

Most Burmese have little hope that the 2010 election will represent a new day in Burma's long road to democracy. Most likely, it will be a repeat of days past.

People are increasingly concerned about the credibility of the Burmese elections scheduled to be held sometime in 2010.

Ian Kelly, a spokesman for the US State Department, said recently that the military regime has taken no meaningful steps to put in place measures that would lead to a credible election.

What are the steps required for a credible election?

Most Burmese citizens, based on their experience, see the election as just another puppet show. A quick review of the history of Burmese elections shows that their cynicism is to be expected.

They have experienced many elections under different military regimes, following a referendum in 1973 that approved a constitution. Then in the 1990 national elections, a vast majority of citizens cast their votes in favor of democratic reform candidates, only to see the results of that landslide victory ignored by the military government.

Instead, after the 1990 election, the military regime convened a National Convention to draft a new constitution, which took 14 years and 9 months to complete. A Constitution Drafting Commission was finally assembled on Oct. 27, 2007, which took a mere three months to draft the constitution that was voted on in the referendum. Many delegates complained that the drafting process was undemocratic and deeply biased in favor of the junta.

On Feb. 9, 2008, the regime announced that the constitutional referendum would be held in May. Copies of the proposed constitution were finally published on April 9, one month ahead of the referendum, leaving citizens little time to debate and understand the fine points of the draft constitution. The referendum was held on May 10. Clearly, it was a rush to judgment designed to put into place an anti-democratic constitution that ensures the military government's hold on power.

The disdain for the electorate was similar to that of 1973, when the military regime led by Gen Ne Win took just seven months to draft a constitution before the first referendum held in December. During that period, three draft versions were made public before agreement on a final draft.

Under the rule of Gen Saw Maung following the 1988 coup d'état, a "Multi-party Democracy Election Commission Law" was issued three days after he took power. A political party registration law was enacted on Sept. 27, 1988. The Election Law was issued on May 31, 1989, one year in advance of the May 27, 1990, election. Political parties and ordinary citizens were able to make suggestions and comment on the proposed election law.

The current regime has yet to enact an election law for the 2010 election.

Standards for holding a credible election have been detailed by the United Nations. A UN handbook on the legal, technical and human rights aspects of elections states: "Each time elections are scheduled, the dates set out in the electoral calendar for each phase of the process must allow adequate time for effective campaigning and public information efforts, for voters to inform themselves, and for the necessary administrative, legal, training and logistic arrangements to be made."

A typical election calendar has many phases and procedures according to international standards such as formation of an election administration, constituency delimitation, registration of electors, nominations of parties and candidates, polling tabulation and reporting, complaints and appeals mechanism, media access and regulation, public information and voter education and legal authority for electoral processes. Sufficient time should be given for each of the procedures.

An independent electoral administration body is one of the key factors for a credible election. However, in Burma's 2007 constitutional referendum, Chief Justice U Aung Toe served as the chair of the National Convention Convening Work Committee, as well as the chair of the State Constitution Drafting Commission. He also served as the chair of the National Referendum Commission, which compromised his effectiveness as an independent agent for a free and fair referendum.

Further complicating the election is the fact that essential basic freedoms—such as freedom of association, freedom of expression and opinion and press freedom—do not exist in Burma.

For example, almost all National League for Democracy (NLD) offices outside of Rangoon have been ordered closed since 2003. No political parties, with the exception of pro-SPDC organizations, have been allowed to do routine political organization work. New political parties are still waiting to register under the election law and are not allowed to actively organize.

Furthermore, many political leaders, especially those associated with the NLD, and many high profile private citizens and monks, have been imprisoned since the latest regime crackdown, starting in 2007.

In January, the regime sent another clear message to the media by imposing a 20-year jail sentence on a freelance video reporter, Hla Hla Win, for providing information and video to exiled media.

As a result of regular intimidation of the media, Reporters without Borders and the Burma Media Association have requested Asean and the rest of the international community to make freedom of the press one of the conditions for recognizing the legitimacy of the 2010 elections.

The credibility of an election also lies in a secret ballot system, non-discriminatory voting and other legal assurances to protect the process from bias, fraud or manipulation. In the most recent referendum, there were widespread reports of manipulating voter lists and denying qualified voters from casting their ballots.

Authorities threatened or coerced, misinformed, deceived, cheated and used violence to win the support of many voters in the latest referendum. Many observers expect the same kinds of manipulation to be repeated in the coming elections.

Shamefully, the regime denied international and regional monitoring groups the right to observe the latest referendum, and there have yet to be assurances that such groups will be able to observe the 2010 election.

With such a sordid history of election manipulation and disregard for fundamental freedoms, the 2010 election will probably follow the pattern of other recent elections.

Denied the basic freedoms and procedures necessary to conduct a credible election, most Burmese have little hope that it will represent a new day in Burma's long road to democracy. Most likely, the election will be a repeat of the military government's disregard of democratic processes.