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Ethnic Politics and the 2015 Elections in Myanmar

RECOMMENDATIONS

- The 2015 general election presents an important opportunity to give political voice to Myanmar's diverse ethnic nationality communities and empower them to pursue their aspirations, provided that it is genuinely free and fair.
- If successfully held, the general election is likely to mark another key step in the process of national transition from decades of military rule. However the achievement of nationwide peace and further constitutional reform are still needed to guarantee the democratic rights, representation and participation of all peoples in determining the country's future.
- Although nationality parties are likely to win many seats in the polls, the impact of identity politics and vote-splitting along ethnic and party lines may see electoral success falling short of expectations. This can be addressed through political cooperation and reform. It is essential for peace and stability that the democratic process offers real hope to nationality communities that they can have greater control over their destiny.
- Inequitable distribution of political and economic rights has long driven mistrust and conflict in Myanmar. The 2015 general election must mark a new era of political inclusion, not division, in national politics. After the elections, it is vital that an inclusive political dialogue moves forward at the national level to unite parliamentary processes and ethnic ceasefire talks as a political roadmap for all citizens.

Introduction

Myanmar/Burma[1] is heading to the polls in November 2015, in what will be a closely watched election. Provided that they are free and fair, the polls are likely to have a major influence over the future political direction of the country, with an expected shift in power from the old elite to the opposition National League for Democracy (NLD). They will also have a major impact on the uncertain issue of ethnic politics.[2] For the moment, however, it remains unclear whether the new political space created by the transition away from military rule will bring significant legislative power to nationality-based parties.

After decades of civil war and military rule, an important reform process towards greater political freedoms and ethnic peace has started under the government of President Thein Sein, who assumed office in March 2011. With peace talks still continuing, the 2015 general election presents an important opportunity to represent the diversity of Myanmar's ethno-political landscape and the political needs and aspirations of its peoples. Unlike the flawed polls in 2010, the results this time are expected to receive greater respect and credibility, unless significant manipulations intercede in the conduct of the vote.

Ethnic nationality movements face many challenges in their approach to the polls. These include competition from the nationally popular National League for Democracy (NLD); the prospect of vote-splitting between different ethnic parties; the difficulty of winning a sufficient bloc of seats to make a significant impact in parliament; institutional weaknesses; different goals and priorities; and continuing disagreements about how far to participate in a political system that is dominated by the national armed forces (Tatmadaw).

There are also conflict-affected areas in several parts of the borderlands where inclusive polling is unlikely to go ahead. A stable nationwide ceasefire has yet to be established between the government and ethnic armed organisations, leaving important questions over how to integrate the present parliamentary and peace talk processes. For the moment, political parties have not been taking part in the ethnic ceasefire talks, while ethnic armed groups have no voice about laws formulated by legislatures in the national capital Nay Pyi Taw.

As election day approaches, there are many warnings from history. Myanmar's previous democratic era during the 1950s was also characterized by a backdrop of armed conflict and the dominance of a large national party, drawing its support from the Burman (Bamar) majority, at the perceived expense of ethnic minority representation.[3] A repeat of that experience in 2015 will do little to convince non-Burman peoples, who constitute an estimated third of the population, that parliamentary politics are the route to achieving their aspirations.

Despite such worries, the desire to participate in democratic change is strong,

and 59 of the 91 political parties so far registered to take part in the 2015 polls represent ethnic or religious minorities (see Box 3). Clearly, a critical moment is approaching in national politics, and in the coming months the outcome of both the general election and nationwide ceasefire talks will do much to shape Myanmar's political and economic future.

This report therefore recalls the recent history of ethnic electoral politics, in the 1990 general election and in the five years since the 2010 polls. It then assesses the administrative framework for the November elections, and looks at the nationality parties that will be contesting, the key issues and challenges that they face, and the possible implications for ethnic politics in Myanmar's political transition.

The report concludes that, while ethnic-based parties are expected to gain many votes as well as seats in the legislatures, they are unlikely to do so on sufficient scale to have a significant impact in the national parliament in Nay Pyi Taw or many ethnic states. If nationality parties had coalesced or agreed not to stand against each other, their number of seats could have been boosted under the first-past-the-post electoral system. But further constitutional change and nationwide peace are still needed before the rights and aspirations of the different nationality peoples are effectively represented in the structures of national politics.

Previous elections

The 2015 general election is shaping up to be the first broadly credible poll in Myanmar for many decades. Electoral politics did not exist after the 1962 coup, which brought in a military junta and then, after the 1974 constitution was adopted, a one-party state under Gen. Ne Win's Burma Socialist Programme Party (BSPP). Under the subsequent State Law and Order Restoration Council (SLORC: later reconstituted as the State Peace and Development Council, SPDC), multi-party elections were held in May 1990, but the result – an NLD victory – was never implemented.

Unlike the 2010 and 2015 polls, the 1990 general election was not used as the basis for forming a new government. Instead, the SLORC stated that it could not transfer power without a constitution in place and set up a National Convention to draft a new constitution, based on a list of principles that it provided. The National Convention started in 1993 and was packed with regime appointees in a process that dragged on for 15 years, finally producing a draft constitution that was approved in a controversial referendum in May 2008.[4]

In 1990, the elections were held in 485 constituencies. At the time, much of the periphery was mired in conflict, and no polls were able to take place

in these areas. Ninety-three parties contested, of which nearly half were nationality parties. This reflected both the ethnic diversity of the country, and also the power of identity politics or "politicized ethnicity",[5] whereby parties form around ethnic identities not policies, and people cast their votes on the same basis. Ethnic parties won a total of 71 seats (15 per cent), representing nearly all of the seats that were not taken by the NLD (which won 392, or 81 per cent).

With 23 seats, for example, the Shan Nationalities League for Democracy (SNLD) was the largest electoral winner after the NLD. In contrast, the National Unity Party (NUP), the successor to Ne Win's BSPP, only won 10 seats, despite receiving over 20 per cent of the countrywide vote (the NLD gained 59.87 per cent of valid votes). Such disparate outcomes are always likely in multi-party elections using a first-past-the-post electoral system.

The two dominant themes of the 1990 election campaign were "democracy", representing an end to military dictatorship and its economic failures, as called for by the NLD; and "ethnic rights", that is greater self-determination for ethnic minorities, as they had enjoyed in the past and been promised at independence.

While parties were split along ethnic lines, there was also recognition of the need to ensure a united front against the pro-military NUP. Thus, in 1989, 21 parties formed an umbrella organization, the United Nationalities League for Democracy (UNLD), as a pan-ethnic front with the intention of a combined push for democracy and ethnic nationality rights. Shortly after the election, the UNLD agreed a joint political pact with the NLD on creating a democratic and federal country.[6] The UNLD was deregistered by the SLORC regime in March 1992, but this did not mark the end of united front tactics. In 1998, several ethnic parties joined with the NLD in forming the Committee Representing the People's Parliament. Then, in July 2002, eight ethnic parties from the 1990 election formed the United Nationalities Alliance (UNA) in order to raise the profile of non-Burman groups and ensure an ethnic voice in any political dialogue taking shape between the SPDC and Aung San Suu Kyi. Such initiatives ultimately ended in failure.[7]

The November 2010 general election was also contentious and, this time, boycotted by the NLD and UNA supporters.[8] The introduction of a bicameral national legislature and 14 region and state assemblies under the 2008 constitution meant that there were 1,154 constituencies in the polls.[9] Again, voting did not take place in conflict-affected parts of the borderlands, although the excluded areas were less than in the 1990 general election.

With the NLD boycott, the main election competitor for nationality parties was the establishment Union Solidarity and Development Party (USDP), originally set up by the military regime in 1993 as a mass patriotic association and which, in the NLD's absence, now swept most of the polls.

The prominence and success rate of ethnic parties was nevertheless broadly similar around the country (see Box 1). A total of 37 parties competed in the polls, of which 60 per cent were ethnic-based parties, and they won 180 seats (16 per cent of the total). In addition to the elected seats, 25 per cent of all seats in the legislatures were reserved for military officers, in accordance with a number of provisions in the 2008 constitution that support the "leading role" of the Tatmadaw in national politics.

Unlike in 1990, there was no ethnic alliance formed in the lead up to the polls. The UNA was still in existence but, like the NLD, all of its member parties boycotted the polls (they had also boycotted the later stages of the National Convention that drew up the 2008 constitution). Rather, a number of new nationality parties were formed to contest the polls. After the election, the victorious parties set up two new ethnic alliances: the Nationalities Brotherhood Federation (NBF, formed January 2011),[10] a group that now includes 23 ethnic parties; and the Federal Democratic Alliance (FDA, formed in January 2014), a group of 10 ethnic and small democratic parties.[11] Since its foundation, the NBF has been particularly vocal, putting out regular

Box 1: 2010 election results, by total seats won (ethnic parties in bold)

Union Solidarity and Development Party (USDP)	884
National Unity Party (NUP)	62
Shan Nationalities Democratic Party (SNDP)	57
Rakhine Nationalities Development Party (RNDP)	35
All Mon Regions Democracy Party (AMRDP)	16
National Democratic Force (NDF)	16
Chin Progressive Party (CPP)	12
Pao National Organization (PNO)	10
Chin National Party (CNP)	9
Phalon-Sawaw Democratic Party (PSDP)	9
Kayin People's Party	6
Ta-ang (Palaung) National Party	6
Wa Democratic Party	6
Inn National Development Party	4
Unity and Democracy Party of Kachin State	4
Democratic Party (Myanmar)	3
Kayan National Party	2
Kayin State Democracy and Development Party	2
88 Generation Student Youths (Union of Myanmar)	1
Ethnic National Development Party	1
Lahu National Development Party	1

statements on emerging political issues, including constitutional reform and peace talks between the government and ethnic armed organisations.

Subsequent by-elections in 2012, in which the NLD took part, were generally regarded as more credible than the 2010 polls, but they involved only a small proportion of the seats nationwide.[12] The NLD won 43 of the 45 available seats, with voting also suspended in three seats in the Kachin State due to the security situation. Nevertheless, despite the small size of the polls, the result was striking, marking a defeat for the USDP and the return of the NLD as an electoral party on the national political stage. After an interval of half a century, genuine multi-party elections appeared to be returning to the country.

Ethnic politics since 2010

Although the 2010 elections were deeply flawed, a number of ethnic parties achieved some success, despite the dominance of the USDP and concerns over the ways that votes were counted. The Shan Nationalities Democratic Party (SNDP) became the third-largest party (after the USDP and NUP), and the Rakhine Nationalities Development Party (RNDP) secured the largest block of seats in the Rakhine State legislature, ahead of the USDP. In all other regions and states, the USDP was the largest party, with a further 25 per cent of all seats in the legislatures reserved for Tatmadaw nominees. Nevertheless, reflecting the dynamics of Myanmar's ethnic diversity, of the 21 parties to win seats in the polls, 16 were nationality parties.[13] The main exceptions in electoral representation were the Kachin, who were systematically excluded through non-registration of their key parties, and the Kayah (Karenni), whose main party failed to complete the registration process, allegedly under duress.[14]

In national terms, the total number of seats won by ethnic parties was very small compared to the USDP and those allocated to Tatmadaw nominees. But it still meant that when President Thein Sein assumed office and the reform process started in 2011, many ethnic groups had a formal political role and a voice in the legislatures for the first time since the 1962 coup.

On the surface, the political-electoral map retained the symmetry of the 1974 constitution, which demarcated seven ethnic states (Chin, Kachin, Karen, Kayah, Mon, Rakhine and Shan) and seven regions (formerly divisions) where the Burman majority mostly live. Reflecting such delineation, several nationality parties gained significant blocs of seats in the seven ethnic states, and 14 MPs from ethnic parties were subsequently appointed as state ministers, in addition to new ethnic affairs ministers (see below).[15] However, the reality of population spread and political demand is more complicated, with significant ethnic minority populations in some regions, such as Karen in the Ayeyarwady, Bago and Tanintharyi regions, and Naga in the Sagaing

region. There is also a substantial Burman population in urban areas in most of the ethnic states.

To try and address some of these disparities, two innovations were introduced under the 2008 constitution that broadened the diversity of nationalities represented in national politics: 29 "national race" representatives and 6 new "self-administered" areas. This means that ethnic identities are represented by four different forms on the present political map; ethnic states, self-administered areas, national race seats, and constituencies won by ethnic parties for the national parliament in Nay Pyi Taw.

Despite their political demarcation, the role of the state and region legislatures and governments as a whole has been fairly circumscribed and, for the moment, the new system of ethnic politics is in its infancy. The constitution provides only limited devolved powers of law-making and governance, and capacity constraints have also been a factor. In general, state and region legislatures have met infrequently, passed few laws, and had only limited impact on the lives of citizens.

Executive authority is also weak. State and region governments have ministers without ministries or dedicated staff, and with no direct control of their own budgets. These are nearly all currently administered by the central government in the national capital Nay Pyi Taw in the absence of the required accounting systems and staff at state level. At present, all chief ministers of the states and regions are USDP representatives; an additional two were serving military officers, but they retired on 25 August 2015.[16] Tatmadaw representatives have also blocked proposals for constitutional amendments that would grant state-level parliaments the right to nominate chief ministers rather than the president, as is the case at present.[17] In consequence, the states and regions are yet to make a distinctive mark in self-governance or ethnic politics under the new constitutional system.

Similar difficulties in establishing themselves have followed the six new Self-Administered Areas, which were created under the 2008 constitution below the political level of the states and regions: five "Self-Administered Zones" (SAZs) for the Naga in the Sagaing Region, and Danu, Kokang, Ta-ang (Palaung) and Pao, as well as a larger "Self-Administered Division" (SAD) for the Wa, in the Shan State. Each of the new self-administered areas has a "leading body", which has both legislative and executive functions, and this is the first time these six nationalities have been territorially recognised on the political map. These leading bodies are made up of all the state/region MPs from the demarcated townships, plus representatives of other ethnic groups in the area, as well as serving military officers who are reserved seats that make up one-quarter of the total.

The new SAZ executives, however, have very limited authority or capacity;

the governance arrangements set out in the constitution leave these areas with very little autonomy; and they have not generally addressed the key grievances and aspirations of local ethnic groups. There are also apprehensions among other ethnic nationalities living in the same regions who are concerned about the potential diminution of their own territories or rights through the activities of the SAZs. Shan politicians, for example, are worried that the introduction of the self-administered areas is part of a government strategy to undermine the historic integrity of the Shan State, Myanmar's largest ethnic state.[18]

In this vacuum, the day-to-day situation in most of the SAZs during the past four years has to a large extent been dependent on the local control of the central government, military or ethnic armed groups in the area. Thus political leaders in the Danu SAZ, where there is not an armed nationality force, have little de facto authority and are heavily reliant on the government's powerful General Administration Department.[19] In contrast, the ceasefire United Wa State Party (UWSP) – the largest non-state army in the country, and which did not allow the 2010 elections to take place in its areas – holds almost complete sway over most of the Wa SAD as well as considerable territory outside. Meanwhile the official Wa "leading body", based in the remaining portion of the Wa SAD, is moribund. For this reason, the UWSP wants to expand the Wa SAD to create a new Wa State on an equal basis to the other ethnic states and end its designation under the Shan State government.[20]

Similarly, the Pao National Organisation (PNO), which holds all seats in the Pao SAZ and retains a powerful militia following its 1991 ceasefire, has strong de facto control in its operational area. But while pleased with the SAZ as a political "landmark", PNO leaders would like to expand the self-administered territory to include more Pao-inhabited areas and renegotiate their current position under the Shan State government.[21] It should be added, too, that ceasefires in both the Kokang and Ta-ang SAZs have broken down during the life of the post-2011 government, and both areas have become war-zones where there has been considerable displacement and loss of life in the past four years.[22]

Such local complexities highlight the continuing strong influence of armed groups, not just in the conflict areas but also in the legislatures – an influence that extends beyond the self-administered areas. It should be stressed, then, that non-Burman representatives linked to armed groups in the ethnic states do not only come from opposition backgrounds, and a number of those elected, including USDP MPs, lead –or are connected to – forces from three military backgrounds: Tatmadaw-backed militias known as Pyi Thu Sit, former ceasefire groups, or ceasefire groups that agreed to transform into Border Guard Forces (BGFs), all of which are effectively under Tatmadaw authority or control today (see box 2).

Box 2: MPs with links to armed groups and militias

Name	Party	Constituency	Legislature	Armed Group
Khun Myat	USDP	Kutkai	Lower House	Commander of Kutkai Militia
Myint Lwin	USDP	Kutkai-2	Shan State Assembly	Commander of Tarmoenye Militia
Kyaw Myint	USDP	Nankhan-2	Shan State Assembly	Commander of Pansay Militia
Duwa Zot Daung	USDP	Kachin ethnic affairs	Shan State Assembly	Linked to Mongko (Moneko) Militia, currently commanded by his son
Padoh Aung San	USDP	Hpapun-2	Kayin State Assembly	Head of Payakone Peace Group (small splinter group from KNU[1])
Bai Xuoqian	USDP	Laukkaing-1	Shan State Assembly	Head of MNDAA[2] faction that became BGF 1006
Liu Guoxi	USDP	Shan-11 (Kokang SAZ)	Upper House	Deputy head of MNDAA faction that became BGF 1006
Keng Mai	USDP	Muse-2	Shan State Assembly	Commander of Mongpaw Militia
Ho Xiaochang	USDP	Kunlong	Lower House	Retired Dep. Commander of Kunlong Special Combat Police Force
Wilson Moe	USDP	Shan-7	Upper House	Senior member of Nampong Militia (Lahu)
Zahkung Ting Ying	Independent	Kachin-4[3]	Kachin State Assembly	Commander of ceasefire NDA-K[4] that became BGF units 1001-1003
Zahkung Ying Sau	UDPKS[5]	Chipwi-2	Kachin State Assembly	Son of Zahkung Ting Ying, head of NDA-K owned company (Chang Yin Khu Development)
Mahn Aung Tin Myint	KSDDP[6]	Kayin-12	Upper House	Secretary of ceasefire Karen Peace Force that became BGF 1023
Ceasefire PNO militia and political party of same name	PNO	Won all 10 Pao SAZ seats: three lower house (Hopong, Hsiseng, Pinlaung townships), 1 upper house seat (Shan-9) and 6 Shan State assembly seats for these three townships		
Manton Militia (former ceasefire PSLP[7]) and linked party	TNP[8]	Won 6 of the 7 Palaung SAZ seats: lower house and two Shan State Assembly seats in Manton; two Shan State Assembly seats in Namhsan (but not lower house seat, which was won by the USDP, uncontested by the TNP); upper house Shan-10 seat		

[1] Karen National Union
[2] Myanmar National Democratic Alliance Army (Kokang)
[3] Tsawlaw, Injangyang and Chipwi townships: designated as Kachin-5 for the 2015 elections
[4] New Democratic Army-Kachin
[5] Unity and Democracy Party of Kachin State
[6] Karen State Democracy and Development Party
[7] Palaung State Liberation Party
[8] Ta-ang National Party

Sources: TNI; Shan Herald Agency for News (including its Shan Drug Watch, October 2011); The Irrawaddy; the Asia Foundation

By contrast, the 29 "national race" representatives elected in the 2010 polls have achieved more independent space for their new roles since their inception. These were elected in the 2010 polls in accordance with section 161 of the 2008 constitution, and they are automatically appointed as ex officio ministers for matters relating to their respective minority communities. According to this provision, minority populations of more than 51,500[23] in each region or state each have the right to elect a representative to their regional legislature – provided they are not the main group in that region or state and do not already have a self-administered area in that region or state.[24]

Initially, these new ministers in the states and regions were seen as having little influence, and they were not given the same status as other state/region ministers. For example, they were not always invited to state/region cabinet meetings and were not accorded the same protocol at official functions nor the same allowances and benefits. As a result, the Yangon Region minister for Rakhine affairs threatened to resign from his regional cabinet position, and the matter was put to the Constitutional Tribunal, which ruled that ethnic affairs ministers had the same status as other ministers.

Since this time, ethnic affairs ministers have increasingly been seen as important representatives of nationality communities, and have been regularly engaged as such by President Thein Sein, including in top-level talks on the future direction of the country.[25] Should there be increased decentralization and autonomy in the future, their role as legislative and executive representatives of their communities could become more influential.

Lastly, mention needs to be made of the role of nationality parties and non-Burman MPs in the national parliament in Nay Pyi Taw. Here, in contrast to the ethnic states, the proportion of non-Burman MPs is far smaller, but they have been among its most active members, with the speakers of both houses allowing significant floor time to nationality representatives as well as the submission of numerous questions and proposals. Ethnic party representatives have also been appointed to all legislative committees, giving them a voice in law-making and parliamentary affairs.

This relative prominence of nationality politicians spurred party coalition-building from the inception of the new political system in 2011, with the NBF forming soon after the legislatures were convened, and the FDA two years later. Subsequently, the UNA from the SLORC-SPDC era was reactivated as a party-political alliance following the re-registration of a number of its members after the 2012 by-elections, which were seen as far more credible, with most seats won by the NLD.[26]

In summary, the substantive impact of ethnic parties on national politics may have been rather limited during the current legislative term. Importantly,

however, their presence and activities have established the legislatures as genuine multi-party and multi-ethnic institutions for the first time since the short-lived parliamentary era of the 1950s. After five decades of Burman-dominated authoritarian rule, the political map is again beginning to reflect the country's ethnic diversity. This means that for nationality parties, there is everything to play for in November 2015.

Election administration

Many electoral uncertainties remain and the political temperature is high, with a nationwide ceasefire agreement yet to be in place and both the USDP and opposition NLD facing internal rivalries and tensions during August 2015. In the past year, there have also been worries that the reform process might be "stalling", [27] a concern exacerbated by the repression of protests and the arrest of several land rights activists and local journalists.[28] Armed conflict in the northeast of the country and anti-Muslim violence have also cast a national shadow, and the devastating floods during this year's monsoon have raised questions as to whether polling can be properly conducted in several areas, especially in the Chin State.[29]

Nevertheless, based upon post-2011 trends, the November elections are shaping up to be more credible and inclusive than either the 2010 or 2012 polls. Certainly, the political climate in the country is significantly more open than it was in 2010, or even 2012, with a fairly vibrant and generally uncensored media and greater civil liberties, as well as public confidence in using them. Communications have also been revolutionized by the entry of two foreign telecom operators and the rapid expansion across the country of voice and data networks and smartphone usage. Political and social issues are now widely and passionately discussed, online and on the street.

In addition to a very different political environment, there have also been important changes in election administration. The Union Election Commission has made serious efforts to update and digitise the voter roll, including with the involvement of civil society organisations. For the moment, however, there are many errors in the draft list, which was expected given the poor state of local record-keeping (which the commission has no control over) and the fact that the roll is being digitized for the first time. Efforts are therefore underway to fix the errors, and a second display period in September will provide a second opportunity to do so, but the final list is unlikely to be perfect.[30]

In another shift from the past, there has been close collaboration between the election commission and international electoral support organisations, which has helped to promote international standards. Changes to electoral rules on issues that were problematic in 2010 have also been made, in particular on advance voting which was a key source of alleged fraud in 2010.

Advance voting can now be observed,[31] and the votes must be delivered to polling stations before they close, and the advance votes counted separately, in front of observers, before the main results are known. In addition to domestic observers, the government's willingness to allow international (including long-term) election observers for the first time and following international best practices is encouraging.

The cost of a candidacy has also been reduced, from 500,000 to 300,000 kyats (about US $250). In 2010, this was non-refundable, imposing a significant financial burden on parties contesting many constituencies, and for smaller parties with low budgets, including many nationality parties. Now, as in 1990, it is a deposit, refunded in full to winners, as well as to any candidate who obtains at least 12.5 per cent of valid votes. As a further adjustment, voting procedures have been changed, with the use of self-inking stamps for marking ballot papers, instead of pens, and the introduction of indelible finger ink to mark voters and help to prevent double voting.

There remain, however, some serious electoral challenges and concerns, particularly in the ethnic borderlands where a nationwide ceasefire has yet to be agreed and implemented. As in previous elections, voting is likely to be cancelled in conflict-affected areas – both whole constituencies and parts of constituencies – for security reasons. It is already clear, for example, that there will be no elections in the four townships in the Wa SAD under the control of the UWSP, or in Mongla township which is under the control of the ceasefire National Democratic Alliance Army. But there are likely to be many other villages and communities across the different ethnic states and some regions where no voting is held. Over two million citizens recorded abroad, many from the ethnic borderlands, have also failed to register for advance voting at embassies.[32]

In indicating which areas will be affected by cancellations, an announcement is expected by the election commission shortly before election day. If the nationwide peace process remains deadlocked or unstable, it is likely that the Tatmadaw and election authorities will take a more cautious approach to determining secure areas. But this will come with political risks. There was considerable concern in 2010, and again in 2012, that the process for determining where polling would be cancelled was not transparent, giving rise to suspicions that security was an excuse for politically-motivated cancelling of the polls by the authorities in certain ethnic areas.

In 2015, it is likely that such concerns will arise again. There is a requirement that in order for polling in a constituency to be valid, a turnout of at least 51 per cent is required.[33] This means that, if voting is cancelled for security reasons in parts of a constituency, the vote will still be valid in the rest of the constituency if the total turnout exceeds the 51 per cent threshold. Communities in some conflict-affected areas are therefore suspicious that the authorities may selectively restrict certain parts of a constituency from

voting with the intention of influencing the outcome in favour of the USDP, while meeting the 51 per cent requirement.[34]

In addition, without a major breakthrough in the present peace talks, the risk of violence in areas where elections do go ahead is likely to increase as the polls approach. This may be for reasons that are not always related to the elections. Despite the spread of ceasefires, unexpected clashes continue to be a regular occurrence in several borderlands, especially in the northeast of the country where fighting still happens almost daily between different government, Kachin, Kokang and Ta-ang forces.[35]

There is also a precedent for groups taking advantage of the political importance of election day in order to launch high-profile operations, such as the attack by the ceasefire Democratic Karen Benevolent Army on the border town of Myawaddy that coincided with the 2010 polls.[36] Furthermore, given the complex links between armed groups and political parties, intimidation or attacks intended to have a direct electoral impact cannot be ruled out, and a few incidents have already occurred. For example, the SNDP, an NBF member, has alleged that its members have been intimidated by the ceasefire Shan State Army-North, which it claims supports a rival Shan party: the SNLD which is a UNA member.[37] Similarly, the ceasefire Shan State Army-South has been accused of abducting two Ta-ang National Party members (since released) who it was allegedly trying to prevent from campaigning in its operational area.[38]

Finally, in terms of voter restrictions, the government's decision to cancel Temporary Registration Certificates (commonly known as 'White Cards') in March 2015 has disenfranchised not only several hundred thousand Muslims who identify as Rohingya in the Rakhine State, but also many thousands of Kokang, Wa and other minorities of mostly Chinese or Indian descent in other parts of the country who also held this form of identification.[39] While some have been issued with new (citizen) IDs, many have not.[40]

The Rohingya crisis is, without doubt, the most sensitive and potentially volatile issue of ethnic identity in the country today.[41] But the result of the government's White Card decision is that there will be constituencies in the polls in the Rakhine State where a majority of the population will not be electorally represented. In addition, with citizenship criteria being the major reason given, 89 prospective election candidates, including existing MPs, were barred by state/region and district election sub-commissions from standing in the polls, many of them Muslims in the Rakhine State and Yangon; four of these cases have been overturned by the Union Election Commission on appeal, and several others have requested that their cases be reviewed.[42] With Buddhist nationalism growing, the issues of citizenship and ethno-religious identity are unpredictable but could influence the conduct of the polls.[43] If so, the disenfranchisement or marginalisation of any nationality group, religion or political party will cast doubt on the national credibility of the election.

Ethnic parties and constituencies in 2015

Many new ethnic parties decided to register after the 2012 by-elections, which were contested and largely won by the NLD and therefore seen as far more credible than the 2010 polls held under the former SPDC regime. These new parties included a number of nationality parties from the 1990 general election who, like the NLD, had boycotted the 2010 polls in protest at political restrictions (see Box 3). With the approximate election date known for many months (it is constitutionally fixed within a fairly narrow period), the pace of party registration then continued to increase during 2015.

As in the 1990 and 2010 general elections, ethnic-based parties predominate in numerical terms, and almost two-thirds of the parties – 59 of 91 currently registered – represent ethnic or religious minorities (see Box 3).

On 8 July the election commission announced a Sunday 8 November date for the polls. It also fixed the pre-election timetable, subsequently amended in the light of the disruption caused by serious flooding:

20 July – 14 August: candidate registration period
17 August: deadline for withdrawal of candidates
18-31 August: candidate verification period
8 September – 6 November: campaign period

The commission also designated 1171 constituencies,[44] distributed as follows:

	States	Regions	Total
Upper House	84	84	**168**
Lower House	123	207	**330**
State/Region	265	408	**673**
Total	**472**	**699**	**1171**

The state and region constituencies also include 29 "national race" seats designated in accordance with section 161 of the constitution (see above), which is the same number of such seats that were designated in the 2010 election. The process for doing so, however, was not transparent at that time, with a number of nationality groups claiming that their populations in some areas met the threshold, but that they were not accorded a seat. Several movements therefore subsequently set out to compile population lists in order to demonstrate their eligibility.[45] In consequence, the ethnic seat list is likely to be even more controversial this time. Ethnic population data were provided to the election commission by the immigration and population ministry in 2010, but it appears that the figures provided in 2015 had not been updated.[46]

Box 3: **List of all 91 registered parties** (ethnic and religious minority parties in bold)

88 Generation Democracy Party
88 Generation Student Youths (Union of Myanmar) [1]
Akha National Development Party
All Mon Regions Democracy Party [1]
All Nationalities Democracy Party (Kayah State)
Allied Farmer Party
Asho Chin National Party
Bamar People's Party [2]
Chin League for Democracy [3]
Chin National Democratic Party [1]
Chin Progressive Party [1]
Danu National Democracy Party
Danu National Organisation Party
Dawei Nationalities Party
Democracy and Human Rights Party
Democracy and Peace Party [1]
Democratic Party (Myanmar) [1]
Democratic Party for a New Society
Dynet National Race Development Party
Ethnic National Development Party [1]
Federal Union Party
Guiding Star Party
Inn Ethnic League
Inn National Development Party [1]
Kachin Democratic Party
Kachin National Democracy Congress Party [3]
Kachin State Democracy Party
Kaman National Progressive Party [1]
Kayah Unity Democracy Party
Kayan National Party [1]
Kayin Democratic Party
Kayin National Party [3]
Kayin People's Party [1]
Kayin State Democracy and Development Party [1]
Khami National Development Party [1]
Khumi (Khami) National Party
Kokang Democracy and Unity Party [1 3]
Lahu National Development Party [1 3]
Lawwaw National Unity and Development Party
Lisu National Development Party
Modern People's Party [1]
Mon National Party [3]
Mro National Democracy Party
Mro National Development Party [1 3]
Mro Nationalities Party
Myanma New Society Democratic Party [2]
Myanmar Farmers' Development Party
Myanmar National Congress Party [2]
Myanmar Peasant, Worker, People's Party
National Democratic Force [1]
National Democratic Party for Development [1]
National Development and Peace Party [1]
National Development Party
National League for Democracy [2 3]
National Political Alliance [1]
National Prosperity Party
National Solidarity Congress Party
National Unity Party [1 3]
Negotiation, Stability and Peace Party
New Era Union Party
New National Democracy Party [2]
New Society Party
Pao National Organisation [1]
Peace and Diversity Party [1]
People's Democracy Party [2]
Phalon-Sawaw Democratic Party [1]
Public Service Students' Democracy Party
Rakhine National Party (Arakan National Party) [4]
Rakhine Patriotic Party
Rakhine State National Force Party [1]
Red Shan (Tailai) and Northern Shan Ethnics Solidarity Party
Shan Nationalities Democratic Party [1]
Shan Nationalities League for Democracy [3]
Shan State East Development Democratic Party
Shan State Kokang Democratic Party [3]
Ta-ang (Palaung) National Party [1]
Tai Lai (Red Shan) Nationalities Development Party
Union Democratic Party [1]
Union Farmer Force Party
Union of Myanmar Federation of National Politics [1]
Union Pao National Organisation [3]
Union Solidarity and Development Party [1]
United Democratic Party [1]
United Kayin National Democratic Party
Unity and Democracy Party of Kachin State [1]
Wa Democratic Party [1]
Wa National Unity Party [1]
Women's Party (Mon)
Wunthanu Democratic Party [1]
Zo Ethnic Regional Development Party
Zomi Congress for Democracy Party [3]

[1] Registered prior to and contested the 2010 elections
[2] Registered prior to and contested the 2012 by-elections
[3] 1990-era party that re-registered
[4] Formed from a merger of the Arakan League for Democracy, which contested in 1990, and the Rakhine Nationalities Development Party, which contested in 2010

One party with registration pending (which has been allowed to submit candidates):
All Myanmar Kaman National League for Democracy Party

There also continue to be questions about the territorial designations of the six self-administered areas, with claims and counter-claims about nationality numbers, rights and representative boundaries. For example, the ceasefire UWSP has continued to lobby for the expansion of its SAD through the inclusion of more townships (see above).[47] Such issues are included in on-going peace talks that, with the agreement of a nationwide ceasefire, are intended to lead to political dialogue. But the consequence is that, in many non-Burman areas, the issues of seats and constituencies appear far from settled for local peoples.

Against a backdrop of such arguments, the 2014 population and housing census collected data on ethnicity, but due to the political sensitivities these statistics are yet to be released. They were also collected in an inconsistent way that is unlikely to be usable for "national race" seat designation.[48] In consequence, the census experience proved a reminder of the controversies over ethnic identity and representation in Myanmar. This was highlighted by protests among Buddhist and Rakhine nationalist groups that eventually led to the government's withdrawal of temporary registration cards for the Rohingya and other residents deemed to be non-indigenous, thus disenfranchising them from the 2015 polls unless they can verify eligibility for full citizenship (see above).[49]

In summary, while population claims are unlikely to have further impact on the conduct of the 2015 polls, the issue of ethnic statistics and representation will remain a significant, and potentially unstable, challenge for both the government and legislatures during the life of the next parliament.

Key issues

The 2015 elections, like the 2010 elections, will be predominantly identity and personality-based rather than issues-based. This means that people are likely to vote on the basis of their ethnicity or because they support individual party leaders, rather than on the basis of policies. Indeed, with official campaigning just beginning, no party has outlined anything other than the most general policy positions. In their case, ethnic political leaders admit that many of their parties are still institutionally weak and have not developed programmes beyond demands for ethnic peace and democracy, supported by more political, economic, social-cultural and religious rights.

The electoral laws also require that all parties contest at least three seats, or they are automatically deregistered. All the 92 parties in Box 3 have submitted the minimum three candidates. However, if the current 85 candidate rejections stand, six parties will be deregistered for falling below the minimum three-candidate threshold – including all three registered Rohingya parties and a Kaman party.[50]

Given the first-past-the-post electoral system, only a small proportion of the parties that contest are likely to win any seats. In 2010, only 21 of the 36

parties standing did so, and the proportion is likely to be smaller this time, given the large number of small parties that have registered, including many nationality parties.

While the big national parties – the NLD and USDP – have some support in non-Burman parts of the country, and both will field mostly local nationality candidates in these areas, previous electoral practices suggest that the majority of ethnic minority voters will identify most strongly with the party or parties that represent their ethnicity. The choice for a voter is easy if there is only one party in their constituency representing their ethnicity, as will be the case, for example, for Rakhine voters in many Rakhine State constituencies where the main Rakhine parties have merged (see below). But in many areas, the choice will be between two or more parties seeking the same ethnic vote – often an "incumbent" party from the 2010 elections, and a 1990-era party that has since re-registered, in addition to the NLD and USDP.

For example, in the Mon State there is the All Mon Regions Democracy Party (AMRDP), an NBF member, that had reasonable success in 2010 and holds two ministerial positions in the Mon State government, and is thus currently well known. At the same time, there is also the older Mon National Party (MNP), which won several seats when contesting the 1990 election as the Mon National Democratic Front, suffered many years of repression, boycotted the 2010 polls along with its UNA allies and the NLD, and then re-registered in July 2012. But although it has had less time since 2012 to rebuild its party and networks, the MNP has benefitted in nationalist terms from its long years of perseverance and boycott, meaning that it is perceived as more stalwart. This reputation is considered likely to play well in the current political climate, and in recent months the popularity of the MNP has appeared to be increasing at the expense of the AMRDP. However, with the prospect of a split vote, this means that MNP and AMRDP candidates could lose in some constituencies, where either party might win but not if both are standing.

The Mon case, however, is not a lone example of internal ethnic divisions. A similar dynamic can be seen playing out in the Shan State between the Shan Nationalities Democratic Party from the 2010 election and the 1990-era Shan Nationalities League for Democracy, which are members of the NBF and UNA respectively. When asked to explain the political differences that divide such nationality movements, a veteran Shan leader said it was largely a difference between parties that are standing in the election "for position" (referring to NBF members and other parties that had gained office in the 2010 polls) and parties that are standing "to change the political system" (referring to UNA members and more ideological parties that seek more democratic reform).[51] Whether or not this is a fair characterisation, it reflects a widely-held view that could influence the electorate.

Such divisions and complexities mean that ethnic-based parties are unlikely to sweep the seven ethnic states. Reflecting the country's social mosaic, many

constituencies are multi-ethnic, which can split the vote between different nationality groups and parties, giving a chance for one of the larger national parties to win. In addition, there has been a tendency in the past for voters in urban areas to be more likely to choose national parties on the ballot papers. Such voting is partly demographic because there tend to be more ethnic Burmans in these areas, but it is probably partly a reflection of the fact that better educated voters in the towns, such as professionals and university students, are more likely to support parties that are seen as democratic, notably the NLD, rather than those that are simply ethnic-based. Some of them may also vote for the NLD for strategic reasons, feeling that a large opposition party is needed in parliament to limit the power of the USDP and Tatmadaw representatives. For example, in the 2012 by-elections, the Mon State capital Mawlamyine was taken with a huge majority for the NLD, with the USDP second and the AMRDP a distant third.

There are two strategic steps that parties could take in response to these challenges: mergers or "no-compete" agreements between parties representing the same ethnic group, and party alliances. Although many parties have discussed mergers, particularly after the 2012 by-elections when the re-registration of 1990-era parties added a new dimension of intra-ethnic competition, most negotiations failed. To date, the only successful merger has been that of the 1990 and 2010 Rakhine parties[52] to form the Rakhine (Arakan) National Party, which now appears poised to take a large majority of the seats in its state.

Compounding the likelihood of split votes, there has also been little success in reaching "no-compete" agreements. One of the main Shan parties has decided not to contest in one township where its rival is likely to win, but the two parties will go head-to-head in many other places.[53] Similarly, "no-compete" discussions among Chin and also Mon parties have not achieved a tangible outcome.[54] While this can be considered an expression of democracy, Chin, Kachin, Karen and several other ethnic groups will be represented by a diversity of parties at the polls, and this will further the likelihood of vote splitting within nationality groups. In response, Mon residents in Ye township have formed a "Support Group for Victory in the Elections" to try and ensure suitable Mon representatives are elected at the polls.[55] But such initiatives, while they could influence local constituencies, are unlikely to have impact nationally in the 2015 polls.

Party alliances have also largely failed to deliver strategic unity in the run-up to the election. There are three main competing alliances, the NBF, FDA and UNA (discussed above). In addition to providing a stronger voice to parties, one key potential value of such alliances is to promote a coordinated approach to elections in order to minimize vote splitting – and potentially even vote swapping.[56] There is, however, little evidence that any of these alliances have successfully coordinated between themselves over the seats they are standing in.

Equally significant, there has also been no coordination on election strategy between the NLD and the UNA, to which it is loosely allied. There had been calls for the NLD not to stand in ethnic state constituencies being contested by a UNA party, but the NLD has consistently taken the position that it will contest all seats in the country. Indeed, it has even registered candidates for the "national race" seats, despite specific requests that these should be left for minority parties to contest.[57] As the political commentator Min Zin recently observed: "The NLD declined to negotiate with the ethnic parties about candidates and voting districts, deciding instead to treat the local political groups as outright electoral competitors."[58]

Long concerned about the potential impact of the NLD juggernaut contesting in non-Burman areas, as it did in 1990, the NBF has established a multi-ethnic party called the Federal Union Party (FUP), which was registered in December 2013. For the 2015 polls, the party has registered candidates for 37 seats in ethnic Burman regions – where there are many minority communities – on a multi-ethnic platform, as well as some mixed-nationality constituencies in the ethnic states. But while the FUP provides voters greater choice, it seems unlikely that such a party can successfully compete in the regions with Burman-majority parties, notably the NLD.

The difficulties for ethnic-based parties do not end here. In addition to inter-party competition, many parties say they face significant financial constraints.[59] Equally important, in many ethnic borderlands, especially conflict-affected areas, there is very little interest in elections that do not appear to have tangible relevance for the challenges in most people's daily lives. Rather, these communities see peace and security as the key factors affecting them and, based upon the country's troubled history, believe that the present peace process to achieve a nationwide ceasefire is much more important than elections in determining their futures.

This scale of challenges has not deterred many ethnic parties from publicly expressing high ambitions. The NBF alliance, for example, says that its members are aiming to secure around 150 seats in the national legislatures[60] – almost three-quarters of seats in the states, or 30 per cent of all elected seats. But it will be a huge challenge to achieve, representing double the total ethnic party haul of seats in either the 1990 or 2010 elections. Such a victory would be almost a quarter of the legislature, once the military bloc is included, possibly giving the NBF the balance of power.

In private, however, there is a more general scepticism among nationality leaders across the social and political spectrum about the extent to which parliamentary politics can achieve ethnic aspirations. Such doubts are especially acute while armed conflict continues and there is ever increasing economic encroachment and sense of marginalisation in their own lands. Thus, for example, although the SNLD is making concerted efforts to win seats, several of its top leaders are not standing in order to give them

more latitude to participate in extra-parliamentary politics, including the nationwide peace process.[61] They regard a successful ceasefire agreement, which guarantees political dialogue, as equally important a determinant as electoral politics in bringing peace, stability and constitutional reform to the country.

Thus a political dilemma remains. There can be no doubt about the importance of the 2015 elections and that ethnic-based parties will gain many votes. But given the complexities and divisions within the ethno-political landscape, it has to be questioned whether individual or alliance parties will win seats in sufficient numbers to have representative impact on the national political stage.

Conclusion

Myanmar goes to the polls in 2015 in a very different political context to the general elections in 2010 or 1990. Indeed, provided that political campaigning and the conduct of the polls are genuinely free and fair, it should become the most broadly contested election since independence in 1948. Yet, while political space has opened up and there have been many reforms since President Thein Sein assumed office in 2011, core ethnic aspirations have yet to be realized – either through parliament or the national peace process. The country and its politics remain polarized and ethnicity highly politicized.

For this reason, while the elections have the potential to be reasonably credible and inclusive (although far from uniformly so) and ethnic parties may fare reasonably well, it is not clear that the structures and processes in Myanmar politics are at present capable of effectively addressing the legacy of decades of ethnic conflict and discrimination that continue to leave many communities in the country neglected and marginalised.

It is therefore vital that the election is closely monitored and openly pursued and that, whatever the outcome, it is not perceived as an end itself but another step in a reform process that still has a long way to run in bringing peace, equality and democratic rights to all the country's peoples.

A historic challenge awaits Myanmar's leaders through the 2015 polls. As with the peace talks towards a nationwide ceasefire, they provide the opportunity for different parties to work constructively together in building a democratic future for the country. The question remains: will the 2015 election become the platform from which the issues of ethnic peace and inclusive reform are really grappled with, or will they result in another failed opportunity to do so?

End notes

1. In 1989 the then military government changed the official name from Burma to Myanmar. They are alternative forms in the Burmese language, but their use has become a politicised issue. Myanmar is mostly used within the country and in international diplomacy, but it is not always used in the English language abroad. For consistency, Myanmar will be used in this report.

2. As the 2014 Population and Housing Census highlighted, the terms to connote ethnicity in Myanmar can be contentious. In general, "nationality" has been used since independence for an ethnic group or people who are considered to have a distinctive history, language or identity. This includes the Burman (Bamar) majority. For a discussion of the difficulties in using "ethnic" terms, see, "Ethnicity without Meaning, Data without Context: The 2014 Census, Identity and Citizenship in Burma/Myanmar", Transnational Institute (TNI)-Burma Centrum Nederland (BCN), Burma Policy Briefing Nr 13, February 2014.

3. The Anti-Fascist People's Freedom League (AFPFL).

4. A number of ethnic armed organisations did attend the National Convention as the SLORC-SPDC's ceasefire policy gained momentum during the 1990s, but they complained that their demands – mostly for a federal union – were downplayed or ignored.

5. See Robert Taylor, "Refighting Old Battles, Compounding Misconceptions: The Politics of Ethnicity in Myanmar Today", ISEAS Perspective No. 12, Singapore, March 2015.

6. The Bo Aung Kyaw Street Declaration, 27 August 1990.

7. For example, efforts were being facilitated at the time by United Nations Special Envoy to Myanmar, Malaysian diplomat Razali Ismail, to promote "tri-partite dialogue" between the military government, NLD and ethnic nationality groups.

8. See TNI, "A Changing Ethnic Landscape: Analysis of Burma's 2010 Polls", Burma Policy Briefing Nr 4, December 2010.

9. There were 1,157 seats contested, but no candidates stood for the three seats in Mongla township, and it is doubtful that elections could have gone ahead there in any case.

10. Initially called the Nationalities Brotherhood Forum.

11. These two groups are separate, with no party being a member of both.

12. See International Crisis Group (ICG), "Reform in Myanmar: One year on", Asia Briefing No. 136, April 2012.

13. A Rohingya party, the National Democratic Party for Development, initially won two seats, but the results were subsequently overturned by the election commission after credentials' challenges and the seats given to the USDP.

14. See TNI, "A Changing Ethnic Landscape".

15. Indeed, with only a few exceptions, the state governments were inclusive, with at least one minister being appointed from each party that won seats in that state. There is no constitutional or legal requirement for this.

16. Myanmar President Office Orders 17 and 18, 25 August 2015.

17. "Military Slams Proposal for States to Choose Chief Ministers", The Irrawaddy, 2 July 2015.

18. Interview with SNLD General Secretary Sai Nyunt Lwin, 3 April 2015.

19. For more detailed discussion of the leading bodies, see Kim Jolliffe, "Ethnic armed conflict and territorial administration in Myanmar", The Asia Foundation, July 2015.

20. Interview with UWSP Vice-Chairman Xiao Min-liang, 6 September 2013.

21. TNI interview with PNO leader, 5 April 2015.

22. See e.g., TNI, "Military Confrontation or Political Dialogue: Consequences of the Kokang Crisis for Peace and Democracy in Myanmar", TNI Myanmar Policy Briefing Nr 15, July 2015.

23. That is, 0.1 per cent of the 51.5 million population of Myanmar (2014 census).

24. The full list: Burman (5), Karen (5), Chin (3), Shan (3), Pao (2), Rakhine (2), Lisu (2), Akha, Intha, Kachin, Kayan, Lahu, Mon, Rawang (1).

25. See, "President meets ethnic ministers", Myanmar Times, 10 September 2012; and "Ethnic affairs ministers defend seat at negotiating table after Suu Kyi remarks", The Irrawaddy, 15 January 2015.

26. Forty-two of the 45 seats contested in the by-elections were in ethnic Burman regions, plus one seat in Mon State and two in Shan State.

27. See e.g., TNI, "Political Reform and Ethnic Peace in Burma/Myanmar: The Need for Clarity and Achievement", TNI Myanmar Policy Briefing Nr 14, April 2015.

28. Amnesty International, "Open for Business?: Corporate Crime and Abuses at Myanmar Copper Mine", February 2015; Kyaw Hsu Mon, "Local Media Slam Authorities for Arresting Journalists", The Irrawaddy, 5 March 2015; Colin Hinshelwood, "International voices decry police crackdown on students", DVB, 9 March 2015; Human Rights Watch, "Burma: Land Rights Activists Are Newest Political Prisoners", Bangkok, 16 August 2015.

29. San Yamin Aung, "Chin State Candidates Say Floods Will Hamper Campaign", The Irrawaddy, 2 September 2015.

30. Many of the errors that have been reported in the media, such as mistakes in dates of birth or a whole village listed with the same address, would not impact on the right and ability of affected peoples to vote.

31. That is, the process can be observed, but not how individuals vote, which remains secret.

32. "Millions of Myanmar citizens abroad miss chance to vote", DPA, 2 September 2015.

33. 2010 Pyithu Hluttaw Election Law (as amended), section 50(c), and corresponding sections of the upper house and state/region election laws.

34. TNI interviews, Kayin (Karen) State, June 2015.

35. See e.g., TNI, "Military Confrontation or Political Dialogue".

36. See, TNI, "A Changing Ethnic Landscape".

37. See, "'Five years ago, people were afraid of politics'", Myanmar Times interview with SNDP chairman Sai Aik Paung, 23 March 2015. The Shan State Progress Party is the political wing of the Shan State Army-North. For an interview with SNLD chairman Khun Htun Oo, see, Myanmar Now interview, "We need genuine competition and respect the public's choice", in S.H.A.N., 4 September 2015.

38. See, "Ethnic armed group accused of abducting local party leaders in Shan State", The Irrawaddy, 23 June 2015. The Restoration Council of Shan State is the political front of the Shan State Army-South. It later said it would not support any party in the election nor consider setting up political parties "until the 2008 constitution is amended": "RCSS vows not to support any parties", S.H.A.N., 24 August 2015.

39. The 2014 census identified 172,000 TRC holders outside of Rakhine State, with the largest numbers in Yangon Region (66,000), Shan State (22,000) and Bago Region (18,000).

40. This may be partially resolved by election day, as the authorities have rolled out an accelerated ID issuing programme in border areas, targeting those over 18 (that is, voters).

41. See e.g., ICG, "The Dark Side of Transition: Violence Against Muslims in Myanmar", Asia Report No.251, 1 October 2013; ICG, "Myanmar: The Politics of Rakhine State", Asia Report No.261, 22 October 2014; TNI, "Ethnicity without Meaning".

42. List of rejected candidates compiled by the Union Election Commission, seen by TNI.

43. Timothy McLaughlin and Hnin Yadana Zaw, "Anti-Muslim Buddhist Group Moves Toward Burma's Mainstream", Reuters, 1 September 2015; "Hardline monks claim victory as Myanmar Muslims face poll exclusion", AFP, 6 September 2015.

44. This is eight more constituencies than were designated in 2010, when – for reasons that are not fully clear – no Shan State assembly constituencies were designated for the four townships under the control of the UWSP armed group (at the state/region level, there are two constituencies per township).

45. For example, Mon leaders in November 2014 completed a survey of Tanintharyi Region, reportedly identifying 62,000 people who self-identified as Mon. However, around two-thirds of these apparently lacked official documentation that supported their Mon identity, mostly because they had no ID card, but in some cases because their cards indicated a different ethnicity (mostly Burman). A further complication is that some people have multiple ethnicities recorded on their identification cards, and it is not clear how such cases are dealt with in relation to reserved seats under section 161. A similar effort in Yangon Region ended, reportedly due to lack of funding, and never got underway in Bago Region. Other groups have also announced plans for population counts, including Chin, Karen, Shan and Kaman; see TNI, "Ethnicity without Meaning", p.14.

46. TNI interview, Union Election Commission, April 2015.

47. Among political concerns, the capital of the Wa SAD has been designated at Hopang, located outside UWSP territory, and not at the UWSP capital of Panghsang; see e.g., TNI, "Military Confrontation or Political Dialogue", pp.16-20.

48. There were many criticisms of the controversial list of 135 "official" ethnic groups used for the census. The number of ethnic groups appeared confused by including dialect labels, identity terms or classifications that are not always recognisable or locally used. To give one example, the 135 list includes both major groupings, such as Chin, as well as sub-groups: in this case, 52 sub-groups in addition to Chin itself. Such designations appear incompatible with nationality aspirations as well as the political map. People might choose to self-identify differently for the purposes of a census than for electoral reasons, since it is very unlikely that any of the 52 sub-groups would qualify for a "national race" seat, but might do if counted as "Chin". The 29 "national race" constituencies includes both major groups, such as Kachin, but also smaller groups, such as Lisu and Rawang, who are listed in the census as Kachin sub-groups. For the "national race" groups, see n.24.

49. See e.g., ICG, "Myanmar: The Politics of Rakhine State"; Lawi Weng, "Wirathu Joins Arakanese Protest Against Census", The Irrawaddy, 17 March 2014; "Myanmar nullifies temporary ID cards after nationalist protest", AFP, 11 February 2015; ICG, "Myanmar's Electoral Landscape", Asia Report No. 266, 28 April 2015, p.14.

50. These are National Democratic Party for Development, National Development and Peace Party and Democracy and Human Rights Party (all Rohingya parties); Kaman National Progressive Party; National Prosperity Party; Negotiation, Stability and Peace Party.

51. TNI interview, 8 April 2015.

52. That is, the Arakan League for Democracy and the Rakhine Nationalities Democratic Party, respectively.

53. See, "SNDP withdraws from Shan constituency to avoid vote-split", DVB, 26 June 2015; "SNLD to field 160 candidates", Myanmar Times, 21 July 2015. See also n.37.

54. "Mon advocacy group urges cross-party collaboration", The Irrawaddy, 29 June 2015; "Chin parties agree to hash out a plan for electoral cooperation", Myanmar Times, 21 July 2015.

55. "Ye township Mon advocacy group formed to help election candidates", Independent Mon News Agency, 17 August 2015.

56. Vote swapping in a first-past-the-post election is when supporters of party A that is likely to lose instead vote for party B, on the understanding party B's supporters will vote for party A in another constituency where party A is more likely to win – thereby preventing a non-preferred party C from taking both seats.

57. "Ethnic political parties seek alliance with NLD", Myanmar Times, 22 July 2015; "NLD snubs prominent politicians, activists – and ethnic alliance offer", Myanmar Times, 3 August 2015. The NLD has said only that it will not compete against three long-time allies Khun Htun Oo, SNLD chairman; Aye Thar Aung, patron of the Rakhine (Arakan) National Party; and Pu Chin Sian Thang, chair of the Zomi Congress for Democracy Party. However, Khun Tun Oo is not standing for election, and the NLD in the end put up a candidate in Aye Thar Aung's constituency, so this will affect only a single seat, contested by Pu Chin Sian Thang. See "Ethnic party angered by NLD's broken promises on seat-sharing", Myanmar Times, 17 August 2015.

58. Min Zin, "Is Burma's Opposition Ready for the Post-Aung San Suu Kyi Era?", Foreign Policy, 18 August 2015.

59. See Marie Lall et al., "Myanmar's ethnic parties and the 2015 elections", International Management Group, 2015.

60. "Ethnic bloc seeks powerbroker role in next parliament", The Irrawaddy, 22 July 2015.

61. "Senior SNLD leaders to forgo shot at parliament", The Irrawaddy, 28 July 2015.

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