

Gender Concerns International

Raamweg 21-22

The Hague, the Netherlands, 2596 TG

Phone: +31 (0) 704445082

E-Mail: info@genderconcerns.org

Web: www.genderconcerns.org



Gender Election Observation Missions support opportunities for women voters and build momentum for inclusive governance.

10 November 2015 **PRELIMINARY STATEMENT**



Gender Election Observation Mission (GEOM) Myanmar 2015

Preliminary Statement presented by Head of Mission Ms. Sabra Bano

10 November 2015

The Myanmar elections 2015: a historic opportunity for women voters to build momentum for inclusive governance

Gender Concerns International congratulates the people in Myanmar and the Union Election Commission (UEC) for their commitment to democracy leading up to and during the nationwide elections of 8 November 2015. Much has been accomplished in the past months through work towards positive reform. Our Gender Election Observation Mission (GEOM) also recognises the ongoing efforts of women's and civil society organisations to maximise opportunities for democratic inclusion in this launch of a new era for the people in the country.

This GEOM Myanmar 2015 was composed 24 observers: 4 international expert observers and 20 domestic observers that were selected in support and collaboration with women's and civil society organisations in Myanmar. This short-term mission conducted a gender-focused observation on Election Day in urban and rural areas of four regions in Myanmar including Nay Pyi Taw, Yangon, Bago and Mandalay. The experience of observing in different regions has given a broader insight into female voter participation and polling station administration to help ensure inclusive democratic elections.

Overall observations indicated that the electoral process was carried out in a peaceful manner that included women and men voters as equals. However, it was interesting to observe that in Myanmar, where women constitute more than 50 percent of the population and widely participated in elections, there were a small number of female candidates, constituting only 13.9 percent of the political candidates. The overwhelming participation of women as voters demonstrates that more women deserve political representation and the opportunity to influence policy by becoming leading political decision-makers.

GEOM objectives

Gender Election Observation Missions (GEOMs) support women's participation in democratic processes and promote the vision of a gender-balanced society through gender-focused electoral reforms that aim to build the capacity of women to hold key decision-making positions and to acquire leadership roles.

I. Political Context

After more than 25 years, Myanmar has experienced its first free, open and fair elections, raising people's hope for the country's democratic transition.

Although Myanmar currently has the lowest number of women in Parliament compared to other Southeast Asian countries, the country is making significant progress. In the 2015 elections voters had the possibility to vote for eight times as many female candidates as in 2010. In the 2010 elections, there were 101 female candidates, around three percent out of total of 3,000 candidates. Of more than 6,000 candidates in the 2015 elections, around 790, or about 13 percent, are female. Of course, it remains to be seen what percentage of women will be elected to parliament but the number is set to increase from 2010. In this election, Myanmar had its first all-female political party, marking the country's conscious move towards gender equality.

The process towards fuller inclusion of women in the democratic process is still ongoing. Currently, women are often not able to move out of lower-level positions, and women hold only 36 percent of senior positions in state organisations. There are more women than men in Myanmar, 26.9 million and 24.8 million respectively, and yet women remain largely unrepresented in the political process. However, in 2013, the government approved the National Strategic Plan for the Advancement of Women, which identifies 12 areas in which the government must act for gender equality.

II. Legal Context

Myanmar's government held a referendum in 2008 to endorse its new Constitution and held general elections in 2010 for the first time in over two decades. Myanmar was the second country in the Association of Southeast Asian Nations (ASEAN) to allow women to vote in elections.

The Constitution guarantees equality of all citizens and prohibits discrimination on the basis of sex. Section 249 ensures equal opportunities in public employment and Section 350 provides for equal pay. However, the Constitution does not include a specific provision to promote or encourage women's political participation. By guaranteeing 25 percent of parliamentary seats to the military, the Constitution may limit opportunities for women to enter the political arena as women represent a small portion of the military in Myanmar.

Although Myanmar ratified the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) in 1997, it also submitted a reservation to Article 29 stating that the government of Myanmar "does not consider itself bound by the provisions set forth". In an effort to remedy this, the government created the National Strategic Plan for the Advancement of Women (NSPAW) in 2013 to help eliminate discrimination against women in both law and practice.

III. The Electoral System

These 2015 general elections concern the Houses of the Assembly of the Union, the House of Representatives and the House of Nationalities. The House of Representatives, the Pyithu Hluttaw or lower house, has 330 seats

that were up for election. However, 110 seats of the House are not directly elected but appointed by the military. The elected seats are divided by population into single-member constituencies under Article 109 of the Constitution. The winner in a constituency is decided by a first-past-the-post system, with an election being valid through 51 percent or more of registered voter turnout in a constituency.

The House of Nationalities, the Amyotha Hluttaw or Upper House, had 168 seats up for election. The 56 remaining seats are appointed directly by the military. Each region or state of Myanmar had 12 elected seats in the Upper House, in accordance with Article 141 of the Constitution. In order to change the constitutional provisions, a constitutional amendment is necessary, which requires the support of more than 75 percent of representatives in both houses.

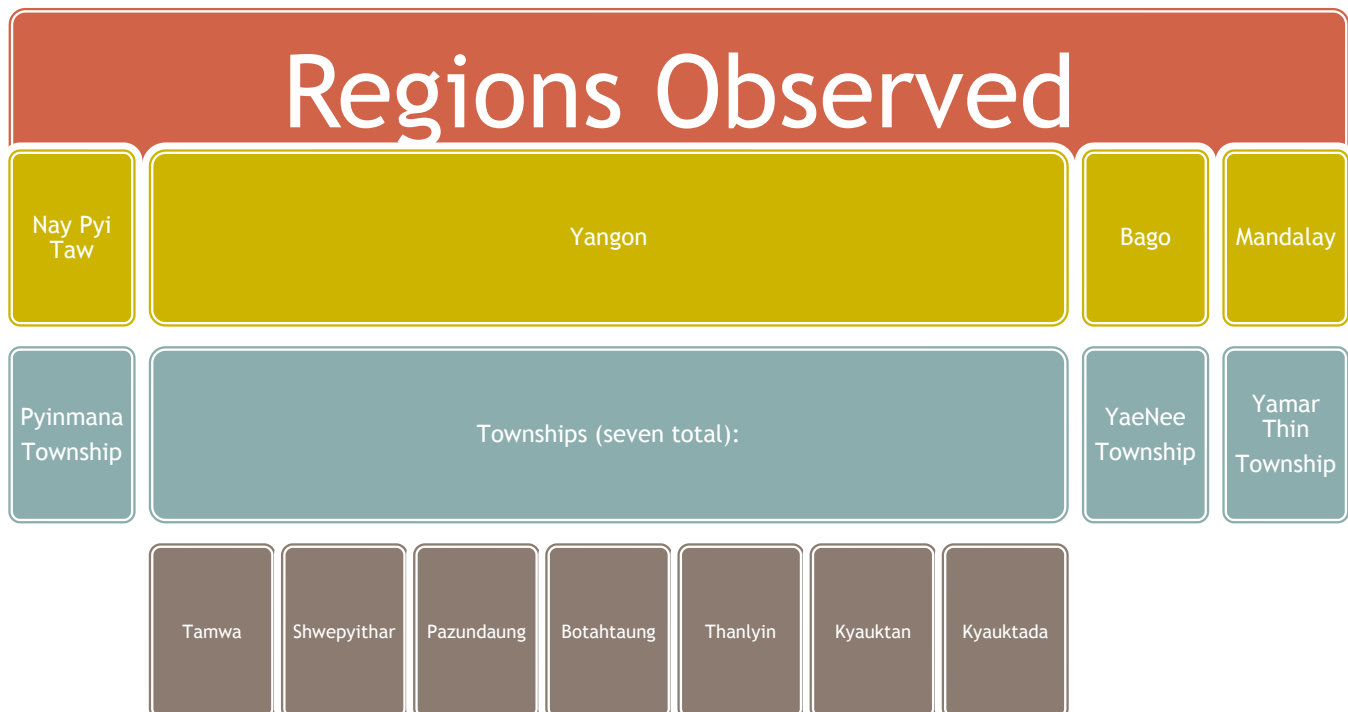
IV. The Electoral Administration

The electoral administration in Myanmar has changed significantly since the last elections. The UEC has made serious efforts to update and digitise the voter roll, including the involvement of civil society organisations. Another important shift has been the invitation of international electoral support organisations and observation missions, which were called upon to help promote international standards, codes of behaviour and transparency.

Additionally, the cost of candidacy has been reduced from 500,000 to 300,000 kyats (about USD 250). In 2010, this was non-refundable, imposing a significant financial burden on parties contesting constituencies. Now, the cost of candidacy has changed to a deposit, refunded in full to winners, as well as to any candidate who obtains at least 12.5 percent of valid votes. As a further adjustment, voting procedures have been changed through 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 prevent double voting.

V. Election Day Observation

The Gender Election Observation Mission (GEOM) observed polling stations voting in the following areas:



VI. GEOM findings at observed polling stations:

Opening of Polling Stations

- Almost all observed polling stations were opened in a timely manner with the proper election material in place at 6 a.m. All staff were present and ready to fulfil their duties.
- Voters, men and women alike, were numerous and peaceful outside polling stations as they waited to vote.
- Observers freely inspected voting booths, voting boxes, and electoral materials before voters entered.

Situation around Polling Stations

- Predominately male security forces were present outside of polling stations. Female security forces were only observed in Nay Pyi Taw.
- Observers freely entered polling stations, with occasional recordings of their names, organisations, and accreditation badges by security forces.
- No visible threats or harassment took place against women.
- All stations appeared secure.
- Security forces, most notably Special Police, were present at all polling stations. However, they varied in number, likely due to the various sizes of constituencies.
- Voting information and voter lists were visible in most stations observed.
- No vote influencing was observed, except one possible incident in a rural area.

Situation inside Polling Stations

- No separate queues for men and women and no harassment or violence towards women were observed.
- Illustrated voting procedure posters that could potentially be understood by illiterate voters were prominently displayed in most polling stations. The illustrations were also representative of women.
- Some polling stations with space limitations had voting booths placed directly next to each other, so that they touched. Such close placement limited elements of privacy in voting.
- Domestic observers who represented political candidates were predominantly male in nearly all stations.
- A male political candidate, with a media representative was observed inside one polling station.
- Some assistance was provided to elderly and disabled.
- Priority or assistance was not often granted to women with children, or those who were pregnant.
- One mission of international observers was encountered in the Yangon region. No international observers were encountered in Bago, Mandalay, or the rural areas observed in Nay Pyi Taw.

Members of Polling Centres and Stations

- Women uniformly comprised the majority of polling station staff.
- A small minority of polling stations were recording sex-disaggregated data on voter turnout. However, observers noted a very strong percentage of women voters in nearly all areas.
- Most polling station staff were welcoming and helpful to voters and observers.

The Vote

- Women voted in large numbers: alone, with families, and together with other women. The voting procedure was carried out smoothly. The occurrence of women voting together was seen mostly in rural areas of Yangon.
- The size of polling centres varied considerably. As several stations were crowded and voting closer in proximity, it was likely there was not independent voting, and interfered with proper observation.
- The atmosphere in most stations was relaxed, with little stress or disorganisation.

Sorting and Counting

- Nearly all female staff, led by the polling station chief, followed a methodological procedure after the closing of the vote.
- Security was tightened and there was restricted access during counting procedure.
- The counting of votes was transparent. Staff assisted and followed the procedure.

VII. Preliminary GEOM Recommendations

1. Professional training facilities should be provided that are run by qualified experts for future female electoral staff to ensure efficient and effective voting procedures.
2. Women should be supported and encouraged to join security forces and government institutions, particularly the military. In order to ensure that women's security continues to grow and nurture women's political engagement and leadership, the security sector must become more inclusive.
3. Polling stations should ensure the provision of facilities such as water, shade and places to sit in order to encourage voter participation.
4. Nationwide procedures should be implemented to assist women with special needs, including women with disabilities, women caring for children, pregnant women, illiterate women and/or the elderly. Advocacy campaigns should be run before and during elections to raise awareness of existing support mechanisms for women with special needs.
5. The procedure to cast a vote should be arranged in a manner that guarantees voter privacy and allows for proper election observation.
6. All relevant stakeholders, such as women's organisations, election management bodies and political parties, need more sustained interaction and cooperation to promote a gender-focused electoral reform process to advance inclusive governance and female leadership.

VIII. More about Gender Concerns International

Gender Concerns International supports women worldwide in claiming their role as “agents of change”. Currently, the organisation - based in The Hague, the Netherlands - is active in Myanmar, Afghanistan, Pakistan, and the Middle East-North Africa region. Gender Concerns International has extensive global experience with GEOMs in countries such as **Myanmar** (2015) **Morocco** (2015 and 2011), **Tunisia** (2014 and 2011), **Pakistan** (2013 and 2008) and **Libya** (2012). A firm foundation of positive interaction and support of national election commissions has been built in these countries. It is through experience in these previous missions that Gender Concerns International was able to successfully conduct the 2015 GEOM in Myanmar.