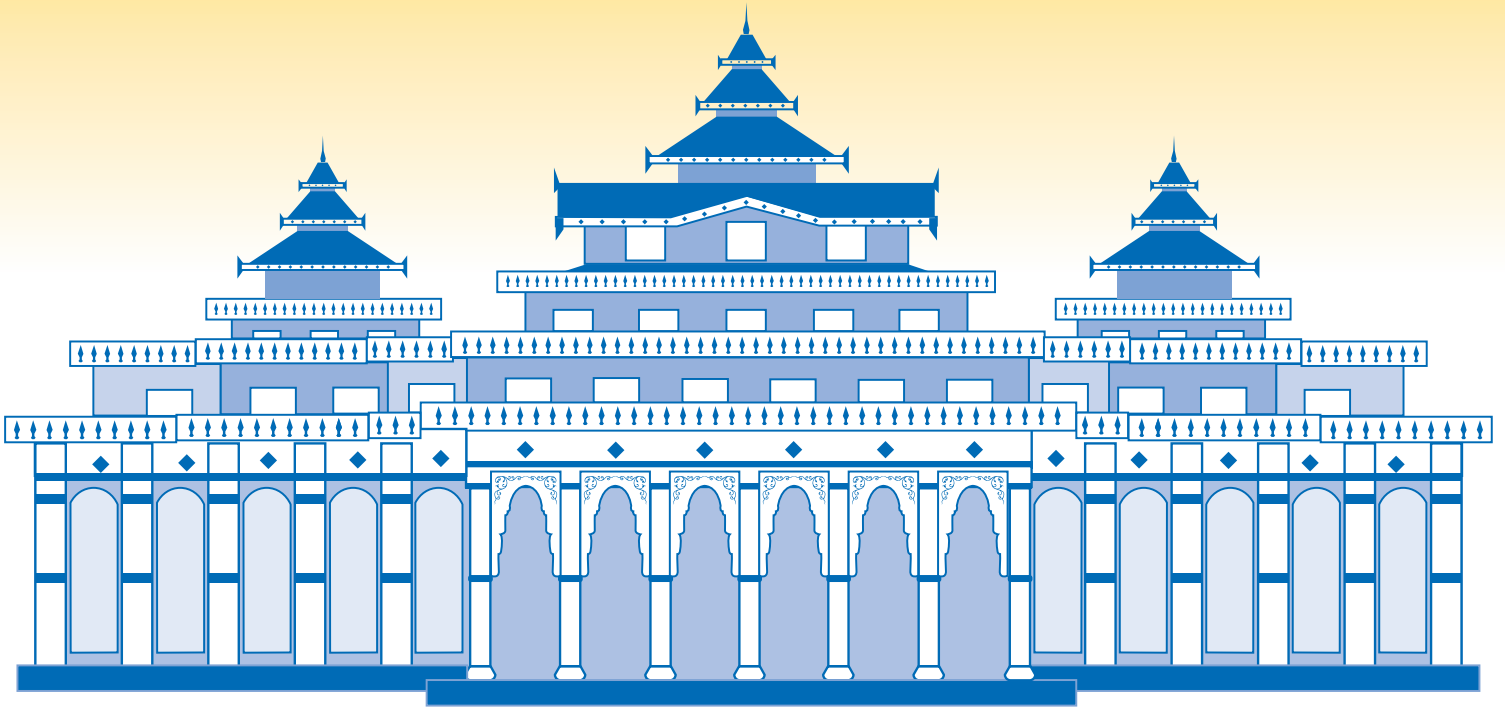




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Survey of Myanmar Members of Parliament: REFLECTIONS FROM THE SECOND HLUTTAW





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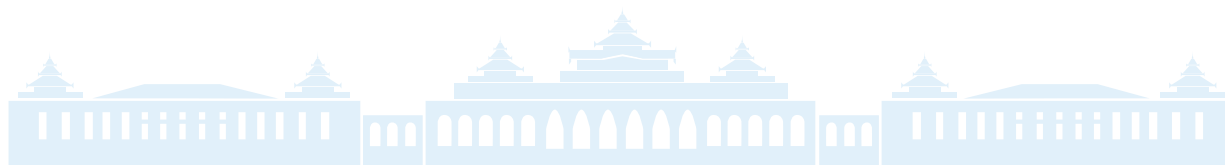
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Mr. Nick Sandars



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ACRONYMS

DDG	Deputy Director-General
FAO	Food and Agriculture Organization of the United Nations
IPU	Inter-Parliamentary Union
ICT	Information and Communications Technologies
IDEA	International Democracy and Electoral Assistance
MP	Member of Parliament
UNDP	United Nations Development Programme
ToR	Terms of Reference



EXECUTIVE SUMMARY

This preliminary report provides evidence-based insights on the roles, functions and practices of Union-level Members of Parliament (MPs) in the second term of the Parliament of Myanmar (Hluttaw) and on the challenges they face. It is based on interviews and focus groups held in December 2018 with 63 MPs (13 per cent of those elected), and a questionnaire submitted to all MPs in June 2019, to which 394 MPs responded (79 per cent of those elected¹). The report aims to provide evidence from MPs that the Hluttaw leadership can use to inform the strategic direction and institutional development agendas of the Union-level Hluttaws. Findings will help provide information that the Hluttaw administrations can use to design, implement, coordinate and target services to meet the needs of MPs, including providing information and professional development support. The report also complements a survey of members of the first Hluttaw conducted by United Nations Development Programme (UNDP) and the Inter-Parliamentary Union (IPU) in 2015, tracks developments from the first Hluttaw to the second, and records how second term Hluttaw MPs are engaging in their roles and duties. As with the first survey, the report will inform how UNDP and the IPU will work with MPs in the future. It could also provide programming guidance for all development partners supporting the Hluttaw.

Figure 1

Arrival of the President and State Counsellor at the Hluttaw Anniversary event in February 2019



Source: Amyotha Hluttaw

¹ The questionnaire was open to all MPs. Responses were anonymous but indicated that military-appointed MPs did not complete the survey.



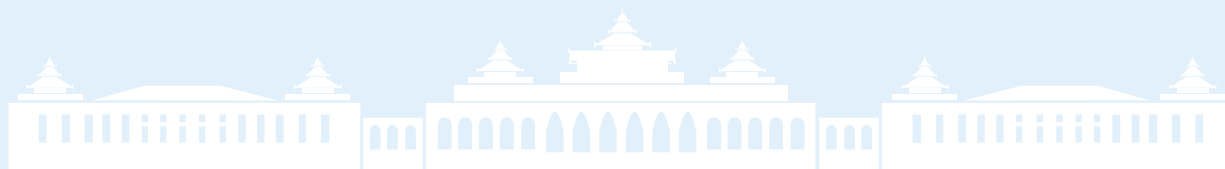
The development of the Union Hluttaw and the increase in MPs who are fulfilling their duties effectively are both contributing to building an effective democracy in Myanmar. MPs are strongly motivated to consolidate democracy, contribute to national reconciliation and solve constituency issues. Despite many MPs identifying law making as their most important role, they feel better able to undertake their representational duties compared to oversight or law-making. MPs often feel that they are constrained when making law if they do not have a legal background. However, international experience shows that MPs can have a strong impact on law-making through specializing in the policy area that their committees cover. Specialization strengthens the quality of law-making and oversight without requiring MPs to have advanced legal expertise. A deeper understanding of the complementary roles of the different branches of the democratic system would also support MPs to fulfil all their roles.

The second Hluttaw builds on the groundwork and achievements of the first; parliamentary processes and practices have evolved and developed. In the plenary, MPs are positive about the impact of their questions, especially on constituency issues. However, in the main MPs' questions seek government support for an MP's policy proposal or meet a constituency need. This may not make full use of a Union-level MP's entire range of powers to oversee national policy and government action. MPs are sometimes disappointed with the government's answers in plenary. Some MPs mentioned the need for more active plenary debate.

Committees in the second Hluttaw have become more active and MPs' engagement in constituency work is becoming more routine. MPs could identify some tangible outputs and achievements through more effective practice in areas such as holding hearings, site visits and engagement with ministries. Some *ad hoc* committees² are still reactive. They focus disproportionately on responding to complaints and constituency grievances, and so do not use their full range of powers. However, other committees are conducting in depth studies of issues within their terms of reference through what is commonly known as the committee inquiry process. Committee reporting to the plenary is not always systematic. Committees produce annual reports, but many do not yet report on their inquiries into policy issues or their detailed studies of Bills and legislation. Experience should be shared among all *ad hoc* committees so that effective Hluttaw practice is learned and internalized. This may lead to the amendment of committees' terms of reference.

MPs are very active in their constituencies, responding to citizens' needs and individual complaints. Many MPs work to solve individual issues themselves. Where MPs seek to address constituency issues, the extent of their participation in formal township governance processes, including the township planning process, varies and depends on relationships with the township administrator and officials. A small but increasing number of MPs seek to use their powers

² The Pyithu Hluttaw and Amyotha Hluttaw both have four standing committees: the Bill Committee; the Public Accounts Committee; the Hluttaw Rights Committee; and the Government's Guarantees, Pledges and Undertaking Vetting Committee. Each Hluttaw also forms *ad hoc* committees to address nationally important matters in economics, ethnic affairs, finance, social issues, foreign affairs and others. *Ad hoc* committees are formed at the start of each five-year term of the Hluttaw and last for the whole term. They can also be formed for a limited time to address specific issues, such as the Constitution Review Amendment Committee, formed in February 2019.

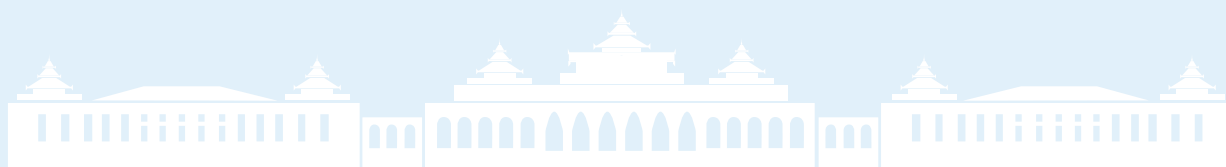




Source: Amyotha Hluttaw

as members of the Union Hluttaw to represent their constituents and address their needs through better sectoral policies and legislation. Where that is the case, MPs can achieve better outcomes for their constituents by identifying and addressing nationally important systemic issues in plenary and committees. This requires MPs to understand clearly their roles in relation to local government and other branches of the democratic system, and understand the ways in which they can represent and advocate for constituency needs. The procedure and practice of plenary and committee sessions have been changed. The changes may help MPs to improve their evidence-based contributions to policy development and legislation related to their constituents' needs.

The introduction of a parliamentary calendar has enabled MPs to better plan and conduct their representational duties. However, MPs still face practical challenges. The lack of available and reliable constituency data concerns many MPs. They reported that, without detailed and updated information, it was difficult to identify all constituents' needs accurately and to represent constituency interests. A lack of public understanding of the role and functions of MPs and the other branches of the democratic system was also cited as problematic. MPs mentioned the practical and operational difficulty of financing travel to, from and around their constituencies, despite provisions in the Law of the Hluttaw on emoluments for constituency work.

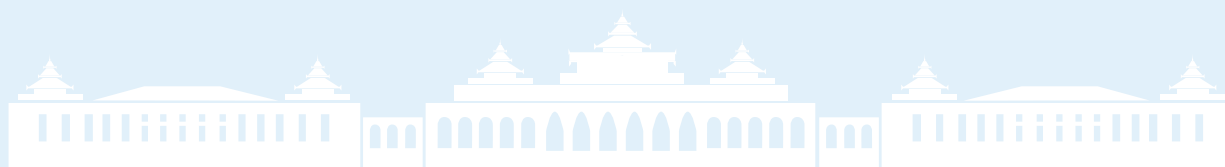


MPs consistently raised the need for richer and more detailed information from various sources to allow them to undertake their duties more effectively. This need should be met through procedural innovation, the development of information and communication technology (ICT), improved and increased subject-matter briefings by research services and committee staff, and stronger Hluttaw communication and collaboration with government and non government stakeholders. As the Union Hluttaw was only reformed in 2011, MPs continue to require professional development support to fully understand their duties and develop skills to fulfil them. MPs consistently highlighted the timing of professional development activities and the importance of being able to study independently.

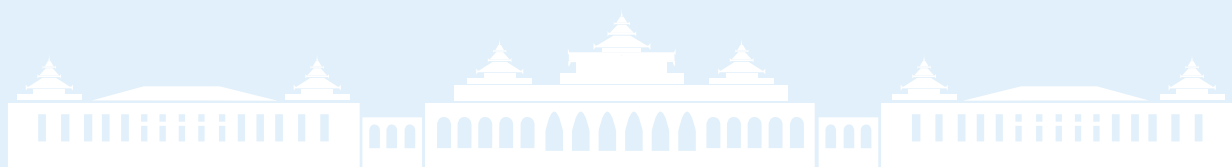
MPs cited difficulties in conducting their duties due to everyday living arrangements. They voiced concerns over housing and a lack of resources for living costs and travel. These issues significantly impact MPs' family lives and economic circumstances. Finding solutions will be important to ensure that MPs have the means to continue and specialize in their role.

On 21 November 2019, the Hluttaw Strategic Plan 2019–2022 was presented to all MPs by the Joint Coordination Committee on Hluttaw Development. The report is based on the suggestions of surveyed and interviewed MPs. It recommends that the following actions from the Plan are prioritized to support MPs of the second Hluttaw in their duties, and so add further depth and weight to the process of developing and maturing Myanmar's democratic system:

Next steps	Union Hluttaw Strategic Plan 2019–2022: priority actions
Improve consistency of ad hoc committee practices	1.3 To effectively scrutinize and oversee the budget 1.4 To foster effectiveness in pre legislative scrutiny, the Bill process and post legislative scrutiny 2.3 To develop measures that allow Members to know about people's challenges, needs and desires in a timely manner
Provide mechanisms for MPs to contribute to the amendment of the Hluttaw's practice and procedure, and its business management	1.1 To draft new law, by laws and procedures, and support plans to enhance Hluttaw practices and the legislative process
Scale up targeted professional development for MPs, delivered flexibly and at times that suit them	2.1 To support services that enable Members to perform their primary role and provide leadership 2.4 To develop a more extensive programme about international best practices on legislation, oversight and representation
Improve MPs' living conditions	2.8 To draft the Law on Emolument of Members of Parliament so that Members can execute their role effectively



Next steps	Union Hluttaw Strategic Plan 2019–2022: priority actions
Improve information services for MPs	3.6 To develop a programme that enhances the staff's research and information management skills
Deliver increased issue based support and enable self study through the Hluttaw Learning Centre	3.5 To develop a staff capacity building programme in relevant thematic and academic areas that draws on local and international experts and organizations 4.7 To develop a Learning Centre strategy to foster the effectiveness of the Centre in enhancing the skills of Members and staff
Create stronger parliamentary outreach and education to inform the public about the roles and functions of MPs	4.1 To expand public relations services so that people are aware of the roles and functions of the Hluttaw and its Members; to disseminate parliamentary information widely and listen to a wider range of public opinion
Deepen understanding of the separation of powers in a democratic system	4.6 To develop a strategy on parliamentary ICT so as to achieve a sustainable parliamentary communications system that facilitates wider communication between parliaments and with other organizations and stakeholders



1. INTRODUCTION

Any democratic transition requires not just the creation of new institutions, but the consolidation of new practices supported by altered mindsets. In contrast to other MPs, members of the Hluttaw have limited experience of democratic systems and can only draw on a modest institutional memory. However, that memory is being formed, and is contributing to a feeling of pride that MPs have in their institution and its role in Myanmar society.

Parliaments fulfil a number of important functions, including law-making, oversight and representation. These functions also play a role in shaping political behaviour through formal and informal institutional rules. Rules and practices develop early in the life of an institution and tend to become locked in. They produce embedded and enduring cultural characteristics and associated ways of doing business. Adapting to the rigour of a parliamentary democratic system requires that both MPs and the whole institution remain on a learning curve. Periodically assessing how MPs are engaging in their roles and functions enables an assessment of the support they require and the extent to which it is being provided.

The second term of the Union Hluttaw began in February 2016 and will run until February 2021. It is clear that the second Hluttaw is building on the achievements of the first, and that the operation of the institution, as well as parliamentary processes and practices, have evolved and developed. For example, committees have become more active, and engagement with constituency work is becoming more routine. This demonstrates the institution's ability to adapt and change, and

points to ways in which MPs have been able to adjust and modify their working practices. There is also some evidence that MPs are encountering obstacles and constraints to the development of democratic practices. With a view to strengthening public policy and making better quality laws, MPs offered some ideas about how the plenary might be enhanced, and how parliamentary committee work might be streamlined and systematized. Challenges faced by many MPs included balancing parliamentary and constituency work, and the impact of being an MP on personal and family life.

“Hluttaw in our country should be seen as a nursery where democracy is nurtured to flourish.”

Daw Aung San Suu Kyi

The aim of this report is to provide evidence-based insights on the roles, functions and practices of MPs in the democratic system of Myanmar during the second Hluttaw, with a view to further strengthening the strategic direction and institutional development agendas of the Hluttaws. The findings provide direction for the Hluttaw administration to enhance the institution's capacity, as well as its services, support and professional development opportunities. The findings could also help validate the objectives of the Myanmar Hluttaw Strategic Plan 2019–2023, and prioritize what should be done to strengthen the way in which MPs perform their duties.

2. METHODOLOGY

This survey follows on from a survey of members of the first Hluttaw in 2015. The findings of the first survey informed the design of the induction, orientation and ongoing professional development support for MPs from the start of the second Hluttaw. Continuity was maintained through the two team leaders – Ms. Meg Munn and Ms. Mary Murphy – and survey team members from the UNDP/IPU Parliamentary Strengthening Programme.

Figure 1: Interview with Member of Parliaments

The survey team were guided by the Joint Coordination Committee for Hluttaw Development, which approved the survey scope, methodology and questions. Over nine days in December 2018, the team interviewed 63 MPs,³ face-to-face in groups of up to four. Over two weeks in June 2019, MPs completed a questionnaire, which they received through the Amyotha Hluttaw and Pyithu Hluttaw Committee Departments. A total of 360⁴ (72%) of elected MPs replied to the questionnaire.

Both parts of the survey were supported by a working group of staff from the three Hluttaw Offices. The working group aimed to make the survey project sustainable by being trained to support the Hluttaw Offices to survey MPs on their future needs, and to analyse and report on data received.

Figure 3 Interview with Member of Parliaments



Source: UNDP

The MPs' input provides a detailed record of their experiences, tracking the evolution from first to second Hluttaw. In many parliaments throughout the world, assessing progress against recognized benchmarks for democratic legislatures has supported parliamentary leaders to champion change and helped them identify significant issues that should be prioritized in strategic plans.⁵ Therefore, this report references benchmarks and criteria relating to parliaments with internationally recognized democratic credentials. It gives ideas and options from a comparative international perspective on how MPs could undertake their duties, including by harnessing and building on progress made in the first and second terms of the Hluttaw.

3 41 MPs from the Pyithu Hluttaw, of which 9 were women; and 22 MPs from the Amyotha Hluttaw, of which 7 were women. The members were selected in discussion with, and with guidance and approval from, the Joint Coordination Committee so as to be representative of all political parties and all regions of Myanmar. Interviewees were also of all ages. Their educational experience and qualifications spanned all levels, and they came from a wide variety of professional, skilled and unskilled backgrounds.

4 46 female MPs and 314 male MPs replied.

5 Hubli, S. (2010). *Assessment Framework for Democratic Parliaments: Common Themes*. (Paper delivered at the International Conference on Benchmarking and Self-Assessment for Democratic Parliaments.) Paris.

Hubli, S. (2009). *Standards and Benchmarks for Democratic Parliaments*. (Presentation to the Joint Meeting on Effective Electoral Assistance. National Democratic Institute.) Accra.

3. BECOMING AN MP

3.1 Background of MPs

MPs in the second Hluttaw are drawn from a myriad of different working backgrounds, including professional, skilled and semi-skilled. Some were previously political activists. This contrasts with the first Hluttaw, in which many MPs had previously had roles involving engagement with the civil service, giving them experience of the workings of government.

MPs mentioned the benefits of using skills developed outside parliament to enhance their role as parliamentarians. There was a strong sense that having legal experience was particularly helpful, although it was also noted that law-making as a member of parliament is very different to applying and interpreting the law as a legal professional.

MPs with experience of specific sectors identified opportunities to put their knowledge and experience to good use through their work as committee members.

“As I have experience working as a schoolteacher, I know what changes need to be made in the education sector. It is helpful in my committee work.”

Those with an educational background noted that skills associated with teaching are useful for helping MPs to communicate with each other and constituents.

“My teaching experience is helpful in my work in politics. I had to communicate with [students], discuss with them and answer their questions as a teacher.”

Different types of professional experience are clearly valuable to Myanmar MPs. Moreover, international experience suggests that a lack of legal or sectoral experience is not necessarily a barrier to specializing in a particular policy area. Parliamentary committees which exhibit strong practices in terms of workplanning, evidence gathering, accessing expert input and reporting allow MPs to develop strong policy expertise.

3.2 Motivation

Motivations for becoming an MP were varied but strongly felt. Many MPs stressed their desire to meet the needs of their townships, regions or states and ensure they develop. Many MPs from ethnic minority states stressed their wish to serve their own communities by promoting and advancing in parliament the interests of ethnic minorities. MPs also noted that achieving peace and national reconciliation was seen as a key means of improving citizens' lives.

“I want to contribute to the development of my hometown and state as a whole. If the government is a democratic government, I believe that I can do more to achieve my ambition, so I became an MP.”





Source: Amyotha Hluttaw

MPs were also motivated by a desire to contribute to Myanmar's transition by working towards the consolidation and stabilization of the democratic system. In some cases, this included a desire to amend the 2008 Constitution.

“I started getting involved in politics because, in my opinion, our country is changing, but it has not reached its goals yet – democratic values, human rights values. So I want to contribute as a politician.

.....

Some MPs wished to tackle a specific issue, such as education, health, transport or gender equality.

“I want to do more about health care for people which I provided as a doctor. More importantly, I want to give messages about health to the people.

.....

Women MPs highlighted their motivation to address gender equality and women's empowerment in Myanmar.

“I applied to the party to be selected as a candidate to run for election because I wanted to influence policy-making and law-making, and also contribute to promoting good governance in the country as well as women's empowerment in the political arena.

.....

One MP noted that public expectations of MPs can be high, and MPs simply cannot fulfil all that is expected of them. Notably, this awareness and sentiment was less evident in the survey of members of the first Hluttaw and may reflect the higher expectations which the public have of the second.



3.3 First impressions

New MPs in the second Hluttaw noted the grandeur of the buildings, and others admitted that the parliament felt like being in "a new world". However, this type of response was less evident than it was in the survey of members of the first Hluttaw. Indeed, what had previously been a sense of awe at the magnificence of the parliament was, in some cases, replaced by an awareness that the Hluttaw building is not practical or entirely fit for purpose.

“I just entered the Wizard of Oz. The first impression is that the building is huge and it has a lot of space, but most is useless. In terms of infrastructure, we need more useful space.”

3.4 Perception of MP duties

A significant number of MPs suggested that law-making was their primary focus and responsibility. This fits with broader international understandings about the primary function of parliamentarians.

“Laws. We need to study, we need to understand. We have to make new laws and amend the old ones to be suitable for current situations, and abrogate some laws which should not be used any longer.”

The context of Myanmar also affects how MPs understand law and their parliamentary duties. Traditionally, laws in Myanmar were viewed negatively.

“People do not feel that laws are there to protect them and they are just scared to hear the word 'law'. Therefore, it is much needed to nullify, amend or modify those laws.”

A more positive image of law-making is materializing among MPs, but it is narrow in its conception of what is involved. It focuses on the legal aspects of legislating, with little understanding of the policy articulation behind legislation introduced into the Hluttaw or of joined-up policy development. Sometimes changing a policy outcome can be achieved more readily through overseeing policy and legislative implementation rather than through making changes to the law.

MPs often cited the importance of their role in checking and balancing other branches of the democratic system.

“It is very important for us to check and balance the budget execution of the government. Because historically, the spending of the State budget for development has not been effective.”

It is not enough for an MP only to know about law making. As an MP, we need to study many other sectors, so that we can check and balance the other branches of government.

There is evidence to suggest that, while the concept of checks and balances is frequently spoken about, some MPs have a limited appreciation of precisely how oversight and accountability are carried out. Engagement with the plenaries and committees



demonstrates a relationship between parliament and the government that is not fully open to conventional forms of oversight and scrutiny. The parliamentary committees' work discussed below demonstrates an approach to oversight which is often narrow in scope.

The wider political context may also be restraining MPs from fully exploiting their ability to exercise oversight. As it supports the civilian government, the National League for Democracy (NLD) majority in parliament is reluctant to overly question or criticize the executive.

“I have asked questions [of government]. We know the challenges faced by ministers. There are budget constraints. So we have to be careful, and do not ask questions which could put the government in a difficult position.”

It is important to note that systematically gathering evidence (often in committees) by consulting stakeholders and the public can help to

improve policy and legislation. Evidence gathering can assist the government in meeting its aims and can strengthen the legitimacy of government and parliament in the eyes of the public.

Many MPs mentioned that they felt they had the most impact when representing constituents. Representation was invariably viewed as less important than law making and oversight; but for many MPs, it was the most rewarding aspect of their role.

“We are also responsible for raising the concerns and issues of our people in the Hluttaw. And we have to enhance local development through the Hluttaw by fulfilling our representation function.”

MPs can be supported to channel input from their constituents into their law making and oversight duties. This can help to achieve a deeper and longer lasting impact on nationally important issues, and strengthen the whole democratic system.



4. HLUTTAW PRACTICES AND PROCEDURES

Practices and procedures are central to the operation of parliamentary institutions. They are the rules by which the institution operates and are invariably complex. In all parliaments, new MPs grapple with the working arrangements of their institutions.

For many MPs, independently studying Hluttaw rules, laws and by laws was a key means of familiarizing themselves with parliamentary procedures and processes. One MP described that, on the first day, there was a large pile of books and transcripts of Hluttaw proceedings on his desk. They became a reference point for his understanding of the parliamentary system. Political parties also provided reading material, conducted exams, and sought to upskill MPs in the ways and means of the Hluttaw. Peer-to-peer engagement with MPs from the first Hluttaw was an important source of information and support. However, MPs mostly learned by doing.

“We read. At the beginning, we only knew the theory. We did not have practical skills, like how to propose a motion, what are starred questions and unstarred questions. Only after one year in the Hluttaw, we started to know how to put theory about procedures and processes into practice.”

Some MPs also arrived with particular expectations of achieving change and found it hard to do so. Making an impact took longer than they had expected; MPs mentioned Hluttaw procedure and the legislative process as a constraint on achieving rapid change. These are not unusual early

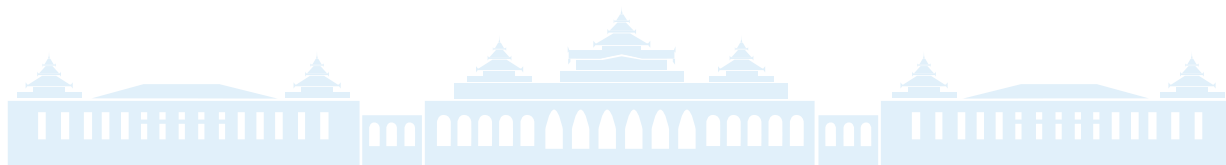
impressions. They reflect an understandable lack of detailed knowledge about precisely what the job of an MP entails, and unfamiliarity with the virtues of highly prescribed deliberative procedures.

“As a young person, I thought that I could contribute to positive changes and reforms very quickly. But when I arrived at the Hluttaw, I found out that there were many procedures and many steps to be taken, and came to understand that these could not happen very quickly.”

Familiarity with Hluttaw practices and procedures allowed MPs to develop perspectives on the quality, utility and efficiency of the various parliamentary instruments. MPs said that some aspects of procedure were restrictive, and that they wanted to contribute to a mechanism for reviewing practices and procedures.

Comparative and international practice

While in many countries, aspects of parliamentary procedure may be detailed in law, parliamentary practices can change over time in response to the evolving needs and requirements of MPs and the parliamentary system. This gives parliamentary leadership considerable discretion to change the way in which plenary and committees function, based on input from MPs. The IPU highlights the importance of "reviewing parliamentary practices and rules of procedure regularly to ensure that their relevance to expediting the



core work of parliament, including oversight, is maintained." (IPU and UNDP (2017). *Global Parliamentary Report 2017 – Parliamentary oversight: Parliament's power to hold government to account.* Page 22.)

4.1 Engagement in plenary

Attendance and participation at the plenary are central to the work of Hluttaw MPs. Most MPs are positive about their participation in plenary sessions. In particular, MPs highlighted and welcomed their ability to address constituency issues at these sessions. However, some MPs stressed that they would welcome a more dynamic and lively environment in the plenary.

“I wish we had the kind of Hluttaw where MPs could discuss everything freely and openly so we could work effectively for our people like MPs from mature democracies.

In Japan, Korea and India, MPs argue and fight in parliament. We cannot do that here. We cannot criticize, we cannot argue, we cannot debate, and we cannot fight.

MPs mentioned that their interventions at Hluttaw plenary sessions often focus on constituency issues and resource needs. This may make for a less lively debating environment compared to when the plenary addresses nationally significant issues in which all MPs have a stake.

Comparative and international practice

Parliaments make provision for emergency motions to debate a matter of public importance. One such example is the Canadian legislature. "Under Standing Order 52, a member may request that the House discuss a matter requiring urgent consideration by debating a motion to adjourn the House and, if the request is granted, the debate is held at the earliest opportunity. Five emergency debates were held during 2014. Under Standing Order 53.1, the House may hold 'take note' debates, which allow members to express their views on an issue, without the requirement that a decision be taken. 'Take note' debates allow members to participate in the development of government policy, making their views known before the government adopts a position." (IPU and UNDP (2017). *Global Parliamentary Report 2017 – Parliamentary oversight: Parliament's power to hold government to account.* Page 58.)

MPs mentioned that they are expected to attend each plenary session. Some MPs saw this as an inefficient use of time, particularly if discussions are not of immediate interest and an MP has no role to play in proceedings. This feedback suggests that MPs may not be familiar with the Hluttaw laws on plenary quorums. One MP suggested that the quorum at the start of the day should be 50 per cent and then drop to 30 per cent, which would allow MPs to attend when they were interested and invested in the discussions.

“Currently it is compulsory for all MPs to sit in plenary, even though they don't need to be there to vote ... I feel that it's a waste of time and it can decrease the capacity of the Hluttaw.



Comparative and international practice

Quorums can allow MPs to engage selectively with plenary sessions and produce a more dynamic and lively debating environment, as MPs engage on the basis of expertise and interest. Quorums can also free up space for more effective engagement with committee and constituency work. In the US Senate, the quorum is 50 per cent of the membership plus one (51 Senators). The Australian House of Representatives has a smaller quorum at 20 per cent of members. In India, the quorum is just 10 per cent.

4.2 Use of questions and motions

Asking questions is a key means of holding governments to account and of representing constituents. The Hluttaw facilitates this practice effectively. Hluttaw MPs can pose starred questions (requiring a verbal response from the government in plenary) and unstarred questions (requiring a written response).

Questionnaire responses showed that 86 per cent of MPs had asked unstarred questions. Seventy-two per cent had asked up to 20 questions, and 25 per cent had tabled between 20 and 100 questions. Three per cent of MPs had posed over 100 unstarred questions. These questions were primarily used to request resources for constituents. Seventy five per cent of MPs stated that this was the most common topic of their questions. A total of 6.5 per cent of MPs said that they most commonly asked questions about "issues of national importance".

Eighty-four per cent of MPs reported that they had asked starred questions. Sixty-eight per cent had asked 1–10 starred questions, 22 per cent had asked 10–20, and 10 per cent had asked over 20. In all, 53 per cent of MPs said that they asked starred questions to request resources for their constituents. Twenty-one per cent said that they most commonly asked starred questions about "issues of national importance".

Motions are more complex. Fewer MPs had proposed motions as they need research and expert advice. Twenty-four per cent of MPs had proposed motions, with 59 per cent of those MPs proposing only one. The increasingly established

Chart 1 Engagement in Plenary by male and female MPs

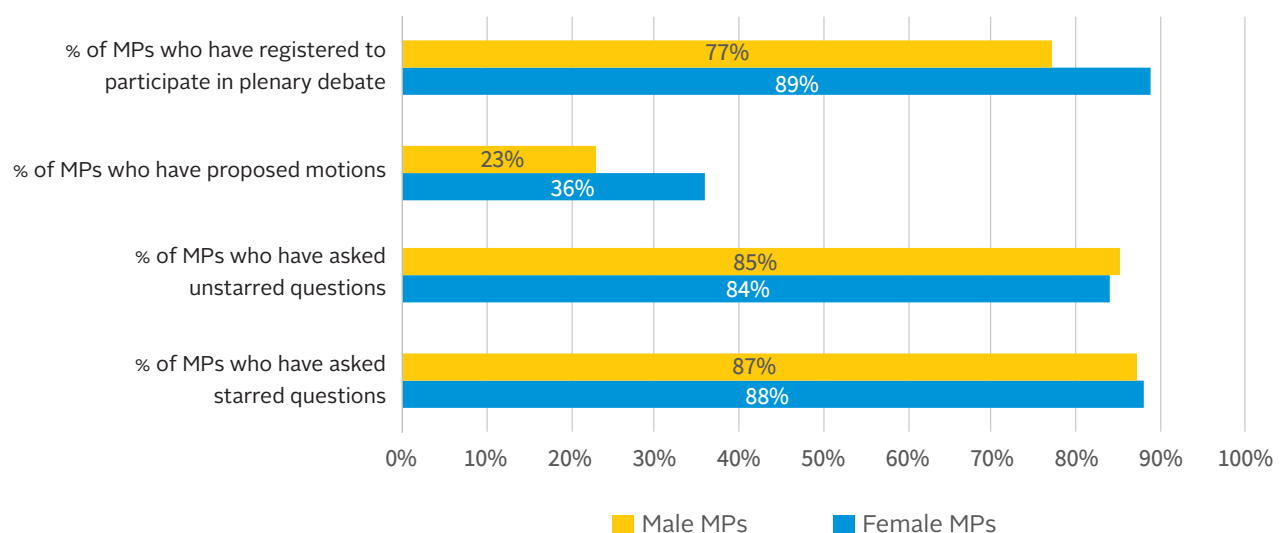


Chart 2

Distribution of unstarred questions asked (% of MPs)

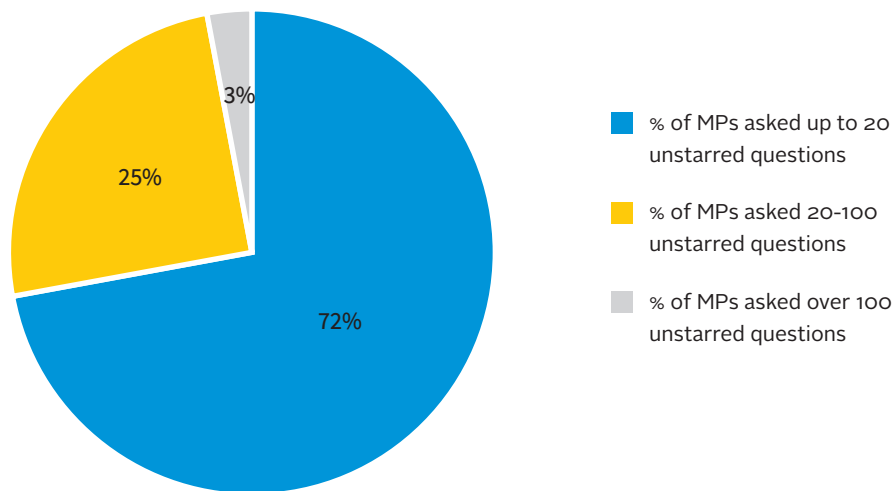
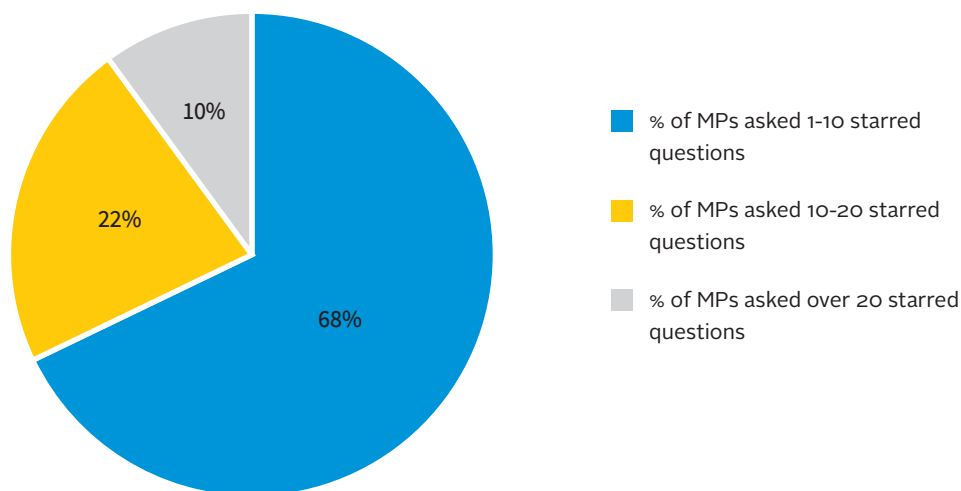


Chart 3

Distribution of starred questions asked (% of MPs)



practice in the Hluttaw is that the committees table motions, which tend to be on issues of national importance (74 per cent of MPs mentioned this as the most common topic for motions). Twenty two per cent of MPs stated that they had registered to participate in a plenary debate.

Questionnaire data indicates that almost the same proportion of male and female MPs have asked starred and unstarred questions. A slightly higher proportion of female MPs have tabled motions and registered for plenary debates.

A distinction can be drawn between questions about constituency business and those with a national or policy focus. In the main, Hluttaw MPs do not necessarily ask questions to oversee and scrutinize the government and do not tend to interrogate national government policy and actions. Instead, questions encourage the government either to support an MP's policy proposal or meet a constituency need. Many MPs therefore ask questions to query and request constituency resources and are generally happy with this use of the plenary. For example, MPs



Source: Amyotha Hluttaw

have asked for more schools, teachers, improved roads and health resources, for which they have to provide detailed information. Many of these requests are granted.

“Many successes. I asked for a preschool and got it. I asked the Department of Agriculture to release land for upgrading the hospital and I got it.

We have to consider the potential our questions have to be successful. If we ask for something which will need a large amount of budget, they will not be able to do this. We also have to consider timing. In my constituency,

the upgrading of a hospital and construction of hospital staff housing were allowed by the minister because I asked the question by considering the timing and budgets needed.

Although seen as satisfactory by MPs, the focus on meeting constituents' needs does not make full use of a union-level MP's entire range of powers to oversee national policy and government action.

Some MPs asked questions about constituency matters as a conduit for exploring nationally important issues. This included women MPs who raised matters that affected women throughout Myanmar. Overall however, this was not a common approach.

“Another question was about child rape cases. ... After I asked that question, the Supreme Court of the Union issued a directive to all the courts across the country to impose that penalty [a life sentence] in every child rape case.

When I first became an MP, I asked a question about human trafficking and argued for an amendment to the law on human trafficking. Now I think the Ministry of Home Affairs has almost finished amending that law. I also asked about a girl from my constituency who was trafficked to China. The police rescued her and now she is back at home.

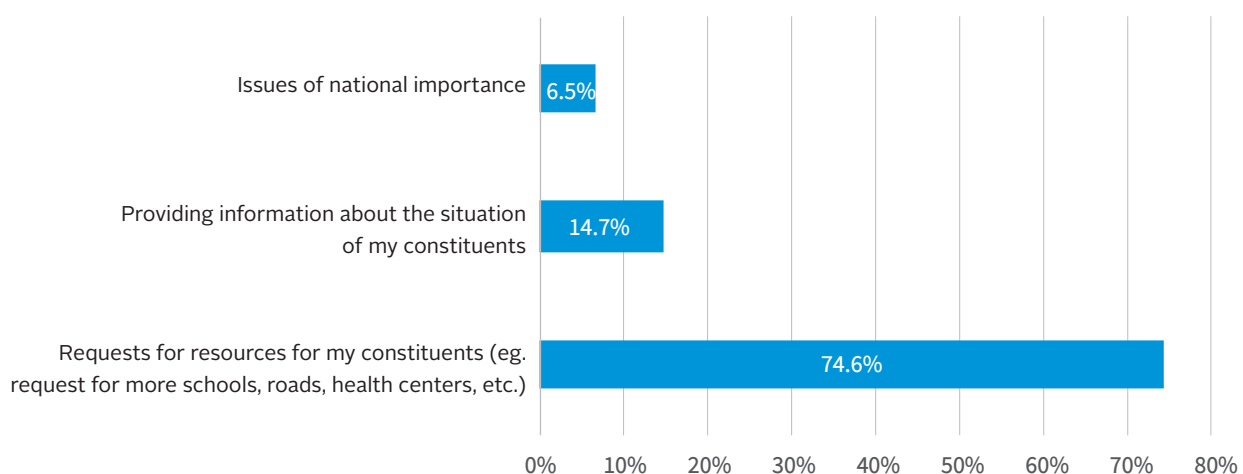
One successful question for the whole country is about the community forest and the Ministry is addressing that issue.

In most parliaments, rules govern the topics that questions may address (often expressed in terms of relevance) and how questions may be asked. Speakers play a role in determining whether proposed questions abide by the rules. The role of Speakers is to create space for critical dialogue between MPs and the government. This in turn contributes positively to the democratic character of the overall political process.⁶ Hluttaw MPs mentioned that approval of questions for the plenary is reliant on the decision of the Speakers. Some MPs noted that their party had a process for vetting questions. Where that is the case, MPs sometimes avoid asking certain questions because they know the questions will not be allowed to proceed. Generally, MPs did not mention the Hluttaw staff's role of providing advice on drafting questions or motions.

Some MPs were dissatisfied because of inadequate preparation time before Bills and proposals were discussed. The practice of giving MPs two days' notice of issues to be discussed was considered insufficient to ensure a high quality debate. MPs were also keen that there should be no limit on the number and frequency of questions asked. Concerns were raised about the time allocated for MPs to speak which has been reduced from five minutes to three.

Chart 4

Most common topics of unstarred questions (% of MPs reported)

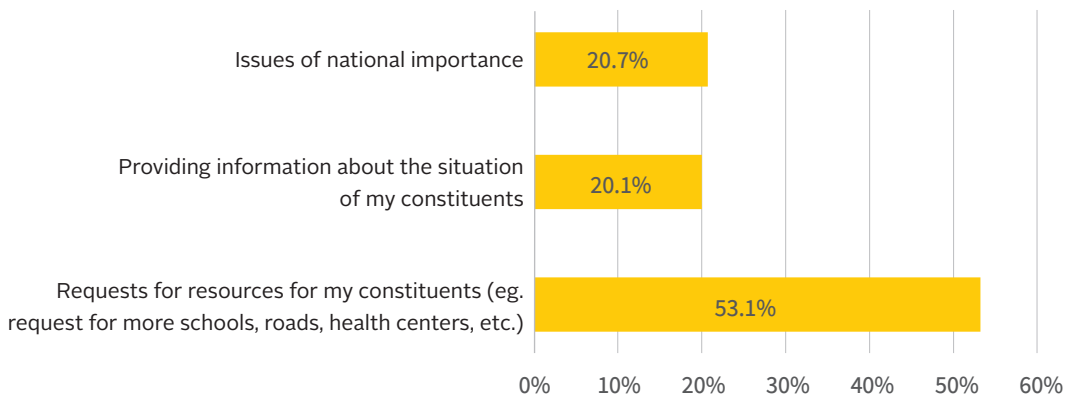


6 IPU and UNDP (2017). *Global Parliamentary Report 2017 – Parliamentary oversight: Parliament's power to hold government to account*. France. www.ipu.org/oversight. Page 59.



Chart 5

Most common topics of starred questions (% of MPs reported)



“Now there is a limitation: we can only ask five starred questions per plenary session. Unstarred questions are unlimited. I do understand that there has to be a limitation to reserve the Hluttaw’s time, but one suggestion for change is that it would be good if we could ask more starred questions.

Some MPs complained that the business paper in the Pyithu Hluttaw is produced only three days in advance, giving little time to prepare supplementary questions. This suggests that MPs are submitting questions before they have completed their research. The Pyidaungsu Hluttaw publishes its business paper a week ahead, and many MPs were positive about this. They suggested that setting out topics, even if the detailed questions were not printed, would go some way to improving the institution’s business.

Figure 6

Union Hluttaw buildings



Source: Amyotha Hluttaw



4.3 Response from government

MPs were generally positive about the impact they made. A total of 53 per cent of respondents answered that their unstarred questions were resolved satisfactorily; the figure was 52 per cent for starred questions.

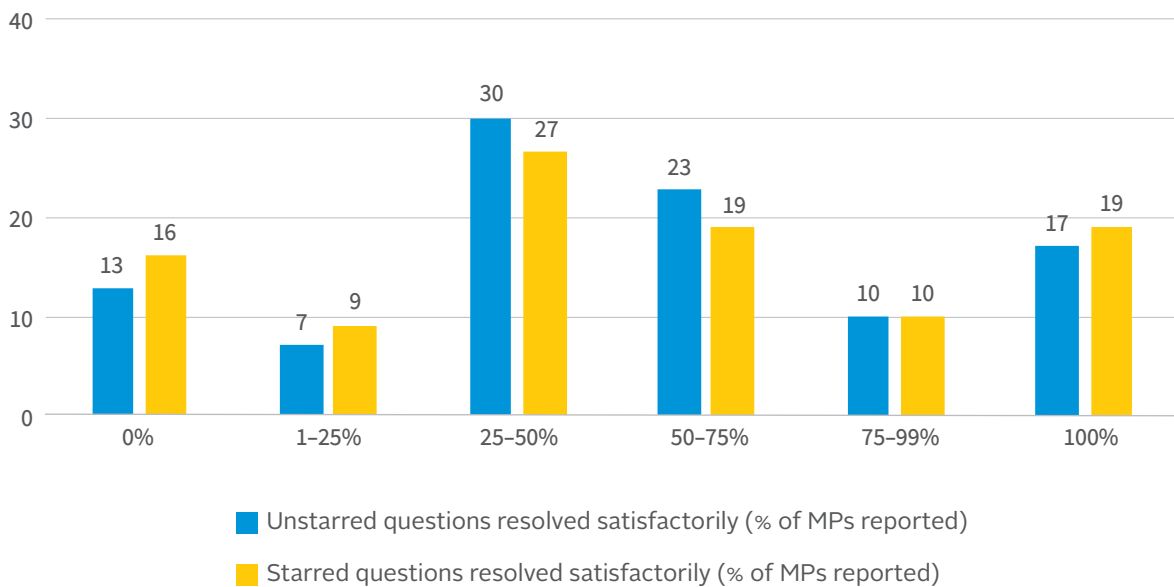
Some MPs criticized the quality of the government's answers to their questions. MPs referenced generalized and ambiguous responses to detailed questions, insufficient answers from ministers, and therefore a perception of weak accountability. MPs have a restricted capacity to follow up their questions with a supplementary oral question to ministers, and for some MPs, this undermines the power of parliament.

“Sometimes I am dissatisfied with ambiguous answers from ministers and departments. We need clear answers and solutions to address the needs of our communities.”

We would like to follow up directly with ministers during the plenary. We need more than five minutes to talk. We need to explain the real situation to ministers.

In parliaments abroad, if we would like to say something, we can raise our hands and discuss, but we do not have this practice here.

Chart 6 % of starred and unstarred questions that MPs reported as resolved satisfactorily



Comparative and international practice

The IPU Global Parliamentary Report (2017) notes "It is important that government engages with parliamentary oversight, for example by providing information and considering parliamentary recommendations on their merits." The separation of powers doctrine is designed to ensure adequate checks and balances. It is not understood as a criticism of government actions alone, but is rather intended as a basis for constructive cooperation between the branches of the political system, which produces good quality legislative and policy outputs. (IPU and UNDP (2017). *Global Parliamentary Report 2017 – Parliamentary oversight: Parliament's power to hold government to account*. Page 22.)

However, there appears to be some slow movement towards a more positive and constructive relationship between the government and the Hluttaw, as ministers demonstrate more frequent and effective engagement with the plenary. Raising further awareness and distributing more information about the functions of parliament and the checks-and-balances role of MPs could also support the government in engaging more effectively with the plenary and committees.

Figure 7

Hluttaw Committees meet with Government Departments and Citizens to understand the needs and concerns of local farmers



Source: Report of Committee Inquiry reducing the impact of agricultural chemical residues



5. COMMITTEES

In many parliaments around the world, "a significant part of parliamentary work is now conducted in committees rather than in the parent chamber".⁷ Committees are where much of the detail of the legislative and oversight processes happen.

Hluttaw MPs actively fulfil their committee role. Ninety-four per cent of those responding to the questionnaire sit on at least one committee. A total of 31 per cent sit on two or more committees, and 26 per cent were members of one of the four Standing Committees of the Pyithu Hluttaw or

Amyotha Hluttaw.⁸ Most MPs attend two committee meetings a week during sittings, spending on average 4.5 hours per week in committee.

MPs in the second Hluttaw are contributing to committees in ways which were less evident during the first Hluttaw. Members' understanding of the intricacies of a parliamentary committee system are clear. Many MPs feel their contribution to the parliamentary system is best expressed through committee work and that committees are where they have a sense of accomplishment.

Chart 7 Proportion of MPs who sit on one or more committees

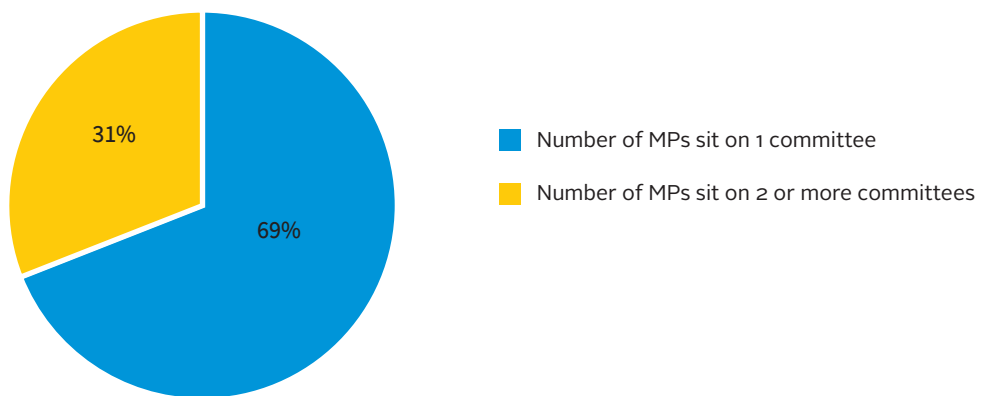
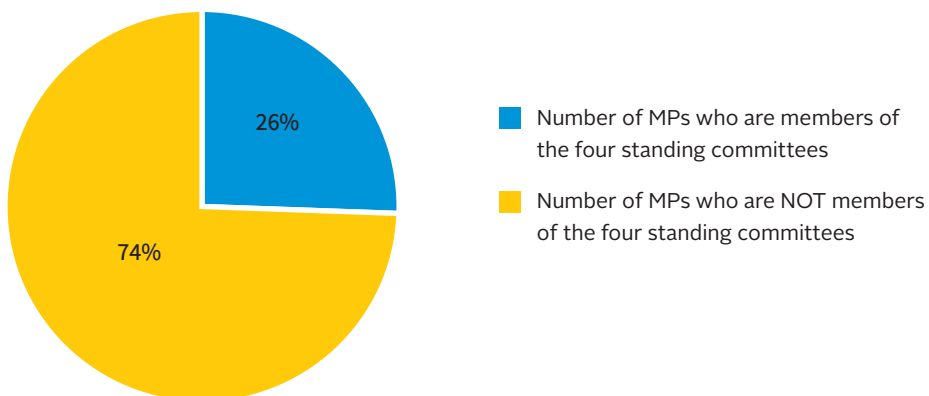


Chart 8 Proportion of MPs involved in the 4 main standing committees



7 H. Yamamoto (2007). Tools for parliamentary oversight: A comparative study of 88 national parliaments. Geneva. <http://archive.ipu.org/PDF/publications/oversightto8-e.pdf>. Page 15.



“I enjoy spending my time in committee work. The plenary session is too formal for me. In the committee, we can discuss more freely.”

However, feedback from MPs indicates that most ad hoc committees (those with a specific policy focus and some responsibility for monitoring the work of relevant ministries) have generally not yet tested the limits of their potential powers. Most committees work on resolving individual complaints and have short term agendas. The emphasis on individual complaints and queries prevents committees from working to solve policy and systemic issues. This is where even greater success stories might be found. MPs emphasized the limitations faced by committees and were keen to prioritize the development of committees as the engine of the Hluttaw.

“We think that our committee should have more autonomy and freedom.”

There are weaknesses in committee terms of reference. The duties and responsibilities are not specific.

5.1 Committee workplans and agendas

There is considerable variation in how committees determine the issues they will address and deliberate. Committee planning is either led by the Chair, or it adopts a consensual approach among members. In all, 51 per cent of questionnaire respondents said that their committee had annual workplans. Thirty-one per cent have biannual or quarterly plans, 32 per cent have monthly plans and 35 per cent make weekly plans.

The Chair plays an important leadership role in committees. There was a sense among some MPs that the behaviour and actions of the Chair can positively and negatively impact the committee. A strong but impartial chair can facilitate autonomy effectively. However, some MPs expressed reservations about the power of the Chair. There was some evidence that a number of committee chairs play a dominant and sometimes gatekeeping role. One MP noted: *“The Chairperson decides the agenda and then briefs members.”* For some MPs, this arrangement is unsatisfactory, with one MP claiming: *“Committees do not run according to the voices of their members.”*

The two most common practices in committee were addressing citizen complaints (38 per cent of questionnaire respondents stated this was the most common committee issue) and examining Bills related to the committee’s terms of reference (the most common issue for 34 per cent of respondents). Sixty three per cent of MPs mentioned that their committee studies issues in depth and gathers evidence. However, with only 19 per cent of respondents saying that this was the most common committee activity, it appears that more committee time is spent discussing individual complaints and examining Bills. This was also borne out in the interviews, where many MPs mentioned that their committee agendas often comprised of responding to complaint letters from members of the public. This entails discussing complaints at committee meetings and raising issues (often at constituency level) so as to respond to the complaints.

“I am on the Women and Child Rights Committee. We meet every Wednesday after the session. We discuss the complaint letters to the Committee about women’s and children’s rights. When a complaint

8 Four committees are mandated by the Constitution: the Bill Committee; the Public Accounts Committee; the Hluttaw Rights Committee; and the Government’s Guarantees, Pledges and Undertakings Vetting Committee.



Figure 8

The Chair and Members of the Agriculture, Livestock and Fishery Development Committee meet with local farmers in Pyin Oo Lwin Township



Source: Report of Committee Inquiry reducing the impact of agricultural chemical residues

letter is received, the Committee staff members provide a copy of it to each of the members to study in advance.

In the second Hluttaw, I am assigned to the Judicial and Legal Affairs Committee. As I was a teacher, I have to admit that I am not very familiar with judicial and legal issues. But I try my best to contribute to my committee. We have not had any work programme yet. Complaint letters are allocated to each member and we review them and report to the Committee Chair what we find out.

.....

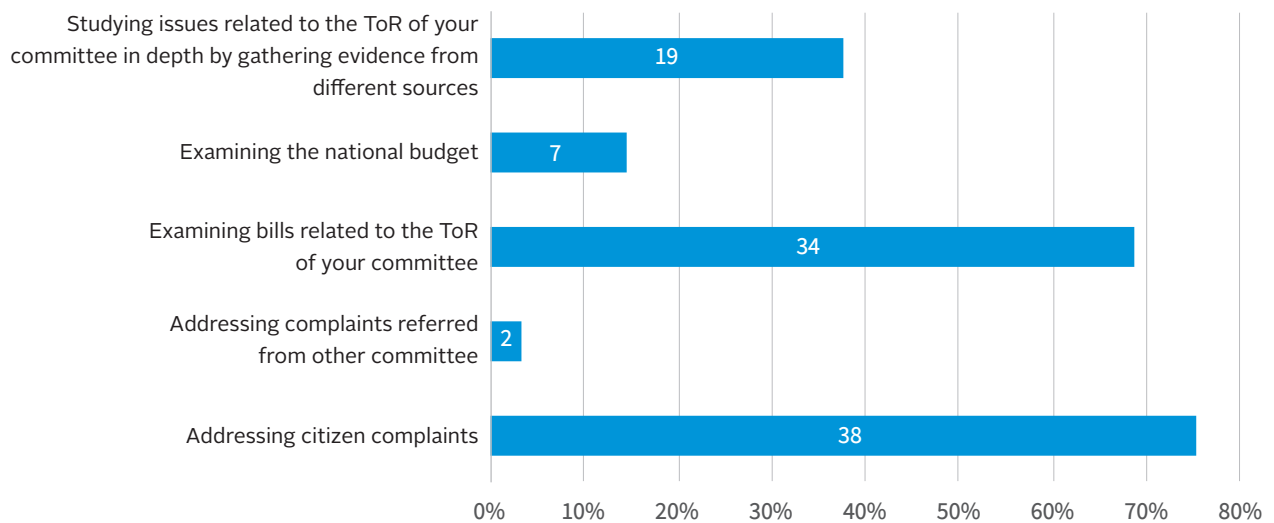
Comparative and international practice

The IPU notes "It is good practice that parliamentary oversight committees, while being free to agree to consider topics proposed by government and other stakeholders, should determine their agendas freely whether in private or in public." It is proposed here that the chairperson and committee members share the agenda-setting role. The evidence suggests that, when MPs have the ability to collectively set a committee agenda in this way, the benefits are often significant. It can give MPs greater ownership of committee work and facilitate a more responsive approach to systemic and national problems. (IPU and UNDP (2017). *Global Parliamentary Report 2017 – Parliamentary oversight: Parliament's power to hold government to account*. Page 22.)



Chart 9

Most common practices conducted during committee work (% of MPs reported)



The emphasis on individual complaints can be at the expense of examining the entire range of a national policy area for which a committee has responsibility. It can also hamper work to hold the government to account, and oversee Bills and the impact of legislation. While the focus on dealing with complaints can be seen as a demonstration of public trust in the Hluttaw as a democratic institution, it also suggests a lack of alternative mechanisms by which citizens can complain nationally and locally. A system of aggregating complaints – possibly overseen by the Public Complaints Committees – could be used to identify the systemic issues for Union Hluttaw committees to investigate in detail. Internationally, many parliaments have petitions committees that handle aggregated complaints and advise the plenary on the best way for parliament to deal with nationally important issues, including by referring the matter to subject focused committees for inquiry and reporting.

Comparative and international practice

Committees are generally considered to be one of the most effective parliamentary tools for delivering oversight and accountability, especially in the case of ad hoc committees, which deal with specific policy areas. The IPU notes the conventional oversight role

that parliamentary committees typically play: *"Permanent committees contribute to a systemic oversight framework, thanks to the constancy of their policy focus."* Assuming the political will and wherewithal exists, a committee's niche focus allows MPs to examine a specific policy proposal or government initiative in considerable detail. By preparing responses and inputs (often through drafting reports), committees can add value and depth to parliamentary decisions and outputs.

Often the process of handling citizen complaints is managed centrally. In Germany, for example, a dedicated Petitions Committee handles requests and complaints. The Petitions Committee may ask other committees for comments but only *"if the petitions relate to a subject under debate in those committees."* Many citizens' complaints are administrative queries and so tend to be referred to the Ombudsman (a position which does not exist in Myanmar) rather than other parliamentary committees. This approach to complaints frees parliamentary committees to focus explicitly and comprehensively on policy oversight and political accountability. (IPU and UNDP (2017). *Global Parliamentary Report 2017 – Parliamentary oversight: Parliament's power to hold government to account*. Page 51.)



Source: Amyotha Hluttaw

5.2 Committee processes and practices

MPs cited evidence that many committees are using good practice to implement change. The Human Rights Committee has had some success in advancing the rights of prisoners by running site visits, preparing reports and engaging with ministries so that action is taken. Members of the Government's Guarantees, Pledges and Undertakings Vetting Committee reported being satisfied with their work on monitoring government pledges. MPs on the Natural Resource and Environmental Conservation Committee cited success in proposing a motion to amend the Act on gemstones.

The Hluttaw's development partners are also supporting different committees to be more systematic in their work. The Amyotha Hluttaw Agriculture, Livestock Breeding and Fishery Development Committee is conducting a full inquiry into reducing the impact of agricultural

chemical residues.⁹ The examples show that committees gather evidence, deliberate, report to the plenary and achieve concrete results through what is commonly known as the committee inquiry process. Further evidence of the nature and quality of these inquiries needs to be gathered. Committee reports should be reviewed to clarify firstly whether they are evidence based and analytical with well founded conclusions and recommendations; secondly, whether their findings are discussed in the plenary; and thirdly, how the Hluttaw follows up on recommendations with the government.

Across Hluttaw *ad hoc* committees, there is significant variation in working practices. Some committees demonstrate active engagement with a policy area, are more probing in their enquiries, and use a deliberative approach in their discussions. By contrast, other committees are more passive and reactive, and focus on responding to complaints and constituency grievances. This leaves many *ad hoc* committees failing to fully embrace their oversight role. To ensure better consistency,

⁹ Conducted according to international best practice, including receiving written submissions, holding hearings with stakeholders and a planned report with policy recommendations.

positive experiences should be shared among all *ad hoc* committees, so that effective practice is learned and internalized, and any necessary amendments to Terms of Reference can be made. Procedures used in oversight work to study an issue in depth and draft reports based on evidence could also be used to scrutinize Bills in the remit of *ad hoc* committees. These changes would strengthen the law making and oversight functions of MPs, improve stakeholder engagement and make the Hluttaw more effective as a whole.

Conducting hearings and calling witnesses. Many committees regularly invite ministry officials to attend private hearings. For the most part, senior officials participate (Directors General or Permanent Secretaries) while ministers and deputy ministers rarely take part. Ninety-two per cent of questionnaire respondents mentioned that ministry or department staff had attended committee meetings; but only 19 per cent said that a minister had attended. MPs expressed some disappointment about the reluctance of ministers to appear before

committees. If committees cannot question ministers directly, it severely limits their ability to hold the government to account. Some MPs were dissatisfied with the limited ability of committees to call (and compel) witnesses to appear before them and respond to questions.

Comparative and international practice

In Bolivia, the parliamentary Rules of Procedure stipulate that each committee must devote one of its weekly sessions to public hearings. Where a Bill is not deemed "urgent" or of "extreme importance", the committee is obliged to hold at least one hearing of at least an hour to receive input. Committee secretaries are also obliged to announce public hearing agendas on the parliamentary website and television station.

(IPU and UNDP (2012). *Global Parliament Report: The Changing Nature of Parliamentary Representation*. Page 34.)

Figure 10 A committee meeting inside the Hluttaw



Source: UNDP



Stakeholder and public engagement. Committees schedule business and arrange stakeholder engagement in different ways. Some committees are very active in meeting stakeholders and citizens. Sixty-four per cent of MPs mentioned that civil society organizations had attended meetings. International organizations (63%) and foreign delegations (42%) also attended frequently. Forty-nine per cent of MPs had met private sector representatives, and around 40 per cent had invited business associations to a meeting. For example, the Committee on Investment and Industrial Development has met telecommunications companies. The Banking and Monetary Development Committee has met experts and professionals to discuss foreign exchange rates, the monetary market and budgets. One MP referenced a meeting of his committee with organizations including the Ministry of Labour, the workers' union, the employers' union and a fisheries association. Other MPs said they wanted greater

engagement between committees and experts but were unsure how this could be done. Committees are not generally able to autonomously invite stakeholders to attend meetings or give evidence. A number of MPs expressed concern that this could limit their ability to scrutinize complex policies and government initiatives.

“Committees are not currently allowed to meet with organizations freely. I want the freedom to meet with both local and international organizations.”

A number of committees report that they engage with the public, but it is not clear that this is part of a structured study, inquiry or policy review process. One committee spoke of advertising their work in newspapers.

Figure 11

A site visit by the Government Guarantees, Pledges and Undertaking Vetting Committee

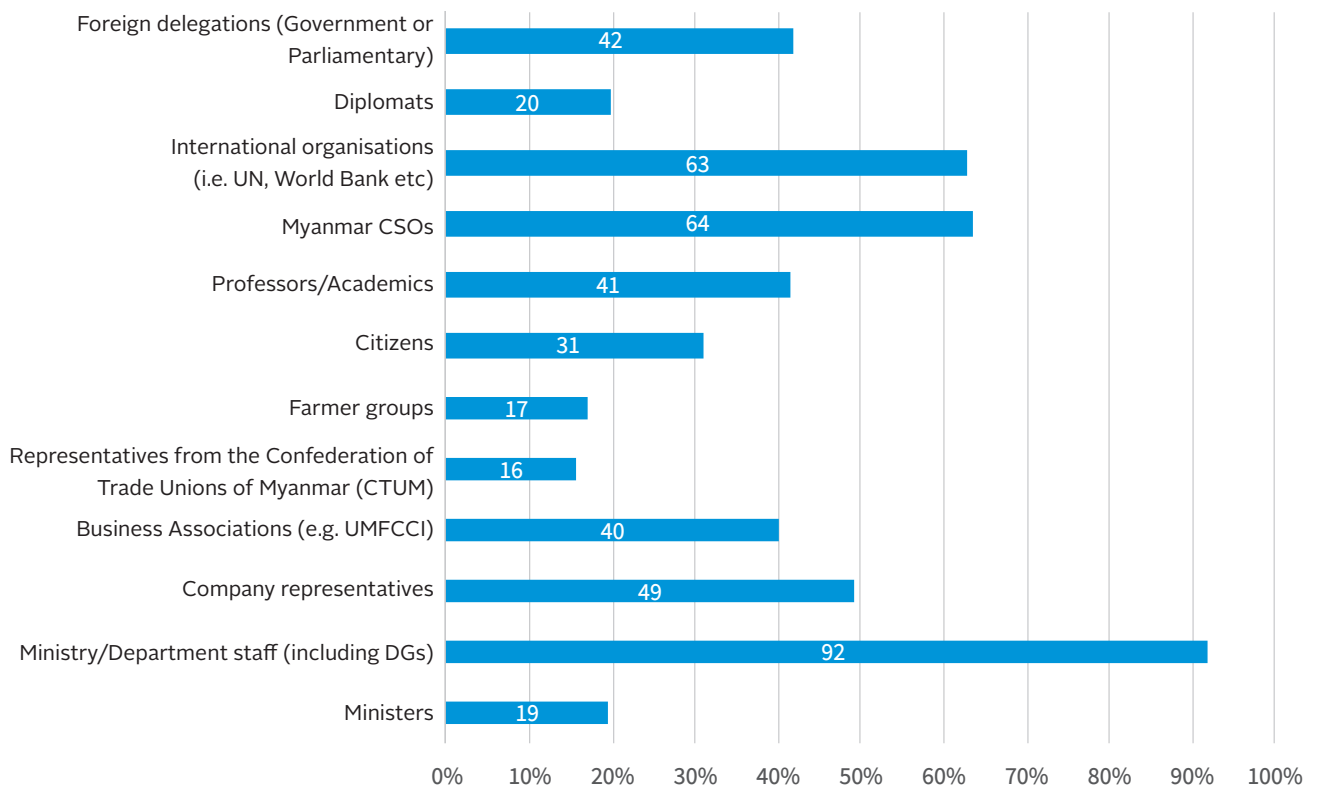


Source: Amyotha Hluttaw



Chart 10

Stakeholders attending committee meetings (% of MPs reported)



Site visits. Committees are making more frequent site visits outside the Hluttaw; 65 per cent of MPs said their committee had done this. The Speaker determines the frequency of visits. The support or approval of the relevant ministry is also generally required. One MP noted that, although the Speaker had allowed his committee to do a site visit, it had been classified as a causal rather than an official visit. A key problem with site visits is their cost. MPs said there was no committee travel budget, which inhibits their ability to visit sites.

Visits typically had one of two purposes. Some visits were designed to monitor how far the government had delivered on its commitments, while others were for consultation and collecting evidence. For example, the Committee for the Fundamental Rights of Citizens visited Ya Mae Thin prison. Members observed rights violations, which they then sought to address in parliament. The Ethnic Affairs Committee has visited 21 internally

displaced persons camps and also receives ethnic minority groups and organizations at the Hluttaw.

Reporting. Parliamentary committees usually communicate to the plenary via an oral or written report on the issues they have studied, including any recommendations to the plenary or the government, if appropriate. Reports are delivered in the Hluttaw but committees are not consistent in how they schedule and write up their work. Staff capacity to produce reports may be a hindrance; 68 per cent of MPs said that committee staff rarely or never write reports. However, 90 per cent of MPs mentioned that staff provide committees with some research support.

All committees report annually, but not all committees have annual workplans. In the Amyotha Hluttaw, committees report to the plenary. In the Pyithu Hluttaw, committee reports are filtered through the Bills Committee and may not be



Table 1

Committee reporting practices

	Always (% of MPs reported)	Mostly (% of MPs reported)	Rarely (% of MPs reported)	Never (% of MPs reported)
Apart from annual reports, does your committee produce reports on the issues your committee is addressing?	71%	9%	5%	14%
Are your committee reports presented in the plenary to all MPs?	40%	16%	15%	29%
Do MPs discuss or debate the reports in the plenary?	62%	13%	12%	13%
Are the reports published online or otherwise made available to the public?	52%	20%	11%	18%
Do the reports ever contain recommendations to the government?	12%	6%	15%	67%
Does the government respond to your committee's reports (either in person at the committee or in writing)?	37%	27%	15%	21%
Do Committee staff assist with report writing?	14%	17%	21%	47%

presented to the chamber. Forty per cent of MPs said their reports were always presented in the plenary and 29 per cent said this was never the case. Sixty-seven per cent of MPs stated that their reports do not make recommendations to the government. MPs also noted that there is *"not enough time in*

plenary to discuss committee reports." Allowing committees to report to the plenary and enabling reports to be debated soon after submission are additional ways to enliven plenary debates and give MPs the opportunity to openly discuss national policy issues.

Tracking change from the first Hluttaw

When Members of the first Hluttaw were surveyed, they expressed dissatisfaction with the levels of openness and transparency in committees. The survey showed that committees did not engage with citizens, and that civil society, policy experts and stakeholders were not invited to contribute to committee work. The committee system has opened up considerably in the second Hluttaw, and some committees engage with stakeholders very actively. The first survey also highlighted that committee deliberations and reports were not made public. In the second Hluttaw, the situation has improved: 72 per cent of MPs state that their reports are always or mostly made available to the public.

UNDP (2016). *Survey of Myanmar Members of Parliament: Reflections from the First Hluttaw*. UNDP Myanmar

6. CONSTITUENCY ENGAGEMENT

Constituency work is central to the work of Myanmar MPs. Members work very hard in and for their constituencies, and see this as the main component of their representational role. Many MPs were primarily motivated to enter parliament to represent and improve the lives of their constituents. Successfully achieving this aim is particularly rewarding for MPs.

“Changes through my engagement with government agencies in the Hluttaw (such as those for education, health, roads, bridges, drinking water and electricity): 20 new schools constructed.

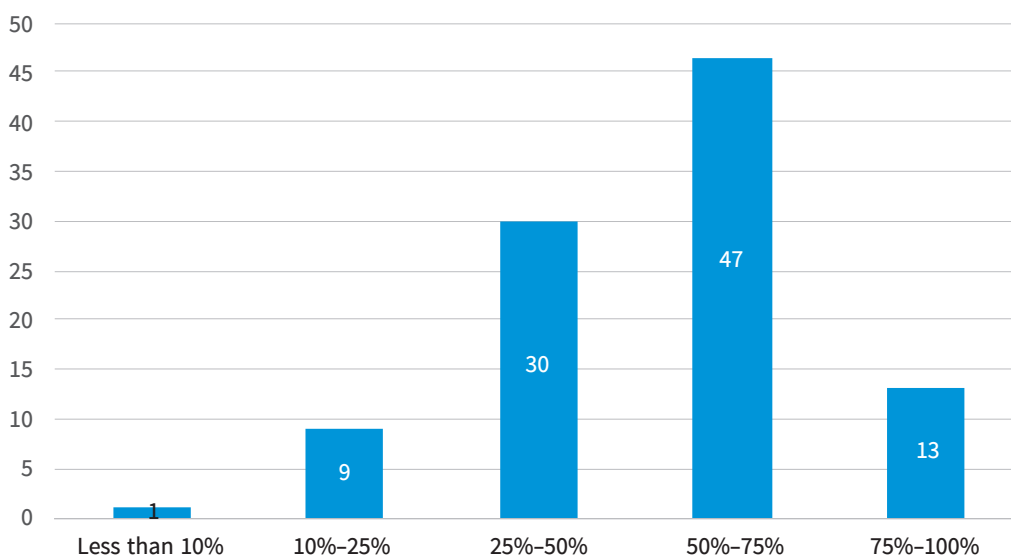
A middle school branch had not been upgraded into a middle school for 25 years because it did not meet the set criteria. It was upgraded after I wrote a letter to the Ministry including data from the township.

The focus on constituency work is clear. Sixty per cent of MPs stated that more than half their time was spent on constituency matters. MPs strongly welcomed the parliamentary calendar, which allows them to plan the recess. As some constituencies are very large and may have hundreds of villages, being able to plan ahead is hugely important to allow MPs to meet constituents. However, some MPs from remote areas are still concerned that the recess is too short.

When they are in their constituencies, MPs spend most of their time meeting citizens in different villages or wards. This was the case for 56 per cent of questionnaire respondents, while 25 per cent spend most of their time travelling across their constituency. Ninety six per cent of MPs travel to different villages or wards; 68 per cent meet citizens in a central location. In addition to meeting citizens, 88 per cent of MPs stated that they met local authorities during constituency visits. Fewer MPs (56 per cent) met civil society organizations.

Chart 11

Proportion of time spent on constituency duties (% of MPs reported)



Tracking change from the first Hluttaw

In the first Hluttaw, MPs noted that it was unrealistic for individual MPs to be experts in all parliamentary roles and that the focus on law-making diminished their ability to undertake other duties, especially representation. The large amount of time spent in the Hluttaw in Nay Pyi Taw made it difficult for many MPs, and nearly impossible for some, to effectively engage with their constituents and work in their constituencies. This is no longer the case; the Hluttaw calendar is a key innovation that supports MPs in their representational role.

UNDP (2016). *Survey of Myanmar Members of Parliament: Reflections from the First Hluttaw*.

UNDP Myanmar

6.1 Solving constituency issues directly

Many MPs surveyed said that they often take direct action to resolve specific cases raised by their constituents. They focus on addressing individual problems and are reactive in responding to constituents' requests.

“So far I have not asked questions in the plenary. I directly engage with the State government to solve development problems in my constituency; and I can solve them locally, so I don't need to bring them to Hluttaw.”

In general, MPs either try to solve individual issues directly, or represent the broader sectoral and legal needs of constituents through their duties at the Union Hluttaw.

MPs often facilitate public meetings or forums in their constituencies where they gather constituent problems, issues and grievances. Members then seek to respond immediately

Figure 12

MPs visit Tanintharyi region



Source: Amyotha Hluttaw



to individual complaints or difficulties. They use various strategies, including engaging with the State government or ministry officials, and posing constituency-related questions in the Hluttaw. Land issues feature very significantly in constituencies.

“If necessary, I call the ministers immediately in front of my constituents and the government officials solve the problems immediately if they can.

I meet with people ward by ward. I coordinate with government agencies to solve their issues. I cannot ask starred questions as I said before. Most of the issues can be solved on the ground. If necessary, I meet with the ministers and the Chief Minister.

Sometimes I send letters to the ministry directly and sometimes I ask questions in plenary.

Occasionally, MPs address citizens' needs by making decisions that are more commonly the responsibility of other branches of government or local authorities.

“I helped some civil servants who were in poor health to transfer to the areas they preferred.

Other MPs bring officials to the constituency to directly address constituent issues on the ground. A cross institutional and multilevel approach to problem solving is not widely evident. However, there are signs that MPs are slowly getting to grips

with the variety of ways in which they can address constituency issues locally and cooperatively with state or regional MPs and township authorities. Some MPs spoke of cooperating closely with those authorities to address issues and problems specific to their constituencies, including engaging in annual planning processes. Other MPs spoke of being frozen out by township authorities.

Many MPs spoke of a struggle with managing the expectations of their constituents. MPs suggested that greater public knowledge of the Hluttaw and the separation of powers is necessary to allow MPs to perform all their duties effectively. One MP explicitly noted that many constituency issues are not about requests to change the law, but about smaller queries and individual complaints.

“MPs have many challenges. We are not direct service providers. We are bridges between the government and people. But people do not know much about the currently changing political landscapes. They rely too much on MPs for everything. They think MPs are responsible for whatever happens and so they blame and criticize them. As people do not understand the roles and functions of MPs and the government, it is challenging for us. If possible, the public should be educated not only about the roles and functions of MPs, but also those of other branches of government as well as the responsibilities of citizens. Awareness should be raised about the separation of powers. It would be very helpful.

This is not an uncommon situation and many MPs in developing and transition countries face similar issues of citizen expectation.



6.2 MPs representing the needs of constituents in their parliamentary duties

Union-level MPs mentioned the significance of overseeing government policy to help address systemic issues that are important both nationally and to their constituents. However, not all MPs appreciate the link between constituency work and parliamentary representation. Only a minority explicitly linked or distinguished between constituency and parliamentary work.

“I don’t ask questions. I let the Lower House (Pyithu Hluttaw) MPs and regional Hluttaw MPs ask questions. This is due to the weakness of the law. The duties and functions of union and regional MPs are the same. There is overlapping on the ground. I think I should focus more on Union Hluttaw work and committee work. I cannot do everything. I want to do oversight. Most MPs do not do oversight.”

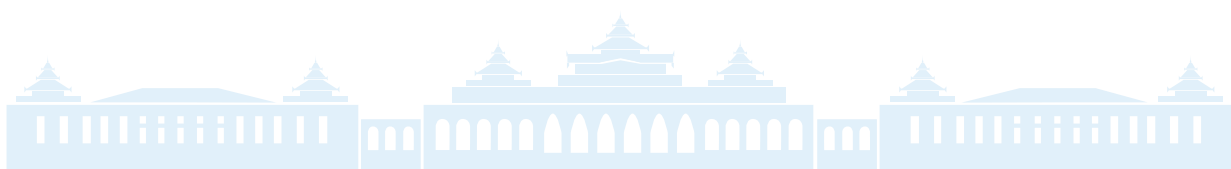
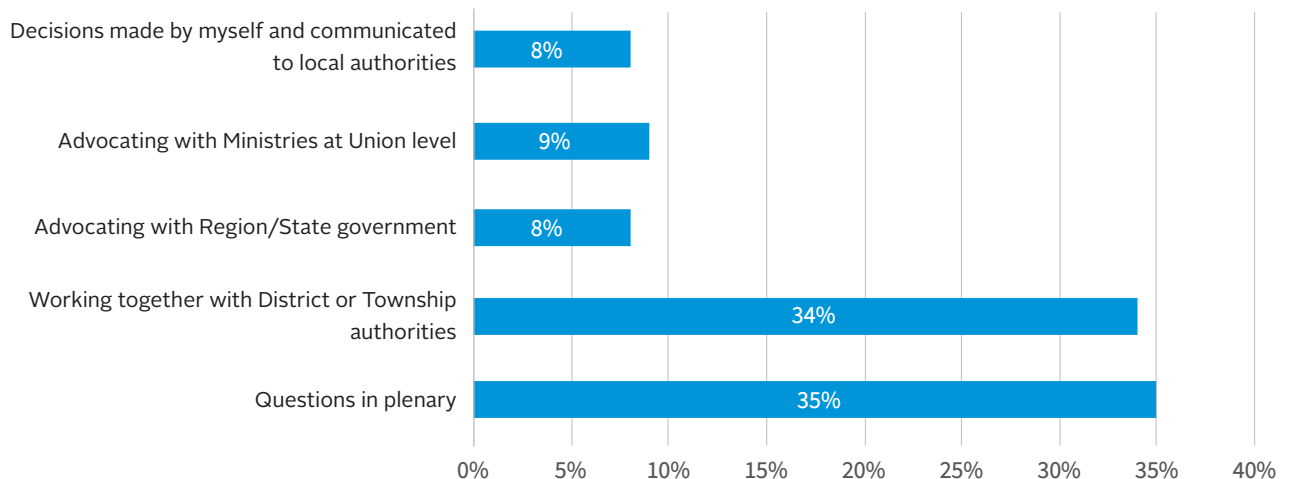
The most common way for MPs to follow up on issues that constituents raise is through direct engagement with district or township authorities (91 per cent of MPs use this method and it is the most common approach for 34 per cent of MPs). Fifty-three per cent of MPs have delegated issues to regional and state MPs; 54 per cent have taken direct decisions themselves and communicated these to local authorities. Direct advocacy to regional or State government (75% of MPs) and to union-level ministries (75%) is also common.

When bringing issues back to the Hluttaw to resolve, MPs are very active in asking questions in plenary (81 per cent of MPs use this method and it is the most common approach for 35 per cent of MPs). A slightly higher proportion of male MPs (36% compared to 24% female) said that this was the most common method of following up on their constituents’ issues. Forty-seven per cent of all MPs have followed up on constituent issues in their committee and 50 per cent have pursued matters with other committees.

MPs whose constituency work has proved successful typically focus on advancing the broad developmental and sectoral interests of their constituency by addressing systemic issues in plenary and committees. This allows

Chart 12

Most common ways that MPs follow up on issues raised by constituents



the parliament to be a vehicle for simultaneously advancing the national interest and the specific needs and interests of an MP's constituency.

"When I started working as an MP, I asked a question about a problem in my township that is also common in other parts of the country. It was about issuing land lease certificates and land grants by the government."

“Many issues reported in the constituency are small issues, but for union level, I need to see the big picture.”

To represent constituent needs in this way, MPs should be able to identify and prioritize broad constituency interests. MPs can then leverage their parliamentary work to strategically pursue policy objectives that benefit their constituents, often in collaboration with other MPs who have the same policy objectives. This is a proactive and strategic approach to balancing the constituency and parliamentary aspects of the MP's role. Hluttaw MPs expressed some frustration and described difficulties with pursuing particular policy developments of importance to their constituents.

“There are two parts. For [local] development issues, I am mostly satisfied. But for some issues, like land acquisition, drug abuse, rule of law, lack of employment opportunities, illegal migrants, there are no straightforward solutions and very little can be done about them. So, whenever those issues arise, we feel dissatisfied and frustrated.”

Comparative and international practice

In every part of the world, it appears that politicians are struggling to meet the ever expanding expectations of their voters. Their capacity to deliver is being stretched to the limits and may be taking them away from their parliamentary duties.

MPs need to find collective solutions and channel the expertise they develop from the constituency into the parliamentary process by moving (a) from the specific to the strategic in order to find policy solutions to common problems rather than dealing with each case on its own; (b) from the individual to the collective so as to find responses that benefit many people locally rather than single individuals; and (c) from the local to the national so as to find ways of drawing constituency expertise into the parliamentary and policy process much more systematically. For example:

- In Mexico, one MP told us how, following a constituency office visit by a concerned mother, she took up the case of a gifted child, advocating for changes to education policy that would allow talented children to accelerate through grade levels based upon their abilities rather than remain within their age groups.
- A Thai MP told us about her work to protect gay and transgender young men from persecution by the army and how she managed to change the law on their fitness to serve in the military.
- An Indonesian MP who had a high maternal mortality rate within her constituency cooperated with health officials and parliamentary colleagues to develop a national programme of care.



- Other MPs told us how they regularly hold local meetings to ask people about their policy priorities and ideas for new legislation ... [An] MP from Gabon explained how she was asked during such a meeting to propose legislation to increase the proportion of girls in secondary education and to improve their job opportunities. (IPU and UNDP (2012). *Global Parliament Report: The Changing Nature of Parliamentary Representation*. Page 59.)

The availability of reliable constituency data is a concern for many MPs. MPs heavily rely on township authorities for data. A total of 96 per cent of MPs receive data from township authorities. Other local sources are rarely used. Fifty-four per cent of MPs receive data from the Hluttaw research services. Despite improvements, such as the launch of constituency profiles, MPs frequently mentioned that they require more accurate and timely research support to conduct their duties. MPs reported difficulties in accurately representing constituency interests where they did not have detailed and updated information.

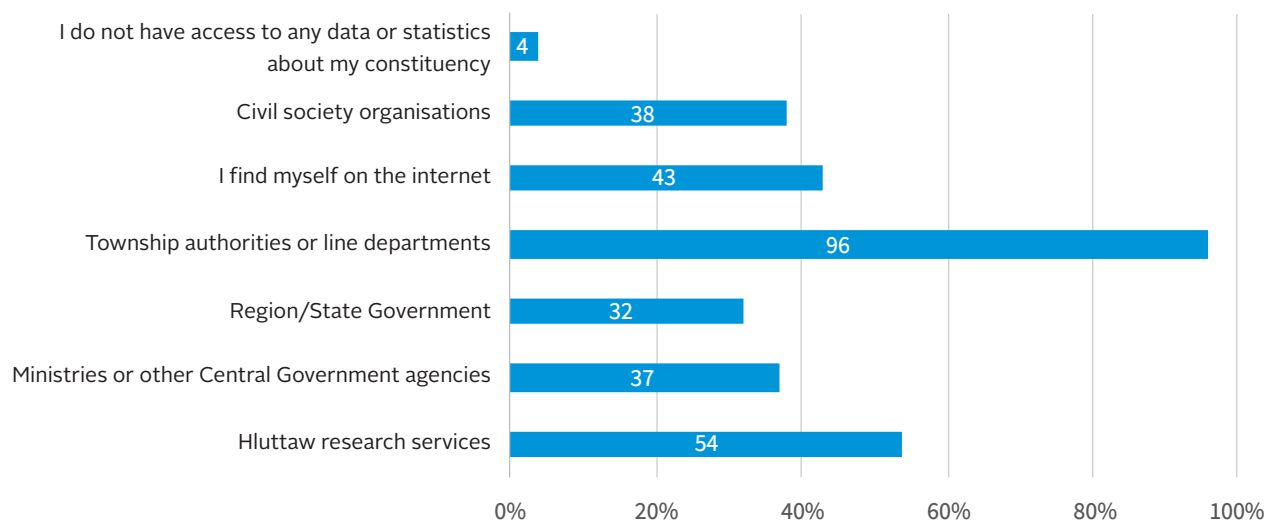
6.3 Constituency engagement practices used by MPs

MPs reported that they learned about their constituents' needs in various ways. Direct phone contact was used by 94 per cent of MPs. Members also regularly engaged party representatives (89% of respondents) and elected local representatives (83%).¹⁰ Fewer MPs used civil society organizations (50%) and social media (47%) to engage citizens.

Some MPs use sophisticated methods to represent the needs and interests of their constituencies. One MP reported developing plans for constituency engagement and recording individual case information during field visits in a constituency. Another MP had drafted a five-year plan for his constituency, while another used "community surveys and assessments to start development" in his constituency. The example below involves gathering data and strategically using it to monitor constituency needs and win resources for the constituency.

Chart 13

Ways that MPs access data or statistics about issues in their constituency (% of MPs reported)

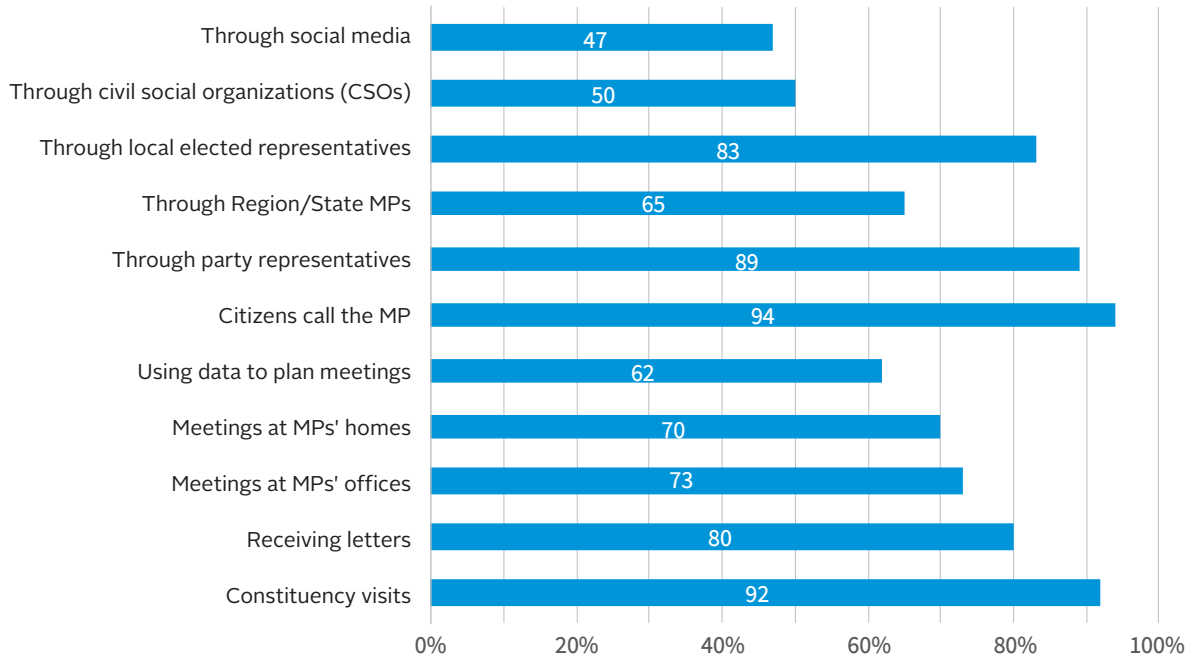


10 Elected local representatives: Ward or village tract administrators; 100 household heads.



Chart 14

Ways that MPs learnt about the needs of constituents (% of MPs reported)



“I conducted a survey in my constituency to know what I should do. I worked together with two other women MPs. I developed a questionnaire and we used the same questionnaire and conducted the survey in our own constituencies.

We got the help of volunteers and I trained them how to collect data. All volunteers were women. I shared the findings of the survey with the township meeting. It was a political and socioeconomic survey. It was supported by Women Political Action.

Figure 13

Citizens visiting the Hluttaw



Source: Amyotha Hluttaw



However, this form of proactive constituency engagement was only evident for a minority of MPs. There was little evidence of any systematic collation of information about the numbers and types of constituency problems confronting MPs when they meet with constituents. MPs do not appear to methodically keep detailed up-to-date records or log data.

The lack of data is critical. MPs will continue to struggle to meet constituency demands (and public expectations of their role) if they are not sufficiently equipped with basic and accurate information about their constituencies and the needs of constituents. Improved access to information and greater availability of ICT support is one means of addressing this key challenge.

6.4 Resources to conduct constituency engagement

Access to resources in constituencies (personnel, offices, travel and communication technology) plays an important role in allowing MPs to effectively and efficiently manage their constituency workload.

Despite provisions in the Law of the Hluttaw on emoluments for constituency work, MPs still face practical difficulties in getting to their constituencies and financing travel to, from and around them. This is especially relevant for MPs from remote regions and large constituencies. Only six per cent of MPs responding to the questionnaire said that they could reach their constituencies within three hours from Nay Pyi Taw. For 33 per cent of MPs, the journey takes between six and twelve hours, while 25 per cent have to travel for more than a day. MPs most commonly use cars (46%) and motorbikes (42%) to travel within constituencies.

“When I go back, I go to the villages as much as possible. There are 70 villages. It takes about one day to walk from one village to another. We can go by motorbike but it costs about 100,000 MMK.”

Women MPs highlighted practical difficulties with their constituency work.

Figure 14 An MP conducting a constituency visit

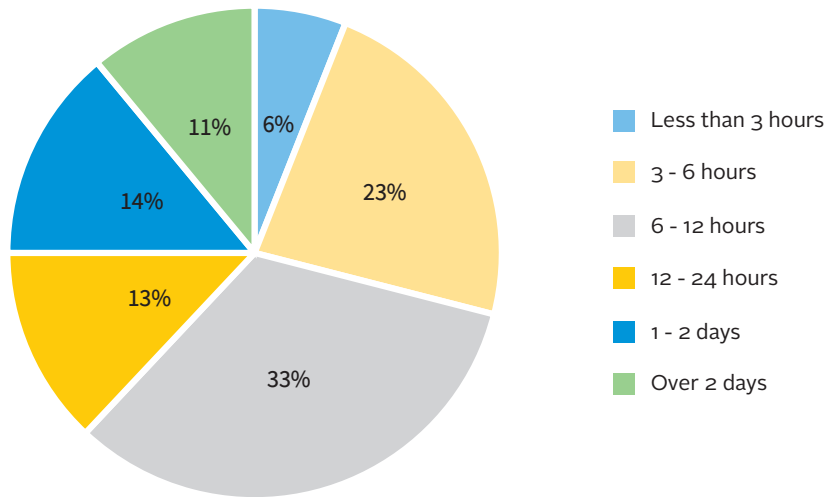


Source: UNDP



Chart 15

Travel time between Nay Pyi Taw and MPs' constituencies (% of MPs reported)



“It is more difficult for women MPs – financial difficulties and also time. At the weekends during the session, I travel to Yangon at night and sleep in the car. And when I arrive in Yangon in the morning, I go to the constituency. On Sunday, I go back to Yangon in the evening, continue back to Nay Pyi Taw, arrive at four in the morning and then have to go to the Hluttaw. It is very tiring.

It takes three nights and four days to go to some villages and I have to travel by boat for five hours. I spend most of the time with my constituents rather than my family.

MPs are creative and active with the resources they have. Some women MPs highlighted their engagement with women volunteers and women’s groups in their constituency.

“We got the help of volunteers and I trained them how to collect data. All volunteers were women. I shared the findings of the survey with the township meeting. It was a political and socioeconomic survey. It was supported by Women Political Action.

In all, 93 per cent of MPs receive phone calls from their constituents directly and many are proactive in contacting their constituents. Fifty-four per cent of MPs use social media; Facebook and Viber are two important communication tools for Members. However, these forms of communication are often problematic for MPs whose constituencies are very remote or in conflict zones, as wifi access is often patchy and sometimes non-existent. A small number of MPs (6%) spoke of preparing a printed newsletter for constituents. MPs rely heavily on face-to-face meetings at constituency or township offices (75%) and in villages (90%). Seventy-eight per cent of MPs communicate through elected local representatives. Only eight per cent of MPs have their own office and 87 per cent use their party office to meet constituents. Eighteen per cent of MPs use their own home as an office.



“If I know the time when the session is over, I inform my constituents through social media about when I can meet them and that people and organizations can invite us any time. Some contact me via messenger, email and phone. Some contact me through the party.

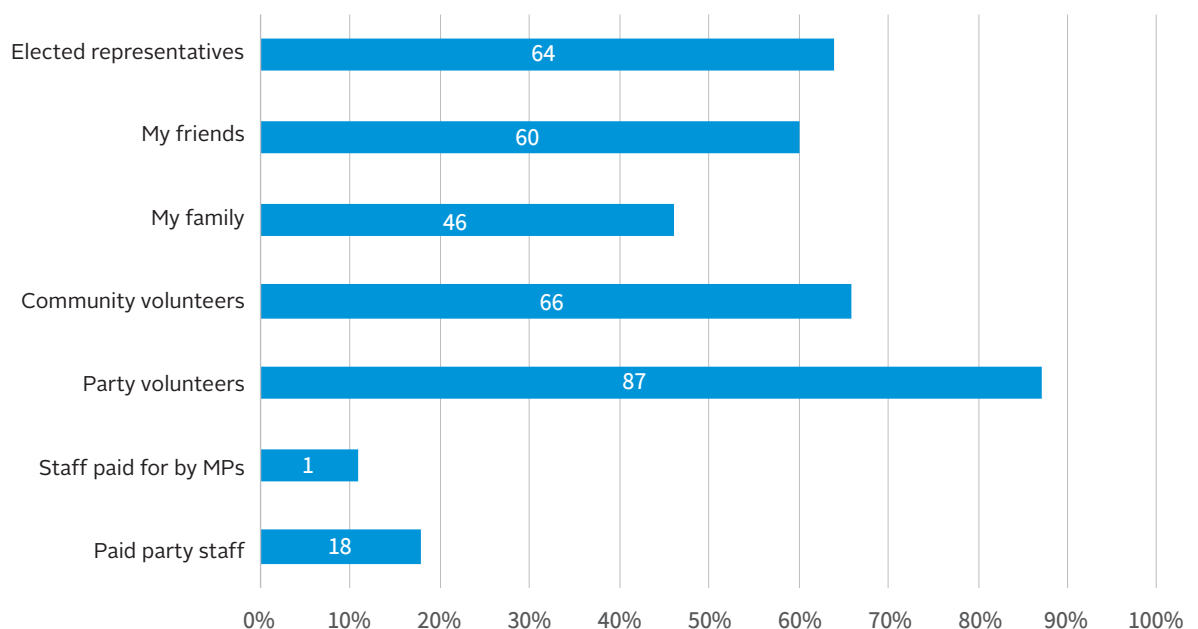
We publish brochures once a month to inform people of our activities and distribute them in the villages. The brochures are in [ethnic minority] languages.

Many MPs rely on volunteers to support them in their constituency duties and to keep in touch with constituents when they are in Nay Pyi Taw. Eighty-seven per cent of MPs use party volunteers and 66 per cent use community volunteers. MPs also rely on family (46%) and friends (60%). However, they are conscious that they cannot make demands on volunteers. There is a strong demand for MPs to be allocated resources which would allow them to rent constituency offices and employ constituency staff. Only 18 per cent mentioned that they use paid party staff.

“Only when we have someone in the constituency, that person can report things in the constituency, and we can communicate and give instruction and solve issues.

Chart 16

Ways MPs receive support to conduct constituency duties (% of MPs reported)



11 IPU and UNDP (2012). Global Parliamentary Report: The Changing Nature of Parliamentary Representation. Denmark. archive. ipu.org/pdf/publications/gpr2012-full-e.pdf. Page 23.



6.5 Public education

MPs stressed the need to better communicate the work and value of the Hluttaw to constituents and citizens. There was some depth of concern among MPs about the extent to which citizens understand democracy and the new political situation in Myanmar. There is a sense that tempering citizens' expectations about what can be achieved over time is an important means of protecting the fledgling democratic system. MPs voiced concerns that "people don't think MPs are doing anything" and are aware that "MPs need visibility". They noted that few members of the public watch the Hluttaw channel and so have a limited understanding of how the legislature works. MPs also noted that there is very little media monitoring of the Hluttaw. For a number of MPs, this was problematic because it affects the legitimacy of the institution.

The experience of Myanmar MPs is not unusual: "Almost every parliament recognizes the need to improve the public's understanding and impression of its work and .. the vast majority of parliaments are seeking to implement changes to that end." ¹¹ The Hluttaw could also play an important supporting role in developing both a strategic approach to the issue and practical ways of reaching out to the public. The Hluttaw's Learning Centre could be an important focal point for pursuing civic education and parliamentary awareness initiatives. Developing ICT, an improved website and a better social media presence for the Hluttaw could enable those involved in parliamentary life to reach and educate more citizens than at present.

Figure 15

A public meeting between an MP and citizens at Ywar Ngan Village, Shan State



Source: UNDP



7. SERVICES FROM THE HLUTTAW OFFICES

The Hluttaw Offices aim to improve the operation of parliament, support the work of MPs and committees, engage the public, and maintain the Hluttaw’s institutional memory. The number of services available to MPs has increased since the first Hluttaw. However, MPs consistently raised the need to strengthen services so that legislators have adequate information to conduct their duties effectively.

The most commonly used services are research support (70% of MPs), the library (51%) and committee support, including research and briefings (51%). Less than a third of MPs had received ICT support (32%), assistance to draft questions or motions (33%), procedural advice (28%) and media engagement or communications assistance (17%). The highest priorities for improvement are research support (71% of MPs mentioned this), plenary support (51%) and ICT support (47%).

Figure 16 The Hluttaw ICT Department staff providing training for MPs to use the Hluttaw intranet



Source: UNDP



Chart 17

Services that MPs have accessed from the Hluttaw offices (% of MPs reported)

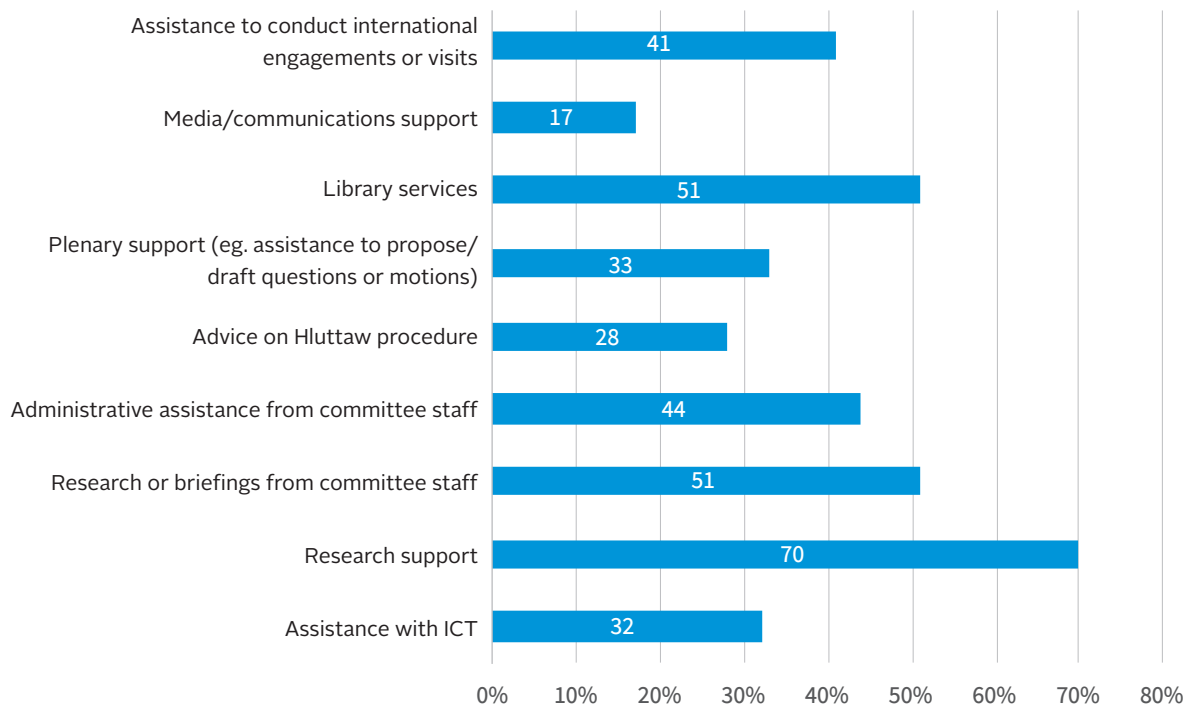
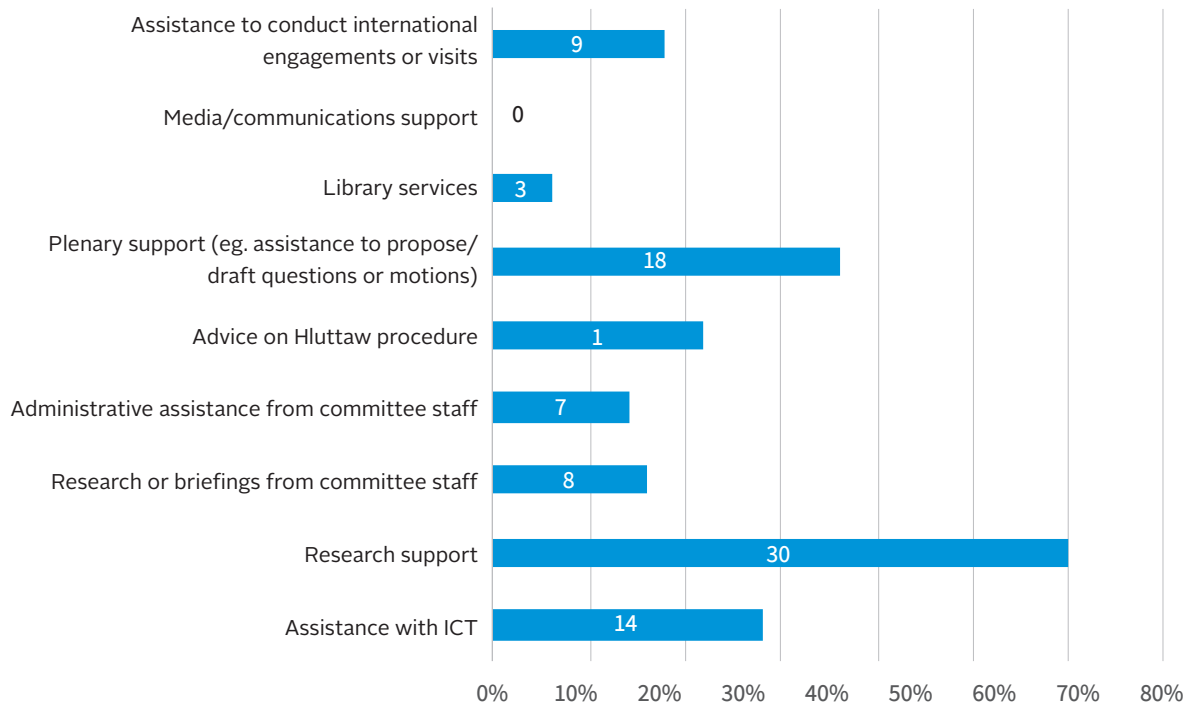


Chart 18

MPs highest priorities for improved services from Hluttaw offices (% of MPs reported)



Research services. The Research Department was the Hluttaw service that MPs mentioned most regularly. They acknowledged that the research services had helped them and had grown and developed since the first Hluttaw.

“In the tenth session, [the Research Department] is appearing to make more of an effort. They publish more newsletters. We want to rely on the Research Department for preparing questions and proposing motions.

We can ask for the data we need. The research service is good. I use it.

A range of shortcomings were identified in research services. MPs mentioned delays in receiving information and problems with the quality of information. Some MPs noted that the research services should be more proactive in bringing information to the attention of MPs.

“The Research Department is a bit slow to give us information we request. I have asked for some information; it has been 10 days and I have not received it yet.

The timeliness of the service is okay. But there are some problems with the content. Maybe it is my fault. I cannot describe what I really want.

We want updated news and data from research services. They should proactively distribute news, data and briefings (without waiting for a request).

MPs acknowledged that research services faced difficulties in accessing data and addressing queries. They may not have the capacity to access information from ministries and other State offices. According to one MP: *“The Research Department said that, when they requested data from the ministries, officials replied that they were not authorized to provide it.”* Giving staff greater authority to engage with other government agencies and sources of information may improve the speed and quality of information provision.

Committee offices. A minority of MPs mentioned that they received information and briefings from committee staff, and 46 per cent said they would like improved services in this area. Committee staff have a key role in supporting MPs to fulfil their oversight functions. Critical skills that committee staff require include *“the ability to synthesize and present evidence, including from a gender perspective, formulate draft committee recommendations and draft reports. Staff also need to learn how to relate to MPs and how to apply procedural practice.”*¹²

Trained and skilled committee support staff were regarded as crucial to the operation of a functioning and effective committee system. MPs called for improved support to committees in terms of staffing, capacity development and budget allocation. MPs were also keen for committees to have their own budgets that they could use for site visits and contracting research. Forty-six per cent of MPs stated that they would like improved administrative support from committee staff.

12 IPU and UNDP (2017). Global Parliamentary Report 2017 – Parliamentary oversight: Parliament’s power to hold government to account. France. www.ipu.org/oversight. Page 32.



“Our committees need a lot more to do research and inquiries, and engagement with the government committees should have some significant outcomes after the end of a five year term.”

Plenary support. MPs also pointed to some practical difficulties in terms of asking questions and proposing motions. They highlighted uncertainty about how to access procedural and drafting assistance as they prepared questions and motions. This uncertainty indicates that more junior Hluttaw Office staff are not yet providing procedural support, and that MPs may not be aware of the full range of services that Hluttaw staff can provide to assist Members, including on procedural issues. The second highest priority for MPs is improved plenary support, identified as the top priority by 18 per cent of MPs. Advice on Hluttaw procedure was prioritized by 11 per cent of Members.

ICT services. In today’s technologically advanced world, ICT plays an important role in strengthening democracy and democratic institutions.¹³ It facilitates better management and circulation of parliamentary information and documents; supports MPs to study independently; improves communication between committees and stakeholders; and can improve MPs’ engagement

with constituents. As well as improving the efficiency and effectiveness of MPs’ work, it can also enhance the Hluttaw’s public profile. For Myanmar MPs, there are a number of barriers to accessing and engaging with ICT. Issues raised included designing systems that are fit for purpose, training and skills deficits among staff and MPs, and concerns over security, reliability and availability. Forty-seven per cent of MPs stated they would like improved ICT support. It was the top priority for 14 per cent of Members.

There is wifi access in the Hluttaw buildings. However, unlike in the first Hluttaw term, MPs no longer have free wifi access in the guesthouse. The impact of this is acutely felt. It prevents contact with constituents, limits opportunities for independent learning and undermines the extent to which MPs can work in the evening. Sixty-one per cent of MPs said that improved ICT infrastructure in the MPs’ guesthouse was important for them to fulfil their duties.

“Wifi is our lifeline. For our work to be effective, we should have access to wifi. We need this in the guesthouse but there is no connection. There are online courses from the British Council but we can only work on these when wifi is accessible.”

13 IPU (2018). World e-Parliament Report 2018. France. www.ipu.org/resources/publications/reports/2018-11/world-e-parliament-report-2018.



8. PROFESSIONAL DEVELOPMENT

All MPs undertook a significant number of professional development activities after they took their seats. Being an MP is an educational experience in itself, and a number of MPs were conscious that a key aspect of learning how to be an effective MP involved observing and doing. However, Myanmar MPs made it equally clear that they need strategic and practical support to become effective parliamentarians. Particularly notable was the MPs' keenness to learn and their willingness to engage with learning opportunities during the early stages of the current Hluttaw, often through self-study. Over time, as MPs became busy and their circumstances made it hard to fit in other activities, their ability to engage with professional support has been more sporadic.

8.1 Induction and orientation

Second-term MPs were very positive about the value of the orientation and induction programme. They strongly welcomed the variety of support they received, noting that no such opportunities were available during the first Hluttaw.

“I remember that I had to attend a three-day induction programme and that I learned a lot from international experience. But we also need to learn about local experiences. As far as I remember, in one panel discussion, a former MP shared their

Figure 17

MPs attending a professional development programme on constituency engagement and representation



Source: UNDP



experience about the life of an MP, and constituency and parliamentary work. I want to learn more about this kind of local experience. I was impressed with the international experience that was shared, especially from the Speaker of Pakistan and MPs from the USA and Canada.

Tracking change from the first Hluttaw

The survey of members of the first Hluttaw highlighted that MPs did not understand precisely what their duties and responsibilities were, and how they might best be pursued. Members had a clear view that they were poorly prepared to engage with the institution. MPs of the second Hluttaw highlighted that the induction allowed them to understand their roles from the outset, albeit without necessarily having the skills to do them at the start. In contrast to the first survey, no one said they felt lost and unsure, suggesting the orientation helped smooth the early days when MPs were adjusting to their new roles and surroundings.

UNDP (2016). *Survey of Myanmar Members of Parliament: Reflections from the First Hluttaw*. UNDP Myanmar

8.2 Skills required to conduct duties

MP stated that they still require ongoing support to understand and conduct their core parliamentary duties. Forty-nine per cent of MPs stated that the knowledge and skills to make law, represent constituents and oversee the executive were most important for their ongoing professional development. Law making was the area where MPs felt they needed the most assistance (51 per cent stated this was the priority).

Law-making appears to pose the most challenges for MPs, particularly those who do not have a professional legal background. Although MPs noted that their parliamentary experience had been helpful to improve their familiarity with law-making, many still feel underequipped when it comes to the knowledge and skills needed to be a good law maker. A large number of MPs supported continuous and advanced legal training. MPs were keen to amass not just basic legal knowledge, but also skills in relation to drafting, amending and scrutinizing Bills.

“Now I have two years’ experience and I know what I need. I want one to one mentoring and coaching. I want to draft two laws – a charity law and a national water law. I need support to be able to do this. Drafting law and amendments is only done by the government. It is not the right way.

It is rather difficult for me to discuss draft laws and amendments. ... The Hluttaw should provide more training on laws for MPs, so that every MP can participate in discussions and debates about laws.

The support I would most like to receive is for basic legal knowledge so that I can explain laws during public engagement.

It is important to note that the ability to amend and scrutinize Bills does not necessarily require high level legal expertise. In other parliaments, policy knowledge is a critical part of being equipped to scrutinize Bills, with technical legal knowledge only rarely assisting engagement in the law making process.

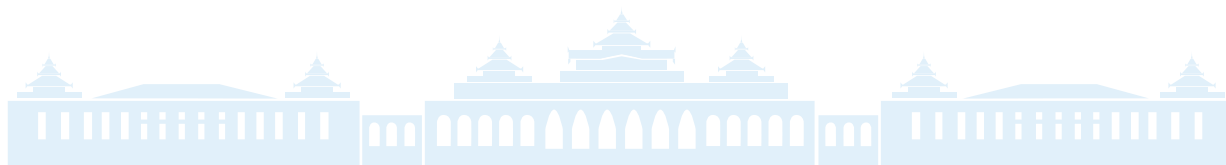
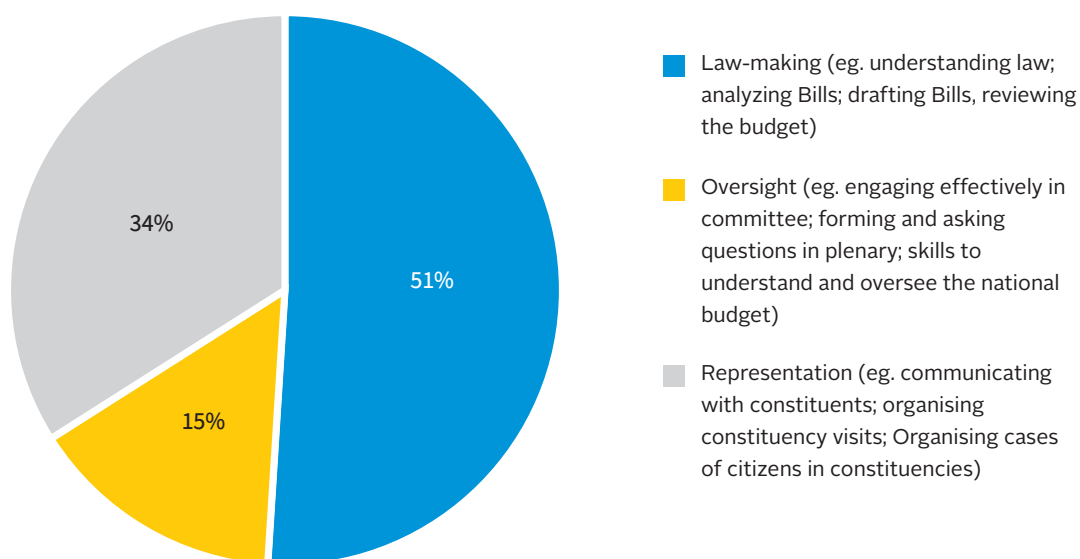


Chart 19

MPs priorities for professional development (% of MPs reported)



Scrutinizing the government’s budget is a top priority for all parliaments. It is often a strong focus of specialized budget committees, as well as being part of the work of subject matter or ad hoc committees. Many MPs think that they have insufficient knowledge and skills when it comes to scrutinizing budgets and dealing with financial matters.

“I think MPs may need training on budgets and finance, because they have to review budgets.

One of our main responsibilities is to oversee budget execution, so we need more support to learn such technical things.

MPs explicitly noted that they would welcome training on how to manage their constituency office and how to collect and collate constituency data.

Tracking change from the first Hluttaw

The need for training on budgets and government expenditure was less evident to MPs of the first Hluttaw. As the parliamentary system has developed, there has been an increasing awareness among MPs of their role in overseeing government expenditure. A central unit and/or expert advice on understanding and overseeing budgets and government accounts would serve the needs of many MPs and their committees.

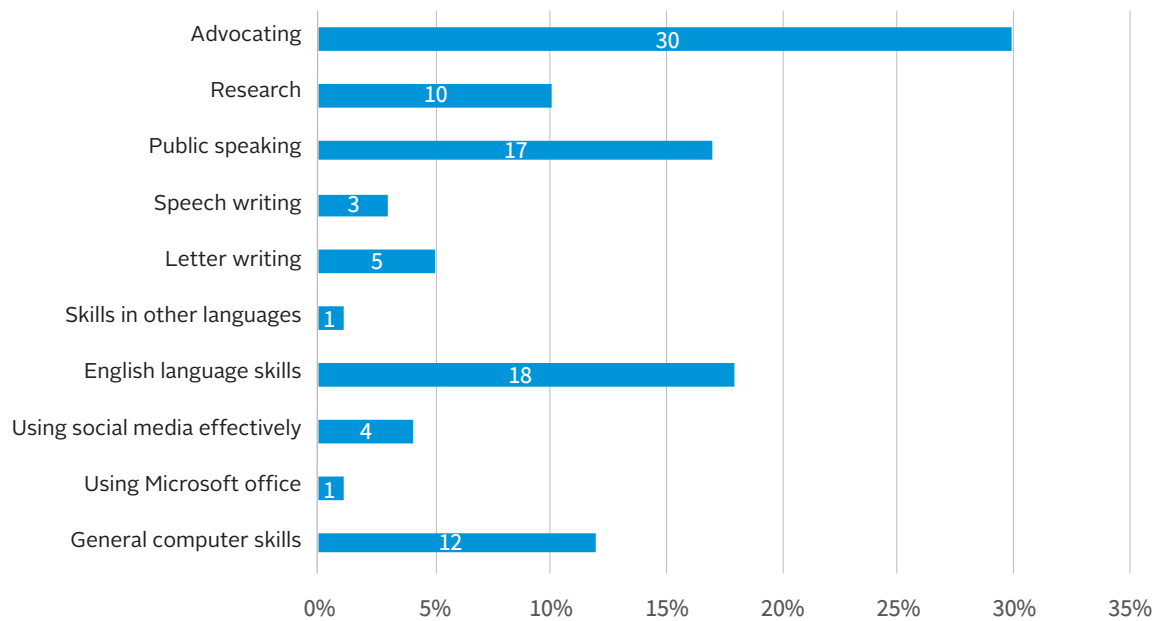
UNDP (2016). *Survey of Myanmar Members of Parliament: Reflections from the First Hluttaw*. UNDP Myanmar

After parliamentary skills, the highest priorities were advocacy and public speaking (a high priority for 30 per cent and 17 per cent of MPs respectively). The most common training that MPs requested was in English language (69%). ICT skills and related skills to conduct research were also highly sought after (they were the top priority for 12 per cent and 10 per cent of MPs respectively).



Chart 20

MPs' priorities for skills training (% of MPs reported)



Language skills were frequently cited as important. An ability to speak English is seen as allowing MPs to pursue more professional development, use more international comparative resources (many of which are only available in English) and go on international study trips to learn how other parliaments operate. For MPs of certain ethnicities, limited confidence with the Myanmar language can be problematic and undermine their capacity to contribute.

MPs said public speaking skills were useful for helping to engage in plenary sessions, committees and constituencies. MPs are conscious that an ability to communicate effectively with people plays a role in harnessing public support for parliament and its members, and legitimizing the work of MPs and the Hluttaw.

A minority of MPs encounter difficulties in dealing with some of the day-to-day demands of their role. One MP noted that he did not know how to write a formal letter: *"It is very simple, but I have never done it before."*

8.3 Policy and issue-based support

MPs were often motivated to become politicians because they wanted to make an impact in certain policy areas. For example, they may have wanted to reform the education system, improve the health system, address conflict issues or manage immigration. This is very common internationally. MPs mentioned the need for advanced policy and issue-based training so as to engage in more sophisticated ways with draft legislation and committee deliberations.

We should be expert in one area and should be assigned to a relevant subject, or area of interest or expertise ... Interest areas and committees do not match for some MPs.

I attend some seminars and debates on subjects related to my committee work (the Women and Child Rights Committee). Those programmes are helpful.

To be more effective, MPs should know about international laws that are relevant to our committee. So it would be helpful if knowledge about relevant subject matters could be transferred to respective committees.

We need to know about the Sustainable Development Goals, international laws, including human rights law, and laws from our neighboring countries.

Government officials can (and sometimes do) deliver this type of support. MPs suggested this was best delivered in combination with national and international policy experts, particularly those familiar with Myanmar’s situation. MPs value receiving information in ways that are sensitive and relevant to Myanmar’s unique circumstances. This support can take the form of seminars for interested MPs, but can also be delivered directly to individual committees in a more strategic and targeted way. Where committees have annual plans, policy support can be designed so that it complements the committee’s priorities and future intentions.

However, where committees study issues in detail, MPs can develop deep policy expertise on the job. They can drive their own learning by engaging with the government and stakeholders, and by mastering the evidence collected through submissions

and hearings. Internationally, many MPs use the committee inquiry process to develop substantial technical policy knowledge. This assists them in their legislative, representational and oversight responsibilities.

8.4 Delivering professional development support

MPs have different preferences for how best to learn. At this stage of the parliament, there is less of an appetite for large group workshops. One to one mentoring, drop in facilities and small group masterclasses were favoured; 65 per cent of MPs preferred training in small groups.

MPs noted their self-study needs. They highlighted books and reference material from development partners that they had found useful, such as those from International IDEA. However, Members may be less aware of the variety of material available to them from development partners and other sources. This highlights the important role of the Hluttaw Learning Centre, which can communicate to MPs about the self-study resources on offer. There was also an acknowledgement that MPs have busy lives and that online training facilities allow them to fit independent study around their heavy workloads. A lack of access to wifi, including at the MPs’ guesthouse, was cited as a serious impediment to MPs’ ability to study independently and develop professionally.

I prefer online training, like online English class. I need only one day for face-to-face training, and I can learn by myself online at my own pace. I think it will be most effective.

The timing of the professional support offered to MPs is important. Compulsory attendance at the



plenary and MPs' committee duties reduce the time available for MPs to train during the day. MPs noted that they have limited time to spend on training when parliament is sitting, as other duties must be prioritized. Many MPs suggested that training and professional support are best delivered in the evenings when MPs have no parliamentary commitments. It is difficult for MPs to stay in the Hluttaw in the evening because there are no transport or dining facilities. In all, 70 per cent of MPs stated that the best time for training was after

4pm outside the Hluttaw. Thirty-eight per cent said that weekends were best, while 31 per cent said they could attend training between 1pm and 4pm at the Hluttaw.

The support from the National Democratic Institute was consistently mentioned as very helpful. The Institute provides high-quality assistance and its offices have wifi access. It also provides transport and food so that MPs can use the Institute's services and facilities in the evening.



9. LIFE AS AN MP

Being a member of the Hluttaw is both rewarding and challenging in terms of its impact on MPs' lives. An immense pride in the responsibility of serving the country and its people comes at a cost to personal and family lives. To some extent, families are supportive, endure hardship and make sacrifices so that their loved one can serve as an MP. However, many MPs regret the sacrifices their families make. They are sad that they spend less time with their relatives and cannot provide for them.

“My wife is very supportive and I am very thankful for her support.

I serve the country first. Family is in second place.

My family doesn't approve of me being an MP at all because I have to leave them. Also, before I became an MP, I was a lawyer, so my income was better. But now I cannot provide much.

The biggest sacrifice may be made by MPs' children. Those who want to bring their family and children to Nay Pyi Taw tend to struggle, as they cannot keep their rooms during recess. This can affect the children and their schooling.

The challenges may be felt more intensely by female MPs. As one MP noted:

“If a woman participates in politics, not only the woman herself but also her children have to sacrifice their lives.

Whenever I try to achieve work life balance, I always put my work before my family life. When I ran for election, I was pregnant... I was absent from plenary session for only one day because of my son.

MPs have all made lots of friends across parties and women MPs highlighted that they support each other; this was also the case in the survey of members of the first Hluttaw.

“I get mental and spiritual encouragement from the women MPs. They are warm and friendly and it is easier to work together and to collaborate, as they are more understanding.

These friendships are important, not just on a personal level, but also to facilitate understanding between parties and MPs. That understanding is important in the context of national stability and the long-term achievement of peace and reconciliation. The friendships help to build a cohesive parliamentary institution that can deal with challenging national issues in a constructive and respectful way.

“We can meet our brothers and sisters from ethnic minorities all over the country, and get the chance to learn about their culture and traditions, their issues and feelings.



Having friends from different parties allows me to know the views they have on our government.

One amazing thing is that MPs do not look down upon each other, but rather show mutual respect.

9.1 Emoluments

There is no great financial benefit to being a Myanmar MP. Many MPs have given up other jobs that allowed them to provide more comprehensively for their families' needs. In addition, MPs need to use their own resources for constituency work. Some MPs continue to work part time, particularly when their home or constituency is not too far from Nay Pyi Taw.

“Before I became an MP, I was a teacher and from a middle class family. I cannot support my family. My daughter supports the family by working overseas.

Our wives are not very happy because we cannot take care of our business to support the family. We have to spend most of our time in the Hluttaw.

I cannot stand as a politician in the long-term without additional income.

The survey indicated that, rather than expecting a salary increase, MPs expect allowances that better reflect the costs of carrying out their duties. Constituency allowances would avoid MPs having

to fund traveling to their constituencies from their own salaries.

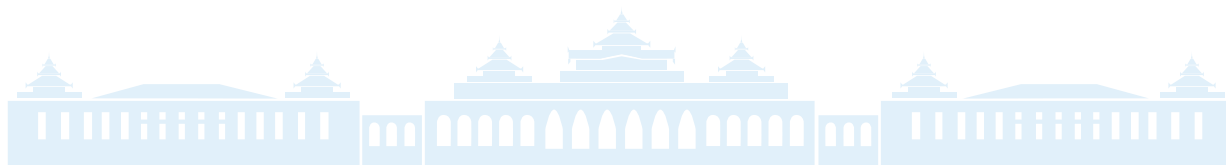
MPs cannot afford to rent housing independently on their parliamentary salary. Instead, MPs use the accommodation provided by the Hluttaw that houses all MPs together. Each MP has a small chalet that is their 'home' while the Hluttaw is in session. Most MPs live alone as the chalets are small and unsuitable for family living. The washing, cooking and cleaning facilities for MPs are considered poor. Fifty-six per cent of MPs stated that improved housing would help them conduct their duties. Accommodation was the top priority for 12 per cent of MPs.

“The place where we live is small. We have little privacy. We do not have our own office. We do not have our own staff. I have to do the cooking, do the washing. I think our life is different from that of MPs in other countries. I have to deal with problems in our constituency on the phone while I am in the Hluttaw.

The room I am staying in now is very small. I sent a picture of it to my nephew and he asked me: 'Uncle, are you living in a cowshed?'

In addition, some MPs cannot often afford independent transport in Nay Pyi Taw. The Hluttaw provides transport to and from the parliament every day. However this means that MPs are constrained by the transport schedule.

It is important to acknowledge that, when MPs are unable to manage financially, or when they find the sacrifice overwhelming because of the



negative impact on family life, their willingness to fight elections decreases, which may lead to a high turnover of MPs. This arguably diminishes parliament by hampering the establishment of the democratic system, which is often anchored to and led by longer-serving politicians. There is also a cost for the Hluttaw and the democratic system to inducting and training large groups of new MPs with little parliamentary experience and no institutional memory.

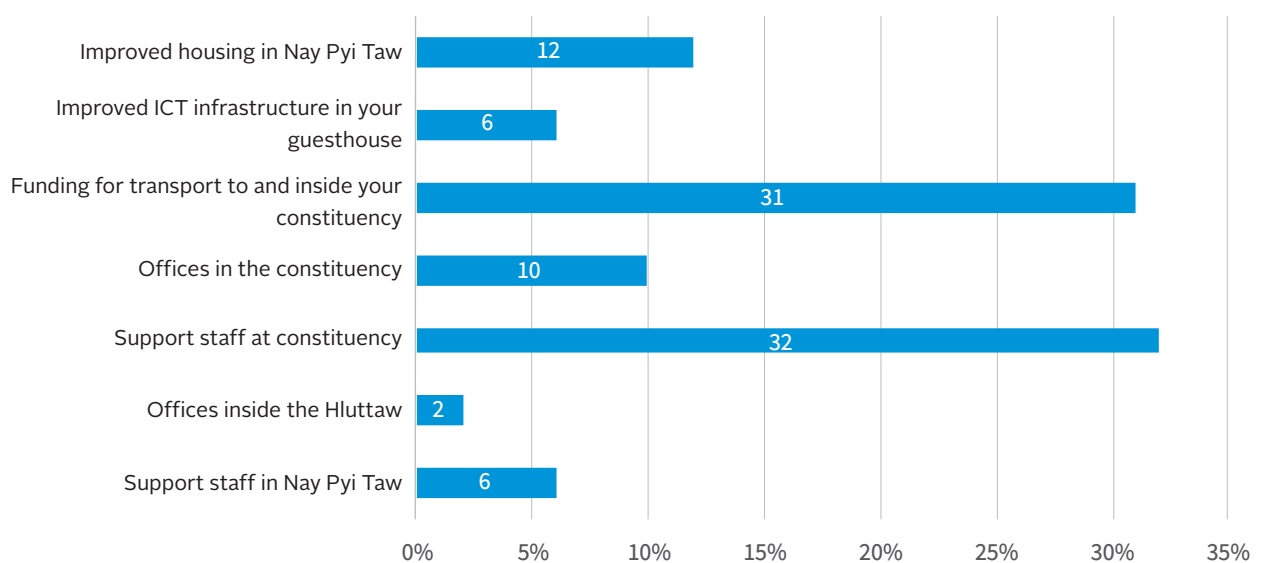
When asked about what they felt was needed, MPs most frequently prioritized constituency support. Support staff in the constituency was the top priority: 75 per cent of MPs mentioned it; it was the highest priority for 32 per cent of Members. Funding for transport was in second place: 72 per cent of MPs said it was needed and it was the highest priority for 31 per cent of legislators. Over half the MPs said that improved ICT at home (61%) and improved housing (56%) were important. Female MPs were more likely to prioritize constituency support staff: 43 per cent said it was their top priority as opposed to 31 per cent of male MPs. Male MPs set greater store by transport funding to, from and within their constituencies: 33 per cent said it was their top priority compared to 23 per cent of female MPs.

Tracking change from the first Hluttaw

In the survey of members of the first Hluttaw, a small number of MPs alluded to the financial impact of being an MP. Far more MPs in the second survey highlighted their financial situation as a problem. This may be due to the different backgrounds of MPs in the first and second Hluttaws.

UNDP (2016). *Survey of Myanmar Members of Parliament: Reflections from the First Hluttaw*. UNDP Myanmar

Chart 21 Changes that would support MPs to conduct their duties (% of MPs reported)



CONCLUSION

The process of building and consolidating parliamentary institutions continues apace in Myanmar. This survey reveals some recurring issues in the development of the country's democracy. There are some clear differences in the way the second Hluttaw is operating compared to the first. One MP put it astutely: *"The further we travel, the more complex things get."*

The second Hluttaw has made progress, including through its more active committees and more routine constituency engagement. MPs welcome opportunities to play a more direct role in the day-to-day management of Hluttaw business. They are also keen to increase awareness among the people of Myanmar about the Hluttaw and what MPs do. Although they struggle with aspects of their living and working conditions, MPs remain strongly committed to the Hluttaw and the democratic system.

MPs highlighted aspects of plenary and committee procedure and practice that prevent them from fully realizing their law making, oversight and representational roles. The public's lack of in depth understanding about the function of MPs is a challenge for the Hluttaw as an institution. MPs also require further professional development in all aspects of their role, and improved information support from various sources, including the Hluttaw Office.

It is a long-term endeavour to optimize the separation of powers, embed new practices and processes, alter mindsets and establish new political norms. MPs of the Myanmar Hluttaw have demonstrated an impressive capacity to adapt and a strong desire not only to learn but also to help build Myanmar's democratic system. Their effort, loyalty and sacrifice are the foundations on which the Hluttaw will be built now and in the future.

Findings and next steps

The findings suggest ways in which the Hluttaw administration might enhance the institution's capacity, and also develop services, support and professional development for MPs. The recommended next steps relate to the objectives and actions in the Union Hluttaw Strategic Plan 2019–2022. If these recommendations were acted on in the remainder of the Hluttaw's second term, the transition to democracy could be strengthened by supporting MPs to fulfil their democratic mandate more effectively.

Union Hluttaw Strategic Plan 2019–2022, Objective 1: Improving effectiveness and impact of plenary sessions and committees

- 1. Improve consistency of *ad hoc* committee practices.** Committees are the engine room of parliamentary institutions. They carry out both legislative and oversight functions. All MPs would be supported in their lawmaking and scrutiny work if the ad hoc committees systematically and proactively identified important national issues, and engaged with stakeholders and the public to gather evidence and report to the plenary. Inquiry processes can be systematic when reviewing policies, scrutinizing Bills and conducting post legislative scrutiny. A systematic approach would allow MPs to contribute more effectively to producing better public policy and legislation, and reflecting the public's voice in key national priorities. This approach would also improve the overall effectiveness of committees, the plenary and the broader parliamentary system.

Reforming the management of complaints would be an important step towards identifying issues that should be studied in depth. This would ensure that a committee could identify systemic



nationally important issues related to its terms of reference. A system of aggregating complaints – possibly overseen by the Public Complaints Committees – could be used to assess which systemic issues the Union Hluttaw's committees should investigate in detail.

2. Provide mechanisms for MPs to contribute to the amendment of the Hluttaw's practice and procedure, and its business management.

Parliament operates most smoothly when MPs have an interest in its efficient and effective functioning. MPs could be more closely involved in managing parliamentary business if mechanisms were established to run the Hluttaw's business and set its agenda more inclusively, as well as to give MPs the opportunity to recommend changes to procedure and legislative process. This could occur by adapting existing committee mandates, agenda setting practices and other internal processes. Procedural rules could also be updated and further developed.

Union Hluttaw Strategic Plan 2019–2022, Objective 2: Enhancing the capabilities of Members of the Hluttaw to perform their responsibilities

3. Scale up targeted professional development for MPs, delivered flexibly and at times that suit them.

The ongoing transition to democracy in Myanmar and the relative youth of the Hluttaw means that MPs continue to require professional development support as they adapt to the rigours and demands of the democratic system. This requires a commitment to supporting MPs' professional development as they increase their capacity to fulfil their duties. MPs have noted that meeting the following knowledge and skills development needs would have a broad effect:

- Understanding the legal system and how to engage in the legislative process;
- How MPs should engage at each stage of the committee inquiry process;
- Planning constituency visits and keeping records.

4. Improve MPs' living conditions. Two small steps that would help MPs in their work would be to reintroduce free wifi in the MPs' guesthouse and to provide constituency and travel allowances. A new draft Law on Emolument of Members would facilitate these and other improvements to MPs' living conditions. The improvements would all help to motivate MPs to continue and specialize in their role.

Union Hluttaw Strategic Plan 2019–2022, Objective 3: Upgrading the capabilities of Hluttaw staff and their services

5. Improve information services for MPs. The quality of parliamentary oversight, legislation and constituency engagement improves when MPs have access to reliable data, accurate information and research support. MPs need better information from all angles and across Hluttaw departments, including in areas such as ICT, research and committee support. Improved processes for distributing advance information on Hluttaw business, including the business paper, should be maintained and strengthened. If full texts cannot be printed, the topics of questions and motions could be included to inform MPs of what is to be raised in the plenary.

6. Deliver increased issue-based support and enable self-study through the Hluttaw Learning Centre. The Centre should provide MPs with increased access to issue-based support and should work with libraries to provide targeted self-study material. Stronger coordination between the Learning Centre and development partners could also encourage various stakeholders (government, civil society and the international community) to contact MPs about issues being addressed in the plenary and committees. The Hluttaw library could collect self-study material, which could be advertised and distributed to MPs through the Hluttaw intranet.



Union Hluttaw Strategic Plan 2019–2022, Objective 4: Improving communication, technology and collaboration

7. Create stronger parliamentary outreach and education to inform the public about the roles and functions of MPs. In any democratic transition, public education about the work of MPs that is aimed at stakeholders, constituents and voters can help to deepen parliament’s legitimacy. Achieving this requires a Hluttaw-wide strategic approach to outreach, as well as expanded public relations and parliamentary education services to educate citizens about the roles and functions of the Hluttaw and MPs. For young people, this education could include age appropriate information on the parliamentary system in up-to-date civic education curriculums.

8. Deepen understanding of the separation of powers in a democratic system. Constructive cooperation between the different branches of the political system is a crucial way to ensure accountability and strengthen MPs in their duties. Additional changes that could be made include: improving committee practice so that engaging the government and stakeholders becomes more routine; and strengthening the Hluttaw’s parliamentary education services. This would allow the government and stakeholders to engage more effectively with the plenary and committees and also to improve their understanding of the oversight role that both majority and opposition MPs play in a democratic system of governance.

Next steps	Union Hluttaw Strategic Plan 2019–2022: priority actions
Improve consistency of ad hoc committee practices	1.3 To effectively scrutinize and oversee the budget 1.4 To foster effectiveness in pre legislative scrutiny, the Bill process and post legislative scrutiny 2.3 To develop measures that allow Members to know about people’s challenges, needs and desires in a timely manner
Provide mechanisms for MPs to contribute to the amendment of the Hluttaw’s practice and procedure, and its business management	1.1 To draft new law, by laws and procedures, and support plans to enhance Hluttaw practices and the legislative process
Scale up targeted professional development for MPs, delivered flexibly and at times that suit them	2.1 To support services that enable Members to perform their primary role and provide leadership 2.4 To develop a more extensive programme about international best practices on legislation, oversight and representation
Improve MPs’ living conditions	2.8 To draft the Law on Emolument of Members of Parliament so that Members can execute their role effectively
Improve information services for MPs	3.6 To develop a programme that enhances the staff’s research and information management skills



Next steps	Union Hluttaw Strategic Plan 2019–2022: priority actions
Deliver increased issue based support and enable self study through the Hluttaw Learning Centre	<p>3.5 To develop a staff capacity building programme in relevant thematic and academic areas that draws on local and international experts and organizations</p> <p>4.7 To develop a Learning Centre strategy to foster the effectiveness of the Centre in enhancing the skills of Members and staff</p>
Create stronger parliamentary outreach and education to inform the public about the roles and functions of MPs	4.1 To expand public relations services so that people are aware of the roles and functions of the Hluttaw and its Members; to disseminate parliamentary information widely and listen to a wider range of public opinion
Deepen understanding of the separation of powers in a democratic system	4.6 To develop a strategy on parliamentary ICT so as to achieve a sustainable parliamentary communications system that facilitates wider communication between parliaments and with other organizations and stakeholders



SOURCE LIST

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ANNEX 1:

COMPOSITION OF THE 2ND HLUTTAW

Political Parties	Pyithu Hluttaw	Amyotha Hluttaw
NLD	253	134
USDP	29	12
Military Representatives	110	56
Shan National League for Democracy (SNDP)	14	3
Arakan National Party (ANP)	13	10
Pa-O National Organization (PNO)	3	1
Ta'ang National Party (TNP)	3	2
Lisu National Development Party	2	0
Zomi Congress for Democracy	2	2
Kachin State Democracy Party	1	0
Kokant Democracy and Unit Party	1	0
Wa Democratic Party	1	0
National United Democratic Party	1	0
Mon National Party	0	1
Independent	1	2
Vacant	6	0
Arakan National Party (ANP)	13	10
Total	440	224

Female Representation in the Myanmar Parliament

Compared to the 1st Hluttaw, the number of female MPs increased from 4.3 % to 11.11. 75 female MPs are currently sitting at the 2nd Hluttaw - 48 in the Pyithu Hluttaw (House of Representatives) and 27 in the Amyotha Hluttaw (House of Nationalities). The IPU working ranking of women participation in parliament, Myanmar stands in 160th position.



ANNEX 2:

KEY INFORMATION ABOUT THE 2ND HLUTTAW

The 2008 Constitution established Parliaments ('Hluttaws') at both Union and Region and State level, which began their first terms in 2011. At Union-level there are three Hluttaws: the Pyithu Hluttaw (House of Representatives) with 440 representatives, 330 elected by township/population and 110 Defense Services Personnel appointed by the Commander-In-Chief; the Amyotha Hluttaw (House of Nationalities) with 224 representatives elected in an equal number of 12 from each of the 14 States and Regions and 56 Defense Services Personnel appointed by the Commander-In-Chief¹⁴. The Pyidaungsu Hluttaw (Union Parliament) is comprised of all 664 MPs from the Amyotha Hluttaw and Pyithu Hluttaw.

The term of the Hluttaw is five years from the start of the first session of the Pyithu Hluttaw. Following a multiparty general election in November 2015, in February 2016 there was a change of government and parliaments at Union and Region and State levels went through the transition between two parliaments for the first time in 56 years. At both levels around 90% of the MPs were newly elected.

MPs can submit proposals (motions) in plenary on issues for the interest of the Union and its citizens; on matters relating to governmental institutions or on other matters permitted by Speaker. MPs can raise questions on matters related to the actions of the government and matters addressing the needs of constituents. MPs can submit starred questions, to which the ministry has to respond verbally in person; and unstarred questions, to which the ministry can respond in writing.

Bills are first introduced either to the Pyithu Hluttaw or the Amyotha Hluttaw. In case of disagreement between the two houses, the bill will be submitted to the Pyidaungsu Hluttaw for consideration and approval. The Pyidaungsu Hluttaw scrutinizes the Union Budget submitted by the Union Government by approving, rejecting or reducing the proposed budget with the consent of the majority of the Hluttaw representatives.

There are three joint committees in the Pyidaungsu Hluttaw: the Joint Bill Committee; the Pyidaungsu Hluttaw Representative Scrutiny Committee; and the Public Accounts Joint Committee. The Pyithu Hluttaw and Amyotha Hluttaw both have four 'standing committees' established by the Constitution (Bill Committee; Public Accounts Committee; Hluttaw Rights Committee; Government's Guarantees, Pledges and Undertakings Vetting Committee) and can form ad-hoc committees to examine matters relating to legislation, governance, ethnic nationality issues, economics, finances, social issues, foreign affairs and others for a specified time (both Hluttaws have established suites of such committees across major policy areas).

Source: Hluttaw Brochure Working Group. (2017) *The Republic of the Union of Myanmar Hluttaw Brochure*. (The Republic of the Union of Myanmar Hluttaw; supported by the Hanns Seidel Foundation, and the German Bundestag and Bundesrat).

14 Defense Services Personnel are nominated by the Commander-in-Chief in accordance with the relevant laws





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