

APPROACHING LOCAL GOVERNMENT INSTITUTIONS IN MYANMAR

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Abstract

The importance of local governing institution has been a key in accelerating development and promoting democracy in Myanmar. Such administration of local government institutions may require decentralization in the lower levels such as in the second and third tiers. Myanmar has local administration institutions rather than local government institutions because in some institutions representatives are appointed while others are partially elected by the local people. This paper aims to study the existing administration institutions in Myanmar and their functions, thereby learning about municipal administration, especially of the Yangon City Development Committee. But it does not cover the whole context of the public administration mechanism driven by the General Administration Department at all levels and public service operation carried out some by municipal administration at all regions and states as well. The study will finally recommendation for strengthening the existing institutions.

1. Introduction

As Myanmar recently has been gradually moving towards democracy and development, the role of local government institutions are important not only for establishing democracy and but accelerating the speed of development. The term Local Government Institutions itself denotes that the popular participation and involvement in steering the governance at the local level is crucial for socio-economic conditions. The local government institutions are the layer closes to the daily life of ordinary people. As mentioned, people at the local level are more interested in how their local government institutions are serving them and collecting from them as well than what other tiers of governments, namely regional and central governments are doing for them at the far level.

With the political transition in Myanmar in 2010, the then former-president U Thein Sein introduced democracy during his chair at president office from 2011 to 2016. During his presidency, he lifted off many strict variables enabling openings for economic investments and reforms for municipal administration. Thus the economic conditions in Myanmar had developed to some extent developed and the linkage between democracy and development been intertwined in Myanmar. Through the landslide victory of National League for Democracy led by Nobel Laureate Daw Aung San Suu Kyi, the people of Myanmar placed a great hope on the shoulder of NLD- led government. As the globe depicts Daw Aung San Suu Kyi as an icon of democracy, almost everyone expects materialization of significant political transition towards democracy and better development.

2. Method of the Study

This paper utilizes the descriptive method based on secondary data collected from news, research articles, government websites, existing laws and regulations.

3. Local Government Institutions in Myanmar

During democratization process, the local government institutions have to invite the people for active participation in changing social and economic conditions. The people can effect some controls over their local affairs which are affected by the central government policies. Additionally local government bodies are very important for the pace of development because it represents the microscopic interests of local welfare.

In Myanmar, one may find local administration rather than local governance institution. The division of administration can be categorized into five levels; the village, township, district, state (or) region and central government. Local administration begins with the village tract level and ends up at the district level.

3.1 Village Level Local Administration

The administrators at the village level can now be elected by the local people but still need approval from the township level administrator. The main functions village administration units have are to collect the government loan in locality, to report the land registrations, demographics and take care for village social security. But it cannot be fully mentioned as local government because the village administrators are provided with some subsidies but not salaried whether by the local people or the township administration. Surprisingly, the township administrators can dismiss the village administrators in terms of abuse-of-power, incompetence and corruptions charges. Thus we can say its limited authority is not balanced with its electoral process.

3.2 Township Level Local Administration

Another two levels, township and district level local administration, are the most powerful public administration agents between the state and the people. The township/district administrators are appointed by the General Administration Department which is a department under the Ministry of Home Affairs (MOHA); unfortunately which is one of the three ministries totally controlled by the Commander in Chief. Thus local administration itself does not denote for local governance as long as local people cannot elect their government officials. Even though the township administrators have wide range of authority in such fields of data collection/ aggregation, supervising village administration, managing land, local dispute resolution and collecting different types of taxes, they serve rather as representatives of the central government or the agent of its mother ministry than representative of local people.

3.3 Municipal Administration

Fortunately, the public service sector has been engaged with the municipal administration despite the fact that the township and district levels administration cannot be mentioned as the third tier of government or local government. As Myanmar's transition encourages the involvement of people in local governance the municipal authority has significant features such as having some elected local people representatives, independence from the central government, standing with its local revenue and possessing ability and availability to provide fundamental services.

Meanwhile the municipal administration has some limitations even though it is the most important part in steering the public administration in Myanmar. Its constraints include its authority given electoral process and structure. However it has constraints on authority or interventions of higher level governments, the municipal administration has approximately and almost fully authority in implementing its functions on grass-root level. This article emphasizes on the municipal administration particularly Yangon City Development Committee (YCDC). The reason for selection of the YCDC for study will be given later.

The state/regional municipal ministers under the respective state and regional government have authority in some degree to exercise power in implementing its functions for rural and urban development. Meanwhile they are responsible to state or region prime ministers. Under the municipal minister, there are two committees for municipal administration at the township levels. The first one is the municipal committee that is partially elected by the local people and another one is municipal office which is run by the central government officials. As the committee-office is the only sample of decentralization in public administration and public service management, it still has to collaborate with many ministries from the central government.

3.4 YCDC or Local Administration Unit

Significantly different from other municipal administration, the Yangon and Mandalay municipal administration or the Yangon City Development Committee (YCDC) and Mandalay City Development Committee (MCDC) have special forms of decentralized administration system. After prescribed the law for YCDC and MCDC in 2013-2014. These are some elected officials in the leading committee. For instance, there are 9 members in YCDC in which 4 are elected by election process. At this time, Chairman of YCDC is appointed and serves as not only municipal minister for Yangon region under Yangon Region Government but also Mayor of Yangon.

As sampled, this article will further investigate the functions, role and freedom of authority of YCDC because Yangon, the former capital of Myanmar, is now the commercial city of development in Myanmar and there are over 10000 staffs under YCDC. With vast investments to Yangon and its broader scope has become compulsory for development and democracy. And its tax collection and services provided to public processes will be specified as following.

a. Revenue of YCDC

In accordance with law, the YCDC has to stand with its own revenue under the supervision of Yangon region government. If the revenue is about to be supplied, the YCDC may ask grants and loans from the Yangon region government under its law. The committee is responsible for its revenue and can establish the revenue as following.

1. Tax and fee levied and fines
2. Revenue obtained from providing services, rental fee, service fee and selling materials,
3. Fee levied from running vehicles on the committee-owned roads,
4. License fee and business registration fee,
5. Revenue gained from capital goods and money,
6. Grants from government,
7. Revenue and profits by investing funds,
8. Share of income tax conferred by other departments within the committee area with the accordance of income tax law,
9. Revenue gained from grants of other departments and fee from making contracts for non-moveable materials,
10. Grants from Myanmar port authority's annual total income as defined,
11. Internal and external assistance such as materials and money and
12. Revenue or foreign currency gained from leasing land and renting buildings.

Additionally the committee can levy the following tax under the law.

1. In order to meet the features of a city, the committee can levy tax and collect fee to maximize its functions in such area as city and housing development planning and municipal tasks
2. With the existing law, the committee can levy tax for land and buildings
3. If the machine and machine-related materials is used, the committee can include and levy tax.
4. If the services fee is levied, the income and expenditures shall be balanced and
5. The committee can levy the tax which is 5 percent of total annual income of the Myanmar's port authority.

With given authority in collecting tax, the municipal administration also has vast tasks such as providing social services and managing business operations in its defined area. Social service include city planning, water distribution, building public park and swimming pool and giving

license for construction, while functions to manage the business operation include in managing municipal-owned markets, private markets, small business operations, hotels, restaurants and so on.

While learning public administration, the municipal committee has less control from the central level and can exercise its authority more freely as the other township level administration units. For instance, the township administrators may have to report to many upper levels but the township level municipal committee may make decisions freely. Furthermore, the municipal committee may collect new tax without contrasting the existing laws.

4. Conclusion

In conclusion, it would be reasonable for the committee to collect the carbon tax while the environment faces pollution due to over-importing vehicles in U Thein Sein-led government era. In addition, the committee faces some circumstances such as its expenses in collecting tax being sometimes higher than the revenue collected. The committee would better implement E-Government which could reduce unnecessary expenses, overload of its staffs. Apart from that, E-Government could save time and be good and transparent for the local people. Contemporary Myanmar's consumption-density on mobile phones has become dramatically increased, thus providing services via online could benefit both the people and services-providers and in steering local government institutions as well.

Despite limited authority and poor structural features as of local governments, the municipal units in Myanmar still have enough authority in providing public services and managing business operations at the local, township and district level as well. Before establishing new local institutions, strengthening the existing local institution such as municipal units could be a good example of decentralization in administration and a first step to move forward development and democracy in Myanmar.

References

- International Journal of Humanities and Social Science, Vol.5, No. 6(1): June 2015
- Administration of the state in Myanmar: An overview of General Administration Department
Kyi Pyar Chit Saw & Matthew Arnold Discussion paper 6 October 2014
- မြန်မာနိုင်ငံ၏ မြူနီစီပါယ်အုပ်ချုပ်မှုစနစ် စည်ပင်သာယာရေးအဖွဲ့များအကြောင်းသုံးသပ်ဆွေးနွေးခြင်း
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