Countdown to the Myanmar Elections
Prepared for the Conflict Prevention and Peace Forum by
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I. The election timetable

On 13 August, the Myanmar Election Commission finally announced the timetable for the country’s first elections in two decades; two days earlier, it had designated the constituencies. The key dates are as follows:

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>11 August</td>
<td>Constituencies designated by Election Commission</td>
</tr>
<tr>
<td>16 – 30 August</td>
<td>Registration period for candidates (party and independent)</td>
</tr>
<tr>
<td>3 September</td>
<td>Deadline for candidates to withdraw</td>
</tr>
<tr>
<td>6 – 10 September</td>
<td>Applications scrutinized by Election Commission</td>
</tr>
<tr>
<td>7 November</td>
<td>Election Day</td>
</tr>
</tbody>
</table>

The announcement gave parties little more than two weeks’ notice of the candidate registration deadline – although most parties had already been considering for some time the question of which constituencies they would contest, and identifying possible candidates. The limited time remaining, and the considerable costs associated with contesting a seat (a non-refundable US$500 fee per candidate), mean that a number of parties have to scale-back their ambitions. With 498 seats up for grabs at the national level, and a further 665 in regional legislatures, only highly-organized and well-funded parties can hope to contest a majority of seats. Although parties have already started their canvassing activities, the campaign period proper – when confirmed candidates can formally seek support from the electorate in their constituency – will last only two months.

By way of comparison, the timetable for the 1990 elections was announced more than six months in advance, on 7 November 1989. Then too, however, little

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1 Richard Horsey is an independent political analyst and a former ILO liaison officer in Myanmar; he is fluent in the Burmese language.
notice was given of the registration period: the deadline was announced three weeks in advance, and the registration period itself lasted only a week (from 28 December 1989 to 3 January 1990). The official campaign period lasted three months.

II. Designation of constituencies

The procedure for delineating constituencies is stipulated in the 2008 Constitution, and the announcement by the Election Commission on 11 August (only available in Burmese) therefore contained few surprises. Key points to note are:

- **Lower house.** Five new townships have been created in Myanmar, raising the total number from 325 to 330. This exactly matches the number of elected seats in the Pyithu Hluttaw (lower house), meaning that each township will be a lower house constituency.

- **Upper house.** As provided for in the 2008 Constitution, there are twelve Amyotha Hluttaw (upper house) constituencies for each of the states and regions, a total of 168. These constituencies are formed by combining townships into a single constituency, or splitting a township into two constituencies, taking into account the population of each, so as to form twelve constituencies in each region or state. (A complete list, together with a graphical representation of upper and lower house seats, is provided in appendix 2.)

- **Union territory.** In line with the 2008 Constitution, the eight townships that make up Nay Pyi Taw have been designated as ‘Union territory’. This territory will be under the direct administration of the President, and does not fall under the authority of the relevant regional assembly (that is, Mandalay Region Hluttaw). This being the case, there are no regional assembly constituencies in these eight townships.

- **State/region assemblies.** As provided for in the 2008 Constitution, there are two regional assembly constituencies in each township (details on the boundaries of these constituencies within each township have been stipulated by the Election Commission). As expected, no regional assembly constituencies have been designated for the Nay Pyi Taw townships. In a surprising move, however, the Election Commission has also failed to

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3 Notice that this is the same date as Election Day in 2010. This is possibly due to the imputed numerological significance of the date: 7+(1+1) = 9, considered by the late strongman Ne Win, and some in the present regime, to be an auspicious number.

4 These new townships (Zeyathiri, Pobbathiri, Ottarathiri, Zabuthiri, Dekkhinathiri), all in the new capital Nay Pyi Taw, were created in April 2009, and included in the General Administration Department’s September 2009 administrative gazette.

5 That is, the five new townships (listed above), plus Pyinmana, Lewe and Tatkon. (State Peace and Development Council Notification No. 34/2010, 20 August 2010).
designate Shan State Hluttaw constituencies in four townships under the control of the United Wa State Army ceasefire group. Possible reasons for this are discussed in section IV below.

- Additional minority constituencies. The Election Commission has also designated additional ethnic minority constituencies for the state/region assemblies. A total of 29 such constituencies have been designated, for the Akha (1), Burmans (5), Chin (3), Intha (1), Kachin (1), Kayan/Padaung (1), Kayin (5), Lahu (1), Lisu (1), Mon (1), Pa-O (2), Rakhine (2), Rawang (1) and Shan (3). Full details, including a graphical representation of the seats in each of the state/region assemblies, is provided in appendix 3.

The total number of elected seats is therefore 1163 (498 at the national level, and 665 at the state/region level).

III. Party registration process

The registration process for political parties is still ongoing. There are forty-seven parties that have applied to the Election Commission (the most recent being the Kayin State Democracy and Development Party, which lodged its initial application on 11 August). Of these, forty-one parties have successfully registered. The remaining six have yet to complete the registration process. (Full details are provided in appendix 1.)

While there is no specific deadline by which parties must register, the electoral laws provide that any party that does not contest the election will be deregistered. Since the deadline for nominating candidates is 30 August, any party that has not successfully registered by that date will likely be disbanded.

Registered parties must also meet two further criteria: they must contest a minimum of three constituencies, and they must meet minimum membership requirements within 90 days of registration. Failure to meet either criterion results in party deregistration. It will not be clear until after 10 September, when the final list of candidates is known, which (if any) parties have failed to contest three constituencies. As regards membership requirements, twenty-five parties have so far submitted their party lists, and no party has yet failed to meet the deadline for doing

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6 As provided for in the 2010 Region Hluttaw or State Hluttaw Election Law, and as stipulated in the 2008 Constitution, ethnic groups with a population of more than 59,000 in a given state/region (that is, more than 0.1 per cent of the Myanmar population) elect an additional representative to that State or Region Hluttaw. (This does not apply to the main ethnic group of a state or region, or to minorities that have already been assigned a self-administered area within the state or region.) Prior to the Election Commission announcement, it had not been clear exactly how this provision was to be implemented.
so. Those parties whose registration is still pending will not have to submit membership lists prior to the election, since the ninety-day deadline will fall after 7 November. However, they will still have to meet the requirement after the elections.

It is likely that the final field will consist of less than forty-seven parties, since in practice there is now insufficient time for any new parties to enter the application process and register candidates by 30 August. Some of the six parties whose registrations are currently ongoing may also not complete registration in time. This applies, in particular, to the three Kachin parties that have been waiting for four months for Election Commission approval (discussed further in section IV). And some parties are likely to be deregistered for failing to meet minimum constituency or membership requirements.

Few parties have the intention and capacity to run national campaigns. At this stage, it appears that the national contest will come down to four main parties: two representing the ‘establishment’ (the Union Solidarity and Development Party and the National Unity Party) and two ‘democrat’ parties (the National Democratic Force and the Democratic Party). In addition, there are several large, well-organized ethnic parties that plan to contest at all legislative levels in their respective ethnic areas, and that could potentially win significant blocks of seats in the national legislatures. The situation will become clearer in September, once it is known which candidates have been approved to run in which constituencies. It is important to remember, however, that even if a party wins a majority of seats in the national legislature, it does not gain the right to form the government: it is the President who selects the government.

IV. Tensions continue over the Border Guard Force scheme

The government’s controversial Border Guard Force scheme, under which all ceasefire groups are expected to transform into militia units under the partial control of the national army, continues to create tensions. A number of groups have rejected this proposal, most significantly the Kachin Independence Organization and the United Wa State Army. As a result, these groups are facing considerable pressure from the regime.

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7 A third large ‘democrat’ party, the United Democratic Party, is reeling from the resignation of its Chairman (Phyo Min Thein) and the death of party co-founder and Patron (Shwe Ohn). It is unclear at this stage how many candidates it will field, but it is likely to be significantly less than it had planned. It has also stated that if some of its concerns about the process are not addressed by the authorities, it may field only the minimum three candidates.
Not coincidentally, the three Kachin parties that have submitted applications with the Election Commission are still awaiting approval, even though they made their submissions at least four months ago. Informally, it has been made clear by the authorities that approval is dependent on the attitude adopted by the Kachin Independence Organization in negotiations over the Border Guard Force scheme. With only a few days left before the deadline for nominating candidates, there is a very real prospect that these parties will not be registered. This would leave the Kachin without any organized political representation (a few Kachin may stand as independent candidates) – a major blow that would set the scene for significant tensions over the next five years (that is, the lifetime of the next parliament).

The Election Commission has sent a clear signal to the Kachin parties that, should the Kachin Independence Organization adopt a different stance, their registration process could proceed quickly. Another ceasefire group, the Democratic Kayin Buddhist Army, recently agreed to the Border Guard Force proposal. A new political party closely associated with the group, the Kayin State Democracy and Development Party, was then ushered through the registration process in record time.

The United Wa State Army has not established or endorsed any political party, and has gone so far as to suggest that it will not allow voting to take place in the area under its control. The authorities therefore do not have the same means of pressure that they have on the Kachin Independence Organization. However, two recent unexpected decisions with respect to the Wa area can be seen as stemming from the United Wa State Army’s refusal to transform into a Border Guard Force.

The first decision is that the Election Commission has failed to designate any Shan State Hluttaw constituencies for four of the six townships that make up the Wa Self-Administered Division – the four townships in question being those that are under the territorial control of the United Wa State Army. On the face of it, this is a curious decision. If the Election Commission was of the view that the conditions in these townships were not conducive for elections to take place (for example, because election officials could not gain access), the electoral laws provide that the Commission can postpone the election in part or all of a constituency. Rather, it appears that the authorities intend to invoke section 50(b) of the 2008 Constitution by declaring these townships ‘Union territory’ under the direct administration of the

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8 That is, the Kachin State Progressive Party, the Northern Shan State Progressive Party, and the United Democracy Party (Kachin State).
9 The party lodged its initial application on 11 August, which was approved by the Election Commission on 12 August, and the party lodged its registration papers the same day. Final registration by the Commission was on 19 August.
President for national security reasons. Because they are directly administered, Union territories have no representation in the state/region assembly, explaining the Election Commission’s decision not to designate regional assembly constituencies in these townships.10

The second unexpected decision is that on 20 August the regime designated the seat of the Wa Self-Administered Division as Hopang (a town under government control) rather than Pangsang (which is the headquarters of the United Wa State Army). The implication is that the legislative and executive authority for the Wa area – the so-called ‘Leading Body’ established under the 2008 Constitution – will sit in an area controlled by the government, and will only have representation from the two townships in the Wa area that are under government control. This is consistent with the possibility that the Wa areas not under government control will be directly governed by the President, rather than being ‘self-administered’. The implication is that the United Wa State Army will be left with no constitutional or administrative status, at least for the term of the next parliament – although its military strength is such that its control over its area will likely remain unchallenged.

V. The campaign period

The two months from early September until election day will mark the formal campaign period. In 1990, this period was slightly longer (three months), and candidates were exhorted to refrain from “making speeches, launching whispering campaigns and writing agitative pamphlets with intent to cause disintegration of the Tatmadaw [armed forces]”.11 The rules are similar this time around, and are set out in Election Commission Notification No. 91/2010 concerning “Rights for Hluttaw Candidates to Assemble and Canvass” (issued 18 August). This notification relaxes the current draconian restrictions on freedom of speech and assembly for the purposes of canvassing activities, while still maintaining a considerable element of official control. For example, candidates must apply for permission in advance to hold gatherings and give speeches, unless these are held at party offices. They are also required to refrain from saying or writing anything “with the intention of inciting sedition or tarnishing the image of the State” or “with intent to break up or tarnish the image of the Tatmadaw”.

10 As with the Nay Pyi Taw townships, the four Wa-controlled townships have been designated as Pyithu Hluttaw (lower house) constituencies. What will happen on election day is unclear, but if there is only one candidate in any of those constituencies, under the election law that candidate would win by default without a vote. So far, no party has declared an intention to contest these four seats, potentially leaving them open for the Union Solidarity and Development Party to take without a contest.

This is the first time for two decades that public discussions of political issues have been legal. However, parties and individuals will likely exercise a considerable degree of caution in what they say, and initial indications are that the media will also be constrained in reporting of these political discussions.
**Appendix 1 – Registration/approval of political parties as of 23 August 2010**

<table>
<thead>
<tr>
<th>No.</th>
<th>Name</th>
<th>§3 application</th>
<th>§5 registration</th>
<th>§9 approval</th>
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</tr>
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<td>29/04/2010</td>
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<td>31/03/2010</td>
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<td>27/05/2010</td>
<td>19</td>
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<td>06/05/2010</td>
<td>13/05/2010</td>
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<td>27/07/2010</td>
<td>§3 approval granted 5 August</td>
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</table>

12 Previously existing parties are in italics; no registration was required, only an application to continue as a party.
Appendix 2 – Seats in the national legislatures

Pyithu Hluttaw (lower house)

\[ \text{Total elected seats: } 330 \text{ (one constituency for each of Myanmar’s 330 townships)} \]
\[ \text{Total military appointees: } 110 \]
\[ \text{Total elected and appointed seats: } 440 \]

Amyotha Hluttaw (upper house)

\[ \text{Total elected seats: } 168 \text{ (12 constituencies for each region/state)} \]
\[ \text{Total military appointees: } 56 \text{ (4 for each region/state)} \]
\[ \text{Total elected and appointed seats: } 224 \]
Amyotha Hluttaw (upper house) constituencies

Amyotha Hluttaw constituencies are formed by combining townships into a single constituency, or splitting a township into two constituencies, to form 12 per region/state.

### Kachin State:
1. Myitkyina
2. Waingmaw
3. Tanai
4. Chipwi + Tsawlaw + Injangyang
5. Mohnyn 1
6. Mohnyn 2
7. Mogaung
8. Hpakan
9. Bhamo
10. Momauk
11. Mansi + Shwegu
12. Puta-O + Sumprabum + Nogmung + Machanbaw + Kawnglanghpu

### Kayah State:
1. Loikaw 1
2. Loikaw 2
3. Demoso 1
4. Demoso 2
5. Hpruso 1
6. Hpruso 2
7. Shadaw 1
8. Shadaw 2
9. Bawlakhe
10. Hpasawng 1
11. Hpasawng 2
12. Mese

### Kayin State:
1. Hpa-An 1
2. Hpa-An 2
3. Hlaingbwe 1
4. Hlaingbwe 2
5. Hpapun 1
6. Hpapun 2
7. Thandaung
8. Myawaddy
9. Kawkareik 1
10. Kawkareik 2
11. Kyain Seikgyi 1
12. Kyain Seikgyi 2

### Chin State:
1. Falam 1
2. Falam 2
3. Htantlang
4. Hakha
5. Tiddim 1
6. Tiddim 2
7. Tonzang
8. Mindat
9. Madupi
10. Kanpetlet
11. Paletwa 1
12. Paletwa 2

### Sagaing Region:
1. Sagaing + Myaung + Myinmu
2. Shwebo + Wetlet + Khin-U + Tabayin
3. Kanbalu + Kyunhla + Ye-U + Taze
4. Monywa + Budalin + Ayadaw
5. Chaung-U + Salingyi + Yinmabin + Pale + Kani
6. Katha + Tigyaing + Indaw
7. Banmauk + Kawlin + Wuntho + Pinlebu
8. Kale + Kalewa + Mingin
9. Tamu
10. Mawlaik + Paungbyin
11. Hkamti + Homalin
12. Layshi + Lahe + Nanyun (Naga Self-Administered Zone)

### Tanintharyi Region:
1. Dawei 1
2. Dawei 2
3. Launlone
4. Thayetchaung
5. Yebu
6. Myeik 1
7. Myeik 2
8. Kyunsu
9. Palaw
10. Tanintharyi
11. Kawkawng
12. Bokpyin
Bago Region:
1. Bago
2. Thanatpin + Kawa
3. Waw + Daik-U + Shwegyin
4. Nyaunglebin + Kyauktaga
5. Taungoo + Yedashe
6. Kyaukkyi + Phyu
7. Oktwin + Tantabin
8. Pyay + Pauk Kaung + Padaung
9. Paungde + Thegon + Shwedaung
10. Thayarwady + Letpadan
11. Minhla + Okpho + Monyo
12. Zigon + Nattalin + Gyobingauk

Magway Region:
1. Magway
2. Yenangyaung + Chauk
3. Natmauk + Myothit
4. Taungdwingyi
5. Minbu + Pwintbyu
6. Salin + Sidoktaya + Ngape
7. Thayet + Kamma + Mindon + Minhla
8. Aunglan + Sinbaungwe
9. Pakokku + Seikphyu
10. Yesagyo
11. Myaing + Pauk
12. Gangaw + Tilin + Saw

Mandalay Region:
1. Aungmyaythazan + Chanayethazan + Patheingyi
2. Chanmyathazi + Mahaungmyay + Pyigyitagon + Amarapura
3. Pyinoolwin + Madaya + Mogoke + Singu + Thabeikkyin
4. Kyaukse + Myittha + Sintgaing + Tada-U
5. Mingyan + Natogyi + Ngazun
6. Taungtha + Kyaupadaung
7. Nyaung-U
8. Yamethin + Pyawbwe
9. Pyinmana + Lewe
10. Zeyathiri + Pobbathiri + Ottarathiri + Zabuthiri + Dekkhinathiri + Tatkon
11. Meiktila + Mahlaing
12. Thazi + Wundwin

Mon State:
1. Mawlamyine 1
2. Mawlamyine 2
3. Kyaikmaraw
4. Chaungzon
5. Thanbyuzayat
6. Mudon
7. Ye
8. Thaton 1
9. Thaton 2
10. Paung
11. Kyaikto
12. Bilin

Rakhine State:
1. Sittwe
2. Mrauk-U
3. Kyauktaw
4. Minbya
5. Pauktaw + Myebon
6. Rathedaung + Ponnagyun
7. Maungdaw 1
8. Maungdaw 2
9. Buthidaung
10. Kyaukpyu + Munaung
11. Ramree + Ann
12. Thandwe + Toungup + Gwa

Yangon Region:
1. Dagon Myothit (North) + Dagon Myothit (East) + North Okkalapa
2. Dagon Myothit (South) + Dagon Myothit (Seikkan) + Thaketa
3. South Okkalapa + Yankin + Thingangyun
4. Tamwe + Mingalartaungnyunt + Dawbon + Pazundaung + Botahtaung
5. Mayangone + Bahan + Dagon + Sanchaung + Pabedan + Kyauktada
6. Kamaryut + Hlaing + Kyeemyindaing + Latha + Lanmadaw + Ahlone + Seikkan
7. Kayan + Thongwa + Cocokyun
8. Thanlyin + Kyauktan + Dala + Seikgyikanaungto
9. Twantay + Kawhmu + Kungyangon
10. Insein + Mingaladon
11. Shwepyithar + Hlaingtharya + Htantabin
12. Taikkyi + Hmawbi + Hlegu

Shan State:
1. Taunggyi + Nyaungshwe + Lawksawk + Kalaw + Pekon
2. Loilen + Nansang + Kunhing + Laihka + Kyethi + Mongkaung + Monghsu + Langkho + Mongnai + Mongpan + Mawkmai
3. Lashio + Tangyan + Mongyai + Hseni + Kunlong
4. Kyaukme + Hsipaw + Namtu + Nawngkhio + Mongmit + Mabein
5. Muse + Nanhkan + Kutkai
6. Kengtung + Mongkhet + Mongyang + Mongla
7. Tachileik + Monghsat + Mongping + Mongton + Monghpyak + Mongyawng
8. Ywangan + Pindaya (Danu Self-Administered Zone)
9. Hopong + Hsihseng + Pinlaung (Pa-O Self-Administered Zone)

Ayeyarwady Region:
1. Pathein + Ngapudaw
2. Kangyidaunt + Thabaung + Kyaunggon
3. Kyonpyaw + Yegyi
4. Hinthada + Zalun
5. Lemyethna + Ingapu
6. Myanaung + Kyangin
7. Myaungmya + Einme + Wakema
8. Maubin + Nyangdon
9. Pantanaw + Danubyu
10. Pyapon + Dedaye
11. Bogale + Kyaiklat
12. Labutta + Mawlamyinegyun

10. Namhsan + Manton (Palaung Self-Administered Zone)
11. Konkyan + Laukkaing (Kokang Self-Administered Zone)
12. Hopang + Mongmao + Pangwaun + Namphan + Matman + Panglangs (Wa Self-Administered Division)
Appendix 3 – Seats in the fourteen region/state assemblies

Ayeyarwady Region Hluttaw

52 elected constituency seats
2 additional elected minority seats
(Karen, Rakhine)
18 military appointees

Bago Region Hluttaw

56 elected constituency seats
1 additional elected minority seat
(Karen)
19 military appointees

Chin State Hluttaw

18 elected constituency seats
6 military appointees

Kachin State Hluttaw

36 elected constituency seats
4 additional elected minority seats
(Burman, Lisu, Rawang, Shan)
13* military appointees

Kayah State Hluttaw

14 elected constituency seats
1 additional elected minority seat
(Burman)
5 military appointees

* An asterisk indicates that the number of military appointees is uncertain because no whole number gives an exact 25 per cent block. Here, standard rounding (up or down) has been applied.
Note that the Union Territory of Nay Pyi Taw is under the direct administration of the President. Therefore, there are no Mandalay Region constituencies corresponding to the 8 townships that make up the capital (Lewe, Pyinmana, Tatkon, Dekkhinathiri, Ottarathiri, Pobbathiri, Zabuthiri, Zeyathiri).
Sagaing Region Hluttaw

- 74 elected constituency seats (of which 6 are for Naga Self-Administered Zone)
- 2 additional elected minority seats (Chin, Shan)
- 25* military appointees

Shan State Hluttaw

- 102 elected constituency seats, of which 22 are for Danu, Palaung, Pa-O, Kokang and Wa self-administered areas (and a further 8 not designated in UWSA area)\(^\text{14}\)
- 7 additional elected minority seats (Akha, Burman, Intha, Kachin, Kayan, Lahu, Lisu)
- 36* military appointees

Tanintharyi Region Hluttaw

- 20 elected constituency seats
- 1 additional elected minority seat (Karen)
- 7 military appointees

Yangon Region Hluttaw

- 90 elected constituency seats
- 2 additional elected minority seats (Karen, Rakhine)
- 31* military appointees

**Total elected seats:** 636 + 29 = 665

**Total military appointees:** 222 (some uncertainty about the exact number)

**Total elected and appointed seats in all State/Region legislatures:** probably 887

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\(^{14}\) See section IV of main text for explanation.