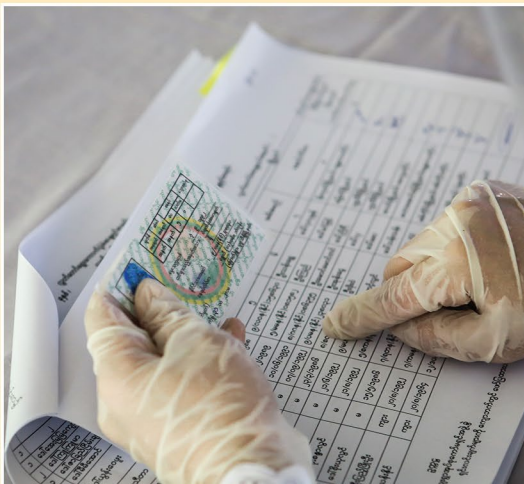




Compilation of Preliminary Findings from Observer Interim Reports

November 2020





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Introduction

IFES has consistently compiled findings and recommendations from observer reports, including the *Compilation of Election Observer Recommendations (2016)*, and *Compilation of Recommendations from Election Observer Reports, National Post Election Review, Gender and Legal Roundtables (2019)*.

Over the years, the findings and recommendations of observers have been brought to the attention of the Union Election Commission and its working groups, and have been used as a basis to support reforms, improve polling procedures and advance policies and practices in administration of elections. IFES encouraged UEC to review all recommendations from observer reports and the post-election review before developing the UEC Strategic Plan 2019-2022. IFES will work with UEC in modifying the strategic plan to incorporate or reiterate recommendations once the full observer reports and the post-election review will be published.

In this report, IFES compiles the Preliminary Findings from the interim observer statements for the 2020 General Elections. The findings have been grouped into thematic areas such as legal framework, candidate nomination, campaign period, voter education, election day and election dispute resolution.

The findings presented herein are excerpts or paraphrases retrieved from observer's preliminary statements, including: The Carter Center (TCC), Asian Network for Free Elections (ANFREL), People's Alliance for Credible Elections (PACE), and Myanmar Network Organization for Free and Fair Elections (MYNFREL). For more information, the readers are encouraged to review the official preliminary reports that have been made publicly available also in the [Myanmar Electoral Resources & Information Center \(MERIN\)](#).

IFES will follow-up with the *Compilation of Recommendations from Observer Reports* when the final observation reports are made publicly available. IFES would like to acknowledge the important role of the observer organizations, and reaffirms its commitment to continue working closely with the UEC, CSO partners and other election stakeholders to address these recommendations in the future.



Topic	Findings
Legal Framework	
Election Calendar	<p><u>TCC</u>: Despite past recommendations, the UEC did not publish an electoral calendar, and as a result, uncertainty over the election schedule continues to detract from the transparency and predictability of the framework for all stakeholders.</p>
	<p><u>ANFREL</u>: Many parties and candidates reported that they were made aware the campaign would start on 8 September 2020 through an announcement by the UEC only two days before.</p>
	<p><u>PACE</u>: The UEC released the timeline for different aspects of the election process such as the voter list display, campaign and advanced voting too close to the actual dates, leaving observers unprepared and unable to monitor the process.</p>
Constitution and Election Legislation	<p><u>TCC</u>: In addition to reserved seats for the military and the mismatched delimitation of constituencies, there are restrictions on the right to vote and to stand as a candidate, issues with the authority and independence of the election management body, restrictions on eligibility for the presidency, insufficient regulation of advance out-of-constituency voting, and a lack of provision for the appeal of UEC decisions.</p>
	<p><u>TCC</u>: Contrary to international standards guaranteeing the right to an effective remedy, the decisions of the UEC are final and conclusive, and are not subject to judicial review.</p>
	<p><u>ANFREL</u>: Myanmar’s legal framework for elections continues to be fundamentally undemocratic, with 25% of all seats reserved for the military.</p>
	<p><u>TCC</u>: The election law does not require the UEC sessions to be public or that the UEC publish the records of its meetings.</p>
	<p><u>ANFREL</u>: Efforts to amend the constitution have failed because of the veto granted to the military.</p>
	<p><u>ANFREL</u>: Article 392(a) of the Constitution disenfranchises all members of religious orders, whose numbers are considerable: the Buddhist clergy alone accounts for well over half a million people. Christian and Hindu priests or nuns are also unable to vote, but not Muslim imams, a loophole which causes resentment among nationalists.</p>

Topic	Findings
Election Reform	<u>TCC</u> : Some positive steps have been taken to improve the legal framework, [...] formalized the role of election mediation committees (EMCs) for dispute resolution, required military personnel and their families to vote outside of barracks, obliged election sub-commissions to facilitate voting by persons with disabilities, acknowledged the right of observers to be in polling stations, and provided for the replacement of spoiled ballots.
	<u>TCC</u> : The legal amendments made in 2020 reduced the residency requirement for voters from 180 to 90 days. This change was especially important for seasonal workers, migrant workers returning from abroad, and IDPs.
	<u>ANFREL</u> : A few welcome revisions were made to election by-laws, for instance enabling internally displaced people, migrant workers and students to vote more easily in their area of temporary residence, and prohibiting polling stations located inside military compounds.
Election System and drawing of Constituencies	<u>ANFREL</u> : Because constituencies for the Pyithu Hluttaw and region/state hluttaws are based on the country's 330 townships, which vary widely in population, some voters effectively have more weight than others.
	<u>TCC</u> [...] Considerable disparities in the size of constituencies [...] a representative in the same assembly may represent a constituency of either a few thousand or a few hundred thousand voters.
Administration of the Elections	
Structure, Independence and Impartiality of the UEC	<u>TCC</u> : The authority of the executive to appoint UEC members does not provide a mechanism that ensures the impartiality and independence.
	<u>ANFREL</u> : While the UEC is nominally neutral, the fact that its members are all political appointees of the incumbent government makes the institution vulnerable to accusations of bias.
	<u>TCC</u> : Public exchanges between the military and the president's office over the competency and transparency of the UEC escalated [...].
	<u>TCC</u> : Women remained underrepresented in the higher levels of electoral bodies, with no women serving as UEC commissioners.
	<u>TCC</u> : Gender-disaggregated data on the composition of Myanmar's electoral bodies is not publicly available.
	<u>PACE</u> : Two-thirds of the polling station officers (66%) are women. Women comprised a similar proportion (66%) of polling station members present when voting began.
	<u>TCC</u> : Women do appear to be well represented among polling staff at managerial level. Observers noted that some 75 percent of polling station officers in locations visited were women.

Topic	Findings
<p>UEC Decision Making and Transparency</p>	<p><u>TCC</u>: UEC’s decision-making lacked transparency and openness in some instances, and it did not provide public access to timely election data.</p>
	<p><u>TCC</u>: The UEC decisions on election cancellations and postponements, which disenfranchised some 1.4 million voters and will leave 22 seats in the national parliament vacant, were not supported by transparent criteria set out in advance.</p>
	<p><u>ANFREL</u>: Although the UEC regularly held press conferences and published announcements through state and mainstream media, it has also provided little information as to how exactly those decisions were reached and on what basis.</p>
	<p><u>TCC</u>: The UEC did not publish key election data prior to election day, including the final list of registered candidates or the final numbers of registered voters.</p>
	<p><u>PACE</u>: The UEC did not conduct substantive consultations with different electoral stakeholders before making important decisions, such as implementing changes to both international and domestic observer guidelines, issuing campaign regulations, and canceling elections.</p>
	<p><u>TCC</u>: Over 80% of party and candidate representatives interviewed reported that sub commissions held ad hoc or periodic meetings to provide election-related information and updates.</p>
	<p><u>ANFREL</u>: Much of the criticism against the election management body is fueled by a lack of consultation in its decision-making process. Many civil society organizations interviewed by ANFREL considered the current election commission harder to reach out to, and to obtain information from, than its predecessor.</p>
<p>Election Security</p>	<p><u>ANFREL</u>: The death of a supporter in Sagaing region and the abduction of three NLD candidates in Rakhine state are serious incidents.</p>
	<p><u>TCC</u>: The campaign environment outside the conflict zones was reported by interlocutors to be generally calm and peaceful.</p>
	<p><u>ANFREL</u>: On 6 November, just two days before the elections, a bomb blast rocked the offices of Bago region’s election sub-commission. There were no casualties and the attack has not been claimed.</p>
	<p><u>TCC</u>: In several townships in Kachin and Shan states where ethnic political parties were campaigning, there were reports of threats, interference, and special campaign rules being imposed by the military, militia groups, local border guards, or ethnic armed organizations.</p>
	<p><u>PACE</u>: The blast at the Bago regional sub-commission office indicated the security challenges of the pre-election process.</p>

Topic	Findings
	<p><u>ANFREL</u>: The resurgence of armed conflicts in several parts of Myanmar led to a greater number of security-related poll cancellations than in 2015, some of which were controversial because of the UEC's perceived lack of consistency and transparency in deciding which constituencies should be postponed.</p> <p><u>TCC</u>: In Rakhine State three NLD candidates were abducted by the Arakan Army.</p> <p><u>ANFREL</u>: The poll cancellations described above had a negative impact on the transparency and legitimacy of the 2020 Myanmar general elections. The identification of townships and village tracts that were subjected to cancellations was conducted in an opaque, arbitrary, and inconsistent manner. The discretionary nature of these decisions led them to be perceived as partly targeted at ethnic political parties which were expected to win in these areas, thereby marginalising them even more and fueling resentment against the ruling party and UEC.</p> <p><u>PACE</u>: The total cancellation of elections in 15 townships in Rakhine and Shan states and parts of 41 additional townships has a huge impact not only on the inclusiveness of the electoral process, but also on the country's democratic transition process.</p> <p><u>TCC</u>: The cancellation of voting in parts of constituencies still allows for representatives to be elected by voters in the remaining wards and village tracts, which creates concerns about actual or perceived manipulation of election outcomes.</p> <p><u>TCC</u>: The UEC decisions were criticized as opaque by a range of political parties and stakeholders [...] failure to explain inconsistencies in the assessment of security conditions and the disproportionate effect on voters and contestants in ethnic minority area.</p>
Election Operations	<p><u>TCC</u>: The UEC exercised wide discretionary powers to regulate the process and has undertaken laudable efforts to update the voter roll, train election officials, and adapt procedures for voters vulnerable to COVID-19.</p>
Training of election staff	<p><u>TCC</u>: A notable innovation of the UEC was the development and distribution of a range of training materials for sub commissions, including a guide, polling and counting training videos, and other self-learning resources.</p>



Topic	Findings
Voter List and Voter Registration	
Right to vote	<u>ANFREL</u> : There is enough space in a modern democracy to allow members of religious orders to exercise their universal suffrage as private citizens, which would contribute to making elections more inclusive and representative.
	<u>TCC</u> : Discriminatory provisions on citizenship continue to disenfranchise members of some ethnic minorities.
	<u>ANFREL</u> : Long discriminated against by Myanmar’s draconian citizenship laws, most Rohingya do not hold full citizenship and identification papers.
	<u>TCC</u> : The former holders of temporary citizenship certificates, whose voting rights were removed prior to the 2015 elections, remain disenfranchised. The majority of these were ethnic Rohingya from Rakhine State.
	<u>TCC</u> : The majority of mission interlocutors positively evaluated the quality of voter rolls, although some concerns over possible exclusion of vulnerable groups persisted.
Voter List	<u>PACE</u> : In terms of the quality of the voter list, in one-third of the polling stations, 1-10 people turned away from polling stations because their names were not on the list and there a few polling stations, 1-10 people were allowed to vote even though their names were not on the list.
	<u>ANFREL</u> : In a country of nearly 55 million people, it is impossible to gauge how widespread voter registration issues are without conducting an audit of the voter list. However, the UEC does not allow election observers or other neutral third-parties to obtain and inspect a copy of the voter list.
	<u>TCC</u> : Over 80% of the 479 party and candidate representatives interviewed characterized the quality of the voter roll as good or adequate. However, a notable 40% of political interlocutors in Kayin State and 33% from Shan (North) assessed the quality of the voter roll as poor.
Voter List Update/ Display	<u>TCC</u> : Over 9 million voters (about 24%) reportedly checked their records.
	<u>TCC</u> : The main corrections requested were changes to names and addresses, inclusion of missing eligible voters, and removal of deceased voters. Following the first display, 953,466 additional voters were included on the voter roll. As of election day, the UEC had not published the total number of voters on the voter roll.
	<u>ANFREL</u> : It is worth mentioning that the law requires only one voter list display, so it is a commendable initiative from the UEC to hold a second one in an attempt to correct more errors.

Topic	Findings
Vote transfer	<u>TCC</u> : The administrative procedures to transfer registration were described by a number of interlocutors as cumbersome because of documentation requirements.
Migrant Workers	<u>ANFREL</u> : With official estimates of 9.2 million internal migrants, any reform to voting mechanisms for migrant workers and students can greatly impact election outcomes. However, election stakeholders should strive to find a consensus on a way to increase voter turnout without affecting the perception of the integrity of the process.
	<u>TCC</u> : [...] Several ethnic communities raised concern over the potential influence of seasonal workers on election outcomes in their areas.
Ethnic Voter List	<u>TCC</u> : Media reported that voters were missing from voter rolls for the ethnic affairs minister races in Mandalay and Yangon.
	<u>ANFREL</u> : While ANFREL did not witness egregious violations on Election Day, there were however accounts of ethnic voters unable to cast ballots for the elections of their ethnic affairs ministers as they were not issued ballot papers.
Disenfranchisement	<u>ANFREL</u> : In Rakhine state, three quarters of all registered voters were disenfranchised by election postponements [...] in addition to around 600,000 Rohingya that are denied basic political rights because of Myanmar's discriminatory citizenship laws.
	<u>TCC</u> : 69% of CSOs and 64% of media interlocutors expressed concern over the possible exclusion of vulnerable groups, particularly migrant workers, IDPs, and ethnic and religious groups.
Political Parties and Candidate Nomination	
Political Parties	<u>ANFREL</u> : Five additional political parties were either dissolved or suspended by the UEC on procedural grounds, and therefore unable to field candidates: 88 Generation Student Youth (Union of Myanmar) Party, the Union of Myanmar Federation of National Politics, the 88 Generation Brotherhood Party, the People Democracy Party, and the Union Democratic Party.
Right to stand as candidate	<u>TCC</u> : Citizenship-related eligibility criteria resulted in the denial of registration or the deregistration of a number of candidates, particularly those from religious and ethnic minorities.
	<u>ANFREL</u> : As in 2015, rejections based on citizenship grounds, while ostensibly following the letter of the law, seemed to disproportionately affect Muslim candidates.
	<u>TCC</u> : Some 17 candidate nomination rejections and deregistrations were made on the grounds of candidates' parents not holding Myanmar citizenship at the time of their birth.

Topic	Findings
Data protection	<u>TCC</u> : The collection and publication of data on candidates’ ethnicities and religions does not appear to comply with the constitutional right to privacy and international data protection principles.
Candidate Scrutiny	<u>TCC</u> : Unclear changes in the classification of past citizenship documents have made the proof of parents’ citizenship an opaque administrative barrier to determine eligibility.
	<u>ANFREL</u> : Although some candidates’ rejections were made on procedural grounds, such as false information on the application forms, others related to the applicants’ parents not being both Myanmar citizens at the time of their birth.
Deregistration	<u>TCC</u> : Following the certification of candidate lists, approximately 1,317 candidates were deregistered – nearly 19% of the total – and four candidates died.
	<u>ANFREL</u> : The direct consequence of the dissolution of the UDP is that the 1,131 candidates it had nominated were disqualified and unable to contest the elections. However, their names still appeared on the ballot papers as they had already been printed.
	<u>TCC</u> : Deregistrations also occurred well into the campaign period, affecting the rights of individuals to stand, preventing political parties from replacing candidates, and potentially affecting the rights of voters who had already cast advance ballots.
Women Candidates	<u>TCC</u> : There are no legal requirements or special measures to encourage the participation of women as candidates.
	<u>ANFREL</u> : Women’s participation in the elections increased marginally, with 16% of female candidates (902 out of 5,643) compared to 13% in 2015. Women candidates also continued to face discrimination during the election campaign.
	<u>TCC</u> : Although some parties implemented internal equity policies, temporary special measures for greater inclusion of women should be considered as a remedy.
	<u>ANFREL</u> : In Myanmar, although there are no legal barriers to women’s participation in politics per se, there are still societal norms which confine women to their traditional roles.

Topic	Findings
Voter Outreach	
Voter Participation	<u>ANFREL</u> : Voters came out in large numbers to their polling stations, with a voter turnout estimated to be nearly as high as in the 2015 general elections.
	<u>TCC</u> : Voters were enthusiastic and able to freely express their will at the polls and choose their elected representatives.
	<u>ANFREL</u> : Most of the polling stations surveyed displayed the appropriate guidelines for voters and informational posters outside.
Voter Education	<u>TCC</u> : The UEC carried out a nationwide public outreach campaign targeted at key demographics [...] This outreach included the distribution of pamphlets, posters, game boxes, billboards, street theater guidebooks, mock voting kits, easy-to-read cartoons, and educational and motivational video series.
	<u>ANFREL</u> : The UEC actively disseminated information for voters on its Facebook page with infographics and videos elaborating on the voting procedures and COVID-19 related guidelines. It also provided information for voters, such as how they can check their names on the voter list and its press statements and ongoing activities.
	<u>ANFREL</u> : ANFREL recognizes the efforts of the UEC to promote voter education through electronic means, as COVID-19 has limited its ability to conduct activities on the ground.
Outreach to remote communities	<u>ANFREL</u> : The level of voter education remains low, especially in rural areas. Voter education material from the UEC also gave little attention to ethnic or linguistic minorities, causing some of these communities to fail to understand the polling process.
	<u>ANFREL</u> : CSOs partly filled the gap with their own voter education efforts, offering alternatives such as online seminars and small-group meetings, and at the same time organised election observation efforts across the country to support Myanmar's continuing democratic transition.
How to mark the ballot	<u>ANFREL</u> : The incidence of invalid ballots was low overall, although it could be further reduced through voter education efforts.
Covid-19	<u>PACE</u> : At almost all polling stations (93%), COVID-19 prevention guidelines were displayed publicly.

Topic	Findings
Campaign Period	
Campaign period	<p><u>TCC</u>: Two-thirds of the contestants interviewed by The Carter Center reported having been able to campaign freely and on equal conditions. In several areas, some candidates were not allowed to access villages by local residents and village administrators ostensibly because of fears of COVID-19.</p>
	<p><u>PACE</u>: Candidates were not able to organize campaign activities as they did in previous elections, especially in areas like Yangon region and Rakhine state, where “stay-at-home” orders were enforced throughout the entire state or region.</p>
	<p><u>ANFREL</u>: The campaign environment was generally peaceful and calm, with few instances of election violence and mostly minor ones.</p>
	<p><u>TCC</u>: Overall, the UEC was reported to have facilitated contestants’ access to public meeting venues, with only rare rejections based on COVID-19.</p>
	<p><u>ANFREL</u>: In several locations, interviewees claimed that candidates from the ruling NLD received preferential treatment from the UEC, for instance by getting quicker approval of their campaign events or being granted the first chance to campaign in a specific location.</p>
Access to media	<p><u>ANFREL</u>: Access to state media for campaigning was also restricted by alleged censorship from the Union Election Commission.</p>
	<p><u>TCC</u>: In addition, the UEC’s review of political party scripts for free airtime on television and radio appeared overly stringent and at odds with international obligations for freedom of expression.</p>
	<p><u>TCC</u>: Several parties condemned the UEC’s censorship of their campaign messages as part of a legally required preview of scripts.</p>
Covid-19 Measures and Campaign	<p><u>PACE</u>: Compared to the 2015 general elections, there have been fewer campaign activities, and significantly limiting the ability of political parties to deliberate or discuss their campaign promises and party platforms with their electorate.</p>
	<p><u>ANFREL</u>: The compliance and enforcement of the MOHS guidelines for safe campaigning were widely assessed to be inadequate. There was consensus among the voters and CSO representatives interviewed by ANFREL that most, if not all, political parties violated the limits on the maximum number of participants.</p>

Topic	Findings
	<p><u>TCC</u>: The visibility and intensity of public campaigning was impacted by COVID-19 restrictions that limited movement and assembly.</p> <p><u>PACE</u>: [Covid-19 measures] created an uneven playing field between those who have better access to financial resources, media and social media and those with limited resources, as well as between incumbent and the rest of the parties.</p> <p><u>TCC</u>: Some contestants expressed concerns over the perceived privileged access of the governing party as well as the inconsistent enforcement of COVID-19 restrictions on larger campaign events.</p> <p><u>TCC</u>: In Rakhine State, campaigning was very limited because of the combined effects of insecurity, COVID-19 lockdown measures, and internet restrictions.</p>
Code of Conduct	<p><u>PACE</u>: Unlike in previous elections, 26 political parties declined to sign the code of conduct for the political party campaigns.</p> <p><u>ANFREL</u>: The boycott [to sign the code of conduct] marks a departure from the practice of 2015, when all contesting parties agreed to sign the CoC, and caused concerns that campaigning in the 2020 elections may be less civil and orderly than in previous years.</p> <p><u>TCC</u>: Allegations of minor campaign violations and breaches of the political party code of conduct were addressed by election mediation commissions established by the UEC.</p>
Social media	<p><u>TCC</u>: Carter Center social media monitoring of public Facebook pages identified substantial amounts of election-related disinformation, which frequently contained hate speech directed at ethnic and religious minorities that was accessible to millions of Facebook users. Women candidates were also targeted by hate speech and harassment.</p> <p><u>TCC</u>: Social media monitoring identified instances of election-related disinformation (defined as deliberately making false, misleading, or unverified claims) being shared across Facebook, accessible to millions of users.</p> <p><u>ANFREL</u>: As campaigns shifted online, large parts of the population with poor connectivity were alienated. Ad spending on Facebook ramped up, while issues of mis- and disinformation were prevalent on social media.</p>

Topic	Findings
Silence period	<u>TCC</u> : The mission observed that the silence period was nearly universally observed by candidates and political parties.
Media freedom	<u>ANFREL</u> : While the media community tries to perform its duties to the best of its abilities, it faces ongoing issues of difficult access to information and sources, blocking of news websites, risks of legal prosecution for journalists who report on sensitive issues, and travel restrictions in place to curb the spread of the novel coronavirus.
Campaign Finance	<u>ANFREL</u> : Monitoring of election expenses by the UEC is weak, and compliance with campaign finance regulations is more assumed than enforced.
	<u>ANFREL</u> : Complaints related to vote-buying and excessive campaign spending should be thoroughly investigated.
Election Observation	
Observer accreditation	<u>TCC</u> : Additional accreditation requirements imposed on civil society organizations receiving international funding caused delays in accreditation and the beginning of observation activities by PACE and other organizations.
	<u>TCC</u> : The UEC procedures in the runup to the elections raised concerns about the ability of citizen observers to access key aspects of the process and to conduct their activities freely.
	<u>ANFREL</u> : The UEC accredited 7,232 observers from the 13 domestic election observation groups which applied for union-level observation while 985 observers were accredited from the 23 organisations which applied for the state and region-level observation.
Observer's access to elections	<u>TCC</u> : The mission could not access the process fully because of travel restrictions and therefore conducted hundreds of meetings remotely.
	<u>TCC</u> : The requirement communicated to international observers and diplomatic missions to disclose precise plans for election day deployment constitutes an unjustified limitation on the work of observers and undermines the transparency provided by independent election observation.
	<u>TCC</u> : Some observers, including Carter Center observers, reported being closely monitored by security forces and faced additional reporting requirements on deployment plans. Such restrictions are inappropriate.

Topic	Findings
Election Day access	<u>MYNFREL</u> : Almost all of the polling stations allowed the observers, party agents and agents of the independent candidates to observe.
	<u>ANFREL</u> : There were isolated incidents of ANFREL observers being denied entry to a polling station for unknown motives, despite showing their credentials to the polling station officer in charge.
	<u>PACE</u> : At almost all polling stations (99%), agents and eyewitnesses were allowed to remain in the station after it closed to observe the counting process. Observers were allowed to stay inside the polling station to observe the counting process in 98% of the polling stations.
Observation of Advance Voting	<u>PACE</u> : Observers also were unable to monitor the out-of-constituency advance voting process.
Inclusion of Marginalized Communities	
Voting of Persons with Disabilities	<u>ANFREL</u> : The Myanmar Independent Living Initiative (MILI) organized civic education initiatives for PWDs, IDPs, and the marginalized sectors. They provided technical and financial support to polling stations to implement accessible polling places. Accessibility mechanisms included preparation of ramps and provision of braille and sign language interpretation. It is unclear, however, if an accessibility audit of polling stations was conducted by the UEC in preparation for the elections.
	<u>TCC</u> : Independent access for persons with disabilities was not available in five township sub commissions observed.
	<u>ANFREL</u> : Most polling stations were ill-equipped to accommodate persons with disabilities (PWDs). 79% of locations visited by ANFREL observers would have been inaccessible to wheelchair users without outside assistance, as they offered no entrance ramps or the terrain was too uneven.
	<u>ANFREL</u> : While there was CSO assistance to polling stations to implement accessible polling places, its implementation by the UEC was uneven.
	<u>PACE</u> : Only one-third of the polling stations accessible to voters in wheel-chair and a few polling stations provided a polling booth accessible to voters in wheel-chair.

Topic	Findings
Inclusion of Ethnic Communities	<p><u>TCC</u>: Materials were produced in 22 ethnic languages, and in Braille in three languages.</p> <p><u>ANFREL</u>: Ethnic minorities’ participation in the 2020 general elections faced an uphill climb compared to mainstream ethnic communities, which was shared by the key informants. In Bago, some of the Muslim and Hindu voters who received temporary National Registration Cards (NRC) faced challenges in the registration process.</p> <p><u>ANFREL</u>: Ethnicity is also affecting marginalising their political activities, especially its affect for more marginalised ethnic communities.</p>
LGBTQI	<p><u>ANFREL</u>: This electoral cycle also saw the first openly gay candidate run for office in Mandalay’s Aungmyaythazan township.</p>
Internally Displaced Persons	<p><u>ANFREL</u>: Internally displaced peoples (IDPs) seem to be the most affected due to the COVID-19 related imposed lockdowns. While the UEC had allowed IDPs stranded along the borders to vote, most of them were unable to check the first and second voter list displays.</p> <p><u>TCC</u>: The legal amendments made in 2020 reduced the residency requirement for voters from 180 to 90 days. This change was especially important for seasonal workers, migrant workers returning from abroad, and IDPs.</p>
Covid-19 Measures	
Compliance with Covid-19 Measures	<p><u>TCC</u>: The election administration has demonstrated resilience in adjusting to the challenges posed by COVID-19.</p>
	<p><u>TCC</u>: COVID-19 mitigating measures, particularly social distancing, were followed inside of polling stations, although this was challenging in some sites because of infrastructure.</p>
	<p><u>PACE</u>: All polling stations were well prepared for COVID-19 precaution measures. The majority of polling stations were able to enforce the voters to wear masks, but at more than one-fourth of polling stations, the safe distance was not met during the queue.</p>
	<p><u>ANFREL</u>: Polling and counting operations were conducted diligently and transparently, and health guidelines were overall well-implemented, although social distancing could not be implemented in many locations because of large crowds and/or a lack of available space.</p>

Topic	Findings
Personal Protective Equipment	<u>TCC</u> : Personal protective equipment was available at almost all polling stations.
	<u>ANFREL</u> : Polling staff sometimes took extra steps by distributing face masks and face shields to every voter, even if they already had one.
	<u>ANFREL</u> : Everyone in the polling stations, including polling staff, voters, party representatives and election observers, was required to wear a face mask at all times.
Covid-19 measures at the polling station	<u>PACE</u> : At almost all polling stations (93%), COVID-19 prevention guidelines were displayed publicly. Regarding the implementation of COVID-19 prevention measures, almost all polling stations (98%) provided hand sanitizing gel, 93% provided masks, 87% conducted temperature tests, 84% displayed marks on the floor to encourage social distancing and 23% provided gloves. However, only a few polling stations (7%) had a separate room or space for voters who might have COVID-19 symptoms.
Temperature check	<u>ANFREL</u> : On Election Day, voters would encounter a polling staff conducting a body temperature check with a non-contact thermometer at the entrance of each polling station. If their temperature was higher than 38°C, voters would be asked to rest in a shady area for 15 minutes before being measured again. If the body temperature remained high in the second measurement, voters would be excluded from the regular voting process and arrangements would be made for them to cast their ballots in a separate room or isolated area.
	<u>PACE</u> : [With respect to advance voting] in almost all cases (99%), no voters were prevented from voting because of high body temperature.
Social distancing	<u>ANFREL</u> : While the majority of the polling stations visited by ANFREL clearly indicated the marks on the ground for a six-foot social distancing as stated in the MOHS guidelines, the real practice of social distancing was poorly enforced and maintained in many places.
Advance Voting	
Safeguards	<u>TCC</u> : Management of advance out-of-constituency voting lacked safeguards to ensure the secrecy and integrity of the vote.

Topic	Findings
<p>Out of constituency advance voting</p>	<p><u>TCC</u>: Its administration by the respective institutions remains opaque. Just as in 2015, this process lacked safeguards to ensure the secrecy and integrity of the vote, particularly for military personnel.</p>
	<p><u>TCC</u>: Positively, voters were marked in the voter roll for election-day voting as a safeguard against potential multiple voting.</p>
	<p><u>ANFREL</u>: ANFREL was unable to observe the out-of-constituency voting process due to logistical constraints.</p>
	<p><u>TCC</u>: Persons unable to return to their permanent residences because of COVID-19 travel restrictions voted at their temporary locations between Oct. 25 and Nov. 7.</p>
	<p><u>PACE</u>: [Out of constituency voting] was conducted in a nontransparent manner outside of the control of the election authorities, particularly the out-of-constituency advance voting processes at the institutions and the quarantine centers.</p>
<p>Inside Constituency Advance Voting</p>	<p><u>TCC</u>: The expanded use of homebound voting, while facilitating participation, also attracted criticism because of unclear or inconsistently applied procedures.</p>
	<p><u>PACE</u>: Observers were allowed to observe both the stationary and mobile voting without restrictions. At most observed locations (96%), the secrecy of the vote was respected both at the sub-commission offices and during mobile voting.</p>
	<p><u>TCC</u>: Concerns included unclear or inconsistently applied procedures, poor transparency, and absence of indelible ink, as well as the low quality of secrecy envelopes</p>
	<p><u>ANFREL</u>: Observers reported that advance voting procedures did not consistently adhere to UEC guidelines and polling staff did not always seem adequately trained.</p>
	<p><u>ANFREL</u>: Polling staff would sometimes hand out all three ballots at once to voters, ballot boxes were not always properly sealed, or glue was not provided for voters to seal the envelopes containing their ballots.</p>
	<p><u>ANFREL</u>: These mobile polling stations were found to be the weakest part of the electoral process in terms of procedural safeguards.</p>
<p>Out of country voting</p>	<p><u>TCC</u>: OCV took place at some 45 embassies and consular offices abroad. Over 100,000 citizens registered for OCV, an increase of over 300 percent from 2015, and an estimated 70 percent of those voted.</p>

Topic	Findings
Secrecy of the vote	<u>ANFREL</u> : In some areas voters in quarantine centres were not allowed to cast their ballots themselves, but instead had to notify polling staff of the candidates of their choice so that ballot papers could be stamped in their place.
	<u>MYNFREL</u> : Advance voting ballot boxes and regular ballot boxes are observed to be sealed properly.
Forms	<u>PACE</u> : Observers reported that citizens who voted in advance were added to the Advance Voter List (Form 13) at 94% of sub-commission offices and 93% of mobile ballots.
	<u>ANFREL</u> : In several polling stations, the results (Form 16 and 16-A) were not publicly displayed outside as they should have been.
Election Day	
General findings	<u>TCC</u> : Throughout the country, election day appeared to proceed calmly, with no major irregularities reported.
	<u>ANFREL</u> : Election Day was found to be peaceful and orderly across the country, with no major incidents reported.
	<u>PACE</u> : Overall, the election-day process was peaceful, and no major incidents were recorded.
	<u>TCC</u> : The election environment and conduct of voting were assessed as very good in 54% of the 234 polling stations observed and as reasonable in 41% of those stations.
	<u>TCC</u> : In 96% of polling stations observed, polling station staff demonstrated very good or reasonable understanding and implementation of the voting procedures.
	<u>PACE</u> : At the time of opening, almost all polling stations (99%) had all the necessary materials. Some materials, including ballot boxes and ballots, were missing at less than 1% of polling stations.
	<u>PACE</u> : In almost all polling stations (98%), there was no intimidation, harassment or interference in the counting process.
	<u>ANFREL</u> : Essential polling materials had mostly arrived on time and were placed in their respective positions correctly.
Polling team composition	<u>PACE</u> : In terms of gender proportion, two-thirds of the polling station officers were women and the same proportion of polling station members present when voting began were women.

Topic	Findings
<p>Opening of polls</p>	<p><u>TCC</u>: Overall, opening procedures were assessed positively in all polling stations observed. With a few exceptions, such as not showing the ballot box to be empty and not reading aloud ballot box seal numbers.</p>
	<p><u>TCC</u>: Observers witnessed some problems where the layout of polling stations was not in accordance with regulations. This sometimes led to problems complying with COVID-19 mitigation measures.</p>
	<p><u>PACE</u>: Most observers (95%) were permitted to enter the polling stations by 6 am. 5% of the observers were initially prevented by polling station officers.</p>
	<p><u>ANFREL</u>: Procedures such as the presenting empty ballot boxes and secure sealing of these boxes were found to be in accordance with the guidelines.</p>
<p>Polling procedures</p>	<p><u>ANFREL</u>: The rest of polling procedures regarding the integrity and secrecy of the ballot-casting process were found to be uniformly followed across polling stations on Election Day, displaying the proper training received by polling staff, many of whom also had previous experience from at least the 2015 general elections.</p>
<p>Voter List</p>	<p><u>TCC</u>: On election day, the mission did not find significant issues with the voter rolls in polling stations visited.</p>
	<p><u>TCC</u>: Voter lists were displayed outside polling stations in almost all cases.</p>
	<p><u>TCC</u>: Mission observers noted that names of voters who had voted in advance were underlined with red pen in the voter roll in nearly 92% of polling stations observed.</p>
	<p><u>PACE</u>: In terms of the quality of the voter list, in one-third of the polling stations, 1-10 people turned away from polling stations because their names were not on the list and there a few polling stations, 1-10 people were allowed to vote even though their names were not on the list.</p>
<p>Ethnic Voter List</p>	<p><u>TCC</u>: The media also reported that some voters were missing from lists for ethnic affairs minister races in Mandalay and Yangon regions.</p>
	<p><u>ANFREL</u>: There were however accounts of ethnic voters unable to cast ballots for the elections of their ethnic affairs ministers as they were not issued ballot papers.</p>

Topic	Findings
Spoiled ballots	<u>TCC</u> : In all seven cases where voters asked to replace accidentally spoiled ballots, they were granted a new one.
Closing and counting	<u>TCC</u> : Closing procedures were well adhered to in the 19 polling stations where closing was observed. Mission observers also noted one case of significant disorder.
	<u>PACE</u> : In most polling stations (93%) the advance ballot boxes were delivered before the station opened as required by election regulations. At 7% of polling stations, observers reported that they did not see advance ballot boxes being delivered before voting began.
	<u>PACE</u> : At almost all polling stations (99%), agents and eyewitnesses were allowed to remain in the station after it closed to observe the counting process. Observers were allowed to stay inside the polling station to observe the counting process in 98% of the polling stations.
	<u>ANFREL</u> : Closing was orderly, and polling stations were immediately converted into counting stations. Across the 22 locations visited by ANFREL observers, the counting of ballot papers was found to be slow and sometimes disorganised, but overall highly reliable.
	<u>MYNFREL</u> : 95.4% of the polling stations had sufficient light during counting.
Valid/Invalid	<u>TCC</u> : On election day, the mission did not find significant issues with the voter rolls in polling stations visited.
	<u>PACE</u> : Overall there were no major discrepancies in displaying the marks on the ballots, decision of invalid votes, and securing ballot papers and forms.
	<u>PACE</u> : Officials declared invalid ballots in a consistent manner in almost all (99%) polling stations.
	<u>ANFREL</u> : Ballots were properly called and the few mistakes made by UEC staff in assessing ballots were usually corrected immediately by the party agents present.
	<u>ANFREL</u> : The corrections included in the UEC's 30 October announcement regarding issues with advance voting were also properly implemented, and no ballots were found to be unjustly discarded.

Topic	Findings
<p>Polling and counting forms</p>	<p><u>PACE</u>: at one-fourth of the polling station, Form-13 was not displayed.</p>
	<p><u>TCC</u>: Form 13, which contains advance voters' names, was published outside nearly 82% of polling stations observed.</p>
	<p><u>PACE</u>: While almost all polling stations, Form-16 were posted but at 7% of the polling stations were not posted.</p>
	<p><u>PACE</u>: Observers have not reported any cases of tabulation officials making significant changes to the polling station results (Form 16).</p>
	<p><u>MYNFREL</u>: 80% of polling stations posted the advance voters list. 20% of polling stations lacked to post the advance voters list.</p>
<p>Tabulation of results</p>	<p><u>PACE</u>: Election materials were stored securely at all tabulation centers.</p>
	<p><u>ANFREL</u>: Once ballots were counted, they were brought to their respective township election office for tabulation. Tabulation operations were quick, and the UEC was able to certify the election results in many constituencies on 9 November.</p>
	<p><u>PACE</u>: Observers have reported instances of interference, harassment or intimidation during the tabulation process at five townships.</p>
<p>Election Dispute Resolution</p>	
<p>Election Mediation Committees</p>	<p><u>TCC</u>: Election mediation committees were established by the UEC, and the majority of political parties agreed to a code of conduct with a monitoring committee to assess compliance.</p>
	<p><u>ANFREL</u>: ANFREL's interviews with stakeholders found that election disputes during the campaign were solved promptly through the EMCs and rarely escalated beyond the township level. This is therefore a worthwhile initiative that successfully promotes mediation and compromise among stakeholders.</p>
	<p><u>TCC</u>: Although the committees' decisions are not legally binding, stakeholders found them effective in defusing tensions, encouraging dialogue, and building consensus.</p>

Topic	Findings
Election Dispute Resolution	<p><u>TCC</u>: The UEC published an election dispute guide with templates for filing complaints and discussed dispute resolution with civil society and political parties, contributing to transparency around the procedures for complaints and appeals.</p>
	<p><u>TCC</u>: The UEC did not disclose the number and the nature of complaints filed at the union and lower levels or the efforts taken to address them. This detracted from the transparency of the process.</p>

