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D O O R W A Y T O DEMOCRACY

BURMA'S 2020 ELECTION



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About the George W. Bush Institute

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INTRODUCTION

The United States isn't the only country in the middle of a contentious election season. Burma, also known as Myanmar, is on the precipice of either a further backslide in democratic principles or the transition to a real democracy for all, with complete civilian power.

Burma was once lauded as a beacon of democracy. In 2015, the country captured international attention when it held democratic elections for the first time after a half century under military dictatorship. Aung San Suu Kyi—then a renowned democracy advocate and a Nobel Peace Prize laureate—and her party, the National League for Democracy (NLD), swept the elections and formed the country's long-sought-after civilian government.



Aung San Suu Kyi greets supporters in the remote central town of Natmauk on Feb. 13, 2015. Photo by YE AUNG THU/AFP via Getty Images.

People in Burma celebrated as Aung San Suu Kyi became the country's civilian leader, and countries around the world declared Burma a democratic triumph. The United States [lifted](#) economic and financial sanctions as a show of support for the country's supposedly successful democratic transition. But while the democrats' victory was significant, Burma's armed forces remained visible and powerful, and the military-drafted constitution guaranteed the military a quarter of the seats in parliament and control of the country's security and police forces. That made broader political change challenging.

The luster quickly faded for both the NLD and its leader, Aung San Suu Kyi, as Burma again came to global attention, this time for massive human rights violations against the Rohingya, a mostly Muslim

ethnic minority. As people around the world watched in horror, violent attacks on Rohingya men, women, and children by the Burmese military ultimately forced more than 730,000 Rohingya to flee to neighboring Bangladesh. International observers denounced the crisis as a military-led ethnic cleansing and genocide. Aung San Suu Kyi and her government failed to use their democratically granted power to hold the military accountable. Instead of dismantling policies that permit discrimination against marginalized minority groups, Aung San Suu Kyi's civilian government turned a blind eye to the Rohingyas' suffering and even denied that the genocide and violence against them had occurred.



Members of Myanmar's Muslim Rohingya minority walk through a broken road in Bangladesh on Sept. 11, 2017. Photo by Sk Hasan Ali via Shutterstock.

In July of this year, two soldiers [confessed](#) on video that they were involved in the killings of Rohingya people during military operations in 2017. This was the first time that members of the Burmese military openly confirmed mass atrocities against the Rohingya community.

The Rohingya crisis and ongoing ethnic conflicts in other parts of the country have garnered Burma a “not free” ranking in the [Freedom in the World](#) report by international watchdog Freedom House. It's one of seven Asia-Pacific nations to receive the label, along with China, North Korea, and Vietnam.

As Burma approaches its next parliamentary elections on Nov. 8, the optimism about democracy that swept through the country five years ago has given way to disenchantment. Despite activists' hopes, Burma is no longer a beacon of democracy. But it's not too late to change that. The 2020 election provides an important opening for the United States and the international community to step up. Burma's fledgling democracy needs strong support to ensure that the country's transition to full democracy can succeed and that the victims of the human rights abuses gain representation in the government.

ELECTION LANDSCAPE

Voters do not get enough information about their candidates due to the limited information provided to them. Their access to information is also limited, especially in the rural areas such as Rakhine state, where the internet is currently shut down.

- Nang Moe Sandi Lwin

Senior Program Officer at the International Foundation for Electoral Systems (IFES) and Liberty and Leadership Program Scholar



Burma has called an election for Nov. 8 to fill 1,171 seats in the national and state/regional legislatures. The country has a first-past-the-post system—the candidate with the largest number of votes wins—and elected representatives serve for five years.

According to the Union Election Commission, over 90 parties are fielding nearly 7,000 candidates. The country's major political parties, the ruling National League for Democracy (NLD) and its primary opponent, the military-backed Union Solidarity and Development Party (USDP), each submitted over 1,000 candidates.

In Burma, voting takes place in person, with paper ballots. Citizens will vote for their candidates in the lower House of Representatives (*Pyithu Hluttaw*), the upper House of Nationalities (*Amyotha Hluttaw*), and state and regional assemblies.

At the national level, 498 seats are up for grabs in the 664-seat bicameral Union Parliament. The remaining 25% will be appointed by the military, as outlined in the constitution. The House of Representatives has 440 seats; each of the 330 township constituencies directly elect one representative, with the remaining 110 appointed by the military. The House of Nationalities has 224 seats; each of the 14 states and regions directly elect 12 representatives, with the remaining 56 seats appointed by the military.

In the state and regional assemblies, 644 seats will be filled in an election based on the number of townships in a given state or region. Then the military will appoint members to each state and regional assembly, comprising a third of the total.

In-constituency, out-of-constituency, and out-of-country advance voting is available for people with travel plans, official work, and health conditions as well as those who live overseas. Early voting must be organized at government institutions, schools, and hospitals. Envelopes containing ballot papers must be sent back to the election commission of the respective township by the election date.

The 60-day campaign started on Sept. 8. Political parties can now distribute posters and other campaign materials. Loudspeakers, music, big rallies, and election giveaways like rice, oil, and salt are often seen in Burmese election campaigns. Candidates are given airtime for speeches on state media, but there is no campaign advertising or political debate in the broadcast media.

More than 37 million people are eligible to vote in this election, and an estimated 5 million are expected to be first-time voters. In 2015, 34.3 million people were eligible to vote, and over 69% cast ballots.

Citizens over 18 are [eligible](#) to vote unless they are members of a religious order, have been convicted of a crime, are insolvent, assumed foreign citizenship, or have been declared of unsound mind by a court. Many people in Burma, including the Rohingya, are ineligible to vote because they're denied citizenship under current law. There are three different classes of citizenship under the 1982 Citizenship Law, which was enacted by the military. They are primarily determined based on ethnicity, and many people—particularly those of South Asian or Chinese heritage, members of ethnic groups such as the Rohingya, the children of single mothers, and those with mixed ancestry—are considered stateless.

Diversified Political Dynamics

Burma's political landscape has changed dramatically since the NLD won its landslide victory in 2015, when voters opted for the democratic rule the party promised and the end of a half century of military-led isolation and repression. The Burmese people were united under the NLD flag and their democratic icon, Aung San Suu Kyi. They eagerly believed in a new era of prosperity and a free, democratic government. As a result, the NLD [won](#) almost 80% of the available seats and a 59% majority of the Union Parliament.

Today, the Burmese people are largely frustrated with the NLD's leadership and how far the country remains from achieving the democratic goals the NLD promised.



Burma is a diverse country with more than 135 ethnic groups distinct from the Bamar ethnic majority. Half of its 14 states and regions have ethnic-group majorities. In the 2015 elections, ethnic groups overwhelmingly [supported](#) the NLD—to the detriment of ethnic political parties, which won only 8.7% of the seats in the Union Parliament. However, many of these voters have become increasingly disappointed with the NLD government's inaction when it comes to protecting ethnic rights, forming a federal union, and achieving peace. So ethnic political parties have a real opportunity to gain a substantially larger share of their support this time.

Ethnic political parties typically have more limited resources than the major parties, and many are building coalitions to extend their reach and hopefully garner greater support. For instance, the United Nationalities Alliance (UNA) comprises 15 ethnic parties that have pledged to work together in the upcoming election. It includes strong parties such as the Shan Nationalities League for Democracy (SNLD) and Zomi Congress for Democracy. Similarly, ethnic parties are merging and collaborating, hoping to win majorities in their state parliaments and most of the seats from the ethnic areas in the Union Parliament.

These coalitions would add more voices to the parliament. An increase in influence by the ethnic parties could change the political landscape of the NLD-dominated regional and national parliaments by challenging the NLD's unilateral leadership and pushing a political agenda that includes ethnic rights and the formation of the federal union.

But it goes beyond the ethnic parties. The NLD faces opposition on multiple fronts: Ko Ko Gyi, a respected democracy activist and former leader of the 1988 popular democratic uprising, formed a new pro-democracy party called the People's Party. Also competing nationally are the People's Pioneer Party, led by former NLD lawmakers, and the Union Betterment Party, led by a retired general, U Shwe Mann, who was once considered the third most powerful man in the military regime.

Despite these challenges, Aung San Suu Kyi remains a popular leader, especially among the Bamar ethnic majority in the central and southern areas of the country. The NLD is highly likely to win the election, and Aung San Suu Kyi is likely to lead the government again. But the competitive political landscape may prevent her party from winning enough seats to govern alone, meaning the NLD would have to seek out coalition partners. In 2015, Aung San Suu Kyi and her party refused to unite the opposition or build coalitions with the ethnic parties. But this election is likely to challenge her closed and highly bureaucratic leadership style and create some urgency for the NLD to work with other parties both during the campaign and in parliament.

THE ROAD AHEAD

The civilian government has made some progress in improving the country since 2015, particularly when it comes to infrastructure. A lack of basic infrastructure has restrained Burma's economy for decades, but new advances are helping the country build an important foundation to achieve its development goals and further its economic potential.

One key area has been electrification. Burma has one of the lowest electricity-penetration rates in Asia, with significant energy poverty, especially in rural areas. As recently as 2015, only 32% of Burmese households were connected to the country's [electricity](#) grid. But that figure has climbed to 66%, according to 2018 World Bank [data](#), and the number is growing each year. More roads and bridges have also been constructed throughout the country, increasing the mobility of people and goods and supporting Burma's economic growth.

Despite these successes in infrastructure, Burma's first civilian government in a half century has floundered. Key NLD promises were not achieved: The government failed to advance much-needed constitutional reform and seemed unable or unwilling to broker peace to end the ethnic conflicts. The NLD has also been a big disappointment—at home and abroad—to those who overwhelmingly supported the country's democratic transition and the civilian government's success.

The Rohingya

Rohingya did have the right to vote throughout the election history in Burma. To be a free and fair election, Rohingya should have to choose their political representation in the parliament.

- Nickey Diamond

Myanmar Human Rights Specialist at Fortify Rights and Liberty and Leadership Program Scholar



The Rohingya crisis is one of the most pressing human rights issues of our time and a major failure of Burma's democratic transition. In 2018, the United Nations [described](#) the Rohingya situation as the world's fastest-growing refugee crisis and the military offensive in Rakhine state as a "textbook example of ethnic cleansing." Today, the Rohingya refugee camps in Cox's Bazar, Bangladesh, are the largest in the world, overcrowded with almost 1 million people.

Over many decades, discrimination and racial segregation against the Rohingya has fossilized within society and been institutionalized by the government. The Rohingya lost their citizenship under the problematic 1982 Citizenship [Law](#) passed by the military. The Burmese military used extreme nationalism as a tool to control the nation and manipulate the public. The Rohingya increasingly became scapegoats of military policy and were systematically eliminated from the economy, politics, and society.



On Sept. 20, 2017, Rohingya Muslim people, who crossed over from Myanmar into Bangladesh, wait for their turn to collect food aid near Kutupalong refugee camp, Bangladesh. Photo by Sk Hasan Ali via Shutterstock.

Even today, most Burmese believe the Rohingya are illegal immigrants from Bangladesh, and the civilian government accordingly refuses to acknowledge the term "Rohingya," denying the group status as one of the country's officially recognized ethnic minorities. In 2015, the Rohingya were not allowed to participate in the elections, either as voters or candidates. And the 2020 election is likely to exclude this marginalized group again.

The Rohingya crisis has cost Aung San Suu Kyi and her government the trust of democratic allies, especially in the West. Genocide and democracy cannot coexist. And without Rohingya participation, free and fair democratic elections cannot be achieved. Aung San Suu Kyi and the civilian government need to stand up for what they fought for decades: free and fair democratic elections.

Misinformation and Disinformation

“It is difficult for the media to stay neutral, and misinformation on social media is the main competitor for the mainstream media.”

- Yan Htike Seng

Digital Manager, BBC Media Action and Liberty and Leadership Program Scholar



Misinformation and disinformation have become increasingly critical problems in Burma over the last five years. Widespread hate speech and misinformation have further divided the country by religion, ethnicity, and political belief. Meanwhile, people’s access to reliable and trustworthy information remains extremely limited. During the election cycle, hate speech and misinformation will surely be at a fever pitch on the internet and the state-owned media will continue to be biased in favor of the current government.

Since the democratic transition started, Burma, once known for one of the lowest phone ownership rates in the world, saw rapid expansion of mobile phone and mobile internet access. The country’s mobile cellular subscriptions per 100 people [jumped](#) from 1.17 in 2010 to 114 in 2018, according to the World Bank. Although the access to mobile and internet services skyrocketed, digital literacy in the country is still extremely low.

Facebook is the most dominant internet platform. More than 20 million people use Facebook—close to 40% of the country’s population. Facebook is used for daily newsgathering and the government’s official announcements. Unfortunately, the platform has also been used by bad actors to spread hate speech and to incite violence. In 2018, Facebook was [accused](#) by the United Nations and human rights groups of “facilitating violence against Rohingya” by “allowing anti-Muslim hate speech and false news to spread on its platform.”

There have been many [efforts](#) to improve the internet environment in the country. Facebook has taken steps to block abusive accounts and to increase content monitoring in Burmese languages. Local civil-society organizations (CSOs) like the Myanmar Institute for Peace and Security ([MIPS](#)) and [Panzagar](#) are monitoring hate speech and promoting intercommunity dialogue. Organizations like [Phandeeyar](#) are promoting digital rights and working to create a safer internet environment. While these changes are welcomed, more must be done on a much greater scale, especially during the election cycle.

Election Monitoring

“Most of the political parties don’t trust the Union Election Commission because they think the UEC is biased... And in this election, most election observers will not get a chance to observe like 2015 as the UEC limited the observation channels.”

- Hsu Mon Aung

A young activist working for a parliamentary watchdog group and Liberty and Leadership Program Scholar



Local and international election watch groups are concerned that monitoring of this election will be diminished and limited compared with 2015, whether by the UEC or the COVID-19 pandemic.

Political parties, civil society organizations, election observers, and the media have [criticized](#) the UEC's lack of independence and transparency. Appointments to the UEC are made by the president, and the UEC has shown favoritism toward the ruling NLD. The commission has been famously partisan in recent by-elections, disadvantaging opposition parties and their candidates. Election watch groups are also concerned about a recently released code of conduct which fails to provide security to election observers and limits after-election monitoring activities.

Additionally, the COVID-19 pandemic could worsen at any time and Burma lacks the health care infrastructure to react quickly. Therefore, election monitoring may be limited as restrictions on travel to and within the country go into effect.

All this is in sharp contrast with 2015, when both domestic and international observers were invited and credentialed to [monitor](#) the process to ensure a free and fair election. Over 11,000 observers from 52 civil society organizations, as well as over 1,000 international observers, had freedom of movement and unimpeded access to most parts of the process.

Aung San Suu Kyi's Problematic Leadership

The (NLD) party leadership would never allow young members to get involved in politics and policy. They just expect young MPs to vote for what they say. It is very ironic that the MP is a politician but not allowed to get involved in politics.

- Aung Hlaing Win

Member of Parliament and Liberty and Leadership Program Scholar



Aung San Suu Kyi's time in power has been defined by the Rohingya crisis. At first, human rights watchers were shocked by her inaction in condemning the military and preventing atrocities. Last year, the world was stunned again when Aung San Suu Kyi appeared in the International Court of Justice to defend her country's military against allegations of Rohingya genocide. Once a beacon of human rights and principled leadership, Aung San Suu Kyi has disappointed a global community that supported her long fight for freedom and democracy.

Apart from the Rohingya crisis, her leadership has faced criticism from local civil-society leaders, democracy activists, and even by some within her party. Burma's repressive [laws](#) criminalizing speech and peaceful assembly were not amended or repealed under Aung San Suu Kyi's leadership. During the first year of her government alone, more than a dozen journalists were charged or arrested.

Civil society organizations have been pivotal to Burma's democratic transition, but their engagement has not been welcomed by the Aung San Suu Kyi government. Some NLD legislators complain about her top-down decision-making, one-way messaging, and restrictions on parliamentary activities. They say they felt micromanaged and were expected to vote as asked. Constructive criticism and parliamentary debates were not welcomed. Nearly 400 NLD legislators were required to show personal loyalty to Aung San Suu Kyi and to the party.

Perhaps there were hints of her problematic leadership style: She refused to work with democratic allies during the 2015 election, repeatedly declared that she would be above the president after the election, filled her cabinet with loyalists without proven expertise, and made no visible efforts to arrange a successor or nurture the next generation of party leaders.

Even with mounting criticism at home and abroad, Aung San Suu Kyi doesn't seem to react. As she announced the party candidates for the upcoming election, she again emphasized party [loyalty](#): "The road that the NLD has taken is very rough. It is long, unending. The harshness is not over. That is why we place so much emphasis on endurance and loyalty," she said. As Aung San Suu Kyi and her party are expected to remain a significant force in Burmese politics, her problematic leadership will continue to be a factor in consolidating Burma's democracy.

Military and Constitutional Reform

Burma's military—also known as the *Tatmadaw*—remains the country's most powerful institution. It uses constitutionally guaranteed powers to control key ministries (home affairs, border affairs, and defense) and one-fourth of the seats in parliament and can veto any constitutional changes. Burma's 2008 Constitution, written by the *Tatmadaw*, limits any elected government's power to remove the military from politics, and it remains an autonomous institution free from any civilian control or oversight. Professor Zoltan Barany, a civil-military relations expert at the University of Texas at Austin, [states](#) that the hard realities of Burmese politics are "there has been no significant transfer of political power from the generals to elected civilians, and there will be no such transfer unless and until the *Tatmadaw* wants it to happen."



Military officers who serve as members of Burma's parliament line up to vote during a session at the Assembly of the Union (Pyidaungsu Hluttaw) in Naypyidaw on Mar. 10, 2020. Photo by YE AUNG THU/AFP via Getty Images.

The central problem of Burma's democracy is the 2008 Constitution's guarantee of the military's political power because the only authority that can limit this power is the military itself. And the *Tatmadaw* doesn't have any compelling reason to voluntarily give it up.

Constitutional reform was one of the core campaign promises of Aung San Suu Kyi and the NLD in 2015. But in March 2020, the NLD's proposed [amendments](#) didn't pass the parliament. Constitutional reform will continue to be an important issue in this election and the next government will be expected to make strong progress. However, it will likely continue to be a stumbling block.

RECOMMENDATIONS

Support Civil Society Organizations

The United States and the international community should bolster funding and capacity building for civil society actors in the country who seek to foster free and fair elections. The United States can also pressure the NLD to lift restrictions on freedoms of assembly and the press so that civil society organizations can better fulfill their roles. CSOs can, in turn, monitor elections, put pressure on the UEC to diversify its members to include more women and non-Bamar peoples, educate voters and candidates on appropriate, truthful campaign strategies, and demand that the parliament put more funding toward updating the voter-registration lists. CSOs can use the 2020 elections as an opportunity to voice their concerns about the government neglecting civil society while also promoting their expertise on important policy discussions during and after the elections.

Build Capacity of Political Parties

The political party environment in Burma is unique. Almost a hundred political parties are running in the 2020 elections and most of them are not well prepared. Their candidates often lack political experience and legislative knowledge. Under the military dictatorship, education was restricted and discussions of politics, public policy, and human rights were prohibited. As a result, an entire generation in Burma missed the opportunity to learn and understand concepts like individual freedom, human rights, democracy and the rule of law as well as free market principles. This has even been a challenge for the ruling NLD. During the 2015 campaign, Aung San Suu Kyi famously said, "Vote for the party, not the candidate," which was an implicit acknowledgment of her own candidates' shortcomings.

Supporting political parties that are committed to the democratic process and empowering their candidates is essential to the development of a professionally functioning Burmese parliament. U.S.-based organizations like the International Republican Institute and National Democratic Institute play a critical role in this regard, and their efforts should be widely supported by the U.S. government and others.

Pressure and Support the Civilian Government

The United States and its democratic allies must send a clear message to the civilian government that full political participation for ethnic minorities, particularly the Rohingya, is a requirement for free and fair elections. This year, the NLD included two Muslim candidates who will run in the major cities

of Mandalay and Yangon. This is evidence that some progress is being made and that the civilian government is responding, however incrementally, to international pressure. These efforts need to continue and expand.

However, such pressure must be distinct from that applied to the military. It must be accompanied by encouragement and support for the country's developing democratic institutions. Rhetoric tied to action will be important here; the United States and its allies must emphasize to Burma's civilian government that they are partners in consolidating the country's young democracy.

For example, the international community could offer to work with the civilian government on developing a roadmap for resolving the Rohingya issue that is tied to international aid packages and investment opportunities. That should start with restoring Rohingya voting rights and granting them citizenship. Simultaneously, international support could include strategizing with the government on developing a public relations campaign aimed at explaining and building popular support for reforms. A crucial component for success would be rhetoric from the country's leadership (particularly Aung San Suu Kyi) that frames the Rohingya issue as one of human rights and democratic principles rather than a question of ethnicity and religion.

Pressure the Military

The United States should continue to put maximum pressure on Burma's military, which remains the most powerful actor in Burmese politics and the country's driving force for corruption and human rights abuses. Members of the military continue to win parliamentary seats beyond the 25% that are constitutionally guaranteed to them. Current travel and financial sanctions on the military should be continued and broadened. To maximize these efforts, Washington should convince other democracies in Asia to join it in holding the military accountable for its crimes against humanity.

During the election, messages from military generals and candidates should be monitored carefully. Past experience tells us the *Tatmadaw* will use narratives around nationalism, national security, and stability to gain votes. Such rhetoric is little-disguised hate speech that deeply divides communities. U.S. businesses, including Facebook, can also play a vital role in pressuring the military and holding it accountable. By monitoring military activities online and cutting business ties with military holdings, the private sector can support Burmese elections that promote more inclusive democracy.

CONCLUSION

Since its historic election in 2015, Burma's road to democracy has been difficult and disappointing. The country continues to face significant challenges including deeply troubling human rights issues.

Burma's lasting peace and successful democratic transition are still achievable but require greater partnership between Burma's people and the international community. The country's next election should be closely watched and fully supported by other democracies, especially the United States, which has traditionally recognized advancing freedom and democracy as a pillar of its foreign policy. With our support, Burma can exemplify how democracy contributes to peace, security, and stability in the region.



In Oct. 2019, the 2020 class of the Liberty and Leadership Program traveled to Dallas to participate in the second module of the program. Photo by Grant Miller for the George W. Bush Presidential Center.

LIBERTY AND LEADERSHIP PROGRAM

When countries begin the transition to freedom, equipping young leaders with practical leadership skills and the principles of democracy and the free market is crucial to their success. As such, the George W. Bush Institute created the Liberty and Leadership Program in 2014 to engage changemakers from Burma. The program prepares young leaders with the knowledge and skills to succeed during their country's democratic transition. Since its launch, the program has engaged 79 men and women from Burma, including former political prisoners, civil society activists, members of parliament, journalists, educators, health practitioners, and other emerging leaders. They represent the rich ethnic and religious diversity of the country. Despite difficulties, they view Burma's diversity as a strength and show remarkable optimism and resilience that inspires others.



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