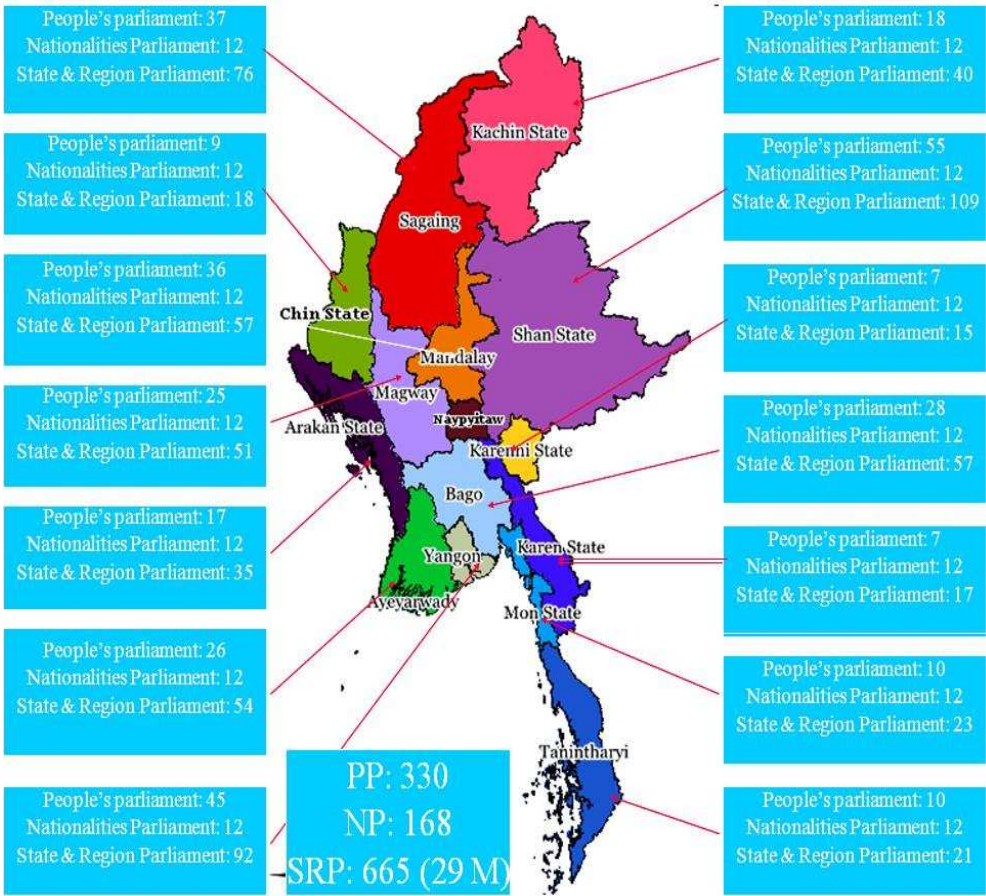
BNI is pleased to present this Pre-election report, which is a compilation of BNI member's pre-election content, including news, features, photos, video and media releases. This report is a synthesis of accounts and reports by BNI members and its stringers deployed nationwide. It is based on interviews, research and observations of the conditions that prevailed during the pre-election period.

BNI also wishes to express its profound gratitude to BNI staff for their kind efforts in writing and editing this report, and thank BNI members for their moral support and resources made available to the BNI election team.

BNI also wishes to express its heartfelt thanks to The Open Society Institute for its unwavering support in realizing BNI's efforts to support the democratization process during Burma's 2010 election. And, we wish to extend our thanks to all the donors who assist us in this project and who continue to support the monitoring activities of BNI. Our funding partners have played a significant role in enhancing our capacity to make sustainable and effective interventions by their support of the communication structure, meeting costs, training costs as well as the costs of executing the monitoring project.

BNI would like to extend its appreciation to the Burma Relief Center (BRC), Internews-Thailand and SEAPA for their support which allows BNI and its members to collect information and make reports and observations regarding the electoral processes in Burma. BNI is very grateful for the positive working relations it enjoys with media and human rights organizations with whom we share useful information and case studies on the electoral process.

Finally, we wish to thank ANFREL, the media organizations, political parties and groups as well as other inside and exiled Burmese organizations, foreign organizations and individuals who assist us by contributing their services, their time, energy and resources to assist in our monitoring exercise.



Map of Constituencies

List of Acronyms

ANFREL	Asian Network for Free and Fair Elections
BGF	Border Guard Force
DKBA	Democratic Karen Buddhist Army
KIO	Kachin Independence Organization
KNU	Karen National Union
MI	Military Intelligence
NDF	National Democratic Force
NDSC	National Defence and Security Council
NLD	National League for Democracy
NUP	National Unity Party
SLORC	State Law and Order Restoration Council
SPDC	State Peace and Development Council
SSA	Shan State Army
UN	United Nations
UEC	Union of Election Commission
USDA	Union Solidarity and Development Association
UWSA	United Wa State Army
MKNSO	Mro or Khami National Solidarity Organization
NUP	National Unity Party
LNDP	Lahu National Development Party
KDUP	Kokang Democracy and Unity Party
PNO	Pa-O National Organization
DP	Democratic Party (Myanmar)
KNP	Kayan National Party
RSNFM	Rakhine State National Force of Myanmar
KPP	Kayin Peoples Party

WNUP	“Wa” National Unity Party
TNP	Taaung (Palaung) National Party
AMDP	All Mon Region Democracy Party
DPP	Democracy and Peace Party
SNDP	Shan Nationalities Democratic Party
UDP	United Democratic Party
88GSYUM	88 Generation Student Youths (Union of Myanmar)
UMFNP	Union of Myanmar Federation of National Politics
NPAL	National Political Alliances League
CNP	Chin National Party
WNLD	Wunthanu NLD (Union of Myanmar)
NEPP	New Era People’s Party
UDP	Union Democracy Party
PDP	Peace and Diversity Party
CPP	Chin Progressive Party
INDP	Inn National Development Party
RNDP	Rakhine Nationalities Development Party
WDP	“Wa” Democratic Party
PSDP	Phalon-Sawaw Democratic Party
NDPD	National Democratic Party for Development
USDP	Union Solidarity and Development Party
ENDP	Ethnic National Development Party
KNPP	Kaman National Progressive Party
KNDP	Khami National Development Party
NDF	National Democratic Force Party
UDPKS	Unity and Democracy Party (Kachin State)
KSSDP	Kayin State Democracy and Development Party
NDPP	National Development and Peace Party

Introduction

After the Burmese regime announced the election date on 7th November 2010, political debate increased greatly, both inside and outside Burma. The junta has pushed its agenda, even though many opposition groups have been very critical of the election process. Some critics said Burma's 2010 election will be unfair, but some politicians see it as a rare opportunity to participate in the electoral process, because it has been 20 years since the last election.

The regime declared its new election laws on March 8th, 2010. Political parties had to register with the Union Election Commission, and request permission to run. Currently, there are (47) political parties registered. The UEC only approved (42) to contest the election. But, the commission has since dissolved (5) parties, leaving (37) approved parties and over 80 individual candidates. There will be over 35,000 polling stations in nationwide.

Some political parties have met the requirement to submit party membership lists and name their candidates. However, other parties have said they are struggling to raise funds and meet the necessary requirements in the short time remaining before the election.

Many ethnic politicians see this election as a rare opportunity to campaign for ethnic rights and democracy, therefore, they formed new parties to run in the election. Some ethnic armed groups transformed into the junta controlled Border Guard Force (BGF).

The international community and leaders of democratic countries have called on the Burmese regime to allow full participation by the opposition, including all political prisoners and the NLD party, in the election process.

Many countries have demanded the release of Burma's democratic icon, and noble laureate, Daw Aung San Suu Kyi, and her full participation in the election.

However, the National League for Democracy party already announced it is boycotting the election.

The military government has answered strong criticism by the international community and the Burmese opposition that the election process is unfair, by defending the election as the 5th step of their seven point Roadmap for Democracy in Burma.

In stark contrast to the international community's criticisms, China has showed its support for the election process and the junta's agenda to solidify its control of the country through implementation of the 2008 constitution.

Whether the election is free and fair or not, it is a certainty. However, many Burmese citizens are being deprived of accurate information which they can use to make an informed decision about how to vote or whether to participate at all. Therefore, BNI would like to fill the gap with concrete information and help Burmese voters tell the world about their expectations and experiences during the election process and the vote itself, especially those inside Burma.

Methodology

The data informing this report is collected between June and September, 2010. The research team conducted several interviews, with senior reporters and chief editors from eleven Burmese media groups, including the Independent Mon News Agency (IMNA), Kachin News Group (KNG), Kaladan Press, Kantarawaddy Times, Kaowao News, Karen Information Center (KIC), Khonumthung News, Mizzima News, Narinjara News, Network Media Group (NMG), and the Shan Herald Agency for News (S.H.A.N). The research team also spoke directly with several citizen journalists inside Burma, correspondents, staff from local NGOs and CBOs, politicians and ordinary people inside Burma. The team collected information from both English and Burmese websites, and newspapers from inside and outside Burma, as well as from Burmese regime websites.

This report uses the qualitative research method. The common language for the research team was Burmese, because interviewers and interviewees spoke Burmese fluently rather than English. The research was then translated to English.

Composing Structure

In this report, we present a general overview of the election, the UEC, how many political parties are eligible to run, population statistics and eligible voters, political parties contesting in each state and regions, influential candidates, problems faced by some parties. Finally, we conclude with observations.

I. General Overview

In 2010, Burma will hold its first election in twenty years, which the regime heralds as the fifth step in its Roadmap to Democracy.

The State Law and Order Restoration Council (SLORC) held a general election on 27 May 1990, following its brutal suppression of the 1988 demonstrations.

The State Peace and Development Council (SPDC) held the first national convention in January 1993, with (702) delegates. Only (99) delegates were elected members of parliament (MPs), including (81) NLD MPs, even though the NLD had just won an overwhelming majority of the seats in both houses of parliament.

The remaining over (600) delegates were appointed by the regime. The delegates sat together in the National Convention and drafted the constitution based on six political objectives, and 104 basic principles.¹

Opposition groups criticized the last point of the six political objectives outlined by the SPDC in the constitution. It spoke of *"enabling the Defence Services to be able to participate in the National political leadership role of the State"* and *"automatically reserved 25% of the seats in the parliament for the army"*. The military regime ignored the criticisms and continued drafting the constitution.

1 Basic Principles: The Union's consistent objectives are: (a) non-disintegration of the Union; (b) non-disintegration of National solidarity; (c) perpetuation of sovereignty; (d) flourishing of a genuine, disciplined multi-party democratic system; (e) enhancing the eternal principles of Justice, Liberty and Equality in the Union and; (f) enabling the Defence Services to be able to participate in the National political leadership role of the State.

However, the SPDC also included "recognition of self-administered zones establishing the self-governing rights of particular ethnic and ceasefire groups".² This point was not granted in previous constitution in 1947 and 1974.

After Daw Aung San Suu Kyi was released from house arrest in 1995, she decried the convention's undemocratic methods and conclusions. As a result, NLD delegates refused further participation in the convention. SLORC suspended the national convention in 1996. Therefore Burma's politics seemed to be deadlocked.

But, in August 2003, Gen. Khin Nyunt, MI Chief, introduced the 'Seven Point Roadmap to Democracy'. After that, Burma's politics began to evolve again. After the 'Roadmap to Democracy' was introduced, the military regime resumed the national convention - without the presence of the NLD delegates - on 17th May 2004.

In 2004, thirteen Ethnic ceasefire groups submitted a proposal to the National Convention, asking for concurrent legislative powers and residual powers for the states and the formation of local ethnic security forces. However, the Convening Work Committee refused their proposal and informed them that it would not be included on the convention's plenary agenda.³

Finally, the country's third constitution was finished on 19th February, 2008. The SPDC held a controversial referendum for approving the so called '2008 constitution', on May 10th. At the time, Cyclone Nargis struck Burma on May

² The 2008 constitution, Chapter II, article (51) The Union is constituted as follows : sub-article (f) townships in a Self-Administered Zone are organized as Self-Administered Zone

³ http://www.asienhaus.de/public/archiv/zusammenfassung_tim_schroeder.pdf

2nd, and an estimated 130,000 people were killed. The military regime went ahead with its plans to implement the referendum, despite severe hardship suffered by the people in the Irrawaddy Delta in the wake of the cyclone.

According to the regime, the 2008 constitution was approved with (92.47) percent public support.

Many opposition parties and analysts argue Burma's 2010 election will be not free and fair, but the Burmese regime is already set the date for election on 7th November 2010.

On 8th March 2010, the military regime issued five election related laws.⁴

These election laws are:

No	Name	Issue Date
1	The Union Election Commission Law (SPDC Law No. 1/2010)	March 8th, 2010
2	The Political Parties Registration Law (SPDC Law No. 2/2010)	March 8th, 2010
3	The Pyithu Hluttaw Election Law (SPDC Law No. 3/2010)	March 8th, 2010
4	The Amyotha Hluttaw Election Law (SPDC Law No. 4/2010)	March 8th, 2010
5	The Regional Hluttaw or the State Hluttaw Election Law (SPDC Law No. 5/2010)	March 8th, 2010

On 18th March 2010, the Union Election Commission issued four bylaws.⁵

These four bylaws are:

⁴ <http://www.myanmar.com/newspaper/nlm/index.html>

⁵ <http://www.mmtimes.com/2010/news/515/n51502.html>

No	Name	Issue Date
1	The Political Parties Registration Bylaw (UEC announcement No. 1/2010)	March 18th, 2010
2	The Pyithu Hluttaw Election Bylaw (UEC announcement No. 2/2010)	March 18th, 2010
3	The Amyotha Hluttaw Election Bylaw (UEC announcement No. 3/2010)	March 18th, 2010
4	The Regional/State Hluttaw Election Bylaw (UEC announcement No.4/2010)	March 18th, 2010

After releasing these election laws, the military regime formed The Union Election Commission, and initiated the election process. The regime called on politicians to form political parties and contest the election.

After that, politicians worked hard to organize political parties. There were nine existing parties from the 1990 election. Among them, the NLD and SNLD parties, which both were successful in the 1990 election, decided to boycott the 2010 election.

The NLD chose to boycott the new election citing unfair treatment of the opposition parties and unfair restrictions imposed by the 2008 constitution. The NLD pointed out the 2008 constitution was forced through when Burma was struggling to recover from the destruction caused by Cyclone Nargis. As well, it provides 25% of the seats in both parliaments to military appointees; restrictions preventing prisoners, including Daw Aung San Suu Kyi and members of armed groups from participating in the polls.

Some NLD CEC members, including U Khin Maung Swe, Dr. Than Nyein, Dr. Win Naing, resigned from NLD and formed the National Democratic

Force party.⁶ The new party registered with the UEC. Party leader, U Khin Maung Swe, and other party members think the election provides the only opportunity to move the political process forward in Burma. That's because Noble Laureate, Daw Aung San Suu Kyi, has been under house arrest for almost 20 years and Burmese politics has stagnated.

Another opposition leader, U Thu Wai, leader of the Democracy Party (Myanmar),⁷ said the people of Burma have no choice but to cooperate with the military regime in the election process.

"If the opposition is selected in the election, we can raise our voices in the elected parliament," he said.

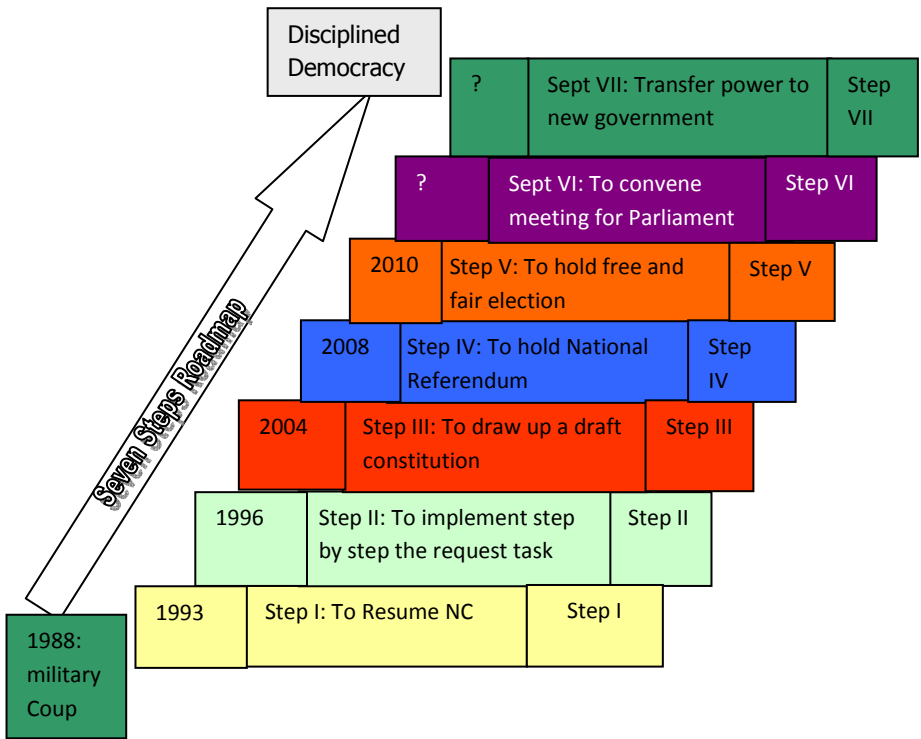
Some ethnic leaders said that they will participate in coming polls because it's their duty to rebuild a democratic nation.

The military regime always said they are trying to build a disciplined democratic nation. Military Intelligence Chief and Prime Minister, Gen. Khin Nyunt, clarified the "Seven Points Roadmap to Disciplined Democracy" as the future policy of the Burmese government on August 30th, 2003⁸, before he was purged from his position of MI chief and prime minister in 2004. According to the regime, the up-coming vote is the fifth step in the "Seven Points Roadmap to Disciplined Democracy" process.

6 http://www.irrawaddy.org/article.php?art_id=18403

7 <http://www.dvb.no/elections/democratic-party-registers-for-elections/8438>

8 <http://www.myanmar.gov.mm/Perspective/persp2003/8-2003/pri.htm>



On 17th March, 2010, the UEC issued announcement no. 1/2010 entitled "The Rights of Formation of Political Parties".⁹ After the announcement was released, forty seven political parties applied to the UEC for permission to contest the election. The UEC has approved 42 political parties.

On August 11th, 2010, the UEC issued notification No.85/2010 (list of Pyithu Hluttaw Constituencies), No. 86/2010 (list of Amyotha Hluttaw

⁹ For the formation of political parties, the Union Election Commission issued the Political Parties Registration Bylaws under the Notification No.1/2010 on 17 March 2010.

Constituencies, No. 87/2010 (list of Region or State Hluttaw Constituencies) and No. 88/2010 (list of Regional or State Nationalities Constituencies).

However, on 14th September, 2010, the UEC dissolved five political parties because they failed to submit candidate lists to the UEC on time. According to notification no. 97/2010¹⁰, these five political parties no longer have the right to exist.

On 16th September 2010, the UEC issued notification No. 99/2010, No. 100/2010, No. 101/2010, No. 102/2010, and 103/2010¹¹ that the election will not be held in some ethnic regions in Kachin, Karenni, Karen, Shan and Mon states. About 300 village-tracts, in 32 townships, are affected by these announcements.

On 9th February 2010, the military regime announced that after the constitution is approved, the election will be held in late 2010. The UN and many countries including ASEAN member nations welcomed the regime's announcement. But, many other countries urged the Burmese government to make provision for a free and fair election which allows inclusive participation of all opposition organizations and parties in the election process. The British foreign ministry said, "for these elections to have any credibility, the regime must allow a free and fair campaign and polling process; release all political prisoners, including Aung San Suu Kyi, and instigate an inclusive dialogue with the full participation of all opposition and ethnic groups, towards genuine and lasting national reconciliation."¹²

10 <http://www.myanmar.com/newspaper/nlm/index.html>

11 New Light of Myanmar Newspaper, available at
(<http://www.myanmar.gov.mm/Perspective/persp2003/8-2003/map.htm>)

12 <http://dailycaller.com/2010/08/13/myanmar-elections-to-be-held-nov-7/>

The 1990 election winning party, NLD, had already announced its boycott of the coming polls and its refusal to register with the UEC. On 14th September 2010, the UEC declared the NLD party can no longer exist as a political party. As of today, Daw Aung San Suu Kyi is still under house arrest. According to the AP, Myanmar's detained opposition leader was officially barred from participating and from voting in the November elections.¹³

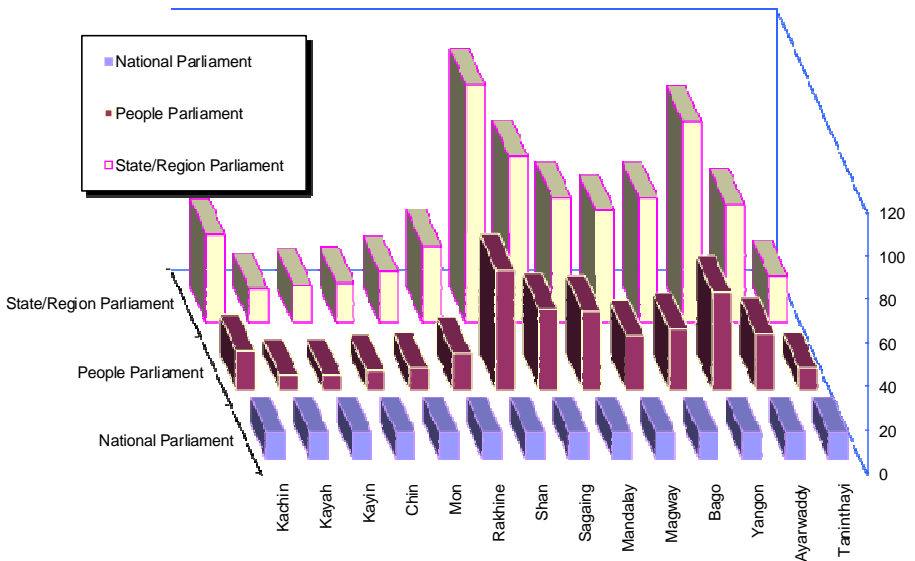
II. Electoral Frame Work

According to the 2008 constitution, the Burmese army will automatically take 25% of the seats in Parliament; according to chapter I article (14). It states, "*the Pyidaungsu Hluttaw, the Regional Hluttaws and the State Hluttaws must include Defence Services personnel as Hluttaw representatives, nominated by the Commander-in-Chief of the Defence Services in numbers stipulated by this Constitution.*" In the Amyotha Hlutaw (National Parliament), each of the country's 14 States and Regions will elect 12 representatives to the National Parliament, for a total of 168 elected seats. An additional 4 seats per state/region (a total of 56 seats equivalent to 25%) are reserved for military appointees, who are nominated by the Commander in Chief of the Burmese Armed Forces. (See Chapter II, article 109, (a) and (b))

13 <http://www.hindustantimes.com/world-news/myanmar/Suu-Kyi-officially-barred-from-election/Article1-602450.aspx>

In the Pyithu Hluttaw (People’s Parliament), each of the country's townships will elect one representative to the People’s Parliament, for a total of 330 elected seats. An additional 110 seats (25%) are reserved for military appointees. (See Chapter II, article 141, (a) (b) and (c))

In the State/Region Hluttaw (State/Region Parliament), each of the country's townships will elect two representatives¹⁴ , but eight townships under Naypyitaw and four townships under the 'Wa' region won't be included in



14 161. The Region or State Hluttaw shall be formed with the following persons :

(a) representatives of the Region or State Hluttaw, two of each are elected from each township in the Regions or the States;

this process.

Clearly, the new constitution favors the army generals, in that they have full authority to declare a state of emergency. This right is written in Chapter I, article 40 (a) (b) (c) of the constitution.

"Article 40 (a): If there arises a state of emergency characterized by an inability to perform executive functions in accord with the provisions of the Constitution in a Region or a State or a Self-Administered Area, the President is empowered to exercise executive power in that Region, State or Self-Administered Area, and if necessary in doing so, the President is empowered to exercise legislative powers concerning that Region, State or Self-Administered Area in accord with the provisions of this Constitution.

(b) If there arises or there is sufficient reason to arise a state of emergency endangering life and property of the people in a Region, State or Self-Administered Area, the Defence Services has the right, in accord with the provisions of this Constitution, to prevent that danger and provide protection.

(c) If there arises a state of emergency that could cause disintegration of the Union, disintegration of national solidarity and loss of sovereign power or attempts therefore by wrongful forcible means such as insurgency or violence, the Commander-in-Chief of the Defence Services has the right to take over and exercise State sovereign power in accord with the provisions of this Constitution."

According to the constitution, the Burmese army has authority to nominate 25% of the military personnel in parliament. This right is given to military top brass in Chapter II, article 74 (a) and (b) in 2008.

"The Pyidaungsu Hluttaw comprises of the following two Hluttaws : (a) in accord with the provisions of Section 109, the Pyithu Hluttaw formed with Hluttaw representatives elected on the basis of township as well as

population and Hluttaw representatives being the Defence Services Personnel nominated by the Commander-in-Chief of the Defence Services;
(b) in accord with the provisions of Section 141, the Amyotha Hluttaw formed with Hluttaw representatives elected in equal numbers from Regions and States and Hluttaw representatives being the Defence Services Personnel nominated by the Commander-in-Chief of the Defence Services."

The military regime declared 330 constituencies and self-administered regions and states. According to the constitution, if a self-administered area has 0.1% or above the population of the Union, that area has the right to have a candidate. (Chapter II, article 161 (b))

The military regime designated the self-administered zones in the current constitution. It didn't recognize the self-administered zones in the previous constitutions. (See Chapter I, article 56, (a) (b) (c) (d) (e) and (f), of the 2008 constitution.)

According to Article 56, The Self-Administered Divisions and Self-Administered Zones are delineated as follows:

No.	Region	Self-Administrated Zone
(a)	grouping Leshi, Lahe and Namyun townships in Sagaing Division	Naga
(b)	grouping Ywangan and Pindaya townships in Shan State	Danu
(c)	grouping HoPong, HsiHseng and Pinlaung townships in Shan State	Pa-O
(d)	grouping Namhsan and Manton townships in Shan State	Pa Laung
(e)	grouping Konkyan and Laukkai townships in Shan State	Kokang

(f) grouping six townships – Hopang, 'Wa' Mongma, Panwai, Nahpan, Metman and Pangsang (Pankham) townships in Shan State as two districts

According to the constitution, the president must be well acquainted with the affairs of the Union, including political, administrative, economic and military.¹⁵ It can be supposed that the president must have military experience. The president of Burma must be elected by the Presidential Electoral College.¹⁶

15 Chapter III, article 59 "Qualifications of the President and Vice-Presidents are as follows : (d) shall be well acquainted with the affairs of the Union such as political, administrative, economic and military."

16 Chapter III, article 60 (a) "The President shall be elected by the Presidential Electoral College. (b) The Presidential Electoral College shall be formed with three groups of the Pyidaungsu Hluttaw representatives as follows :

(i) group formed with elected Hluttaw representatives in the Hluttaw with an equal number of representatives elected from Regions and States;

(ii) group formed with elected Hluttaw representatives in the Hluttaw elected on the basis of township and population; (iii) group formed with the Defence Services personnel Hluttaw representatives nominated by the Commander-in-Chief of the Defence Services for the said two Hluttaws.

(c) Each group shall elect a Vice-President from among the Hluttaw representatives or from among persons who are not Hluttaw representatives.

(d) The Pyidaungsu Hluttaw and a Body comprising the Heads and Deputy Heads of the two Hluttaws in the Pyidaungsu Hluttaw shall scrutinize whether or not the Vice-Presidents possess the qualifications prescribed for the President.

(e) The Presidential Electoral College comprising all the Pyidaungsu Hluttaw representatives shall elect by vote one of the three Vice-Presidents who are Presidential candidates, as the President."

There is a contradiction seen in the current constitution. According to the constitution, if the President or the Vice-Presidents are Hluttaw representatives, they shall be deemed to have resigned from their seats in that Hluttaw, and if the President or the Vice- Presidents are the Civil Service personnel, they shall be deemed to have resigned or retired from their offices from the day of their election. (Chapter III, article 63). But, the current Prime Minister, U Thein Sein, (a retired military general) is going to run in the election. Democratic opposition groups have been very critical of this point.

According to the current constitution, only the president has authority to declare 'the state of emergency'. According to the constitution, it designates the power balance between the president and Commander-in-Chief. If the President learns or if the respective local administrative body submits that the administrative functions cannot be carried out in accord with the constitution in a Region or a State or a Union Territory or a Self-Administered Area, he may, after coordinating with the National Defence and Security Council, promulgate an ordinance and declare a state of emergency. (Chapter XI, article 410). The National Defence and Security Council will be formed in accordance with Chapter V, article 201.¹⁷ Therefore, the President shall declare the transferring of legislative,

17 Chapter V, article 201, The National Defence and Security Council led by the President, to enable it to discharge the duties assigned by the Constitution or any law, shall be formed with the following persons :

(a) The President; (b) Vice-President; (c) Vice-President; (d) Speaker of the Pyithu Hluttaw; (e) Speaker of the Amyotha Hluttaw; (f) Commander-in-Chief of the Defence Services; (g) Deputy Commander-in-Chief of the Defence Services; (h) Minister for Defence; (i) Minister for Foreign Affairs; (j) Minister for Home Affairs; (k) Minister for Border Affairs.

executive and judicial powers of the Union to the Commander-in-Chief of the Defence Services.¹⁸ The commander in chief of defense services has the right to exercise the powers of legislature, the executive and judiciary.¹⁹

Impunity to the army (Previous administrative body)

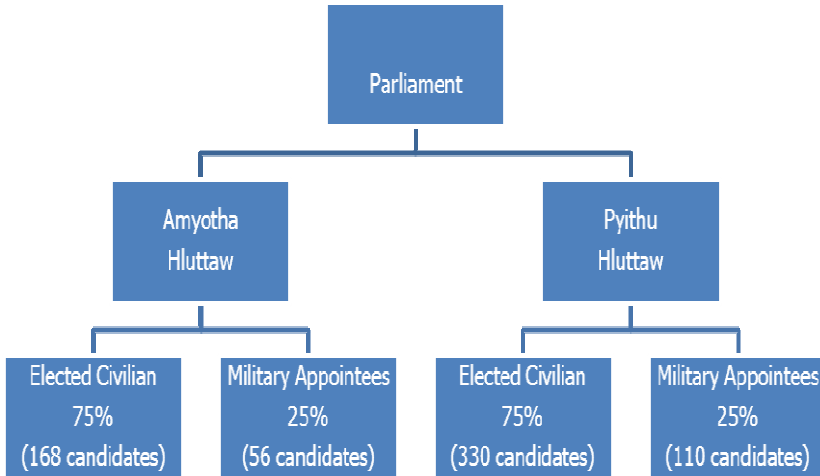
The Burmese military generals included impunity for themselves and all military personnel in the constitution. According to Chapter XI, article 432, no legal action shall be taken against those involved the administration or military.²⁰

18 Chapter XI, article 418, (a) In the matter concerning the declaration of the state of emergency according to Section 417, the President shall declare the transferring of legislative, executive and judicial powers of the Union to the Commander-in-Chief of the Defence Services to enable him to carry out necessary measures to speedily restore its original situation in the Union. It shall be deemed that the legislative functions of all Hluttaws and leading bodies shall be suspended from the day of declaration. It shall also be deemed that on the expiry of the term of the said Hluttaws, the relevant Hluttaws have been dissolved automatically.

19 Chapter XI, article 419, The Commander-in-Chief of the Defence Services to whom the sovereign power has been transferred shall have the right to exercise the powers of legislature, executive and judiciary. The Commander-in-Chief of the Defence Services may exercise the legislative power either by himself or by a body including him. The executive power and the judicial power may be transferred to and exercised by an appropriate body that has been formed or a suitable person.

20 Chapter XI, article 432, The legitimate measures of any administrative body or any of its members, any Civil Services body or any of its members, and any military body or any of its members assigned powers and duties to take measures as required in order to speedily restore the security, stability, community peace and tranquility and prevalence of law and order to its original state on behalf of the President while a declaration of emergency is in operation or during the duration the sovereign power is being exercised by the Commander-in-Chief of the Defence Services or during the duration the sovereign power is being exercised by the National Defence

Besides article 432, the constitution grants special privileges to military personnel. The current constitution permits the military to call a "courts martial".²¹ This means military personnel cannot be sued in a civilian court if they violate civilian laws.



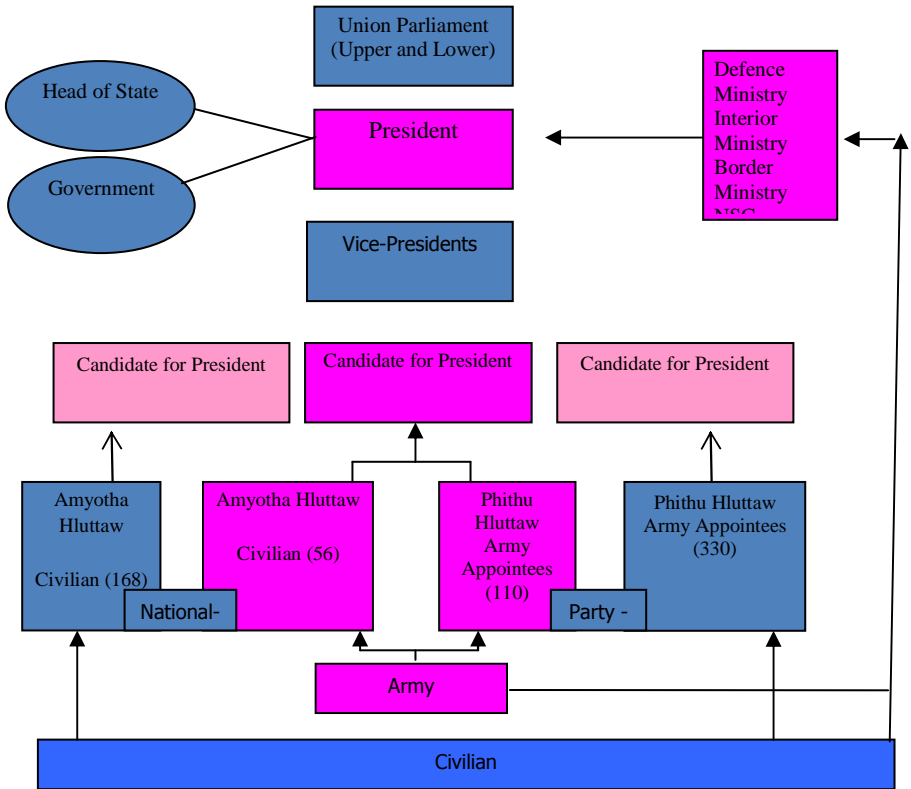
Again, impunity rights are also included as 'transitory provisions' in Chapter XIV of the constitution. According to these provisions, military leaders in SLORC and the SPDC are legally granted impunity for their past actions.²²

and Security Council, shall be valid. No legal action shall be taken on such legitimate measures.

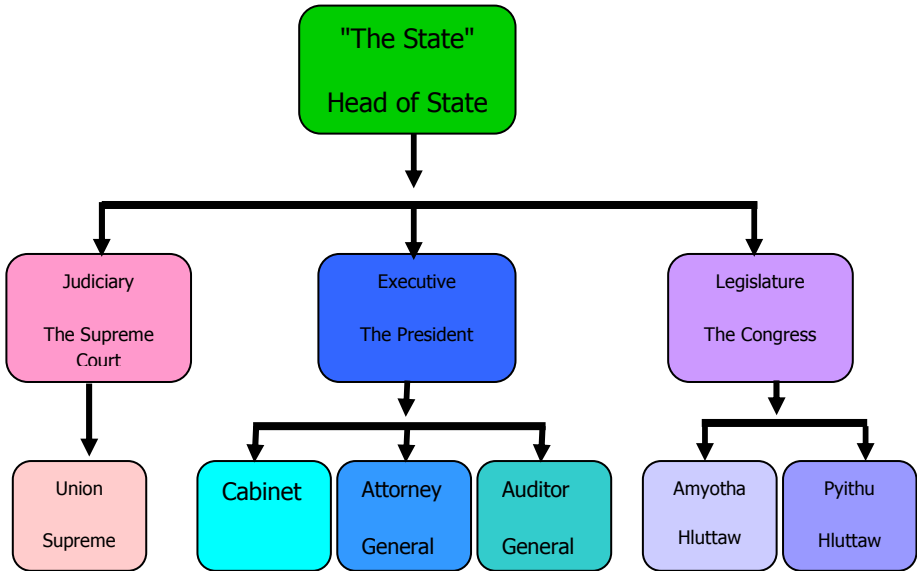
21 Chapter VI, article 319, "According to Sub-Section (b) of Section 293, the Courts-Martial shall be constituted in accord with the Constitution and the other law and shall adjudicate Defence Services personnel."

22 Chapter XIV, article 445 "All policy guidelines, laws, rules, regulations, notifications and declarations of the State Law and Order Restoration Council and the State Peace and Development Council or actions, rights and responsibilities of

Union of Myanmar (2008 Constitution)



the State Law and Order Restoration Council and the State Peace and Development Council shall devolve on the Republic of the Union of Myanmar. No proceeding shall be instituted against the said Councils or any member thereof or any member of the Government, in respect of any act done in the execution of their respective duties."



According to the new constitution, Burma will use the First-Pass-The-Post (FPTP) method in the election. The FPTP voting is a generic term referring to an election determined by the highest polling candidate(s). There is no fixed amount or percentage of vote required to win a first-past-the-post election. This election method (FPTP) was already used in 1990 election. At that time, the NLD party won a landslide victory in Burma.

First-past-the-post voting systems usually require the placing of a mark (commonly a tick mark) in a box on the ballot paper corresponding to a candidate or candidates of the voter's choice; however, in some cases it may involve the writing in of the chosen candidate's name. The regime will require voters to place a tick-mark on the ballot paper when the voter chooses the candidate in this upcoming election. The First-past-the-post voting method can be used for single and multiple member elections. In a

single member election the candidate with the highest number, not necessarily a majority, of votes is elected.

According to the regime, the so called 'single member election' method will be used in this election. Candidates from various parties will run in a certain constituency for votes, but voters can choose only one candidate. If the voters choose more than one candidate at a time, the vote will be disqualified and will not be counted.

As well, the election will use the "winner-take all" method. So, there will not need to be a second round of voting.

According to the FPTP election method, a particular candidate does not need to have 51% of votes. Candidates only need to have the highest number of votes among the contesting candidates. According to the constitution, people only have to choose 75% of the candidates for the upper and lower houses because 25% of the candidates will be military appointees.

Some critics said the FPTP method ignores the majority of votes because a candidate can win a seat by many votes, or just one vote to take the seat in the parliament. For example, if the USDP party garners 29% of the votes in a constituency in Yangon Region and the NUP gets 20%, the DP (M) gets 18%, the NDF party obtains 19%, and the 88 Generation Students Youth of Union of Myanmar gets 14% of the votes. In this scenario the USDP party will win the election with 29% of the votes and the decision of 71% of the voters will be ignored.

In the 2010 election people can only choose candidates for the legislative body. Elected candidates can only sit in the parliament and make laws. These elected candidates have no authority to form a government. Only the appointed president has the authority to form a government. According to

the constitution, the president can choose the members of the government, including individuals not elected to the parliament.

Country	Electoral system	Electoral type	Rounds of voting	Legislature size (directly elected voting members)	Legislature size (military appointees)	Electoral system for choosing president
Myanmar	FPTP	Plurality/majority	1	(330/168=498)	(110+56=166)	MPs Vote for president

The elected senate MPs, as well as the elected lower house members and the military appointed Mps will each nominate one presidential candidate. Then, the three bodies will choose the president from the three presidential candidates. MPs from the senate and lower house will vote for the president by using the secret ballot method. The candidate who obtains the highest number of votes will be elected as a president. The remaining two presidential candidates become the vice-presidents.

According to the constitution, the president must have military experience. After the president is elected, he can form the government. The new government will then be given authority to govern the country.

III. Election Administration

III.a. Union Election Commission

The State Peace and Development Council formed the “Union Election Commission” with the following persons under the Article 443 of the Constitution of the Union of the Republic of Myanmar and Section 3 of the Union Election Commission Law 2010 enacted under the Law No. 1/2010 of the State Peace and Development Council for successfully holding the Multi-party Democracy General Elections in 2010.²³

The Union Election Commission Members are:

No	Name	Position	Remark
1	U Thein Soe	Chairman	He is a retired military general. He served as Adjutant General in Tammdaw. He was a committee member of drafting the 2008 constitution.
2	U Win Ko	Secretary	He is a joint-secretary in the committee of drafting the 2008 constitution. He was a director of 1990 election commission office.
3	U N Zaw Naw	member	He is a former district legal officer and also a committee

23 <http://www.myanmar.com/newspaper/nlm/index.html>

			member of drafting the 2008 constitution.
4	U Khin Maung Nu	member	*
5	U Saw Ba Hlaing	member	*
6	Dr. Ba Maung	member	He is a former director of the historical research department.
7	U Nyunt Tin	member	He is a retired military Colonel. He is also a former director of the Union of Myanmar Economic Holdings.
8	U Maung Tha Hla	member	*
9	Dr. Sai Kham Hlaing	member	*
10	U Aung Myint	member	*
11	U Myint Naing	member	He is a former deputy Attorney General.
12	Dr. Tin Aung Aye	member	He is a former dean of Yangon University and also a member of drafting the 2008 constitution.
13	Dr. Daw Myint Kyi	member	She was a professor in Yangon University. She was also a chairman of Myanmar Women Affairs League.
14	Daw Khin Hla Myint	member	*
15	U Tha Oo	member	*

16	Dr. Maung Htoo	member	He is a former dean of Monywa University.
17	U Tha Htay	member	*



Figure 1 : UEC Chairman U Thein Soe



Figure 2 Election Comission Meeting

III.b. Political Parties

After the Party Registration Law was issued by the UEC on 17th March 2010, forty seven parties submitted their application to the UEC. These forty seven parties are:

No	Party Name	Registration No.
1	Mro or Khami National Solidarity	Reg. 1
2	National Unity Party	Reg. 2
3	Lahu National Development Party	Reg. 3
4	Kokang Democracy and Unity Party	Reg. 4
5	Pa-O National Organization	Reg. 5
6	Democratic Party (Myanmar)	Reg. 6
7	Kayan National Party	Reg. 7
8	Rakhine State National Force of Myanmar	Reg. 8
9	Kayin People's Party	Reg. 9
10	Wa National Unity Party	Reg. 10
11	Union Kayin League	Reg. 11
12	Ta'ang (Palaung) National Party	Reg. 12
13	All Mon Regions Democratic Party	Reg. 13
14	Democracy and Peace Party	Reg. 14
15	Shan Nationalities Democratic Party	Reg. 15
16	United Democratic Party	Reg. 16
17	88 Generation Student Youths (Union of Myanmar)	Reg. 17
18	Union of Myanmar Federation of National Politics	Reg. 18
19	National Political Alliances League	Reg. 19

20	Myanmar New Society Democratic Party	Reg. 20
21	Chin National Party	Reg. 21
22	Wuthanu NLD Party	Reg. 22
23	New Era People's Party	Reg. 23
24	Union Democracy Party	Reg. 24
25	Peace and Diversity Party	Reg. 25
26	Chin Progressive Party	Reg. 26
27	Inn National Development Party	Reg. 27
28	Rakhine Nationalities Development Party	Reg. 28
29	Wa Democratic Party (Myanmar)	Reg. 29
30	Phalon-Sawaw Democratic Party	Reg. 30
31	National Democratic Party for Development	Reg. 31
32	Union Solidarity and Development Party	Reg. 32
33	Ethnic National Development Party	Reg. 33
34	Myanmar Democracy Congress	Reg. 34
35	Mro National Party	Reg. 35
36	Kaman National Progressive Party	Reg. 36
37	Khami National Development Party	Reg. 37
38	National Democratic Force	Reg. 38
39	Regional Development Party (Pyay)	Reg. 39
40	Unity and Democracy Party (Kachin State)	Reg. 40
41	Kayin State Democracy and Development Party	Reg. 41
42	National Development and Peace Party	Reg. 42
43	All National Races Unity and Development Party (Kayah State)	*

44	Kachin State Progressive Party	*
45	Northern Shan State Progressive Party	*
46	People's New Society Party	*
47	United Democratic Party (Kachin State)	*

Among the forty-seven parties which registered, the election commission granted forty-two parties legal status. But, the UEC refused five parties permission to run because they did not comply with the laws governing formation of a party. Four of these five parties are ethnic parties. They are:

No	Party Name	Remark
1	The All National Races Unity and Development Party (Kayah State)	
2	The Kachin State Progressive Party	
3	The Northern Shan State Progressive Party	
4	The People's New Society Party	
5	The United Democracy Party (Kachin State)	

KNPLF had attempted to form a political party to contest in the upcoming elections but the KNPLF was not allowed to register with the UEC.

As well, according to the Union Election Commission's notification no. 98/2010, issued on 14 September 2010, the following five parties, whose registration was approved, but they are not able to compete in at least three constituencies, have been dissolved by the UEC under article 12 (b) of political parties registration law.

No	Dissolved Party Name	Date
1	Mro National Party	September 14th, 2010
2	Myanmar Democracy Congress	September 14th, 2010
3	Myanmar New Society Democratic Party	September 14th, 2010

4	Regional Development Party (Pyay)	September 14th, 2010
5	Union Kayin League	September 14th, 2010

Therefore, there are only thirty-seven political parties remaining which will contest the election. The remaining political parties are:

No.	Party Name	Candidates
01.	Mro or Khami National Solidarity Organization (MKNSO)	
02.	National Unity Party (NUP)	980
03.	Lahu National Development Party (LNDP)	
04.	Kokang Democracy and Unity Party (KDUP)	
05.	Pa-O National Organization (PNO)	10
06.	Democratic Party (Myanmar) – DP	50
07.	Kayan National Party (KNP)	
08.	Rakhine State National Force of Myanmar (RSNFM)	
09.	Kayin Peoples' Party (KPP)	42
10.	"Wa" National Unity Party (WNUP)	
11	Taaung (Palaung) National Party (TNP)	15
12	All Mon Regions Democracy Party (AMRDP)	34
13	Democracy and Peace Party (DPP)	7
14	Shan Nationalities Democratic Party (SNDP)	157
15	United Democratic Party (UDP)	3
16	88 Generation Student Youths (Union of Myanmar)	38
17	Union of Myanmar Federation of National Politics (UMFNP)	51
18	National Political Alliances League (NPAL)	13
19	Chin National Party (CNP)	22

20	Wunthanu NLD (Union of Myanmar) (WNLD)	4
21	New Era People's Party (NEPP)	30
22	Union Democracy Party (UDP)	7
23	Peace and Diversity Party (PDP)	9
24	Chin Progressive Party (CPP)	41
25	Inn National Development Party (INDP)	5
26	Rakhine Nationalities Development Party (RNDP)	44
27	"Wa" Democratic Party (WNP)	
28	Phalon-Sawaw Democratic Party (PSDP)	33
29	National Democratic Party for Development (NDPD)	28
30	Union Solidarity and Development Party (USDP)	1158
31	Ethnic National Development Party (ENDP)	3
32	Kaman National Progressive Party (KNPP)	6
33	Khami National Development Party (KNDP)	
34	National Democratic Force Party (NDF)	166
35	Unity and Democracy Party (Kachin State) (UDP-KS)	
36	Kayin State Democracy and Development Party (KSDDP)	4
37	National Development and Peace Party (NDPP)	4

*Source: www.burmaelection2010.com

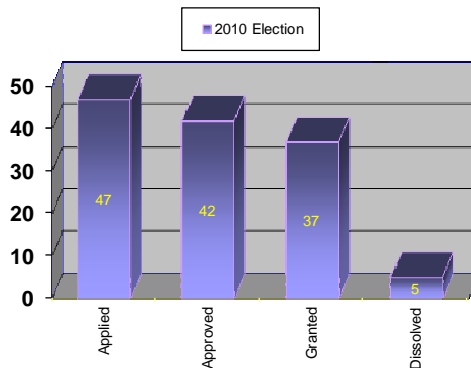




Figure 3 NDF's Office Opening Ceremony



Figure 4 USDP's Office Opening Ceremony in Bago Region



Figure 5 Democratic Party (Myanmar) in Hmawby



Figure 6 SNDP's CEC Members

III.c. Political Parties Contesting in States and Regions

The following political parties intend to run in their respected constituencies in the various States and Regions in Burma.²⁴ (See the political party list in Appendix VIII)

Kachin State

1. Union Solidarity and Development Party,
2. National Unity Party,
3. Shan Nationalities Democratic Party,
4. Unity Democratic Party of Kachin State
5. National Democratic Force
- 6.

Kayah State

1. Union Solidarity and Development Party,
2. National Unity Party,
3. Shan Nationalities Democratic Party (*not sure),
4. Kayin State Democracy and Development Party

Kayin State

1. Union Solidarity and Development Party,
 2. National Unity Party,
-

²⁴ www.burmaelection2010.com

3. Kayin People's Party,
4. Kayin State Democracy and Development Party,
5. All Mon Regions Development Party,
6. Phalon-Sawaw Democratic Party

Chin State

1. Union Solidarity and Development Party,
2. National Unity Party,
3. Chin National Party,
4. Chin Progressive Party,
5. Ethnic National Development Party,
6. National Democratic Force,
7. Union Democratic Party

Mon State

1. Union Solidarity and Development Party,
2. National Unity Party,
3. All Mon Regions Democratic Party,
4. Kayin People's Party
5. Democratic Party (Myanmar)
6. Phalon-Sawaw Democratic Party

Rakhine State

1. Union Solidarity and Development Party,
2. National Unity Party,
3. Mro or Khami National Development Organization,
4. Rakhine Nationalities Development Party,
5. Rakhine State National Force,
6. Democratic Party (Myanmar),
7. Kaman National Progressive Party,
8. National Democratic Party for Development
9. National Development and Peace Party

Shan State

1. Union Solidarity and Development Party,
2. National Unity Party,
3. Shan Nationalities Democratic Party,
4. Lahu National Democratic Party,
5. Kokang Democracy and Unity Party,
6. Ta'ang (Palaung) National Party,
7. Wa Democratic Party,
8. Wa National Unity Party,
9. Inn National Development Party,
10. Union Democracy Party,
11. Pa-O National Organization
12. Kayan National Party

Sagaing Region

1. Union Solidarity and Development Party,
2. National Unity Party,
3. Democracy Party (Myanmar),
4. National Democratic Force,
5. Chin National Party,
6. Shan Nationalities Democratic Party,
7. Wunthanu NLD,
8. Chin Progressive Party

Mandalay Region

1. Union Solidarity and Development Party,
2. National Unity Party,
3. 88 Generation Student Youths (Union of Myanmar),
4. Democratic Party (Myanmar),
5. Wunthanu NLD,
6. Union of Myanmar Federation of National Politics,
7. National Democratic Force,
8. Shan Nationalities Democratic Party

Magway Region

1. Union Solidarity and Development Party,
2. National Unity Party,
3. Union Democracy Party,
4. Democratic Party (Myanmar),

5. 88 Generation Student Youths (Union of Myanmar),
6. Union of Myanmar Federation of National Politics,
7. National Democratic Force

Bago Region

1. Union Solidarity and Development Party,
2. National Unity Party,
3. 88 Generation Student Youths (Union of Myanmar),
4. Union Democracy Party, Democratic Party (Myanmar), Union of Myanmar Federation of National Politics, National Democratic Force, Kayin People's Party,

Yangon Region

1. Union Solidarity and Development Party
2. National Unity Party
3. 88 Generation Student Youths (Union of Myanmar)
4. Democratic Party (Myanmar)
5. National Democratic Force
6. National Political Alliances League
7. Union Democracy Party
8. National Democratic Party for Development
9. Union of Myanmar Federation of National Politics,
10. Kayin People's Party,
11. Peace and Diversity Party

Irrawaddy Region

1. Union Solidarity and Development Party,
2. National Unity Party, Democratic Party (Myanmar),
3. Union of Myanmar Federation of National Politics,
4. Peace and Diversity Party,
5. Kayin People's Party,

Tanintharyi Region

1. Union Solidarity and Development Party,
2. National Unity Party,
3. All Mon Regions Development Party,
4. Kayin People's Party,

USDP and prominent candidates

No	Name	Constitution	Previous Carrier
1	U Aung Thaung	Mandalay	Minister for Industry 1
2	U Aung Thein Lin (Rtd. Brig-Gen)	Yangon	Mayor of Yangon
3	Dr. Chan Nyein	Kantbalu, Sagaing Region	Minister for Education
4	U Aung Min (Rtd. Maj-Gen)	Kawa, Bago Region	Minister for Railways
5	U Htay Oo (Rtd. Maj-Gen)		Minister of Agriculture

6	U Kyaw San (Rtd. Brig-Gen)	Pale, Sagaing Region	Minister for Information
7	U Maung Maung Thein (Rtd. Brig-Gen)	Hkayan, Yangon	Minister for Livestock and Fisheries
8	U Ohn Myint (Rtd. Brig-Gen)	Paung, Mon State	Minister for Mines
9	U Soe Naing (Rtd. Maj-Gen)	Dadeye, Ayawaddy Region	Minister for Tourism
10	U Soe Tha	Twante, Yangon	Minister for National Planning and Economic Development
11	U Than Htay (Rtd. Brig-Gen)	Meiktila, Mandalay	Deputy Minister for Energy
12	U Thein Aung	Ingapu, Ayawaddy	Minister for Forests
13	U Thein Nyunt (Rtd. Col)	Maubin, Ayawaddy	Minister for Progress of Border Areas and National Races and Development Affairs
14	Thein Swe (Rtd. Maj. Gen)	Sittwe, Rakhine State	Minister for Transport

15	U Thein Zaw (Rtd. Maj. Gen)	Myitkyina, Kachin State	Minister for Telecommunications
16	U Tin Naing Thein (Rtd. Maj-Gen)		Minister of Commerce
17	U Zaw Min (Rtd. Col)	Magwe Region	Minister for Electric Power
18	U Nyan Tun Aung (Rtd. Lt.Col)	Natogyi, Mandalay	Deputy Minister for Transport

*Source: Euro-Burma

Retired Generals and their respective constituency in Naypyitaw

No	Name of Candidate	Parliament	Constituency
1	U Hla Myint Oo (Rtd. Brig-Gen)	People's Parliament	Pyinmana, Naypyitaw
2	U Htay Win	People's Parliament	Leway, Naypyitaw
3	U Maung Oo (Rtd. Maj-Gen, Minister of Home Affairs)	People's Parliament	Tatkone, Naypyitaw
4	(Thura) U Shwe Mahn (Rtd. Gen, former joint chief of staff – army, navy, airforce)	People's Parliament	Zayyar Thiri, Naypyitaw
5	(Thiha Thura) U Tin Aung Myint Oo (Rtd. Gen, Secretary 1)	People's Parliament	Pobbha Thiri, Naypyitaw
6	U Myint Hlaing (Rtd. Lt.Gen,	People's	Dakkhina Thiri,

	Former air defense general)	Parliament	Naypyitaw
7	U Kyaw Zwa Khaing (Rtd. Brig-Gen, Former Deputy Military Producing General)	People's Parliament	Ottara Thiri, Naypyitaw
8	U Thein Sein (Rtd. Gen, Prime minister)	People's Parliament	Zabu Thiri, Naypyitaw
9	U Hmat Kyi	National Parliament	Naypyitaw
10	U Khin Maung Htay	National Parliament	Naypyitaw

*Source: PDC

III.d. Individual Candidate List²⁵

According to the chairman of the UEC, over 80 individual candidates will run in the election. The following is the name of some individual candidates who are running in various constituencies:

No	Candidate Name	Constituency
1	U Ba Tint Swe	North Okalapa Township, Yangon Region
2	U Zaw Min Thein	Lay Myetnar Township, Ayewaddy Region
3	Dr. Saw Naing	South Okalapa Township, Yangon Region
4	U Yan Kyaw	Pazuntaung Township, Yangon Region

²⁵ www.burmaelection2010.com

5	Dr. Soe Lwin	Lay Myetnar Township, Ayewaddy Region
6	Dr. Than Myint	Amrapura Township, Mandalay Region
7	U Win Cho	Dala Township, Yangon Region
8	U Win Ko Ko	Thanlyin Township, Yangon Region
9	U Kyi Thein Oo	North Okalapa Township, Yangon Region
10	U Thein Htay	Thanbyuzayat Township, Mon State
11	U Tin Aye	Lawe Township, Naypyidaw Region
12	U Kaung Myat Htut	South Okalapa Township, Yangon Region
13	U Than Zaw Oo	Dala Township, Yangon Region
14	U Hla Shein	Mawlamyine Township, Mon State
15	U Tin San	Tar Mwe Township, Yangon Region
16	U Tin Nu	Munaung Township, Arakan State
17	Daw Yu Zar Maw Tun	Hlaing Township, Yangon Region
18	Dr. Phone Win	Kamaryut Township, Yangon Region
19	U San Myint	*
20	U Win Thein Oo	*
21	U Win Naing	*
22	U Thein Tan	*
23	U Kyaw Kyaw Min	*
24	U One Maung	*
25	Dr. Tin Aung Shwe	Tak-kon Township, Mandalay Region
26	U Phyo Wai Thet	Aung Myay Tharzan Township, Mandalay Region

27	U Pyi Thu (a) U Sein Hla	Hlaingtharyar Township, Yangon Region
28	Daw Nyunt Yin Win	Hlaningtharyar Township, Yangon Region
29	U Khin Maung Htay	Lamadaw Township, Yangon Region
30	U Pu Anoch	Kalay township, Sitgaing Region
31	U Maung Hla (a) Salim	Buthitaung township, Rakhine State
32	U Tun Min (a) M. T. Yas	Buthitaung tosnship, Rakhine State
33	Abul Kalam	Buthitaung township, Rakhine State



Figure 7 USDP's Leaders



Figure 8 USDP Members

III.e. Cancellation of polls

On 16 September 2010, the UEC issued notification No. 99, No. 100, No. 101, No. 102, and No. 103.²⁶ In these notifications, the Union Election Commission announced that, according to Article 8 (f) of the Union Election Commission Law, voting will not be held in some areas in Kachin, Shan, Karenni, Karen and Mon states because they are in no position to host free and fair elections in the Multiparty Democracy General Elections to be held on 7 November 2010. This will affect about 500 village-tracts in 32 townships in 5 States. Therefore, hundreds of thousands of people cannot vote in this election. So, the ethnic political parties will lose votes in these areas.

²⁶ New Light of Myanmar newspaper, 17 September 2010 (available at <http://www.myanmar.com/newspaper/nlm/>)

III.f. Population and Eligible voters

According to the constitution, every citizen has the right to elect candidates for, and to be elected to, the Amyotha Hluttaw (Senate), the Pyithu Hluttaw (People's Parliament), and the State/Regional Hluttaw, if the person is in compliance with the election laws. (2008 Constitution, Chapter VIII, article 396 (a) (b). As well, every citizen who is 18 years of age on Election Day, is eligible to vote.²⁷ The Secret Ballot voting system will be used in this election.

However, the constitution and the election law disqualifies religious leaders and members of religious orders, persons serving prison terms, those of unsound mind, and anyone convicted of breaking the election law, as well as the financially insolvent, have no right to vote in the election.²⁸

²⁷ The constitution, Chapter VIII, article 391, (a) every citizen who has attained 18 years of age on the day on which the election commences, who is not disqualified by law, who is eligible to vote, and person who has the right to vote under the law, shall have the right to vote;

(b) every citizen who is eligible to vote and person who has the right to vote under the law shall cast a vote only for each Hluttaw at a constituency in an election;

(c) Moreover, the relevant national races having right to vote in accord with the provisions contained in this Constitution have also the right to vote to elect Hluttaw representatives of national races for their Region or State Hluttaw;

(d) Secret balloting system shall be practiced.

²⁸ The constitution, Chapter VIII, article 392 (a) (b) (c) (d) (e)

According to the government's Ministry of National Planning and Economic Development, there are 57.5 million people living in Burma.²⁹ The government also said there are 27.3 million eligible voters in Burma.

Population: 51,271,649 million

Eligible voters: 27,369,957 million

Total townships: 330

Kachin State: 1,389,599 people, 18 townships

Kayah State: 267,892 people, 7 townships

Kayin State: 1,326,196 people, 7 townships

Chin State: 485,942 people, 9 townships

Mon State: 2,457,546 people, 10 townships

Rakhine State: 3,013,998 people, 17 townships

Shan State: 4,881,900 people, 55 townships

Sagaing Region: 5,285,091 people, 37 townships

Mandalay Region: 7,777,902 people, 31 townships

Magway Region: 4,566,506 people, 25 townships

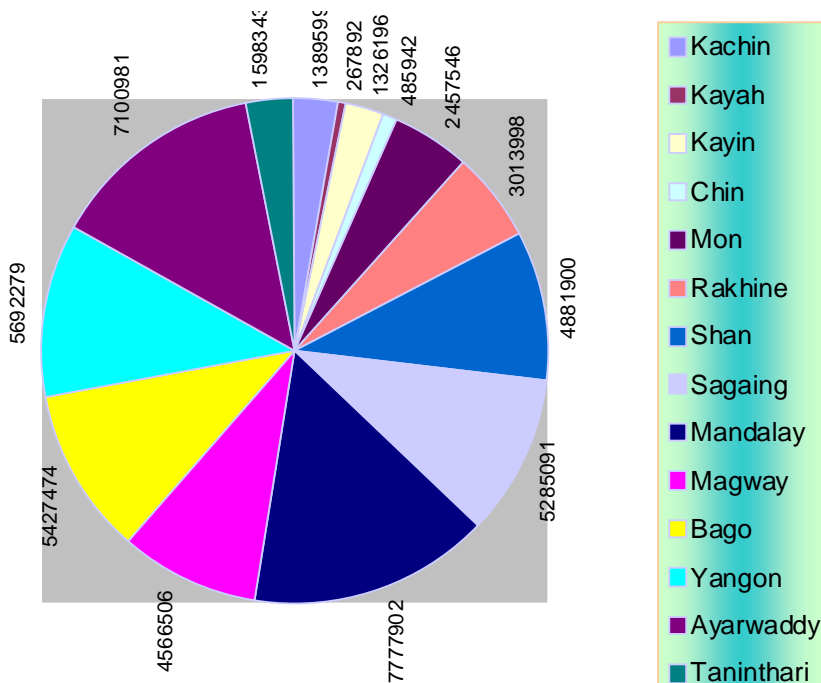
Bago Region: 5,427,474 people, 28 townships

Yangon Region: 5,692,279 people, 45 townships

Irrawaddy Region: 7,100,981 people, 26 townships

Tanintharyi Region: 1,598,343 people, 10 townships

29 Source: Myanmar Information Management Unit (<http://www.themimu.info/>)



III.G. Voting Procedure

According to the UEC, lists of eligible voters (electoral rolls) have been issued and displayed on notice- boards at the respective ward/village-tracts. It has been announced that those who are eligible to vote, but not included in the electoral registers may submit an application to ward/villagetract subcommissions, according to Rule 9 of the Election Law.

To enable all voters to complete their voting within the given time frame and cast their secret ballots, the numbers of polling stations and their locations have already been designated.

As well, a separate ballot-box and polling booth are provided at polling stations for ethnic groups. On the day of the election, polling stations will be opened from 6 a.m. until 4 p.m. Respective candidates, their representatives, their polling booth agents and assistant agents are allowed to enter the polling stations from the beginning of the polling until the end.

When the casting of ballot papers is over, counting of ballots will be conducted in the presence of polling officers, the public, representatives of political parties and agents. The names of at least 10 persons present at the vote counting will also be recorded as witnesses.

According to the UEC, different color ballot boxes are used in the election. The blue color ballot box is for the National Parliament (168 seats), the green color for the People's Parliament (330 seats) and the violet color ballot box is for the State/Regional Parliament (665 seats).

Only 300 voters can be permitted to vote in each polling station.

According to the polling officer manual (See the appendix), a polling station officer, a deputy officer, a person who checks the list of eligible voters, a person who issues the ballot card, ward/village-tract officers and security guards will be present in each polling station. The UEC also allows the presence of the respective candidates, their assistants and their agents in the polling station.

The UEC doesn't allow any political campaigning within 500 yards around a polling station.

Polling officers and staff have to arrive at the polling station on time and to open the polling station at the schedule time.

Counting of votes will be started after the voting period is over. After that, the results of the vote count will be sent to the respective township election commission.

Critics argue political parties will have problems hiring party agents for every polling station. There are an estimated 27 million people eligible to vote. Therefore, the UEC has to build 90,000 polling stations nationwide. Most political parties will not be able to afford to hire agents to be present in every polling station.

IV. Voter Education, Campaign

IV.a. Voter Education

Even though the military regime has given an 'electoral process course' to election commission members, polling officers and staff, nationwide, since early in May, 2010, the regime has not given voter education training to ordinary citizens. To fill this gap, Burmese NGOs and INGOs such as Myanmar Egress, the Asian Network for Free and Fair Elections (ANFREL), the Vahu Development Institute, Shalom Foundation, and political parties have given voter education training inside Burma. They have done so under the name of 'capacity building initiatives' because they want to avoid problems with the regime. These NGOs and INGOs demonstrated during the training how to get a voter card, how to mark the ballot, how to put it in the ballot box, and so on.

The military regime doesn't have a plan to set up ballot boxes for refugees, displaced people, or Burmese migrant workers. There are about 2 million Burmese working in Thailand and hundreds of thousands of refugees living in nine camps in Thailand, located along Thai-Burma border.

However, the regime will make a list of what it calls "ghost voters"³⁰, whose votes will be given to the government-backed USDP party. This is a provision made during the constitutional referendum held on May 10, 2008.

IV.b. Campaign

Except the USDP and NUP, most political parties have complained about the short campaign period and a lack of funds. According to the regime's party registration laws, parties must submit a list of party members to the UEC within 90 days of being approved as political party.³¹ If a party intends to contest nationwide, it must submit a list of 1000 party members, but if the party is going to contest only in a State or Region, it must submit a list of 500 party members.

Some political parties have faced problems when they campaign. For example, the SNDP party was prevented by local authorities from campaigning in Loikaw.³²

³⁰ **Ghost voting** refers to the practice of voters in a legislative body taking part in a vote while not physically there in person to cast their vote, because they were dead, or because they never existed. It can also refer to a type of [election fraud](#) whereby voters who do not exist or who are not eligible to vote are added to the electoral register. The term has also been used to refer to those that are on the electoral register to vote in an election but are ineligible to vote.

³¹ The Political Parties Registration Laws, Chapter II, article 5 (f) admission that it will organize at least 1000 party members within 90 days from the day of permission for registration as a political party if it is a party that will organize throughout the entire Union or admission that it will organize at least 500 party members within 90 days from the day of permission for registration as a political party if it is a party that will organize only in a Region or State.

³² <http://www.bnionline.net/feature/shan/9381-rigged-constitution-vague-laws-and-dirty-tricks-.html>

Burmese junta crony businessman, Htay Myint, a USDP candidate in Myeik Township, Taninthari Region, has reached a price-cutting deal with local electricity suppliers for his constituents, as part of his electoral campaign.³³ It is a ploy to buy support from local voters.

The USDP has organized the Rohingya community in Maungdaw, Arakan State, to gain their support by issuing a National Identity Card (White card).³⁴ It is the only way for Rohingya residents to obtain the card.

As well, the USDP has been discretely collecting new member signatures from residents of Mudon and Thanphyuzayart townships, Mon State, during September.³⁵ Adding their signatures to the party's membership list serves as a commitment the signers will vote for the party in the upcoming elections.

Some government officials have been canvassing for votes along with candidates of the USDP in their respective area.³⁶ But, according to the election laws, government staff shall not get involved in political campaigning. More interestingly, the regime has collected over 70,000 names of voters in four areas near the China-Burma border, in northeast

³³ <http://www.bnionline.net/news/mizzima/9441-junta-crony-uses-influence-to-cut-voters-power-bills.html>

³⁴ <http://www.bnionline.net/news/kaladan/9438--usdp-issues-national-id-card-under-poll-campaign-in-maungdaw.html>

³⁵ <http://www.bnionline.net/news/imna/9414-usdp-collects-voter-signatures.html>

³⁶ <http://www.bnionline.net/news/narinjara/9377-government-officials-canvas-votes-with-usdp-candidates.html>

Shan State, and ordered them to vote for the government backed Union Solidarity and Development Party (USDP).³⁷

The USDP party has recruited Burmese business tycoons as party candidates. Therefore, the USDP party has enough funds and human resources to pay for their campaign. On the other hand, some opposition parties attempted to raise funds by collecting donations at markets, but the local municipal committee tried to stop these activities.

Activists started an “I Vote” campaign in Yangon on Oct 19th. Nobody knows who these activists are. These activists only wore a T-shirt with “I Vote” stickers. “They can be from the regime-backed USDP party because the party has enough funds. Other parties don’t have enough money to do these kind of activities,” a Yangon-based politician, who equested anonymity said.³⁸

However, some activist groups have started anti-election campaigns in Yangon and other cities. Generation Wave kicked off its anti-election campaign on August 12nd. The group said evey citizen has the right to vote or no to vote. They are campaigning in public places ranging from bus shelters to shopping centers.

Generation Wave launched the campaign on August 12 in various parts of Rangoon, including Dagon Myothit, Insein, Hlaing Tharyar, and Mingaladon

³⁷ <http://www.bnionline.net/news/kng/9361-voters-being-pressured-to-vote-usdp.html>

³⁸ <http://www.khitpyaing.org/index.php?route=detail&id=5056>

Townships, and Bayint-Naung wholesale market, Yuzana Plaza and Dagon shopping centers.³⁹

Political campaigns have also been organized by exiled activist groups, outside the country. Many activists and campaign groups from inside and outside the country are not satisfied with the campaign process, saying it is not free or fair. They believe the elections on November 7th will not bring democracy, security or national reconciliation to the country. They say the 2008 constitution was forged in an exclusive, undemocratic and non-reconciliatory manner.

Democratic and ethnic opposition parties and groups, human rights activists, and the majority of the general public do not accept the 2008 Constitution and will not support the 2010 elections unless absolutely crucial benchmarks for democratic progress are met, including: (1) the unconditional release of all political prisoners, including Daw Aung San Suu Kyi; (2) the cessation of attacks against ethnic communities and democracy activists; and (3) genuine and inclusive political dialogue, including a review of the 2008 Constitution.

The 10 leading political groups in exile, namely the NCGUB, NCUB, DAB, NDF, MPU, NLD-LA, FDB, WLB, NYForum, and SYCB, which represent the broadest constituencies of the political and civil society organizations within the country and on border areas, launched a global campaign calling on the international community to not recognize the military regime's elections, or the results, unless the aforementioned three key benchmarks are met. This campaign is endorsed by about 160 Burmese and regional and international organizations. The campaign was officially launched on March 19.

³⁹ <http://burmadigest.info/2010/08/17/burma-related-news-august-17-2010/>

Campaign Goal:

- To pressure the regime to meet key benchmarks before the elections:
 - The release all political prisoners
 - Cessation of hostilities against ethnic groups and pro-democracy force
 - Inclusive dialogue with key stakeholders from democracy groups and ethnic nationalities, including a review of the 2008 Constitution
- If benchmarks are not met, denounce the elections and not recognize the results.

The leading alliances of the campaign held a number of meetings with parliamentarians and government officials in some ASEAN countries with the support of AIPMC, and also in Europe. Public awareness raising activities, including public seminars, protests and press conferences were also launched in various countries by Burmese communities and solidarity networks.

The Global Day of Action, marking the 20th anniversary of the 1990 elections was organized in more than 26 countries. About 40,000 election postcards were collected, in which people called for the real election rather than the military selection and called on the governments to not recognize the sham 2010 elections.

Another round of global solidarity actions are also being organized two weeks prior to the elections by Burmese and Burma solidarity groups in many countries including, the US, Japan, Korea, Philippines, and Thailand.

These solidarity actions are to support the people of Burma in their boycott of the 2010 elections.



Figure 9 Vote No Campaign

V. Human Rights, Border Guard Force

V.a. Human Rights

Local residents in Shan State North's Muse Township, opposite China's Yunnan Province, are saying they are being threatened by local authorities to vote for the junta-backed Union Solidarity and Development Party (USDP) in keeping with the party's 'must win' policy. The USDP is using local militia groups to pressure people to vote for the party saying people who vote for other parties would be imprisoned. On 27 September, U Kengmai (50), chief of the 200-strong Mongpaw Militia Unit, was said to

have told villagers in its controlled areas to vote for the USDP or their lives would be in danger.⁴⁰

Another case occurred in Theinni, northern Shan State. The Kachin Defence Army (KDA), a People's Militia group based in Theinni (Hsenwi in Shan) Township, Man Lin Village, is threatening villagers with forced relocation if they refuse to vote for the USDP.⁴¹

The Union Election Commission (UEC) rejected the script for a Democratic Party (Myanmar) campaign ad intended to be broadcast on state-run television and radio in the end of September.⁴² But, they failed to give a reason.

The Network for Human Rights Documentation in Burma (ND- Burma), said it has documented 60 cases of election-related human rights violations committed by the regime and its supporters in the pre-election period from January to July 2010.⁴³

The following violations were reported:

- Arbitrary arrest and detention (8 cases)
- Denial of the right to freedom of expression, assembly, and association (8 cases)
- Denial of the right to freedom of movement (14 cases)
- Forced labor (8 cases)

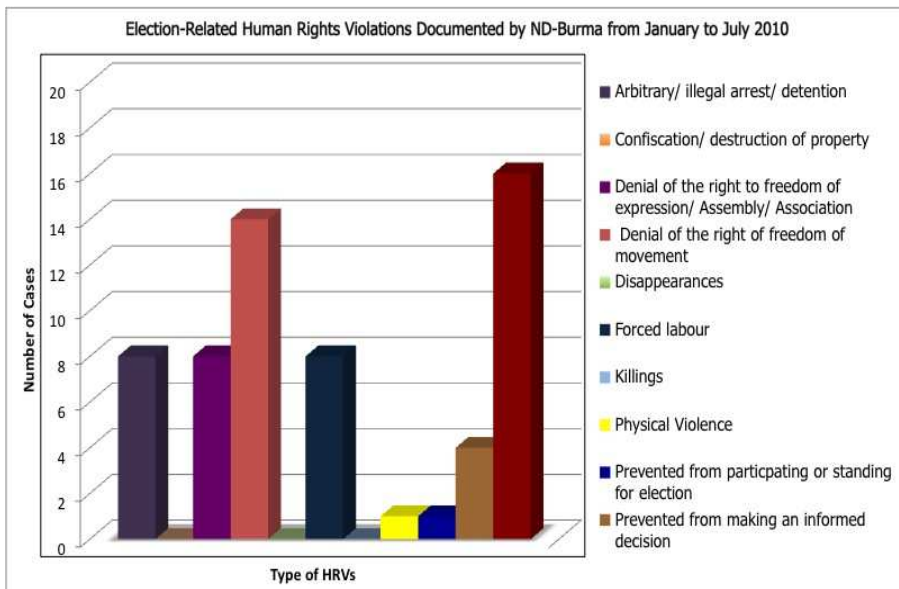
⁴⁰ <http://www.bnionline.net/news/shan/9455-border-residents-ordered-to-vote-for-junta-backed-party.html>

⁴¹ <http://www.bnionline.net/news/kng/9454-kda-pressures-people-to-vote-for-usdp.html>

⁴² http://www.irrawaddy.org/article.php?art_id=19538

⁴³ <http://www.nd-burma.org/hr-reports/member-report/item/34-report-on-the-human-rights-situation-in-burma-january-july-2010.html>

- Physical Violence (1 cases)
- Prevented from making an informed decision (4 cases)
- Prevented from participating or standing for an election (1 cases)
- Threats of violence, intimidation, or other forms of coercion (16 cases)



*ND-Burma

V.b. Border Guard Force

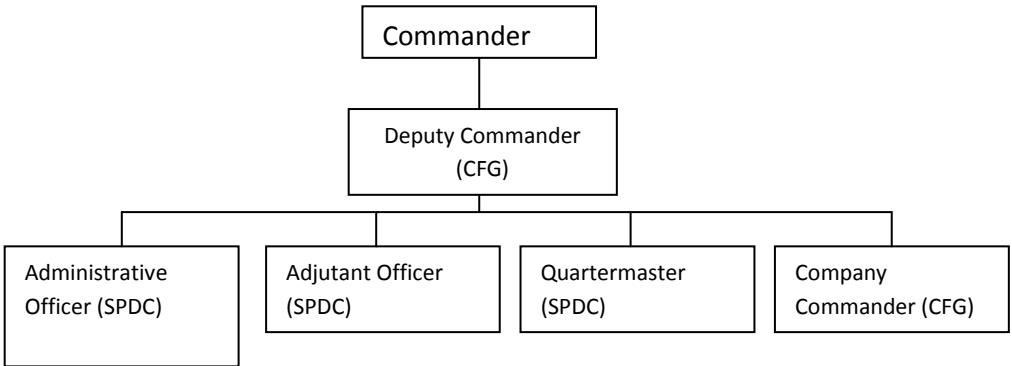
The junta has pressured ethnic ceasefire groups to transform into the Burmese Army controlled Border Guard Force, since early 2009. However, the junta was not successful because some ethnic armed groups have rejected joining the BGF. These armed groups are: Kachin Independence Army, Brigade 1 of SSA (North), United Wa State Army, National

Democratic Alliance Army, Brigade 5 of DKBA, New Mon State Party, Kayan New Land Party, and Karen Peace Council.⁴⁴

Some ceasefire groups have already transformed into the BGF. These armed groups are: the Kachin Defence Army (KDA), the National Democratic Army (Kachin), the Karenni Nationalities People Liberation Front, the Democratic Karen Buddhist Army⁴⁵, the Shan State Army (North), the Lahu, and Arkha militia groups

The BGF will consist of 326 soldiers, including 18 officers and three commanders with the rank of major. Among the three majors, two will be come from ethnic armed groups and one from the Tamadaw (Burma army) who will control the day-to-day operations of the BGF. The other (30) keys positions, such as adjutant officer and quartermaster officer, will also be from the Tatmadaw and twenty-seven other ranking non-commissioned officers will be from the Tatmadaw, including company sergeant majors, sergeants, clerks, medics and so on. The ethnic armed groups are not satisfied with this arrangement.

Border Guard Forced Structure



⁴⁴ <http://www.bnionline.net/news/shan/9233-wa-mongla-reject-juntas-bgf.html>

⁴⁵ <http://www.dvb.no/news/dkba-officially-becomes-border-guard-force/11330>

The effect of rejecting transformation into the BGF by some ethnic armed groups has a major impact on the up-coming polls. On September 16th, just over month before the election, the UEC announced the vote will not be held in over 300 village-tracts in 32 townships in Kachin, Karen, Karenni, Mon and Shan states because of a lack of security.⁴⁶ It means hundreds of thousands of voters can not join the polls.

The KSP Party's application for registration was rejected because its leader, Dr. Tu Jaa, is a former KIO vice-president. The KIO rejected the junta's BGF proposal. Some ethnic leaders had complained the USDP is allowed to run in the elections. These ethnic leaders pointed out that the USDP party is also connected with the Burmese army.

46

<http://www.burmaelection2010.com/PDF/EA/Kachin%20state%20election%20analysis.pdf>



Figure 10 Border Guard Force

VI. Irregularities

The regime said it won't try to collect advance votes. But, government employees in Naypyitaw and attendees of the Central Institute of Public Services in Hlegu, Yangon Region stated authorities collected early votes from them between the 14th and 18th of September.⁴⁷

However, there is no evidence that the regime has directly threatened people to vote for the government-backed USDP party. But some militia groups, which are also backed by the regime, have threatened local people in ethnic areas. In early October, U Mahtu Naw, the leader of a militia unit in Manglin village, Theindi Township, Northern Shan State, threatened

⁴⁷ <http://burma2010elections.crowdmap.com/reports/view/12>

residents, stating that if they do not vote for USDP, they will be removed from their community.⁴⁸

Even though the regime declared the election would be free and fair, many Burmese citizens have faced a lot of problems when they accepted leaflets from opposition groups. According to Daw Khin Htay Kywe, the defense lawyer of Rev. Okkantha (aka) Rev. Zaw Lat, who was detained in Insein prison under the charge of possessing anti-election leaflets stated a Special Court was opened in the Insein Prison compound and recently sentenced Rev. Monk Okkantha to 15 years.

“The sentence of 15 years prison term is too much for it”, a person requesting anonymity said.⁴⁹

Some people, who want to join any opposition political party, have been threatened by the local authorities.

“Residents from Mongton, Monghsat in Eastern Shan State did not dare to join the Shan Nationalities Democratic Party (SNDP) due to fear of possible threats from local authorities and USDP,” a Mongton resident said.

There is evidence that the USDP party uses various ways to recruit party members.

“The USDP organizers in Yenanchaung Township, Magwe Region, were provided with funds to run a money lending business as a means to recruit more members,” a USDP party member said.⁵⁰

⁴⁸ <http://burma2010elections.crowdmap.com/reports/view/14>

⁴⁹ <http://burma2010elections.crowdmap.com/reports/view/11>

⁵⁰ <http://burma2010elections.crowdmap.com/reports/view/9>

According to residents from villages in Loikaw, Karenni State, the Township Union Election Commission has been collecting 500 kyat from each household in exchange for ballot papers.

VII. Complaints

There are many complains about the upcoming elections made by political parties, individuals, academics and political activists as well as the international community. First, academics and politicians criticized the '2008 constitution'. They pointed out that the constitution was devised in an undemocratic manner because candidates who won in the 1990 election could not participate in drafting it. Therefore, NLD party won't accept the new constitution and is boycotting the election.



Figure 11 Dr. Tuu Ja

"Registering the party under the unjust and one-sided laws is no acceptable," Daw Aung San Suu Kyi said through U Nyan Win.⁵¹

Many analysts including politicians and academics said removing Aung San Suu Kyi and over 2,100 political prisoners from the country's political process shows there will be no free and fair election in Burma. The NLD party stated "the regime responded by issuing a set of unfair and unjust electoral laws, which will beget undemocratic elections."

Shan Nationalities League for Democracy (SNLD) spokesperson Sai Leik said that the SPDC election laws were "biased" and "not based on the people's wishes".

As well, U Pu Cin Sian Thang, the spokesperson of United Nationalities Alliance, said there was "discrimination" in the SPDC election laws.

The SPDC political parties registration law states that those who convicted by a court and serving jail terms are not eligible to form or become members of a political party. Many analysts including politicians and academics pointed out that this law intentionally bars Daw Aung San Suu Kyi from the political process in Burma. It's 'unacceptable discrimination', according to opposition politicians, especially from the NLD.

Critics said Burma's election won't bring any positive change to the country. In addition to removing Aung San Suu Kyi and over 2,100 political prisoners from the country's political process, the regime harbors plans to intensify its

⁵¹ <http://www.reuters.com/article/idUSTRE62S1JM20100329>

military assaults against ethnic cease-fire troops who refuse to obey its orders.⁵²

Some democratic activists and the NLD party criticized the fact 25% of the seats in the parliaments are e aside for military appointees⁵³. However, some politicians said it's not the right time to talk about this issue but to accept the reality.

"This is not time to talk about what the military wants and what the democratic forces want, but to work from what is available at the moment," Phyto Min Thein, a former political prisoner and student activist, said.

However, U Thu Wei, Chairman of the Democracy Party (Myanmar), sees that it's unavoidable because the country is controlled by the military. He said elected MPs can raise their voices in the parliament. Therefore, the army (Tamadaw) cannot do whatever it wants.

Critics say that oppressive rules governing campaigning, the repression of the main opposition party and other elements ensure that the army will continue its control of he county after the polls. U Phyto Min Thein, chairman of Union Democracy Party, resigned from his chairmanship. He said the upcoming elections would not be free and fair due to the oppressive election laws.

The UN urged the regime to open the way for democratic groups to participate in the election, and sought to persuade the junta to hold free and fair elections in Burma. The UN issued a statement saying, "without the participation of Daw Aung San Suu Kyi and all key political prisoners, the

⁵² http://www.irrawaddymedia.com/print_article.php?art_id=18088

⁵³ <http://news.bbc.co.uk/2/hi/8594878.stm>

elections would not be inclusive.” However, the military has ignored the criticisms voiced from inside and outside the country.

Even though five old parties including the NLD and SNLD did not apply to the UEC for permission to run in the election, the KSPP applied in accordance with the Election Law. But, the UEC did not grant the KSPP permission to run in the election. Dr. Tu Jaa, the leader of the KSPP party, said it’s unfair and unacceptable. Political analysts in Kachin State say the military regime has banned KIO leaders from participating in the vote because they have resisted continued pressure to transform into the junta controlled Border Guard Force (BGF).

According to the SPDC Political Parties Registration Bylaws, political parties will have to pay a registration fee of 300,000 Kyat (US\$ 300) to the UEC, and each candidate who wants to run in the election, will have to pay a non-refundable fee of 500,000 Kyat to the UEC. There will be over 35,000 polling stations in nationwide.

The cost of registering candidates for the elections is steep, Thu Wei said

“This could be a barrier to full participation. Parties are required to pay 500,000 kyat (US\$ 500) per candidate, so if they are looking to compete for all 500 seats in parliament the cost would reach 250 million kyat (US\$ 250,000).”

“Rich politicians are rare in Burma so [parties] will struggle for the money,” he said. “We are worried that things may not happen as we are expecting. For now, our members are contributing their own cash [for the party] but it

won't be enough for the elections.⁵⁴ That's why political parties cannot nominate many candidates to run in the election.

In comparison, the USDP party has 1,158 candidates running in the election while NUP has 980 candidates, the NDF has 166 candidates, the SNDP has 157, the UMFNP has 51, the DP has 49, the RNDP has 44 and the 88 Generation Students Youth party has 38.

With the exception of the USDP and NUP parties, the other parties have had financial problems. The USDP party has offered low interest loans to street vendors and merchants if they become the USDP members. Some politicians see the activity as vote buying.

Apart from financial problems, political parties have complained they needed more time to nominate candidates than was allowed by the UEC.

Dr. Than Nyein, leader of the NDF party, said the short deadline for political parties to submit their list of candidates for the election was unfair.

The UEC issued Directive No. (2/2010) on June 21th, 2010. According to the Directive No. 2/2010, political parties cannot chant slogans, march or carry flags as part of their campaigns; parties have to apply for permission a week in advance to hold gathering outside their own headquarters; parties cannot give speeches or publish materials that 'tarnish' the image of the state and the armed forces, criticize the constitution, or harm 'security' and community peace.

⁵⁴ <http://www.dvb.no/elections/democratic-party-registers-for-elections/8438>

Many politicians described their disappointment. Ye Tun, chairman of 88 Generation Student Youths (Union of Myanmar) said political parties were 'in a tight corner' as a result of the restrictions on campaign activities imposed by the UEC's Directive No. 2/2010. U Thu Wei, chairman of Democratic Party (Myanmar) said "this directive restricted us from public reaching the public with our message."

Government-backed parties, pro-government parties, and some democratic parties (so called third force) have pressured people to vote in the election. On the other hand, the NLD party, which won in the 1990 election, said people should not be forced to vote in the election.

"The people had clearly voiced their aspirations in the 1990 election, but the government has ignored the results. Now is the opportunity for the public to retaliate for what the government had done in 1990," lawyer Nyan Win quoted Suu Kyi saying.⁵⁵

On the other hand, politicians running for elections next month have said that the 'no vote' campaign promoted by opposition icon Aung San Suu Kyi's party will hinder any chances of democratic reform in Burma.

"There is the question of what kind of people will boycott the elections, and the answer is only those who dislike the military government. This will make it very convenient for the government and the USDP," U Thu Wei said.⁵⁶

"If people are not voting, it would only make us and other democratic parties lose votes and lead the government parties to win," he added.

⁵⁵ http://www.irrawaddy.org/article.php?art_id=19745

⁵⁶ <http://www.dvb.no/elections/politicians-rue-%E2%80%98no-vote%E2%80%99-campaign/12076>

The SNDP party complained about the regime's restriction on traveling. Party members were barred in Loikaw, Kayah State when they went to campaign in Kayah State. A candidate from the SNDP said this kind of intimidation causes them to lose votes.

Even though the UEC permitted political parties media access to TV and radio, political parties have complained because they have to send copies of their speeches to the UEC one week before it is broadcast. Interestingly, U Thu Wei's speech was censored by the regime before he broadcasted it on TV. Also, if parties want to distribute leaflets, they have to apply for permission from the UEC.

The Election Commission said there was no need to grant visas for foreign reporters because there are local reporters in the country who work for foreign media. The commission also reiterated that it was "not necessary" for foreign observers to monitor the elections.

Election Commission Chairman, U Thein Soe, held a press conference in Naypyitaw and told diplomats and Myanmar-based media at its first election briefing that "representatives in Yangon who are working for foreign media can cover the elections and no foreign journalists will be allowed."

"Since these diplomats represent their respective countries, there is no need to invite foreign observers. It is not necessary to invite foreign monitors

as Myanmar has capable and experienced persons to oversee the election process," he added.⁵⁷

Under election laws, outsiders, including reporters, will not be allowed to enter polling stations and take photographs "to enable voters to vote in privacy," Thein Soe said.

"This latest restriction shows the government has no intention of holding free and fair elections," Vincent Brossel from Paris-based 'Reporters Without Borders' said. "One of the conditions for a democratic election is again refused by the government. They have total control over the Burmese media and now that the foreign journalists are denied access [to] Burma during the election[s] there is no chance to get transparency and accountability."⁵⁸

Some politicians said NDPP in Arakan State, KSDDP in Karen State, UDPKS in Kachin State, TNP, PNO, KDUP (Kokang party), WDP (Wa party) and Lahu party in Shan State are also junta-backed proxy parties because these parties have made an alliance with the junta-backed the USDP party.

⁵⁷ http://hosted.ap.org/dynamic/stories/A/AS_MYANMAR_ELECTION?SITE=KVUE&SECTION=HOME&TEMPLATE=DEFAULT

⁵⁸ <http://www.voanews.com/english/news/Burma-Bars-Foreign-Observers-Journalists-From-Elections-105167194.html>

VIII.Observations on Challenges

1. Party Funds: the legally required registration fee for candidate and parties is too much of a financial impediment for opposition parties. If a political party contests for seats in all constituencies, the party must spend US \$580,000 for 1163 constituencies in Burma. With the exception of the USDP and NUP, most political parties which intend to contest the election lack the funds to pay candidate registration fee. In the 1990 election, a candidate only needed to pay 10,000 Kyat for the registration fee.

2. Campaign Period:⁵⁹ Political parties have had to rush to recruit party members, to find the right candidates, raise money and organize campaign because the election period is so short. Bylaws under the notification No.1/2010 of the Rights of Formation and Registration of Political Party, 17 March 2010, issued by the UEC, Article 13 (a) state: Parties must submit a list of 1000 party members to the UEC within 90 days after the political party is granted registration as a political party by the UEC, if the political party will contest nationwide. If the political party contests in a State or Region, it must submit a list of 500 party members to the UEC. Other than the junta backed USDP and NUP parties, the opposition parties don't have the funds to recruit party members in short time of period. And, it has been difficult for them to find candidates willing to run.

3. Travel restrictions: Travel restrictions are also a big challenge to parties. It is because parties have to organize campaigns in their respective constituencies in different townships, districts, States and Regions. If parties

⁵⁹ <http://www.khitpyaing.org/index.php?route=detail&id=3543>

can not travel freely for canvass in their respective constituencies, they will lose many votes. The military regime should allow opposition parties to campaign freely. Even though the military regime has declared it intends to hold free and fair elections on November 7, 2010, some political parties have accused the government and its supporters of preventing them from travelling for campaign purposes. For example, the SNDP was blocked from campaigning for votes in Karenni State (Kayah State).⁶⁰ Opposition parties cannot travel in the ceasefire groups controlled areas, especially in 'Wa territory', 'southern Shan State', 'some parts of Karen State' and 'some parts of Karenni State'.⁶¹

Political parties must request permission from the UEC before they go for campaigns.

4. Freedom of the press: Censorship of the media is a massive challenge for parties. Burma is one of the most repressive media environments in the world.

According to the UEC's Directive No. 42/2010 of the Supervisory Committee for Printers and Publishing Registration and Press Scrutiny and Publishing, political parties must deliver a non-refundable fee of 100,000 Kyat for permission to publish and a 500,000 Kyat deposit fee if political parties would like to print materials outlining party policy. Even though the military regime permits political parties to broadcast on TV, political parties must

60 <http://www.dvb.no/elections/shan-party%E2%80%99s-campaign-blocked-by-ec/11010>

61 <http://www.bnionline.net/news/shan/9042-poll-campaign-banned-in-ceasefire-areas.html>

send the script to the UEC seven days ahead before the parties broadcast on TV for fifteen minutes.

5. Restrictions on participation of ethnic parties: ethnic participation in the political process has been restricted by the UEC. Some ethnic political parties cannot run in the upcoming election because these ethnic parties haven't received permission. On the other hand, the regime-backed ethnic parties have received permission to run.

For example, the KSPP party applied to the UEC for permission to register as a political party on 5 April 2010, but the UEC rejected the KSPP.⁶² It seems there is lack of ethnic participation in the polls, even though the regime declared it will hold a free and fair multiparty election.

6. Using state resources: The military regime has ignored the constitutional provision preventing political parties from using state funds and resources. Most political parties accuse the government-backed USDP party for using public property, government buildings, vehicles, and staff. The military regime should not allow this. The regime should treat all political parties equally.

7. Threaten: Opposition politicians have been threatened by authorities. After parties submitted lists of party members to the UEC, the lists were passed to police and MAS (military affairs security). Some family members of politicians were questioned and intimidated by local authorities. For example, family members of the RNDP party supporters were questioned by

62 <http://www.bnionline.net/news/kng/9392-kachin-parties-independents-denied-ec-approval.html>

local police. On August 20th the RNDP filed complaints with the UEC against the interrogation and intimidation by police officers.⁶³

Some party members avoid participating in campaign activities because they fear being questioned and intimidated by police.

Conclusion

Currently, the election is the hottest issue inside and outside Burma. However, the electoral process is unfair and undemocratic. It also excludes ethnic participation on a large scale. Therefore, the country's political problems are unlikely to be solved.

Though the junta insists the process is fair, it is likely 'military appointees' will continue to have the upper hand in the newly established parliament after the election. Even though there are (37) political parties registered to contest the vote, most of them are small, regional ethnic parties.

Despite the restrictions, opposition parties attempt to participate in the election process because they want to create a better political climate in Burma. Some observers say the outcome is predictable because of the advantages enjoyed by the junta backed proxy parties. Therefore, the polls cannot solve the outstanding political issues with ethnic groups in Burma. As well, the Burmese military regime continues to insist the remaining ethnic armed groups transform into the BGF, rather than participating in constructive dialogue with these armed groups.

Under the legal structure provided by the so called '2008 constitution', the current military regime will continue to rule the country for three months after

⁶³ <http://www.mizzima.com/political-pro/new-parties/rndp.html>

the election, as a caretaker government. When the new government is formed, the military's top brass will still have control of the newly elected parliament, because the president must consult the National Defence and Security Council (NDSC)⁶⁴, where the military commander in chief is chairman.

Executive power will be divided between the government, which is controlled by the president, and the National Defence and Security Council, controlled by the commander in chief. Legislative power will be divided between the elected representatives, who will likely be controlled by USDP politicians, and military appointees. Judicial power will to be laid down under the executive branch.

There seems to be an asymmetrical power balance favoring the military regime over the opposition groups. However, opposition political parties which have chosen to participate in the election process, despite its unfairness, say it necessary to take advantage of the opportunity provided by the first election in two decades to attempt to win even a few seats in the next government, and try and push the ethnic region's agenda.

64 "2008 Myanmar constitution", Chapter VII – Defence Services, article 340 "with the approval of the National Defence and Security Council, the Defence Services has the authority to administer the participation of the entire people in the Security and Defence of the Union. The strategy of the people's militia shall be carried out under the leadership of the Defence Services.

Appendix I:

Union of Myanmar
State Peace and Development Council
Announcement No. 1/2010
12th Waning of Taboung, 1371 ME
11 March, 2010

Formation of Union Election Commission

The State Peace and Development Council formed the “Union Election Commission” with the following persons under the Article 443 of the Constitution of the Union of the Republic of Myanmar and the Section 3 of the Union Election Commission Law 2010 enacted under the Law No. 1/2010 of the State Peace and Development Council for successfully holding of the Multi-party Democracy General Elections in 2010.

- | | |
|------------------------|--|
| 1. U Thein Soe | Chairman |
| 2. U N Zaw Naw | member |
| 3. U Khin Maung Nu | member |
| 4. U Saw Ba Hlaing | member |
| 5. Dr. Ba Maung | member |
| 6. U Nyunt Tin | member |
| 7. U Maung Tha Hla | member |
| 8. Dr. Sai Kham Hlaing | member (**Rumour: he was replaced with Sai Aung Min) |
| 9. U Aung Myint | member |
| 10. U Myint Naing | member |
| 11. Dr. Tin Aung Aye | member |
| 12. Dr. Daw Myint Kyi | member |
| 13. Daw Khin Hla Myint | member |
| 14. U Tha Oo | member |

- 15. Dr. Maung Htoo member
- 16. U Tha Htay member
- 17. U Win Kyi member

ByOrder,
Sd/ Thiha Thura Tin Aung Myint Oo
General Secretary-1

Appendix II:

Union of Myanmar
Union Election Commission
Nay Pyi Taw
Notification No. 100/2010
8th Waxing of Tawthalin, 1372 ME
(16 September, 2010)
Areas where elections will not be held

The Union Election Commission today announced according to the Article 8 (f) of the Union Election Commission Law that the elections will not be held in the following areas in Kayah State as they are in no position to host free and fair elections in the Multiparty Party Democracy General Elections to be held on 7 November 2010.

No. Township ward/village-tract

1. Pruhso 1. Kaykaw village-tract
2. Thothipho village-tract
3. Yawdawkhaw village-tract
4. Domosaw village-tract
2. Pasawng 1. Karalkhi village-tract
2. Mosarkhi village-tract
3. Kwarkhi village-tract
4. Kawthudoe village-tract

5. Bahanlaw village-tract

Sd/Thein Soe
Chairman

Appendix III:

Union of Myanmar
Union Election Commission
Nay Pyi Taw
Notification No. 97/2010
6th Waxing of Tawthalin, 1372 ME
(14 September, 2010)

Granting permission to subsist as political parties, and dissolving political parties by revoking registration

1. The Union Election Commission announced with the Notification No.1/2010 dated 18-3-2010 that political parties wishing to stand for multiparty democracy general elections of respective Hluttaws to be held on 7 November 2010 may apply for registration in accord with the law. It also announced with the Notification No.18/2010 dated 9-4-2010 that the following 10 parties that are encompassed by the Article 25 of Political Parties Registration Law may apply to the UEC for continued existence as political parties within 60 days.

- (a) Kokang Democracy and Unity Party
- (b) National Unity Party
- (c) Union Kayin League
- (d) Union Pa-O National Organization
- (e) Mro or Khami National Solidarity Organization (MKNSO)
- (f) Shan Nationalities League for Democracy
- (g) Shan State Kokang Democratic Party
- (h) Lahu National Development Party

- (i) "Wa" National Development Party
- (j) National League for Democracy

2. Of the 10 parties stated in the Paragraph-1 and which are encompassed by the Article 25 of Political Parties Registration Law, the following five parties applied to the UEC for registration within 60 days.

- (a) Mro or Khami National Solidarity Organization (MKNSO)
- (b) National Unity Party
- (c) Lahu National Development Party
- (d) Kokang Democracy and Unity Party
- (e) Union Kayin League

3. Of the 10 parties stated in Paragraph-1, the following five parties have become null and void according to the law as they did not apply for continued existence as political parties within the prescribed days. As those parties no longer have the right to continued existence as political parties, their registrations have been revoked and they have been dissolved.

- (a) Union Pa-O National Organization
- (b) Shan Nationalities League for Democracy
- (c) Shan State Kokang Democratic Party
- (d) "Wa" National Development Party
- (e) National League for Democracy

4. Forty-two political parties whose registrations have been passed by the UEC for enabling them to run for multi-party democracy general elections to be held on 7 November 2010 include five parties stated in Paragraph-2 and 37 new parties.

5. Of those 42 parties, the following 37 parties shall have the right to continued existence as political parties as their Hluttaw candidates will compete in at least three constituencies out of the Pyithu Hluttaw constituency, the Amyotha Hluttaw constituency and Region or State Hluttaw constituency for multi-party democracy general elections to be held on 7 November 2010.

- (a) Mro or Khami National Solidarity Organization (MKNSO)
- (b) National Unity Party
- (c) Lahu National Development Party
- (d) Kokang Democracy and Unity Party
- (e) Pa-O National Organization (PNO)
- (f) Democratic Party (Myanmar)
- (g) Kayan National Party
- (h) Rakhine State National Force of Myanmar
- (i) Kayin Peoples Party
- (j) "Wa" National Unity Party
- (k) Taaung (Palaung) National Party
- (l) All Mon Region Democracy Party
- (m) Democracy and Peace Party
- (n) Shan Nationalities Democratic Party
- (o) United Democratic Party (UDP)
- (p) 88 Generation Student Youths (Union of Myanmar)
- (q) Union of Myanmar Federation of National Politics
- (r) National Political Alliances League
- (s) Chin National Party
- (t) Wunthanu NLD (Union of Myanmar)
- (u) New Era People's Party
- (v) Union Democracy Party

- (w) Peace and Diversity Party
- (x) Chin Progressive Party
- (y) Inn National Development Party
- (z) Rakhine Nationalities Development Party
- (aa) “Wa” Democratic Party
- (bb) Phalon-Sawaw Democratic Party
- (cc) National Democratic Party for Development
- (dd) Union Solidarity and Development Party
- (ee) Ethnic National Development Party
- (ff) Kaman National Progressive Party
- (gg) Khami National Development Party
- (hh) National Democratic Force Party
- (ii) Unity and Democracy Party (Kachin State)
- (jj) Kayin State Democracy and Development Party
- (kk) National Development and Peace Party

6. As the following five parties whose registrations have been passed are not able to compete in at least three constituencies for multi-party democracy general elections, the UEC has dissolved those parties by cancelling their registrations under Article 12 (b) of Political Parties Registration Law.

- (a) Union Kayin League Registration No.11
- (b) Myanmar New Society Democratic Party Registration No. 20
- (c) Myanmar Democracy Congress Registration No. 34
- (d) Mro National Party Registration No. 35
- (e) Regional Development Party (Pyay) Registration No. 39

Sd/Thein Soe
Chairman
Union Election Commission

Appendix IV:

Union of Myanmar
Union Election Commission
Nay Pyi Taw
Notification No. 98/2010
6th Waxing of Tawthalin, 1372 ME
(14 September, 2010)

The right to canvass on radio and TV

1. The Union Election Commission issued Notification No. 89/2010 dated 13 August 2010, announcing that it would hold the multiparty democracy general elections for the respective Hluttaws on 7 November 2010. And it granted permission to form political parties and register as political parties. In addition, it also issued Notification No. 97/ 2010 dated 14 September 2010 to announce that 37 political parties were granted permission to subsist as political parties.
2. The 37 political parties have yet to be granted permission to present their stances and work programmes on radio and TV till 31 October 2010 to canvass for votes for the multiparty democracy general elections. If a political party wishes to canvass for votes on radio and TV, the chairman or secretary concerned has to apply with the manuscript for permission to the Union Election Commission at least seven days ahead of the date. The application must not exceed seven A4-size pages.
3. The Union Election Commission, in coordination with related departments and organizations, will designate the date and timetable for each political party in order that political parties take turns canvassing for votes on radio and TV.

4. After scrutinizing the manuscripts as necessary, the Union Election Commission, in coordination with the Ministry of Information, has the right to:

(a) Issue or refuse to issue a permit.

(b) If it issues a permit, the Union Election Commission shall mention the duration and the person granted permission to canvass in the permit in line with the designated date and timetable.

(c) If it refuses to issue a permit, the Union Election Commission shall inform the applicant, giving the reason of why it has to refuse.

5. To canvass on radio and TV, a political party is permitted:-

(a) to take 15 minutes if it wishes to canvass on radio,

(b) to take 15 minutes if it wishes to canvass on TV.

(c) to air its song during the designated period of 15 minutes.

6. In canvassing on radio and TV, political parties shall not breach any of the following restrictions.

(a) not to give any talks that can harm 'non-disintegration of the Union', 'non-disintegration of national solidarity', and 'perpetuation of sovereignty'.

(b) not to give any talks that can harm security, the rule of law, and community peace,

(c) not to disobey the State Constitution of the Union of Myanmar and existing laws,

(d) not to stimulate sedition or give any talks that can tarnish the image of the State,

(e) not to give any talks that can lead to the collapse of the Tatmadaw or tarnish the image of the Tatmadaw,

(f) not to give any talks or take organizing measures that can lead to conflicts or harm the dignity or moral conduct in connection with racism, or religion or the affairs of an individual or community,

(g) not to abuse religion for political ends,

(h) not to give any talks that can harm peaceful pursuit of school education,

(i) not to give any talks that can discourage service personnel from performing their duties or to abet them to stage protests against the government.

7. If a political party breaches any of the prohibitions in this notification, or any of the principles or provisions enumerated in the permit, action will be taken against the party in accordance with the existing laws as well as the Political Parties Registration Law.

8. It is hereby announced that in presenting their policies, stances and work programmes on radio and TV to canvass for votes, political parties shall abide by this notification to ensure that the multiparty democracy general elections due to be held on 7 November 2010 are free and fair ones.

Sd/Thein Soe

Chairman

Union Election Commission

Appendix V:

Polling Station Officer Manual

Before opening polling station:

- If there are 300 voters in the region, gets 6 ballot paper books which each has 50 ballot papers. If there has 301 or 305, get 7 books. Signs it how much you got.
- Check the ballot boxes whether the place where ballot papers put are normal. If it is found a big hole or a small hole, explain to village/district commission and fix it as soon as possible.
- Get 3 types of voter lists for National, People and Regional or State Parliament and also get each of voter lists for additional ethnic voters.
- Check advance voters and voters who are left to vote and number of ballot papers.
- Should sign on ballot papers according to the number of voters before voters vote. (ballot papers with no sign will be invalid)
- Count the ballot papers in front of junior polling officers and other polling staff and then make them recording into the form no (11).
- Give voter lists and ballot papers with the form (B) and form (C) to checker and issuer.
- Open the polling station on time at 6 am exactly.
- Take notes in the form (D) about when PS opens, closed and others things which should be noted.

During voting hours:

- Persons, who are away from his constituency, come to vote with signature which guarantees that person has not yet voted anywhere will be allowed. This should be the signature of high rank officials or generals or ambassadors.

- If found impersonation, don't allow to give votes. Then take notes about his/her names, address, and then write down the reasons for not allowing those voters.
 - If party agents or persons who are accused of finding impersonation, fill out the needed things and make them to sign in the form (14). Also write a note whether polling officer (you) allow this person to vote or not in the form 14 too.
- Those people who cannot write will need to stamp his/her left thumb on the ballot paper. If he/she refuses to do it, don't allow to vote.
- If someone is granted that the personal name and address is found misspelling in voter lists, that person shall be allowed to vote. And, polling officer must correct in voter lists and fill it in the form (12) about that condition.
- No one is allowed to come in within voting hours except those people below. (Polling officers, Voters, Security guard (policemen or appointed persons), Persons according to act 42 (those people who are still queuing to vote although it is at 4 pm), Commission members, Candidates or their party agents)
- Chief Polling officer or other polling officers are not allowed to add their names in voter lists.
- Always check the numbers of voters who have already voted and remaining ballots and then fill out in the form D to make sure you check it.
- Make sure that there is no voter left to vote at 4 pm around the station. If left, note down their names and let them vote.
- Don't allow anyone who comes and votes after 4 pm.

After closing the voting:

- Make a cross sign (X) from up to down on the remaining ballot papers.
- Open the ballot boxes in front of polling officers, party agents and voters.
- Before counting, make sure all the things (correct ballots in the right box).
- Then count the voting ballots in order to make sure the ballots are not lost.
- Then check the giving ballots and voting ballots where as the number are the same or not. Then put it into the form (16) and form (16-A).
- Check every voting ballot and puts it into the respective boxes if they are not spoiled ballot papers.
- After putting all ballots in boxes, starts to count the votes.
- Put series of numbers in voting ballot papers.
- Open the advance voting envelopes which have been received before opening of the station and count them and then add number of ballots to the selected candidates. After that, fill out altogether in the form 16 and 16 A.
- Chief polling officer has to decide whether advance ballot papers or voting ballot papers are regarded as spoiled ballot papers.

•Following ballot papers shall be regarded as spoiled.

- Ballots which do not have the accredited sign of commission.
- Ballots which do not have the sign of chief polling officer.

Notes: chief polling officer cannot sign again when the unsigned ballot papers are found during counting votes. These votes are considered as spoiled votes.

- Ballots which have the ticks for more than one candidate.
- Ballots which do not have a tick.
- Ballots which do not have a clear tick.
- Ballots which are fake regarded by chief polling officer.
- Ballots which have the signature of voters.
- Ballots which are torn.

•Following advance ballots shall be regarded as spoiled.

- Ballots which do have the accredited sign of commission.
- Ballots which do have the stamps.
- Ballots which do not have guarantees.
- Ballots which have the ticks for more than one candidate.
- Ballots which do not have a tick.
- Ballots which do have a clear tick.
- Polling officers or commissioners or sub-commissioners regard as fake ballots.
- Ballots which have the signature of voters.
- Ballots which are torn.

•After counting, put the number in words and in number on three copies of the form 16 and 16 A. Then let the polling members and party agents sign it. One copy will go to township commission, one copy will go to village/district commission and the rest one will be kept by chief polling officer.

•Chief polling officer shall allow deputy polling officers and party agents to see the spoiled ballot papers. Make the spoiled ballot paper record in the form 17 and 17 A and chief officer shall sign it.

•(A) Put all the ballots into bags which label the name of candidates, name of polling district, name of village and polling station number. Then seal it and also allow party agents to seal it if they want to.

•(B) Chief polling officer shall also need to make package the following things with the names of the items, names of the village and polling station numbers. Then seal it. Allow party agents to seal it if they want to. Then put those things in the big bag.

•Polling officers have to record the remaining ballot papers and counter foils, Voter lists, Advance voting counter foils, and Spoiled ballot paper (fill on the form 17 and 17 A).

•Above A and B bags will be put into the very large bag. Then seal it and allow party agent to seal it too.

•Then this bag will go to township commission with the form 16 and 16-A as soon as possible. •Polling station number and village name have to be written on the bag.

•If disasters or security problem occurs, transfer it to village commission.

•Then send those items to township commission as soon as possible.

•If some problems occur that is not stated above, let village commission knows and gets instruction.

Appendix VI:

Restricted Laws for Freedom of movement, freedom of expression, association and assembly in election period

Numerous, vaguely-worded domestic laws provide SPDC with unparalleled discretion to limit freedom of expression and assembly in Burma. Below is a brief survey of some of these laws.

Official Secrets Act (1923): Prohibits possession or receipt of any document or information that threatens national security or foreign relations.

Emergency Provisions Act (1950): Prohibits any act deemed harmful to state security or a threat to the military.

Unlawful Associations Act (1957): Provides the head of state power to arbitrarily declare any type of organization illegal.

The Printers and Publishers Registration Law (1962): Requires all publications to be censored for material deemed harmful to government ideology, national security, and public order before distribution.

Motion Picture Law (1962) and Television and Video Law (1996): Movie scripts and films must be censored. All television, video recorders, and satellite systems must be registered; all video tapes must be censored; and licenses are required for the copying and distribution of videos.

Order 2/88: Prohibits “gathering, walking or marching in procession by a group of five or more people regardless of whether the act is with the intention of creating a disturbance or of committing a crime.”

Order 6/88: Requires organizations to register and receive official permission to function. Members of organizations whose application is rejected are subject to arrest and imprisonment.

Computer Development Science Law (1996): Requires licensure of all computer equipment, including fax machines and modems.

Internet Law (2000): Prohibits internet postings that may be detrimental to the interests, policies, or security affairs of the state.

Violation of these laws can result in heavily fines, lengthy prison sentences, and even death. Misapplication and manipulation of these laws as well as the general lack of rule of law in Burma makes it virtually impossible to challenge charges brought against those accused under these laws.

*** Source: ND-Burma’s human rights documentation manuals

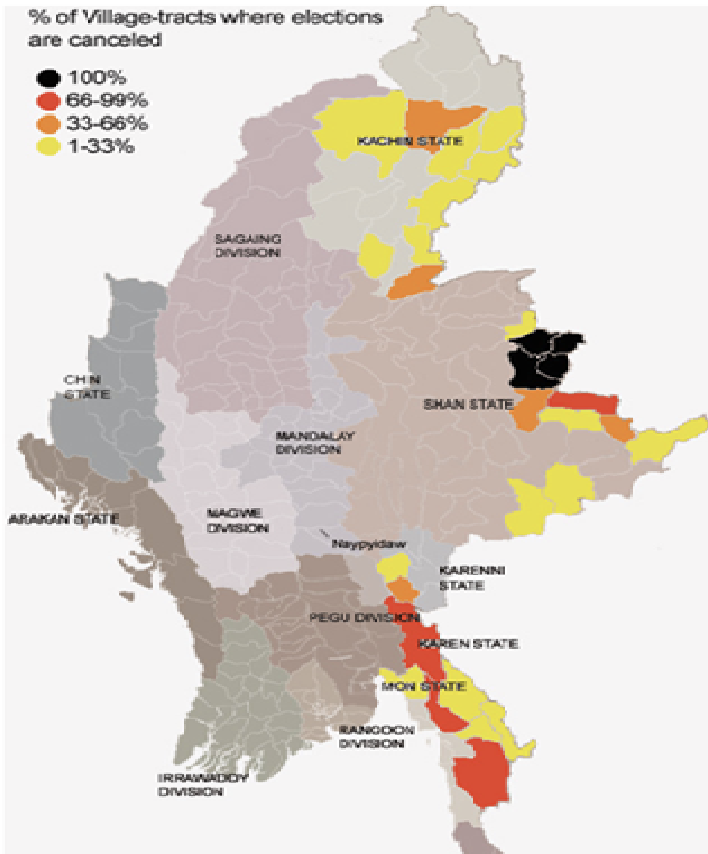
Appendix VII

AREAS WHERE ELECTIONS ARE CANCELLED

Villages where elections are cancelled

State	Village-tracts	Villages	Villages (Total)	Percentage
Kachin State	68	479	2,384	16.60%
Karen State	156	974	2,061	47.26%
Karen State	9	74	520	11.93%
Mon State	9	49	1,200	4.08%
Shan State	237*	1,825	17,058	10.68%
Total	478	3,491	23,824	14.27%

*The number includes the entire Panghsang, Namphan, Pangwaun, and Mongmao Townships



Source: ANFREL

Appendix VIII

UDPKS party's 19 CEC members

No	Name	Race	Position
1	U Khet Htain Nan	Kachin	Chairman
2	U Khin Maung Hl	Burman	Vice-chairman 1
3	U Sai Aye Kyaw	Shan	Vice-chairman 2
4	U Phaung Lar Wam Phang	Kachin	Secretary
5	Daw Sha Daung Khong Tang	Kachin	Member
6	U La Bya Gam	Kachin	Member
7	U Paw Lu	Kachin	Member
8	U Phong Yam Ku	Ra Wam	Member
9	U Yeing Soung	La Shi	Member
10	U Inlang Zawkhaung	Kachin	Member
11	U Mar Hkaw	Lisu	Member
12	U Dwe Bu	Kachin	Member
13	U Win Myint	Burman	Member
14	U Kyaw Nyein	Burman	Member
15	U Alay Par	Lisu	Member
16	Daw Jaa Nan	Kachin	Member
17	U Kanse Tuu Aung	Kachin	Member
18	*Unknown		
19	*Unknow		

Source: KNG

Phalon-Sawaw Democratic Party's CEC members

No	Name	Position	Remark
1	U Saw Khin Maung Myint	Chairman	
2	U Saw Aung Kyaw Naing	Vice-chairman	
3	Saw Kkyi Lin	General Secretary	
4	Saw Tin Hlaing	Joint Secretary 1	
5	Saw Shar Hunt Phoung	Joint Secretary 2	
6	Sa Be Kyin Oo	Youth Chairman	
7	Nan Say Awar	Women Chairman	
8	Saw Mya Tun	Member	
9	Saw Khin Kyaw Oo	Member	

*Source: KIC

Kayin People's Party's CEC members

No	Name	Position	Remark
1	Saw Tun Aung Myint	Chairman	
2	Dr. Hsai Mun Thar	Vice-chairman 1	
3	Saw Aye Ko	Vice-chairman 2	
4	Saw Kennet Wai Thaw	Vice-chairman 3	
5	Mann Sein Hla Win	Vice-chairman 4	
6	Saw Say Wah Nyunt	General Secretary	
7	Mann Tun Tin	Joint Secretary	
8	Professor Naw Tin Tin Yin	Member	
9	Saw Moe Myint	Member	
10	Professor Naw Law Nar	Member	
11	Naw Thabalay Phaw	Member	
12	Nan Merry Sein	Member	

*Source: KIC

Chin Progressive Party's CEC members

No	Name	Position	Remark
1	U Pu Lian Ce	Chairman	
2	U Pu No Than Kap	Vice-chairman 1	Spokesperson
3	U Pu Sun Thaih	Vice-chairman 2	
4	U Pu Zung Hlei Thang	General Secretary	
5	U Pu Dai Thung	Joint Secretary 1	News and Information
6	U Pu Shein Thun	Joint Secretary 2	
7	U Pu Shein Kham Do Nang	Joint Secretary 3	
8	U Pu Van Bawm	Treasurer	
9	U Pu Van Kheng	Joint Treasurer	
10	U Pu Za Soe	Member	
11	U Pu Tin Maung	Member	
12	U Pu Cho Cho Maung Maung	Member	
13	U Pu Dong Hannecy Thang	Member	
14	U Pu Jhan Ce	Member	
15	U Maung Hlei Maung	Member	
16	U Pu Khuang Lian	Member	
17	U Pu Chan Lian	Member	
18	U Pu Biak Za Moui	Member	
19	U Pu Saw Mya	Member	
20	U Pu Van Maung	Member	
21	U Pu Biak Lian Thang	Member	

*Source: KHONUMTHUNG

Chin National Party and CEC members

No	Name	Position	Remark
1	U Pu Zo Zam (a) Zam Cin Paung	Chairman	
2	U Pu Chan Hayae	Vice-chairman	
3	U Salai Ceubikthawng	General Secretary	
4	U Pu Hteyan Ouk Thang (a) Ngel Pi	Secretary 1	
5	U Pu Htaung Hkan Paung	Secretary 2	
6	U Pu Tin Luay	Treasurer	
7	U Salai Myo Chit	Joint Treasurer	
8	U Pu Sua Zanam	Publisher	
9	U Salai Chan Ouk Sang	Member	
10	U Pu Yo Bin	Member	
11	U Salai Du Huu Thang	Member	
12	U Pu Thang Kyin Thwar	Member	
13	U Pu Nguen Doh Paung	Member	
14	U Pu Kee Lain	Member	

*Source: KHONUMTHUNG

CNP candidates and their respective constituencies

No	Candidate Name	Parliament	Constituency
1	U Pu Htar Beik	National Parliament	Hakhar
2	U Ngun Maung	People Parliament	Hakhar
3	U Pu Chan Pom	State Parliament	Hakhar
4	U Ram Mann	State Parliament	Hakhar
6	U Pu Thang Htaik	National Parliament	Htantlang
7	U Pi Zatlang	People Parliament	Htantlang
8	U Pu Lang Maung Kyon	State Parliament	Htantlang
9	U Pu Yo Bin	State Parliament	Htantlang
10	Dr. Li Yang Vel	National Parliament	Falam
11	U Pu Khwam Lian	State Parliament	Falam
12	U Pu Hteyan Ouk Thang	State Parliament	Falam
13	U Pu Phway Aur	State Parliament	Mindat
14	U Pu Dan Lawkee	People Parliament	Mindat
15	U Pu Thang Kee	National Parliament	Mindat
16	U Pu Mung Dat	National Parliament	Kanpellet
17	U Pu Lane Pai	People Parliament	Kanpellet
18	U Pu Lane Kee	State Parliament	Kanpellet
19	U S.B Kham Zawon	National Parliament	Tiddim
20	Dr. Kam Kyin Darl	People Parliament	Tiddim
21	U Khock Thang	People Parliament	Tiddim
22	U Khwam Kho Thang	State Parliament	Tiddim
23	U Pu Zo Zam	State Parliament	Tiddim

*Source: KHONUMTHUNG

AMDP and CEC members

No	Name	Position	Remark
1	Nai Ngwe Thein (a) Nai Janu	Chairman	
2	Nai Hla Aung	Vice-chairman	
3	Nai Seik	Member	
4	Nai Baya Aung Moe	Member	
5	Nai New Soe	Member	
6	Nai Lawi Ong	Member	
7	Nai Chit Oo	Member	
8	Nai San Tin	Member	
9	Nai Thein Han	Member	
10	Nai Myo Thit Lwin	Member	
11	Nai Soe Thein	Member	
12	Nai Aung Ba	Member	
13	Nai Sein Aung	Member	
14	Nai Sein Tun	Member	
15	Nai Than Shwe	Member	

AMDP party's candidates and their respective area

No	Candidate	Parliament	Constituency
1	U Aye Maung	People's Parliament	Mudon, Mon State
2	U Hla Khaing	People's Parliament	Mawlamyine, Mon State
3	Daw Myint Myint Than	People's Parliament	Yay, Mon State
4	Nai Ngwe Thein	People's Parliament	Kyeikmayaw, Mon State
5	U Hla Maung	People's parliament	Chaungzon, Mon State
6	U Thein Aung	People's parliament	Thabyuzayat, Mon State
7	U Kyaw Swe	Peoples' parliament	Paung, Mon State
8	Min Win Myint	People's parliament	Kawkareik, Kayin State
9	Nai Kon Chan	National parliament	Mudon, Mon State
10	Nai Aung Chan	National Parliament	Mawlamyine, Mon State
11	U Khin Maung	National Parliament	Mawlamyine, Mon State
12	Nai Banyar Aung Moe	National Parliament	Yay, Mon State
13	Nai Hla Aung	National Parliament	Kyeikmayaw, Mon State
14	U Kyaw Thein	National Parliament	Chaungzon, Mon State
15	U Tun Ohn	National Parliament	Thanbyuzayat, Mon State
16	Nai Khin Aung	National Parliament	Paung, Mon State
17	Min Myo Tint Lwin	National Parliament	Kawkareik, Kayin State
18	Dr. Min New Soe	State Parliament	Mudon, Mon State
19	Nai Soe Thein	State Parliament 1	Mawlamyine, Mon State
20	Nai Lawe Aung	State Parliament 1	Yay, Mon State

21	Nai Ohn Thaung	State Parliament 1	Kyeikmayaw, Mon State
22	Min Aung Naing Oo	State Parliament 1	Chaungzon, Mon State
23	U Win Shein	State Parliament 1	Thanbyuzayat, Mon State
24	Min Wunna Gyi	State Parliament 1	Paung, Mon State
25	U Maung Theik	State Parliament 1	Mudon, Mon State
26	Nai Kyan Yit	State Parliament 2	Mawlamyine, Mon State
27	Nai Thein Han	State Parliament 2	Yay, Mon State
28	Nai San Tin	State Parliament 2	Kyeikmayaw, Mon State
29	Nai Thaung Tin	State Parliament 2	Chaungzon, Mon State
30	U Naing Oo (a) U Win	State Parliament 2	Thanbyuzayat, Mon State
31	Min Chan Myay	State Parliament 2	Paung, Mon State
32	Min Soe Thein	State Parliament 2	Kawkareik, Mon State
33	U Tin Mya	Region Parliament	Taninthayi Region
34	Nai Chit Oo	Minority	Kayin State

*Source: Kaowao

Kaman National Progressive Party and CEC members

No	Name	Position	Remark
1	U Zaw Win	Chairman	
2	U Hla Toe	Vice-chairman 1	
3	U Tun Ngwe	Vice-chairman 2	
4	U Tin Hlaing Win	Secretary	
5	U Kyaw Nyein	Joint-secretary 1	
6	U Thein Shwe	Joint-secretary 2	
7	U Sun Shwe		
8	Daw Nwe New Aye	Treasurer 1	
9	Daw Su Su Khaing	Treasurer 2	
10	Daw Myint Thein	Audit	
11	U Kyaw Soe Moe	Member	
12	U Aung Myo Thein	Member	
13	U Kyi Tun	Member	
14	U Maung Tun	Member	
15	U Hla Shwe	Member	
16	U Thet Tun	Member	

*Source: Kaladan Press

Rakhine Nationalities Development Party and CEC members

No	Name	Position	Remark
1	U Aye Maung	Chairman	
2	U Ohn Tin	Vice-chairman 1	
3	U Tin Win	Vice-chairman 2	
4	U Saw Phyu	Vice-chairman 3	
5	U Aung Ban Thar	Vice-Chairman 4	
6	U Oo Hla Saw	General Secretary	
7	U Tun Aung Kyaw	Joint-secretary 1	
8	U Khin Maung Latt	Joint-Secretary 2	
9	U Tha Tun Hla	Joint-Secretary 3	
10	U Khaing Pyi Soe	Joint-Secretary 4	

*Source: Narinjara

Rakhine State National Force of Myanmar and CEC members

No	Name	Position	Remark
1	U Aye Kyaing	Chairman	
2	U San Tin	Vice-chairman	
3	U Myint Zaw	Secretary	
4	Maung Ohn Tin	Joint-Secretary	

Shan Nationalities Democratic Party and CEC members

No	Name	Position	Remark
1	Sai Aik Pao	Chairman	Nam Kham native
2	Sai Soung Se	Vice-chairman	Kyaukmae
3	Sao Hsai Mong	Member	Pinlon
4	Sao Yung Pai	Member	Taung Gyi
5	Sao Than Myint	Member	Putta-O
6	Sai Boe Aung	Member	Muse
7	Sai Phoe Myat	Member	Muse
8	Dr. Sai Naw	Member	Moe Gok
9	Sai Hsai	Member	Nam Kham
10	Dr. Sai Kyaw Ohn	Member	Nam Kham
11	Sai Hla Kyaw	Member	Ho Pon
12	Sai Tun Aye	Member	Moe Gok
13	Sai Maung Tin	Member	Taung Gyi
14	Sai Pan	Member	Mong Kai
15	Sai Oum Hsai Mai	Member	Keylse Mannsan

Source: Whit Tiger News Letter, No. 1, Vol. 1, 01 August 2010⁶⁵

65 http://tigerone2010.files.wordpress.com/2010/08/wt_001_burmese.pdf

Taang (Palaung) National Party's Candidates for State Parliament

No	Candidate Name	Parliament	Constituency
1	U Aung Thein	State Parliament	Kyauk Mae township
2	U Kyar Tun	State Parliament	Kut Kai
3	U Laun Kyar	State Parliament	Kut Kai
4	U Nyi Sein	State Parliament	Nam Kham
5	U Tun Kyaw	State Parliament	Nam Kham
6	U Mg Kyaw (a) U Tun Kyaw	State Parliament	Nam Sam
7	U Aung Tun	State Parliament	Nam Sam
8	U Mai Ohn Khine	State Parliament	Mam Tong
9	U Hla Kyaw	State Parliament	Kyauk Mae
10	U Aik Kha	State Parliament	Mam Tong
11	U Nyunt Maung	People's Parliament	Nam Sam
12	U Aik Mong	People's Parliament	Mam Tong
13	U Tun Yin	People's Parliament	Kyauk Mae
14	U Aik Hsai (a) Aik Sam	People's Parliament	Kut Kai
15	U Shwe Maung	People's Parliament	Nam Kham

**Source: TSYO (22 September 2010)

Candidates for the polls in the whole nation

No	Party Name	Candidate	Remark
1	Union Solidarity and Development Party	1158	
2	National Unity Party	980	
3	National Democratic Force	164	
4	Shan Nationals Democratic Party	157	
5	Democratic Party (Myanmar)	50	
6	Chin Progressive Party	41	
7	All Mon Region Democracy Party	34	
8	Kayin People's Party	42	
9	Chin National Party	22	
10	Phalon-Sawaw Democratic Party	10	
11	Kaman National Progressive Party	6	
12	National Development and Peace Party	3	
13	Pa-O National Organization	10	
14	Unity and Democracy Party (Kachin State)	**	
15	Ta'ang (Palaung) National Party	5	
16	Kayan National Party	**	
17	Rakhine State National Force (Myanmar)	**	
18	Lahu National Development Party	**	
19	Inn National Development Party	5	
20	Rakhine Nationals Development Party	44	
21	Khami National Development Party	6	
22	Kokang Democracy and Unity Party	**	
23	Wa National Unity Party	**	
24	Peace and Diversity Party	9	

25	88 Generation Student Youth (Union of Myanmar)	38
26	Union of Myanmar Federation of National Politics	51
27	National Political Alliances League	13
28	Wunthanu NLD	4
29	New Era People's Party	30
30	United Democratic Party	3
31	Democracy and Peace Party	7
32	National Democratic Party for Development	15
33	Union Democracy Party	7
34	Kayin State Democracy and Development Party	7
35	Mro or Khami National Solidarity Organization	**
36	Ethnic National Development Party	**
37	Wa Democratic Party	**

*Source: BNI

Reference:

1. Constitution of the Republic of the Union of Myanmar (2008)
2. New Light of Myanmar (newspaper)
3. Myanmar Times (journal)
4. The Mirror (newspaper)
5. Election Bulletin (Volume 1 to 16)
6. ICG report, "The Myanmar Elections", May 27th, 2010
7. Arno Corso, "How long will Burma's New Constitution Last?", February 2nd, 2010
8. Report, Center for Peace and Conflict Studies, "Listening to Voices from inside: People's Perspective on Myanmar's 2010 Election"
9. Burma Policy Briefing, Trannational Institute, BCN, "Unlevel Playing Field: Burma's Election Landscape", October 2010

Websites:

1. www.bnionline.net
2. www.irrawaddy.org
3. www.dvbo.no
4. www.burmaelection2010.com
5. www.myanmar.com
6. www.euro-burma.eu
7. www.hindustantimes.com
8. <http://tigerone2010.files.wordpress.com>
9. www.nd-burma.org
10. www.mizzima.com
11. <http://monnews.org>
12. www.kachinnews.com
13. www.kaladanpress.org
14. www.ktimes.org
15. www.kaowao.org
16. www.kicnews.org
17. www.khonumthung.org
18. www.narinjara.com
19. www.nmg-news.com
20. <http://www.shanland.org>
21. http://myanmarelection2010.info/index.php?title=Main_Page
22. <http://www.bbc.co.uk/>