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# RSIS COMMENTARIES

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## **Myanmar's 1 April By-elections: More Than Just Seats At Stake**

By Kyaw San Wai

### **Synopsis**

*Myanmar is holding by-elections on 1 April. The dimensions of this symbolic event suggest that the stakes are more than just the seats being contested.*

### **Commentary**

MYANMAR IS holding much anticipated by-elections next month on 1 April. Although only 48 seats – a mere fraction of the 1160 total parliamentary seats - are being contested, these by-elections come at a major juncture in Myanmar's reforms, possibly paving the way for the induction of Aung San Suu Kyi into 'official' politics. They would also serve as a barometer for President Thein Sein's reforms, as Ms Suu Kyi has taken a big leap of faith to contest her first ever parliamentary seat.

Campaigning for the by-elections has allowed Ms Suu Kyi to revitalise her party, the National League for Democracy (NLD). Her election rallies across Myanmar attracted massive crowds who expressed vociferous support. These rallies have implications beyond the by-elections, as she galvanizes popular support in preparation for the 2015 general elections. A party political broadcast on 14 March, leaked earlier online, was the first time she addressed the nation through state television: she talked on a variety of pressing issues, although parts criticising the former junta were reportedly censored.

### **Contenders, irregularities and observers**

Other parties and independent candidates are also competing in the by-elections but have been overshadowed by the possible showdown between the ruling Union Solidarity and Development Party (USDP) and the NLD, as media coverage has focused mainly on Ms Suu Kyi's whirlwind tour. A notable contestant is independent candidate Dr Manam Tuja, former vice-chairman of the Kachin Independence Organisation whose armed wing is fighting the government after ceasefires collapsed last year. Dr Tuja enjoys widespread local support but is considered by some Kachins as traitorous, as he unsuccessfully tried to compete in the 2010 elections. Bringing him on board could help in peace parleys with the Kachins.

Myanmar's recent elections have been a long way from being free and fair, including the 1990 elections which the NLD won. The 2010 elections, which the NLD refused to contest (and was banned as a result), also saw

reports of widespread fraud. Given such precedents, irregularities are anticipated in the by-elections. The NLD has already aired a steady stream of complaints of harassment, vandalism and hostility by local officials.

The government has been urged to conduct the elections fairly while some have called for foreign observers. Myanmar refused foreign observers for the 2010 general elections, although resident foreign diplomats and United Nations staff were allowed to visit polling stations. The government recently gave the green light to allow ASEAN, United Nations and Western observers to monitor the by-elections.

Having observers this time should not be much of an issue, as in contrast to the 2010 nationwide general election, they would be confined to the 48 constituencies, most of which are in Bamar majority areas. Allowing them in also boosts Myanmar's commitment to reforms.

However, the military could take exception to allowing foreign observers, seeing it as an infringement of sovereignty. Permitting foreign observers could appear as yielding to external pressure. In addition, the propensity for dissidents to air complaints to visiting foreign dignitaries would undoubtedly be perceived as soliciting Western pressure.

### **Expectations of Ms Suu Kyi's role**

It is widely assumed that Ms Suu Kyi will win her seat. The government is aware that it has more to gain by losing. However, it does not mean that the USDP or other opposition parties would nonchalantly allow the NLD to grab other constituencies. The USDP has various 'advantages', including the offering of tangible promises (USDP candidates are accused of using public funds and renege on promises), fielding candidates who are locally prominent in their own rights and a lingering element of fear among the public.

Dissidents will perceive the by-elections as 'free and fair' only if the NLD wins an 'acceptable' number of seats – i.e. the majority (if not all) of constituencies. This is highly improbable as the USDP also desires to win, despite its majority and the small number of constituencies being competed for. More accusations of electoral fraud are bound to surface if there is disappointment with the outcome.

If and when Ms Suu Kyi enters parliament, there is speculation on what role the government might give her and how she would respond. She may be offered a cabinet post – probably a tough portfolio – and she may or may not accept. Participating in the by-elections has already ruffled some dissident feathers – joining the government could alienate even more segments. Accepting a cabinet post would also mean vacating her seat, something which she has disagreed with.

### **What lies ahead?**

Should the NLD win some seats, it would finally have a formal voice in parliament, be its first-ever participation in a 'functioning' parliament and members would have to start acting as parliamentarians rather than political activists. The NLD could find the transition from a 'dissident' to 'parliamentary' party uncomfortable. While other opposition parties express support for Ms Suu Kyi, it remains to be seen if they would rally behind her.

Ms Suu Kyi could either become a catalyst, further democratising Myanmar's parliaments, or be tied down with red tape in meeting expectations and facing a possibly uncooperative government party. This leap of faith by Ms Suu Kyi is a small but symbolically significant step in Myanmar's long road to democracy.

How the by-elections unfold could influence European Union sanctions against Myanmar, as the EU is to review policy towards Myanmar in late April. Complaints by dissidents will give cause to countries such as the United Kingdom, which base a lot of their policy calculations on dissident input, to argue against relaxing sanctions. Some pressure groups are also campaigning to keep sanctions regardless.

There are 17 other vacant seats for constituencies where elections were not held in 2010 supposedly due to security reasons and they too will need to be filled. Given the pace of ceasefire agreements with most rebel groups, another round of by-elections may well be on the horizon.

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