

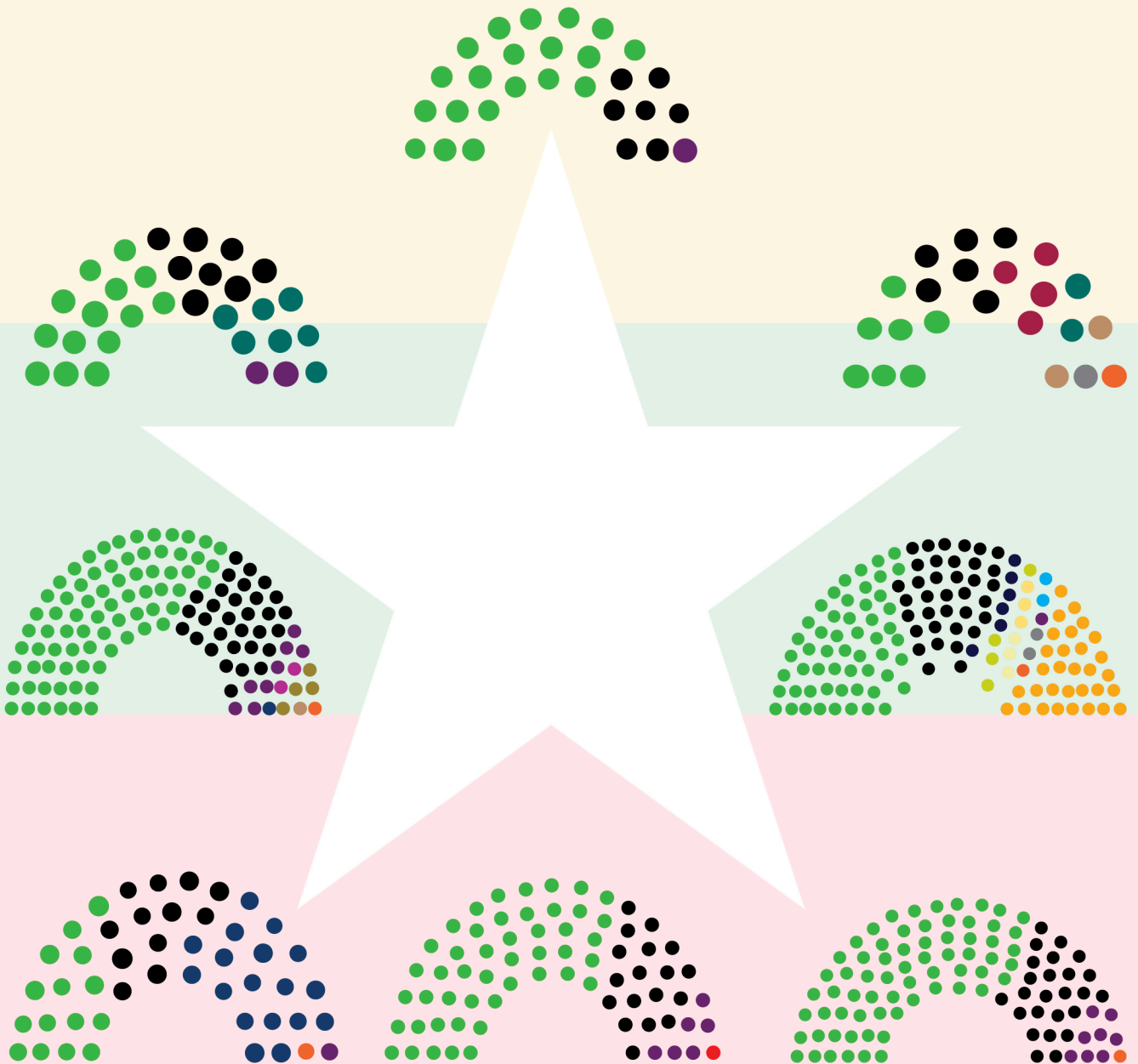
# Performance Analysis

March 2017

State & Region  
**Hluttaws**

(Local Legislatures)  
of Myanmar

(2010 - 2015)



Second Edition

Enlightened Myanmar Research Foundation



**EMReF**  
Enlightened Myanmar  
Research Foundation





# Performance Analysis

## State & Region Hluttaws (Local Legislatures) of Myanmar (2010 - 2015)

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## Disclaimer

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## Glossary

AMRDP	All Mon Region Democracy Party
ANP	Arakan National Party
CPP	Chin Progressive Party
CSOs	Civil Society Organizations
DNA	Data Not Available
DP (M)	Democratic Party (Myanmar)
EMReF	Enlightened Myanmar Research Foundation
GAD	General Administration Department
Gov't	Government
Hluttaw/hluttaw	Legislatures
IDA	Institute for Development of Administration
INDP	Inn National Development Party
KNP	Kayin National Party
KPP	Kayin Peoples Party
KSDDP	Kayin State Democracy and Development Party
LNDP	Lahu National Development Party
MDRI-CESD	Myanmar Development Resource Institute
MPs	Members of Parliament
MPU	Myanmar Parliamentary Union
NDF	National Democratic Force
NDPD	National Democratic Party for Development
NLD	National League for Democracy
NUP	National Unity Party
PNO	Pa-O National Organization
PSDP	Phalome-Sqaw Democratic Party
RNDP	Rakhine Nationalities Development Party
SNDP	Shan Nationalities Democracy Party
TNP	Ta-arng (Palaung) National Party
UDs	Unit Departments
UNDP	United Nations Development Programme
USDP	Union Solidarity and Development Party
WDP	Wa Democratic Party
88GSY	The 88 Generation Student Youth (Union of Myanmar)



## Executive Summary

The state and regions hluttaws (parliaments), or local legislatures, are important pillars of Myanmar's political infrastructure. They are critical for the development of a federal system in Myanmar. Although local legislatures are crucial to decentralization, insufficient attention has been paid to their current performance and the challenges they must overcome to strengthen as institutions. While both the local executive and local legislative institutions are in nascent stages of development, they are struggling with the shifting power dynamic that followed the 2015 general election. Aside from protecting and asserting their position as federal institutions against the Union Government, the state and region hluttaws are in a challenging position to effectively apply checks and balances on the executive institutions of the states and regions. Structural constraints as well as organizational and individual limitations have inhibited local legislatures from taking significant strides towards thriving as effective federal institutions. These constraints and limitations hinder decentralization.

This report aims to inform policy makers, political actors, civil societies and international donors, experts and academics on the performance of Myanmar's state and region hluttaws, key federal institutions, during their first term from 2010 to 2015 and to provide recommendations to strengthen these institutions. This study further aims to provide baseline information on regional hluttaw performance. The intention is that this baseline data will assist continuing efforts to develop effective mechanisms for assessing the performance of the local legislatures so that hluttaws may conduct regular self-assessments. It is also intended to help CSOs and community experts regularly monitor hluttaw performance so that they can assist in helping them improve their effectiveness as federal institutions. The baseline information is based on a series of key informant interviews, focus group discussions and data collected using data formats developed in coordination with the administrative offices in four states and four regions. EMReF conducted ninety-seven total interviews with different key stakeholders, including hluttaw speakers, members of parliament, office staff, some cabinet ministers, local CSOs, the media and political party leaders.

The study aims to answer two broad research questions:

1. How effectively did the state and region hluttaws perform between 2010 and 2015? How did their performance vary?
2. What challenges, constraints, opportunities and future improvements influence the legislative performance needed for these hluttaws to become strong federal institutions that contribute to democratic state building in Myanmar?

The study addressed the above research questions through six focus areas: 1. Legislations; 2. Oversight; 3. Public Access and Communication 4. Inclusion 5. Institution Building and Individual Capacity Building; 6. Administrative Capacity.

## Legislation

The study analyzed both the legislative outputs, or the level of work completed, and legislative effectiveness, or the quality of work, as well as legislative constraints.

### Legislative outputs

**The number of non-routine laws<sup>1</sup> is a key visible and tangible output indicator of legislative effectiveness.** Most non-routine laws are prepared and passed by local hluttaws in response to local policy needs in their respective geographic area, as determined by Schedule Two of the 2008 Constitution. Examples of non-routine laws include the Fishery Law, the Law for Village Firewood Plantation, the Law for Fire and Natural Disaster Preventive Measures, the Law for Household Industry, and the Law for Systematic Transportation of Water Vehicles. Among the hluttaws studied, **Sagaing Region, Mandalay Region and Kachin State Hluttaws passed the most non-routine laws: 30, 29 and 27, or 62.5%, 64.4% and 63% of their individual total legislative outputs, respectively** (see Table 5 and Figure 3).

**No state or region hluttaws have passed laws in the economic sector, one of the eight sectors where state and region hluttaws may enact laws, according to Schedule Two of the 2008 Constitution.** The economic sector is the second major sector of the eight listed in Schedule Two. In all five of the economic sector's sub-sectors, no state or region government has promulgated a law. As described by active MPs and CSO leaders, ambiguity over what legislative powers are permissible under Schedule Two is a major limitation. Despite the authority granted to state and region hluttaws under Schedule Two, Union laws severely limit local legislative authority. Following the economic sector, the next fewest number of laws have been promulgated in the industrial sector.

**The number of laws amended and replaced is also an important indicator of performance; it reflects a hluttaw's ability to respond to the needs and shortfalls of previously passed laws.** These laws are considered non-routine laws. In all studied states and regions, concerned local government ministries and departments reviewed laws promulgated by state and region hluttaws during their first two years and amended or replaced original laws. According to local bill committee members, there was a strong need for these amendments and replacements because the laws initial promulgated were heavily influenced by Union laws and thus failed to adequately address local needs.

**The number of legislation committee meetings held by hluttaws is also an important indicator of legislative performance. Mon State Hluttaw held the most with 135 legislation committee meetings. Kayin State Hluttaw and Tanintharyi Region Hluttaw followed with 74 and 70 meetings respectively.** The Legislation Committee was one of three committees formed by all state and region hluttaws within the first five-year term. According to respondents from the surveyed hluttaws, hluttaws formed these legislation committees to review and prepare bills, which mostly are bills submitted by or to be submitted by local ministries.

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<sup>1</sup> According to the 2008 Constitution, some laws prepared and submitted to local legislatures by state and region government administrations are identified as routine laws. Routine laws include annual budget laws, the Supplementary Budget Allocation Law, the Local Development Plan Law outlining local priorities, and the Tax Law.

## Legislative effectiveness and constraints

All studied hluttaws reported that the semi-parliamentary structure of local legislatures, which allows elected local legislative members to simultaneously take positions as executive members, limits the overall effectiveness of local legislatures. The current constitution permits such a dual position system in state and region hluttaws despite requiring elected Union legislative members to relinquish their legislative responsibilities if they accept an executive position. Leaders and MPs of the studied hluttaws prefer the policy used by the Union Government. Several suggested local bi-elections to replace vacant legislative seats, as is practiced at the Union level. These leaders argue that the capacity, role and authority of local legislatures is diluted due to several members holding both legislative and executive positions.

In smaller states and regions where a considerable number of elected members have been appointed to cabinet positions, notably Kayin State, Mon State and Tanintharyi Region, the dual role allowance is a significant problem. Data collected during the study show that 64%, 65%, 55%, and 32% of elected MPs in Kayin State, Mon State, Tanintharyi Region and Rakhine State Hluttaws respectively accepted a dual role. This has hindered the effectiveness of the hluttaw, given that only a few “ordinary members” have regularly attended and actively participated in the hluttaw sessions (see Table 8 and Figure 4).

The ambiguity of what is and is not permissible under Schedule One and Schedule Two of the Constitution<sup>2</sup> discourages legislative efforts and interests at the local level. Some active MPs and speakers suggested that clarity is needed in Schedule Two, while others suggested vesting residual power with the states and regions. The areas where local legislative members perceive the most confusion and conflict are the economy, local development activities and taxation. The ambiguity and confusion of legislative authority in the 2008 Constitution has hindered local legislative efforts. Some efforts have been bared as early as the law-making proposal stage while others remain pending. As a result of these structural constraints, local legislatures are reluctant to initiate new policies.

The limited legal knowledge of local legislative members, particularly in drafting laws, is a significant constraint to hluttaw effectiveness. MPs expressed that this was also the case in local administrative departments. The study found that only a few of the non-routine laws, notably municipal laws and fishery laws, submitted by the state and region ministries were drafted by the relevant administrative departments. Hluttaw legislation committees drafted the remaining non-routine laws and turned them over to the respective ministry for official submission as a bill in the hluttaw.

The limited legal knowledge and experience of local ministries and departments in drafting bills and preparing relevant rules and regulations also constrained and delayed their ability to implement laws promulgated as rules and regulations. Most studied hluttaws confirmed that only about half of their approved administrative laws have relevant rules and regulations developed and submitted by the appropriate departments. Although it is not required for laws to promulgate supporting rules and regulations, both local legislative and executive authorities generally perceive such rules and regulations to be necessary.

<sup>2</sup> In the Constitution of Myanmar (2008), Schedule One is “The Union Legislative List”, which means the breadth of the power granted to the central government, and the Schedule Two is “The Region or State Legislative List”, which is the residual prerogatives granted to States and Regions (local) governments.

In only four out of the eight studied hluttaws were speakers with strong leadership abilities able to lead their hluttaws to an observable level of success. These hluttaws were the Mon State, Tanintharyi Region, Sagaing Region, and Ayeyarwaddy Region Hluttaws. MPs, local CSOs, and the media all expressed their appreciation for the leadership abilities of these speakers in their relevant state or region. In these four hluttaws, there was an even split between hluttaw speakers of a civilian background and those of a military background. The speakers of the Mon State Hluttaw and Sagaing Region Hluttaw are civilian while those of the Tanintharyi Region Hluttaw and Ayeyarwaddy Region Hluttaw are former military personnel.

The power relationship between local hluttaw speakers and **executive officials, particularly chief ministers, influences the effectiveness of hluttaws**, particularly during political transition. The study found that the speakers of the Mon State, Tanintharyi Region, Sagaing Region, and Ayeyarwaddy Region Hluttaws maintained mutually respectful relationships with the chief ministers. These are the same speakers that exemplified strong leadership abilities in their hluttaws.

**In Mon State Hluttaw and Sagaing Region Hluttaw, civilian speakers maintained mutually respected relationships with the chief ministers from high profile military backgrounds** and successfully led their hluttaws. This earned them good reputations among other local hluttaws and stakeholders, such as CSOs, the media and their local political opponents. In conducting the study, we found that most respondents thought that speakers coming from senior military positions would be best able to form strong relationships with chief ministers and be in the more strategic position to counterbalance the executive branch, given that the executive is composed primarily of former senior military personnel. Respondents further expressed beliefs that only such relationships between the executive and legislative involving former senior military personnel would provide the necessary foundations for the local hluttaws to flourish as the second pillar of a democratic checks-and-balance system. Despite these common perceptions, however, the research found that the speakers of the Mon State Hluttaw and Sagaing Region Hluttaw, both of civilian background, maintained a mutually respectful relationship with those executive officials who were previously senior military members.

## Oversight

Most respondents from the studied local legislatures identified legislative oversight as an important duty of hluttaws. Oversight maintains the hluttaws' functionality. All respondents identified legislative oversight as the most important action in an efficient checks-and-balance system.

The study found that the oversight functions of local legislatures are weak. Few studied hluttaws have committees actively engaged in legislative oversight practices. Those with active oversight committees include Mon State, Tanintharyi Region and Ayeyarwaddy Region Hluttaws. Committees are an important avenue through which local legislatures exercise oversight practices. The study found that hluttaws typically had three committees: The Legislation Committee, the Representative Vetting Committee, and the Ethnic Affairs Committee. The majority of hluttaws, except for Kayin State, Rakhine State and Yangon Region Hluttaws, formed additional committees to regulate oversight functions. The number of these additional committees, however, differed. The Mon State Hluttaw and Rakhine State Hluttaw had the fewest number of additional committees with two and the Ayeyarwaddy Region Hluttaw had the most with ten. Based on the research conducting during this study, the initiatives of the committees in Mon State Hluttaw (see Box 4) best exemplify legislative oversight performed by local hluttaw committees.

Oversight initiatives made through motions and questions, regular functions of all studied local legislatures, are accessible oversight performance options since they do not require extensive legal knowledge.. The data received from hluttaw offices show that the Ayeyarwaddy Region and Rakhine State Hluttaws submitted total 1,897 and 1,603 motions and questions respectively, and stood as hluttaws with highest number of motions and questions during the first five-year term.

Executive responses to these motions and questions varied greatly and the effectiveness of responses is vague. Motions and questions were officially recorded as government pledges when the concerned ministers or department heads gave hluttaws their official promise to act on the particular motion or question. Many, however, are simply recorded as 'submitted' motions and questions as opposed to official government pledges.

The parameters used to measure how effectively government pledges were fulfilled and implemented vary and were thus not comparable across studied hluttaws. This rendered it thus difficult to determine if the implementation and fulfillment of government pledges reflects legislative effectiveness. Once motions were recorded as government pledges, some hluttaws began monitoring how ministries or departments acted on these pledges. The hluttaws used different monitoring procedures, resulting in varying methods, parameters and indicators for accessing how pledges are implemented or fulfilled. The study found similar variances in the methodology used to trace the recorded number of complaints and the number resolved during the first five-year term.

Local legislative oversight efforts on state and region budgets and local government spending face several different challenges and constraints. With the exception of Ayeyarwaddy Region Hluttaw, studied hluttaws admitted that they were unable to review the budget within the allotted timeframe. These hluttaws had received the budget bill from the government within one to two days before the hluttaw's official discussion to approve the bill, an inadequate time for critically reviewing the budget.

**Hluttaws have low levels of influence on amendments to budget bills, particularly with regards to cutting, adjusting, or removing requested amounts. There was limited space for individual members' advice.** In hluttaws where committees conducted budget reviews, such as in the Ayeyarwaddy Region Hluttaw, the hluttaw had a higher chance of influencing sections of the bill. In contrary, when the bill was discussed directly in the hluttaw, one or two candidates would express support for the bill and request the hluttaw's approval. Advice presented was neither accepted nor accounted for. In only a few documented instances was advice presented during the hluttaw session accepted for the final bill.

**Local legislative oversight efforts on government budget and spending and on public services and local development projects have faced many challenges. Challenges are mainly due to limited cooperation from government departments.** The study found that Mon State Hluttaw faced the fewest challenges, Shan State Hluttaw remained in a deadlock and Yangon State Hluttaw kept most expenditure oversight activities classified. While the "Committee for Reviewing Implementation of Laws, Motions and Questions, and Local Development Projects, Revenue and Expenditure" of Mon State Hluttaw achieved some success, the Shan State Hluttaw has been facing with the deadlock to access regular and special expenditure records from relevant state-level departments. According to the committee, although they could easily place requests for the records, the centralized control of the state government hindered their ability to access the requested records.

**Based on this research, many individual members had limited interest in and opportunities to study and question the yearly audit report during official hluttaw discussions.** Respondents from the studied hluttaws said that the audit report was shared only on the day of, or one day prior to, the presentation in the hluttaw. The research found only a few instances where individual MPs were active in discussions on the audit reports in Yangon Region Hluttaw and Mon State Hluttaw. However, the MPs expressed that their advice and questions on the findings of the audit reports rarely received proper responses or clarification from the government or the state and region auditors.

**Barriers to effective oversight practices through motions and questions include procedural constraints and ineffective coordination.** While some motions and questions successfully became government pledges, implementation of some pledges was delayed due to unclear authority between Schedule (A) and Schedule (B) of the 2008 Constitution. Limited coordination between the Union and state and region departments also hindered the effective implementation of government pledges. The cases mentioned in page 41 reflect these findings.

**Constituencies where MPs were dually appointed to executive positions are underrepresented.** Respondents from the studied hluttaws indicated that there has been less information and discussion provided in the hluttaws regarding the affairs of those constituencies represented by dually appointed MPs. This is largely because these MPs are unable to bring forward questions and motions related to their constituencies because of irregular hluttaw attendance.

**The experience and interest of individual MPs affects their ability to represent the voices of their constituents through questions and motions.** The testimonies of active members and the research data show that some elected MPs never submitted a question or motion during hluttaw sessions in the first five-year term. For instance, the available data show that 41 elected MPs in Shan State Hluttaw and 5 in Kayin State Hluttaw, almost half of total elected MPs in those hluttaws, never submitted motions or questions during the first five-year term.

## Public access and communication

The study looked at both institutional mechanisms and individual channels of public outreach and communication in local legislatures. In addition, the study also explored other channels or mediums of communication that improved public access to information from local legislatures. The study collected feedback from interviewed media members to assess the relationships between local legislatures and the media.

**Currently, there are no effective communication and information exchange mechanisms in any of the studied hluttaws; however, most expressed a growing interest for electronic mediums of public communication, particularly social media and websites.** All surveyed hluttaw speakers and deputy speakers expressed an interest in developing websites for their hluttaws to provide the public with regular information. At the time this study was conducted, however, Mon State Hluttaw was the only hluttaw with an established website.

**While hluttaw journals have been regularly published in all studied hluttaws except for Shan State Hluttaw and Yangon Region Hluttaw, the coverage of their distribution is primarily limited to MPs and government ministries.** Mon State, Tanintharyi Region and Ayeyarwaddy Region were the only regions where local CSOs shared that they had received hluttaw journals. The speaker and active MPs of Mon State Hluttaw expressed that they have attempted to expand distribution of the journal to the ward and village tract administrators during the new term.

**Financial limitations have affected the ability of hluttaws to publish and widely distribute the laws approved each year.** The Union of Myanmar National Gazette, issued weekly on the official website of the Ministry of Information, is arguably the only channel for up-to-date government information, such as approved laws, official declarations and contracts. However, CSOs and the media complained that the MOI's website is not user-friendly and that it was difficult for them to effectively search the documents for the information needed. They suggested a separate webpage for the Myanmar National Gazette with efficient search functions.

**The most common communication channel is direct engagement between MPs and the public.** The leaders and MPs of studied hluttaws stated that the most effective means of receiving information from and communicating with the communities they represent is through in-person visits to their respective constituencies. Importantly, respondents expressed that personal office space in the hluttaws would improve public communication with constituencies. Some active members stated that the Constituency Development Fund and local development planning is a push factor for them to meet and consult with communities and other stakeholders involved in the management and implementation of these projects. **Some surveyed hluttaws, such as Mon State, Tanintharyi Region and Ayeyarwaddy Region Hluttaws were relatively open to the public for general visits, formal sessions or arranged visits for university students and local CSOs.**

**The media find that hluttaw attitudes towards the media have improved since mid- to late 2014; however, the level of friendliness and cooperation varies.** Respondents from local media felt more welcomed by the Tanintharyi Region Hluttaw and Mon State Hluttaw, measured by increased invitation to hluttaw sessions and discussion. Media respondents complained, however, that relations with the Yangon Region Hluttaw remain unchanged. All media respondents stated that they have not been given the opportunity to interview the hluttaw speakers and that it has always been difficult to receive information.



## Institution building and individual capacity building

Given that local legislatures are in nascent stages of development as new institutions in Myanmar's emerging democracy, building and strengthening individual and institutional capacity is a key concern. The study explored how hluttaws and their MPs have developed plans and obtained opportunities to strengthen capacity as well as identified the challenges and limitations in developing the needed skills, awareness and expertise.

**While most speakers and MPs are eager to promote the role and power of local legislatures, the study found that the hluttaws have no concrete plans for institutional and individual capacity building.** The most common factors identified by respondents that influence the effectiveness and functionality of the hluttaws are: the majority's perception that the role and rank of local legislatures is subordinate to local executive authorities, the ability for legislative members to take dual positions in the cabinet and the limited political experience of legislative members.

**The study found that there were no existing activities or initiatives for internal or external local legislative performance review.** Speakers from most studied hluttaws, however, agreed that regular reviews on performance and effectiveness are important for strengthening local legislatures. One speaker suggested that the Myanmar Parliamentary Union (MPU) should play a role in establishing an effective evaluation mechanism.

**The study found that there was a common misperception that the role of local legislatures is subordinate to executive authorities.** Respondents stated that most people, even many elected MPs and administrative personnel, believe that the executive branch is superior to the legislative branch. Surveyed legislative members expressed that the ability for MPs in local legislatures to hold dual roles in the legislative and executive branches fostered this misperception. Because most individuals who take on dual roles are chief ministers and state and region ministers, many perceive that their executive role must be more important than their legislative role. Other respondents stated that cultural habits fostered the misperception that the executive side must be superior to the local legislative body since the executive is headed by chief ministers.

**Surveyed speakers identified infrastructural and material developments as important achievements of institutional development during the first five-year term.** The first important development project that promoted the role of the hluttaw was the construction of hluttaw buildings in a separate location from the state and region government annex. It is important, according to hluttaw leaders and MPs, that hluttaws be separate from the state government offices in order to: 1) create a visible physical separation of the roles of local administration and legislatures; 2) alleviate concerns regarding unwanted influence from the executive, particularly from chief ministers and GAD officials; 3) provide for the practical space needed by all departments, committees and MPs who remain in residence during hluttaw sessions. The speakers of those hluttaws with new buildings expressed that they felt they had fulfilled an important duty during office.

**The budgets of the studied hluttaws do not include practical costs for important activities, notably field observation for oversight activities, documentation and publication, information sharing and distribution, and capacity building.** Hluttaw speakers were quick to respond that the budgets were sufficient; however, they later expressed that insufficient funds inhibited their ability to fulfill important activities. The activities affected most by budget limitations are field monitoring for oversight practices, the publication of laws and records, and the maintenance of



nance of information sources. Most of the studied hluttaws stated that they have had to submit additional budget requests to develop new hluttaw infrastructure since the 2014-2015 fiscal year.

**Almost all respondents from surveyed hluttaws identified a need for capacity building for both elected MPs and office staff.** Although the Union Government and the UNDP have provided some workshops and training, only a limited number of members from each state and region hluttaw could attend. Respondents named exchange visits between local legislatures as important support mechanisms that increase cooperation between hluttaws and the potentials for elected MPs to learn from one another. When asked which topics of concern they were most interested in improving their knowledge of, MPs identified legal and policy development, federalism and information technology as the most common topics. Lastly, the office staff of surveyed hluttaws expressed a desire for relevant training, as previous training has mainly targeted MPs.

## Administrative support from hluttaw offices

The study attempted to better understand the role of hluttaw offices and their functions and effectiveness. The study team conducted interviews with the head staff of hluttaw offices and analyzed feedback from hluttaw speakers and MPs regarding the effectiveness and limitations of the offices.

**The administrative support offices of local legislatures are sub-departments of the General Administration Department (GAD), and the Ministry of Home Affairs appoints the key office staff.** The heads of hluttaw offices are accountable to the Deputy Director General of the GAD, who serves as an executive secretary in each state and region government. In practice, however, office heads are also accountable to the speaker of the respective hluttaw, while they fondly expressed GAD as their mother department.

**The study observed that the hluttaw support offices are well structured to attend to the key functions of hluttaws.** The offices of each local legislature include two sub-departments (sub-departments 5 and 6) and four unit departments (UDs) under each sub-department. These UD are UD 9- Hluttaw Meetings, UD 10- Committees, UD 11- Laws, UD 12- Motions and Questions, UD 13- Planning and Finance, UD 14- Admin and Finance, UD 15- Complaints and Appeals and UD 16- Library, Archive and Research.

**The support and function of hluttaw offices improved after structural changes to hluttaw offices took effect in mid-2014.** Changes were manifested in two main actions: 1) the expansion of the number of unit departments from four to eight, and 2) the replacement of office heads who were supervised by deputy directors or assistant directors with director-level staff, which improved the overall power and effectiveness of staff. Those departments which were restructured are UD 10- Committees, UD 12- Motions and Questions, UD 13- Planning and Finance, UD 14- Admin and Finance, UD 15- Complaints and Appeals, and UD 16- Library, Archive and Research.

**Respondents expressed concerns regarding the capacity of hluttaw office staff despite the sufficient number of staff.** The most common concern shared by respondents was the frequent transfer of office staff from one place to another within the GAD system. For the hluttaw offices, this resulted in frequent turn-over and with the employment of several staff who lack the necessary political knowledge to carry out the duties of the position. Respondents stressed that they believe the work of the hluttaw support staff differs drastically from other GAD work. They say that GAD staff who work at hluttaw offices need to invest more time in understanding the importance of the hluttaw.

**Active MPs, local CSOs and the media expressed concerns over the lack of transparency and limited access to information in surveyed hluttaw offices.** Respondents stated that it took a long time to receive requested data and information from hluttaw offices. On many occasions, hluttaw office staff responded to requests stating that the requested data or information were not available for distribution. Local media and CSOs complained that most of the information they requested and received could not be shared with the public as these documents are marked as “Kant That,” which means “closed or not for public consumption.” Some active MPs pointed out that such restrictions on information are unconstitutional according to Chapter 4, Article 184, which allows for state and region activity records to be shared with the public.

## Recommendations

Based on all key findings, the study concludes that three main factors contribute to the performance and effectiveness of local legislatures. These are:

- (1) Structural limitations and barriers;
- (2) Limited institutional and human capacity;
- (3) Personal attributes or leadership abilities.

Recommendations for each factor are provided in the following sections. These recommendations aim to promote the role and institutional development of local legislatures in ways that will foster decentralization. Recommendations reflect the needs and wants of surveyed key respondents

### Structural limitations and barriers

The study identified structural limitations as the top factor undermining the role and effectiveness of local legislatures.

**The ability for members to accept dual roles in the legislative and executive** is identified by respondents as the most common structural issue. This significantly compromises the role and duty of local legislatures. As most MPs participated as respondents, the study recommends a thorough review on the system of dual roles allowed by the current constitution, which is apparently in contrary to the system applied in the Union Hluttaws.

The study reported that most leaders and MPs of studied hluttaws and CSOs recommend **a system where the chief minister of a state or a region is elected by its legislature** as opposed to the current system where the Union President appoints chief ministers. Respondents feel that such a system is an important contribution to a clear checks-and-balance system.

The study observed that **the role and support of the constitutional tribunal is ambiguous and that the institution is currently too weak to resolve issues** where the legislative mandate is not clearly defined by the Constitution and requires a case-by-case review from an authorized independent body. Other than referring legislatures to the president for advice, the constitutional tribunal has not been able to provide any strong advice as an independent body. Thus, this study recommends the development of a strong independent tribunal with sufficient technical capacity to provide necessary advice, feedback and decisions.

Based on information from key respondents in the studied hluttaws, this study recommends improvements on **cooperation and coordination mechanisms between local administrations and legislatures**. Leaders of local legislatures feel that the regular general administrative meetings organized by the state or region administrations are not sufficient to strengthen cooperation and coordination. Respondents suggested scheduling regular meetings to specifically focus on coordination and collaboration between committees of local legislatures and relevant government departments.

## Limited institutional and human capacity

Feedback from respondents clearly reflects the limited institutional and individual capacity of local legislatures.

**The development of the national-level strategic plan for the institutional capacity building of local legislatures should be a concerted effort** between the Union Government and local legislatures, international and local CSOs and the designated bodies from all local legislatures. Based on the strategic plan, local legislature should develop individualized plans and approaches that meet their own priorities and needs. These capacity building plans should be financed by the Union and to some extent through international support.

**Respondents identified a need for regular coordination and learning exchange platforms among local legislatures.** They expressed that they learn from each other's legislation and oversight practices but admitted that the sense of competition provided through such platforms encourages them to improve their work. Respondents also identified a desire to learn the best international practices and for further exposure to international institutions.

**Leaders, active MPs and some local CSOs view regular performance reviews as important channels through which to provide local legislatures with the feedback necessary to improve their effectiveness.** Some suggested participatory review by CSOs, MPs and local leaders, while others suggested reviews initiated by an organization or designated body of technical individuals. The study recommends implementing a legal and institutional framework for assessing performance where progress will be shared with all stakeholders. Individual performance assessments should also be included in this mechanism.

**Capacity building programs for parliamentary support offices must not be neglected.** All key respondents expressed a need for training dedicated to hluttaw support staff. Respondents view these staff members as essential to the transfer of skills and practices to new hluttaw MPs and staff. All key respondents expressed a need for training dedicated to hluttaw support staff.

**The physical separation of hluttaw buildings from the state and region government annex is strongly recommended by the study.** It is important, according to hluttaw leaders and MPs, that hluttaws be separated from the state government offices in order to 1) create a physical separation of the roles of the local legislature and administration; 2) alleviate concerns regarding unwanted influence from the executive, particularly from chief ministers and GADs; 3) adequately provide the needed space for committees and MPs in residence during hluttaw sessions.

## Personal attributes or leadership capacity

Personal attributes, interpreted mainly as individual leadership and work abilities, as well as capacity of creating mutually respectful relationships with counterparts, influence the effectiveness of local legislatures. High levels of leadership and work abilities improve the effectiveness of the local legislatures and contribute to improving a system of checks and balances.

**The leadership efforts and individual legislative and oversight efforts must be prioritized and unbiased at all times.** These efforts must not be compromised by partisan political interests or ethnic and nationalistic political interests. The study recommends constitutional support that guarantees a space to recognize and address the efforts of members of any political

party, especially those from political parties underrepresented in the hluttaw.

**The role and space for female MPs must be promoted.** The speakers of local legislatures are in key positions to ensure that women have the opportunity for committee leadership positions and encourage their leadership endeavors. More importantly, as recommended by an active female MP, the by-laws of the state and region hluttaws should guarantee opportunities for female legislative members.

## Introduction

The 2010 general election introduced subnational governments in Myanmar in 2011. These structures of governance are new institutions for Myanmar, an historically centralized country. Although local legislatures are important pillars of a federal state, insufficient attention has been paid to their current performance and the challenges they must overcome to strengthen as institutions. To understand the progress of decentralization in Myanmar, it is necessary to provide policy-makers, key stakeholders and donors with reliable and updated reports on subnational governance. Until now, the 2013 The Asia Foundation and MDRI-CESD report, “State and Region Governments in Myanmar,” is the only available comprehensive baseline assessment of state and region institutions in Myanmar.

Enlightened Myanmar Research Foundation (EMReF) conducted an exploratory assessment of three states and regions in early 2015; the study indicated the need for a further comparative study on the performance of state and region parliaments (hluttaws). Thus, the main purpose of this study was to conduct a more comprehensive evaluation of the local legislatures in order to recommend reliable evaluation mechanisms to help strengthen all local legislatures in Myanmar.

## Objectives

The study aims to inform policy-makers, political actors, Myanmar CSOs, donors, and other stakeholders on how effectively state and region hluttaws, as key federal institutions, performed during their first term between 2010 and 2015 and how their performance contributed to the country's democratic transition. The three key objectives of the study are:

- To provide policy recommendations for strengthening federal institutions based on an empirical assessment of the performance of state and region hluttaws determined by tangible and intangible indicators of legislative functions
- To set up a baseline database and data dashboard of parliamentary performance, which will contribute to regular longitudinal assessments and sector-wide policy reviews necessary for structural and individual performance improvements in state and region hluttaws
- To maintain findings as a public resource that contributes to improving knowledge, dialogue, and policy making among and between all actors involved in Myanmar's current transition.

## Research Questions

The Performance Analysis on State and Region Hluttaws intends to answer the following key research questions:

1. How effectively did state and region hluttaws perform between 2010 and 2015? How did their performance vary?
2. What challenges, constraints, opportunities and future improvements influence the legislative performance necessary for these institutions to become strong federal institutions that contribute to democratic state building in Myanmar?

## Focus Areas

As a result of intensive desk review and consultation with key informants, EMReF's study team identified six focus areas in state and region hluttaw performance. Within each of these areas, EMReF identified both quantitative and qualitative performance indicators. Of the six focus areas, legislation and oversight are given the most attention as they serve as the primary functions of a legislature. The six focus areas are:

1. Legislation
2. Oversight
3. Public access and communication
4. Inclusion
5. Institution building and individual capacity building
6. Administrative capacity

## Performance Indicators

In each focus area, the study team defined key performance indicators and qualitative and quantitative sub-indicators. The key performance indicators are listed below, while all indicators, including sub-indicators, are listed in Annex B.

**Table 1. Summary of key indicators per focus area**

Key Focus Areas	Key Performance Indicators
Legislation	Legislative effectiveness and challenges
Oversight	Oversight effectiveness and challenges
	Effectiveness of budget oversight activities
Public Access and Communication	Effectiveness of communication and public access to information, including information distribution
Inclusion	Space for female representatives and members of parties with minority seats in the parliaments
Institution building and individual capacity building	Institutional capacity building initiatives and plans for parliamentary bodies, individual members and administrative support office and staff
Administrative capacity	Effectiveness and efficiency of hluttaw administrative offices

## Scope of Research

The study selected eight out of the fourteen total local hluttaws for in-depth analysis and collected primary research data from all states and regions. The eight selected hluttaws are Mon State, Shan State, Kayin State, Rakhine State, Tanintharyi Region, Sagaing Region, Ayeyarwaddy Region and Yangon Region Hluttaws. EMReF selected these eight based on 1) selecting an equal number of samples from the administrative states and regions, 2) representing different parliament sizes, and 3) accounting for variations of party representation (see Table 2 below for the specifications of samples and Annex A. for the populations of the studied hluttaws). Although the study explored the relationship dynamics between state and region executive and legislative branches, emphasis is given to legislatures.

**Table 2. Specifications of selected samples**

State/Region Hluttaw	Size	Party representation	State or Region
Kayin	Small	USDP Dominated in a multi-party environment	State
Mon	Small	USDP Dominated; Active participation by a party/parties with minor representation	State
Rakhine	Medium	Mixed representation in a multi-party environment	State
Shan	Large	Mixed representation	State
Ayeyarwaddy	Medium	USDP Dominated	Region
Sagaing	Large	USDP Dominated	Region
Tanintharyi	Small	USDP Dominated	Region
Yangon	Large	USDP Dominated; Active participation by a party/parties with minor representation	Region

**Table 3. Summary of populations and the number of parties represented in the studied hluttaws**

States/Regions	Number of parties seated in Hluttaw	Total MPs	Elected MPs	Military MPs
Kayin	5	23	17	6
Mon	3	31	23	8
Rakhine	4	47	35	12
Shan	9	143	107	36
Ayeyarwaddy	3	72	54	18
Sagaing	3	101	76	25
Tanintharyi	2	28	21	7
Yangon	7	92	61	31

## Target Respondents

The study also collected feedback from actors on the demand side, including civil societies, local media and political parties with limited representation. The primary focus, however, remained on the supply-side, notably the institutional and legal arrangements, outputs and effectiveness, and the perceptions of individuals in crucial decision-making roles in local parliaments. The target actors or key informants are identified in Figure 1 below. The number of respondents covered by the study is summarized in Table 4.



Figure 1. Mapping of key respondents covered by the study

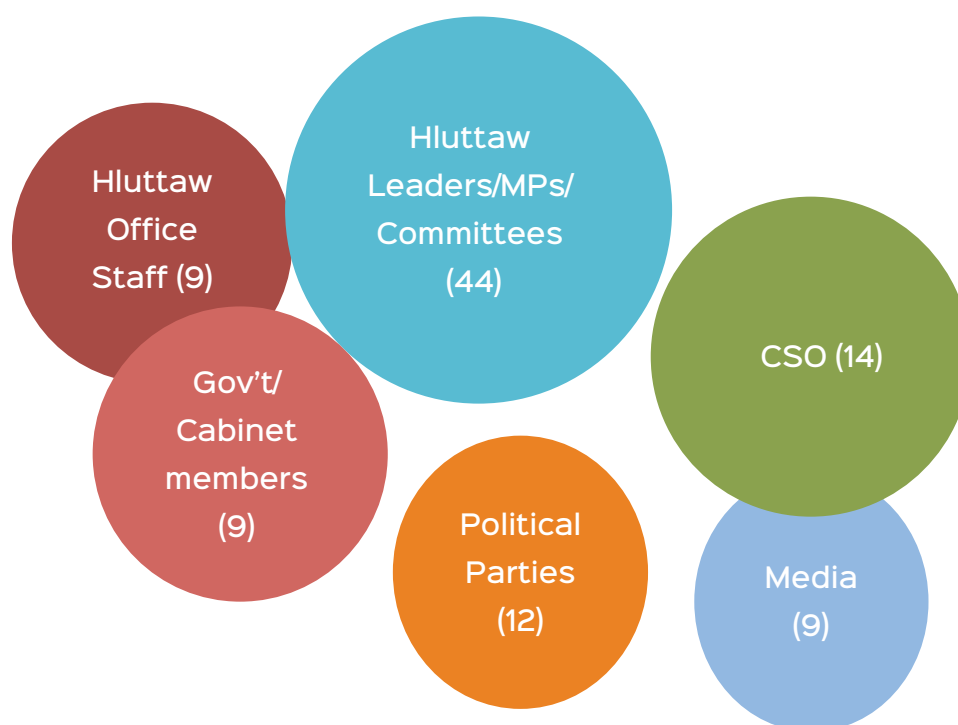


Table 4. Summary of key informants who participated in the study

State/Region	Hluttaw Leaders/MPs	Hluttaw Office Staff	Ministers/Dep't Officers	CSOs	Media	Political Parties	Total
Kayin	7	1	0	4	1	2	15
Mon	6	1	2	1	2	2	14
Rakhine	2	1	1	2	0	1	7
Shan	3	1	1	1	1	1	8
Ayeyarwaddy	4	1	1	1	1	0	8
Sagaing	14	1	2	2	1	1	21
Tanintharyi	5	2	1	2	2	3	15
Yangon	3	1	1	1	1	2	9
Total	44	9	9	14	9	12	97

## Methodology

This study utilized two methods of qualitative primary data collection: in-depth interviews and data collected from the hluttaw offices based on the defined performance indicators. The team also conducted a desk review of current legal institutions related to the local and Union legislatures and on local governance.

## Limitations

The study attempted to measure the inclusiveness of local legislatures by looking at how minority parties and female representatives created space to articulate their constituents' needs in legislatures dominated by one major party. The qualitative indicators of inclusiveness that the study looked at included the perceptions minorities have on the treatment of their actions in hluttaws. Additionally, quantifiable indicators include the number of bills, motions, and questions submitted by representatives from minority parties and female representatives as baseline data. The study, however, was not able to include enough respondents from the target minority groups due to time limitations to make strong conclusions with regards to minority groups from the data. The study team also faced challenges in accessing quantitative indicators as these data had to be located from hard copy meeting minutes from 2010 until the time of the study.

# Key Findings

## Legislation

### Legislative outputs

**The number of non-routine laws is an important visible and tangible output indicator of legislative effectiveness.** According to the 2008 Constitution, certain laws prepared and submitted to local legislatures by state and region government administrations are considered routine laws. Routine laws include the Annual Budget Law, the Supplementary Budget Allocation Law,<sup>3</sup> the Local Development Plan Law outlining local priorities, and the Tax Law. However, the Tax Law is a law that can only be submitted from the administrative side; it is not necessarily an annual legislative requirement. Local legislatures (state and region hluttaws) are required as part of their routine legislative activities to review and pass these routine laws.

In addition to reviewing and passing routine laws, there are several other important legislative efforts that contribute to the effectiveness and performance of state and region hluttaws. The number of non-routine laws passed is another key indicator of performance. Most non-routine laws are prepared and passed in response to local policy needs in the respective geographic areas of each local parliament, determined by Schedule Two of the 2008 Constitution. Examples of non-routine laws include the Fishery Law, the Law for Village Firewood Plantation, the Law for Fire and Natural Disaster Preventive Measures, the Law for Household Industry, and the Law for Systematic Transportation of Water Vehicles.

During data collection, MPs from all the studied hluttaws expressed their opinions that non-routine laws are more important indicators of legislative output than routine laws. The Asia Foundation's "State and Region Governments in Myanmar"<sup>4</sup> suggests the same: "...perhaps better indication of political decentralization and legislative autonomy would be to exclude the two 'routine' actions required of all states and regions: passing the budget law and the development plan." Among studied hluttaws, Sagaing Region, Mandalay Region and Kachin State Hluttaws passed the most non-routine laws with 30, 29 and 27, or 62.5%, 64.4% and 63% of their individual total legislative outputs, respectively (see Table 5 and Figure 3 below).

<sup>3</sup> In most states and regions, supplementary budget laws were prepared and submitted to state and region hluttaws to be approved as laws since the local governments required additional budget during the fiscal year.

<sup>4</sup> Nixon, Joeline, Chit Saw, Lynn & Arnold. (2013). State and Region Governments in Myanmar

**Table 5: Summary of comparing the legislative outputs of local legislatures between 2010-2015**

Region/State	Routine Laws	Non Routine Laws	Laws Passed Total
Kachin	16	27	43
Kayah	15	9	24
Kayin	15	10	25
Chin	13	20	33
Sagaing	18	30	48
Tanintharyi	16	13	29
Bago	16	20	36
Magway	14	16	30
Mandalay	16	29	45
Mon	16	22	38
Rakhine	15	14	29
Yangon	15	10	25
Shan	16	12	28
Ayeyarwaddy	15	20	35

State or region hluttaws have yet to pass a law for the economic sector, one of eight sectors defined in Schedule Two of the 2008 Constitution<sup>5</sup> (See Table 6 and Figure 2 below). The economic sector is the second major sector in Schedule Two. Within the economic sector, there are five sub-sectors: (1) economic matters undertaken in the region or state in accordance with the Union laws; (2) commercial matters undertaken in the region or state in accordance with Union laws; (3) co-operative matters undertaken in the region or state in accordance with Union laws; (4) hospitality business undertaken in the region or state in accordance with Union laws; and (5) tour business undertaken in the region or state in accordance with Union laws.

No state or region government has yet to promulgate a law in any of the five economic sub-sectors. Active members of parliament and CSO leaders viewed the ambiguity of legislative power in Schedule Two as a major limitation to hluttaw performance. Despite the authority Schedule Two provides state and region hluttaws, Union laws severely limit local legislative authority. Following the economic sector, the fewest number of laws have been promulgated in the industrial sector. Among studied hluttaws, only two local hluttaws, Mon State Hluttaw and Ayeyarwaddy Region Hluttaw, have promulgated a law for the industrial sector.<sup>6</sup>

“The [economic] sector is mentioned, but just look at the way it is mentioned. All [hluttaws] are limited by the Union mandate. No one knows to what extent we are able to make laws for [the economic sector]”

Active members, Tanintharyi Region Hluttaw

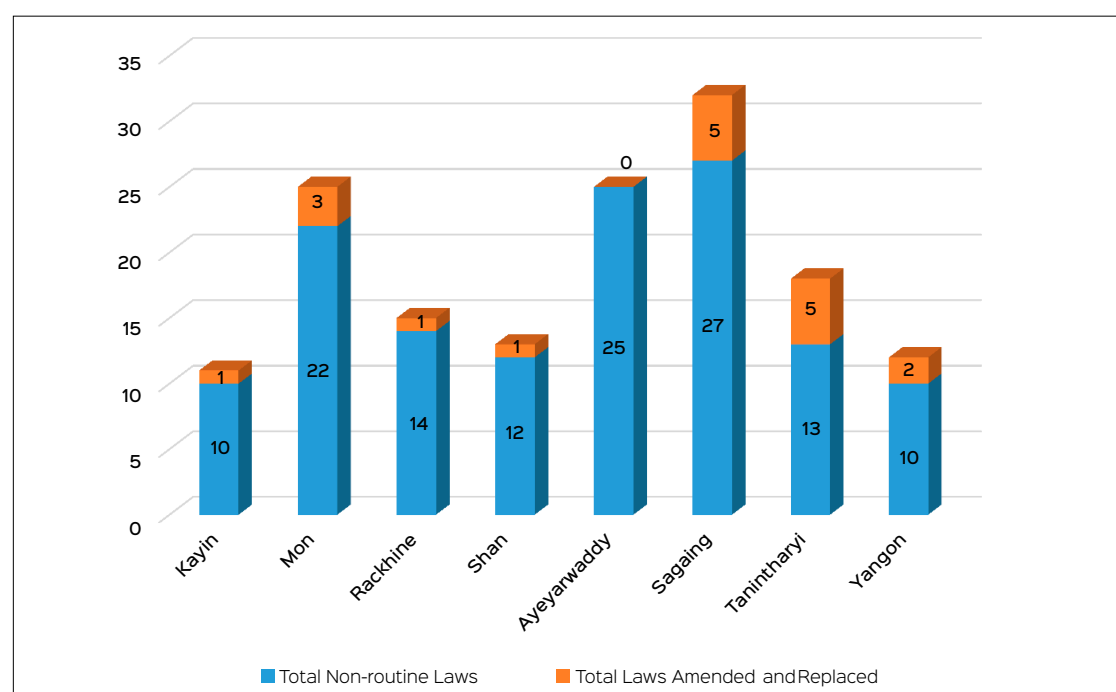
<sup>5</sup> In the current constitution, there are a total of eight sectors defined as major sectors under Schedule Two of the Legislative List of States and Regions. Within these eight sectors, there were first 41 sub-sectors prior to the approval of the Law Amending the Constitution and now there are 75 sub-sectors in total.

<sup>6</sup> Among all states and regions, only four – Kachin State, Mon State, Ayeyarwaddy Region and Mandalay Region Hluttaws - have laws for small-scale domestic manual and machinery businesses.

**Table 6. Summary of laws promulgated in the eight major sectors**

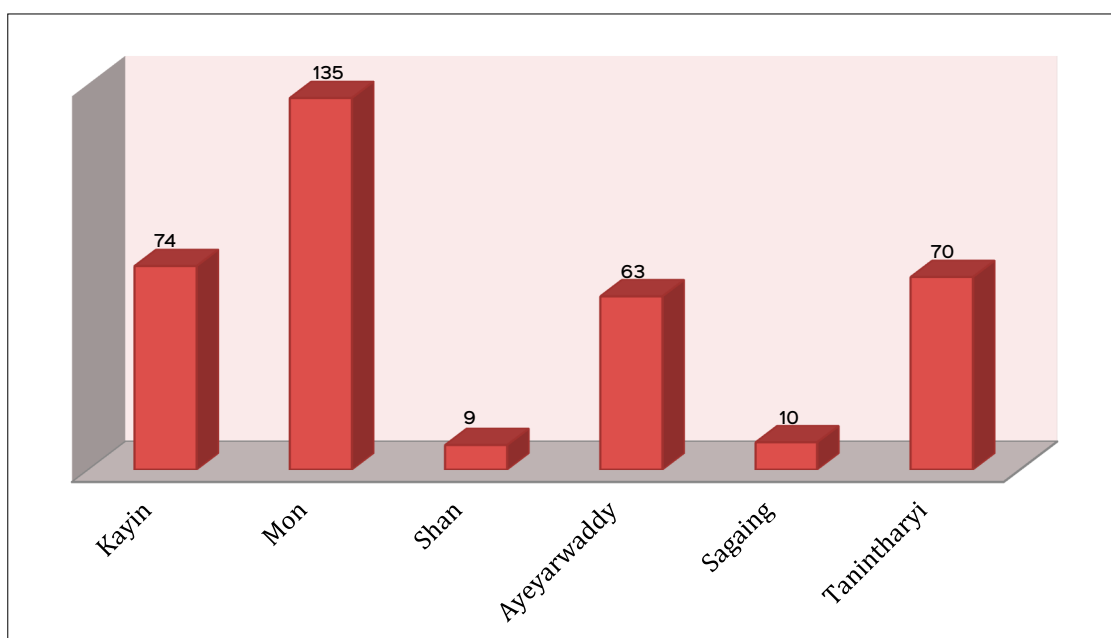
Sectors	Kayin	Mon	Rakhine	Shan	Ayeyar	Sagaing	Tanintharyi	Yangon
Finance and Planning	16	18	16	17	19	26	16	16
Economic	0	0	0	0	0	0	0	0
Agriculture and Livestock	1	3	2	4	5	4	1	1
Energy, Electricity, Mining and Forestry	1	4	2	1	4	5	2	1
Industrial	0	1	0	0	1	0	0	0
Transportation, Communication and Construction	2	3	2	1	2	4	3	2
Social	2	5	4	3	1	7	6	1
Management	3	4	3	2	3	2	1	4
Total	25	38	29	28	35	48	29	25

The number of laws amended and replaced is also an important indicator of performance as it reflects a hluttaw's ability to respond to the needs and shortfalls of previously passed laws. These laws are considered non-routine laws. In all studied states and regions, concerned local government ministries and departments reviewed laws promulgated by state and region hluttaws during their first two years and amended or replaced original laws (see Figure 2 below). According to some local bill committee members, there was a strong need for amendments to or replacements of earlier laws as they were heavily influenced by former Union laws and insufficiently addressed local needs. For example, the Tanintharyi Region Fishery Law, which was first passed during the fourth session of the first hluttaw session in October 2012, reflected the Union Fishery Law. Thus, it was replaced and given a new title, the Tanintharyi Region Fresh Water and Nearshore Fishery Law.

**Figure 2: Number of laws amended out of the total number of non-routine laws**

The number of legislation committee meetings held by hluttaws is also an important indicator of legislative performance. The Legislation Committee was one of three committees formed by all state and region hluttaws within the first five-year term. According to respondents from the surveyed hluttaws, hluttaws formed these legislation committees to review and prepare bills.<sup>7</sup> The committee is intended to be the main legislative body involved in drafting laws and reviewing the bills submitted by the state or region government. The study found, however, that the legislation committees of some hluttaws, particularly Ayeyarwaddy Region Hluttaw and Tanintharyi Region Hluttaw, were supported by groups comprised primarily of external resource specialists. The Rakhine State Hluttaw could not be compared to the other hluttaws as they did not document the number of legislation committee meetings and these meetings were not open to other MPs.

**Figure 3. Summary of the available number of legislation committee meetings across studied Hluttaws**



Another indicator used to evaluate the performance of hluttaws is the total number of sessions and the duration of each session. However, this does not directly correlate to the productivity of the respective hluttaw. The data show that all studied hluttaws conduct special and emergency sessions in addition to regular sessions. While EMReF did not collect data on the specific reasons for special and emergency sessions, respondents shared that hluttaws typically called special and emergency sessions when faced with a scheduling issue that affected their ability to call hluttaw to session 21 days in advance, according to procedure.

<sup>7</sup> Either the state and region hluttaw laws or the rules of specific state or region hluttaw laws provide official instruction for the formation of specific committees.

**Table 7. Summary of the sessions and their duration in the studied hluttaws<sup>8</sup>**

States/Regions	Number of Sessions				Number of Days			
	Regular	Special	Emergency	Total	Regular	Special	Emergency	Total
Kayin	13	3	5	21	53	6	9	68
Mon	13	3	1	17	43	6	1	50
Rakhine	13	3	1	17	146	9	1	156
Shan	13	4	2	19	51	8	5	64
Ayeyarwaddy	14	6	1	21	126	16	1	143
Sagaing	14	9	1	24	69	23	1	93
Tanintharyi	14	4	0	18	43	7	0	50
Yangon	10	9	1	20	DNA	DNA	DNA	DNA

## Legislative effectiveness and constraints

While the overall performances of local legislatures can be measured by the above mentioned these tangible indicators, the effectiveness of these legislatures can also be measured by several intangible factors, including structural limitations, procedural constraints, limited institutional capacity and personal attributes.

### Structural limitations

All studied hluttaws reported that the semi-parliamentary structure of local legislatures, which allows elected local legislative members to simultaneously take positions as executive members, limited their overall effectiveness. The current constitution permits dual positions in state and region hluttaws despite requiring elected Union legislative members to relinquish their legislative responsibilities if they accept an executive position. Surveyed hluttaw leaders and MPs prefer the policies used in the Union Government. Many also suggested holding local bi-elections to replace vacant legislative seats, as is practiced at the Union level. These hluttaw leaders and MPs believe that the capacity, role and authority of local legislatures has been diluted by allowing MPs to simultaneously hold executive and legislative positions.

In the smaller states and regions where a significant number of elected MPs were appointed to cabinet positions as state or region ministers, notably Kayin State, Mon State and Tanintharyi Region, the dual role issue is a larger problem. Data collected during the study show that 64%, 65%, 55%, and 32% of elected MPs in Kayin State, Mon State, Tanintharyi Region and Rakhine State Hluttaws, respectively, accepted dual positions. This has hindered the effectiveness of the hluttaw, given that only a few “ordinary members” have regularly attended and actively participated in the hluttaw sessions. (see Table 8 and Figure 4). Among all 14 local hluttaws, Kayin State Hluttaw had the second highest per-

“The problem started with the constitution. There is no bi-election to replace [members who took positions in the cabinet]. The way they participate in hluttaw is like someone asking himself if he has had lunch or not”

Deputy Speaker, Kayin State Hluttaw

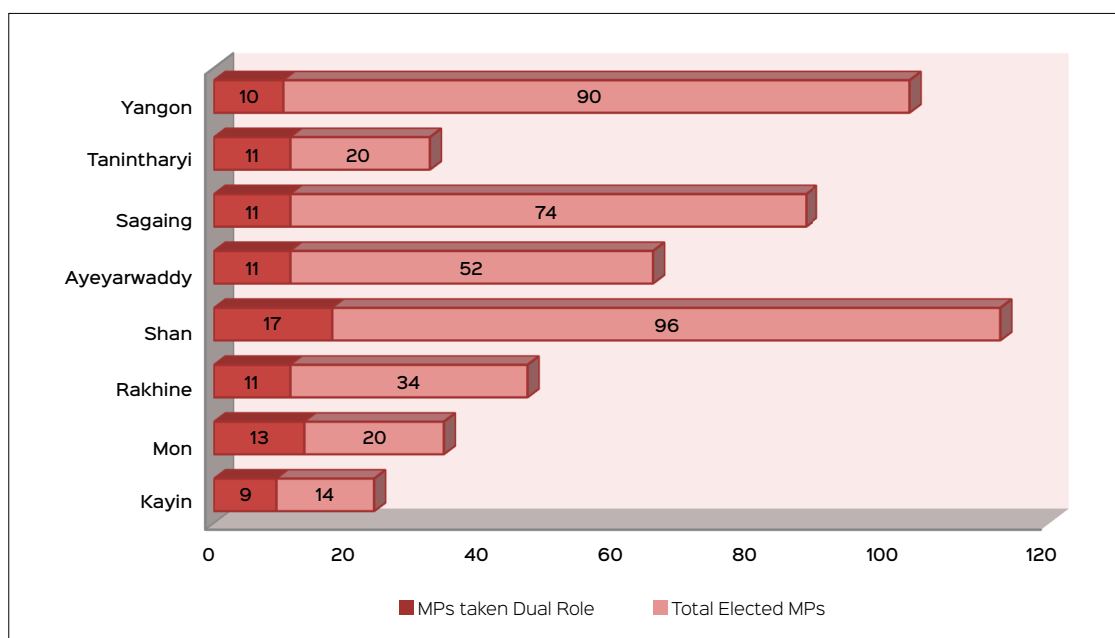
<sup>8</sup> The data for the duration of hluttaw sessions are not available for Yangon Region Hluttaw

centage of members in dual role positions. Of the 14 elected MPs in Kayin State Hluttaw, 9 hold dual executive positions. Of the remaining MPs who do not hold dual positions, only one remained active. Another passed away and the active participation of the others are inhibited by old age and poor health conditions. Kayin State Hluttaw leaders and MPs expressed that they had to struggle to prepare bills due to inadequate human resources.

**Table 8. The number of elected MPs who took cabinet positions and the total original number of elected MPs**

State/Region	MPs taken Dual Role	Total Elected MPs	% of members taken dual role
Kayin	9	14	64%
Mon	13	20	65%
Rakhine	11	34	32%
Shan	17	96	18%
Ayeyarwaddy	11	52	21%
Sagaing	11	74	15%
Tanintharyi	11	20	55%
Yangon	10	90	11%
Total	93	400	23%

**Figure 4. Summary of the MPs who took cabinet positions and the total original number of elected MPs**





The ambiguity of what is and is not permissible under Schedule One and Schedule Two of the Constitution<sup>9</sup> discouraged legislative efforts and interests at the local level. Some active MPs and speakers suggested that clarity is needed in Schedule Two, while others suggested vesting residual power with the states and regions. The areas that, according to local legislative members, lacked the most clarity were the economy, local development activities and taxation. The ambiguity and confusion of legislative authority in the 2008 Constitution has hindered local legislative efforts. Some efforts have been bared as early as the law-making proposal stage while others remain pending. As a result of these structural constraints, local legislatures are reluctant to initiate new policies. The study gathered strong evidence for these clarity issues in hluttaws from those active MPs included as respondents, notably Mon State, Yangon Region and Tanintharyi Region Hluttaw.

“The legislative efforts are in vain due to confusion [between Schedule One and Two]. The bill for Shwe Ti Gon Pagoda Trusteeship Law could not be submitted as they said Shwe Ti Gon’s image is Union-level authority. Another effort for a bill for the provision of allowance to those teachers working in remote areas of Yangon was also treated as Union legislative power.”

An elected MP, Yangon Region Hluttaw

Articles 446 and 447 of the Constitution conflict with the legislative authority granted to local legislatures in Article 188. Although the study recorded only one strong case in Mon State Hluttaw of a local legislative procedure being suspended as a result of being interpreted as in conflict with Articles 446 and 447 of the Constitution, several respondents from other local legislatures reported this particular case as strong evidence of the existing conflict. Respondents expressed that such an incidence highlights the ambiguity of official local legislative power. Thus, the study considers the experience from Mon State Hluttaw regarding a land taxation bill to be a significant finding.

**Table 9. A Comparison of Articles 188, 446 and 447**

Article 188	Article 446 and Article 447
188. The region or state hluttaw shall have the right to enact laws for the entire or any part of the region or state related to matters prescribed in Schedule Two of Hluttaw Legislative List.	446. Existing laws shall remain in operation insofar as they are not contrary to this constitution or until and unless they are repealed or amended by the Pyidaungsu (Union) Hluttaw.  447. Existing rules, regulations, by-laws, notifications, orders, directives and procedures shall remain in operation insofar as they are not contrary to this constitution until and unless they are repealed or amended by the Union Government.

<sup>9</sup> In the 2008 Constitution, Schedule One is “The Union Legislative List,” which describes the breadth of the power granted to the central government. Schedule Two is “The Region or State Legislative List,” which states the residual prerogatives granted to state and region governments

### Box 1. Mon State Land Tax Law: a pending law

The Mon State Hluttaw approved the Mon State Land Tax Law in December 2012. The law set the new land tax rates and required concerned departments to apply the new rate. The concerned departments did not comply and they continued to follow the existing Union laws. Even the official request from the Mon State Chief Minister was not successful in rendering compliance. The departments justified their actions on the basis that, according to Articles 446 and 447 of the 2008 Constitution, the Union laws shall prevail as long as they are not revoked by the appropriate Union-level institution.

However, Mon State Hluttaw and the State Administration argued that these Union level laws should not prevail as they are unconstitutional. The same articles state, “existing laws shall remain in operation in so far as they are not contrary to this constitution.” They proclaimed that “land tax” is well defined under the state legislative power in Schedule Two of the Constitution. The Mon State Hluttaw submitted the case to the Union Constitutional Tribunal to interpret the law while the bill was in discussion. While the law was approved by the state hluttaw, the tribunal suggested coordination with the president.

Thus, they submitted the letter to the president. The president's response suggested that the policies of the new Mon State Land Tax Law shall be carried out only when all states and regions have passed land tax laws and the land registration process and issuance of Form 7 covers the whole country. Consequently, the Mon State Land Tax Law became a pending law, while the issue remained controversial among local legislative members. No other legislative efforts for land tax laws appeared in any other state or region hluttaw.

## Limited institutional and human capacity

**The limited legal knowledge and experience of local legislative members in drafting laws has been a significant constraint to hluttaw performance.**

MPs articulated that local administrative departments faced similar challenges. The study found that only a few non-routine laws submitted by state and region ministries, notably municipal laws and fishery laws, were drafted by the relevant departments. The remaining non-routine laws were drafted by hluttaw legislation committees and turned over to the respective ministry to be officially submitted as a bill in the respective hluttaw.

“As we are in need of people with legal knowledge, we are happy to have any person or organization that wants to help. ...Though we have a [Legal Review] Commission, we never get their support, and as far as I know, they never conduct reviews on laws”

An elected MP, Kayin State Hluttaw

**The limited experience of local ministries and departments in drafting bills constrained and delayed the implementation of laws promulgated as rules and regulations.** Most studied hluttaws confirmed that only about half of their approved administrative laws have relevant rules and regulations developed and submitted by the appropriate departments. Although it is not required for laws to promulgate supporting rules and regulations, both local legislative and executive authorities generally perceive such rules and regulations to be necessary.

**Some hluttaws have legal review or legislation review commissions but these played only a minor role in most surveyed hluttaws.** Of the six studied hluttaws that have such a commission, only three – Tanintharyi Region Hluttaw, Mon State Hluttaw and Ayeyarwaddy Region Hluttaw - reported that the commission worked closely with legislation committees in drafting laws through regular meetings. In two of the studied hluttaws, Yangon Region Hluttaw and Shan State Hluttaw, there were no external support groups assisting with legislation. Those commissions that do exist are chaired by hluttaw speakers or deputy speakers and consisted of external resource personnel, notably law professors, retired and practicing attorneys, legal and law enforcement officers, legal advocates, and retired policy chiefs.

## Personal attributes

**Leaders of local legislatures particularly the speakers, have significant influence on the effectiveness of the hluttaws.** The majority of surveyed MPs and key informants from CSOs, the media and political parties expressed that hluttaw performance depends on leaders' ability to develop relationships with state and region chief ministers.

**In only four out of the eight studied hluttaws were speakers with strong leadership abilities able to lead their hluttaws to an observable level of success.** These hluttaws were the Mon State, Tanintharyi Region, Sagaing Region, and Ayeyarwaddy Region Hluttaws. This was appreciated by not only the MPs of the respective hluttaws but also local CSOs and the media. In these four hluttaws, there was an even split between hluttaw speakers of a civilian background and those of a military background. The speakers of the Mon State Hluttaw and Sagaing Region Hluttaw are civilians while those of the Tanintharyi Region Hluttaw and Ayeyarwaddy Region Hluttaw are former military personnel. Based on information from relevant respondents, the study determined that legislative leadership is not as important in Yangon Region Hluttaw or Shan State Hluttaw and that there is no opinion regarding legislative leadership in Rakhine State Hluttaw.

Respondents articulated that **the hluttaw speakers' relationships with executive officials, particularly chief ministers, is a significant power relationship that influences hluttaw performance**, particularly during political transition. The study found that speakers of the Mon State, Tanintharyi Region, Sagaing Region, and Ayeyarwaddy Region Hluttaws maintained mutually respectful relationships albeit to varying degrees.

**In Mon State and Sagaing Region Hluttaws, civilian speakers maintained good relationships with the chief ministers who were formerly senior military personnel, which contributed to their success as leaders.** This earned these leaders a good reputation among other hluttaws and stakeholders, such as CSOs, the media and local political opponents. Most respondents perceived that speakers from senior military backgrounds were most likely to be able to form upper-hand relationships or be in a good position to counterbalance the executive, given that the executive is predominantly led by former high profile military personnel. Respondents further expressed beliefs that only such relationships between the executive and legislative involving former senior military personnel would provide the necessary foundations for the local hluttaws to develop as the second pillar of a democratic checks-and-balance system. Despite these common perceptions, however, the study found that the speakers of the Mon State and Sagaing Region Hluttaws, both of civilian background, maintain a mutually respectful relationship with the executive officials who were previously senior military members. When asked about the leadership characteristics that best foster diplomatic relations, respondents

"The motion for the bill for the evaluation on local development projects was not even allowed to be submitted as a motion as [the speaker] thought that it would make trouble for the region government."

An elected MP, Yangon Region Hluttaw

"The motion I submitted for preparing the municipal bill was rejected, and the same motion submitted by the municipal department was passed through, though it came later"

An elected MP, Yangon Region Hluttaw

stated that previous experience, educational background, and, most importantly, the individual will for change are the key characteristics of a strong and successful leader. Such characteristics helped leaders succeed in leading their hluttaws to a measurable level of success, even in the challenging context of a democratic transition (Please see Annex C. for the occupational background of hluttaw speakers and chief ministers and the relationships between legislative and executive officials).

**Contrary to Mon State and Sagaing Region, the study found that weak leadership in Yangon Region Hluttaw and Shan State Hluttaw constrained the efforts of active members, particularly with regards to their legislative oversight initiatives.** Active members of these hluttaws expressed that they faced challenges in their legislative efforts as hluttaw speakers control all initiations of legislation and oversight. They were required to informally discuss their plans for bill submissions and motions with the speakers instead of going through proper procedural steps for the submission of bills and motions from individual members. Officially, bills and motions are supposed to be sent directly to the administrative office of concerned hluttaws. The study found such constraints to be most prevalent in Yangon Region Hluttaw where active members often initiated legislation but almost all were taken in vain.

**The active legislative and oversight efforts of individual MPs in Mon State Hluttaw and Yangon Region Hluttaw were considered outstanding cases** that prove that strong individual efforts can influence local legislatures and show how individuals can effectively resist influence from executive officials. Regarding Mon State Hluttaw, elected member U Aung Naing Oo from the All Mon Region Democracy Party (AMRDP) received strong applause from his colleagues, including the speaker, MPs from other political parties, and other stakeholders from CSOs and the media for his legislative and oversight efforts (See Box 3 below for his detailed profile). In the case of the Yangon Region Hluttaw, CSOs and local media strongly appreciated the legislative and oversight efforts of one female MP, Daw Nyo Nyo Thin, the independent candidate, and two other MPs, U Kyaw from New National Democracy Party and Dr. Zaw Aye Maung from the Arakan National Party. Respondents referred to these individuals as “watch dogs” as they have resisted regional government actions during unfavorable situations posed by weak hluttaw leaders or the strong influence of the region’s GAD.

#### **Box 2. Profile of Dr. Nyo Nyo Thin, the elected MP of Yangon Region Hluttaw (2010-2015)**

**Name:** Nyo Nyo Thin

**Ethnicity:** Bamar

**Education:** Doctor of Laws (Japan), LL.M (Japan), LL.M(YU), LL.B(YU), Diploma in Japanese (UFL), Diploma in French (UFL)

**Carrier:** Board of Director of Yangon Watch (political and legal activist group); legal consultant

**Constituency:** Bahan Constituency (2)

**Party:** Individual

Political carrier: Elected MP of the first Yangon Region Hluttaw from 2010-2015. Contested in the same constituency in the 2015 general election but was not reelected.

**Legislative efforts:** Dr. Nyo Nyo Thin prepared and proposed numerous bills and by-laws, though most of them were not successful. Some of the well-known bills she proposed include:

- The bill for the Shwedagon Pagoda Trustee Law, which was rejected by the Yangon Region Hluttaw with the reason that the subject was not within the legislative authority of the states and regions.
- The City of Yangon Development bill. She prepared and attempted to submit the bill in 2011, but was unsuccessful. In 2013, Yangon Region Hluttaw submitted a similar bill, “Yangon City Development Committee

Law,” and passed it into law.

- The Tax Assessment bill. Although the bill was not successful, the concerned department of the Yangon Region Hluttaw issued similar rules as official orders.
- The Investigation on Development Plans/Projects bill, which was not successful because it did not have the support of the Yangon Region Chief Minister and hluttaw speaker

**Oversight efforts:** Dr. Nyo Nyo Thin, who submitted over forty motions and about four hundred questions, stood out as the most outstanding legislative figure during U Thein Sein's presidency. She was the most prominent watchdog and critic who pointed out the major pitfalls in those public spending and development projects that did not greatly benefit the public. She always took advice and feedback from the public and established herself as an approachable resource with the media and research institutions. This approachability greatly benefited the public as the Yangon Region Hluttaw has been a difficult hluttaw from which to obtain information. She was awarded several honorary awards, including the Women's Rights and Politics Award, Lu Htu Shae Saung (People's Leader) Award, Iron Rose in Hluttaw Award, One Lion Award, Rising Star Award and Tha Tinn Lu Thar (Media Resource Person) Award. She was also listed among the 100 most influential women of 2014.

### Box 3. Profile of Dr. Aung Naing Oo, the elected MP of Mon State Hluttaw

**Name:** Aung Naing Oo

**Ethnicity:** Mon

**Education:** B.V.Sc

**Carrier:** Business owner (photo studio)

**Constituency:** Chaung Sone (1)

**Party:** All Mon Region Democracy Party (AMRDP)

**Political carrier:** Elected MP of both the first and second Mon State Hluttaw

**Legislative efforts:** Prepared and submitted three bills: 1. The Bill of Supervision on Mon State Play Theaters; 2. The Bill of Small and Medium Industries; 3. The Bill of Small and Medium Electric Power Industries. The first and second bills were passed into laws and the third one remained in discussion at the time of the study.

**Oversight efforts:** He initiated the reform that changed the Committee for Reviewing Enforcement and Implementation of Law, Motion, Questions to the Committee for Reviewing Enforcement and Implementation of Law, Motion, Questions, and Local Development Projects, Government's Budgetary Managements (revenues and spending). This reform enhanced the oversight authority of the hluttaw on the government's actions and implementations. He was nominated as a chair for the committee by the hluttaw speaker. He voluntarily leads the review process of the government's budget bill.

During his first term, he submitted over 40 motions and questions. He always initiates public consultations for bills and development projects.

## Oversight

Most respondents from the studied local legislatures identified legislative oversight as an important duty of hluttaws. All respondents from studied local legislatures view legislative oversight as the most important action of a checks-and-balance system.

The study identified four types of oversight actions practiced across all studied hluttaws. The level of effectiveness of these actions, however, varies among studied hluttaws. The four oversight actions are 1. oversight through committees; 2. submission of motions; 3. submission of questions; and 4. investigation of complaints and appeals submitted by the public. Respondents from Mon State Hluttaw and Tanintharyi Region Hluttaw stated that government departments were invited for occasional parliamentary hearings related to specific policies. The study cannot, however, measure or confirm the success of these hearings. Respondents of the respective hluttaws did, nonetheless, appreciate such events as they allowed them to receive more information from government departments.

## Oversight effectiveness and constraints

The study found that the oversight functions of the hluttaws' oversight committees remain weak. Only a few local legislatures have active and functioning oversight committees, notably those in Mon State, Tanintharyi Region and Ayeyarwaddy Region Hluttaws. The respective committees are listed below.

Mon	Tanintharyi	Ayeyarwaddy
Committee for Reviewing Law, and Implementation of Motions, Questions, Local Development, and Revenue and Expenditure	Committee for Reviewing the Government's Guarantees, Pledges and Accountability, and Complaints and Appeal	Legislation Review Committee
Committee for Reviewing Legal and General Issues		

The study found that hluttaws commonly had three committees: The Legislation Committee, the Representative Vetting Committee, and the Ethnic Affairs Committee. In addition to these committees, most hluttaws, except for Kayin State, Rakhine State and Yangon Region Hluttaws, formed several other committees to regulate oversight functions. The number of these additional committees, however, varied from two committees in Mon State Hluttaw and Rakhine State Hluttaw to ten committees in Ayeyarwaddy Region Hluttaw. The study identified the initiatives of the committees in the Mon State Hluttaw as the best example of the ability of committees to effectively perform legislative oversight.

#### Box 4. Initiatives of the committees in Mon State Hluttaw

In Mon State Hluttaw, there were five total committees from 2010-2015. In addition to the three compulsory committees only two other committees were formed for oversight purposes. These two are the Committee for Reviewing Law and Implementation of Motions, Questions, Local Development, and Revenue and Expenditure and the Committee for Reviewing Legal and General Issues. Most of these committees include important external individuals, notably academics, legal experts, administrators, and CSO representatives. Seventeen such individuals were included in the committees.

The committees, especially the Legislation Committee, the Committee for Reviewing Law, and Implementation of Motions, Questions, Local Development, and Revenue and Expenditure and Committee for Reviewing Legal and General Issues, carried out regular weekly meetings. These committees have held biweekly coordination meetings since 2015. In these meetings, committees present the progress of their reviews and findings and they discuss actions to be taken. Authorized personnel from concerned government departments are often invited for further information and discussion regarding coordinated solutions. Key respondents from the Mon State Hluttaw referred to these meetings as “hearings” and believed outcomes contribute to the performance of hluttaws; however, they also admitted that low levels of cooperation with executive officials and members’ limited experience present challenges.

**Oversight initiatives made through motions and questions, regular functions of all studied local legislatures, are accessible oversight performance options.** Making motions and questions do not require extensive legal knowledge. The data show that Ayeyarwaddy Region Hluttaw and Rakhine State Hluttaw submitted the most motions and questions during the first five-year term.

**Table 10. Summary of motions and questions submitted in studied Hluttaws**

Particular	Kayin	Mon	Rakhine	Shan	Ayeyarwaddy	Sagaing	Tanintharyi	Yangon
Motions	47	45	81	36	126	38	10	DNA
Questions	229	490	1522	655	1771	713	536	DNA
Total	276	535	1603	691	1897	751	546	DNA

**Executive responses to these motions and questions varied greatly and the effectiveness of responses is vague.** Motions and questions officially become recorded as government pledges when concerned ministers or department heads promise to act on specific motions and questions. Those not recorded as government pledges remain recorded as submitted motions and questions. Table 11 shows the number of motions and questions recorded as government pledges.<sup>10</sup>

**The parameters used to measure how effectively government pledges were fulfilled and implemented vary, and are thus not comparable across studied hluttaws. This rendered it was difficult to determine if they reflected legislative effectiveness.** Once motions were recorded as government pledges, some hluttaws began monitoring how concerned ministries or departments acted on these pledges. As a result of different monitoring procedures, the methods, parameters and indicators used to assess how pledges were fulfilled or implemented vary. Some hluttaws, Mon State Hluttaw in particular, have active monitoring teams that performed regular reviews and ground assessments on the implementation and fulfillment of pledges. According to the data collected, the majority of government pledges were successfully implemented (See Table 12). However, the study also concluded that since the credibility of these data varied and the data were not

<sup>10</sup> The data include some motions that are not intended for government actions or accountability. For instance, some motions are made only for appraising or appreciating the actions or decisions of the local or Union governments.

comparable across studied hluttaws, it was difficult to determine the extent to which they reflected the actual effectiveness of local hluttaws. For instance, the data from Shan State Hluttaw, which showed a 100% implementation rate of those motions and questions recorded as official pledges, raised concerns and questions as to the effectiveness of such motions and actions.

**Table 11. Summary of how many motions and questions become recorded as pledges**

States/Regions	Total Motions & Questions	Total Pledges	The % of Motions/ Questions that became pledges
Kayin	266	27	10%
Mon	524	DNA	DNA
Rakhine	1585	1349	85%
Shan	671	6	1%
Ayeyarwaddy	1819	1351	74%
Sagaing	751	426	57%
Tanintharyi	546	246	45%
Yangon	DNA	DNA	DNA

**Table 12. Summary of questionable data that shows how pledges are responded to across hluttaws**

States/Regions	Total Pledges	Implemented	Implementing	Remaining	Cancelled Pledges <sup>11</sup>	Implemented %
Kayin	27	5	0	22	0	19%
Mon	DNA	35	DNA	DNA	DNA	DNA
Rakhine	1349	647	391	311	0	48%
Shan	6	6	0	0	0	100%
Ayeyarwaddy	1351	952	388	DNA	11	70%
Sagaing	426	373	40	0	13	88%
Tanintharyi	246	189	27	0	30	77%
Yangon	DNA	DNA	DNA	DNA	DNA	DNA

The effectiveness of how complaints were resolved across studied hluttaws cannot be assessed by the recorded data. The study found similar variances in the methodology used to trace the recorded number of complaints and the number resolved during the first five-year term. (see Table 13). The data questionably showed that hluttaws with relatively better performance such as Mon State Hluttaw solved only 22% of complaints while ones with weak performance, such as Shan State Hluttaw, solved 100% of complaints.

<sup>11</sup> Some states and regions hluttaws 2010-2015 cancelled pledges recorded during the first term (2010-2015) when the term ended. These cancelled pledges were then not brought up to the new hluttaw of 2016-2020



**Table 13. Summary of questionable data that indicate the level of complaints solved**

State/Region	Complaints Received	Complaints Solved	% Solved
Kayin	141	41	29%
Mon	1661	370	22%
Rakhine	149	139	93%
Shan	201	201	100%
Ayeyarwaddy	DNA	DNA	DNA
Sagaing	73	66	90%
Tanintharyi	777	TBC	TBC
Yangon	DNA	DNA	DNA

The local legislative oversight efforts on state and region budgets and the local government spending faces several different challenges and constraints. With the exception of Ayeyarwaddy Region Hluttaw, studied hluttaws admitted that they were unable to review the budget within the allotted time frame. These hluttaws had received the budget bill from the government within one two days before the hluttaw's official discussion to approve the bill, an inadequate time to critically review the budget

Prior to formal discussion during a hluttaw session, budget bills were sent directly to the hluttaw offices with the exception of Ayeyarwaddy Region Hluttaw. In Ayeyarwaddy Region, bills were first reviewed by the Legislation Review Committee<sup>12</sup> within 7 to 10 days. During the review process, committee members prepared revisions to the budget and submitted it to the Legislation Committee for approval before discussion and approval at the hluttaw session.

The degree of influence hluttaws have to adjust the requested amounts in budget bills was significantly low. There was almost no room for individual members' advice. In hluttaws where committees conducted budget reviews, such as Ayeyarwaddy Region Hluttaw, the hluttaw had a better chance of influencing the bill. In contrary, when the bill was discussed directly in the hluttaw, one or two candidates would express support for the bill and request the hluttaw's approval. Advice presented was not accepted and accounted for. In only a few documented instances was advice presented during the hluttaw session accepted for the final bill. Examples from Mon State Hluttaw highlight such successful cases.

#### **Box 5. Individual members' influence on the Budget Bill in Mon State Hluttaw**

**Case-1:** A request by the state government for fifty million kyats from the 2014-2015 Budget Bill to build two monasteries in Mon State was rejected after Dr. Aung Naing Oo, the MP from Chaung Sone Constituency -1, suggested that local development be a budget priority. As a result of his discussion, MPs voted to remove the requested budget line.

**Case-2:** During the discussion over the 2015-2016 Budget Bill, the government requested MMK 12,000,000 for the construction of official guest houses in the government residential compound. Dr. Aung Naing Oo, argued against the proposal saying that the large amount of money will benefit too few people and that it should instead be used for local development projects that will benefit more people and communities. At the time of the interview, respondents figured the possibility of the hluttaw adopting his advice was about 80%.

<sup>12</sup> The Legislation Review Committee is comprised of hluttaw members and external resource individuals for drafting bills and reviewing approved bills and rules and regulations submitted by government departments for the hluttaw's review and approval.

Legislative oversight efforts on government budget and spending and on public services and local development projects have faced several challenges. These challenges are mainly due to limited cooperation from government departments. According to the study, Mon State Hluttaw faced the fewest challenges, Shan State Hluttaw remained in a deadlock, and the expenditure oversight activities of Yangon State Hluttaw remain classified. The deadlock in the Shan State Hluttaw is the result of the inability of the “Committee for Reviewing Implementation of Laws, Motions and Questions, and Local Development Projects, Revenue and Expenditure” to access regular and special expenditure records from the State Revenue and Expenditure Departments. According to the committee, although they were able to easily place requests for the records, the centralized control of the state government hindered their ability to access the requested records. (see the quote box).

#### Box 6. Constraints on Government Pledges

Case-1: The motion requesting to establish a State Reserve Fund in Mon State was in vain after the state government seemed hesitate to approve it despite agreeing on its purpose and benefits.

Case-2: The plan that came from the motion proposing the construction of a connecting road to the famous Kyaik Teo (the Golden Rock) Pagoda from the express road, avoiding Kyaik Hto town and thus improving traffic flow, has not yet been implemented as the concerned state department was still waiting for a reply from the respective Union ministry.

Based on this research, individual members had limited interest in and opportunities to study and question the yearly audit report during official hluttaw discussions. Respondents expressed that they had been given little time to study the audit report as it was shared on the day of or one day prior to the official presentation in the hluttaw. The study recorded only a few instances in both Yangon Region Hluttaw and Mon State Hluttaw of active discussion of the audit report. They expressed that their questions and advice on the findings of the report rarely received proper responses and clarification from the government and the state or region auditors.

**Barriers to effective oversight practices through motions and questions include procedural constraints and ineffective coordination.** While some motions and questions successfully became government pledges, the implementation of some pledges was delayed due to unclear authority between Schedule (A) and Schedule (B) of the 2008 Constitution and limited coordination between Union and state departments. Some of the mentioned cases below reflect these study findings.

**The constituencies where elected MPs have accepted dual roles are underrepresented.** Respondents stated that there has been limited discussion on those constituencies represented by MPs in dual positions as those MPs are unable to bring forward questions and motions related to their constituencies in hluttaw.

“The government does not share its activities and expenditures and the State Ministry for Border Area Development does the same thing. So, we directly sent a request to the concerned state departments, as allowed by Article 64 of the Rules of State Legislature. Then we received a letter from the Chief Minister asking to make our request through his office. This is an act of centralized control. We still have not received a response though we requested directly through him. I finally gave up”

Speaker, Shan State Hluttaw

**The experience and interest of individual candidates affects their ability to effectively represent their constituents through questions and motions.** The testimonies of active MPs and the data collected indicate that some MPs never submitted any questions or motions during hluttaw sessions. For instance, 41 elected MPs in Shan State Hluttaw and 5 in Kayin State Hluttaw, almost half of the total elected MPs in those hluttaws, have never submitted motions or questions throughout their five-year term. Active MPs expressed that limited experience and low levels of interest contributed to the reluctance of these MPs to participate through submitting motions and questions. The data from Kayin State, Mon State, Shan State and Ayeyarwaddy Region Hluttaws show that no military representatives, except for one in Kayin State, have ever submitted a question or motion in their respective hluttaw.

“During the discussion over the 2012-2013 audit report, I pointed out that the road reported for repair during last year was not repaired. I discovered this by going to the road. The response to the question was that the road was quickly damaged after repair due to heavy rain”

**An elected MP, Yangon Region Hluttaw**

“We don't hear voices reflecting the needs of people whose elected representatives joined the state cabinet. For instance, we have fewer voices from Kyun Su and Pu Law townships”

**Deputy Speaker, Tanintharyi Region Hluttaw**

## Public Access and Communication

The study looked at both institutional and individual channels of public outreach and communication in local legislatures. In addition, it also explored other mediums of communication that improved public access to information from and communication with local legislatures. The study also gathered feedback from local media to assess the relationships between local legislatures and the media.

At the time of research, none of the studied hluttaws had established effective communication and information mechanisms despite a growing interest in electronic communication avenues, particularly social media and websites. While all hluttaw speakers and deputy speakers expressed an interest in developing a hluttaw website to provide the public with regular information, Mon State Hluttaw is the only hluttaw that already has an established website (see Table 14 below and Annex B). Most hluttaws, however, said they were not very familiar with using email and fax remains the only official means of communication within the government. Most of the interviewed MPs shared that they used Facebook to inform the public of activities and receive updated information.

**Table 14. Summary table of the available means of information distribution and public communication in local legislatures**

State/Region	Facebook	Website	Hluttaw Journal / Newsletter
Kayin	Yes	No	Yes
Mon	Yes	Yes	Yes
Rakhine	No	No	Yes
Shan	No	No	No
Ayeyarwaddy	No	No	Yes
Sagaing	No	No	Yes
Tanintharyi	Yes	No	Yes
Yangon	No	No	No

While a hluttaw journal has been regularly published in all studied hluttaws except for Shan State Hluttaw and Yangon Region Hluttaw, the distribution and coverage of these journals is primarily limited to MPs and government ministries. Mon State, Tanintharyi Region and Ayeyarwaddy Region were the only regions where local CSOs received hluttaw journals. The speaker and active MPs of Mon State Hluttaw expressed that they have been trying to expand distribution to the ward and village tract administrators during the new term. Shan State Hluttaw is the only local hluttaw that has not published regular journals and the journal published by Yangon Region Hluttaw is only for internal circulation (see Annex F). While the schedules for publication and distribution vary, most newsletters or journals were published at the time when the hluttaw was in session.

**Table 15. Summary of hluttaw journal and newspaper publication**

State/Region	Type of Publication	Issues	Copies Distributed
Kayin	News letter	13	2470
Mon	News letter	6	1200
Rakhine	Journal	DNA	DNA
Shan	None	N/A	N/A
Ayeyarwaddy	News letter	75	DNA
Sagaing	News letter	19	127300
Tanintharyi	News letter	10	39105
	Journal	125	2022
Yangon	News letter	DNA	DNA

The Union of Myanmar National Gazette, posted weekly on the official website of the Ministry of Information, was arguably the only source with available up-to-date information on approved laws, official declarations and contracts. However, CSOs and the media articulated that the MOI website is not user-friendly and searching for the needed information is difficult. They suggested a separate webpage for the Myanmar Gazette with an efficient search function.

Financial limitations affected the ability of hluttaws to publish and widely distribute the laws approved each year. This is particularly true for Mon State, Tanintharyi Region and Ayeyarwaddy Region Hluttaws. Mon State Hluttaw regularly prints hluttaw documents with the motions, questions and bills discussed during sessions. However, Mon State Hluttaw department officers stated that the printing process takes approximately two months following the session and that only limited copies can be made for official record and distribution to the Union Government and government departments.

The most common communication channel is direct engagement between members of parliament and the public. The leaders and MPs of studied hluttaws stated that the most effective means of receiving information from and communicating with the communities they represent is through in-person visits to their respective constituencies. Respondents expressed that official office space in hluttaws would facilitate public communication with constituents. Some active MPs stated that the Constituency Development Fund and local development planning pushes them to meet and consult with the communities and stakeholders involved the project management and implementation.

Some surveyed hluttaws, such as Mon State, Tanintharyi Region and Ayeyarwaddy Region Hluttaws are relatively open to the public for general visits, formal sessions, or arranged visits for university students. Only some hluttaws had recorded visitor data in their guest registration books (See Table 16). Respondents stated that they only began to see improvements in the openness of hluttaws starting in mid-2014.

**Table 16. Summary of the number of guest visits as recorded in available visitor registration books**

State/Region	Number of people who visited Hluttaws (2010-2015)
Mon	146
Sagaing	117
Tanintharyi	107

The media find that hluttaw attitudes towards the media have improved since mid- to late 2014; however, the level of friendliness and cooperation varies. Respondents from local media felt more welcomed by the Tanintharyi Region Hluttaw and Mon State Hluttaw, measured by increased invitation to hluttaw sessions and discussion. Media respondents complained, however, that relations with the Yangon Region Hluttaw remain unchanged. All media respondents stated that they have not been given the opportunity to interview the hluttaw speakers and that it has always difficult to receive information.

## Institution building and individual capacity building

As local legislatures are nascent institutions in Myanmar's political transition process and strengthening their institutional and individual capacity is important, this study explored how studied hluttaws and their members identified their challenges and limitations, developed plans, and obtained opportunities to improve their skills and expertise.

**While most speakers and MPs were eager to promote the role of local legislatures in Myanmar, the study identified no concrete plans for institutional and individual capacity building among local legislatures.** Most respondents identified common factors that influence the effectiveness of hluttaws. These factors include: 1) the perception that local legislatures are subordinate to local executive authorities; 2) the ability for legislative members to take dual positions; and 3) the limited experience of legislative members. Although some of these issues were discussed in the other sections of this report, they are discussed in detail in the following sections.

**The study found that local legislatures had no existing activities or initiatives for internal or external performance review.** Speakers from most of the studied hluttaws, however, noted that such reviews are crucial to improving the performance of local legislatures. One of the speakers suggested that the Myanmar Parliamentary Union (MPU) should play a role in establishing an effective evaluation mechanism.

**The study found that there was a common misperception of legislative authority that undermined the role of local legislatures in favor of executive superiority.** Respondents stated that most people, even some elected MPs and administrative personnel, believe that the executive branch is superior to the legislative. Surveyed legislative members expressed that allowing MPs to hold dual roles in the legislative and executive branches was one attribute that fostered this misperception. Many also perceived that since it was mostly chief ministers and state and region ministers who take on dual roles, their executive role must be more important. Other respondents stated that cultural habits fostered the misperception that the executive side must be superior to the local legislative as the executive is headed by chief ministers. These misperceptions need to be addressed to promote the role of local legislatures as institutions that are parallel in importance to executive institutions.

**Surveyed speakers identified infrastructural and material developments as important achievements of institutional development during their term in office.** The first important development project that promoted the role of the hluttaw was the construction of hluttaw buildings in separate locations from the state and region government annex (See Table 17). It is important, according to hluttaw leaders and MPs, that hluttaws be separate from the state government offices in order to: 1) physically separate local administration and legislatures to create a visible separation of their roles; 2) alleviate concerns regarding unwarranted influence from the executive, particularly from chief ministers and GADs; and 3) provide for the practical space needs of all departments, committees and MPs in residence during hluttaw sessions. Speakers of those hluttaws with new buildings expressed that they felt they had fulfilled an important duty during their term of office.

Table 17. Summary of local legislatures' infrastructure quality

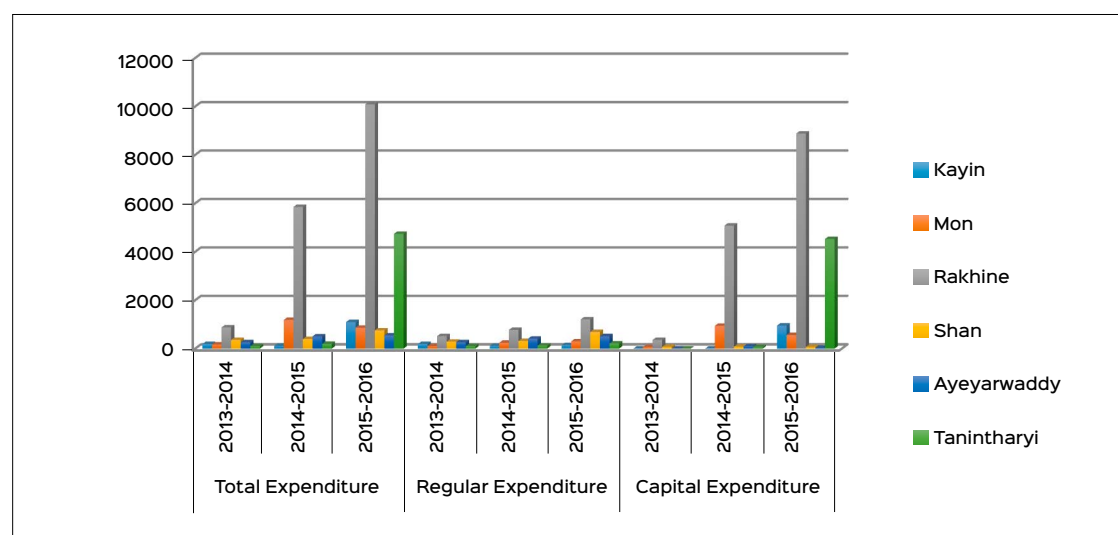
State/Region	Hluttaws currently located in a separate location from State/Region Administration	Remarks
Kayin	✓	Newly built, Good location and visibility; easily accessible to the public.
Mon	✓	Newly built; Good location and visibility; easily accessible to the public.
Rakhine	✓	Newly built; Far away from the town center; not visible to the public.
Shan	x	Located in the same annex with State Administration; Although location provides for easy accessibility, the public cannot easily identify the location.
Ayeyarwaddy	x	Located in the same annex with State Administration; Although it is located in the town center, it appears less accessible to the public compared to the situation of Tanintharyi Region Hluttaw.
Sagaing	✓	Newly built; Good location and visibility; easily accessible to the public.
Tanintharyi	x	Located in the same annex with State Administration; Good location and visibility; easily accessible to the public.
Yangon	x	Located in the same annex with State Administration; Good location but only fair public accessibility.

The budgets of the studied hluttaws do not include practical costs for important activities, notably field observation for oversight activities, documentation and publication, information sharing and distribution, and capacity building. Speakers, however, expressed that the current budgets were well-managed and they were also allowed to make additional requests if needed. However, speakers were quick to respond that the budgets were sufficient but later expressed that insufficient funds inhibited their ability to fulfill important activities. The activities affected most by budget limitations are field monitoring for oversight practices, the publication of laws and records, and the maintenance of information sources. Most of the studied hluttaws stated that they have had to submit additional budget requests to develop new hluttaw infrastructure since the 2014-2015 fiscal year.

Spending in the studied hluttaws increased significantly from the 2013-2014 fiscal year to the 2015-2016 fiscal year (see Figure 5 below and Annex D). Spending increased primarily in regular expenditure. Increases in capital expenditures appear only in the years with construction. Based on the available data, the Rakhine State Hluttaw had the highest increase in both regular and capital expenditure budgets during all years. The leaders of Rakhine State Hluttaw confirmed that they requested the amounts as necessary.



**Figure 5. Summary of budgets in studied Hluttaws from 2013-2014 to 2015-2016 (in Million Kyats)**



Almost all respondents from surveyed hluttaws identified the need for capacity building for both elected MPs and hluttaw office staff. Although the Union Government and UNDP have provided some workshops and training, limited spots were given for individuals from each hluttaw. Respondents also stated that exchange visits between local legislatures were important support mechanisms that increased the cooperation among hluttaws and allowed newly elected politicians to learn from one another. When asked which topics they were most interested in receiving training on, MPs commonly favored legal and policy development, federalism and information technology. Hluttaw office personnel also expect to receive relevant training as previous initiatives have primarily catered to MPs. Only a few hluttaw office staff have received administrative support training from the government. The two most common trainings identified for staff officers were the management training for mid-level staff and the basic management trainings provided by the Institute for Development of Administration (IDA).

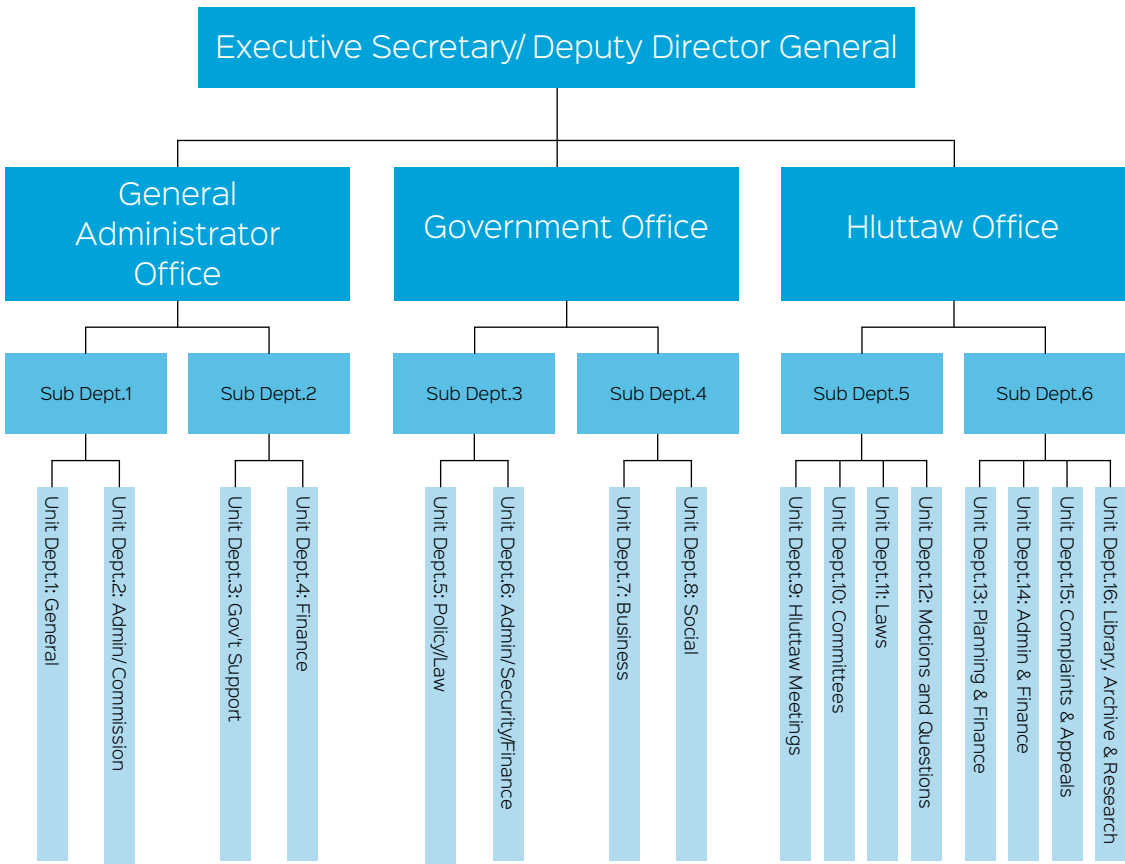
# Administrative support from hluttaw offices

In order to better understand the role of hluttaw offices and their capacity and effectiveness, EMReF also conducted interviews with the hluttaw office heads and gathered feedback from hluttaw speakers and MPs regarding the effectiveness and limitations of offices.

The administrative support offices of local legislatures are sub-departments of the General Administration Department (GAD). The appointment of key office staff is handled by the Ministry of Home Affairs. The heads of hluttaw offices are required to be accountable to the Deputy Director General of GAD, who serves as an Executive Secretary in each state and region government (See Figure 6 below). However, in practice they are also accountable to the speaker of the respective hluttaw.

The study observed that hluttaw support offices are well structured to attend to the key functions of hluttaws. Offices of every local legislature include two sub-departments, sub-department 5 and 6, and four unit departments (UDs) under each sub-department. Important UD are UD 9- Hluttaw Meetings, UD 10- Committees, UD 11- Laws, UD 12- Motions and Questions, UD 13- Planning and Finance, UD 14- Admin and Finance, UD 15- Complaints and Appeals, and UD 16- Library, Archive and Research (See Figure 6 below).

Figure 6. The position of state and region hluttaw offices in the structure of state and region general administration departments



Respondents testified that the support and function of hluttaw offices improved after structural changes to hluttaw offices in mid-2014. Changes are manifested in two main actions: 1) the expansion of departments from four to eight, and 2) upgrades in office management capacity through which office heads, who were previously supervised by deputy directors or assistant directors, were replaced with director-level staff. The restructured departments are UD 10- Committees, UD 12- Motions and Questions, UD 13- Planning and Finance, UD 14- Admin and Finance, UD 15- Complaints and Appeals, and UD 16- Library, Archive and Research.

Respondents expressed concerns over the capacity of hluttaw office staff despite sufficient number of staff (See Table 18). The most common concern respondents shared was the frequent transfer of office staff from one place to another within the GAD system. This resulted in frequent turn-over and left local legislatures with staff unfamiliar with hluttaw procedures and without the necessary political knowledge for the position. Respondents view the nature of hluttaw support staff work as significantly different from general GAD work. They state that those GAD staff who work at hluttaw offices need to invest more time in understanding the importance of the hluttaw and that their behavior must change to accommodate the essence of hluttaw procedures. Another important concern expressed among office heads expressed was the staff's limited computer skills of staff and the time required to complete manual tasks. This negatively affects the efficiency of the hluttaw.

“They (hluttaw office staff) need to take time to learn about hluttaws, particularly their importance. The nature of GAD work and hluttaw office work are different... [staff] need to change and be trained to become more familiar with hluttaws and their essence. ...We always prefer a separate office structure and staff from GAD, like what the Union hluttaws now practice”

Deputy Speaker, Tanintharyi Region Hluttaw

**Table 18. Summary of the quantitative strengths of state and region hluttaws administrative and support offices**

State/ Region	Total of All Units			Unit Dep't 9	Unit Dep't 10	Unit Dep't 11	Unit Dep't 12	Unit Dep't 13	Unit Dep't 14	Unit Dep't 15	Unit Dep't 16
	Male	Female	Total	Total	Total	Total	Total	Total	Total	Total	Total
Kayin	17	32	49	4	4	5	5	11	5	5	5
Mon	13	31	44	5	2	5	2	5	4	4	3
Rakhine	25	21	46	5	5	4	4	9	5	4	2
Shan	15	33	48	4	5	4	5	10	5	3	4
Ayeyarwaddy	24	23	47	5	3	5	5	10	4	5	5
Sagaing	16	22	38	3	4	3	4	8	5	3	5
Tanintharyi	17	30	47	5	4	3	4	10	5	5	3
Yangon	DNA <sup>13</sup>	DNA	DNA	DNA	DNA	DNA	DNA	DNA	DNA	DNA	DNA

<sup>13</sup> DNA: Data Not Available

Active MPs, local CSOs and the media expressed concerns over the lack of transparency and limited access to information in surveyed hluttaw offices. Respondents stated that it took a long time to receive requested data and information from hluttaw offices. On many occasions, hluttaw office staff responded to requests stating that the requested data or information were not available for sharing. Local media and CSOs complained that most of the information they requested could not be shared to the public as these documents were marked as “Kant That,” which means “closed or not for public consumption.” Some MPs pointed out that such restrictions on information are unconstitutional as per Chapter 4, Article 184, which permits state and region activity records to be shared with the public.

**Chapter 4, Article 184, the Constitution of the Republic of the Union of Myanmar (2008).**

The proceedings and the records of the region and state hluttaws shall be published. However, the proceedings and the records prohibited by any law or the resolution of the region or state hluttaw shall not be published.

## Conclusion and Recommendations

Based on all key findings, the study concludes that there are three main factors influencing the performance and effectiveness of local legislatures. These three main factors are:

- Structural limitations and barriers;
- Limited institutional and human capacity;
- Personal attributes or leadership capacity.

Recommendations for each factor are provided in the following sections. These recommendations aim to promote the role and institutional development of local legislatures in ways that will foster decentralization. Recommendations reflect the needs and wants of surveyed key respondents.

### Structural limitations and barriers

Undeniably, the study identifies structural limitations as the top factor undermining the role and effectiveness of local legislatures.

**The ability for members to accept dual roles in the legislative and executive** was identified by respondents as the most common structural issue. This significantly compromises the role and duty of local legislatures. As most MPs in studied hluttaws participated as respondents in the study, the study recommends a thorough review of the policy that constitutionally allows local MPs to accept dual roles.

Most leaders and MPs of studied hluttaws and CSOs recommended **a system by which the chief minister of a state or a region is elected by its legislature** as opposed to the current system where the Union President appoints the chief ministers. They expressed that such a system provides the proper level of authority and is thus an important contribution to a clear checks-and-balance system.

The study observed that **the role and support of the constitutional tribunal is not clear and that the institution is not strong enough to provide accurate answers to issues** where the legislative mandate is not clearly defined in the 2008 Constitution and requires a case-by-case review from an independent authorized body. Select case studies prove that the constitutional tribunal has not been able to provide any strong advice as an independent body other than recommendation to the legislatures to approach the president for advice. Thus, this study recommends the development of a strong independent tribunal with sufficient technical capacity to provide the necessary advice, feedback and decisions.

Based on information from key respondents in studied hluttaws, this study recommends the implementation of an effective mechanism to increase the **cooperation and coordination between local administrations and legislatures**. Leaders of local legislatures admitted that the regular general administrative meetings organized by the state or region administration are not sufficient to improve cooperation and coordination. Respondents suggested scheduling regular meetings specifically to improve coordination and information exchange.

### Limited institutional and human capacity

The study obtained evidence and feedback from respondents that identifies limited institutional and individual capacity as a major barrier to hluttaw effectiveness.

**The development of the national-level strategic plan for institutional capacity building of local legislatures should be a concerted effort** between the Union Government, the legislatures, international and local CSOs and the designated bodies from all local legislatures. Based on the strategic plan, local legislature should develop individual specific plans and approaches that meet their own prioritized needs. The budget for the capacity building plans should be provided by the Union and to some extent through international support.

**Respondents commonly identified a need for regular coordination and learning platforms among local legislatures.** They shared that they learn from each other's legislation and oversight practices but admitted that a sense of competition encourages them to improve their work. Respondents also identified a desire to learn international best practices and for increased exposure to international institutions.

**Leaders, active MPs and some local CSOs viewed regular performance reviews as important mechanisms to improve the effectiveness of local legislatures.** Some suggested participatory review by CSOs, MPs and local leaders, while others suggested an effective review mechanism initiated by an organization or designated body of technical individuals. The study recommends implementing a legal and institutional framework for performance assessment through which progress is also shared with stakeholders. Individual performance monitoring should also be included.

**Capacity building programs for parliamentary support offices must not be neglected and staff members must not be rotated.** Respondents commonly expressed that training for support staff was important to improve the effectiveness of hluttaws. They also shared opinions that staff should not be continuously transferred as these staff members are vital in the transfer of skills and practices to new hluttaw members.

**The study also strongly recommends the separation of hluttaw buildings from the state and region government annexes.** It is important, according to hluttaw leaders and MPs, that hluttaws be separate from the state government offices in order to: 1) physically separate local administration and legislatures to create a visible separation of their roles; 2) alleviate concerns regarding unwanted influence from the executive, particularly from chief ministers and GADs; 3) provide for the practical space needs of all departments, offices for committees and to accommodate MPs who stay during hluttaw sessions.

## Personal attributes or leadership skills

Some key findings of the study suggest that strong personal attributes, mainly individual leadership skills, improve the effectiveness of local legislatures and help institutionalize an effective checks-and-balance system.

**Leadership efforts and individual legislative and oversight efforts must always be unbiased and prioritized.** These must not be compromised by partisan political interests or ethnic and nationalistic political interests. The study recommends constitutional support that guarantees a space to recognize and address the efforts of members of any political party, especially those from political parties with underrepresented in the hluttaw.

**The role and space for female MPs must be promoted.** The speakers of local legislatures are in key positions to ensure that women have the opportunity for committee leadership positions and encourage their leadership endeavors. More importantly, as recommended by an active female MP, the by-laws of the state and region hluttaws should guarantee opportunities for female legislative members.

# Annex A.

## Summary table of the populations of studied hluttaws

States/ Regions	Total Members	Elected	Active Military	Female	USDP	NLD	NUP	NDF	88 GSY	DPM	SNDP	KPP	TNP	AMRDP	RNDP	PSDP	CPP	KSDDP	NDPD	PNO	WDP	INDP	LNDP	KNP	Independent
kayin	23	17	6	0	7							2		2		4		1							1
Mon	31	23	8	0	14		2							7											
Rakhine	47	35	12	1	15		1								18				1						
Shan	143	107	36	9	54		1				31		4							6	3	3	1	2	2
Ayeyarwaddy	72	54	18	3	47	1	6																		
Sagaing	101	76	25	0	67		8										1								
Tanintharyi	28	21	7	0	20		1																		
Yangon	123	92	31	6	75		8	4	1	2		1			1										
Total	568	425	143	19	299	1	27	4	1	2	31	3	4	9	19	4	1	1	1	6	3	3	1	2	3

## Annex B.

### Summary table of key indicators and tangible and intangible sub-indicators

Key Focus Areas	Key Indicators	Quantitative Sub-indicators (Tangible Indicators)	Qualitative Sub-indicators (Intangible Indicators)
Legislation	Legislative Effectiveness and Challenges	Legislative outputs (Routine laws vs non-routine laws)	Effectiveness of legislation (law making)
		Number of hluttaw sessions and days	Challenges and barriers of legislation
		Number of legislative committee meetings	Effectiveness of legislative committees
		Number of amended laws and replaced laws	Challenges and barriers to the legislative committees
		Number of bills submitted by individual members	
Oversight	Oversight Effectiveness and Challenges	Number of oversight committees	Effectiveness of oversight committees
		Number of motions and questions discussed	Opportunities for oversight committees
		Number of motions and questions recorded as Gov't Pledges/ commitments	Challenges and constraints to oversight activities
		Duration/time committees/members can spend on reviewing on budget bills, local development plans, and auditor reports	
		Duration/time that committees/ members can spend on reviewing budget bills, local development plans, and auditor reports	
		Number of members who discussed/questioned/advised on budget bills, local development plan or auditor reports	
		Effectiveness of budget oversight activities	Effectiveness/challenges of budget oversight (budget bill, local development planning, auditing/monitoring)
Public Access and Communication	Effectiveness of communication and public access, including information distribution	Communication and information facilities (newsletters, website, Social Media)	Media friendliness
		Number of public visit to the hluttaw	The flexibility of public and CSO access to hluttaw sessions and information
			Visibility of hluttaw offices
Inclusion	Space for female representatives and members of parties with minority seats in the parliaments	Number of bills/motions/questions submitted by representatives from minority parties	How actions of representatives from minority parties are treated
		Number of bill/motions/questions submitted by female representatives	How actions of female representatives are treated
Institution building and individual capacity building	Institutional capacity building initiatives and plans for the parliamentary bodies, individual members and administrative support office and its staff	Regular review and monitoring of hluttaw's performances	Efforts of local legislatures to remove and reduce structural limitations, and challenges faced
		Methods of M&E and M&E Effectiveness	Effectiveness of capacity building training
			Cooperation and collaboration among S/R Hluttaws and with Union Hluttaws
		Capacity building training provided by the state or by external actors such as CSOs, IGOs and INGOs	Efforts of local legislatures to remove and reduce structural limitations, and challenges faced
		Number of exchanged visits among S/R Hluttaws	Effectiveness of capacity building training
Administrative capacity	Effectiveness and efficiency of hluttaw administrative offices	Departmental setup of hluttaw office	Effectiveness of hluttaw office support
		Facilities (library, documentation and information management)	Challenges and constraints
		Number of staff	Current staff capacity of hluttaw office



## Annex C.

### The occupational background of hluttaw speakers and chief ministers and the relationships between legislative and executive officials

State/Region	Background (former positions)		Relationship
	Head of Legislature	Head of the Executive	
Kayin	Civilian; Advocate	Military; Brigadier General	The Chief Minister and head of state GAD heavily influenced the hluttaw speaker and legislative officials
Mon	Civilian; Head of state GAD	Military; Brigadier General; Minister-Ministry of Mining	Mutually respected relationship; State hluttaw was in a position to check and balance the executive
Rakhine	Civilian; Head Master (Retired)	Military; Brigadier General; Deputy Minister of Home Affairs	The Chief Minister and head of state GAD heavily influenced the hluttaw speaker and legislative officials
Shan	Civilian; Deputy Supervisor, Education Dep't	Military; Lieutenant-Colonel	The Chief Minister and head of state GAD heavily influenced the hluttaw speaker and legislative officials
Ayeyarwaddy	Military; Major General	Military; Brigadier General; Minister of Forestry	The speaker maintained good relationships with the Chief Minister
Sagaing	Civilian; Rector of Myitkyina University, Kachin State (Retired)	Military; Lieutenant General; Chief Bureau of Special Operation 1, Naypyitaw, Ministry of Security Affairs	Mutually respected relationship; State Hluttaw was in a position to check and balance the executive
Tanintharyi	Military; Deputy Quartermaster General	Civilian; Former Regional Minister of Finance in Tanintharyi Region	Mutually respected relationship; the speaker was able to influence the Chief Minister in some cases. The state hluttaw was in a good position to check and balance the executive
Yangon	Military; Colonel; Director - Ministry of Energy (Retired)	Military; Lieutenant General; Chief of Bureau of Special Operation 5; Chief of Military Security Affairs	The Chief Minister and head of state GAD heavily influenced the hluttaw speaker and legislative officials

## Annex D.

### Sample Budget of Studied Hluttaws

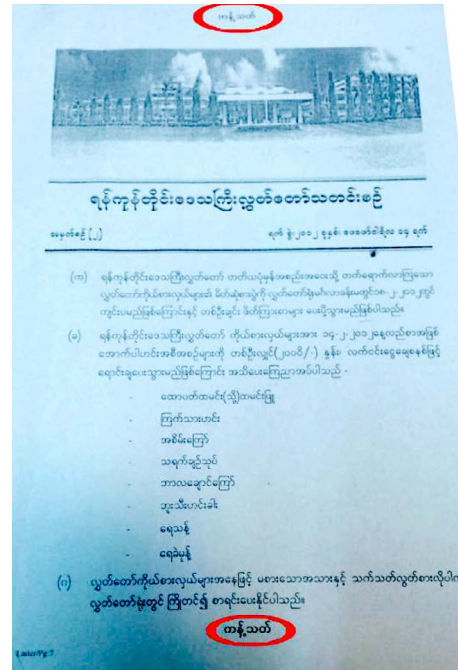
Sr.	Particular/Subject	2010-2011 (from 30-1-2011 to 30-3-2011 only)	2011-2012	2012-2013	2013-2014	2014-2015	2015-2016	Total (Kyats in Million)
	0102. Regular Expenses/ Allowance	xxxx.xxx	xxx.xxx	xxx.xxx	xxx.xxx	xxx.xxx	xxx.xxx	xxx.xxx
<b>1</b>	<b>0100. Regular Expenses/ Allowance</b>	xxxx.xxx	xxx.xxx	xxx.xxx	xxx.xxx	xxx.xxx	xxx.xxx	xxx.xxx
	0301. Labour Charges				x.xxx	x.xxx	x.xxx	x.xxx
	0304. Transportation Cost				x.xxx	x.xxx	x.xxx	x.xxx
	0305. Stationary				x.xxx	x.xxx	x.xxx	x.xxx
	0306. Petroleum and Lubricants				x.xxx	x.xxx	x.xxx	x.xxx
	0307. Postal Stamps, Mail and Phones				x.xxx	x.xxx	x.xxx	x.xxx
	0308. Electricity-related Expenses				x.xxx	x.xxx	x.xxx	x.xxx
	0309. Books, Journals and Newspapers				x.xxx	x.xxx	x.xxx	x.xxx
	0313. Office Materials				x.xxx	x.xxx	x.xxx	x.xxx
	0320. Printing and Publication				x.xxx	x.xxx	x.xxx	x.xxx
	0321. Advertisement						x.xxx	x.xxx
<b>2</b>	<b>0300. Materials, Labour and Implementation Cost</b>				xx.xxx	xx.xxx	xx.xxx	xx.xxx
	0401. Machinery				x.xxx	x.xxx	x.xxx	x.xxx
	0402. Buildings				x.xxx	x.xxx	x.xxx	x.xxx
	0404. Vehicles				x.xxx	x.xxx	x.xxx	x.xxx
	0409. Other				x.xxx	x.xxx	x.xxx	x.xxx
<b>3</b>	<b>0400. Maintenance</b>				x.xxx	x.xxx	x.xxx	xx.xxx
	0601. Hospitality				x.xxx	x.xxx	x.xxx	x.xxx
	0602. Refreshments				x.xxx	x.xxx	x.xxx	x.xxx
<b>4</b>	<b>0600. Hospitality and Refreshments</b>				x.xxx	x.xxx	x.xxx	x.xxx
	<b>Total</b>				xxx.xxx	xxx.xxx	xxx.xxx	xxx.xxx
	3(3) Capital Expenditure							
	New Plans				xx.xxx	xx.xxx		xxx.xxx
	Office Machinery				xx.xxx	x.xxx		xx.xxx
	Office Furniture				x.xxx	xx.xxx		xx.xxx
	Office Vehicles						xx.xxx	xx.xxx
	Other Materials							
	<b>Total</b>				xx.xxx	xx.xxx	xx.xxx	xxx.xxx
	<b>Grand Total</b>				xxx.xxx	xxx.xxx	xxx.xxx	xxxx.xxx

## Annex E.

### Mon State Hluttaw Website



## Sample newsletters distributed by Karen State Hluttaw and Yangon Region Hluttaw





EMReF is an independent non-profit research organization working for the development of Myanmar people and flourishing independent research culture in Myanmar.



**EMReF**  
Enlightened Myanmar  
Research Foundation

**Address:**

Wing (3), Room (A-305), Thitsar Garden  
Housing,  
3<sup>rd</sup> Street, 8<sup>th</sup> Quarter, South Okkalapa  
Township, Yangon, Myanmar.

Tel : +95 1 8562439  
Fax : +95 1 8562439  
Email : [info@emref.org](mailto:info@emref.org)  
Website : [www.emref.org](http://www.emref.org)  
[www.mypilar.org](http://www.mypilar.org)