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Association of Human Rights Defenders and Promoters
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Finding on process of observing general election 2015
by Association of Human Rights Defenders and Promoters
General Election 2015 and Advance Vote

(1) **Brief presentation** - Association of Human Rights Defenders and Promoters in cooperation with allied associations had observed the process of election held on 8th November within the regions of Shan, Rakhine, Kayar, Ayarwady, Yangon, Pao and Danu self administrative regions.

During the process of observing, advance voting program was especially assumed to be suspicious over free and fair general election 2015 process.

(2) **Process of observing** - Association of Human Rights Defenders and Promoters had participated in 141 polling stations in Ayarwady region together with 65 members from its associated organizations and observers from civil societies. In the regions of Shan, Rakhine, Kayar, Yangon Pao and Danu self administrative regions, 630 polling stations and 898 polling station representatives were observed during the process as of opening of polling stations, locations, opening process, voting, closing of polling stations, counting the number of votes, announcing and finally packing and delivery system. At 4 pm the members observed the process of counting of advance votes at townships, consolidating the results and finally declaring of the results.

Association of Human Rights Defenders and Promoters steadfastly follows the principles stated in International Human Rights Declaration.

In Article 21 (1) (2) and (3) it is stated as follows.

Article 21. (1) Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.

(2) Everyone has the right of equal access to public service in his country.

(3) The will of the people shall be the basis of the authority of government; this shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.

The association had participated the process by following the basic principles such as observing with free from bias and to achieve free and fair election.

Findings –

- (1) During the period of observation process, location of polling station, situation before opening of voting stations, closing of voting stations, counting of votes, declaration of votes, packing and delivery of votes and transparency as to voting process were 80% in compliance with the voting regulation.

Upon scrutinizing the situation of voting process in ethnic regions;

- (1)The polling stations were built in the vicinity of armed ethnic groups:
- (2) Ethnic groups were loitering around the polling stations, fully equipped with weapons:
- (3)The groups, fully equipped with weapons, threatened the voters to vote in favor of the party they preferred:
- (4)The villagers were prohibited to travel from one village to another within (3) days prior to voting date of 7th November:
- (5)Disqualified juveniles were forced to vote by issuing them the voting cards:
- (6)Within the area of extended polling stations, the voters were persuaded to stamp only on the block which they instructed:

Upon scrutinizing the process of advance voting, the advance votes of military regiments, local armed forces and border security armed forces were not transparency and the whole process was in the state of unfairness.

In the process of counting the advance votes of those armed forces regiments,

- (1) it was found out that the voting style was almost identical among the voters:
- (2) all the voting slips were folded systematically and identically:
 - 95% of the votes were found to be in the similar style, voting in favor of a single political party:
 - Other political parties' voters' blocks were stamped just only with 2 to 3 votes identically:

- Voting slips were not detached but attached to the receipts:
- There were no names and particulars of voters on the receipt slips

(4) **Review** – It was found out that the citizens within the vicinity of military regiments and local ethnic people within the area of self administered region had totally lost their vested free rights for fair voting and they had to obey the orders of authorities from the regiments and self administered regions.

Although it is fundamentally allowed voters from all walks of life for advance voting during the process of election, on the contrary the election law and rules and regulations allow all the personals from military and police forces for advance voting rights without any limitations. Therefore it is assumed that their vested rights for freedom voting are violated.

Each and every level of election commissions had to invest money, time and strength to set up correct and reliable voters list. All the citizens had to look into the announcement of voters list several times and they had to overcome many steps to make sure of their undisputed rights for voting.

With reference to the provisions stated in Election Commission Law, it is deemed that no one shall be allowed for voting if one's name is not including in the voters list, however there were polling stations in some regions violating to this provision. In the year 2014, at the time of nationwide census taking and also during the process of preparing voters list, some areas were excluded subject to the conditions of instability within that area. Surprisingly during the election time, the polls were allowed in those regions. On account of this situation it is much suspicious about lack of transparency and creating undue influence upon the voters which amounted to unfairness.

As a matter of fact, 80 % of the 2015 election process seems to be free and fair although the process is implemented under the palm of 2008 constitution and the fact that the voters lost 75% of their vested rights.

(5) **Suggestions for government body and successful parties**

- (1) to review and amend the sections, rule and regulation of election law concerning the articles on advance voting:
- (2) to set up a procedure with sound and safe environment for watching the process of advance voting process in military and people police forces:

(3) to ensure for the free and safe voting rights of the voters during the process of advance voting:

(4) to set up a standard form that shall evaluate the status of citizenship for any citizens with reliable references for the process of voting:

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