

**Presentation by U Khin Maung Oo, Member of the Union Election
Commission at the Eighth Media Conference of the State Administration
Council, 27 August 2021**

Allow me to wish “Mingalarbar” to all international representatives, representatives of government departments and civil society, and the media. I am U Khin Maung Oo, a Member of the Union Election Commission. I am going to present the results of the investigations by the current Union Election Commission.

My presentation will cover the following:

1. The findings from our investigations into the election process in the regions, states and union territory of Myanmar,
2. The announcement on the annulment of the results of the 8th November 2020 Multiparty General Election Results, and
3. The future tasks of the current Union Election Commission.

As defined by the first point in the Five-Point Road Map of the State Administration Council, the Union Election Commission inspected in detail the voter lists and voting processes of 315 townships where multiparty elections were held on 8th November 2021. This meant that we had to examine the processes, the documentation and papers used at 39,963 polling stations in the respective townships. This was done transparently, in strict compliance with Section 53 of the relevant Hluttaw Election Law. We were accompanied by local township sub-election commissions, representatives of township-level government departments, and the representatives from political parties. We also interviewed relevant local officials.

First, I would like to give a summary overview. There were 5,639 representatives standing for election. According to the previous Union Election Commission reports, they counted 27,512,855 votes against a list of 38,271,447 eligible voters cast their votes. The voting turnout rate was 71.89%, and this PowerPoint shows their statistics for each region and state. According to the former Union Election Commission, there were 38,271,447 eligible voters at the 39,963 polling stations in 315 townships.

However, according to the statistics of the Ministry of Labour, Immigration and Population as of November 2020, there were 31,775,330 eligible voters, that is, citizens over 18 years of age. The difference in this regard is therefore 6,496,117 voters.

In the voter lists we examined, we found the following:

- **4,869,427** so-called voters without any citizenship identity card.
- **295,405** so-called voters who appeared in the voter list **three times and above** but with the same citizenship identity card number, in the same township. (the citizenship identity card number, also called the citizenship scrutiny card number, is unique for each citizen of the Republic of the Union of Myanmar.
- **3,596,206** so-called voters included in the voter lists **twice** with the same citizenship identity card number, also within the same township.
- Additional duplications of citizenship identity card numbers for **1,091,776** so-called voters revealed by cross-checks among different townships.

- Yet more duplications of citizenship identity card numbers for **1,417,598** so-called voters revealed by cross-checks among different regions and states.
- **20,566** so-called voters of age 100 years and above.
- **14,412** voters of age under 18 years.

Therefore, in total, there are **11,305,390 names in the voter lists that are potentially fraudulent**. This represents **29.54%** of the total voter lists provided by the former Union Election Commission.

We have displayed the detailed evidence of these fraudulent voters both in hard and soft copy. Likewise, samples from the Union Territory, the Mandalay Region and Yangon Region are displayed here to show you the duplications in voter lists that happened on the ground.

Next, I would like to present our results from the field investigations of Pyithu Hluttaw ballot papers used during the 2020 General Election. We found that **43,004,382** ballot papers had been issued to polling stations, and the actual number of used ballot papers was **27,098,058**. Therefore, in principle, **15,906,324** unused ballot papers should remain. However, we found only **14,920,783** ballot papers remaining.

We found that this difference is caused by the combination of **1,424,391 missing ballot papers**, and **438,850 excess ballot papers**. Such missing ballots and extra ballots that were never on the voter list are not in accordance with the relevant laws and regulations and indicate the potential for electoral fraud.

The current Union Election Commission investigations, based on the detailed scrutiny and analysis of voter lists, and field investigations in respective states and regions, show that the 2020 General Election was not a free and fair election. The National League for Democracy (NLD) party misused its government authority and administrative power, as well as the COVID-19 rules and regulations against other political parties to implement measures that violate laws. Equally, the former Union Election Commission has been found guilty of misusing its mandate and violating existing laws and regulations. Subsequently, the current Union Election Commission has announced the annulment of the results of the 2020 General Election held to elect the various representatives (Pyithu Hluttaw, Amyotha Hluttaw, Region/State Hluttaw, National Race representatives) in the respective states, regions, and union territory.

I would now like to go further into the annulment of the 8th November 2020 Multiparty General Election Results. We inspected the voter lists of 315 townships where elections were held, in line with Section 402 of the Constitution, Section 11 of the Union Election Law and Section 53 of the respective Hluttaw Election Laws, and interviewed the election sub-commissions, poll heads and members.

According to the findings on voter lists of respective townships, the number of potentially fraudulent cases is **11,305,390**. Likewise, according to the detailed inspection on the ground, **1,424,391** ballot papers were missing, while **438,850** ballot papers were in excess, as mentioned previously.

Further, upon investigating the election process and voting conditions, violations of the laws and bylaws were found as follows:

- (1) The former Union Election Commission appointed those persons named by the NLD region or state chief ministers as chairpersons and members of the election sub-commissions.
- (2) Under the directives of the Union Government Office, a “Support Group” on voting lists was formed and led by State/ Region Chief Ministers to ensure voter lists were complete and correct, and this Group was responsible for the two-or three-times duplication in voter lists.
- (3) While collecting the ballot papers of those aged 60 and above during the official advance voting period, members of the NLD party campaign team visited their houses in some places.
- (4) Some duplication of voter lists and the inclusion of voters without citizenship identity cards also occurred when the former Union Election Commission announced that those who could not return home due to the COVID-19 pandemic could vote at the township where they were.
- (5) Voters who did not have a citizenship identity card were allowed to cast their ballots at the polling stations with other identification, which did not comply with the Election Laws.
- (6) During the printing of ballot papers for the 2020 elections, an extra 139,331,120 ballots were printed. The printing of ballots was done seven times, including up to the day just before the elections (7th November 2020).
- (7) Regarding the ballot papers used in the polling stations on Election Day, the former Union Election Commission issued directives that ballot papers stamped without the Union Election Commission checkmark logo were valid, whereas this is not allowed by law. The result was that ballots stamped with any checkmark were counted, illegally.
- (8) Using its state administrative power, the NLD party interfered inappropriately and illegally at each step of the election process including the collection of names for voter lists, election campaigns, advance voting process, and the voting process on the Election Day itself.
- (9) The NLD party abused its administrative power and applied the COVID-19 restrictions and regulations in electoral activities to severely limit the campaigning by other political parties and other candidates, which is a misuse of state power.
- (10) All the evidence shows that the former Union Election Commission is guilty of misusing its mandate and of violating existing laws and regulations.

Therefore, on 26th July 2021, the present Union Election Commission issued Announcement No. (2/2021) on the Annulment of Results from the 8th November 2020 Multiparty General Election, based on the evidence that the said General Election was not in compliance with the Constitution of the Republic of the Union of Myanmar, the Union Election Commission Law and the respective Hluttaw Election Laws, and that the 2020 General Election was not a free and fair election.

Regarding the annulment of the election results, the current Union Election Commission followed due process, as required by the law, making several prior announcements on its findings about the elections in the respective townships, states and regions, as well as presenting the required numbers, detailed data, and concrete evidence several times.

Specifically, I wish to highlight the many previous statements issued by the Tatmadaw, which were done so with good intention for the best interests of the Myanmar people. The Tatmadaw had urged

the Pyidaungsu Hluttaw, the Government and the former Union Election Commission to find a comprehensive solution to address the issues in the 2020 election violating laws and regulations, including the discrepancies in voter lists, the conduct of election campaigns and the conditions in the pre-election period, election day and post-election period of the 2020 General Election. However, the authorities at the time took no action to work out a solution with concerned parties to address these irregularities.

An open letter was also signed by the Chairpersons/ Vice-Chairpersons of 19 political parties including the Union Solidarity and Development Party, which was addressed to the President to request the necessary actions against the Union Election Commission, which had violated the Constitution. Moreover, 203 representatives (or one-fourth of Pyidaungsu Hluttaw representatives) including U Thaug Aye (Pyithu Hluttaw Representative for Pyawbwe Constituency, Mandalay Region) submitted a letter calling for the convening of a special session of the Pyidaungsu Hluttaw.

No action was taken by the President, the former government or the former Union Election Commission in response to these appeals to address the massive voting irregularities. Thus, there was no more possibility for engagement in dialogue to find a workable solution to the issues surrounding the 2020 General Election. The then authorities made no effort to resolve the massive election irregularities and instead, attempted to convene the Hluttaw based on fraudulent election results.

Allow me to continue my presentation on the current and future tasks of the current Union Election Commission. Fulfilling the first point of the Five-Point Road Map of the State Administration Council, and based on its investigations and findings, this Union Election Commission has been taking necessary action against the responsible persons in compliance with the law.

Mindful of the well-being of the nation and the people, this Union Election Commission is also conducting a thorough review of the systems of the Union Election Commission and sub-commissions, the electoral system, the respective Hluttaw Election Laws and regulations, and the Political Parties Registration Law and regulations. Based on these and on the results of the investigations into the 2020 General Election, the Union Election Commission will further consult with political parties on an appropriate proportional representation system for Myanmar.

In conclusion, the current Union Election Commission is discharging its duties as mandated by the Five-Point Road Map of the State Administration Council, and devoting its attention to concluding the remaining tasks. The Union Election Commission will fulfill its obligation to hold truly free and fair multiparty democratic general elections in line with the 2008 Constitution, which are scheduled upon completion of the tasks in accordance with the provisions of the State of Emergency, as also stated in the Five-Point Road Map.

Thank you.