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The 2020 General Election in Myanmar: A Time for Ethnic Reflection

KEY POINTS

- The 2020 general election was one of disappointment for ethnic nationality parties in Myanmar. Prior to the polls, expectations were high that they would win a larger number of seats than in previous elections. In the event, the National League for Democracy won another landslide victory. NLD gains were largely at the expense of the military-backed Union Solidarity and Development Party. The position of ethnic parties, in contrast, will remain relatively the same.

- In preparation for the polls, ethnic parties had hoped that a combination of measures would improve their performance. Strategies included party mergers, policy development and the selection of younger candidates. Through these methods, ethnic parties in Kayah and Mon States increased their representation, while support for nationality movements remained firm in Rakhine and Shan States. But ethnic-based parties generally failed to gather momentum in other parts of the country.

- Ethnic opposition leaders provided a diversity of reasons for their failures to make progress. The 2020 general election was overshadowed by the Covid-19 pandemic. Factors include campaign restrictions due to Covid-19; a lack of resources and media outreach; displacement, migration and a shortened time for voter registration; troops deployments by the Myanmar armed forces (Tatmadaw) to support the USDP; and continued conflict and an increase in election cancellations for "security reasons". Negative campaigning by the NLD and USDP was also blamed, especially claims that a vote for ethnic parties was "wasted".

- Four main reasons are considered to account for the scale of the NLD victory. Elections in Myanmar are always dominated by the winning party among the ethnic Bamar majority under the country's "first-past-the-post" voting system. The Covid-19 emergency strengthened the advantage of the incumbent government. A victory for the NLD is widely regarded as the most likely way to end military dominance in national politics. And State Counsellor Daw Aung San Suu Kyi remains a figure of enduring popularity in the country.

- Following the election, NLD and Tatmadaw leaders reached out to ethnic parties. Suggestions included new peace talks, a reduction in military activities and the appointment of more nationality representatives in the government. All these initiatives were welcomed. But ethnic leaders questioned why these steps had not been taken prior to the polls. Resentment has deepened during the past few years against perceived exclusion and marginalisation. Despite repeated promises, neither the Nationwide Ceasefire Agreement nor 21st Century Panglong Conference has made effective progress.

- A window of opportunity presently exists. The NLD has a mandate to push forward with the integral tasks of peace-building and democratic reform. But, for this to happen, it is essential that the government develop a collaborative approach with ethnic peoples and parties to administering their areas and addressing their grievances. In the aftermath of another "first-past-the-post" election, the risks of a deepening in centre-periphery divisions and, potentially, armed conflict are high unless immediate steps are taken.

- The NLD's victory in the 2015 general election was greeted with great hopes. It is vital that the next NLD-led government is not followed with similar impasse and conflict regression. Mistakes from the past must be learned, and urgently-needed reforms should not be pushed another five years down the road. Bitter experiences in every era of government since independence warn that justice, inclusion and representation are imperative for all peoples. Elections alone will not resolve challenges that are political at root.

Introduction

The 8 November 2020 general election in Myanmar resulted in a second landslide victory for the National League for Democracy, headed by State Counsellor Daw Aung San Suu Kyi. The main national opposition party, the military-established Union Solidarity and Development Party, fared even more poorly than in 2015. Meanwhile the third major grouping in Myanmar politics, ethnic nationality parties, failed to expand their overall share of seats. This setback occurred despite efforts by a number of nationality movements to consolidate their planning and organisation in advance of the polls through party mergers, policy development and promoting younger, more dynamic and diverse candidates.

The elections, only the second credible polls in Myanmar since 1960,[1] are an important milestone in the country's democratic development. Given its clear scale, the NLD's victory will likely herald the continuation of a relatively stable political environment in ethnic Bamar (Burman)-majority areas in the centre of the country. If any political forces were looking to the elections for signs of NLD weakness or vulnerability, they will have been disappointed. The poor representation, however, of nationality parties in another round of "first-past-the-post" elections risks deepening centre-periphery divisions and armed conflict, unless the NLD moves quickly to reach out to ethnic leaders and parties and adopts an inclusive approach to governance and reform at both the national and regional levels.[2]

While there have been some encouraging signals from the government following the polls, these will need to be swiftly followed by meaningful consultations and action. Time for this is short. The expected post-election timeline is as follows:

- 1 February: new parliament convened
- Mid-February: President and two Vice-Presidents elected by Union Parliament in its capacity as the Presidential Electoral College
- February/March: Nomination and confirmation of Union Ministers, other Union bodies, and Chief Ministers of the states and regions
- 30 March: President sworn in and new executive term starts.

A critical time is approaching. If ethnic leaders decide that the government's outreach is hollow, this will reinforce their sense that Myanmar is locked into a "winner-takes-all" system of elections and national politics from which minority voices are marginalised and ignored. This would be dangerous. Such a grievance has been a factor driving ethno-political divisions and multiple armed conflicts during the past seven decades of political instability and state failure. Meanwhile, for the past four years, the government peace process has been faltering, reminding of the need for inclusive negotiation for the achievement of nationwide peace and political reform.

The Campaign Period and Elections

A total of 91 political parties contested the 2020 elections, of which 54 sought to represent particular ethnic nationality communities.[3] The campaign period from 8 September to 6 November coincided with a surge in Covid-19 cases in the country, resulting in "stay-at-home" orders in Rakhine State, Yangon Region and townships in several other areas. These severely restricted campaign activities, especially by non-NLD parties, while handing the political advantage to the government authorities who could continue access to the population under the name of Covid-19 responses.

There were less severe restrictions on campaigning in parts of the country without "stay-at-home" orders. These included limits on the number of people able to attend party events and rallies, similarly impacting on the ability of parties and candidates to campaign.[4] In many areas, political meetings of more than 30 people were effectively banned. The NLD's dominance in the media, and wider Internet outreach, in coverage of the Covid-19 crisis also raised the party's profile in contrast to non-NLD parties during the campaign period.

Compounding a sense of government control, the Union Election Commission – which was appointed by the NLD – censored the televised speeches of a number of parties, some of which decided not to go ahead with their broadcasts in protest.[5] To the surprise of democracy supporters, the censorship of party speeches appeared stricter than in the 2015 general election which took place under a USDP-led government.

Ethnic parties were especially affected. Three Rakhine parties (Arakan Front Party, Arakan League for Democracy and Arakan National Party), the Dawei Nationalities Party, the United Nationalities Democracy Party and the Chin National League for Democracy all had sections of their speeches cut, as did a number of parties that are organised nationally (for a list of political parties that won seats, see Appendix: "Political Party Acronyms"). Sections that the UEC censored included the AFP saying it would "overcome difficulties by joining hands with the Arakan people".[6] Other parties were censored for such reasons as voicing disagreement with the constitution, criticising reserved seats for Tatmadaw representatives in parliament, calling for proportional representation, and referring to "civil war" and "federalism".[7]

The campaign period was also marked by numerous incidents of small-scale violence between rival party supporters, mostly involving those backing the NLD and the USDP. While higher than in 2015, it was still below the levels seen in many other countries in the region and world beyond.[8] Two unexploded hand grenades were discovered at the home of the Naypyitaw Election Sub-Commission Chairman in September, shortly after the UEC dismissed calls by several opposition parties to postpone the election due to Covid-19. Both devices were thrown into the compound from the street, and no one claimed responsibility. Two days before the election, an explosive device was also set off at the Bago Region Election Sub-Commission office. But again there were no injuries.

There were similar incidents of armed violence in the ethnic states.[9] On 27 October, a team headed by the District Administrator of Langkho in Shan State was shot at by troops of an ethnic

ceasefire organisation, the Restoration Council of Shan State, while transporting polling station materials to Mongpan. The administrator and an assistant were hospitalised with gunshot wounds. The RCSS, which has signed the Nationwide Ceasefire Agreement with the government, confirmed that its troops wrongly attacked the vehicle, which had permission from the group to use the route. Disciplinary action would be taken, the RCSS asserted, against its personnel.[10]

In non-ceasefire areas, the political atmosphere was especially tense. The most extreme case of election-related violence was the abduction of three NLD candidates by the United League of Arakan-Arakan Army in Toungup, Rakhine State, on 14 October while they were campaigning. The ULA-AA justified the abductions in a statement, saying that the ULA-AA had "unavoidably taken the three crooked NLD members" for the interest of the "people of Arakan and Arakanese revolution".[11] Following investigation, the ULA-AA said that they would be released if the NLD-led government "release politicians, students and innocent people" who have been "arrested and detained unlawfully for demanding peace".[12]

Subsequently, the ULA-AA issued further statements stating that the hostages were being "treated well" and reiterating its willingness to release them in return for prisoner releases by the government. With, however, the Rakhine and Chin States excluded by the Tatmadaw from its ceasefire designations, clashes continued with the ULA-AA right up to the polls and voting was cancelled in front-line townships. During the past four years, Rakhine State has been the scene of the greatest displacement and fighting in the country; Rakhine, Rohingya, Chin, Kaman and Mro communities have all been affected; and a majority of the Rohingya population have fled to refugee camps in Bangladesh to escape Tatmadaw operations (see "Cancellation of Voting").[13]

Election Day itself passed peacefully throughout the country, with no violent incidents being reported by election observers or in the media. There were, however, some serious incidents of violence following the polls. Most notably, on 21 November the NLD MP-elect for the Upper House seat of Shan State-1, U Htike Zaw, was assassinated at his home in Pin Tain village, Kyaukme Township, by two unknown gunmen. He had taken the seat from the incumbent Shan Nationalities League for Democracy by a margin of just 54 votes (out of 110,000), the closest race in the country, after the UEC cancelled voting for "security reasons" in 12 Shan village tracts prior to the polls. Without these cancellations, expectation was strong that the SNLD would have held the seat in a nationalist stronghold.

It was not, however, the first incident of political violence in the area. Kyaukme has seen regular clashes and political violence in recent years.[14] In November 2019, three village heads – all SNLD members – were shot at gunpoint in a downtown restaurant, and a prominent Buddhist monk and a former Myanmar army captain were similarly gunned down in 2018.[15] This year, an estimated 10,000 residents also took to the streets to protest the June killing of a civilian and wounding of another by Tatmadaw soldiers.[16] Then, following the November election, the chair of the Kyaukme Township Election Sub-Commission (and elder brother of the NLD deputy speaker of the Lower House in parliament) was shot at by gunmen on 14 November. He escaped unharmed.

To date, nobody has been arrested for Htike Zaw's assassination and no group has claimed responsibility. The continuing violence is a tragic reminder of the unaddressed state of conflict that exists in many parts of the country today. Many nationality lands remain highly militarised.[17]

Cancellation of Voting

On 16 October, the UEC issued a set of notifications, declaring the places where elections would not be held for security reasons.[18] The six notifications covered parts of the Kachin, Kayin (Karen), Mon, Rakhine and Shan States and Bago Region. On 27 October, the UEC issued three further notifications rescinding some of its earlier cancellations and adding new cancellations in Paletwa Township, southern Chin State.[19] Some of the cancellations were full: others were partial. The full cancellations resulting from these two sets of notifications were as follows:

- Six whole townships in Shan State (Pangsang, Namphan, Mongmao, Pangwaun, Mongla, Mongkaung), representing
    - 6 Lower House constituencies,
    - 12 Shan State Parliament constituencies.
- Nine whole townships in Rakhine State (Pauktaw, Ponnagyun, Rathedaung, Buthidaung, Maungdaw, Kyauktaw, Minbya, Myebon, Mrauk-U), representing
    - 7 Upper House constituencies,
    - 9 Lower House constituencies,
    - 18 Rakhine State Parliament constituencies.
- A further 2 Rakhine State Parliament constituencies (Ann-2 and Toungup-1)

The cumulative result of these declarations was that, in total, there were 54 constituencies where no voting took place in the November elections: 7 in the Upper House, 15 in the Lower House, 20 in the Rakhine State Parliament and 12 in the Shan State Parliament (see Box 1). There were also partial cancellations in 665 wards and village tracts, affecting 41 townships, across the Chin, Kachin, Kayin, Mon, Rakhine and Shan States and Bago Region. In the case of partial cancellations, people living in these areas were unable to vote, but an MP was still elected by voters in other parts of the constituencies.

Exact numbers are difficult to calculate of those unable to vote. Substantial numbers of civilians are also internally displaced (see "Why did Ethnic Parties not Perform Better?"). But, in total, it is estimated that around 1.5 million voters were disenfranchised by these cancellations, all in areas where nationality parties were expected to perform well in the polls. This omission is in addition to the exclusion of the Rohingya population, most of whom have been denied voting rights and removed from the election lists since the 2010 general election.[20] Presently, over a million Rohingya people are displaced from their homes, whether as refugees in Bangladesh, further countries abroad or in resettlement camps in Rakhine State.

Cancellation decisions on such large scale were controversial, prompting complaints in their aftermath, especially from ethnic political parties.[21] Such cancellations have been an enduring feature of all elections in Myanmar since independence in 1948. Amidst instability and conflict, cancellations are not surprising. But the process for determining these decisions is opaque, raising questions over political bias.[22] As in the 2010 and 2015 elections, the UEC did not engage in meaningful consultations prior to its announcements nor did it provide any detailed reasoning. After controversy erupted, the Tatmadaw and NLD-led government tried to blame each other for the large number of cancellations this year.[23]

Adding to the controversy, the 2020 cancellations were more extensive than in 2015 when the NLD first won victory.[24] The scale of cancellations came as a surprise to many election watchers after five years of NCA negotiations between the government and ethnic armed organisations. Not all of the cancelled constituencies were experiencing armed conflict during the 2020 campaign, and some of the cancelled areas included territories administered by NCA signatory groups.[25]

For this reason, a complexity of reasons – rather than a singular cause – appeared to be behind the large number of cancellations. In Shan State, for example, no government access was possible to prepare voter lists or administer the election for four townships controlled by the ceasefire United Wa State Party, the strongest ethnic armed organisation in the country. The USWP is not an NCA-signatory but has had a ceasefire with the government since 1989. The UWSP also practices a one-party system that does not allow elections. In consequence, it is unlikely that outside political parties would have been able to campaign in UWSP-administered areas even if polling had gone ahead.[26]

There were, however, other fully cancelled areas that had not seen recent fighting. For example, in Rakhine State, there had been no clashes in Pauktaw or Toungup, and few in Maungdaw, making these cancellations especially controversial during a time of heightened political tensions.[27] A lack of fighting, though, does not necessarily mean that these locations are safe for the police and election staff to move freely or for candidates to campaign. Rakhine State, and adjoining territories in Chin State, has become an unpredictable war-zone during the past two years in fighting between the Tatmadaw and ULA-AA, with estimates of over 220,00 civilians displaced and 289 killed.[28]

The risks of violence were highlighted by continuing reports of Tatmadaw human rights abuses as well as incidents of intimidation and the targeted killings of police and government officials by the ULA-AA. The kidnapping of three NLD candidates by the ULA-AA in mid-October further added to security concerns (see "The Campaign Period and Elections").[29] Following the Rohingya refugee exodus into Bangladesh, the systematic pattern of human rights violations in Rakhine State – including potential war crimes – have become the subject of multiple human rights investigations, including by the International Criminal Court and International Court of Justice in The Hague.

Against this backdrop, many of the cancellation decisions might have appeared justified, had there been greater consultation by the UEC as well as more detailed and transparent explanations for its decisions. Lack of consistency, however, and an apparent pro-NLD

bias in the selection of constituencies added to political grievance and nationalist anger. All the cancellations in Rakhine State were in constituencies where the most prominent Rakhine party, the Arakan National Party, was expected to win the popular vote. In the 2015 elections, the ANP had won a majority of seats in the state.

The most obvious example of cancellation selectivity was the decision to allow voting to go ahead in Paletwa Township in Chin State, adjacent to Rakhine State. Initially, the UEC did not announce any cancellations in Paletwa. But after controversy erupted, the election commission cancelled most rural areas but still allowed voting to proceed in two local towns. It was difficult, however, to explain why the UEC should have thought that voting could take place in some areas of Paletwa, whereas it was deemed entirely impossible in nine townships in Rakhine State. Paletwa has been the most conflict-affected township in the country over the past two years, with travel difficult and dangerous due to the fighting. To its critics, the evidence of UEC bias appeared obvious: the NLD was the incumbent party in all five seats for Paletwa – but not in any of the cancelled townships represented by the ANP in Rakhine State.

This was not quite the end of the cancellation story. In an unexpected twist following the polls, the Tatmadaw released a statement welcoming a call by the ULA-AA for the government to hold elections by the end of December in townships where voting had been cancelled.[30] Amidst an exchange of messages, military tensions began to fall. For the first time, a peace breakthrough appeared possible. Initially, there was little indication that by-elections would imminently go ahead. In response, Yohei Sasakawa, Japan's special envoy for national reconciliation in Myanmar, expressed his frustrations with the UEC's apparent lack of interest after he lobbied both the government and ULA-AA to support the completion of the polls.[31] But on Rakhine State Day, 15 December, the Union President U Win Myint expressed hopes that by-elections could go ahead as soon as possible.[32] In the coming months, ethnic developments in Rakhine State are likely to become a key barometer of political trends in the country.

Allegations were made of a similar selectivity in "partial" election cancellations that were announced in other parts of the country. Amidst criticisms by ethnic parties, voting was also partially cancelled in 11 townships in Kachin State, 6 in Kayin State, 17 in Shan State, 1 in Mon State and 2 in Bago Region.[33] All are areas where ethnic armed organisations administer territory, although most have been in ceasefires with the government since 2012 – and in some cases before.[34] In Kachin State, the Kachin Independence Organisation has also had a "reduction in hostilities" agreement with the government since 2013.

Despite the emergence of Covid-19, Tatmadaw military operations continued into mid-year, including incursions into territories administered by the Karen National Union and RCSS, both of which are NCA signatories. Trust of the "local ethnic peoples" in "the peace process has dwindled," the KNU warned.[35] Similar criticisms were expressed by parties in Chin, Kachin, Mon and Shan States as well as Bago Region.[36] A fourth 21st Century Panglong Conference was held in constrained circumstances in August in Naypyitaw. But neither the NCA nor Panglong-21 appeared sufficient for the UEC and Tatmadaw to change their views about the security situation and need to cancel so many townships and village tracts from voting.

Box 1: Cancelled Constituencies

The following table shows all the constituencies where voting was fully cancelled by the Union Election Commission. By-elections can be held to fill these seats in the future should the UEC determine that there has been sufficient improvement in the security situation.

	Constituency	Hluttaw	Incumbent
Rakhine State			
1	Buthidaung	Lower House	ANP
2	Kyauktaw	Lower House	ANP
3	Maungdaw	Lower House	ANP
4	Minbya	Lower House	ANP
5	Mrauk-U	Lower House	ANP
6	Myebon	Lower House	ANP
7	Pauktaw	Lower House	ANP
8	Ponnagyun	Lower House	ANP
9	Rathedaung	Lower House	ANP
10	Rakhine-4 (Pauktaw)	Upper House	ANP
11	Rakhine-5 (Ponnagyun)	Upper House	ANP
12	Rakhine-6 (Rathedaung)	Upper House	ANP
13	Rakhine-7 (Maungdaw + Buthidaung)	Upper House	ANP[37]
14	Rakhine-8 (Kyauktaw)	Upper House	ANP
15	Rakhine-9 (Minbya + Myebon)	Upper House	ANP
16	Rakhine-10 (Mrauk-U)	Upper House	ANP
17	Ann-2	State Hluttaw	ANP
18	Buthidaung-1	State Hluttaw	USDP
19	Buthidaung-2	State Hluttaw	ANP
20	Kyauktaw-1	State Hluttaw	ANP
21	Kyauktaw-2	State Hluttaw	ANP
22	Maungdaw-1	State Hluttaw	USDP
23	Maungdaw-2	State Hluttaw	ANP
24	Minbya-1	State Hluttaw	ANP
25	Minbya-2	State Hluttaw	ANP
26	Mrauk-U-1	State Hluttaw	ANP
27	Mrauk-U-2	State Hluttaw	ANP

28	Myebon-1	State Hluttaw	ANP
29	Myebon-2	State Hluttaw	ANP
30	Pauktaw-1	State Hluttaw	ANP
31	Pauktaw-2	State Hluttaw	ANP
32	Ponnagyun-1	State Hluttaw	ANP
33	Ponnagyun-2	State Hluttaw	ANP
34	Rathedaung-1	State Hluttaw	ANP
35	Rathedaung-2	State Hluttaw	AFP
36	Toungup-1	State Hluttaw	NLD
Shan State			
37	Mongla	Lower House	vacant
38	Pangsang	Lower House	vacant
39	Namphan	Lower House	vacant
40	Mongmao	Lower House	vacant
41	Pangwaun	Lower House	vacant
42	Mongkaung	Lower House	SNLD
43	Mongla-1	State Hluttaw	vacant
44	Mongla-2	State Hluttaw	vacant
45	Pangsang-1	State Hluttaw	vacant
46	Pangsang-2	State Hluttaw	vacant
47	Namphan-1	State Hluttaw	vacant
48	Namphan-2	State Hluttaw	vacant
49	Mongmao-1	State Hluttaw	vacant
50	Mongmao-2	State Hluttaw	vacant
51	Pangwaun-1	State Hluttaw	vacant
52	Pangwaun-2	State Hluttaw	vacant
53	Mongkaung-1	State Hluttaw	SNLD
54	Mongkaung-2	State Hluttaw	SNLD
48	Namphan-2	State Hluttaw	vacant
49	Mongmao-1	State Hluttaw	vacant
50	Mongmao-2	State Hluttaw	vacant
51	Pangwaun-1	State Hluttaw	vacant
52	Pangwaun-2	State Hluttaw	vacant
53	Mongkaung-1	State Hluttaw	SNLD
54	Mongkaung-2	State Hluttaw	SNLD

Another Disappointing Result for Nationality Parties

In advance of the polls, the main ethnic parties were hopeful that a combination of factors would provide them significant gains, and even perhaps a "kingmaker" role in choosing the next president.[38] They pointed to ethnic voter disaffection with the performance of the NLD-led government, a perceived lack of concessions at the peace negotiation table and a lack of sensitivity to ethnic concerns more broadly. Ethnic leaders believed that, through a series of party mergers, they could avoid "vote-splitting" and present a more credible option for nationality voters.[39] In addition, the two strongest ethnic parties – the ANP and SNLD – were expected to improve on their performances in the 2015 general election, when they won the third and fourth highest number of seats (after the NLD and USDP) in the country.

To try and take their campaigns forward, ethnic parties made efforts to put forward a more diverse set of candidates, including younger people, more female candidates and, in some cases, identifying candidates from other minority groups who would have appeal beyond selected ethnic lines. Some parties also developed a campaign set of more elaborate policies on key issues, such as health, drugs or the right to land and investment, that are of concern in local communities. On this basis, many nationality movements believed that they were putting before the electorate more focused and meaningful programmes than the NLD, USDP and other national parties which, in the main, concentrated on three campaign qualities: loyalty to the party, winning control of government and promising the benefits that this will bring (see "Why did Ethnic Parties not Perform Better?").

Before Covid-19, political feedback suggested that the ethnic party initiatives were going well. On Election Day, however, they did not bear fruit. Despite high hopes, nationality parties failed to improve on their 2015 performance, winning a total of 47 seats in the national legislature – or roughly 10 per cent of those available (see Box 2). This is a slightly weaker showing than in the previous general elections in 2015, 2010 and 1990.

It is difficult, though, to make exact comparisons. There was a greater proliferation of ethnic parties in 2015 and 2020, and a smaller than ever proportion – about one in five – won national seats in these two elections compared to earlier political eras (see Box 3). But, in general, the statistical drop in 2020 compared to 2015 can be attributed to one factor: voting cancellations, most of which took place in constituencies where ethnic parties were incumbent. In essence, there was little change.[40]

The results were similarly discouraging for most ethnic parties in the seven state assemblies (see Box 4). The NLD was the best-performing party in six of the seven legislatures. The exception was Rakhine State, where it was beaten by the ANP. In four of the state legislatures – Chin, Kachin, Kayin and Mon, the NLD won more than two-thirds of the elected seats, giving it a majority even when the Tatmadaw's assigned 25 per cent bloc is factored in. This means that the NLD will also be able to choose the legislative speakers in these assemblies. Only in the Kayah, Rakhine and Shan legislatures does the NLD not have a majority.

Box 2: Election Results in the National Legislature[41]

	Party	Lower House	Upper House	Total	% Elected	% incl. Military	
1	NLD	258	138	**396**	83.2%	61.7%	
2	USDP	26	7	**33**	6.9%	5.1%	
3	SNLD	13	2	**15**	3.2%	2.3%	
4	ANP	4	4	**8**	1.7%	1.2%	
5	KySDP	2	3	**5**	1.1%	0.8%	
6	MUP	2	3	**5**	1.1%	0.8%	
7	TNP	3	2	**5**	1.1%	0.8%	
8	PNO	3	1	**4**	0.8%	0.6%	
9	AFP	1	0	**1**	0.2%	0.2%	
10	KSPP	1	0	**1**	0.2%	0.2%	
11	NDP-K	0	1	**1**	0.2%	0.2%	
12	WNP	1	0	**1**	0.2%	0.2%	
13	ZCDP	1	0	**1**	0.2%	0.2%	
		315	**161**	**476**	**100.00%**	**74.14%**[12]	military[42]
				166		25.86%	**Total**
				642		**100.00%**	
				Ethnic parties	47	9.87%	7.32%

Box 3: Ethnic Comparison with Previous General Elections

	1990	2010	2015	2020
Ethnic parties who contested	45	24	55	54[43]
Ethnic parties who won seats	19 (42%)	13 (54%)	10 (18%)	11 (20%)
% available seats won	14%	15%	11%	10%

The scale of the party's showing represents an improvement for the NLD on its 2015 results. Much of this success came at the expense of the USDP, with ethnic parties either matching their disappointing seat count from 2015 (Chin, Kachin and Karen) or slightly improving on those figures (Kayah, Mon). In the Rakhine State Parliament, the ANP took seats from the NLD in Toungup and Munaung. However, because of widespread cancellations by the UEC, the party ended with a slightly smaller proportion of seats compared to 2015. In the Shan State Parliament, the SNLD had two of its safe seats cancelled, but would otherwise have matched its seat count from 2015. Despite this reduction, the SNLD maintained its position as the second-largest party in the state, with almost a quarter of the elected seats.

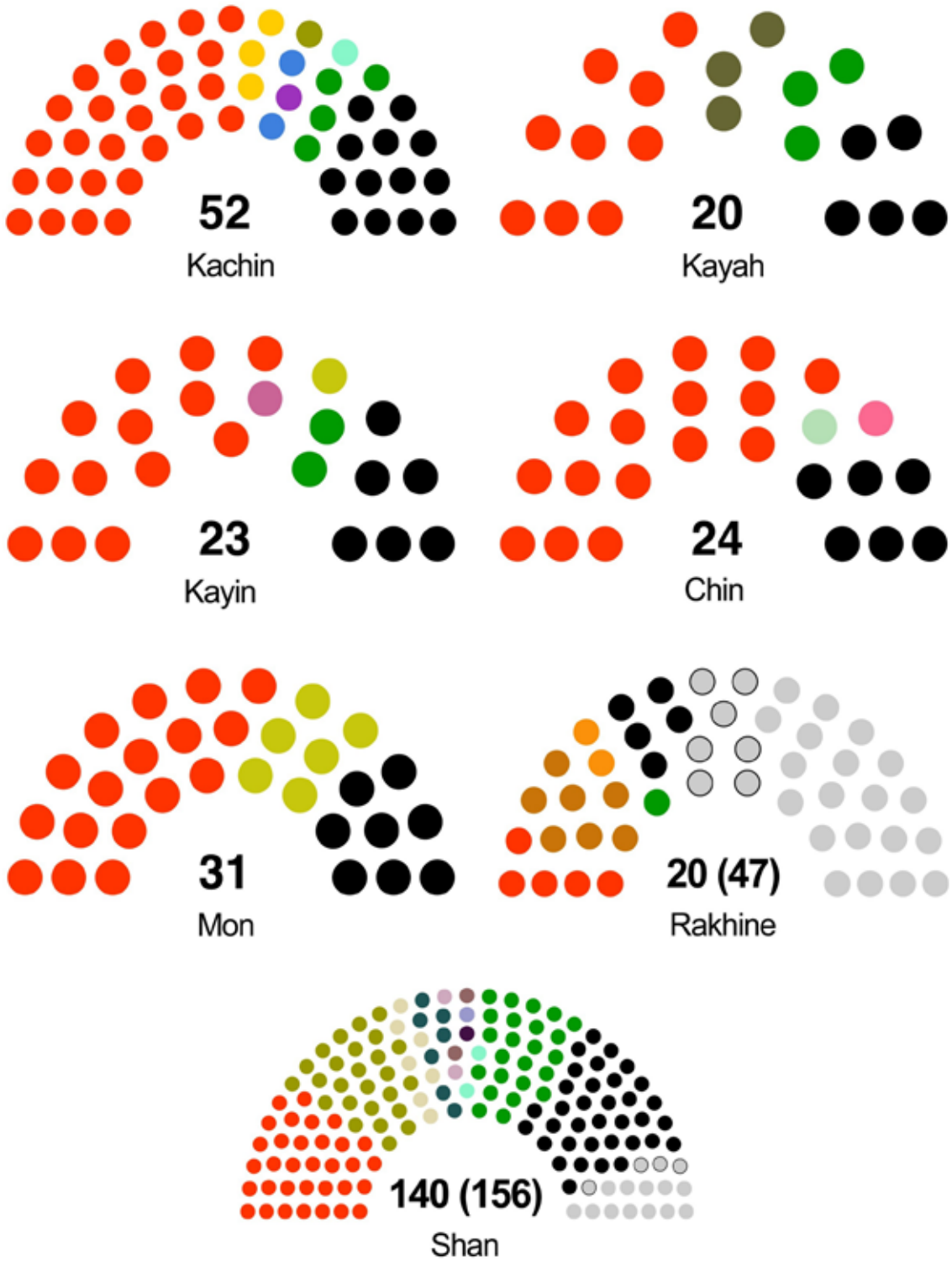
Among the newly-merged parties, only two gained better results – the Kayah State Democratic Party and the Mon Unity Party, though not sufficient to gain control of their state parliaments. In the case of the KySDP, the party secured eight seats in the different levels of legislature representing Kayah State (the same as the USDP), while the MUP won 12 seats, including the position of Minister for Mon Ethnic Affairs in Kayin State. Leaders of both parties expressed encouragement at these "first-time" results, a success they attributed to community efforts.[44] They recognised, though, that these electoral wins mark only a beginning. In the coming parliament they still have a long way to go.

One final factor to consider in analysing election data is whether ethnic parties, especially the smaller, consider losses a defeat. In the country's highly-ethnicized politics, standing in elections is a statement of identity for nationalities in a system where, very often, they know that they have little or no chance of winning. In many cases, this is because the nationality group is locally small or split across different townships. Elections, however, provide an opportunity to advance political demands that would otherwise be without a platform. Indeed, although the enjoyment of political rights is limited, the present electoral system encourages ethnic parties to stand to gain local and national recognition.

After half a century under military rule, the 2008 constitution has delineated a landscape of unique complexity in which ethno-political identities are represented in four different ways: states, self-administered areas, ethnic affairs ministers and constituencies won by ethnic parties (see Boxes 4, 5 and 6). These identifications are also supported by a convoluted population census system, where numbers are counted on the basis of 135 "national race" groups that are inconsistently identified.[45] In this environment, standing in the polls can be regarded as an act of political preservation and identity promotion.

The Tai-Leng (Shan-Ni), for example, are not acknowledged on the present political map. But demands for ethno-political representation are currently pursued by both electoral and armed movements: the Tai-Leng Nationalities Development Party and Shan-Ni Nationalities Army.[46] In the 2020 polls, 41 candidates from the TNDP stood for election to the legislatures in Kachin State and Sagaing Region, with none winning a seat and 36 losing their deposit. But for Tai-Leng activists, this was still regarded as a political advance in promoting their goals. After the polls, the TNDP released a statement expressing the party's determination to carry on.[47]

Box 4: Composition of the Incoming State Legislatures[48]



Similarly, in eastern Shan State the Akha people were only represented until the 2015 general election by an Akha Cultural and Literature Association when a newly-formed Akha National Development Party won the position of Akha Ethnic Affairs Minister. In the 2020 polls, this seat was lost to the NLD (see Box 6). But Akha leaders assert that campaigning as an ethnic-based party for this position, as well as for the state and national legislatures, is a way to ensure that Akha rights and identity are not lost in the contested formulations of Myanmar politics.

It is in the case of self-administered areas and ethnic affairs ministers that smaller nationality parties are most likely to win, especially where populations are concentrated in particular townships. Under the 2008 constitution, six such self-administered areas were introduced as a new form of ethno-political representation, and in the 2020 elections nationality parties again did well in Pa-O, Ta'ang and Wa areas, despite competition from both the NLD and USDP (see Box 5).

Box 5: Results in the Self-Administered Areas[49]

Danu:	NLD 3, USDP 1
Kokang:	USDP 4
Pa-O:	PNO 6
Ta'ang:	TNP 4
Wa:	WNP 1, LahuNDP 1, USDP 1, Independent 1 (8 cancelled)
Naga:	NLD 5, USDP 1

Similar rivalry occurred in the elections for the positions of ethnic affairs ministers, including for the ethnic Bamar population. These non-geographic state and region constituencies are designated in accordance with section 161 of the 2008 constitution, under which minority populations of more than 54,500[50] in each region or state each have the right to elect a representative to their regional legislature.

This political right, however, is dependent on one condition: that they are not the main nationality group in that region or state and do not already have a self-administered area in that region or state. Furthermore, while only voters from the nationality group in question are included in the voter roll for these seats, the candidates who stand for these positions do not need to be from that minority group. The rationale for this inclusion is that voters have the right to elect anyone that they wish to represent them.[51]

During the decade since the introduction of these positions, the role of ethnic affairs ministers – though limited – has gained political attention. In addition to their legislative responsibilities, the elected representatives are automatically appointed as ex officio ministers in the state or region government for matters relating to their respective minority communities. There were 29 such seats designated in 2010 and, in the absence of any updated information on ethnic population numbers, the election commission designated the same 29 seats in 2015 and 2020. This was despite claims by additional nationality groups that they met the criteria for a seat.[52] In the 2020 elections, the NLD increased its share from 21 to 22 of the 29 seats (see Box 6).

Box 6: Ethnic Affairs Minister Seats

	Ayeyarwady Region	
1	Kayin	NLD
2	Rakhine	NLD
	Bago Region	
3	Kayin	NLD
	Kachin State	
4	Bamar	NLD
5	Shan	NLD
6	Lisu	LisuNDP
7	Rawang	NLD
	Kayah State	
8	Bamar	NLD
	Kayin State	
9	Bamar	NLD
10	Mon	MUP
11	Pa-O	NLD
	Magway Region	
12	Chin	NLD
	Mandalay Region	
13	Shan	NLD
	Mon State	
14	Bamar	NLD
15	Kayin	NLD
16	Pa-O	NLD
	Rakhine State	
17	Chin	NLD
	Sagaing Region	
18	Shan	NLD
19	Chin	NLD
	Shan State	
20	Bamar	USDP
21	Kachin	Independent
22	Lisu	NLD
23	Lahu	LahuNDP
24	Intha	NLD
25	Akha	NLD
26	Kayan	KayanNP
	Tanintharyi Region	
27	Kayin	NLD
	Yangon Region	
28	Kayin	NLD
29	Rakhine	Independent

Why did Ethnic Parties not Perform Better?

The failure of most ethnic parties to improve on their 2015 performance has prompted soul-searching and some recrimination after the polls.[53] Parties have pointed to a number of different reasons that, when combined together, provide explanation for the disappointing outcome. The main factors are considered to be:

- **National party dominance and the first-past-the-post voting system**

As in all general elections in Myanmar, the winning party among the ethnic Bamar-majority is ensured a landslide victory. This outcome is encouraged by two constitutional elements: a "first-past-the-post" voting system; and a constituency structure, based upon townships, in which almost 60 per cent of the seats in the national parliament are in the central Bamar heartlands. This, in turn, leads to practice of "tactical-voting" whereby local constituents, who otherwise feel disempowered, vote for one

of the main national parties – in recent cases the NLD or USDP – rather than small or locally-based parties that are considered more likely to lose. The 2020 general election reiterated this pattern. To date, ethnic-based parties have not reached to winning 15 per cent of the seats in the national legislatures in any election since independence.[54]

• NLD incumbent advantage, exacerbated by Covid-19

Advantages generally lie with the incumbent government in elections in many parts of the world. This is also the case in Myanmar. But support for the NLD declined and nationality parties made advances during parliamentary by-elections in 2017 and 2018. This encouraged hopes that the 2020 general election would be different. The emergence of Covid-19, however, transformed the political landscape, and the 2020 polls went ahead under exceptional circumstances that appeared very much to the advantage of the government.

The timing of the pandemic was acute. The beginning of the campaign period in early September coincided with a surge in Covid-19 transmission that prompted government restrictions on travel and public gatherings, heavily impacting on political activities. From the outset, opposition parties complained that the lockdown granted the NLD an even greater incumbent advantage than usual. Criticisms included the higher visibility of NLD leaders carrying out government activities; publicity for NLD officials in distributing relief funds to poor families; the pre-eminence of the NLD in all forms of media, including state, independent, digital, social, television and radio; and a sense that NLD candidates and their supporters were able to ignore public health restrictions on campaigning with greater impunity than small or nationality parties.

For longer-established parties, notably the ANP and SNLD, this did not present such a significant problem. But leaders of newly-merged parties, especially, said that the Covid-19 regulations prevented them from holding campaign rallies and travelling to remoter areas where they could introduce themselves to voters who may, until the 2020 polls, have had little knowledge of their policies and parties.[55] It was also alleged that, while bans of meetings of more than 30 people were imposed on ethnic parties, the main national parties, notably the NLD and USDP, had gatherings of "thousands" of people in different parts of the country.[56] Throughout the election campaign, NLD officials expressed a determination to win every seat that they could in the different states and regions. For nationality movements, the 2020 general election felt a very unequal contest.

• Tatmadaw troop deployments, exacerbated by "malapportionment"

As in the 2015 general election, the USDP won most of its seats in the country in ethnic nationality territories, many of which are conflict or ceasefire areas, where Tatmadaw forces and its local allies are concentrated. By comparison, USDP representation collapsed in central Myanmar among the ethnic Bamar population, which overwhelmingly voted for the NLD. The situation, however, was different for the USDP in the ethnic states where the Tatmadaw and USDP leaders continued to work together in nexus. Without this collaboration, the USDP's presence in the national legislature in Naypyitaw would be minimal.[57]

As in the 2010 and 2015 elections, ethnic parties reported their suspicions that Tatmadaw commanders rotated significant numbers of troops before the polls in an attempt to swing votes for selected seats in favour of the USDP. Such deployments would not have had impact on the results in a majority of seats in the country, where the number of troops is small in comparison to civilian voters or overall margins of victory. Constituencies in Myanmar, however, can vary considerably in size – a system known as "malapportionment", meaning that some seats can have a very low number of voters. This is especially the case in the ethnic states.

It is thus likely that the numbers of votes by Tatmadaw members and supporters, including resettled veterans, were a factor in deciding winners in malapportioned constituencies or those where they were close voting outcomes. For example, the USDP won the Lower House seat of Sumprabum in Kachin State with 876 votes, a margin of only 89 votes over the Kachin State People's Party (787 votes) and the incumbent NLD (716 votes), with allegations of a pre-election surge in troop numbers.[58] Similar allegations were made for the Tanai and Injangyang constituencies, also in Kachin State, as well as Bawlakhe in Kayah State.[59] It should be noted, too, that while, in principle, military voters are subject to the same 90-day residency requirement as civilians, in practice it is up to the Tatmadaw itself to certify whether its personnel meet this requirement, since soldiers are not registered by civilian authorities.

Further supporting the USDP vote, a majority of the party's seats in Kachin and Shan States were won in areas where Tatmadaw-backed "people's militia" (pyithusit) are also deployed. Starting with the 2010 general election, militia groups have advocated support for the USDP, with a number of leaders standing as candidates for the military-backed party. In 2020, the impact was especially marked in Shan State where it was estimated that 15 Lower House seats in the Union Parliament and 24 seats in the State Parliament were won by the USDP in townships controlled by local militia.[60]

The result represents a conflict paradox. With the exception of the Naypyitaw capital, virtually all the USDP election wins in the 2020 polls were in the Kachin, Kayah, Kayin, Rakhine and Shan States where Tatmadaw troops, despite five years of NCA negotiations, remain in ceasefires or conflict with a diversity of ethnic armed opposition groups. In central Myanmar, in contrast, the USDP has suffered losses on a scale that challenge its survival as an electoral party.

- **Bamar migration into ethnic areas, exacerbated by registration rule change**

Prior to the polls, a number of nationality movements warned that the accelerating pace of migration by the Bamar-majority population – as well as, in some cases, other nationality groups – into different parts of the country is changing the demographic mix in favour of the NLD, especially in closely-contested constituencies.[61] The past decade has witnessed the greatest population movement in the country since independence in 1948. Population change is manifest in many nationality areas today, such as Myitkyina and Hpakant in Kachin State or Myawaddy in Kayin State.[62]

Furthering their concerns, ethnic parties believe that the change in the electoral balance in

favour of the NLD has been compounded by recent amendments to the election by-laws that reduce the period that a migrant must be resident in their new constituency in order to be eligible to vote there. Despite objections by ethnic parties, the requirement for residency was cut from 180 days down to just 90 days for the 2020 election.[63]

Without reliable data, assessing such claims is difficult. Internal displacement as well as external migration into neighbouring countries are also key factors, although it is impossible to know how refugees or migrant workers might have voted. Of the more than four million Myanmar nationals estimated to be living overseas, only 109,470 filed applications to vote by the August closing date.[64] Most of the refugees and displaced, as well as many of the migrants, come from non-Bamar backgrounds in constituencies where polling outcomes are likely to be close.[65] Certainly, the 2020 polls went ahead in conditions of social and political uncertainty, and sometimes volatility, in most ethnic states and regions.

- **Lack of resources and negative campaigning against ethnic parties**

A particular complaint from ethnic parties during the 2020 election is that they were completely outmuscled by the main national parties, notably the NLD and USDP, in terms of funding, resources and campaigning.[66] In 2020, financial weakness was further exposed by the advent of Covid-19, with the NLD holding a significant advantage in the digital age where political campaigning moved online. Adding to these criticisms, a number of ethnic parties blamed disinformation and adverse propaganda against nationality movements that proved very difficult to redress.

For their part, NLD and USDP candidates largely campaigned in nationality areas on the basis of the local benefits that they promised to bring. At the same time, ethnic parties complained that NLD and USDP speakers put down ethnic opposition parties with two particular accusations: that, unlike the national parties, they could not bring about development and reform; and that a vote for nationality parties was wasted because they would not win. In the case of the NLD, two further accusations were reported: first, that a victory for ethnic parties would lead to the Tatmadaw re-seizing power – and, in conflict-affected areas, this would mean a return to forced portering and other human rights abuses; and second, somewhat conversely, that ethnic parties were in fact proxies for the USDP.[67] Such reports were so persistent in different parts of the country that NLD critics believe these election strategies were pre-planned.

Leaders of nationality movements were deeply hurt by such accusations and negative campaigning. For many years, ethnic parties had been allied with the NLD in the struggle against military rule.[68] In the new era of quasi-civilian democracy, it seems, general elections are about winning – not building cross-party alliances or consensus for reform.

- **The popularity of Aung San Suu Kyi, and the desire to end military government**

While different reasons can be attributed for opposition failures, there is no doubt that the NLD won a decisive victory. This was also true in many non-Bamar areas of the country, especially in the towns, where the NLD's campaign picked up momentum as Election Day approached. As such, the NLD should not

be depicted as a party that is only for the ethnic Bamar population. Two factors were generally considered to account for the party's success: first, the enduring popularity of Aung San Suu Kyi; and second, as in 2015, the belief that a victory for the NLD is the most likely way to end military dominance in the political arena. Although nationality parties won sufficient seats to have influence in several states (Kayah, Mon, Rakhine and Shan), the NLD strengthened its majority in the national parliament. Meanwhile political representation of the USDP is further diminished.

In 2010, the USDP gained control of every level of the legislatures in elections that were far from free and fair.[69] A decade later, it is the NLD that is the ascendant party in national politics. How the NLD uses this authority – and how the Tatmadaw responds – is likely to be the key factor in determining future political trends.

What Next for Ethnic Politics?

Given that very few seats changed hands in the ethnic states, it is presently unclear to what extent specific factors – such as Covid-19, migration and malapportionment – had overall impact in determining the outcome of the 2020 elections. In many respects, it is more likely that the more fundamental issues in national politics have not shifted much during the past decade. Three particular dynamics stand out: anti-military sentiment that translates into votes for the NLD; the "first-past-the-post" electoral system that favours national parties based among the Bamar-majority population; and a perception (whether true or not) that representation by an MP from the ruling party in government better enables a constituency to represent its interests in the national parliament and corridors of power. The relative weight of such factors is not well understood. Democratic transition is still at an early stage. But they will undoubtedly be debated and researched by parties on all sides in the following years.

For ethnic parties, this will mean a period of intense reflection about their performance, both inside and outside of parliament, and how best to improve it. As in every political era, they are faced by serious dilemmas. A clear risk is that ethnic parties, and the communities they seek to represent, conclude that structural barriers to inclusion are hard-baked into the political and electoral system under the 2008 constitution. If this is the case, the democratic space will inevitably continue to be dominated by one large national party or another that primarily governs in the interests of the ethnic-Bamar majority. This is what happened in the unsuccessful parliamentary era from independence to 1962, which was then followed by half a century under military rule. Other than Tatmadaw die-hards, this is a scenario that few people would ever want to go back to. The victory of the NLD over the USDP in the last two elections is a clear mandate for democratic change.

It is sobering, then, to remember that the denial of democratic rights has underpinned over seven decades of conflict in Myanmar, and the failure of another general election to bring national inclusion will likely only damage trust further. If peace and stability are to be achieved, the electoral system must provide avenues that allow all peoples to address their aspirations and grievances by democratic means at the ballot-box and in the legislatures

– something that does not currently appear possible. Urgent action is needed to prevent the deepening belief that the present electoral cycle is reinforcing the same marginalisation of ethnic parties from fair representation that has happened in every political era before.

For these reasons, it is encouraging that, in the wake of its landslide victory, the NLD avoided triumphalist rhetoric and made positive gestures to ethnic political parties and communities. On 11 November, the NLD vice-chair Dr. Zaw Myint Maung sent a letter to 48 ethnic parties, stating that its aims aligned with those of ethnic parties and assuring them that "the NLD will focus on the wishes of ethnic people going forward".[70] The government spokesman U Zaw Htay also spoke in press briefings of a "government of national unity", apparently reflecting the willingness of the NLD to consider appointing representatives of ethnic parties to cabinet positions in their respective state governments. According to NLD spokesman U Myo Nyunt: "This is just a rough idea we have. It'll be a government that puts unity at the forefront. We haven't materialised anything concrete yet, so I can't say much more than this."[71]

Importantly, too, there were indications that Tatmadaw leaders were considering a more flexible approach towards the peace process. This is long overdue. In the past three years, the NCA has faltered badly; conflict and displacement have escalated in several ethnic states; and there have appeared no routes to bring the different conflict actors together. Immediately following the polls, however, the Tatmadaw announced a new "Peace Talks Committee" and appeared to respond positively to ULA-AA calls for by-elections to take place in the cancelled constituencies.[72] Fighting quickly subsided. In a significant change of tone, the Tatmadaw announcements appeared to be targeted at both NCA signatories and non-signatories among ethnic armed organisations, a division between conflict actors that has been a major stumbling block since the accord's 2015 inception.

Unsurprisingly, ethnic political parties are cautious about these overtures, and some have responded sceptically given their past experiences with both the Tatmadaw and NLD. Continued military operations and the NLD's negative campaigning against ethnic parties deepened concerns during a difficult year which saw both a general election and the emergence of Covid-19. Some nationality leaders thus questioned why the NLD is only reaching out only after ethnic parties have suffered ballot-box defeats, noting that collaborative sentiments would have been more credible if they had been expressed before the elections.[73] Previously, the NLD appeared to rule out the idea of collaborating with ethnic parties altogether.

On this basis, nationality leaders want to see concrete evidence of the NLD's proffered willingness to work together with ethnic parties. As a first step, the SNLD representative Sai Leik proposed the appointment of nationality leaders as Chief Ministers in the ethnic states and devolution of greater powers to state governments.[74] The ANP vice-chair Daw Aye Nu Sein called on the incoming president to make executive appointments "with farsightedness in consideration of democratic norms".[75] And the KSPP chair Dr. Manam Tu Ja expressed his hope that "the NLD will walk the walk, and not just talk the talk".[76]

Similar caution is expressed in the war-zones, where bitterness has increased about conflicts and displacement that became worse – rather than better – during the first cycle of NLD-led government. Criticisms of exclusion are openly expressed, and there is disquiet that peace overtures from both the NLD and the Tatmadaw have come only after the polls – not before. In terms of political reform, it is widely believed among nationality leaders that the ethnic peace process will ultimately prove as important as the legislatures if meaningful breakthroughs in peace and reform are to be achieved. The peace process and parliament are presently on two different tracks, and nationality parties – both electoral and armed – feel that they are in a political no-man's land from which it is impossible to emerge.

The greatest worry now is that, with another term in government office secured, the NLD and Tatmadaw will again relegate peace inclusion and political reforms to another five years down the road. At the same time, chastened by election setbacks, ethnic parties recognise that that they have much to do to ensure that their voices are effectively heard. Among young activists, a new determination is evident in both electoral and armed movements, and they are preparing to intensify efforts to make sure that the issues of ethnic rights and justice are not forgotten. With the advent of a new government, an opportunity presently exists to recalibrate ethnic politics and initiate constitutional reform. This must now be taken.

Conclusion

The 2020 general election has cemented the NLD's position as the dominant party in the country, an unassailable position resulting from the popular support for its leader, Aung San Suu Kyi, and amplified by the country's "winner takes all" electoral system. Other political forces have largely been marginalised, including the USDP and other national opposition parties, as well as many – though not all – ethnic parties. The only other national force to have strong representation is the Tatmadaw, which is guaranteed a 25 per cent bloc of seats in all legislatures under the 2008 constitution as well as control of three ministries (Home, Defence and Border Affairs). It is not a political system or national status quo that inspires ethnic parties with great optimism for imminent change.

In parliamentary terms, although some nationality movements increased their vote, most ethnic parties failed to improve on their 2015 performance. This was a major disappointment, meaning that the NLD also has an outright majority in four of the seven ethnic state legislatures. The state parliaments are the one political area where nationality parties had hopes of significant breakthroughs. The constitution also grants the incoming NLD-selected President the power to appoint all Chief Ministers in these territories. In 2016, however, the current government used this right to appoint NLD MPs to all these positions, even in those states where the party performed poorly. For the past five years, this has remained a major source of grievance.

The upshot is that many ethnic leaders and communities do not feel that the Union Government and their local administration

represent their concerns or govern in their interests. This marginalisation from fair representation is dangerous. It has underpinned over seven decades of conflict in the country, and the failure of another general election to bring national inclusion risks damaging trust further.

In this regard, it is encouraging that the NLD has reached out to ethnic parties in the election aftermath by offering to collaborate in addressing their concerns. There remains, however, a significant trust deficit, and the government will have to take timely, concrete steps to give credibility to its outreach. Failure to do so will only repeat errors from the past. Tensions will rise, and the divisions that underly conflict may very well deepen. Peace and politics cannot be separated from one another in modern-day Myanmar. A time for dialogue and reflection – followed by peace and reform action – is now urgently due.

Appendix: Political Party Acronyms*

AFP	Arakan Front Party
ANP	Arakan National Party
CNLD	Chin National League for Democracy
KayanNP	Kayan National Party
KPP	Kayin People's Party
KSPP	Kachin State People's Party
KySDP	Kayah State Democratic Party
LahuNDP	Lahu National Development Party
LisuNDP	Lisu National Development Party
MUP	Mon Unity Party
NDP-K	New Democracy Party-Kachin
NLD	National League for Democracy
PNO	Pa-O National Organisation
SNDP	Shan Nationalities Democratic Party
SNLD	Shan Nationalities League for Democracy
TNP	Ta-ang (Palaung) National Party
USDP	Union Solidarity and Development Party
WNP	Wa National Party
ZCDP	Zomi Congress for Democracy Party

* The ethnic parties on this list are those that won seats in the 2020 general election.

End Notes

1. The previous such election was held in 2015. See e.g., Transnational Institute, "The 2015 General Election in Myanmar: What Now for Ethnic Politics?", TNI Myanmar Policy Briefing No.17, September 2020. The 1990 and 2010 general elections were held in circumstances that could not be considered democratically equivalent or free and fair. For the 2010 election, see, Transnational Institute, "A Changing Ethnic Landscape: Analysis of Burma's 2010 Polls", TNI-BCN Burma Policy Briefing No.4, December 2010.

2. For a pre-election analysis, see, Transnational Institute, "Myanmar: Ethnic Politics and the 2020 General Election", TNI Myanmar Policy Briefing No.23, September 2020.

3. For a list of nationality parties, see, Transnational Institute, "Myanmar: Ethnic Politics", p.16. At the start of the campaign period, there were a total of 94 registered political parties. On 17 October, the United Democratic Party was de-registered for receiving foreign funds after its chairman Kyaw Myint was revealed in local media to be a fugitive from justice. Two other parties – the National Solidarity Congress Party and the Myanmar Farmers Development Party – were suspended by the Union Election Commission from this round of elections due to administrative infractions, and they did not field candidates. This left a total of 91 parties contesting the elections.

4. For details, see Ibid., pp.24-7.

5. Ibid., pp.19-21.

6. Min Tun, "Citing censorship, AFP declines chance to air campaign speech via state media", Development Media Group, 29 September 2020.

7. See e.g., "Time to take away the election commission's red pen", Frontier Myanmar, 7 October 2020.

8. Incidents included a clash in Naypyitaw on 16 September between USDP campaigners in a convoy of motorbikes and four boys wearing NLD t-shirts; an attack in October on the house of an NLD member in Magway by a large group of USDP supporters, allegedly for playing party music too loud; a 10 October attack by USDP supporters on NLD supporters in Hinthada, Ayeyarwady Region; and an attack on an NLD member's house in Meiktila on 20 September by a large group of USDP supporters. None of these incidents resulted in fatalities.

9. For a conflict overview of the year, see, Sai Wansai, "Instance of Ethnic States in 2020: Status quo remains with uncertainty for the year ahead", Shan Herald Agency News, 10 December 2020.

10. "RCSS Admits to Accidentally Shooting, Injuring GAD Officers in Mongpan", Shan Herald Agency News, 2 November 2020.

11. ULA-AA, "Press release regarding taking three NLD members from Taungup Township", No.39/2020, 19 October 2020.

12. Ibid.

13. For a conflict overview, see e.g., Martin Smith, *Arakan (Rakhine State): A Land in Conflict on Myanmar's Western Frontier* (Transnational Institute, 2020): pp.92-131.

14. "New Myanmar MP assassinated", New Straits Times, 24 November 2020.

15. Lawi Weng, "Myanmar's SNLD Condemns Murder of 3 Party Members in Northern Shan State", The Irrawaddy, 5 November 2019.

16. Kan Thar, "10,000 Rally Over Shooting of Civilians in Myanmar's Shan State", RFA, 10 July 2020.

17. Armed forces, for example, in Kyaukme Township include the Tatmadaw, government-backed militia, the ceasefire RCSS and Shan State Progress Party, and non-ceasefire Ta'ang National Liberation Army.

18. Union Election Commission notifications, 192/2020-197/2020, 16 October 2020.

19. Union Election Commission notifications, 200/2020-202/2020, 27 October 2020.

20. Transnational Institute, "Myanmar: Ethnic Politics", pp.22-4.

21. See e.g., "How Are Myanmar's Ethnic Parties Responding to the Cancellation of Voting in Conflict Areas?", The Irrawaddy, 31 October 2020.

22. The apparent system is that Tatmadaw commanders provide security analyses, and the UEC then makes its decisions based upon these assessments. But it is not clear what kind of research is conducted, evidence included, and where the final decision is truly made. The Tatmadaw and

UEC are regarded as partisan in different ways: see e.g., Transnational Institute, "Myanmar: Ethnic Politics", pp.19-21.

23. Military officers stated at a press conference on 20 October that the UEC had cancelled voting in a wider area of Rakhine State than the Tatmadaw had recommended, and that the commission had not cancelled voting in Paletwa Township in southern Chin State, despite a military recommendation to do so. Government spokesperson U Zaw Htay held his own press conference the day before, claiming that the civilian government had recommended cancelling fewer townships than the Tatmadaw had.

24. The number of townships affected by "fully" and "partially" cancelled elections increased from 7 and 31 townships in 2015 to 15 and 41 townships in 2020 respectively.

25. The eight signatories of the NCA at its 2015 inception were: the Arakan Liberation Party, Chin National Front, Democratic Karen Benevolent Army, Karen National Union, KNU/KNLA Peace Council, Pa-O National Liberation Organisation, Restoration Council of Shan State and All Burma Students Democratic Front. The Lahu Democratic Union and New Mon State Party subsequently signed in February 2018.

26. The situation in eastern Shan State, as in all parts of the territory, is locally complex. The UWSP has different township demarcations to the government. It also controls territories outside its main administered areas along the Yunnan border. In these external areas, elections did go ahead.

27. See e.g., Thompson Chau, "Voting in half of Rakhine cancelled, hitting Arakan party", Myanmar Times, 17 October 2020.

28. Amnesty International, "Myanmar: Villages burned, civilians injured and killed as Rakhine State conflict escalates", 12 October 2020; Kaung Hset Naing, "Rakhine IDPs: Displaced, demoralised…disenfranchised?", Frontier Myanmar, 12 October 2020; Min Aung Khine, "Arakan Army Kills Govt Troops in Raid Near Myanmar-Bangladesh Border", The Irrawaddy, 28 October 2020.

29. For a background description of the conflict environment, see e.g., "Three Myanmar Ruling Party Candidates Abducted in Rakhine State", RFA, 14 October 2020.

30. "Election monitors say UEC mum on make-up voting in northern Arakan", Network Media Group, 10 December 2020.

31. Nan Lwin, "'I Can See the UEC Does Not Want Elections' in Rakhine, Japanese Envoy to Myanmar Says", The Irrawaddy, 4 December 2020.

32. Sai Wunna, "President seeks polls in nine Rakhine townships", Myanmar Times, 15 December 2020.

33. See e.g., Shan Human Rights Foundation, "Indiscriminate shelling, torture, looting by Burma Army during large-scale offensive against RCSS/SSA in southern Kyaukme", 19 October 2020; Ying Tai, "SNLD Opposes Election Cancellation in Shan State Constituencies", S.H.A.N., 22 October 2020.

34. In cancelled territories in southeast Myanmar, the main ceasefire groups are the KNU and NMSP, both NCA signatories. In Shan State, both the SSPP and RCSS have ceasefires, the latter an NCA signatory. The SSPP ceasefire began in 1989, the NMSP in 1995.

35. Karen National Union Supreme Headquarters, "KNU Statement on challenges facing implementation: The Nationwide Ceasefire Agreement", 15 May 2020.

36. Tai, "SNLD Opposes Election Cancellation"; Zaw Ye Thwe, "Parties protest cancelation of vote in Mong Kung", Myanmar Now, 2 November 2020; Nan Lwin, "Myanmar's Ethnic Parties Slam Decision to Cancel Voting in Strongholds", The Irrawaddy, 19 October 2020.

37. This seat has been re-districted since 2015. The ANP holds the current Amyotha Hluttaw (Upper House) seats of Maungdaw-2 and Buthidaung; the USDP holds Maungdaw-1.

38. See e.g., Sai Wansai, "Ethnic political parties' kingmaker role: A reality in the making?", Shan Herald Agency News, 5 September 2020; "Kachin aspirations ride on new party", Frontier Myanmar, 3 November 2020; "KNU backing boosts election hopes of allied Karen parties", Frontier Myanmar, 7 November 2020.

39. The main parties formed from these mergers were: the Chin League for Democracy, Kachin State People's Party, Karen National Democratic Party, Kayah State Democratic Party, Mon Unity Party and Wa National Party. For more details, see, Transnational Institute, "Myanmar: Ethnic Politics", pp.8-10.

40. The fact that there were more cancellations in 2020 than before, most notably of safe ANP seats in Rakhine State, accounts for the one percentage point drop in ethnic party MPs in the national legislature. Had these seats not been cancelled, ethnic parties would have approximately matched their 2015 percentage; i.e., the share of seats – though not all the parties – would have remained much the same.

41. Due to the assassination of the NLD Upper House MP-elect for Shan State-1, this seat is presently vacant until filled in a future by-election (not reflected in the above table).

42. Since the Tatmadaw is accorded a fixed number of seats under the 2008 constitution in the Upper and Lower Houses (rather than a proportion), the cancellation of some elected seats means that the military bloc is slightly larger than its nominal 25 per cent, and the elected bloc slightly less than 75 per cent.

43. While a similar number of ethnic parties contested in 2015 and 2020, these were not the same set of parties. Some had de-registered, others had merged, and some others were newly-registered.

44. See e.g., Thet Zin Soe, "Merged ethnic parties perform better in the polls in Myanmar", Myanmar Times, 13 November 2020; Mi Kun Chan Non, Mi Sar Yaw Poine & Ashley South, "The Hongsa flies: Why the Mon Unity Party won where other ethnic parties failed", Frontier Myanmar, 13 November 2020.

45. See e.g., Transnational Institute, "Ethnicity without Meaning, Data without Context: The 2014 Census, Identity and Citizenship in Burma/Myanmar", TNI Burma Policy Briefing No.13, February 2014. See also note 52.

46. The SNA's relationship with the Tatmadaw is uncertain. While it was originally formed as a local militia, it now expresses political aims and wants to join the NCA with other ethnic armed organisations. For a recent clash, see, "Sagaing Locals Demand Tatmadaw, Shanni Army Cease Fighting", Network Media Group, 27 April 2020.

47. Sai Si Kham/Shan Ni, "36 TNDP candidates lose their deposits as they did not get enough votes", Burma News International, 11 December 2020.

48. The seats for Ethnic Affairs Ministers are included in this chart.

49. According to section 276(d) of the constitution, devolved legislative and executive functions in these areas are carried out by Leading Bodies, made up of the elected representatives, military appointees and other appointed persons selected by these two groups, for a total of at least 10 members (one quarter of the total being military appointees).

50. That is, 0.1 per cent of the estimated 54.5 million population of Myanmar in November 2020 (2014 census baseline, adjusted for population growth).

51. This interpretation was confirmed by the UEC ahead of the 2015 elections in the course of several successful appeals from candidates who were initially rejected on the grounds that they were not of the right ethnicity. TNI interview, election observer present in the appeals hearings, Yangon, October 2015.

52. For details, see, Transnational Institute, "Ethnic politics and the 2015 elections in Myanmar", TNI Myanmar Policy Briefing, No.16, September 2015. The 2014 Myanmar Population and Housing Census collected data on ethnicity. But, due to the political sensitivities, these statistics have not been released. These data were also collected in a deeply flawed way that is unlikely to be usable for "national race" seat designation. See, Transnational Institute, "Ethnicity without Meaning".

53. For a series of articles in Frontier Myanmar magazine, see e.g., Hein Thar, "Shan State's controversy-filled election delivers a hung hluttaw", Frontier Myanmar, 20 November 2020; Pyae Sone Aung, "Election leaves Zomi Congress for Democracy demoralised and divided", Frontier Myanmar, 2 December 2020; Ye Mon & Esther, "Ethnic minister election woes blamed on poor voter outreach", Frontier Myanmar, 3 December 2020; Betty Han, Lawi Weng & Ben Dunant, "Election defeat leaves Karen parties grappling for answers", Frontier Myanmar, 3 December 2020.

54. Transnational Institute, "Myanmar: Ethnic Politics", pp.4-8

55. Pyae Sone Aung, "COVID, corruption, incumbency? Kachin party shifts the blame after election defeat", Frontier Myanmar, 25 November 2020; "Why did the Kachin State People's Party (KSPP) fail to thwart the NLD tide in Kachin State?", Burma News International, 19 November 2020.

56. See e.g., "Small ethnic parties in southern Shan State face limitations in the election: Foundation", Burma News International, 11 December 2020.

57. For election maps, see, Myanmar Information Management Unit, http://themimu.info/election

58. See e.g., "Sudden arrival of soldiers in swing seats seen as bid to boost USDP's chances", Myanmar Now, 22 September 2020.

59. See e.g., Sandar Nyan, "USDP's Soe Thein, ex-minister accused of buying votes in 2015, wins re-election in Kayah state", Myanmar Now, 9 November 2020.

60. Hset Paing Toe, "In Myanmar's Election, Military Proxy Party Fares Better in Militia-Controlled Areas", The Irrawaddy, 17 November 2020. For example, the Shan State Parliament seat for Tangyan Township was won by Sai Mon, head of the Man Pang militia: see e.g., Kyaw Lin Htoon, "A Khun Sa confidante sets his sights on parliament as a USDP candidate", Myanmar Now, 6 November 2020. In Kachin State, Ah Dang (Rey Dam Dang), head of the Khawnglanghpu (also known as Rawang) militia won the Lower House seat for the USDP in Nawngmung Township; for background, see, Kumbun, "Understanding the Gwihtu-Lawayang and Khaunglanghpu Militias", The 74 Media, 14 October 2020. The most prominent militia leader in the current parliament is T Hkun Myat in Kutkai Township, Shan State, who was sacked from the USDP before becoming Lower House speaker in 2018: see e.g., Nyan Hlaing Lynn and Thomas Keen, "T Khun Myat: Who is the new Pyithu speaker?", Frontier Myanmar, 22 March 2018.

61. Transnational Institute, "Myanmar: Ethnic Politics", pp.21-4.

62. See e.g., "KSPP blames migrant workers' votes for its election defeat", Eleven Media, 16 November 2020.

63. For details, see, Transnational Institute, "Myanmar: Ethnic Politics", p.21.

64. Zaw Zaw Htwe, "Only a Fraction of Myanmar Migrants Have Applied to Vote in November Election", The Irrawaddy, 21 August 2020.

65. See e.g., Non, Poine & South, "The Hongsa flies". Populations that are considered to be especially affected by demographic movement include Chin, Kachin, Kaman, Karen, Karenni, Mon, Pa-O, Rakhine, Rohingya, Shan, Ta'ang and Tavoyan (Dawei).

66. "Ethnic parties blame poor election results on disinformation and lack of funds", Network Media Group, 27 November 2020.

67. See e.g., "KSPP Chair and MP Elect: Federalism Must Come First", Kachin News Group, 1 December 2020. Though rare, this allegation has had some foundation in areas controlled by Tatmadaw-backed militia. Most recently, the Kachin State Parliament seat for Chipwi-2 was won by Zakhung Ying Sau, son of the leader of a ceasefire group – the New Democratic Army-Kachin – that converted into a Tatmadaw-backed Border Guard Force in 2009. He ran for election as candidate of a "New Democratic Party-Kachin". But, in most cases, USDP leaders want local nationality candidates to run for the USDP party.

68. The best-known alliances, established in the 1990s, were the National Coalition Government Union of Burma, National Council Union of Burma and Committee Representing the People's Party, formed with NLD MPs-elect and different nationality parties. They generally came to an end with the start of political transition in 2011-12. For a recent CRPP discussion, see, Sai Wansai, "CRPP Revival: 1990 elected MPs geared to form new political party", Shan Herald Agency News, 10 April 2019.

69. See e.g., Transnational Institute, "A Changing Ethnic Landscape".

70. A copy of the letter (in Burmese) is available at https://www.facebook.com/nldparty/posts/4174546279227408.

71. See, "Despite landslide victory, NLD appeals to ethnic parties to join its 'national unity government'", Myanmar Now, 13 November 2020.

72. "Myanmar Military Launches Body For Talks With Ethnic Armies as Vote Count Goes On", Radio Free Asia, 10 November 2020.

73. See, for example, "Ethnic parties cautious over NLD partnership offer", Myanmar Times, 19 November 2020; "No deal: NLD prepares to go it alone in 2020", Frontier Myanmar, 28 October 2019.

74. "Myanmar's Ethnic Parties Cautiously Optimistic about Outreach from Victorious NLD", The Irrawaddy, 25 November 2020.

75. Ibid.

76. Ibid. An MP-elect, Dr Tu Ja is also a former deputy chair of the non-ceasefire KIO. For a recent interview, see, "KSPP Chair and MP Elect: Federalism Must Come First", Kachin News Group, 1 December 2020.

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De Wittenstraat 25, 1052 AK Amsterdam, The Netherlands
Tel: +31-20-6626608, Fax: +31-20-6757176
E-mail: burma@tni.org
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