



*Election Administration.* There is an urgent need to clarify key aspects of the process, including polling, counting and tabulation procedures; advance voting; voting by internally displaced persons; and election dispute resolution. Voter education initiatives have been delayed by the lack of information on procedures. Commendably, the UEC has continued to engage with civil society and political parties; however, decision making within the UEC could be more transparent. Election sub-commissions are under-resourced, lack capacity, and are generally less engaged with parties and civil society.

*Voter Lists, Identification and Citizenship.* Despite substantial efforts made to update the voter list, it has been widely criticized for its errors, many inherited from the underlying household and immigration data. The system places a substantial burden on voters to initiate corrections or additions. Unless



*The Role of Religion.* Discriminatory speech, especially on social media, is a concern as the campaign period approaches. There remains a danger that the campaign period could see an increase in speech targeted at Muslim communities. The capacity of the code of conduct and mediation committees to address these issues will be a good indicator of their effectiveness.

At the national level, the Committee to Protect Race and Religion (*Ma Ba Tha*) recently issued a national statement urging voters to choose candidates based on their race, religion and belief.<sup>3</sup> In some states and regions, NLD representatives expressed concern that attempts to paint it as a pro-Muslim party could negatively impact its performance at the polls, and fear that speaking out against discriminatory language could lead to retaliation.<sup>4</sup> Buddhist nationalist groups do not appear to have a strong appeal in northern and central Rakhine State. Nonetheless, there is a concern there, as elsewhere, that extremist rhetoric could extend to hate speech directed against Muslims during the campaign period.

The atmosphere is less toxic in parts of the country with large Christian populations. In Kachin State,

the hierarchy of election bodies, practical trainings on all aspects of the election process could help to address weaknesses in capacity and knowledge. The Carter Center understands that the UEC is preparing trainings on observation accreditation, polling procedures, and dispute resolution. Trainings of sub-commission members on the legal framework have begun, though the training attended by The Carter Center was lecture-style and lacked practical exercises.

*Voter Education and Civil Society Engagement.* Voter education initiatives have been delayed by the lack of information about key aspects of the electoral process. Decisions that can have a major effect on the content of voter education programs are still being made, such as the recent decision to use

election disputes make it difficult to develop

## **Voter Lists, Identification and Citizenship**

### *Voter Lists.*

as displays in every ward/village-tract countrywide, the final voter lists are likely to be an improvement over any list used in the past. Nonetheless, the underlying data upon which the lists are based is so flawed that the final lists are also likely to contain substantial errors.

The UEC took the initiative to display the current voter lists in four stages across the country beginning in March, giving voters the opportunity to make corrections, object to the inclusion of names, and request to be included in the lists. This display is in addition to the display of preliminary voter lists that is legally required after the announcement of elections. The UEC estimates that it received correction, addition, or objection forms from less than six percent of voters during the first display.

had differing understandings about how eligibility would be established in the absence of documentation, opening the door for possible discrimination against ethnic and religious minorities.

The National Registration Card (NRC) is the primary identification document for citizens. Although not technically required, possessing an NRC remains the easiest way for people to ensure that they are able to vote. This is especially true for displaced populations that cannot otherwise easily prove their status

be making substantial progress in issuing identification documents in Kachin and Chin states, the initiative is limited to areas under government control. There are also significant migrant worker communities that may have difficulties ensuring that they can vote. Internal migrants will have to prove residence in their current location for 180 days;  
employer

Carter Center staff found that there was little knowledge about the function of the new documents, including among township-level immigration officials in Rakhine, and a lack of information or reluctance to discuss the issue in other areas, such as northern Shan State. While most did not object to the issuance of new temporary documents, Rakhine political actors, including the Arakan National Party, made it clear to Carter Center observers that they would vigorously object to voting rights for Rohingya.

Officially, the government has been undertaking a citizenship verification process of former TRC holders. The Rakhine State Election Commission told The Carter Center that those who were granted citizenship through the verification process prior to the election would be included on the voter list. But as a practical matter, the verification process has all but halted in the northern townships of Rakhine, where the majority of Rohingya resides. Muslim citizens confined to IDP camps may also face difficulties in exercising their right to vote. The election sub-commission and local administration in Sittwe, for its part, claims that the lack of cooperation and mistrust of the process, which requires people who self-identify as Rohingya to identify as Bengali, has made it difficult to ensure that even citizens living in the camps will appear on the final voter list.

As The Carter Center stated in its March 2015 report, the cancellation of voting rights without due



authorities indicated that they have inadequate resources to secure all polling stations. Local officials generally could not provide clarity on the use of auxiliary police or other volunteers.

The lack of transparent security planning about potential violence is disturbing, particularly in areas

distinction between criminal offenses and those that the UEC can address, there is concern that the UEC may refer most matters to the police.

For post-election complaints and appeals, election tribunals will be established on an *ad hoc* basis by the UEC. The UEC has the discretion to appoint three election commissioners to serve on the tribunal, or one commissioner and two independent experts. It will cost 500,000 kyat (about US \$500) to file a complaint (a 50 percent reduction from 2012). There is no deadline for review of complaints by the election tribunal, which in previous elections resulted in untimely decisions. Although the legal framework for the elections provides the right to appeal decisions of the election commissions or the election tribunal to the UEC, decisions of the UEC are final and not subject to judicial review, which is not in accordance with international standards guaranteeing the right to an effective remedy.<sup>14</sup> International good practice favors the appointment of independent experts, minimizing the cost to file a complaint, and providing an independent avenue to appeal.

### **Election Observation**

*International and National Observers.* The government has maintained its welcoming attitude towards international election observation and has issued formal invitations to The Carter Center, the European Union, and several other organizations to deploy observation missions. Carter Center field teams continue to enjoy freedom of movement and access to election sub-commissions and other government bodies. The UEC has also promulgated regulations governing accreditation procedures for national and international observers. The UEC developed the procedures in a series of consultations with civil society and the international community. Although there are concerns about the need to submit personal data of national observers, the potential cost and logistical complications of accreditation, and a request for detailed deployment plans, the procedures go a long way toward establishing a coherent observation framework.

National observer organizations, including several nationwide networks and an array of sub-national observer organizations, have begun planning their activities and identifying observers and partner organizations. It will be very difficult for observers to effectively cover the more-than 40,000 polling stations on election day, especially in remote parts of the ethnic states. National observer groups are under-resourced, and political parties have not adequately planned for or trained party agents, though





In recognition that the success of the election is a shared responsibility, the government should direct the General Administration Department and other government offices to cooperate more actively with election sub-commissions.

The role and membership of election security committees and auxiliary police should be clarified, including how they will be recruited, trained, deployed, and supervised.

### *Political Parties*

Political parties should sign the code of conduct and disseminate information about its commitments to all levels of party structures, supporters, and the public.

Political parties should respect the commitments made in the code of conduct, including refraining from using religious and racially discriminatory language. Monitoring committee(s) will be most effective if established well in advance of the start of the election campaign.

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Following visits by President Carter in April and September 2013, the government of Myanmar invited The Carter Center to establish a presence to prepare for the eventual deployment of an election observation mission in advance of the 2015 general election. The Center established an office in Yangon in October 2013.

Between December 2014 and July 2015, the Center conducted a political transition monitoring mission to make a preliminary assessment of the pre-election environment with special attention to the breadth and vigor of political space at the sub-national level. Carter Center observers visited all of Myanmar, including the capitals and many townships (see [map](#)), where they met with chief ministers and local administrators, election sub-commissions, security personnel, political party and civil society leaders, representatives of religious communities, journalists, and other stakeholders. The Center released its first report on its political transition monitoring in March 2015.

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