

While the pandemic is a global event, its impact on the election process in the context of the COVID-19 pandemic is high. The Union Election Commission, with government support, has managed to keep the process on track, the pandemic has led to an imposition of

The election campaign period began on Sept. 8. As the size of rallies and door-to-door campaigning has been restricted to limit the spread of COVID-19, political parties and candidates resorted to smaller-scale events and vehicle caravans, which have led to some interparty clashes. In addition, many parties and candidates have shifted much of their campaigning online via social media. Monitoring of public Facebook accounts has shown an increase in hate speech and disinformation about parties and candidates.

The Carter Center, which was accredited as an observer organization on July 30, has also been impacted by the COVID-19 pandemic. Election observation mission (EOM) core team experts are still in the process of deploying to Myanmar, and the EOM's 24 long-term observers—all of whom are Myanmar citizens due to the challenges of travel facing foreign nationals—are working remotely due to lockdowns in Yangon and domestic travel restrictions. Nevertheless, the mission continues to follow the election process and plans to deploy up to 12 foreign national short-term observers. In the coming weeks the EOM will focus observation efforts on the completion of the voter roll, the conduct of the campaign, decisions on holding elections in constituencies affected by conflict, advance voting, polling, counting, tabulation and announcement of results, and the resolution of election-related disputes.

The Carter Center thanks the Union Election Commission and the government of Myanmar for facilitating the work of the Carter Center EOM and thanks political parties, candidates, and CSOs for providing their ongoing perspectives on the election process.

Introduction

The Carter Center was accredited by the Union Election Commission (UEC) on July 30 as an international election observation mission (IEOM) to observe Myanmar's general election scheduled for Nov. 8, 2020. The mission is led by Sean Dunne and includes a core team of six international election specialists and 24 long-term observers (LTOs). Due to the COVID-19 pandemic, the Center has adapted its standard observation methodology, and Myanmar citizens have been recruited to serve as LTOs. The Center is planning to deploy up to 12 foreign national short-term observers (STOs) for the polling, counting and tabulation of results.

Prior to the announcement of the election date, The Carter Center conducted an interview survey of political parties to assess their intentions related to the election.¹ The IEOM has also analyzed public data on voter registration; candidate nomination, scrutiny, and appeals; the political and electoral environment in the pre-campaign period and the beginning of the campaign; as well as monitoring social media trends. LTOs were briefed in September and are working in teams of two to observe the process with additional attention being given to the openness of political space, women's participation, ethnic minorities, and persons with disabilities. However, the Center's ability to observe has been constrained by COVID-19 related travel restrictions, and the findings of this report are necessarily limited as a result.

The Center observes elections in line with the Declaration of Principles for International Observation and bases its assessment on a range of international and regional principles,

¹ Of the 94 registered parties contacted, 84 (just under 90%) participated in the survey.

commitments and best practices for democratic elections. The Center has observed more than 110 elections in 39 countries around the world. The Carter Center has had an office in Myanmar since 2013 and deployed an observation mission around the 2015 general election.

Background and Context

The Nov. 8 general elections are the second to be held since democratic reform efforts began in 2011. These elections therefore represent a critical moment in the consolidation of Myanmar's ongoing democratic transition. The 2015 general elections led to a victory for the then-opposition National League for Democracy (NLD).

legal grounds upon which elections may be postponed

locally assigned polling station on election day) and out-of-constituency (if they are based away from their constituency of residence). Of note, one of the legal amendments adopted in June reduced the residency requirement from 180 days to 90 days, which has been a source of concern for some political parties based in ethnic areas.

Candidate Nomination and Registration

A total of 7,030 candidates submitted their

distributed throughout the country under COVID-19 related movement restrictions. These efforts have been complemented by online facilities, including the UEC's dedicated website for voters to check their registration status and mobile apps.

Campaign Environment

While the 2008 constitution bans government officials from party activities during their term of office, the law allows the UEC to authorize “party organizational and territorial organizational work” by members of the government. On July 1 the UEC issued a directive allowing members of the government to undertake these party-related activities. In the absence of a clear definition of what “organizational work” entails, several political parties expressed public concern over the potential advantage for incumbent political contestants ahead of the official campaign period.⁴ The UEC clarified that the work could permit activities such as food distribution but could not allow for activities that explicitly sought to promote a voter's choice of candidate or party in the election.

The 60-day official campaign period was announced on Sept. 6, two days prior to its start. Strict COVID-19 preventive measures have imposed limitations on in-person campaigning in the first weeks of the campaign period. The UEC promulgated standard operating procedures on Sept. 7 for the conduct of the election campaign, with measures to prevent and control COVID-19 based on guidance from the Ministry of Health and Sports. These procedures limit campaign gatherings to 50 people, limit door-to-door campaign teams to 15 people, allow campaign vehicles to carry only half of their capacity, and impose strict social distancing and the use of personal protective equipment.

Campaigning (public rallies, door-to-door canvassing, and indoor gatherings) has been banned in locations affected by stay-at-home orders and travel bans imposed in Rakhine State, Yangon Region, and elsewhere. These restrictions have impeded parties and candidates on the campaign trail and have affected the activities of other stakeholders. Domestic election observer groups and journalists have had limited opportunity to train or to travel, and international media and election observers have faced obstacles to travel to Myanmar. Print media outlets have also faced increasing challenges to physically print newspapers, or, if possible, to manage their distribution.

The limitations on freedom of movement and association led several parties to raise concerns over their impact on political competitors to conduct their election campaigns. A letter from the main opposition party, the USDP, co-signed by 23 other parties, was submitted on Sept. 15 to ask the UEC to reconsider the date of the election. To date, however, the UEC has affirmed that the elections will continue as scheduled and has highlighted additional safety measures being used to mitigate the health risks during polling operations.

The restrictions imposed on traditional campaigning have given emphasis to the potential role and impact of the internet and social media in the election process. In seven townships in northern Rakhine State and one township in southern Chin State, the population has experienced one of the longest internet blackouts in the world. Access to 3G/4G networks remains halted until Oct. 31 under a directive from the Ministry of Transport and Communications. The blackout was partially

⁴ A similar situation arose in 2015, when government officials were permitted to undertake organizational work ahead of the official campaign period.

alleviated with access to the 2G mobile network on Aug. 2. However, the bandwidth restrictions of this technology make engagement on online platforms impractical.

A self-regulatory approach for in-person and online campaigning is in effect through the political party Code of Conduct, which was signed by 65 political parties on June 26. The behavior of these parties and candidates is actively monitored by a committee of the signatories, although it is not legally binding and offers no sanctions for noncompliance.

Political parties are entitled to free-of-charge 15-minute slots on state radio and television to

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Figure 1: Posts and Interactions Across 20 Political Party Pages on Facebook⁷

The legal framework does not contain specific provisions to regulate online campaign activities, although several election malpractice and offense provisions can be interpreted as applicable. As noted above, the voluntary political party Code of Conduct also covers online activities. Efforts to mitigate the abuse of social media have been the subject of joint endeavors among the authorities, civil society organizations and Facebook. Myanmar and international CSOs are working to identify and combat the impacts of disinformation and hate speech, for example by orchestrating counter-speech messaging to challenge hateful narratives and referring posts to Facebook for adjudication under its corporate policies and community standards.⁸

Facebook has introduced several measures in the leadup to the elections to identify and remedy posts that may constitute misinformation, hate speech and harassing content, including the use of artificial intelligence systems.⁹ Posts referred to Facebook by stakeholders may take time to address, as can requests to reinstate posts that have been erroneously removed. Facebook also implemented an ad library on Aug. 5 to strengthen transparency and accountability for paid or boosted ads relating to politics, elections and social issues, and has delivered training to election officials on its use.¹⁰

⁷ Source: data from CrowdTangle for the 20 political party pages with the highest number of interactions between June 1 and Sept. 30, 2020. State Counsellor Aung San Suu Kyi 325 0 Tj0.00.277 0esan4.2 (l)6.9 (be)16.2(ge)4.1 ghe

Observation

The UEC issued revised procedures for Domestic Election Observers (DEOs) and International Election Observers on July 7. The revised procedures removed rights under prior procedures that had