



PEACE & JUSTICE MYANMAR
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**Preliminary Statement for Election Observation
on 2015 General Election
(14th November, 2015)**

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Preliminary Statement for election observation on 2015 General Election

**“Process held according to the procedures, although
Some problems were identified regarding the secrecy of the vote and
the transparency of advanced voting and results tabulation.”**

1. Introduction

In 2015 General Election, Peace and Justice Myanmar (PJM), which is an accredited domestic election observation organization by Union Election Commission, conduct election observation process.

2. Methodology

The main purpose of Peace and Justice Myanmar is to observe the understanding of Union Election Commission and sub-election commissions in different levels on electoral laws, rules and regulations, and whether the Union Election Commission and sub-election commissions in different levels systematically undertake their responsibilities according to electoral laws, rules and regulations, and finally the strengths and weaknesses of sub-election commissions while they perform their respective duties.

Peace and Justice Myanmar deploys (128) people comprising (110) Short-term Observers, (15) Long-term Observers, (3) Regional Coordinators to (8) townships in Ayeyarwady Region, to (5) townships in Yangon Region and to (3) townships in Nay Pyi Taw Union Territory.

For advanced voting process, Peace and Justice Myanmar, from 5.11.2015 to 7.11.2015, conduct observation in (232) places including township election sub-commission offices, ward/village tract election sub-commission offices, military regiments, police stations, hospitals and advanced voting processes in wards or villages.

Among the (173) polling stations which are observed on Election Day, PJM watched opening and closing time in (69) polling stations and counting and tabulation of election results in (66) polling stations.

To observe opening and closing time, and counting and tabulation process, observers who are grouped into small groups of two, are present in respective polling stations. For the rest of the time, they observe other polling stations. All the observation processes are based on the systematic observation checklist forms developed by Peace and Justice Myanmar and all the questions included in these forms are designed in accordance with Electoral Legal Frameworks such as electoral laws, rules, regulations and guidance by Union Election Commission.

3. Executive Summary

This report describes the preliminary findings of Peace and Justice Myanmar gathered observed during the advanced voting process and voting process on Election Day. Peace and Justice Myanmar conduct electoral observation in (232) places for advanced voting, in (173) polling stations for voting process on Election Day, in (13) township election sub-commission offices for counting advanced votes coming from outside of the constituencies, and for tabulating the results gathered from respective wards or village tracts.

According to the observations PJM conduct, the Union Election Commission and sub-commissions have transparency and perform the responsibilities in smooth ways.

Most of the township election sub-commissions carry out the tasks in accordance with the electoral laws, rules, regulations and manuals. There are, however, weaknesses of the ward or village tract election sub-commissions regarding with the understanding and following of electoral laws, rules, regulations and manuals while they are performing the respective responsibilities.

According to the justified reports of the observers who observe (173) polling stations on Election Day, 95% of the set procedures for voting process in Election Day are followed in transparent ways. However, the transparency for advanced voting process and announcing the election results are quite less in transparency.

This is a preliminary report and Peace and Justice Myanmar will release the Final Report for Election Observation process with details which are systematically gathered and analyzed.

4. Findings

4.1 Advanced Voting

From 29.10.2015 to 7.11.2015, the township election sub-commissions and ward/village tract election sub-commissions arrange advanced voting processes in different places such as offices of township election sub-commissions and ward/village tract election sub-commissions, within wards and villages, hospitals and detention places inside of the police stations.

The party agents, candidate agents, observers, and media are allowed to monitor advanced voting processes and most of the township election sub-commissions and wards/village tract election sub-commissions carry out the advanced voting process in transparent ways.

According to the reports of the observers, the voters can freely cast their votes in secret places since there are polling booths in wards/village tract election sub-commission offices. There are, however, weaknesses in collecting advanced votes from police stations, hospitals, detention centers inside of the police stations when it comes to the ballot secrecy. In such places, the voters cast their ballots in front of the members of wards/village tract election sub-commissions or heads of the respective departments.

In some wards/village tracts, some media personnel take photos of advanced voting process in close distance where the photographers can see to which candidates the voters voted. However, the members of wards/village tract election sub-commissions do not prevent media personnel from taking photos in such manner.

Among the observations conducted in (232) places, the advanced voting process takes place in Buddhist chapels in four wards located in Nay Pyi Taw and Yangon Region. People outside of these chapels can see advanced voting process and how the voters cast their ballots can be seen as well.

In some wards and village tracts, while advanced voting are processed, envelopes which contain advanced ballots are put in the plastic bags that have no labels or seals of the respective election sub-commissions.

According to the regulations related to advance voting process, there must be seals of respective township election sub-commissions, and the names and signatures of the issuers at the backside of the ballots. The reports gathered from the observers show that 98% of the advanced ballots have the seals of the respective township election sub-commissions, 95% of the advanced ballots have the signatures of the issuers at the backside of the ballots while 10% of the advanced ballots do not have the signatures of the issuers.

When observed in offices of the township election sub-commissions, some offices display Form (1-1), which is the list of eligible voters who are outside of the constituency, but (Form 1-3), which is the list of the eligible voters who are outside of the country, is not displayed. In some townships, the Form (1-2), the list of the eligible voters who are the military personnel and their families, is not displayed even though there are military regiments in those particular townships.

4.2 Voting on Election Day

Among (173) polling stations PJM observe, (3) of them are located within the military regiments and police stations. Moreover, PJM observe a polling station located inside of the Insein Prison.

Most of the polling stations in Nay Pyi Taw are systematically set up both inside and outside. The essential items for the polling station are prepared, but there is no inkpad for finger print which is supposed to be prepared for illiterate voters and tissue paper for cleaning in some polling stations.

Some polling stations in Yangon Region are narrow set up and there is only one door to be used as entrance and exit.

In polling manuals, it is mentioned that there should be a written sign on ballot issuing counters for each Hluttaw where the respective ballots are issued to the voters. However, 33% of the polling stations do not display such written signs on the ballot issuing counters according to the reports of the observers. Consequently, the voters have to take long time to take the respective ballots as they are unaware of the exact place where they can get the proper ballots for each Hluttaw; some voters put their ballots in the wrong ballot boxes.

Every polling station displays polling station layout, samples of valid and invalid ballots, vinyl that describe the responsibilities of the members of polling stations, and the voter lists. Some polling stations, however, do not display the lists of the voters who already finished advanced voting. The observers' reports show that 15% of the polling stations do not provide the lists of the voters who already finished advanced voting.

According to the reports, most of the polling stations are opened at 6 am sharp and allow the voters to vote. Very few polling stations are opened late and it does not disturb the voting process though.

According to the reports, in 30% of the polling stations out of total polling stations PJM observes, the members of these polling stations do not check voters' ID cards and whether the voters wear indelible ink on their fingers.

Most of the polling station members explain about voting procedures to the voters when asked, but some of the polling station members are weak at filling the proper forms. When filling the forms, inadequate information is written in the forms or the name of the polling station members are not mentioned under the signatures of respective polling station members.

Compared to the polling station staffs, most of the members of ward or village tract election sub-commission are weaker at performing the proper procedures in the polling stations.

Observers' reports state that 86% of the polling stations do not have any mistakes or have very few mistakes, and that 10% of the polling stations have many mistakes, but they do not intrude the voting process, and that 4% of the polling stations have many mistakes and they can cause problems for voting process. There is no polling station which has many mistakes and seriously violates the voting procedures.

4.3 Counting Votes and Tabulation

4.3.1 Counting votes and tabulation in polling stations

Peace and Justice Myanmar observes the counting and tabulation process in 66 polling stations. The polling station staffs open the advanced ballot boxes in front of the party agents, assistant agents, voters, observers and media and then count the advanced ballots. According to the laws, rules and regulations, there should be at least 10 people who need to sign the Form (16), which shows the total votes each candidate get, after filling it up. As there is a shortage of people who can sign the Form 16, the polling station staffs ask the observers to be signatories of Form (16).

According to laws, rules and regulations and polling station manual, the party agents and assistant agents shall be allowed to put their own seals on the respective bags that contain the counted ballots. However, in 2 % of the polling station out of 66 polling stations PJM observes, the polling station officials do not allow the party agents and assistant agents to put the seals on the ballot bags.

4.3.2 Counting votes and tabulation in township election sub-commission offices

Peace and Justice Myanmar observes this counting and tabulation process in (13) township election sub-commission offices. In all township election sub-commission offices, advanced ballot boxes are opened in front of candidates, party agents, voters as witness, observers and media at 4:00 pm. There is no advanced ballot boxes arrived after 4:00 pm.

According to laws, rules and regulations, the township election sub-commission has to fill and display the Form (19), which is a combined results gathered from Form (18) and Form (16) from respective polling stations. However most of the township election sub-commissions do not display Form (19) because of the order from the Union Election Commission.

5. Organizational Background

Peace & Justice Myanmar is a civil society organization performing to raise the standards and principles of democracy and civic virtue within Myanmar community.

Starting from 2014, PJM has conducted trainings and workshops such as voter education and civic engagement related trainings.

From March 2015 to July 2015, preliminary voter list awareness raising workshops were conducted for the members of wards/village tract election sub-commissions, observation training for preliminary voter list display, awareness raising programs for voters to check voter list. Moreover, voter education trainings were held in different towns and villages in Ayeyarwady Region.

PJM has observed pre-election period, and is going to observe electoral tribunals and their procedures during post-election period. The final report for the whole election observation processes will be released in the first week of March 2016.

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