

Extracts on the 2010 elections from: Situation of human rights in Myanmar - Report to the UN General Assembly of the Secretary-General (A/65/367), 14 September 2010

C. Political transition

23. During the reporting period, Myanmar's senior leaders made repeated statements of commitment to hold "free and fair" elections in 2010, in accordance with the Government's seven-step road map. These included speeches by Senior General Than Shwe on the occasion of Union Day (12 February 2010) and Armed Forces Day (27 March 2010), in which he stated that elections would be "free and fair" and that preparations were being made to be ready in every aspect for a gentle transition to democracy and a market-oriented economic system.

24. On 8 March 2010, the Government announced the enactment of laws governing the elections of representatives to three legislatures: the national bicameral "Pyidaungsu Hluttaw" (Union Assembly), which consists of the lower house, the "Pyithu Hluttaw" (People's Assembly) and the upper house, the "Amyotha Hluttaw" (National Assembly); and the 14 regional/state legislatures. The laws include: (a) the Law on Election to the Lower House of Parliament; (b) the Law on Election to the Regional Parliaments; (c) the Law on Election to the Upper House of Parliament; (d) the Party Registration Law; and (e) the Law establishing the Union Electoral Commission, which will administer the conduct of the elections. On 11 March, the Government appointed the 18-member Electoral Commission.

25. On 10 March, I issued a statement taking note of the announcement by the Myanmar authorities of the new electoral laws. While noting that the indications available at the time suggested that the laws might not fully measure up to the international community's expectations, I reiterated my call for the Myanmar authorities to ensure an inclusive political process leading to fair, transparent and credible elections, in which all citizens of Myanmar could freely participate. I reiterated this call on 25 March, following a meeting of my Group of Friends on Myanmar.

26. On 18 March, the Electoral Commission opened the registration period for political parties, with a deadline of 6 May for the re-registration of existing political parties. On 7 April, the Electoral Commission announced the establishment of subcommission offices at the State, division and district levels. On 22 June, the Commission issued a directive on electoral practices during the pre-campaign period, including requirements for printing materials, organizing meetings and making speeches. It has been reported that, since its establishment, the Commission has also drawn up lists of eligible voters; overseen the distribution of voter identification cards; delineated electoral constituency boundaries; designated places for polling stations; and organized the training of local electoral capacity.

27. As at 25 August, 47 political entities were officially reported to have applied for registration with the Electoral Commission with a view to participating in the national and/or regional elections, and 42 political entities had been approved to contest the elections.

28. Five of the ten parties that contested the 1990 elections had re-registered with the Electoral Commission by 6 May, including the Kokang Democracy and Unity Party, the Lahu National Development Party, the Mro or Khami National Solidarity Organization, the National Unity Party, and the Union of Karen/Kayin League. In addition to NLD, which announced its decision not to re-register following a meeting of the party's Central Committee on 29 March, the other parties that did not re-register include the Shan Nationalities League for Democracy, the Union Pa-O National Organization, the Shan State Kokang Democratic Party and the Wa National Development Party.

29. On 6 April, the NLD Central Executive Committee issued a "Message to the people of Burma" explaining that the 29 March decision had been made because the electoral laws issued by the State Peace and Development Council were unfair and unjust. It also noted that NLD leaders, members and Members of Parliament-elect had made numerous, fully recorded attempts to establish a system of democracy in Burma and achieve national reconciliation. Those attempts had been ignored by the Council, rendering them unsuccessful. It further noted that "all these efforts were to no avail as a result of one-sided suppression and annihilation by the authorities". The Committee pledged to "continue to achieve its goals for democracy through systematic, peaceful and non-violent means, guided by Daw Aung San Suu Kyi".

30. On 7 May, a group of former senior NLD leaders, led by Than Nyein, announced their intention to form a new political party, the National Democratic Force, to contest the elections. On 25 May, the founding members submitted their application to register the party, which was approved by the Electoral Commission on 9 July.

31. On 26 April, Prime Minister Thein Sein and 22 Government ministers resigned from their military positions, reportedly to form the Union Solidarity and Development Party and participate in the elections. On 29 April, 27 applicants, including Prime Minister Thein Sein, Government ministers and senior officials from the Union Solidarity and Development Association, applied to the Electoral Commission to register the new party, which was approved by the Electoral Commission on 8 June.

32. On 11 August, the Commission formally released the lists of the 330 designated constituencies for the Pyithu Hluttaw (People's Assembly) and the 12 designated constituencies for the Amyotha Hluttaw (National Assembly).

33. On 13 August, the Union Electoral Commission announced that the elections would be held on 7 November. It called on political parties to submit their candidate lists between 16 and 30 August, stressing the 3 September deadline for the withdrawal of candidates and noting that candidate applications would be processed between 6 and 10 September. Also on 13 August, I issued a statement reiterating my call on the Myanmar authorities to honour their publicly stated commitments to hold inclusive, free and fair elections in order to advance the prospects of peace, democracy and development for Myanmar. As essential steps for any national reconciliation and democratic transition process, I also strongly urged the authorities

to ensure that fundamental freedoms were upheld for all citizens of Myanmar and to release all remaining political prisoners without delay, so that they could freely participate in the political life of their country.

Full text at [http://www.burmalibrary.org/docs09/SGrep-A-65-367\(en\).pdf](http://www.burmalibrary.org/docs09/SGrep-A-65-367(en).pdf)