

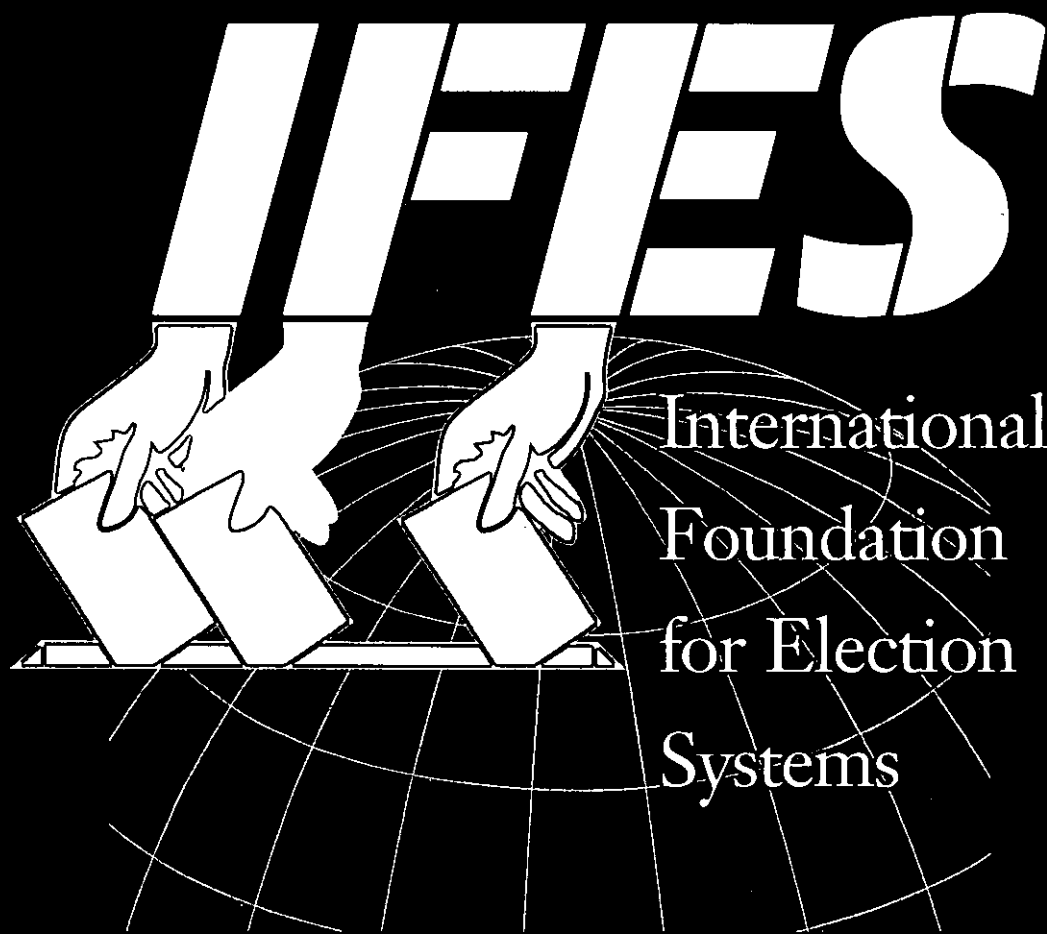
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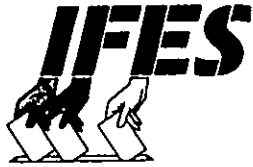
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International  
Foundation  
for Election  
Systems



**Election Modernization  
and  
Voter Education  
Republic of the Philippines**

**Interim Report  
September-December 1996**

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## **INTRODUCTION**

**This report is designed to be used as a resource document for all those involved in the electoral reform and modernization process. In Section I there are recommendations for legal and regulatory reforms. Section II contains the Focus Group data along with the recommendations to COMELEC and Congress for needed programs. Section III contains the outline of a comprehensive Voter Information and Education Program which will meet the needs of the voting public.**

The Republic of the Philippines is in the process of modernizing its voter registration, voting and tabulation procedures through the application of new electoral technology. This requires development of enabling legislation for both the modernization process and the implementation of new administrative structures and practices. It also requires development and implementation of a major new voter education effort explaining the new processes. The International Foundation for Election Systems (IFES) Technical Resources Project is a U.S. Agency for International Development (USAID) funded project designed to assist the Philippine Commission on Elections (COMELEC) with research and planning for legal reform and for the voter education program to follow.

IFES involvement in the Philippines began in 1995 with a Technical Assessment Project to evaluate the existing electoral system and to recommend fundamental changes in the registration and tabulation procedures. COMELEC proposed adoption of an optical-scanning method of tabulation and requested funding for a test of the process for the Autonomous Region of Muslim Mindanao (ARMM) elections to be held in 1996. COMELEC also developed initiatives to reform the registration and record-keeping functions of the agency. The Philippine Congress authorized a pilot test and planning for a complete modernization of the electoral system, which would begin with a test of equipment in the ARMM election. In the Spring of 1996, COMELEC requested IFES assistance in the planning of voter education programs to coincide with the overall modernization program. At the same time, NAMFREL requested assistance in the hosting of symposia for the purpose of reviewing and drafting electoral reform legislation consistent with the new technology. Funding from USAID's Technical Resources Project was authorized in September 1996 and activities began that same month.

The exercise of any election requires closely timed coordination to provide equipment and commodities, official decisions, and bureaucratic processing in accordance with established legal guidelines. Development of an information program is vital to the education of the voters

and to the successful implementation of electoral reforms. There is a wide range of challenges facing all of the stake-holders in the Philippine political process. The ARMM election held on 9 September 1996 provided the opportunity to test the reforms, technology, and procedures prior to the national election in 1998. Although IFES did not directly observe the ARMM elections, it did gather data through field work in the month following the election.

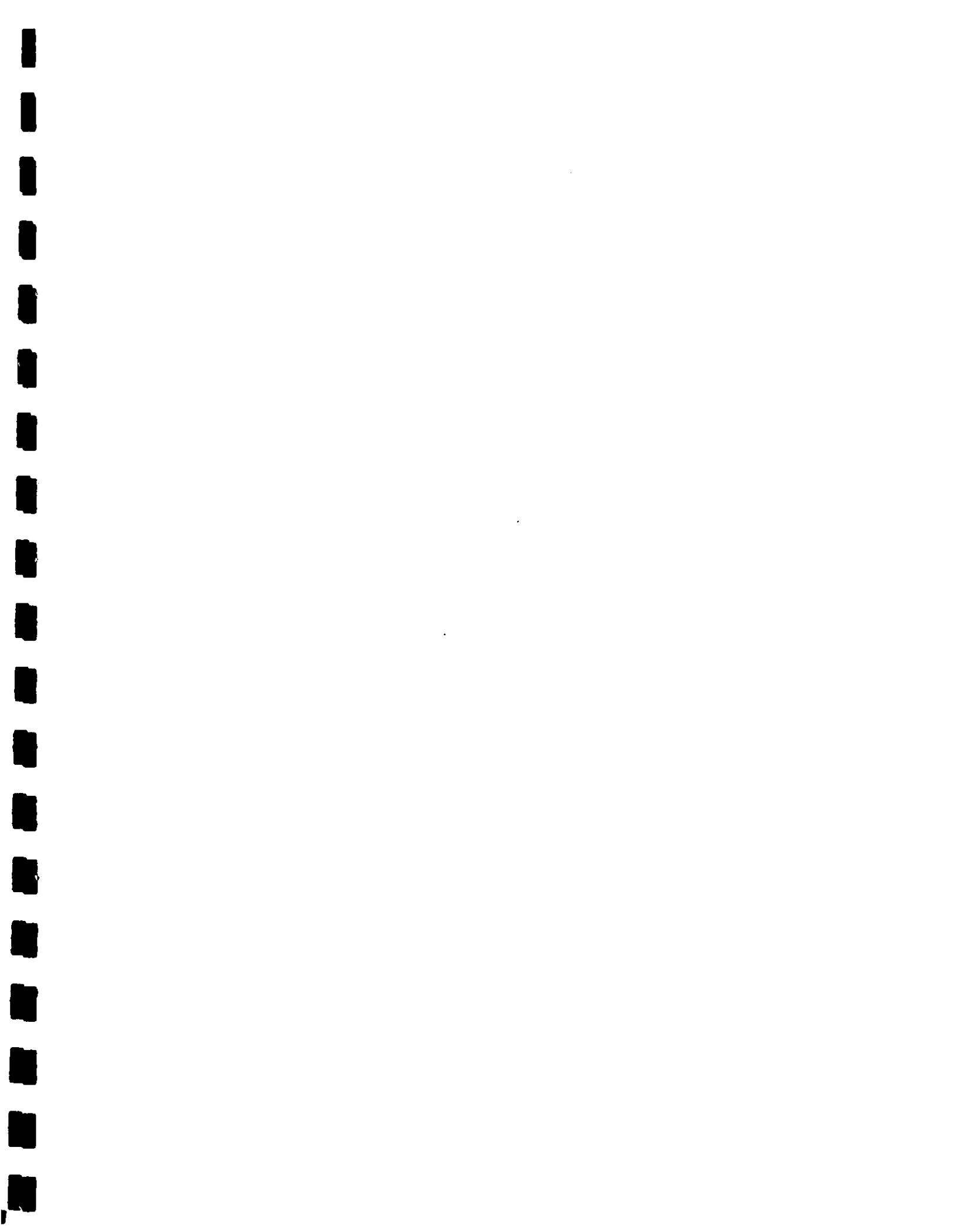
IFES is assisting COMELEC, legal reformers and Philippine NGOs with a program of general technical assistance that establishes priorities according to the following objectives:

- 1) Provide information for and facilitate the process of adopting appropriate legal reform legislation;
- 2) Assist in the evaluation of progress in the modernization process; and
- 3) Provide research and planning assistance in the preparation of a plan to educate voters about the modernization process.

In addition to COMELEC, IFES is working closely with a number of Philippine partners: the National Citizens Movement for Free Elections (NAMFREL), Congressional Committees managing electoral legislation, and other appropriate agencies and groups that are involved in accomplishing these objectives. There are two major components to the IFES work: assisting in hosting round table symposia on election law reform and assistance in preparing a voter education plan for the 1998 election.

Since legislation is critical to the establishment and functioning of the modernization process, the round tables are designed to accelerate the legislative process of crafting and passing effective reform legislation. It involves coordination among a number of agencies and groups, including COMELEC, members of Congress, NAMFREL, and other groups with a specific interest in legislation. The design of a long-term comprehensive plan to educate voters prior to the 1998 elections is an on-going process of data-gathering, research, message development, identification and allocation of resources for implementation. The final plan will also include recommendations for advocacy of the plan to obtain Congressional funding, time lines, and measuring instruments.

This document is an interim report on the progress to date on both components of the assistance. To summarize, the first legal round table was held in Manila on October 12-13, 1996, and an IFES team has completed most of the data-gathering operations in preparation for the drafting of the comprehensive voter education plan. This report provides details of that activity and projections for completion of the technical assistance.





# **ELECTION LAW REFORM ROUND TABLE REPORT AND RECOMMENDATIONS**

**October 12-13, 1996  
Manila, Republic of the Philippines**

**By Dennis McPhillips**

## **INTRODUCTION**

The primary purpose of the Election Law Round Table was to present current legislation and legislative proposals, and to determine how best to support the election modernization process currently underway in the Philippines. All participants invited represented groups and organizations that work with the Commission on Election (COMELEC), the House and Senate, and others who are actively involved in election law and procedural reforms. In addition, the Round Table provided an opportunity for all participants to discuss the ARMM election. Specifically, participants who acted as independent observers were able to present first hand information about the voting and vote counting equipment used, the effectiveness of the voter information program and other issues associated with that election. The discussion of the ARMM election provided the basis for the discussion about future legislation and new procedures which will be needed as COMELEC prepares for the May 1988 election cycle.

In essence, this event provided a forum for government and non-government organization to share their knowledge, concerns and recommendation for the improvement of the election process in their country. This report outlines the discussion held during the general session, critiques the current pending modernization legislation, and makes recommendations for changes which might improve the legal and administration process over time.

## **SUMMARY OF PRESENTATIONS**

Justice Jose Y. Feria, former Supreme Court Justice of the Republic of the Philippines and Chairman of the Round Table, opened the Round Table with welcoming remarks and introduced the Round Table Moderator, NAMFREL Executive Director Telibert C. Laoc. Mr. Laoc preceded to describe the intended course of the Round Table and its three workshops, entitled: Computerized Elections; A New General Registration and Continuing Registration; and Enfranchised Qualified Filipinos Overseas. He then introduced each of the speakers before

turning the floor over to IFES Senior Advisor Terry Holcomb.

Mr. Holcomb gave an overview of the Foundation, its work, and its programs in Asia. He assured the participants of the Foundation's commitment to assist the Philippines in modernizing its electoral process.

Following Mr. Holcomb, NAMFREL National Chairman and Co-Chair of the Round Table Jose Concepcion, Jr. touched lightly on past election experiences before focusing his comments on areas of reform NAMFREL considered most critical. These areas include voter education; training of electoral workers; a new and dependable voters list; and modernization of the ballot casting and counting procedures. He noted that the key to any assistance toward these advances would be in the security and simplicity of the system employed. He went on to offer suggestions for more secure voter registration and the casting and counting of ballots. Regarding voter registration, both general and continuing, he proposed that thumbprint and photo verification be included along with the computerization of the Voter Register. His recommendation for a more secure ballot casting and counting process focused on mechanization. This, he proposed, would reduce error and disrupt the tradition of "Dagdag Bawas," a term applied to the act of vote manipulation in the canvassing and counting process.

Senator Miriam Defensor Santiago's address cautioned against hasty adoption of any new legislation. She cited landmark legislation recently produced as offering solutions to many of the ills of the registration process of past elections. She did note, however, that laws are not self-operative and that simple and efficient implementing rules and procedures are necessary to ensure the laws are carried out. Addressing the issue of casting and counting, the Senator noted some benefits of modernizing the process but warned that the decisions as to which technology should be employed must be made carefully. She applied this same warning to hasty enactment of a law enfranchising the 2-7 million Overseas Filipinos through absentee balloting, though Congress is Constitutionally obliged to do so.

Balancing the Senator's remarks, Representative Emigdio S. Tanjuatco, Jr., presented an upbeat depiction of the commitment to and necessity of reform. Chairman of the House Committee on Suffrage and Electoral Reforms, the Congressman's presentation touched on each of the previous speakers' remarks before settling on the two areas he considered of primary importance in the process: a clean voters list and an effective registration process. According to the Congressman, a clean voters list and an effective registration process are in the best interest of the parties, candidates, legislatures, and ultimately, the public. By providing a more accurate picture of the voting public, the candidates and the legislatures could better represent their constituencies.

IFES Legal Expert Dennis McPhillips, in his opening remarks, noted that in his various meetings with the Round Table participants prior to the session itself he found a consensus in the desire for a safe modernization of the electoral process that would more accurately express the voters' will and intent. He then focused his remarks on the lesson of all past elections:

preparation is the key to a successful event. Proper preparation will instill popular confidence in the administration of the election, which will then translate into acceptance of the election as legitimate and credible. Such preparation necessarily includes a comprehensive statutory and regulatory framework which would balance mandatory requirements with the ability to exercise the discretion necessary to create and implement the appropriate administrative procedures.

McPhillips also stressed the importance of an easily understandable statutory and regulatory framework in order to maximize voter and electoral worker education and preparation. It would follow that the greater the education and preparation the smoother the election and the more accurate the ascertainment of the voters' will and intent. He closed his remarks with the observation that although appropriate legislation and regulation is of critical importance, some of this need may be reduced through improved management and administrative skills.

Commissioner Regaldo Maambong brought to the Round Table the experience of election administration. A COMELEC Commissioner and Chairman of the Election Modernization Project, Commissioner Maambong gave a very candid appraisal of past election experiences in stating his support for the cleanup of the voters list, the general and continuing registration, and the value of the automated counting machines.

Rounding out the speakers were Mr. Renato Tababa, Chief of the Operations Division of the Land Transportation Office on the application of computer technology to assist in the cleansing of the voters' list; and Administrator Felicisimo Josen of the Philippines Overseas Employment Agency on the appropriateness and necessity of enfranchisement of the qualified Overseas Filipinos. Following these speakers was an open session which generated a full and free exchange of ideas, concepts, opinions, and beliefs between attendees and speakers and among attendees. Discussion centered not only on topics addressed by the speakers but also the need for easily understandable statutes and regulations which would be most amenable to enforcement and prosecution. These exchanges allowed for productive and candid discussion of election and registration procedures and led to a general commitment to future cooperation in electoral reform.

## **LEGAL COMMENT AND RECOMMENDATIONS**

The issues addressed below are those addressed at the Round Table, namely: Computerized Elections, New General Registration and Continuing Registration, and Enfranchising Qualified Filipinos Overseas. Each will be addressed in turn. The analysis and commentary are based on current and proposed legislation and discussion from the Round Table.

## I. Automated Election Systems

The automated systems proposed below are designed to allow a more accurate depiction of the intent and the will of the voter. This is accomplished through the use of ballots that do not require handwritten entries of candidates names and are readable by machine. The suggested changes are a great improvement over the past techniques employed in the Republic of the Philippines. These changes in the ballot itself will eliminate time, cost, and tensions which have previously been associated with the ballot appreciation process. The proposed ballot when completed will be more readable and not subject to interpretation. The changes in the counting procedure will allow the clearly marked ballot to be read and counted by machine. Use of the machine will eliminate opportunities for impropriety that have existed in the past when manual appreciation and counting took place. It will also eliminate the long wait for results that often undermine the credibility of an election. These changes are necessary in order to conduct an election which will evidence the voters will and be perceived as evidencing the voters will. These or similar changes will go further than the current system in fulfilling the Constitutional mandate which requires the Congress to "provide a system for securing the secrecy and sanctity of the ballot..."

The subject of the following discussion is current draft legislation<sup>1</sup> pertaining to the authorization of COMELEC to use an automated system nationwide in the May 1998 elections and thereafter. For this discussion, of note are:

Section 3, which has been read to mean that the automation must occur nationwide.

Section 8, allowing one ballot for every registered voter and two extra for the electoral workers to be provided each precinct;

Section 11, allowing for a reduction in the number of election workers;

Section 12, allowing a reduction in the voting hours; and

Section 13, stating replacement ballots will not be made available in the case of a mistake by a voter.

Under the discussion of law contained in "The Constitution of the Republic of the Philippines, a commentary",<sup>2</sup> it is clear that the framers of the Constitution of the Republic of the Philippines sought free and fair elections. As a generally accepted principle of law it is found that in a free and equal election each voter shall have a reasonable opportunity to exercise his

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<sup>1</sup>See Appendix 4.

<sup>2</sup> Joaquin G. Bernas, S.J., Rex Book Store, vols 1 and 2, (1987 and 1988).

franchise without restraint<sup>3</sup>. In connection with the above cited provisions the question arises, what is a "reasonable opportunity"?

The motivation for Sections 8 and 13 mentioned above appears to be an attempt to curb fraud. In past elections, 120% percent of the necessary ballots were available in the precincts. This allowed for 20% of the ballots to be made available for use as replacements. In all pre-Round Table conversations with speakers and attendees, the general concensus was that the availability of these excess ballots is seen as a means to perpetrate fraud. In addition, there was concern that the new ballot format would allow opportunity for any particular candidate's followers to appear at polling places and purposefully spoil ballots, with intent to completely deplete the available ballots and thereby diminish the ability of the voters favoring the opposition candidate to make their will known. For these reasons, there was a general concensus on limiting the number of excess ballots available.

However, eliminating the voters' opportunity to use replacement ballots may be viewed as disenfranchising the otherwise qualified voter. Should these proposed sections stand as is, it may well lead to a judicial determination of whether, due to the possibility of fraud posed by the excess ballots available for replacement use, a "reasonable opportunity" to vote may be interpreted as one where no replacement ballot is available. An unfavorable holding could negate an election. A factor which may be of great importance to the court in a decision on this issues is the length and complexity of the ballot itself. In other words: the longer the ballot, the more likely errors are to occur. The more likely errors are to occur, the more likely that the court will hold replacement ballots are a requisite to a fair and free election.

Possible solutions to the problem were discussed in meetings prior to the Round Table. One such solution was using ballots allotted to those who do not appear and vote as replacement ballots. Another possible solution discussed was using the excess ballots. The latter is based on the belief that ballot security procedures are necessary whether there are excess ballots available or not. Ballot security will be required when there is less that 100% turnout or due to the presence of ballots necessary to comply with the orders of inclusion.

Sections 11 and 12 of the proposed legislation pose a similar but less identifiable problem. These sections when taken together indicate the possibility that due to the reduction of voting hours and reduction in election workers at the polling places, crowding may occur to the extent that it may be alleged that the voter has not been given a reasonable opportunity to exercise his franchise. It was suggested that the past practice of giving numbers to persons who cannot be accommodated when they make themselves available to vote and establishing a waiting order may resolve this issue.

Section 3 and the title of the proposed legislation suggest that this legislation will require

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<sup>3</sup> (29 C.J.S., Elections, Section 191, page 545).

an all or nothing approach to the modernization of elections in 1998. This all or nothing approach may be less desirable as the time of the election nears. Therefore it may be noted that, generally, free and equal elections refer to the rights of the individual voters and not the uniformity of the procedure in different communities.<sup>4</sup> In other words, it is the impact of the vote that is important, not the process.<sup>5</sup>

## II. The General and Continuing Registration of Voters

The Act and the Regulations providing for the general and continuing registration of voters are essential in the governments efforts to provide for the sanctity of the ballot as required by the Constitution. Such legislation, which provides for the creation of a new voters list free of contamination from previous lists and a more reliable method of voter identification, is a major step towards more credibly viewed elections. A clean voters list is not only a major step but an indispensable step without which there can be no guarantee that the will of the voters is being accurately assessed. Without a clean voters list the manner of the ballot and counting procedure are of diminished consequence.

The proposed legislation,<sup>6</sup> the workshop report,<sup>7</sup> and the proposed regulations<sup>8</sup> seem to be in consonance on major points. Section 6 of the legislation allows that in the case of computerized counting of ballots three precincts of 200 voters may be aggregated into a 600 voter precinct. This Section makes aggregation of precincts contingent on the passage of the automated counting legislation. However, this provision has been seen as necessary due to the impossibility of properly staffing the number of precincts that would otherwise be required. It is our recommendation that the caveat be removed so that election officials may establish and staff the maximum number of polling places that can be administered by trained and qualified workers and thereby protect the credibility of the election rather than fielding unqualified personnel who, although certainly a small minority of the electoral workers, may reflect poorly on the entire electoral process.<sup>9</sup>

In regards to other matters, the Board of Election Inspectors has been given the task of conducting the General Registration of Voters on June 14, 15, 21 and 22 and, subject to the

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<sup>4</sup> See 29 C.J.S., Elections, Section 191(2), page 544.

<sup>5</sup>Attached as Appendix 5 is the report of the working group covering this issue. Upon passage of the necessary legislation additional regulation will become immediately necessary.

<sup>6</sup>Appendix 3.

<sup>7</sup>Appendix 7.

<sup>8</sup>Appendix 8.

<sup>9</sup> For the supporting calculations see Appendix 7.

discretion of the Commission, on June 28-29, 1997, in accordance with the remaining sections of the proposed legislation. Section 49 of the proposed law requires that necessary rules and regulation be created 90 days prior to the General Registration. This means the rules and regulations necessary must be in place by mid-March of 1997. These still need to be accomplished.

Section 8 of the Act allows that the registration of voters be of a continuing and daily nature with the exception that no registration shall be conducted during the 120 days before a regular election and 90 days before a special election. Section 17 states that the Elections Registration Board (hereafter "ERB") is to meet quarterly on the third Monday of January, April, July, and October for the purpose of hearing and processing applications. The exception is during an election year, when the meetings will "conform" with 120 day prohibitive period. No mention of the 90 day prohibitive period for special elections is made. Without further clarification it is possible that the ERB in the case of a special election will meet during the prohibitive period of 90 days since the law uses mandatory language.

The remainder of the statute does not suggest this is the intent of the drafter. Most notably, section 34 requires that persons who have been disapproved by the ERB must file petition with the court before the 75th day before the special election and that petitions for the exclusion from the voters list must be filed before the 65th day prior to the special election. Section 30 requires that the list of voters, for the purposes of special elections, be posted 60 days before the election. The overall intent of the statute is to accomplish a voters list that is as settled as possible in time to post it 60 days before the special election. This presumably will demand the full attention of the ERB. The intention may have been to provide a prohibitive period for the special elections. This interpretation is supported by the parallel nature of the provisions regarding the regular elections.

In regards to the regular elections, the manner of establishment of the prohibitive period, or the registration cut off period, may raise issues. The law requires the quarterly meetings of the ERB to "conform" to this cutoff. The term "conform" is not further defined. It may be subject to two possible interpretations:

- 1) that any quarterly meeting that may fall after the 120 day cut off will not be held; or
- 2) it may be construed to mean that the final meeting of the ERB shall be held in conformity with the cutoff period or prior to the 120 day deadline.

Under the first interpretation, for a regular election to be held, for example, on the second Monday in May, the applications for registration to vote would be accepted until approximately January 14th of the election year. However, the ERB will not meet after the third Monday in the preceding October. Such a situation will leave applications, and presumably challenges, made in November, December, and a portion of January unresolved at the time of the election.

Under the second interpretation, there will not, in all probability, be enough time between the election registration cutoff and the date of the last meeting of the ERB to allow for proper presentation of applications, challenges, etc., and the subsequent decisions on those applications submitted in a timely manner during the registration period but near in time to the final meeting of the ERB.

Under both interpretations the ERB is leaving unfinished business behind when they adjourn. Given that the day for the publication of the voters list is a required date that cannot be changed as it may coincide with the date of the opening of the campaign period, the only dates that may be comfortably altered in an effort to alleviate some of these difficulties are the registration cut off date and the final meeting of the ERB.

Alteration of the Act and the proposed regulations may be desirable. These alterations may include more specific timing and dates and offer more in the way of scrutiny of those transferring registration to other precincts or reentering the voters list. The following are suggested alterations.

**Sections 32 through 40 of the Proposed Regulations and corresponding sections of the law:**

#### CONTINUING REGISTRATION

“SEC. 32 Date and time of the Continuing Registration of Voters. - After the June 1997 general registration of voters, registration shall continue and be conducted in the Office of the Election Officer of the City/municipality during regular office hours. No registration shall be allowed one hundred and fifty (150) days before a regular election and one hundred and twenty (120) days before a special election.

The Election Officer shall submit to the Elections Registration Board all the applications for registration filed, together with the proofs received in connection therewith, as hereinafter provided.

SEC. 33 Election Registration Board - There shall be in each city and municipality as many Election Registration Boards as there are Election Officers therein. In thickly populated cities/municipalities, the Commission may appoint additional election officers for such duration as may be necessary.

The board shall be composed of three (3) members with the Election Officer as Chairman, and as members, the most senior public school officials and the local civil registrar, or in his absence, the city or municipal treasurer.

In the case of disqualification of the Election Officer, the Commission shall designate an Acting Election Officer who shall serve as Chairman of the Election Registration Board. In case of disqualification or non-availability of the Local Civil Registrar or the



Municipal Treasurer, the Commission shall designate any appointive civil service official from the same locality as substitute.

No member of the Board shall be related to each other or to any incumbent city or municipal elective official within the fourth civil degree of consanguinity or affinity. If in succeeding elections, any of the newly elected city/municipal officials are related to a member of the Board, such member is automatically disqualified.

The Election Officer shall submit immediately to the Commission the names and addresses of the persons to be appointed members of the Elections Registration Board in each city or municipality.

SEC 34. Meetings of the Board - All application for registration shall be heard and processed on a quarterly basis. For this purpose, the Elections Registration Board shall meet and convene on the third Monday in April, July, October, and January of every calendar year or on the next following working day if the designated days fall on a non-working holiday, except in an election year to conform with the applicable prohibitive period.

However, should in the opinion of the Election Officer there be outstanding and timely made applications for registration, applications for transfer of registration, challenges, applications for reactivation of registration, or other matters which require the Boards attention, a final meeting of the Board shall be held no sooner than one hundred and twenty five (125) days nor latter than one hundred and twenty (120) days before a regular election, in the case of a special election no sooner than ninety five (95)days and no latter than ninety days (90) days before such election.

Should one day be insufficient for the processing of all accepted applications, the Board shall adjourn from day to day until all applications shall have been processed.

SEC. 35 Illiterate or Disabled Applicants - (include all of previously numbered section 33 of the proposed regulations.)

SEC. 36 Notice of Application. - Upon receipt of applications for registration, the Election Officer shall within three days post notice of such application on the city or municipal bulletin board and in his office. Such notice shall contain all significant identification information of the applicant. Such notice shall be displayed for public viewing for at least ten (10) consecutive days.

SEC. 37 Challenges of Right to Register. - Notwithstanding the closure of the registration period as described in section 32 above, no later than ten (10) days after the initial posting of a notice of application for registration, any voter or representative of a political party may challenge, on any grounds, in writing before the Board, such application for registration. Such challenge must be filed with the appropriate Board, identify with specificity the application

challenged, be made under oath stating the grounds for such challenge and show a sworn proof of notice of hearing to the applicant and the challenger.

A registrant whose application is not challenged within ten (10) days of the initial posting date of the notice of application for registration shall be notified in writing by the Election Officer that no objection has been raised against his application.

SEC. 38 Notice and Hearing of Challenges. - Applicants shall be allowed a minimum of seven (7) days, from the date of the service of the challenge to the right to register in which to file with the appropriate Board applicants' opposition to challenge of the right to register.

A hearing on the challenge shall take place on the next available hearing and processing date of the Elections Registration Board as described in Section 34 above. The hearing shall be set by the Election Officer. In the case of regular meetings of the Board a decision on the matter shall be rendered before the end of the month in which the hearing is held.

In the case of a final meeting of the Board taking place within one hundred and twenty five (125) days of a regular election the decision of the Board shall be rendered within ten (10) days of the hearing. In the case of a final meeting of the Board taking place within ninety five days (95) of a special election the decision of the Board shall be rendered within ten (10) days of the hearing.

Physical presence of the applicant concerned is mandatory in all cases where challenges have been raised against his application and filed in a timely manner with the proper Election Registration Board for the applicant to proffer or refute evidence.

SEC. 39 Approval or Disapproval of Applications - The Election Officer shall submit to the Board all the applications for registration filed, together with the proofs received in connection therewith. The Board shall, by a majority vote, approve or disapprove the applications.

Upon approval, the Election Officer shall assign a voter's identification number to the registered voter. If the Board disapproves the application the applicant shall be furnished with a certificate of disapproval stating the ground therefor. In cases of approval or disapproval the aggrieved party may file a petition for exclusion or inclusion in the proper Municipal or Metropolitan Trial Court."

**Alteration of proposed regulations Sections 40 and 43 and the corresponding Sections of the Act:**

In line with these changes of dates to enable the fullest possible accommodation to the applicant for registration Section 40 of the proposed regulations and corresponding Section of the

Act may require an alteration of applicable dates. It may also be advisable to hold this transfer of registration to higher scrutiny. The following allows for the alteration of dates and higher scrutiny.

“SEC. 40 Change of Residence to Another City or Municipality. - Any registered voter who has transferred residence to another city or municipality may apply with the Elections Officer of his new residence for the transfer of his registration records at least one hundred and fifty (150) days before election day provided that the voter would have satisfied the six (6) months residence requirement on the day of the election.

The Election Officer shall require the applicant who requests transfer of his registration file to accomplish the application form in four (4) copies. One (1) to be retained by the Election Officer of his new residence, one (1) copy to be sent to the Election Officer of his old residence to be attached to his registration record (CEF No. 1), and two (2) copies to the Provincial Election Supervisor and the National Central File of the Commission.

The application for transfer shall be subject to the provisions of Sections 36, 37, and 38 above and for the purposes of notice, challenge, hearing, and approval of the Elections Registration Board shall be treated as an application for registration.

If there are no challenges to the application for transfer filed in a timely manner and in the opinion of the Election Officer there are no other legal impediments to such transfer he shall approve it.

Upon approval thereof, whether unchallenged and approved by the Election Officer or after challenge and approved by the Election Registration Board, and after notice of such approval to the Election Officer of the former residence the voter, said Election Officer shall transmit by registered mail the voter's registration record to the Election Officer of the voter's new residence.

If timely made challenge is successful the Elections Registration Board shall issue the applicant a Certificate of Disapproval explaining the reasons for the disapproval and signed by the Board."

It may also be helpful to the ERB and the voters to conform the dates found in Section 43 of the proposed regulation and the corresponding Sections of the Act to the dates found in the suggested Section 32 above. If these dates can be incorporated then there will be the possibility for the same scrutiny of these applications for reactivation as for change of residence. The paragraphs immediately preceding this one could easily be refashioned for incorporation in the pertinent sections.

At first blush the changes in the prohibitive periods may appear to inhibit the application process. However, with the inclusion of the final meetings of the ERB and the notice periods, it

is probable that there will be more resolved registrations at the 120th day before the regular election and at the 90th day before the special election than may be accomplished under the interpretations of the existing law and regulations. As suggested above, by giving equivalent dates to the provisions for transfer and reactivation under Section 40 and Section 43 of the proposed regulations and the corresponding sections of the law these actions will become more visible and held to greater scrutiny diminishing the possibility of future contamination of the voters list and in this manner assure greater confidence in the quality of the voters list.

### III. Absentee Voting

The report of the workshop on Enfranchising the Qualified Filipino Abroad,<sup>10</sup> was accepted by the Round Table with one reservation. The Round Table as a whole would not accept a recommendation that the overseas voter be allowed to participate in national and local elections. Therefore a motion to eliminate that recommendation as it concerned local elections was made and carried.

Although it is difficult to opine on legislation yet to be created, the Minimum Requirements in the Law and the Minimum Requirements in the Implementing Rules and Regulations as stated in the workshop report do not appear to be in conflict with the Constitution. Article V Section 2 states that "The Congress shall provide a system for securing the secrecy and sanctity of the ballot as well as a system for absentee voting by qualified Filipinos abroad." Reading this language as a privilege flowing from the Constitution and a direction to construct a statutory system rather than establishing guarantees of specific rights within that privilege allows the application of the general rule found in 29 C.J.S., Elections, Section 201(1), page 575, that absentee voting is a privilege conferred by statute which will control the conduct of the absentee voting. As such it seems the proposed provisions may be acceptable.

However, "acceptable" and "workable" do not mean the same thing. The provision demanding that no campaigning occur abroad will be extremely difficult and expensive to enforce and prosecute, providing that the Courts exercise the jurisdiction to hear a violation.

The most troubling aspect of absentee voting is likely to arise in connection to the safeguards which must be imposed. Absentee ballots should be easily distinguishable from other ballots to protect against the possibility, or even the accusation, that these ballots may enter the counting process in a manner other than the one intended. The voters list should be made to reflect who has opted to vote as an overseas voter. This should be manageable as the applications are suggested by the workshop to be made 180 days before the election. Voters affidavits should be provided for comparison to the voters list in order to insure against fraud. This must be done in a manner that will allow examination, and if necessary challenge, of the

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<sup>10</sup>Appendix 6 .

ballot before it loses its identity through separation of the voters identifying information and the ballot.

Some very general outline suggestions for overseas voter enactments:

“Definitions:

(a) ‘Overseas Voter’ means a person who is otherwise qualified to vote in the national elections, maintains a current voters registration for at least one hundred and eighty days prior to the date of the election, and who will be prevented by absence from the Republic of the Philippines to vote in the regular national government elections

(b) ‘Overseas Ballot Paper’ means an official ballot paper which under these provisions may be used outside the Republic of the Philippines and returned to COMELECT at least forty-five (45) days before the date of the election.

Applications for Overseas Ballot Papers:

An otherwise qualified and registered voter may apply to COMELEC for an Overseas Ballot Paper no sooner than 180 days prior to an election nor later than 150 days prior to the an election. The date of the application shall be deemed to be the date it is received by COMELEC.

The application shall include all the information found on the voters identification card;

The application shall include the rolled prints of the applicants left and right thumbprint;

The application shall include a statement signed under the penalty of perjury as described in the laws of the Republic that the applicant is an otherwise qualified and registered voter and that the applicant will not be in the Republic of the Philippines on the day of the election;

The application shall include a statement that the applicant desires to have the voters list reflect that the applicant is now an “Overseas Voter” and will be so until the applicant makes the appropriate application with the Election Registration Board.

*In the Alternative: [The application shall include the address the applicant wishes to have the Overseas Ballot Paper forwarded.] OR [The application will designate which overseas government facility the applicant desires the ballot paper to be sent.]*

The application shall include such other information or data that may be required

by COMELEC.

Receipt of Applications for Overseas Ballot Papers:

COMELEC shall designate personnel to receive the applications for overseas ballot papers. Upon receipt and on the same day all applications shall be endorsed by the appropriate COMELEC personnel showing the date and time that the application was received and the signature of the appropriate COMELEC personnel.

If the COMELEC is satisfied after comparing the applicants application material and the voters list and the voters registration records that the applicant has made a showing that the applicant is entitled to receive an overseas ballot paper COMELEC shall approve the application.

Upon receiving the application and subsequent approval, the appropriate precinct will be notified if necessary, and all voters lists shall be amended to show that the voters registration is that of an overseas voter so as to allow no "in country voting" under the name of the voter.

Prior to the one hundred and twentieth (120) day preceding the election a complete list of all approved overseas ballot applicants shall be created, certified and posted in the manner directed by COMELEC.

Should an application be received after the closing date for applying for the overseas ballot paper it will not be further processed. The application materials shall be kept in a safe manner until the date allowed for destruction of ballots whereupon they shall be treated in like manner.

Provision of Overseas Ballot Papers:

If the COMELEC is satisfied after comparing the applicants application material and the voters list and the voters registration records that the applicant has made a showing that the applicant is entitled to receive an overseas ballot paper and approval has been granted COMELEC shall forward to the applicant:

An official overseas ballot paper containing space, which will be situated in a manner to best provide for the secrecy of the ballot, for the following: space for the voters identification card information; for the right and left thumbprint of the voter; and the printed name and signature of the voter, all of which may be removed from the ballot by tearing or cutting along a perforated line prior to counting of the ballot;

[The method for including the information on the ballot and being able to remove said information was described by the workshop as a detachable stub at the bottom of the ballot]

On a separate paper a form declaration approved by COMELEC for completion by the voter under penalty of perjury verifying the voters right to vote in the election; the voters right to use the overseas ballot, all information to be found on the voters identification card, and that the voter has not performed any of the acts prohibited under Section 200 of the Omnibus Election Code of the Philippines, the voters signature, and thumbprint;

A covering reply envelope marked 'Overseas Ballot Paper'.

Use of the Overseas Ballot Paper:

The overseas voter shall mark the ballot in the usual way so that no person can see or know how it is marked, except in the cases allowed for by law for the illiterate or disabled;

Shall deposit the ballot paper and the executed declaration made by the voter in the reply envelope and securely seal it;

In the alternative: [The voter shall mail the reply envelope in a manner to assure its receipt by the COMELEC no later than the forty fifth (45) day prior to the election] OR [Shall complete the ballot and declaration in the polling place provided in the overseas government facility the applicant designated to receive his overseas ballot paper and declaration, no later than the sixtieth (60th) day prior to the election and return it to the person or persons present at that facility approved by COMELEC to receive the completed materials who shall transport those materials to COMELEC as directed by COMELEC.]

Reception of Overseas Ballots:

COMELEC shall designate personnel to receive the overseas ballot papers. Upon receipt of all overseas ballots after the forty-fifth (45) day before the election without opening said ballot envelope and on the same day such are received, all envelopes shall be endorsed on the outside by the appropriate COMELEC personnel showing the date and time that the ballot was received and the signature of the appropriate COMELEC personnel.

Should an overseas ballot paper and declaration be received after the closing date for receiving overseas ballots it will not be further processed. The overseas ballot materials shall be kept in a safe manner until the date allowed for destruction of ballots whereupon they shall be treated in like manner.

For timely received overseas ballots the appropriate COMELEC official shall:

Without examining the overseas ballot open the reply envelope twenty (20) days prior to the election, in the presence of poll watchers and the accredited citizens arm, and remove the voters declaration;

Examine the voters declaration, the voters application for an overseas ballot, and the list that contains the voter information of all approved applicants for the overseas ballot papers created pursuant to 'Receipt of Applications for Overseas Ballot Papers';

Admission of Overseas Ballots:

If the appropriate COMELEC official is satisfied that the declaration has been completed as required, the voters list confirms that the voter has the right to vote in the election and make use of the overseas ballot, and that the voters registration has been noted on the voters list as "Overseas" so that no other vote will be attributed to this voter, the appropriate COMELEC official shall note on the list created containing the names of the overseas voters that the voter's ballot has been admitted, the ballot will then be set aside in a secure container in a manner as directed by COMELEC for subsequent counting.

If upon examination of the list of approved overseas voters it is found that a ballot has been previously attributed to the voter the overseas ballot at issue and any subsequent overseas ballot paper attributed to this voter shall be treated as a late overseas ballot paper as described below under Rejection of Overseas Ballot Papers.

Should a challenge be made of any overseas ballot upon examination of the voters declaration and the appropriate lists there will be an immediate reexamination of the declaration and lists and decision by the appropriate election official which will be duly noted in the minutes of this declaration appreciation.

Upon such decision the overseas ballot shall be either admitted or rejected and treated as shown below.

Rejection of Overseas Ballot Papers:

If when the envelope is to be opened in accordance with the law the examining official is not satisfied that the voter is entitled to vote in the election or make use of the overseas ballot system;

Or it is found that the voter did not provide the necessary declaration and materials in the reply envelope; or

That the reply envelope is open, or had been opened and resealed then the envelope shall be marked rejected and signed by the examining official with a notation explaining his reasons.

Such envelopes and the contents shall be kept safe in the same manner employed in regards to late ballots, but segregated in a container secured as directed by the COMELEC.



### Counting:

On election day and in the presence of the properly authorized personnel including the accredited citizens arm the appointed election official shall remove the overseas ballots from the secure container and individually tear or cut off, as directed, at the perforated line the information identifying the voter on the overseas ballot and discard this material. The ballots shall then be counted.”

After this counting may occur as with other ballots.

## **CONCLUSION**

### **Modernization Legislation**

The automated systems proposed are designed to allow a more accurate depiction of the intent and will of the voter. The changes suggested above are a great improvement over the past techniques currently employed in the Republic of the Philippines, and the proposed ballot and counting procedures will undoubtedly be beneficial if executed properly. However, it must be remembered that the use of new technology will require a retraining of existing personnel and an upgrade in the training of new election personnel and the population in general.

### **Voter Registration**

The Act and the Regulations providing for the general and continuing registration of voters are essential in the government’s efforts to provide for the sanctity of the ballot as required by the Constitution. However, the legislation regarding the automation of the election process and the registration process have been drafted as interdependent. This is undesirable in light of the findings of the workshop with regards to the number of precincts and the number of election workers who will be required in absence of automated balloting. This interdependence should be reviewed and removed to allow election officials to effectively establish and staff the appropriate precincts. Additionally, regulations covering the registration process are required to be completed 90 days prior to the General Registration of Voters, suggesting that the regulations are due by mid-March 1997. Time will be needed between the promulgation of new regulations and the general registration for the production and distribution of training materials and provision of training of registrars.

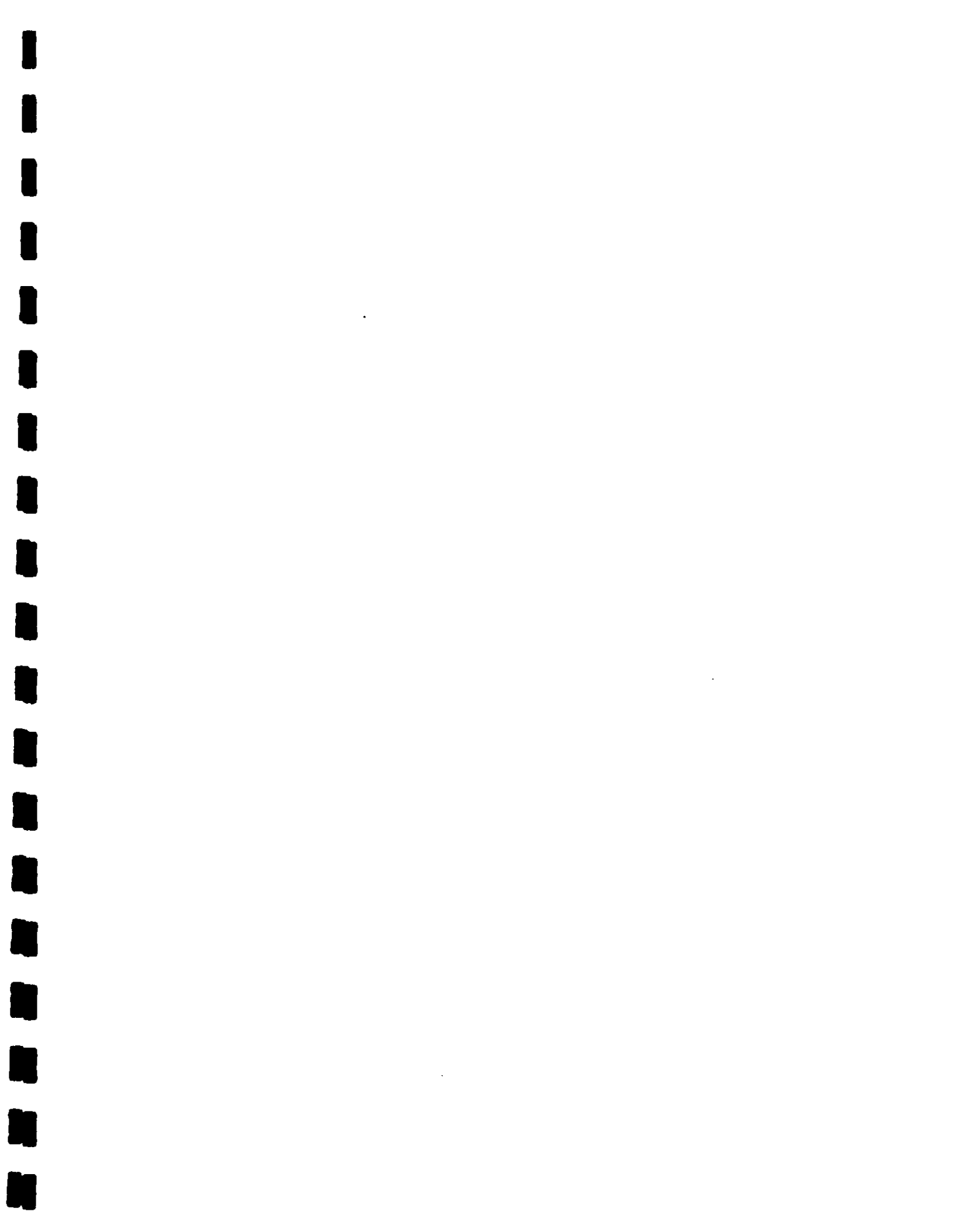
### **Overseas Absentee Voting**

The system required by the Consitution does not require campaign regulations and therefore it is recommended that language regarding campaign activities occuring overseas would be better placed in the statute already existing for the purpose of general regulation of those activities. The most troubling aspect of absentee voting is likely to arise in connection with

the safeguards which must be imposed. Voter affidavids should be provided for comparison to the voters list in order to guard against fraud. This must be done in a manner that will allow examination and challenge of the ballot before it loses its identity. It is also suggested that the legislation and regulation created in regards to this subject be referred to as "overseas" rather than "absentee" in order to avoid confusion.

Although there are separate and distinct concerns regarding each of the three different areas of reform addressed by the Round Table, they share a particular commonality: All the reforms necessarily represent changes in the *status quo*. Therefore all the areas will require legislation and regulation as well as persons competent to execute the directions contained therein. This necessitates easily understood statutes and regulations, creation of appropriate training material, dissemination of that material, and a provision requiring the training of said personnel. These matters take time.

The amount of time available to complete these tasks is evaporating rapidly, particularly in regard to voter registration. And in light of what must be done prior to the upcoming election, this concern extends to the balloting and counting process. Therefore it is recommended that as new laws and regulations are of little meaning unless properly implemented, proper training of the voters and the electoral workers be given priority as soon as the statutory and regulatory framework are established.



## **FOCUS GROUP PROJECT ANALYSIS OF FINDINGS**

**by Gary Ferguson**

### **INTRODUCTION**

#### **Overview**

As part of its voter education program in the Republic of the Philippines, a series of 12 focus groups with urban and rural respondents were conducted in the provinces of Luzon and Mindanao between November 10 and 15, 1996, for the purpose of:

- Assessing the views of voters, election officials, party representatives, elected officials, and NGO representatives concerning the electoral system in the Philippines;
- Determining voter education needs and identifying the best means of meeting those needs;
- Examining attitudes toward the election modernization process and assessing the modernization pilot test conducted in the Autonomous Region of Muslim Mindanao in September 1996 in order to apply lessons from that effort to the national modernization program that is planned for the 1998 national elections.

#### **Methodology**

Focus group research, generally defined, is a group discussion led by a moderator. Typically, each group consists of approximately 10-12 individuals and lasts for roughly two hours. The moderator's role is to define the research objectives to be pursued by group participants, to encourage differences of opinion to be articulated, and to present information or scenarios to assess reaction to future actions or policy recommendations.

The moderator also leads the discussion, probes interesting lines of discussion, elicits discussion by all group members, and prevents dominant personalities from controlling the discussion and intimidating the less voluble members of the group. For the most part, the discussion topics for these groups were developed in advance based on issues raised in a 1995

technical assessment of the Philippines, the observations of IFES personnel in the field, and research experience in other areas. Other issues were raised during the groups themselves. The basic discussion guide is included in this report as Appendix A. Respondents were selected according to criteria established by IFES in conjunction with the Philippines Commission on Elections (COMELEC). The criteria for selection are outlined in the screening questionnaire included in Appendix B.

Although efforts are made to select respondents randomly, to have a cross-section of the population represented in focus groups, and to conduct the groups according to scientific principles, it should be remembered that focus groups are qualitative research. As a result no attempt will be made to extrapolate findings to the general population. That is, findings based on 60-84 individuals can not be generalized statistically to the population.

However, this research is an excellent forum for holding in-depth discussions designed to develop a better understanding of the attitudes and opinions about the election system, to see if respondents indicate a shared set of concerns, and to obtain suggestions about means for improving the system. In short, the research provides a good general understanding of the various publics' perceptions relating to the election system. The research also serves as an excellent springboard for quantitative survey research -- a highly recommended next step.

All focus groups were conducted and analyzed by IFES Consultant Gary Ferguson. The discussion guide, recruiting screener, and other supporting materials were designed by Gary Ferguson in conjunction with IFES Senior Analyst Gwenn Hofmann. The logistical support for recruiting respondents and securing meeting facilities was the responsibility of Gwenn Hofmann. IFES Program Assistant Paul Nuque was invaluable to the success of this project in providing translations, logistical support, and insights on the election process and political environment. Mr. Bari Macaumbos provided valuable linguistic and logistical support for the groups in Cotabato City. IFES extends special thanks COMELEC Executive Director Resurrecion Z. Borra for his assistance in facilitating these groups.

The following pages recap the results of 12 focus group discussions conducted in the Philippines from November 10-15, 1996. The summary includes verbatim comments originally given in English, paraphrasing of comments in Tagalog provided by translators, and observations of the moderator.

## FOCUS GROUP SCHEDULE

10 November	Cotabato City	COMELEC/Election Observers/NAMFREL/Pollworkers
11 November	Cotabato City	University Students and Rural Youth
11 November	Cotabato City	ARMM Voters
11 November	Cotabato City	ARMM NGO Officials
12 November	Cotabato City	Elected Officials/Party Representatives*
13 November	Manila	Municipal COMELEC officials/National Capital Region
13 November	Manila	NGO Officials
14 November	Manila	Political Party Representatives
14 November	Manila	Women activists
14 November	Manila	University Students
15 November	Los Baños	University Students
15 November	Los Baños	Rural Voters

\*NOTE: Only one person attended the 12 November session. In order to maintain anonymity, that person's demographic information has been combined with the 10 November group.

## SUMMARY OF FINDINGS AND CONCLUSIONS

### Perceptions of the Election System

1. **Voters lack confidence in the election system.** The most important problem facing the election system in the Philippines is the lack of confidence and trust Filipinos place in the system. Group discussions with election officials, voters, NGO officials, party representatives and office holders indicate a common view that electoral fraud and corruption are virtually ubiquitous at the national, regional, and local levels.

*In our country, there is no one who gets elected through an honest election – even at*

*the local level. University Student -- Los Baños*

Discussions in every group revealed the following problems:

**Registration Fraud:** The registration of unqualified, non-resident, underage, and deceased individuals.

**Voter List Administration:** Problems relating to purging of old lists.

**Flying Voters:** Those who vote multiple times by traveling from precinct to precinct.

**Substitute Voters:** The practice of one individual voting for another.

**Vote Buying:** Cash payment for voting for a particular candidate.

**Intimidation:** The intimidation of voters and/or election officials by threats of either violence or economic means.

**Fraudulent Count:** Accomplished through a variety of means but a necessary condition is the collusion of election and municipal officials.

**Ballot Box Theft:** This was cited most often in the ARMM region. However, concerns about other forms of ballot box tampering were mentioned in all areas and ballot security is key to improving the credibility and transparency of elections.

**Disenfranchisement:** The practice of "shuffling" the posted list of registered voters, or posting lists in the wrong precinct results in qualified voters being denied the chance to vote or discovering that they have already "voted."

**Lack of Enforcement** In group after group, respondents said that existing election laws are not enforced and that offenders go unpunished.

**Official Corruption** The motives and methods of traditional politicians, local and national leaders, and election officials are universally blamed for the anomalies associated with the election system.

2. **This perception results in a certain amount of frustration, apathy, and a loss of**

**voter efficacy.** Respondents expressed the view that the outcome of an election is known before the balloting takes place -- that "it doesn't matter who one votes for" because the candidate who is backed by the local or national powers always wins. Many said that the will of the people is not necessarily reflected when the results of the canvass are revealed.

3. **Politicians are seen as the main perpetrators of fraud and one of the principal obstacles to reform. Respondents consistently said that elected officials are an impediment to reform because "it is not in their interests."** It is interesting to note that in both Manila and Mindanao, the lowest level of participation in the series of focus groups in the Philippines was by invited representatives of the political parties and elected officials. All other groups -- with voters, COMELEC officials, NGO representatives -- were well-attended.
4. **There is a great deal of frustration among those who are actively involved in the election system.** Election workers face a great deal of pressure, must work for low pay, typically receive only sporadic information regarding elections, and face the possibility of threats and intimidation. Municipal and regional COMELEC representatives complain about lack of funding and support from the National. NGO representatives who seek a partnership role with COMELEC feel shut out; unable to receive the information they need unless they "ask the right questions."
5. **There is strong support for computerization of the election system.** Computerization is seen as a major step toward cleaning up the electoral system. Although some respondents say computerization merely facilitates an "honest count of a dishonest election," most expressed the belief that computerization eliminates a major source of fraud in the counting process, speeds the process, and would have the effect of raising the confidence of the people.
6. **There is wide support for the modernization process in general.** However, there is some skepticism that reform legislation will be passed by the Congress given the fact that it is the politicians who are perceived as having the most to lose. Further, most respondents have little information about the process. As Paul Nuque notes, only the elite and politically active know anything about the modernization bill -- and that knowledge is rather vague.
7. **Re-registration and computerization of the registered voter lists are keys to establishing a credible election process in the Philippines.** Many examples were cited of the number of votes cast exceeding the number of registered voters (or even the total population), of ghost towns where 30 persons reside but 500 vote, the lack of proper purging procedures and other types of irregularities.

The ARMM region was cited as being particularly problematic with regard to registration because of the lack of accurate population statistics caused by the reluctance of the



Muslim community there to record births, deaths, marriages, and other events with the authorities.

9. **Voters want their leaders to exhibit the political will to reform the system and enforce the election laws.** Sanctions are needed against perpetrators of election violations. Unless there are consequences for those who commit election violations, these practices will continue to undermine voter confidence in the system.
10. **NGOs are generally viewed as a potentially valuable resource for voter education activities, election watchdog functions, and for lobbying Congress for reform.** However, many are active only during the elections, which limits their effectiveness in activities that are not directly related to the elections. Further, NGO representatives expressed the feeling that they are being shut out by COMELEC in their efforts to become partners in the election process. There also appears to be rivalry between the major NGOs themselves and between the NGOs and the political parties. There is no evidence of NGO initiatives in lobbying Congress to pass reforms.

### Voter Education

1. **A long-term voter education program is needed.** There has been little or no effective dissemination of electoral information -- either in terms of process or precept. What information there is tends to come very late in the election calendar and there appear to be no standardized means for educating either election officials or voters.
2. **Voter education must be a continuous process, not something that is done just at election time.** Long-term education is needed in order to change the mind-set that facilitates fraud.
3. **Two types of programs are needed.** One to deliver process-oriented information; another to impact the attitudes and behavior of the people.
4. **The latter, which needs to be a coordinated effort with the nation's education system, may be the most important.** The program should focus on basic civics: the rights and responsibilities of voters, why it is important to vote, and the ways in which voting can have a direct impact on the lives of citizens. According to respondents, no such curriculum currently exists in the elementary or secondary schools.
5. **A demonstration project for the counting machines that will be used is key for public acceptance.** There is some public skepticism about safeguards on programming, the accuracy and speed of counting, and ease of manipulation. Further, a national demonstration of the actual machines that will be used will facilitate the administration of

the election.

6. **Mass media (except radio) have limited utility outside of the urban areas.** Because of literacy problems, printed materials also have limited utility in remote rural areas. Radio is the most universal means of contacting voters but an interpersonal approach is required.
7. **The dissemination process must include an interpersonal approach in order to be successful in the rural areas.** Programs need to be conducted through forums that utilize visual aids to demonstrate the new procedures. Such programs need to be conducted on a Barangay to Barangay level.
8. **Most respondents who express an opinion see need for more timely delivery of election materials, better coordination with local officials and NGOs, and better training of election participants. They are less inclined to think that local COMELECs have the funds for voter education.**
9. **A standardized training program is needed for election workers.** The current piecemeal training system results in haphazard election administration; allowing traditional practices to continue to dominate the process.

#### The ARMM Election Pilot Test

1. **The ARMM pilot test was a qualified success.** By all accounts, the optical scanning system produced a faster, more accurate count. On the other hand, many respondents expressed the view that the new ballots make it easier than ever to cheat.

Further, respondents cited many other election problems caused by corruption, intimidation, violence, the poor economic conditions of voters, the lack of civic education and the ignorance of voters as to their rights and responsibilities.

2. **There were a number of problems associated with the machines themselves --** particularly with regard to overheating and hypersensitivity to humidity and the rigors of being transported from place to place.
3. **As mentioned earlier, respondents also are quite aware that problems with the registration and voting process will be reflected in the count.** Unless the registration process is cleaned up, "the new system merely provides fraudulent results more quickly." According to respondents in the ARMM region, there are numerous problems relating to voter registration.

4. **Ballot security was a major concern in this election.**
5. **Although fewer reports of violence were associated with this election, many respondents attribute this to a greater number of uncontested races and a higher level of central intervention rather than improvements in the process.**
6. **Despite the reservations mentioned above, the computerized counting system is seen as a major improvement.** Computerization aids in increasing credibility, reducing the number of pre-proclamation protests, and reducing the number of opportunities for fraud.
7. **Again, it is important to conduct a rigorous demonstration project in order to acquaint voters -- particularly those in rural areas, with the operational functions of the computers in order to overcome skepticism.** Those outside of the ARMM region have little information about the procedures used and the relative success of the effort.

### **Recommendations**

1. These focus groups identified what appears to be a universal set of problems. However, these findings are not generalizable to the population. As a result, COMELEC should sponsor a national survey of voters in the Philippines. Quantitative data is needed to determine the full extent of perceptions about fraud, support for reforms (computerization in particular), and in order to use public opinion (through the press) to put pressure on Congress to pass the MODEX package in a timely fashion.
2. COMELEC needs to release funds to prepare and administer a comprehensive voter education program that is tailored to the needs of the communities it will serve. Mass media approaches -- particularly radio -- serve a purpose. However, more remote areas will require interpersonal presentations using visual aids.
3. COMELEC has both short-term and long-term education challenges. COMELEC should work with the Department of Education in order to establish a voter education curriculum that is a permanent and universal part of the curriculum in schools nationwide.
4. COMELEC should conduct a full-scale national demonstration project of the new voting system. In addition, COMELEC should publicize the provisions for continuous registration that are contained in 8189. There is a great deal of concern about all aspects of the registration process and even the most active NGO groups lack knowledge about the improvements that have been passed into law.
5. COMELEC should make sure that the automated counting machines selected can withstand the country's climate and the rigors of transportation. Further, there must be enough devices in each municipality to handle counting in a timely fashion. Also,

COMELEC should investigate the possibility of modem-to-modem data transmission of election results from municipal counting centers (where the appropriate infrastructure is in place) to national headquarters in order to speed the reporting of results.

6. To this end, COMELEC should consider conducting an additional pilot test in the 1997 Barangay election. This will help eliminate problems that occurred during the ARMM test and test new systems prior to nationalization.
7. COMELEC could improve its image by taking a more proactive role with regard to voter education, fighting for the passage of the modernization legislation, trying to rally public and press support for the legislation, and pushing for electoral reform on a variety of fronts.
8. COMELEC needs to take steps to ensure that adequate election materials are prepared and delivered at least two-three months in advance of elections in order to allow local officials to implement education and training programs.
9. COMELEC should establish partnerships with the NGO community that will help maximize resources for voter education and election administration and increase transparency in the election process.
10. COMELEC should push for strict enforcement of existing election laws.



# FOCUS GROUP SUMMARIES

## COTABATO CITY GROUP 1 COMELEC/ELECTION OBSERVERS/NAMFREL/POLLWORKERS

11/10/96 4:30

Hotel Castro

### Source of Information

- Radio was commonly acknowledged as the most important source of electoral information. Personal briefings on election information tend to be given only to elite groups (e.g. Lion's Clubs) which have less of a need than the populace as a whole.

### Views on the Election System

- Respondents gave mixed views regarding whether elections in the Philippines are democratic or not. One view holds that by virtue of the fact that individuals are allowed to participate, democracy exists. Others, citing voter coercion, bloody elections, and conditions that do not allow free voting, said democracy does not exist. As one Muslim woman put it, "The process has failed if people don't want to go to the polls."
- When asked what word or phrase best describes elections in your area, the following answers were given:
  - Controversial
  - Violent
  - Not honest
  - Dirty
  - Fraught with fraud
- This fraud was attributed to political leaders and others with the power to intimidate. For example, election officers might change vote totals because of financial pressure, loss of employment, or fear for their personal well-being. A number of respondents in this group listed threats of physical violence -- particularly in outlying areas -- as real impediments to democratic elections. As one respondent put it, "The people are in danger." Fraud is seen as "difficult to curb."
- When asked if they had personally witnessed fraudulent acts, few responded in the affirmative. However, one told the story of encountering Marines in search of a missing ballot box during the September ARMM election.

- In fact, ballot security was one of the principle concerns raised by respondents in this group. The new voting system, while faster and more accurate in terms of counting the ballots that make it to the municipal counting station, is problematic if ballots don't reach the municipality from the precincts, or if the registration process is fraudulent.
- Some expressed the belief that it is easier to cheat under the new system because no writing samples are needed and the voters' identifying thumb print is detached from the ballot rather than on the same sheet. The preprinted names allow perpetrators of fraud to simply fill in the box.
- The registration process is suspect as well. The new system is a "success" if success means accurately counting the votes that are available at the precinct level. However, respondents cite double registration, the registration of ineligible (underage) voters by election officials under duress, and other forms of registration fraud as a common means of rigging outcomes. Unless the registration process is cleaned up, the new system merely provides fraudulent results more quickly.
- Even the counting machines were not perceived a total success. Certain problems relating to rejected ballots (e.g. ballots sullied with rice particles or ballots that were filled out improperly) could be addressed through voter education. Other problems, however, are issues that must be addressed by COMELEC national (i.e. too few computers in each municipality) or by COMELEC in conjunction with the equipment manufacturer (computer malfunctions due to overheating and extreme sensitivity to temperature, climate, and sudden variations in electrical current).

### **Voter Education Needs**

- Respondents discussed a "lack of comprehension" by voters as to their rights to register and vote. Education is perceived as a means of lessening fraud by "encouraging voters to resist temptation."
- Illiterates are believed to be more easily intimidated than those with better skills to navigate the election process.
- People need information about both their rights and processes regarding the election system.

### **Ways to Improve the System**

- Respondents offered the following suggestions:

"We need a massive information drive."

"A total firearms ban is needed.

"The armed forces of the Philippines should enforce the safety of elections."

"We need to disarm the private armies. COMELEC has no power over private armies."

"The Department of Education and Information should be strengthened for education campaigns. There is no logistical support (in the field) for the dissemination of information."

"Voter information campaigns need a personal approach -- campaigns should be conducted Barangay to Barangay."

"COMELEC needs to deliver materials on time. Not one week before the election. The inability of COMELEC Manila to deliver the materials on time makes it difficult for election officials to disseminate information. Materials are needed at least a month before the election."

#### **Single Biggest Obstacle To Reform**

- The lawmakers themselves.

#### **Reforms Under Consideration**

- Anti-dynasty law.
- Absentee voting.
- Counting machines.

#### **Advantages of Using the Counting Machine**

- Voters indicated that work will be lessened at the precinct level. "There will be less work for the Board of Election Inspectors (BEIs)." However, respondents expressed the sentiment that even with the counting machines, politicians can still affect the registration process and that election workers will still acquiesce -- "They still love their lives."



### **How Successful was the Re-registration Process?**

- The registration process is one of the larger concerns regarding the election system. Respondents said that underage voters are being registered, and that there is a problem with double or multiple registrations which varies in intensity from place to place. One respondent said, "People don't even know their exact birth date."
- Respondents generally felt that it is "very easy" to cheat under the new system." Their view was that the preprinted ballots facilitate cheating because no handwriting sample is available as it was with the old system. Thus, it is easier for others to fill in ballots. A number of respondents expressed the view that there should be a space for a thumbprint on the new ballot as an added security measure.

### **Biggest Obstacle To Voter Education**

- That voters lack the willingness to understand the election process because they are used to the frustration of having election outcomes manipulated.

### **Result of the New System**

- Voters expressed satisfaction with the speed of the count, particularly in that the number of pre-proclamation protests are reduced. Further, the machines reduce the pressure on election workers. Nevertheless, with problems relating to registration and ballot box delivery, the machine count merely results in "an honest count of a dishonest election."
- Complaints about the new system were that there were too few counting machines for each municipality, that the machines were too sensitive to heat and humidity (and that there are no climate-controlled rooms for their operation), and that they broke down too often.

### **Goals of Voter Education**

- To some, the central goal of voter education should be to impress upon voters the responsibility of voting and the "sanctity of that right."
- Regardless of the type of information being disseminated, the information and materials need to be received far earlier than in the past. Further, respondents agreed that the materials should be distributed through the election officials to the election inspectors and then to the voters.

## **Standardized Training**

- In this group there was some disagreement about whether there is a standardized training program for election workers. Some said that fairly standard procedures are in place. Others held a contrary view: "Uniformly bad/Uniformly non-existent." According to these respondents, pollworkers receive training only on election day.

## **Funding of Education and Training Efforts**

- Election officials said that they usually receive a cash advance of P5000-10000 for education and training efforts. They complained that this budget is insufficient and one made the suggestion that P20000 would be "reasonable."
- For COMELEC at the local level, funding -- and a lack of computers -- is the biggest problem. Funds promised at the national level have not yet been made available.

## **What Else Could Be Done To Improve the New System**

- Ballot security issues were the overriding concern in this group. For example, one said that a machine that reads thumbprints is needed in order to prevent substitute voting and eliminate multiple voting. Another suggested improvements for the process of posting the names of registered voters for public scrutiny.
- The ballot boxes themselves were also the subject of discussion. For example, ballot boxes in the region are now being transported by a variety of people. These respondents suggested that COMELEC should have custody of the ballot boxes.
- Officials also are concerned about increasing the number of voters in each precinct. They held that 700 is too many and that the number should be reduced to 400 or 300. Certainly, this poses a conflict for proponents of reducing the number of precincts at the national level.

### **Additional suggestions included:**

- Additional COMELEC field personnel are needed;
- Voter ID numbers should be on the ballot in order to reduce multiple registration and voting;
- Vigorous prosecution of multiple registrants;

- Enforce existing laws;
- Eliminate the "assistors."
- As far as education is concerned, officials said that voters have no problem understanding the technical and mechanical aspects of the process. Instead, everything "revolves around the attitude and mindset of the voters." "They don't see the vote as linked to the outcome."

#### **Is A Manual Count Needed to Augment the Computer Count?**

- Respondents said a manual count is needed only for rejected ballots. A quick count conversion -- as a full double check -- is not needed and, in their view would just add to the confusion.

**COTABATO CITY GROUP 2 -- University Students and Rural Youth**  
**11 November, 1996 9 a.m.**  
**Hotel Castro**

**Thoughts On Voting**

- These young men were unanimous in their personal expressions of support for the efficacy of voting.

"Personally, I think that voting is an act of obligation."

"Voting means expressing your right to choose a certain leader."

"As a citizen, it is my obligation to vote."

"I have the right to vote to change the system."

"The election is very important. It affects the totality of the whole nation because we are choosing leaders. The results of the election have an effect on our fate. We need to choose leaders who will do something good."

"Voting is not only an obligation. It is a must."

**Impression of Other Young People's Views On Voting**

- These respondents did not believe their thoughts on voting are universal, however. "I have many friends residing in remote areas of the ARMM. Most of them are not educated. When I ask about their impression of voting -- voting for them is a nonsense thing. Just a matter of fraud or money." "Maybe there will be shooting. Maybe not."
- Even with the new system, there's the shadow of doubt. "It is important to participate in the elections, but one can't avoid the anomalies in the system."
- "Nevertheless, it is still important to vote because of we didn't vote, then what -- what's next?"

**Suggestions for Improvement**

- Respondents had the following suggestions for improving the system. First, restrict the room in which votes are cast to two COMELEC officials and one NAMFREL in order to avoid the crowding that took place during the last election. Second, provide pollworkers

with proper training, even so far as how to separate the ballot sheets. "The teachers don't know what to do during the election." Third, there is a need for voter education, especially in the rural areas where people have less opportunity to learn and where people are afraid to go to the polls.

### **Was The New System Confusing?**

- "It is very easy for people like us to understand the system. But for the illiterates, the watchers were the ones shading in the ballots." "Voters in rural areas were told who to vote for and even what their name was."
- "The (election) workers didn't know what to do." Unused ballots were being ripped apart and divided up among the watchers, who then filled out the ballots. Evidence of fraud was found in "ballots that were stuck together or ripped at the same time." "Party observers just divided up the vote among themselves."
- "The problem is not in the counting it's in the voting." That is, the selection of the candidate is not computerized."
- Voter education needs to hit the "various norms of society."

### **Most Serious Problem with the Election System in the Philippines**

- "The major problem is poverty."
- "It is very easy to cheat with the new system. With the shading type of ballots, it is very fast to cheat."
- "In the Philippines, government officials such as COMELEC, Barangay captains, etc., are the ones who manipulate the elections. Also, politicians with guns really coerce people." "Elections like Barangay elections are being controlled by the Mayor."
- "One solution is to clean up the irregularities. We need to focus on high officials -- they themselves affect the election process." "Any cleanup drive must focus on the people in power, not the voters."
- Paying voters. "I personally received 300 pesos. My parents said, just accept the money and vote the way you want or stay away from the polling place -- it's too dangerous."

Other problems include:

- The traditional politicians (who manipulate elections through various means of coercion);
- The Three Gs: Guns, Goons, and Gold;
- The high cost of elections. Politicians who are forced to spend so much to get elected are certain to find ways to get their money back.
- It is still the same whether under the old or new system. There are irregularities and cheating. There is a high level of frustration -- the candidates who won in the election are still the ones with the Three Gs.
- People assume that if someone is associated with the administration, they will win because the administration controls the election. Votes will be counted or not counted as needed.
- There is the issue of "dag-dag bawas" -- the adding and subtracting of votes. "With the computerized election, it is very easy to make "dag-dag" (addition) with no more "bawas" (subtraction).
- There is no punishment for offenders.
- Elections tend to be based on popularity rather than the actual qualifications of candidates or issues. Vice President Estrada was cited as the prime example.

Despite these problems, respondents said that the process is improving a little bit. "The government is trying its very best to improve the election process and is looking forward."

### **Voter Education**

- According to these respondents, the problem is one of voter education. "Information is not disseminated to the people. Information is given to the teachers who are having to do double work." "There needs to be a person to teach (voters in remote rural areas) because the leaflets don't work -- people don't know how to read." "We need specialized trainers who travel from place to place. Symposiums need to be conducted during the registration process."
- "People need to be taught about the party list system."
- "People need assurances about their personal security."
- "Education needs to be a continuous process." "Education can't be abrupt. Precept upon

precept needs to be taught." "People need to be taught that it is their right to vote."

### Responsibility For Education

- There was no consensus in this group about whose responsibility voter education is. Some said it is the responsibility of COMELEC. Others said that COMELEC already has too many jobs and that we need to form a committee whose only responsibility is voter education. Another suggested enlisting students to conduct voter education.
- One demur was that "education is no guarantee" of honest elections. "Without the sincerity" of our leaders we won't have honest elections. "Our political leaders are educated yet they are the ones creating anomalies." Another was that "For the ARMM, education is not so effective. More important is security. Soldiers (from outside the area and who have no family ties to the local area) should be brought in."

### **Obstacles to Electoral Reform**

- Respondents cited the following obstacles to election reform:
  - Local officials are reluctant to educate voters. They want to manipulate the people.
  - There is too much intervention of foreign countries (through the President). He cannot decide without his advisers from other countries. "Ramos is a pet of the U.S. government."
  - The candidates themselves. "No one wants to lose so rather than accept fate, they always play to win."
  - "There is too much bureaucracy in the election process. Why not simplify it."
  - Security. The personal security of voters as well as ballot security.
  - "The mindset of the Filipino people. Every time we hear the word elections or politics, it is in the mind that politics in the Philippines is dirty."
  - Our government officials. There are too many dirty politicians.
  - The structure of the Philippine political system. There are built-in biases.

## **Observations on the New System**

- Respondents give the new system mixed reviews.

"The system is good. For me, there is no question because of the speed of counting."

"It doesn't matter if the only thing that changes is the faces of the candidates and everything else stays the same."

If new processes are introduced, there needs to be some (methodological) overlap between the old system and the new.

"The system is going in the right direction but the technology goes ahead and the people lag behind."

## **Rating COMELEC's Facilitation of the New System**

- COMELEC is seen by some as "better than in the past because they are trying to modernize the system." On the other hand, "Planning is nice but implementation in the field is another story." "The national involvement had a big effect on the success of the ARMM election." "The pilot test will have a great effect on the presidential election." "The COMELEC is good but not excellent but moving forward toward excellence." "I commend COMELEC for the direction in which they are headed but there is a problem with inconsistencies in the implementation of the program."

## **Advice for COMELEC**

- Respondents offered the following advice for COMELEC's national officials:
  - "Be consistent in your program."
  - "Be straightforward. Make education user friendly and based on the norms of society."
  - "Learn from your failures. Make an effort to inform all voters."
  - Create a program to encourage people to vote and take other acts of citizenship."
  - "COMELEC should use the downtime between elections to develop programs and have them ready ahead of time -- do not wait until the last minute."



- Be independent. "COMELEC should not be influenced or controlled by the politicians."
- COMELEC should be sincere in their work "despite the danger to their lives." "A certain group should be assigned to educate voters in remote areas."
- COMELEC should do more research on how to develop the election system. They should observe and research the election process of the U.S.
- "COMELEC needs to talk to religious leaders in the remote areas as well as the local political officials."

**COTABATO CITY GROUP 3 -- ARMM Voters**  
**11 November, 1996 2 p.m.**  
**Hotel Castro**

NOTE: All but one of the participants voted in the September ARMM election.

**Observations on the ARMM Elections**

The Registration Process

- Voters described the registration process as difficult -- especially for the illiterate. "There are many things to do in order to register." The picture taking caused a delay in the process. "The COMELEC photographer was late and, as a result, some people were registered without a photograph."

Other Registration Problems

- Absentee registration (through surrogates) could result in irregularities.
- Underage and dead persons are being registered.
- People who have moved to Manila are being registered here by their relatives.
- People unable to register where they are supposed to register.
- Those who cannot write have to rely on someone else to fill out the registration form. They just have to affix their thumb marks. Those who facilitate the registration are the relatives of the candidates. They register people in order to build support.
- There are people going from place to place (in Jeepneys and trucks) to vote for a particular candidate -- being paid to vote. "The money is in the open -- it is only the COMELEC which doesn't see."
- We need a process for absentee voting.
- During the election there are extra names on the list. That is "I know everyone with my family name, but there are people who use my family name that I don't know."

## Other Observations

- This was the most honest and peaceful election we have had.
- This election was honest relative to other elections.
- Most problems occurred during the canvassing process. Many people believe that the computer program was manipulated. They are incredulous that the machine can count that fast. Also, the ballots allow for easy cheating because only shading is required.
- We have not yet seen a real honest election. It is always the candidate of the administration that comes out on top -- not the will of the people. Sometimes the opposition candidate wins, "but it's just part of the drama."
- The new system is an improvement overall, but I doubt if there is an improvement at the precinct level.
- The politicians are manipulating the process. They have the guns, the goons, the gold. They are spending 10-30 million pesos for one job. They will recover their expenses after the election.
- Power promotes corruption.
- COMELEC cannot enforce/is not enforcing the laws relating to election spending.

## **Most Serious Problems Facing the Election System**

- "It begins with the registration process. The manipulation begins here. They shuffle the lists so that people can't find their names when they go to vote. They go home when they can't find their names, providing an opportunity for another to vote in their place. This requires the collusion of election officials."
- "The voting process is okay, but the number of registered voters doesn't match the qualified population or even the total population. There are ghost towns with a population of three and 500 registered voters."
- "People go to the polls only to find out that they have already voted."
- "People are voting for others. The watchers (for the political parties) are filling out blank ballots after the voting has ended. They wait for the NAMFREL people to leave."

- "Ballot boxes are being opened and altered in almost all election areas."
- "Even the teachers are part of the manipulation."

### **Voter Education Needs**

Respondents offered the following views on the voter education process.

- People are skeptical because they have limited knowledge about computerization. They need to be well-informed on how the counting machines work.
- The information for this election was made available on radio and selected television stations. It didn't really reach the Barangay level.
- We should receive the information at least two weeks before the election through television, radio, and seminars with COMELEC. In September, we received information just three days before election -- and then it was from the *candidates* not from COMELEC.
- We received information one week before the election in a newspaper article.
- COMELEC should use the Barangay officials to help disseminate information. The information campaign should be conducted from Barangay to Barangay on an interpersonal level.
- COMELEC can't do it all. They need to use the schools.
- People need to be oriented in the importance of the electoral process. Most people don't care. They think that regardless of who wins, we will have the same situation.
- People often go (to the polls) because they are afraid if they don't they will be placed in prison. But they don't care who wins.
- Information is needed on how to register, how to vote, and how the machine operates.
- The ballots are hard to tear (properly); they rip and then the machine will not read them.
- It (the problems) start with registration. You cannot register if there is no one from a party to help you (if you are not affiliated with a party); then, if you are not an ally (of the parties), they will take hours to call your name -- so you go home and then someone votes in your place.

- I personally voted 15 times in three places.
- Officials are forced to change election results under duress. The local chiefs control. Whatever they say happens.

### **Recommendations for 1998**

- We need to have a Census in order to have an accurate count on the Barangay population so that ghost voters and ghost Barangays can be eliminated.
- We need a system of registration in which only one entity -- the COMELEC -- is responsible.
- We need a centralized registration system that is continuous and that is computerized in order to reject double registration.
- COMELEC needs to look at themselves first and do what they are mandated to do.
- Cultural norms -- such as the supremacy of the datu -- need to be observed.

### **Recommendations for Voter Education**

- COMELEC should conduct a massive voter education drive and conduct seminars at the Barangay level. Because COMELEC has a limited budget, the government should provide the necessary funding -- particularly at the local level where implementation is most important.

### **Is the New System Moving in the Right Direction?**

- If the only improvement is in the counting, it is not worth the expenditure. The system needs to detect double registration in order to detect fraud.
- The reforms must come from the national level. There must be a political will to change the system.
- Existing laws must be enforced.

**COTABATO CITY GROUP 4 -- NGO Officials**  
**11 November, 1996 4 p.m.**  
**Hotel Castro**

**Problems Facing the Election System in the Philippines**

- The elections are a circus. People do strange things around the election. Dancing on stage. Actors and actresses elected; rallies. Politicians visit the squatter people in the slum areas despite the garbage around them. They get their votes and forget about them later.
- The elections are more legitimate in the urban areas than in the rural areas. In the rural areas, it is personality and money. The people market their votes for money.
- Only the counting is computerized. The voting is counted properly but how was it prepared?
- Elections are a source of conflict. Indigenous peoples are afraid and those who have money and guns will control the process.
- Elections are a source of displacement because of the violence. The national statistics are not accurate and don't take into account those who don't stay in one place.
- Teachers who are asked (to cheat) and do not cooperate have to vacate their positions.
- There is a problem with the voter statistics -- particularly in the Muslim areas. There is a conflict between the Census and the COMELEC figures.
- The number of votes cast exceeds the number of registered voters.
- The questionable practice of teachers opening the ballot box. COMELEC says this is still within the process.
- I heard that the watchers were marking ballots.
- There is disenfranchisement all over in a systematic activity started by local officials. Names disappear (from the voter rolls). Your name may be found three precincts away.
- The problem is COMELEC. We asked for the voter list. The candidates had access to it but the list was given to us only one week before the election.
- We wanted to be partners with COMELEC to help with the voter list. But COMELEC only offers a role for NGOs. COMELEC only works the three months before the

election.

### **Voter Education Process**

- The education process needs to focus on the sanctity of the ballot. People in the rural barrios "come down" from their villages to a central place where the politicians are handing out food or money or whatever. They tell the people "we have heard you" and they go home thinking they have voted -- without ever having been inside the polling place.
- Voter education should be a cooperative effort and not just COMELEC. NGOs can help with the personal community-based system for teaching illiterates using local dialects.
- The materials arrived too late for the pilot test. Some candidates received information (from COMELEC) only four days before the election. Even the Board of Election Inspectors were not informed. Some candidates received information (from COMELEC) only four days before the election.
- The radio broadcasts (prior to the pilot test) were not effective because "it doesn't show how to do it." It was just the audio from the television commercials.
- We need to raise the consciousness (of the voters). "We deserve the leaders we have elected unless we change."
- Voter education should not be done just during election times.

### **Knowledge of Reform Legislation and Funding Availability**

- The proposed legislation is not known at our level.
- If the government is serious enough, there will be more than enough funds. COMELEC has always been given the money (for education and training) -- except this year.

### **Views on Modernization**

- If the entire process is computerized it is worth it. If it is just the counting, it is not worth it.
- The ARMM election was a failure in terms of voting -- a success in terms of counting. A failure in that it raised expectations in terms of reducing cheating and was a big let-down.

Perhaps we were asking for a miracle. They should have told us to be on the lookout for this, but in their briefs, they swept all cheating questions under the rug.

- We also need to focus on penalties for those who engage in fraud.
- Congress will not put any teeth in (the new legislation) because they will be the first in violation. They don't like the anti-dynasty law.
- We need full disclosure.
- How can we depoliticize COMELEC when they are so political? The commissioners should be elected rather than appointed. Appointees can exercise the widest latitude of discretion.
- "We need accountability at COMELEC -- daily work reports and time sheets. We should give them targets to accomplish and when they don't, they should be sent to hell."
- We need to restore people's faith in the election process. There is very low voter efficacy.

#### **The Education Process**

- We need to have systematic education for voters, for politicians, and for campaign managers.
- NGOs need recognition from the national level and need to be furnished with information. NGOs need to be recognized as partners and the tension between local COMELEC and local NGOs lessened.
- We need to become more mechanical about this. NGOs need to be part of the verification and overview system. NGOs need to be at all stages of the policy and evaluation process.
- Public hearings are being held (on reforms) but we get no input. They don't listen; they just tell us what they have decided.
- Maybe part of the COMELEC budget should be set aside for partnership activities.



**COTABATO CITY GROUP 5 -- Elected Officials**  
**12 November, 1996 8:30 a.m.**  
**Hotel Castro**

**Observations on the Elections**

- Much has improved with the counting system. In the upper Barangays, the ballot boxes arrived untouched.
- The ARMM election was peaceful but not honest.
- We need soldiers to man the precincts.
- We can't have centralized voting places (a reduction in the number of precincts) because too many people would be disenfranchised.
- The politicians -- the long-time traditional politicians -- are responsible for the fraud. It is standard operating procedure to cheat. Some precincts had zero votes (in the ARMM election).
- We try to screen for good watchers (in order to combat fraud) but they are intimidated by direct verbal threats of physical violence.
- The most pitiful person in the election process is the teacher.

**Voter Education**

- Needs to teach value orientation. We need to practice suffrage because it will help with development.
- Voter education should be taught through the school and start with younger people.
- We also need the government to fund informal functional literacy programs.
- We need a holistic approach -- combined economic and social. People vote because a certain candidate provides an economic benefit.
- Education programs should include conferences, forums, and radio (in Tagalog or dialects) rather than print.
- The remote Barangays need the voter education. The program should be conducted Barangay to Barangay.

- COMELEC should use a multi-agency approach to help with in the campaign.

### **Suggestions for Improvement**

- We need to enhance voter security. People are afraid to go to the polls because there might be fighting.
- The expenditure for the machines is worth it if only to improve the counting.
- We have good laws but we have no implementation.

**MANILA GROUP 1 -- COMELEC Officials/Metro Manila**  
**13 November, 1996 9:30 a.m.**  
**National COMELEC Headquarters**

**Biggest Problem Facing the Election System**

- Credibility -- the dag-dag bawas.
- Violation of election rules -- vote buying, cheating at the precinct level, ballot security, substitute voting, misreading ballots.
- Cheating is done subtly, even by election officials.
- From an administrative perspective, the delay in the transmission of results from precinct to precinct, then to the regional and national level. Even in Metro Manila where transportation is good there are still delays.
- There is a lack of prosecution of violators. COMELEC is not prosecuting. Charges are being filed but dismissed.
- The coordination of COMELEC with the Board of Election Offices is slow.
- Politicians will do anything to stay in power forever.

**Suggestions for Improvement**

- We need improvements to the registration process or the automation won't accomplish what it is supposed to.
- Registration by the teachers is responsible for all of the flying voters. IDs are not being checked by teachers. We need a numbered voter identification card with photograph. We must start with the registration process.
- We need better purging of the lists. Some voters are registered in three places.
- We need continuous education of voters on how to register and how to vote. Radio is a good means.
- We need stronger punishment for election assistants (who violate election laws). Most are allied with politicians.

- We need continuous education of the voters. The politicians are the biggest obstacle to reform. We need to educate the politicians and establish a code of ethics for politicians in order to change the attitude of the voters.

### **Ballot Security Issues**

- We need an independent office or commission to control the ballot boxes. Custody should be with the General Services Administration. We need to improve the tamper-proof boxes.
- People don't like to see the military in their polling place. But the military could be used to transport the ballot boxes. Transporting is the main problem in every election.
- With automated counting, we need to improve transmission -- modem to modem.

### **Views on Reforms**

- Reform is being obstructed by Congress. This process has been going on a long time. But somehow, Congress doesn't want to pass it. It will affect them personally.

### **Views on Funding**

- We will have to be resourceful without resources.

### **Views on the ARMM Election**

- The ARMM election was successful but there were still problems relating to the transport of ballot boxes.
- There were problems with the counting machines -- they must be in a climate-controlled room. We have to make them work or we will lose face with the voters again.

### **Voter Education**

- We need to receive election information at least three months before the election.
- We need to go to the Barangays and take visual aids. Overhead projectors are better than

VHS. They can be used in public forums.

- We also need radio and leaflets.
- Education should focus on the attitudes and values of voters as well as the process. If you don't change attitudes, voters can still be bought. This will defeat the reform process. We must also improve the human aspects and develop the human condition. Voters need to know their future is at stake.
- Voter education should be included in the school curriculum in high school.

### **Improving Election Administration**

- Some respondents arrived with a personal agenda. "We need to compensate local and regional officials more equitably. There is a disparity in overtime between the main office and the field."

### **Best Role For NGOs**

- The NGOs could help us disseminate information in coordination with COMELEC offices. They could help as watchers. NGOs could help with specific situations in the localities.
- NGOs could help with transporting the ballot boxes and help police the conduct of the voting process.
- We will be relying on them to provide their own resources and take on extra responsibilities.
- The manual quick count is no longer necessary. This (in addition to the machine count) would lead to confusion.
- Not all respondents hold a positive opinion of the NGOs. One respondent said "NGOs have their own political agendas. The PPCRV and NAMFREL are okay, but they try to overstep their authority and control the election even over the election officials."

### **Needed Improvements**

- We now have an accurate count. We need transparency in the process -- make it truly open to the public.

- One official suggested disenfranchising illiterate voters in order to reduce the influence of the assistors.
- To others it is the registration process. "We need a clean registration. We need a house-to-house registration drive but we don't have the money for that."
- "We need to simplify the registration process. Simplify the forms."
- We need to remove the aura of fiesta from elections. Money is on the loose and politics is the main industry in some of these places.
- One respondent noted a positive aspect of elections in the Philippines. "Despite all of the negatives, people still cling to democratic law as a way of electing officials rather than resorting to violence. There is a transition process underway and we are moving toward reform."

#### **Advice to COMELEC**

- Start education early. Integrate the voter education curriculum into the schools.
- Get an early start for 1998.
- Don't discriminate against certain regions when distributing funding. As an election official, I am encountering difficulties.
- In a refrain heard over and over in the various groups, one respondent said: "Make examples. I have yet to know of one offender who was punished. We need honest enforcement of the election laws."
- Send whatever information you wish to disseminate before the day of the political exercise.
- COMELEC needs to support the commissioners in the field.
- With computerization, COMELEC needs to demonstrate to the people that there are enough safeguards in place to guard against database manipulation.

**MANILA GROUP 2 -- NGOs (NAMFREL/PPCRV/VOTECARE)**  
**13 November, 1996 1 p.m.**  
**National COMELEC Headquarters**

**Biggest Problem Facing the Electoral System**

- "Fraud in the registration process and the transport of ballots."
- "Cheating. Vote buying. Illegal registrants. Non-resident voting. Voting in the name of other people. Dag-dag bawas."
- "The Three Gs. Patronage. Personality (voting)."
- One respondent indicated that there are four major areas that are problematic for the election system. They are:
  - loopholes in the existing election law;
  - Congressional inaction;
  - A slow/inactive canvass;
  - Inadequate COMELEC.
- "The complicated system also contributes to problems. There is the possibility (and there are some examples) of unopposed candidates. The system should encourage good people to vote."
- The laws we have are not implemented by COMELEC.
- Citizens initiative groups are not working together.
- The elections are too expensive. A 5-10 million peso expenditure for a 220,000 job -- the candidates naturally will want to recoup their expenses.

**Suggestions For Improvement**

- We need a complete revision of the registration process. We don't know where the names are. We are using an old list and need to completely redo it.
- Permanent voter identification cards are needed.
- We need to purge the registration list and enact continuous registration.

- The time limit for registration is too short.
- We need to ease the challenge process. Inclusion and exclusion from the voter list requires going to court.
- Respondents expressed strong support for a multi-function identification card (SSS, drivers license, GSIS, and voter registration) that would be valuable to people.

### **Voter Education**

- Both process and attitudinal matters need to be taught. The attitudinal is long-term and hard to sustain. Teaching needs to be continuous.
- There should be a curriculum in the schools that focuses on voters' rights and duties -- that focuses more on issues than personalities.
- The focus should be on civic rights and responsibilities -- not just when election fever is there.
- We need a voter involvement program. Voting should be related to governance. We need to teach critical voting.
- Use negative motivation. If you don't vote, this will be the consequence.
- Voter education should be taught through candidate forums, PPCRV voter symposiums. One suggested teaching "The 10 Commandments of Voting."

### Means of Educating Voters

- It needs to be a collaboration of people's groups and COMELEC.
- COMELEC should train the organizations.
- The TV stations should provide airtime.
- Materials should be provided three months before the election.
- COMELEC needs to provide accreditation (for NGOs) and election materials.
- In order to get what you need from COMELEC, you have to ask the right questions.



- There should be a particular role for NGOs in the voter education program.
- We need to make the partnership (between COMELEC and the NGOs) concrete.
- COMELEC should furnish primers for voter education.

### Funding

- The consensus of the group was that funding is available at COMELEC for voter education.

### **Biggest Obstacle to Reform**

- That modernization won't be implemented.
- The budget won't materialize.
- A lack of awareness on the part of voters.
- The devil is in the details.
- Even Congress needs a demonstration of the machine.
- Getting voters to accept the computer.
- Modernization legislation must be passed by the first quarter of 1997 in order to be implemented.
- The system needs to be more user-friendly. At the polls, there should be a green line (for those with an I.D.) and a red line (for those who don't have I.D.).
- Everyone in Congress is not convinced that the country will be better off with the new system.

### **Steps Needed for Modernization**

- Ballots should be coded so that they can't be double counted.
- We need to mandate a role for NGOs. That authority should be granted now for voter education, poll workers, and canvassing.

- Reduce the number of voters at each precinct.
- Counting centers need to be more spacious and we need to limit the number of people in the counting centers.
- We need to review the whole process for large-scale cheating. Cheating requires the collusion of three people: the mayor, the election registrar, and the treasurer.

#### **Views on the ARMM Election**

- The machine use was a success.
- The traditional ways of cheating were still being used, but there was marked improvement over the past.
- When there was no voting (in a precinct) a special election was called the next day.
- There was a great deal of willingness on the part of volunteers to be involved.
- NGOs have never liaised with COMELEC as closely as during the ARMM election.

#### **Advice for COMELEC**

Enforce the laws and show that COMELEC means business. When we apprehend and file complaints, complaints are not reaching the courts.

**MANILA GROUP 3 -- Political Party Representatives**  
**14 November, 1996 9 a.m.**  
**National COMELEC Headquarters**

**Analyst's Note: Although elected officials were invited to this group, none attended. However, one sent a surrogate, an acknowledged expert on vote fraud issues to whom the rest of the group deferred despite repeated attempts to get other respondents to challenge that respondent or express contrary points of view.**

**Most Important Problem Facing the System**

- Education and modernization.
- Registration to recording to canvassing to presentation.
- Serious flaws bring about dag-dag bawas. We need the utmost transparency.
- In light of these serious flaws, voter education is not much of a priority.
- There is no certainty that what the people voted (the candidate with the most votes) will win.
- We need to review the entire procedure.
- The machines used in the ARMM election recorded a total number voting that was greater than the total registered voters. We need better data on the total registration. The computer program needs to include the total number of registered voters.
- There was no record of disenfranchisement (rejected ballots).
- Problem precincts couldn't have been counted without the collusion of COMELEC.

**Steps for Modernization**

- A pilot test is needed in selected areas for the Barangay elections (NOTE: Director Borra commented that the a test will be conducted in an upcoming special election).
- If it is just a show, don't involve us anymore.
- We want an honest evaluation of the system. Knowing the problem is a start for the

solution.

- Party seals should be used for every document. The ballot box should be taped with party seals.
- We need to institute party representation. Then you could pin down the discrepancy. The parties should be subsidized in this.
- We need proportional representation.
- The legislation needs specifics for matching signatures and signatures should be required beside the original registration (at the time of voting).
- We need safeguards such as precinct maps to show the addresses of registered voters. We need a voter identification number.
- We need an honest voter list. There is no reason with two billion pesos that we can't have an honest voter list.
- NGOs and parties should meet to evaluate the political process.
- NGOs should serve as watchdogs but not supplant the parties.
- Perfect the system first before going nationwide.

#### **Voter Education**

- Should tell people about issues.
- It should take place in forums rather than through mass media.
- Maximize the information drive through the schools.

#### **Advice for COMELEC**

- Perfect the system first before going nationwide.
- Provide officials to operate the machines.

**MANILA GROUP 4 -- Women Activists**  
**14 November, 1996 1 p.m.**  
**National COMELEC Headquarters**

**Most Serious Problem Facing the System**

- Whether we will have national elections or not.
- Need clean elections.

**Main Improvement Needed**

- We need to modernize and reform all processes. We need computerization but the politicians will stand in the way.
- Poverty, vulnerability, ignorance.
- We need a permanent voter identification with thumbprint that is used for the voter's lifetime.
- The teachers have been maligned and become skeptical. They have a difficult time in exchange for so little.
- We need to encourage good people to run for office but it is a closed system. We need moral renewal.
- We need to break the boss system and the "debt of gratitude." "You owe him your gratitude but not your person."
- We need to improve human conditions. "When you're hungry, it's not selling a vote, it's a gift."

**Biggest Obstacle to Modernization**

- There is a deliberate attempt to subvert the modernization process. They used a different machine than was used in the demonstration process.

**Impressions of the ARMM Election**

- The peacefulness of the ARMM election was a fluke because of the uncontested races.

## Voter Education

- The goal should be to educate people to be rational voters and use the proper criteria for voting.
- The process will take years.
- The private sector (the NGOs, the moral leaders), not the government, should be responsible for voter education. But the COMELEC should be visible to the people.
- The COMELEC should be the central source of materials.
- Voter education must be connected to the needs of the people. They need to know that if they make the wrong choice they will pay for it the rest of their lives.
- We need to connect it to their human dignity. "Every time you sell your vote...."
- We need to teach them to go beyond themselves and vote for the good of the country.
- The churches should also be used for voter education.
- We have to walk people through a long process of political maturity. We are all crisis driven. We need direct involvement with small groups.
- We should use something that will capture the attention of the people such as the Mexican telenovello "Mari-Mar."
- We need education for all -- including the church -- and not just the poor. The church too has been infiltrated.
- "We should make women the targets of the education process. In that way, you get a multiplier effect. Women are the key."
- "We need to work on the acceptance of the computerized counts. They are too much of a mystique."
- Education should "touch on national pride."
- The voter has to see the connection between clean elections and his personal well-being.
- There should be a center that provides impartial training and materials about the election system.

### **Role for NGOs**

- "The NGO community is a potent force. They need to try to coordinate their efforts and motivate their leaders to look beyond their own narrow agendas."

### **Advice for COMELEC**

- "COMELEC needs to be more proactive in finding the root cause of fraud. Sanctions must be given to break the back of fraud."
- "They need to plug the loopholes and examine the system. They must be serious about it. They can't wait for complaints."
- "The local COMELECs are too much on their own and corruptible."
- "We need sanctions. We need people going to jail."

**MANILA GROUP 5 -- Philippines University Students**  
**14 November, 1996 4 p.m.**  
**Philippines University Campus - Manila**

**NOTE:**        **These students had, for the most part, participated in at least one election. Of the 12 respondents, nine were registered to vote and two were NGO volunteers.**

**Word or Phrase to Describe the Election System**

- Respondents gave the following descriptions: Dirty. Fraud. Slow. Predictable (whoever has the money wins). Incredible. Manipulated. Primitive.

**Most Important Problems Facing the System**

- "There is a lack of funds for COMELEC to disseminate information."
- "The people are not educated."
- "The people lack motivation to be involved in elections. The youth are not interested."
- "The Philippine elections are a popularity contest."
- "The traditional politicians."

**Improvements Needed**

- "We need to prolong the registration period."
- Computerization would really improve the system.
- Reducing spending on elections would mean less fraud.
- We need "safeguards against high-tech fraud."
- We need "a reorientation of the values of voters."
- "There should be a better system for absentee voting."



## **What Motivates You?**

- "I want to vote for someone I believe in. You have a chance to make a difference. Take the chance -- it's your right."

## **Voter Education**

- The best way to reach people is through radio.
- Use programming that interests people like Mari-Mar.
- "The NGOs should be responsible for voter education."
- "There should be a partnership between COMELEC and the NGOs."
- COMELEC should handle voter education. "They already have a built-in program."
- "We shouldn't use the teachers. They already have the burden of their work."
- "Concentrate on the youth. The old ones are biased."
- Inform the people about the consequences if they don't participate.

## **Advice for COMELEC**

- "Show more grit -- and the political will for real change."
- "Implement the laws."
- "Remember you are autonomous."
- "Disseminate more propaganda. Integrate into the community."
- "Coordinate with other NGOs -- including the church -- in order to maximize resources."
- "Be incorruptible."
- "Provide candidate forums."

**LOS BAÑOS GROUP 1 -- Philippines University Students**  
**15 November, 1996 9 a.m.**  
**Philippines University Campus - Los Baños**

**Word or Phrase to Describe the Election System**

- "Insufficient. We need to modernize. Cheating is still rampant in rural areas."
- "Unchecked and unguarded -- the power of the rural leaders for their own advantage."

**Most Important Problem Facing the Election System**

- Not the candidates but the political machinery behind them.
- Intimidation. The mayor was killed.
- Ballot switching and the misreading of names.

**Motivation for Voting**

- We have the right to choose.
- The voices of the people were not heard in 1995.
- Voting is very precious for me. In my own simple way, I can change things.
- A lot of people vote for their relatives. It will mean personal advantage if they win -- they will gain something.
- The influence of families is very strong. They try to tell you how to vote.
- My father is trying to get me to campaign.

**Most Important Source of Information**

- Fliers and posters. Mass media (for national elections). Television. Radio for the remote areas.

## **Credibility of the Elections**

- "I have high confidence at the local level but less at the national."
- "I have high confidence in the count for metro Manila but not for the count in the provinces.
- I saw parties and private armies (influencing the election) in Lanao and Mindanao.
- The more remote the area, the more problematic the election.
- COMELEC is honest but the government is not.
- In our country, there is no one who gets elected through an honest election -- even at the local level.
- COMELEC needs to be more independent.

## **Who is Responsible for Fraud**

- The voters. Party supporters.
- We have a good process but there is a problem with the political will of the COMELEC.
- The problem is how the Filipino people view the political system. They are money-oriented and everyone believes there is cheating.

## **What Would Build Confidence in the System**

- Fewer reports of cheating would reflect vigilance on the part of officials.
- The modernization process.
- Computerization would help with absentee voting, registration, and the speed of reporting results.

## **Voter Education**

Respondents in this group emphasized the motivational and behavioral side of voter education.

- "The hardest thing is changing attitudes."
- People need to be taught to "use your standards" in the election process.
- Attach personal responsibility to the message: "Make a difference -- increase confidence in the system."
- "Individuals can make it better."
- "Move away from the hearsay mentality. Ask yourself, what will the future be, what will be children be, what will my country be if I vote for this man."
- People need to know the reasons for voting.
- "Behind apathy is a lack of awareness of rights."

### **Slogans**

Several education campaign slogans were tested in this group. The most popular was "Be a part of the Change" because it is universal and calls for individual action. Themes centered around modernization were viewed as having "class connotations," being threatening from a technological perspective, and unrealistic. "If people don't have a good quality of life, modern is not realistic."

### **Funding**

- "I think the money is there, but not the will to spend it on election improvements."

### **Advice for COMELEC**

- COMELEC should fight for the legislation. Computerization and modernization is good -- that's why it is still pending in Congress.

**LOS BAÑOS GROUP 2 -- RURAL VOTERS FROM LOS BAÑOS**  
**15 November, 1996 1 p.m.**  
**Philippines University Campus - Los Baños**

**How Do You Receive Your Information About Elections?**

- Radio
- TV and radio are the easiest means for communications. Then newspapers.
- From politicians and political parties' campaigns.
- No information activities by COMELEC.

**The Importance of Voting**

- It is a right that the commoner shares with the President
- It is important because it gives you the chance to choose your leaders and to change and undesired or ineffective leaders.
- It is an obligation and a right for every citizen to vote.

**Are Elections In Your Area Honest and Fair?**

- The process of voting is honest but the counting process may be fraudulent.
- We voters are honest but there are a lot of cheating practices and sometimes even the COMELEC officials are involved in the fraud.

**What Is Your Impression of Elections Nationwide?**

- Fraudulent. We used to be hauled by the truckload to the voting centers to vote for a particular candidate, after which we were fed and paid a sum of money.
- Slow counting process. Because of the slow counting and reporting process, the results are very vulnerable to manipulation somewhere along the line.

### **Main Source of Election Fraud**

- The rich and the elite class. They can easily take advantage of the poor's need for fast money. Because we are poor, we are very vulnerable to temptations of money.
- Sometimes the teachers (pollworkers) are involved in the fraud. Since they are directly in charge of the voting and counting process, they have every opportunity to manipulate the election process.
- (Speaking in defense of teachers) I have been an observer and volunteer in many past elections and I don't think the teachers are capable of instigating fraud. In the first place, with so many watchers around, how can they cheat the results? I would say that a lot of the fraud is probably committed at the provincial and national counting centers.

### **Suggested Ways of Cleaning Up the Elections**

- If we can computerize the counting and reporting of the results, it would minimize fraud. Just like in America where the election results are known in just a few hours.
- We must re-register everyone to clean the voter lists. Invalidate all previous registrations because there are a lot of invalid entries in the old voter lists. In the last elections, I know of some dead people who were able to vote and some living people who were not able to find their name on the list.

### **Is the Registration Process Easy or Difficult to Understand?**

- No, not complicated at all.
- It is very easy to understand and do.
- Sometimes the process is slow. Some people have no patience and just leave without continuing their registration. I think this is an intentional attempt to disenfranchise voters.

### **Have You Experienced the Use of Force During Elections?**

- The use of force to influence elections is not very common here because of the tough security. The more prevalent form of fraud is ballot box switching. In the last Presidential elections, Miriam Santiago had 14,000 votes and Ramos had 4,000 votes when the results were counted here in Los Baños. But when the boxes were opened for

counting at the provincial counting center, Ramos had 14,000 and Santiago had 4,000.

### **Suggestions for Improving Ballot Security**

- If we computerize the system, there would be no need for the ballot boxes.

### **Can You Trust the Computerized System?**

- I believe the system can be trusted. It is only a matter of explaining the process to the people. However, the problem is convincing us to trust the people in charge of operating the system.

### **Do Your Friends and Neighbors Participate in the Election Process?**

- Most of them are not interested. These are usually the elderly people who feel that their vote won't be counted and that it wouldn't matter if they voted or not.
- People are usually enthusiastic to vote only if the candidate is a relative or close personal contact (general laughter).

### **Ways to Encourage Participation**

- We have to remind them that it is their right to choose a leader.
- Tell them it is the only time when all men, commoner or elite, are on equal footing.
- The problem isn't convincing people to vote. The real problem is getting them to register first.

### **Voter Education**

- Although there was some agreement that voter education should be taught as part of the curriculum in schools, one respondent noted that it wouldn't make a difference if our way of life doesn't change.

### **Information About the ARMM Elections**

- These respondents knew little about the ARMM elections other than the fact that one had

been held and Nur Misuari won.

- When asked if the election was peaceful, one respondent answered "Of course it was peaceful. There was no opposition."
- Respondents were unaware of the modernization bill in Congress. After a description, respondents were skeptical that a bill would pass because "it will put a stop to their fraudulent practices." "I believe that only the honest Congressmen will vote for it. Whether there are enough of them for it to pass is another thing."
- There was an equal lack of awareness about the use of computerized counting in the ARMM election.
- Respondents were shown a sample ballot. They thought that voting would be easier than the system of writing candidates names and would eliminate controversies and disenfranchisement arising from misspelled names on the ballot.

#### **Information Sources**

- COMELEC would be the most reliable source.
- Around 60% have television sets.
- Radios are ubiquitous but "only people in the remote areas listen to it regularly."
- No respondents reported getting a newspaper daily. "I can't afford the extra expense."
- The most effective way for voter information to reach everyone in the province was perceived to be through the local government units. The Barangay leaders can organize the purok leaders (community leaders) to hold meetings and distribute fliers."







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## **PROPOSED VOTER INFORMATION & EDUCATION PROGRAM<sup>1</sup>**

**by Gwenn Hofmann**

### **INTRODUCTION**

This program outline is being written assuming the modernization legislation will be implemented in time for the 1998 May elections. However, if the legislation is not passed in time for the 1998 election and there is no new voting system or vote counting equipment being used, the programs outlined here are still relevant because they can be customized and developed to reflect the realities of the election cycle between now and May 1998. All the programs recommended here can also be modified from election cycle to election cycle to reflect new processes and procedures as they are introduced. Once a series of comprehensive programs are developed and become associated with voter information and education, COMELEC can pick and choose which programs will best meet voter needs and then they can be slightly modified for each election cycle. In effect these programs can become the standard for COMELEC's future voter information and education program series.

Programs described in this outline can and should be used for both the general registration in June 1997 and the May 1998 election. This is because regardless of the voting system, voters, election workers, NGO groups and organizations, election officials, and the media will need important and specific information about the many new election processes and procedures which are going to be used in 1998 with or without a new voting system or vote counting equipment.

For example, the process of continuous registration is new to the Philippines and will require on-going information to voters about times, dates, places, requirements, and registration periods prior to the election cycle. With the new registration legislation comes the possibility of thousands of new voting precincts. Voters will have to be advised about where their precinct is

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<sup>1</sup>Prepared on 11 December 1996.

and how to make sure their names are on the list in that place. COMELEC faces a huge informational task just advising voters where their voting precinct will be.

The modernization legislation, if passed in its current form allows for consolidation of precincts. This means that thousands, maybe millions of voters will be voting in new places unfamiliar to them. Voters will need information on a timely and accurate basis as to where they vote and the exact location of the voting precinct.

The Philippines is going to implement "Party List" voting for the first time in the 1998 elections, a procedure which has the potential to be confusing to both voters and election workers. This creates the need for various types of information and educational programs which explains and reinforces the concept of party list voting and explains how to mark the ballot so that the voters choices are properly reflected and counted. This is especially critical since 20% of the total number of the members of the House of Representatives will be selected based on the Party List System.

The 1998 election is the consolidated election, which means there is a possibility of 168 candidates running for various national and regional offices. The opportunity is high for voter confusion about such things as how many votes to cast in various races. Add to that the potential of voters voting on a new style ballot and the party list voting system and you have the perfect recipe for voter confusion and frustration. COMELEC will have to provide an on-going and in-depth information and education program to make certain that voters understand the ballot, the candidates, the various races and numbers of votes to cast in each race.

With a new vote counting system there will also be a need for education, information and training programs for election officials, technicians, election day workers, NGO groups and organizations who assist in the election process. All of these individuals should have a working knowledge of the voting and vote counting process, ballot security procedures, safety issues, contingency plans, ballot processing and transporting plans, and other issues associated with the new election procedures.

All things considered, the voter information and education program should contain many components, styles, and modules. It must reflect the need to provide the information in a variety of way, using all available resources. For example, based on the Focus Group information, we now know that rural voters will have special informational needs and that among that group of voters there are many learning styles which must be accommodated. One type of program will not meet the information and educational needs of all voters. Therefore, COMELEC must use all available resources. This will include:

- media outlets - national and local

- COMELEC officials from the national and regional offices
- nation-wide speakers bureaus which will be able to provide accurate information to voters in their native language
- written materials - posters, brochures, notices
- demonstrations and discussions

Since all of the information is new to all voters, the entire voting public is the general target audience and the programs will have to be developed to reflect their many diverse needs, learning styles and abilities.

The programs which follow take these factors into account. Because the modernization legislation is still pending and is not likely to be drafted by Congress in a final format until February or later, we can only speculate at this point in the voter information program development on what additional requirements there might be. This program proposal will have to be modified as we get more information about the legislative process, including funding options and realities.

There are two factors which are critical to the ultimate success of a voter information and education effort: appropriate funding and proper timing of the development and delivery of the program. Currently there seems to be a general reluctance by the national COMELEC to provide necessary funds to educate and inform voters about new election processes and procedures. This fact became evident when funds for the national demonstration project of November/December 1996 were cut in each region by some 20 to 40 thousand Pesos. As we learned from the focus groups the timing of past voter information and education programs was late in the pre-election cycle and did not reach the maximum number of voters. As COMELEC prepares itself for the upcoming general registration and election cycle they must also begin preparing their informational and educational programs. This process should not start later than February, 1997.

## **THE VOTER EDUCATION AND INFORMATION PROGRAM**

Using the program developed methods and strategies already reviewed with the COMELEC Voter Education and Information Department staff, the following outline reflects a more detailed description of what their 1997, 1998 program should contain.

## **A. Overall Program Objectives**

Develop an on-going voter information and education program designed to be used as part of a general civic and government education program which informs voters about general voter registration, continuous registration opportunities and voting procedures, places, times, and dates, ballot styles, party list voting, etc.

- Design and develop informational and motivational written materials which provide accurate and timely information about new registration and election day procedures they will encounter.
- Design, develop and deliver audience specific targeted audio, video, and print education and informational materials which can be used to supplement and reinforce other programs.
- Evaluate effectiveness of programs including defining constraints and barriers to the successful implementation of the programs objectives.

## **B. Specific Program Goals**

- Inform citizens about new registration and voting procedures
- Educate citizens about their role in honest and fair elections
- Improve citizen confidence in the election process
- Target messages and delivery systems to meet needs of various groups of voters

## **C. Current Situation - Analysis**

- All citizens 18 and older are eligible to vote
- Registration is a requirement of voting - continuous registration being implemented
- Registration is accomplished by going to a local COMELEC office - registration places voters on a precinct list - once registered voters receive an ID card
- Many voters will be voting in new precincts

- COMELEC will have to inform voters of new voting places, possibly new voting times
- New voting procedures - party list voting - possibly new ballot style, new vote counting equipment, new voting hours - others yet to be determined
- Voters lack confidence in the election system
- Voters lack information about the current election procedures and requirements
- COMELEC needs to demonstrate its commitment to improving the election process and its commitment to fair and honest elections
- Election fraud in voter registration, voting, and vote counting must be eliminated
- Voter intimidation must be eliminated

#### **D. Focus Group Summary of Findings**

The findings from the Focus Groups can provide important information for COMELEC as it targets and develops its various programs. The following reflects only the primary recommendations made as a result of this part of the project.

- Long term voter education program needed
- Voter education must be a continuous process, not just an election related program
- Two types of programs needed: election process oriented and attitudinally and behaviorally oriented
- Should coordinate education programs with Department of Education
- Mass media, except radio have limited utility outside urban areas
- Information dissemination must include in-person programs in rural areas
- Standardized training program for election workers is needed

#### **D. Program Evaluation Criteria**

- Informal feedback from voters
- Formal feedback through survey method before and after election cycle

#### **E. Target Audiences**

- All citizens who are eligible to vote. Special target groups are:  
18 - 24 year olds - urban and rural; rural voters; elderly

#### **F. Types of Programs - Information**

These programs should begin at least 60 days prior to each critical event and run until the day of the event. These are short term programs designed to provide voter information which will help them participate in the process in an informed and confident manner. These programs are not designed to change attitudes about the current election system, nor will they necessarily change voter or voting behavior. They can be developed to instill a sense of pride in the election system and be used to help motivate voters to participate in the process.

- **Television** - can carry the basic messages in populated areas and has good penetration to the general population in these areas. Develop and air Public Service Announcements (PSA) 30 and 60 seconds in length to complement other programs and increase awareness and motivation. COMELEC should develop a series of in-depth programs 5 to 30 minutes in length to discuss new methods, programs, and processes. This will also help instill a sense of confidence in the system. COMELEC should produce a training video not longer than 15 minutes which can be aired on TV and used in other programs as well.
- **Radio** - has high penetration in all areas but is especially critical in rural areas - it must carry the primary messages to the rural area and be used as a primary source of information for rural voters. Messages and programs should complement and support the TV and other media programs. Use a series of PSAs for each subject area supported by a series of in-depth 5 - 30 minute programs.
- **Newspapers** - reach a majority of the population, particularly in urban and suburban areas, but is not a primary source of information for young adults. Good media for reinforcing broadcast messages. Display ads and feature stories and articles can be used each week to



provide additional information and reinforce other programs. COMELEC should meet with editorial staff and boards to arrange for weekly stories and news items.

**\*\* Note:** The media programs and PSAs should correspond in theme and contain the same basic information. All media programs should have the same launch dates so they reinforce each other. Messages should change as various important dates for registration and election day approach. For example, 60 days prior to an event the messages should be educational - 30 days prior to an event it should be informational, and 10 days to 0 days the messages should give specific information about the times, dates, places, requirements and other information which will ensure voter viability.

- **NGO Groups & Organizations** - can form a core speakers bureau, and be given training and information developed by COMELEC. Their function will be to provide non-partisan and supportive election related information to their members and act as advocates for the new election processes. Since many NGO members are also members of the business community, they can provide written materials in employee pay checks, at employee meetings, and at business functions.
- **Press Briefings, News Releases, Feature Stories:** COMELEC must schedule regular events and issue news and feature stories on a regular basis. These stories and events should also reflect the various stages of their campaign for registration or election cycle issues. COMELEC should schedule regular press conferences and briefings to keep media informed of programs and progress. This can enhance the media and COMELEC relationship and allow the public to stay informed on the latest developments.
- **Discussion Groups, Demonstrations, In-Person Events** - are particularly useful in rural areas where most citizens only have radio as their primary source of information. These voters never really have an opportunity to see equipment, forms, or other types of information they will need or use prior to election day. COMELEC officials should arrange these events in local schools, churches, or civic buildings so that all citizens will feel comfortable and safe in attending. Programs can last from 30 minutes to 2 hours and include discussion, demonstrations, question and answer periods.
- **Posters, Brochures, Flyers, and other Written Materials** - can be distributed in all public places, buildings, and at public events. This is a good method to reach the general population and keep reinforcing basic information which voters must have in order to participate effectively. The COMELEC Voter Education and Information staff suggested a poster contest in schools where young children can become involved in a campaign. This method of school involvement was used successfully in the United States in a nation-wide "Get Out the Vote" Campaign.

- **Educational Programs - Programs provided through schools and adult education centers** - are programs which are longer and are geared to educate, inform and help change attitudes and behaviors over time. They are programs which can be incorporated into school curriculum at all levels of the educational process, in all kinds of schools and adult education programs. For these types of programs it is important that COMELEC work with the National Department of Education to develop the content and scope of the school curriculum and participate in various student activities such as mock elections, student government elections, voter registration and the like.

There are many benefits of long term, school-based educational programs for both students and election officials. The Federal Election Commission publication entitled Voter Information and Education Programs 2, states:

“Voter education programs provide students with a better understanding of the vital role which the electoral process plays in our democratic system of government and the importance of each individual’s participation in that process.”<sup>2</sup>

“Many education programs are helpful in training students in specific registration and voting times and procedures. Programs which include a ‘how-to’ element frequently serve election officials by reducing mistakes at the polls and in some cases by permitting officials to reach a large group of potential registrants before they disperse to college or work”

“By informing students about the importance of their participation in the electoral process and eliminating any confusion or fear that might otherwise deter students from participating in that process election officials may encourage students to acquire the ‘voting habit’ which will stay with them throughout adulthood.

“In-school voter education programs may provide election officials with channels through which to reach the community-at-large. Students who are engaged in election related activities may transmit both factual information concerning registration and election procedures and enthusiasm concerning the value of each person’s vote to their parents and neighbors.”

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<sup>2</sup>This may well be a critical factor in the long term goals of COMELEC and the Philippine Government - to instill pride in the electoral system and to eradicate voter fraud.

There are many in-school programs already developed which can be customized, or COMELEC can develop its own program with the advice and assistance of the Department of Education. Whichever route is chosen for these programs, COMELEC must take the initiative in providing content information and oversight in the development of the programs so that it is sure the correct information and content emphasis is in the right areas.

In addition to the in-school programs, COMELEC should work with the state university system to develop on-going education programs for all its students. These programs can be offered to private colleges and universities as well as to vocational and trade schools. It is clear from the Focus Group report that most people interviewed feel they would benefit from such programs and that certainly new voters and young voters should become well educated in election process, procedures and ethical election practices.

## **TIMETABLE FOR PROGRAM DEVELOPMENT**

The time to start program development is now, especially since the general registration will be done in June 1997. Realistically, it will take about three months to develop and prepare media and written materials which means that if COMELEC begins its program development in January 1997, they will be ready to start the first wave of a media campaign for the general registration process in April 1997, which is just two months before the actual registration days. The information campaign for the general registration program will have to have information about the continuous registration opportunities which will be available to the voters beginning in July 1997.

### **A. General Registration**

- **January - March 1997** - Development of Media Campaign for General Registration
- **April 1997** - Launch first wave of media campaign, alerting voters to new processes and registration opportunities
- **May 1997** - Second wave of information about registration programs, motivate voters to register
- **June 1997** - Third wave specific details about times, dates, places of registration and continuous registration process

- **June - August 1997** - information about Continuous Registration opportunities, times, dates, places.

**\*\* Information about registration opportunities should be given on an on-going basis and supported with flyers and brochures so that people become familiar with the new process.**

## **CURRICULUM DEVELOPMENT FOR IN-SCHOOL PROGRAMS**

- **January - March 1997** - meet with National Board of Education begin curriculum development.
- **April - May** - pre-test materials
- **June - July** - revise materials
- **August** - prepare final materials for inclusion in September 1997 school curriculum

The in-school program curriculum should include information about the Presidential and national elections cycle. As that election comes closer it would be interesting to incorporate a mock election for students with those offices which will appear on the ballot in May 1998. This program should be geared to new voters and young voters.

The curriculum should also contain information about Party List Voting. This program should be developed and delivered with the assistance of local COMELEC officials, since they should be the ones who will be the election resources to the schools in their various regions and communities.

## **MAY 1998 CONSOLIDATED ELECTION**

Whether or not the modernization legislation passes, there is a need for an in-depth information campaign which would provide information about registration opportunities, voting hours, precinct locations, party list voting and other pertinent information. This program should be developed six months prior to the election and launched far enough ahead of time to allow new voters to register in time for the election, or 90 days prior to election day. There will have to be a comprehensive informational campaign informing people about the Party List Voting, the type of voting ballot (and possibly the number of ballots they will be using given the large

number of candidates that will be running for office), as well as other critical information voters will need in order to cast their votes with a minimum of confusion.

February, March and April 1998 a nation-wide media and in-person information campaign should be launched and in May 1998 a daily push of election day information and voting information should be aired and published in the newspapers.

During the last three months prior to the election, there should be speakers bureaus, discussion groups and demonstrations. If the modernization legislation passes, there will be a critical need for not only more information and education programs, but also a need for training programs for election officers, election day workers, NGO representatives who work at the polls, candidates, political parties, media representatives, election technicians, and all others who participate in the election administration process.

The development of this amount of training for these numbers of people is an enormous undertaking and the need to start the development process at least one year prior to the election can not be over emphasized.

## **OTHER PROGRAM COMPONENTS AND CONCERNS**

### **Program Themes**

The voter information campaign should have a common theme - one which people can identify with and one which will automatically denote voter registration, election and voting information. According to one Focus Group - the theme "Be A Part of the Change" was meaningful. The COMELEC Voter Education and Information staff have already started thinking about a common theme, but have not yet taken the opportunity to present this concept to the *Commission en Bank*.

### **Legislative Mandates and Funding**

With all of the new modernization procedures currently being implemented for the first time in 1997 and 1998, the COMELEC must have the support and funding for the kind of in-depth program development and delivery it will take to ensure voter efficacy. Because these new initiatives are complex voters will have to know how to function appropriately within the system, what is expected of them, where and when they must appear, and what they can do to protect their right to participate in the election system. This can not happen by chance - voters have the need to know and the right to know, and the Commission has the responsibility to provide the

information. None of this can or will happen without the proper mandates and support from all the branches of government, the NGOs, and the public itself.

### **Timing - Development and Delivery**

Based on the Focus Group information and the information gathered from the Election Law Round Table held in October 1996, it has become evident that there has been little or no thought given to the timing of the development and delivery of past information programs. In fact there has been little if any support for in-depth voter information and education, even in the September 1996 ARMM election where new voting procedures and vote counting methods were used. For the upcoming June 1997 general registration and continuous registration and May 1998 election cycle, program planning and development must begin by February 1997. The realities of the needs of the voters will have to be considered as programs are planned, funded and implemented. Delays in program delivery will hurt both the voters and the electoral system. This can be easily avoided by proper support for the timing and implementation these programs.

### **NEXT STEPS**

This program outline will be presented to COMELEC in early January 1997. Between January 7 and February 7, 1997, IFES and COMELEC will review each recommended program, determine its potential cost and delivery system, and prepare a comprehensive plan for the Commissions consideration and approval. This plan will become the basis for a final plan which will be presented to the next Election Law Round Table scheduled to be held on January 25, 1997. We expect the Round Table participants to discuss the plan including its elements, contents, funding and delivery, and we expect final recommendation to be made to COMELEC for inclusion in the final version.

Based on those recommendations, COMELEC can define its program implementation strategies, develop program modules and content, and begin preliminary planning so that they can meet the target dates for program implementation of April 1997, in time for the general voter registration campaign. Once the realities of the vote counting equipment legislation are known, additional plans and information campaigns can be developed. We hope to know the potential for passage of this legislation by the date of the Election Law Round Table in late January.

Where funding for these programs is concerned, IFES will work with the COMELEC Commissioners and staff to develop budgets and costs for each module and ask them to approve appropriate funding in January, 1997. If necessary, IFES will recommend that the modernization legislation contain a specific mandate for funding and voter information and education programs

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Republic of the Philippines  
September - December 1996*

so that there can be no question that funds will be available to COMELEC for the work which needs to be done. As long as COMELEC is willing to commit itself to providing the funding and time to the voter information and education effort, there is no reason they cannot have a successful program and election cycle.





## ELECTORAL REFORMS ROUNDTABLE

by the National Citizens' Movement for Free Elections (NAMFREL)  
and the  
International Foundation for Electoral Systems (IFES)

October 12 - 13, 1996  
Tindalo Room, Manila Hotel

### PROGRAM

#### Day 1. Saturday, 12 October 1996

##### Opening of the Roundtable

9:00-9:15	Welcome Remarks	Justice Jose Y. Feria <i>Roundtable Chairman</i>
9:15-9:30	Introduction of Participants and Roundtable Activities Overview	Mr. Telibert C. Laoc <i>NAMFREL Executive Director Roundtable Moderator</i>
9:30-9:45	The International Foundation for Electoral Systems: The Philippine and Asian Programs	Mr. Terry Holcomb <i>IFES Senior Adviser</i>
9:45-10:00	The Challenge of the Third Millennium	Mr. Jose Concepcion, Jr. <i>NAMFREL National Chairman, Roundtable Co-Chairman</i>

Plenary Session 2: Electoral Reform Bills in Congress

10:00 - 10:15	Senate	Sen. Miriam Defensor-Santiago <i>Chairman, Constitutional Amendments and Revision of Codes &amp; Laws Committee</i>
10:15 - 10:30	House	Rep. Emigdio Tanjuatco, Jr. <i>Chairman, Suffrage and Electoral Reforms Committee</i>
10:30 - 10:45	General Overview of Election Law Reform: Lessons Learned	Mr. Dennis McPhillips <i>IFES Senior Legal Adviser</i>
10:45 - 11:15	Use of Modern Technology in the 1998 Elections A. Clean-up of the Voters' List: The June 1997 General Registration and the Continuing Registration System B. Automated Counting Machines	Commissioner Regalado Maambong <i>Chairman, Election Modernization Project</i>
11:15 - 11:30	LTO Driver's ID & Computer System: A Tool for Clean Elections	Mr. Renato Tababa <i>Chief, Operations Division Land Transportation Office</i>
11:30 - 11:50	Enfranchising Qualified Filipinos Overseas	Administrator Felicisimo Joson <i>Philippine Overseas Employment Agency</i>
11:50 - 1:00	Open Forum & Lunch	

1:00-5:00:

Simultaneous Workshops

- Minimum requirements that should be contained in the Law
- Minimum requirements that should be contained in the implementing rules and regulations
- Safeguards
- Statement of commitment of participants

Workshop 1: Computerized Election System

- A. ballots
- B. automated counting machines
- C. computers for canvassing

Workshop 2: The June 1997 General Registration and the Continuing Registration System - A Genuine Voters' List

Workshop 3: Enfranchising Qualified Filipinos Overseas

5:00 - 6:00

Meeting of the workshop leaders and facilitators, roundtable documentors and staff

Day 2, Sunday, 13 October 1996

9:00 - 9:45

Plenary Session 3: Workshop Reports

Workshop No. 1: Computerized Election System  
Workshop No. 2: The June 1997 General Registration and the Continuing Registration System - A Genuine Voters' List  
Workshop No. 3: Enfranchising Qualified Filipinos Overseas

9:45 - 11:30

Open Forum

11:30 - 12:30

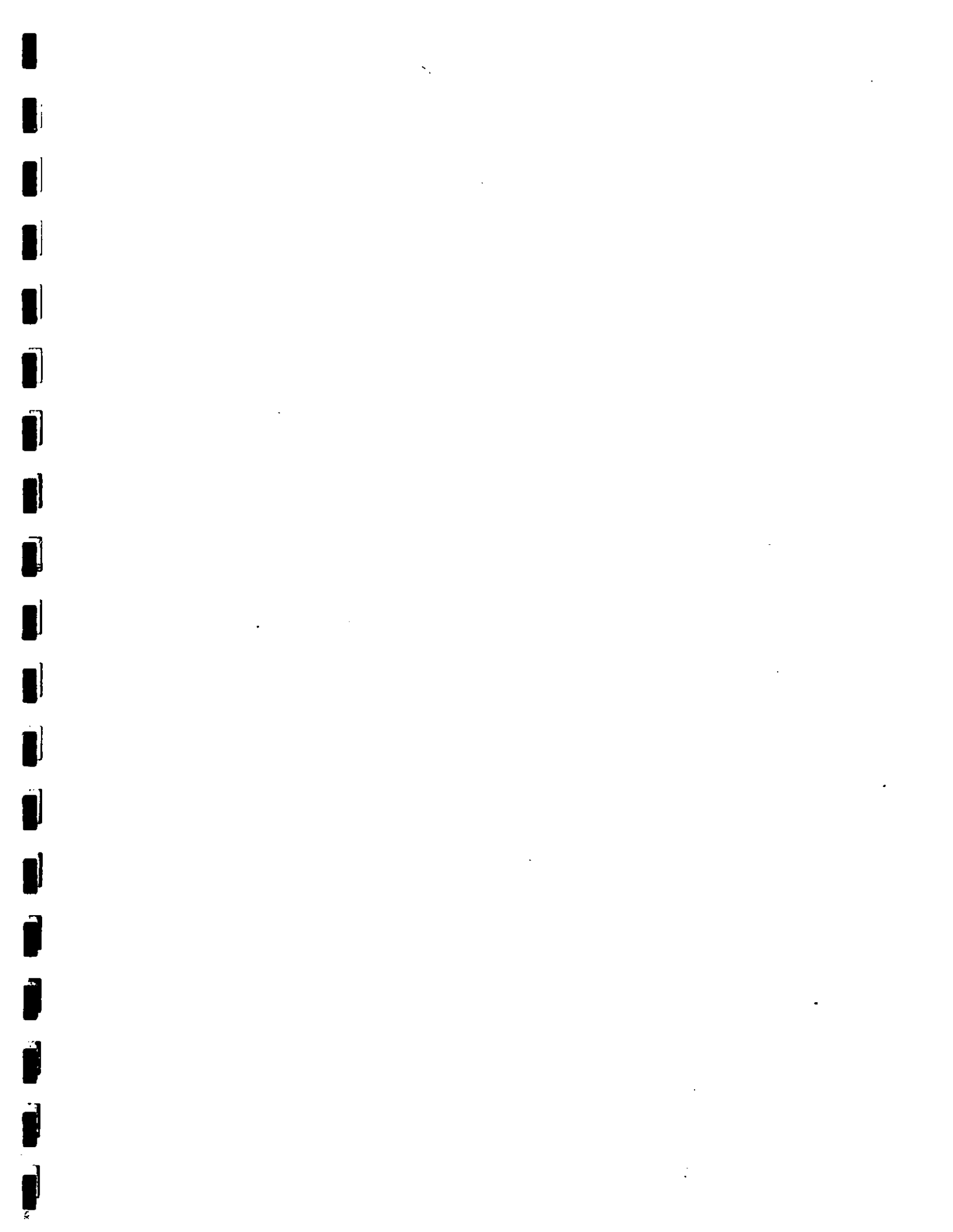
Approval of the Declaration of Commitment

12:30

Closing of the Roundtable

Justice Jose Y. Feria  
*Roundtable Chairman*

Lunch



CRAFTING GENUINE ELECTORAL REFORMS

BY

SENATOR MIRIAM DEFENSOR SANTIAGO

SPEECH DELIVERED DURING A ROUNDTABLE DISCUSSION ON ELECTORAL REFORMS HOSTED BY THE NATIONAL MOVEMENT FOR FREE ELECTIONS (NAMFREL) AND THE INTERNATIONAL FOUNDATION FOR ELECTORAL SYSTEMS AT THE MANILA HOTEL, MANILA, PHILIPPINES, 12 OCTOBER 1996.

*At I am happy to be in the company of the many of these*  
*country*  
*of people*  
~~IN SEARCH OF GENUINE ELECTORAL REFORMS. I AM PLEASED TO BE IN~~  
~~THE COMPANY OF DEMOCRATIC ENGINEERS AND ELECTORAL REFORMERS WHO~~  
~~ARE HERE TODAY.~~ I AM CERTAIN THAT ALL OF US PRESENT IN THIS ROUNDTABLE DISCUSSION RECOGNIZE THE PIVOTAL ROLE OF ELECTIONS IN STRENGTHENING OUR DEMOCRACY. HOWEVER, THE ISSUE OF WHAT CONSTITUTES MEANINGFUL ELECTORAL REFORMS IS FAR FROM SETTLED.

QUANTITATIVELY, PROPOSED ELECTORAL REFORMS ARE NOT WANTING. THERE ARE 41 ELECTORAL REFORM BILLS AND SIX RESOLUTIONS FILED IN THE SENATE DURING THE 10th CONGRESS. THUS FAR, 11 WERE CONSOLIDATED TO BECOME THREE SEPARATE LAWS. THESE ARE: (1) R. A. NO. 8173 LIFTING THE DISQUALIFICATION OF THE NATIONAL MOVEMENT FOR FREE ELECTIONS (NAMFREL) FOR ACCREDITATION BY THE COMMISSION ON ELECTIONS (COMELEC) AS ITS CITIZENS' ARM AFTER THE 1995 CONGRESSIONAL AND LOCAL ELECTIONS; (2) R. A. NO. 8176 POSTPONING THE DATE OF THE ELECTIONS FOR THE AUTONOMOUS REGION OF MUSLIM MINDANAO (ARMM) FROM MAY TO

SEPTEMBER 1996; AND (3) R. A. NO. 8189 PROVIDING FOR THE SYSTEM OF CONTINUING REGISTRATION OF VOTERS. THE REMAINING 30 BILLS AND SIX RESOLUTIONS REQUIRE SOME TIME FOR METICULOUS SCRUTINY. <sup>Jan 20</sup> AS KEITH-LUCAS SUCCINCTLY PUT IT: "THE FAITH OF THE PUBLIC IN THE CONCEPTION AND PRACTICE OF DEMOCRATIC GOVERNMENT DEPENDS TO A GREAT EXTENT ON THE DETAILS OF ADMINISTERING ELECTIONS."

IN EVALUATING THE MERITS OF ELECTORAL REFORM BILLS, PARTICULARLY THOSE THAT REQUIRE THE MODERNIZATION OF THE PHILIPPINE ELECTORAL SYSTEM, TWO CRITERIA ARE ADOPTED: THE FIRST IS SIMPLIFICATION OF EXISTING PROCEDURES AND FORMS. THE OBJECTIVE IS TO ELIMINATE THOSE WHICH, IN THE PAST ELECTIONS, PROVED TO BE VULNERABLE TO ANOMALIES, IRREGULARITIES AND FRAUD. THE SECOND IS COST-EFFECTIVENESS, THAT IS, MINIMIZING THE COST OF PROPOSED REFORMS WHILE MAXIMIZING THE SAFEGUARDS PROVIDED BY SIMPLIFIED PROCEDURES. RELATED TO THIS IS THE QUESTION OF APPROPRIATENESS OF TECHNOLOGY.

GIVEN THESE CRITERIA, IT CAN BE SAID THAT FOR ANY ELECTORAL REFORM TO BE MEANINGFUL, IT MUST ADDRESS THE ROOT CAUSES OF INEFFICIENCY, CONFUSION, DISENFRANCHISEMENT, AND THE PERNICIOUS SCHEME OF WHOLESALE FRAUD KNOWN HERE AS *OPERASYON DAGDAG-BAWAS*.

HAVING SAID THAT, WE CAN LIMIT TODAY'S DISCUSSION TO THE THREE MAJOR TOPICS THAT HAVE PASSED SCRUTINY OR STILL UNDER CONSIDERATION IN THE SENATE COMMITTEE ON CONSTITUTIONAL AMENDMENTS, REVISION OF

CODES AND LAWS AND ELECTORAL REFORMS. THESE ARE: THE CONTINUING REGISTRATION SYSTEM, COMPUTERIZATION OF COUNTING AND CANVASSING, AND ABSENTEE VOTING. THESE THREE ARE STRATEGICALLY IMPORTANT IN THE IMPLEMENTATION OF THE DREADED *OPERASYON DAGDAG-BAWAS*, A SCHEME FOR ALTERING VOTE COUNTS THROUGH VOTE-ADDITION TO FAVORED CANDIDATES AND VOTE-SUBTRACTION FROM DISFAVORED CANDIDATES. THE MAGNITUDE OF VOTES AFFECTED BY THE SIMULTANEOUS OPERATION OF VOTE-ADDITION AND VOTE-SUBTRACTION IS SUFFICIENT TO PREDETERMINE THE WINNERS.

A COMMON MISCONCEPTION OF *OPERASYON DADGAG-BAWAS* IS THAT IT IS LIMITED TO THE TAMPERING OF ELECTION RESULTS AS CONTAINED IN THE ELECTION RETURNS OR CERTIFICATES OF CANVASS. IN REALITY, THIS SCHEME REQUIRES PADDED VOTERS' REGISTRY AND GHOST PRECINCTS FOR VOTE-ADDITION, DISENFRANCHISEMENT FOR VOTE-SUBTRACTION, AND TAMPERING WITH ELECTION RESULT DOCUMENTS FOR EITHER VOTE-ADDITION OR VOTE-SUBTRACTION OR BOTH. SINCE IT CAN BE COMMITTED AT ALL STAGES OF THE ELECTORAL PROCESS, MANIPULATORS CAN RESORT TO EACH FORM ON A SELECTIVE BASIS OR ALL FORMS IF ONLY TO ENSURE THE VICTORY OF THE FAVORED CANDIDATE/S. GIVEN SUCH, THE INSTITUTION OF CORRECTIVE MEASURES IN THE REGISTRATION OF VOTERS IS A LOGICAL STARTING POINT.

**R.A. NO. 8189: GENERAL REGISTRATION OF VOTERS: A PREPARATORY ACTIVITY FOR THE ADOPTION OF A SYSTEM OF CONTINUING REGISTRATION**

R.A. NO. 8189 IS THE FIRST LANDMARK LEGISLATION WE HAVE PRODUCED SO FAR. IT PROVIDES FOR A GENERAL REGISTRATION OF VOTERS AFTER THE 1997 BARANGAY ELECTIONS AND BEFORE THE ADOPTION OF A SYSTEM OF CONTINUING REGISTRATION IN TIME FOR THE 1998 SYNCHRONIZED ELECTIONS.

IN LINE WITH THE AVOWED POLICY OF THE STATE TO SYSTEMATIZE THE PRESENT METHOD OF REGISTRATION IN PREPARATION FOR THE CREATION OF A CLEAN, PERMANENT AND UPDATED LIST OF VOTERS, THE CONTINUING REGISTRATION LAW PROVIDES FOR MEASURES TO CORRECT THE 1995 COMPUTERIZED VOTERS' LIST AND ADDRESS THE PROBLEMS POSED BY THE SYSTEM OF PERIODIC REGISTRATION.

THE EXISTING COMPUTERIZED VOTERS' LISTS (CVLs) ARE PADDED AND JUGGLED. PADDED CVLs SET THE STAGE FOR VOTE-ADDITION WHILE DISENFRANCHISEMENT IS A FORM OF VOTE-SUBTRACTION. WHETHER THE ELECTION OFFICIALS WANT TO ADMIT IT OR NOT, THE EXISTING CVLs WERE FOUND TO BE GROSSLY PADDED AND JUGGLED. WHETHER THE ELECTION OFFICIALS WANT TO ADMIT IT OR NOT, A CONSIDERABLE NUMBER OF PEOPLE FOUND IT DIFFICULT TO LOCATE THEIR NAMES IN THE CVLs ON ELECTION DAY. INSTEAD OF FACILITATING POPULAR PARTICIPATION THROUGH THE ELECTORAL PROCESS, DEFECTIVE CVLs CONFUSE OR DISENFRANCHISE VOTERS.

SEVERAL STUDIES HAVE SHOWN THAT CERTAIN PROCEDURES ARE NOT FOLLOWED OR VIOLATED WHICH MADE IT EASIER TO PAD THE CVLs AND CONFUSE AND DISENFRANCHISE VOTERS ON ELECTION DAY. THESE ARE: (1) POSTING OF PRECINCT MAPS DURING REGISTRATION AND ELECTION DAYS TO GUIDE THE VOTERS AND HELP IN DETECTING "GHOST" VOTERS AND PRECINCTS; (2) SPLITTING OR MERGING OF PRECINCTS 90 DAYS BEFORE ELECTION WITH PROPER NOTICE TO VOTERS AND POLITICAL PARTIES; AND (3) PROHIBITION AGAINST TRANSFER OF NAMES OF VOTERS WITHOUT DUE NOTICE TO THE



VOTERS.

MOREOVER, MANY ELECTION OFFICERS HAVE BEEN LAX IN IDENTIFYING LET ALONE VERIFYING THE AUTHENTICITY OF REGISTERED VOTERS. A FEW WOULD NOT EVEN MAKE AVAILABLE THE COMPLETE LIST OF VOTERS IN TIME FOR PARTIES AND CANDIDATES TO HAVE THE OPPORTUNITY TO VERIFY THE CVLs BEFORE ELECTION.

FOR ALL THE ABOVE, EXPERTS FROM IFES WERE LED TO CONCLUDE THAT THE PRESENT CVLs ARE AS DEFECTIVE AS THE OLD LIST. IN COMPUTER PARLANCE, "GARBAGE IN, GARBAGE OUT."

IN CRAFTING THE CONTINUING REGISTRATION LAW, SUCH PROBLEMS OF PADDED LISTS AND DISENFRANCHISED VOTERS ARE FOREMOST IN OUR MINDS. IN THIS REGARD, THE LAW PROVIDES FOR: (1) PREPARATION, COMPLETION, AND POSTING OF PRECINCT MAPS BEFORE REGISTRATION; (2) CREATION OF PERMANENT PRECINCTS AND SYSTEMATIC NUMBERING ALONG WITH A PROHIBITION AGAINST LAST-MINUTE CREATION, MERGING OR SPLITTING OF PRECINCTS; (3) GENERAL RE-REGISTRATION OF VOTERS AFTER THE MAY 1997 BARANGAY ELECTIONS IN PREPARATION FOR THE CONTINUING SYSTEM OF REGISTRATION; (4) COMPLETION AND MAKING AVAILABLE THE UPDATED CVLs AT THE START OF THE CAMPAIGN PERIOD, THAT IS, 90 DAYS BEFORE ELECTION DAY; (5) PROHIBITION AGAINST LAST-MINUTE TRANSFERS OF NAMES FROM ONE PRECINCT LIST TO ANOTHER; AND (5) INTRODUCTION OF THE VOTER'S ID.

ALL THESE PROVISIONS SEEK TO STRENGTHEN THE MONITORING AND VERIFICATION OF VOTERS ON A CONTINUING BASIS. ONCE IN PLACE, THE LIST CAN BE READILY UPDATED AND CLEANSED OF ALL SPURIOUS ENTRIES AND FACILITATE THE EASY DETECTION OF GHOST PRECINCTS.

BY PROHIBITING LAST-MINUTE SPLITTING OR CLUSTERING OF PRECINCTS, WE HOPE TO AVOID LAST-MINUTE ADDITIONS OF GHOST VOTERS AND PRECINCTS THAT CAN BE TAPPED FOR MANUFACTURING OF VOTES FOR FAVORED CANDIDATES. THIS IS EVEN A MORE SYSTEMATIC AND DREADED FORM OF *OPERASYON DAGDAG*.

OF COURSE, NO LAW IS SELF-OPERATIVE. THIS IS WHERE THE COMPETENCE AND THE COMMITMENT OF THE POLL OFFICIALS CAN MAKE A BIG DIFFERENCE. THE CONTINUING REGISTRATION LAW WILL NOT ATTAIN THE EXPECTED GAINS IF THE IMPLEMENTING RULES AND PROCEDURES ARE DEFECTIVE AS THOSE ADOPTED IN THE PREPARATION OF THE 1995 COMPUTERIZED VOTERS' LISTS AND IN THE 1996 ARMM ELECTIONS.

IN PROVIDING FOR AN OVERSIGHT COMMITTEE COMPOSED OF PARTY REPRESENTATIVES, R.A. NO. 8189 OR THE CONTINUING REGISTRATION LAW ENJOINS POLITICAL PARTIES TO GET INVOLVED IN CLEANSING THE PADDED AND JUGGLED LISTS OF VOTERS AND INFLATED PROJECT OF PRECINCTS.

#### USE OF AN AUTOMATED SYSTEM OF COUNTING AND CANVASSING

THE PROFESSED OBJECTIVES OF THE COMPUTERIZATION OF THE VOTE COUNTING AND CANVASSING FUNCTIONS ARE: TO SPEED UP THE COUNTING AND CANVASSING PROCESS, TO UPHOLD THE INTEGRITY OF THE PROCESS, AND TO ENSURE THE CREDIBILITY OF THE RESULTS.

AS OBSERVED BY THE SENATE TEAM SENT TO MONITOR AND EVALUATE THE RECENT ARMM ELECTIONS, SAFEGUARDS WERE NOT ADEQUATE ENOUGH TO PLUG THE LOOPHOLES THAT GIVE WAY TO *OPERASYON DAGDAG-BAWAS*. THE EXAMPLES ARE: THE COUNTING MACHINE CAN COUNT BALLOTS MORE THAN THE TOTAL NUMBER OF REGISTERED VOTERS. THE MACHINE WORKED MOST EFFICIENTLY WHERE NO ACTUAL VOTING TRANSPIRED, MEANING THAT BALLOTS WERE MANUFACTURED. FOR PRECINCTS WHERE VOTING TOOK PLACE, THE MACHINE TOOK ABOUT 30 MINUTES TO ONE HOUR TO COMPLETE THE COUNTING OF ABOUT 500 TO 600 BALLOTS. BUT WHERE NO BALLOTING TOOK PLACE, THE MACHINE FINISHED THE COUNTING OF MORE THAN 700 SPURIOUS BALLOTS IN A RECORD TIME OF LESS THAN 10 MINUTES. THE MACHINE PROVED TO BE MOST EFFICIENT WHEN COUNTING MANUFACTURED BALLOTS RATHER THAN GENUINE ONES BECAUSE OF THE SENSITIVITY OF THIS TECHNOLOGY TO SLIGHTEST CRUMPLE OR MARKS FOREIGN TO THE MACHINE. SIMPLE

IRREGULARITY OF THE EDGES DUE TO DETACHMENT OF THE BALLOT FROM THE BOOKLET WAS ENOUGH FOR THE MACHINE TO STOP THE COUNTING OR EVEN REJECT THE BALLOT. WITHOUT ANY PROVISION FOR THE ACCOUNTING OF REJECTED BALLOTS, THE MACHINE WAS GIVEN THE DISCRETION TO DISENFRANCHISE LEGITIMATE VOTERS ON SUCH FLIMSY GROUNDS. SIMILARLY, THE MACHINE MADE VOTE-ADDITION MORE EFFICIENT AND WITHOUT DETECTION FROM NAMFREL AND PARTY WATCHERS. EVEN IF THEY WERE GUARDING THE PRECINCTS AND THE COUNTING PROCESSES ALL DAY AND NIGHT, THEIR LACK OF FAMILIARITY WITH THE NEW SYSTEM MADE THEM STARE AT THE MACHINE WITHOUT KNOWING WHAT TO WATCH OUT FOR.

THE FUNCTIONING OF THE MACHINE WAS LIKEWISE AFFECTED BY THE HIGH TEMPERATURE IN THE COUNTING ROOM AND BY THE DAMPNESS OF THE BALLOTS CAUSED BY RAINS. WITHOUT THE NECESSARY INFRASTRUCTURE TO HOST THE MACHINE, LIKE AIR-CONDITIONED ROOMS AND TRANSPORTATION FACILITIES TO PROVIDE THE DESIRED TEMPERATURE AND PROTECT THEM FROM THE ELEMENTS, THE MACHINE ENCOUNTERED MECHANICAL TROUBLES THAT DELAYED THE COUNTING. SOME MACHINES EVEN BOGGED DOWN EVEN BEFORE THE COUNTING TOOK PLACE.

AT THE MOMENT, WE ARE IN THE PROCESS OF SYSTEMATIZING AND VERIFYING THE DATA GATHERED FOR AN HONEST-TO-GOODNESS EVALUATION OF THE PILOT TESTING OF THE COMPUTERIZED COUNTING IN THE ARMM ELECTIONS. WHILE IT IS TRUE THAT THE PROCLAMATION OF WINNERS WAS COMPLETED IN TWO DAYS, IT IS HARD TO ATTRIBUTE THIS SOLELY TO THE COMPUTERIZED COUNTING. ONE MUST REMEMBER THAT THE TOP POSITIONS OF GOVERNOR AND VICE-GOVERNOR WERE NOT CONTESTED. WITH OR WITHOUT THE AUTOMATED COUNTING SYSTEM, THE EARLY PROCLAMATION OF WINNERS WAS CERTAIN. EVEN THE INITIAL OBSERVATIONS AND EMPIRICAL DATA SUGGEST THAT COMPUTERIZATION DOES NOT ACTUALLY ELIMINATE THE MORE INVIDIOUS FORMS OF *DAGDAG-BAWAS*. THE FILING OF EIGHT PROTEST CASES INVOLVING ASSEMBLYMEN MAY OFFER GREATER OPPORTUNITIES FOR AN IN-

DEPTH EVALUATION OF THE ACCOMPLISHMENTS OF THE MACHINE.

WHILE THE COMPUTERIZATION DID NOT ACTUALLY ELIMINATE INCIDENTS OF *DAGDAG-BAWAS*, IT ELIMINATED THE TENSION ASSOCIATED WITH POST-ELECTION SCENARIOS. INSTEAD OF FORCING MEMBERS OF THE BOARD OF ELECTION INSPECTORS (BEIs) TO MANUFACTURE/TAMPER WITH VOTE COUNTS OR PRESSURING THEM TO HELP CONCEAL IRREGULARITIES, THIS TIME IT IS THE <sup>unimpaired</sup> IMPASSIONED MACHINE THAT DID IT WITHOUT ANY HINT OF IRREGULARITIES FOR THE MORE CASUAL OBSERVERS, THOSE AROUND THE COUNTING AREA MERELY STARED AT THE MACHINE. NOT NECESSARILY IMPRESSED BUT BEWILDERED BY THE MACHINE. IS IT THIS KIND OF HUMAN INTERVENTION THAT PRINCIPLED AND MORE INDEPENDENT BEIs WOULD PROTEST THAT WE WOULD LIKE TO ELIMINATE?

DURING THE CANVASSING STAGE, IT WAS SURPRISING <sup>you</sup> WHY SUCH BASIC DATA ON TOTAL REGISTERED VOTERS AND VOTERS' TURNOUT WERE NOT MADE AVAILABLE TO THE BOARD OF CANVASSERS. IN THE ABSENCE OF SUCH BASIC ELECTORAL DATA, CHECKING ON THE ACCURACY OF THE VOTE COUNTS, MUCH LESS TIMELY DETECTION OF FRAUD, BECAME IMPOSSIBLE. SPEED WAS ATTAINED AT THE EXPENSE OF ACCURACY AND HONESTY, AND ALIENATION OF THE VOTERS FROM THE PROCESS.

TO HARNESS THE COMPUTERS FOR THE CAUSE OF CLEAN AND HONEST COUNTING OF BALLOTS, UTMOST CAUTION IS NEEDED. APPROPRIATE SOFTWARE AND DATA BASE AUDITING PROCEDURES ARE NEEDED TO PRODUCE ELECTION DOCUMENTS THAT PROVIDE COMPREHENSIVE ELECTORAL DATA, SECURITY SYSTEM, AND DISTRIBUTION OF AUDIT TRAILS AND ELECTION DOCUMENTS TO ALL PARTIES AND CANDIDATES.

THIS CANDID PRESENTATION OF OUR PRELIMINARY FINDINGS ON THE PILOT TESTING OF AUTOMATED COUNTING MACHINES IN THE ARMM ELECTIONS SHOULD NOT BE MISCONSTRUED AS PUTTING UNNECESSARY OBSTACLE TO THE ADOPTION OF TECHNOLOGICAL <sup>but</sup> ADVANCEMENT <sup>it is inevitable</sup> IN THE 21ST CENTURY. WHAT SHOULD BE STRESSED IS THAT WE NEED TO BE MORE DISCERNING IN THE

CHOICE OF APPROPRIATE TECHNOLOGY TO SOLVE THE PROBLEMS <sup>in</sup> OUR ELECTORAL SYSTEM. IT WOULD BE A GREAT MISTAKE TO THINK THAT SUCH PROBLEMS ARE PURELY TECHNICAL IN NATURE. IN FACT, THERE ARE ETHICAL AND MATERIAL CONSIDERATIONS <sup>to</sup> ~~to~~ THE WHOLE ISSUE OF COMPUTERIZING THE ELECTORAL PROCESS.

IN A COUNTRY WITH ONE OF THE HIGHEST INCIDENTS OF POVERTY AND INEQUALITIES, AN OUTLAY AMOUNTING TO MORE THAN HALF A BILLION TO MORE THAN A BILLION PESOS RAISES DOUBTS ON OUR SENSE OF PRIORITIES. GIVEN THE PECULIARITIES OF THE CULTURE OF CHEATING AND ELECTORAL FRAUD IN THE PHILIPPINES, THE PROBLEM OF APPROPRIATE TECHNOLOGY MUST BE ADDRESSED PROPERLY. IF CHEAPER AND SIMPLER MEASURES CAN PROVE TO BE MORE RESPONSIVE WHILE MAXIMIZING THE SAFEGUARDS, WE ONLY NEED MORE CREATIVITY AND GREATER COMMITMENT TO THE CAUSE OF HONEST ELECTION. FEARS ABOUT POSSIBLE MANIPULATION OF THE PEOPLE'S WILL THROUGH COMPUTERIZED COUNTING CANNOT SIMPLY BE SET ASIDE. TO DISPEL THESE FEARS, WE NEED TO PROVE THE CAPACITY AND LIMITATIONS OF THE MACHINE IN A TRANSPARENT WELL-CONCEIVED TRAINING FOR PARTY WATCHERS AND HONEST-TO-GOODNESS EVALUATION OF THE MACHINE BY CONTENDING POLITICAL PARTIES THEMSELVES.

IN CONSIDERING THE BILLS ON MODERNIZATION OF THE ELECTORAL SYSTEM, WE CAN PROFIT MOST FROM R. S. MILNE'S CONCLUSION IN HIS STUDIES OF PAST EXPERIENCES WITH ADMINISTRATIVE REFORMS IN THE THIRD WORLD COUNTRIES. HE SAID: "...OBSTACLES TO MODERNIZATION AROSE FROM UNINTELLIGENT BORROWING WITHOUT REAL COMMITMENT. OFTEN, REFORMS ARE NOT ONLY TOO AMBITIOUS BUT ALSO IMPOSE TOO GREAT A CLAIM ON LIMITED RESOURCES GIVEN THE EXISTENCE OF HIGHLY DESIRABLE ALTERNATIVES TO WHICH THEY COULD BE ALLOCATED."

#### ABSENTEE VOTING

CONGRESS IS CONSTITUTIONALLY OBLIGED TO PROVIDE FOR A SYSTEM OF SECURING THE SECRECY AND SANCTITY OF THE BALLOT AS WELL AS A

SYSTEM OF ABSENTEE VOTING.

AT THIS STAGE, THE ACTUAL NUMBER OF FILIPINOS ABROAD IS ESTIMATED SOMEWHERE FROM TWO MILLION TO ABOUT SEVEN MILLION. APART FROM THE INABILITY TO AGREE ON HOW MANY FILIPINOS ARE QUALIFIED TO AVAIL THEMSELVES OF ABSENTEE VOTING, THE MAJOR CONCERN IS THE INSTITUTION OF ADMINISTRATIVE INFRASTRUCTURE CAPABLE OF PROVIDING THE NECESSARY SAFEGUARDS AGAINST POSSIBLE MANIPULATION.

THE SHEER NUMBER OF POTENTIAL ABSENTEE VOTERS REQUIRES UTMOST CAUTION IN PASSING AN ABSENTEE VOTING LAW. THE BALLOTS OF THESE PEOPLE MUST BE PROTECTED AND SECURED FROM FRAUD AS THOSE BALLOTS CAST WITHIN THE PHILIPPINES. INASMUCH AS THE PROCEDURAL PROBLEMS IN THE ELECTORAL PROCESS INVOLVING THOSE WITHIN THE COUNTRY HAVE NOT BEEN SOLVED NOR EVEN ALLEVIATED, CONGRESS NEEDS TO ADOPT A CAUTIOUS STEP-BY-STEP APPROACH IN THIS PROPOSED EXPANSION.

LAWMAKERS AND THE VOTING PUBLIC NEED OPEN MINDS ON ALL POSSIBLE SCHEMES TO ATTAIN TRUE REPRESENTATION OF OVERSEAS FILIPINOS IN OUR LAW-MAKING BODIES. A USEFUL STARTING POINT IS TO CONSULT OVERSEAS FILIPINOS THEMSELVES WHO ARE REALLY EXCITED TO HAVE SOME INFLUENCE ON POLICIES IN THE COUNTRY BUT ARE EQUALLY WARY OF THE POSSIBLE MANIPULATION OF THEIR VOTES. NOT A FEW EXPRESSED THEIR WILLINGNESS TO SHARE IN UNDERWRITING THE ADDITIONAL COSTS IF ONLY TO MAKE SURE THAT THEIR PROCEDURAL PARTICIPATION IN ELECTIONS CAN LEAD TO SUBSTANTIVE PARTICIPATION IN GOVERNANCE, THAT IS, IN POLICY-MAKING.

TAPPING OVERSEAS FILIPINOS FOR INNOVATIVE IDEAS AND ASSISTANCE IS REASONABLE BECAUSE OF EXPRESSED APPREHENSIONS ON THE CAPABILITY, IF NOT CREDIBILITY, OF THE COMELEC, DEPARTMENT OF FOREIGN AFFAIRS (DFA), AND THE POST OFFICE AS THE IMPLEMENTING AND COOPERATING AGENCIES FOR THIS PURPOSE. THE INCREASED POLITICIZATION OF THE DFA AS EVIDENCED BY THE APPOINTMENT OF POLITICAL AMBASSADORS RATHER THAN CAREER DIPLOMATS, NOTORIETY OF PILFERAGE IN THE POSTAL SYSTEM, AND

THE UNSOLVED PROBLEMS OF INEFFICIENCIES AND FRAUD IN THE ELECTORAL PROCESS VITIATE AGAINST A HASTY ENACTMENT OF THE ABSENTEE VOTING LAW.

**TOWARD GENUINE ELECTORAL REFORMS**

<sup>if we want</sup> LEARNING FROM RECENT EXPERIENCES, <sup>we need</sup> ~~WHAT WE WANT TO AVOID IS~~ THE HASTY ENACTMENT OF SUPPOSED ELECTORAL REFORM BILLS, ONLY TO <sup>event</sup> FIND OUT <sup>event</sup> LATER THAT IN SO DOING, WE WILL BE OPENING UP MORE PROBLEMS AND OPPORTUNITIES OF FRAUD. <sup>to be sure</sup> CERTAINLY, HALF-BAKED ELECTION LAWS CANNOT BE CONSIDERED REFORM IN ANY SENSE, BECAUSE A REFORM IS SUPPOSED TO IMPROVE, NOT TO WORSEN, THE MULTITUDE OF PROBLEMS WE ALREADY HAVE.





Republic of the Philippines  
CONGRESS OF THE PHILIPPINES  
Manila

10TH CONGRESS  
FIRST REGULAR SESSION

CONFERENCE COMMITTEE REPORT



The Conference Committee on the disagreeing provisions of Senate Bill No. 519, entitled,

AN ACT  
PROVIDING FOR A GENERAL REGISTRATION OF VOTERS, ADOPTING  
A SYSTEM OF CONTINUING REGISTRATION AND AUTHORIZING THE  
APPROPRIATION OF FUNDS THEREFOR, AMENDING FOR THIS  
PURPOSE THE PROVISIONS OF ARTICLE XII OF THE OMNIBUS  
ELECTION CODE AND FOR OTHER PURPOSES

and House Bill No. 6309, entitled:

AN ACT  
PROVIDING FOR A GENERAL REGISTRATION OF VOTERS AND A  
SYSTEM OF CONTINUING REGISTRATION OF VOTERS, PRESCRIBING  
THE PROCEDURES THEREOF AND PROVIDING FUNDS THEREFOR

after having met and fully discussed the subject matter in a full and free conference, has agreed to recommend and do recommend to their respective Houses that Senate Bill No. 519, in consolidation with House Bill No. 6309, be approved in accordance with the attached copy of the bill as reconciled and approved by the conferees.

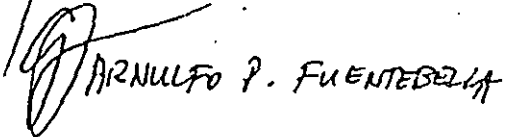
Approved,

CONFEREES ON THE PART OF THE  
OF THE SENATE:


  
HON. MIRIAM DEFENSOR SANTIAGO

  
HON. BEHERSON T. ALVAREZ

  
HON. MARCELO H. FERNAN

  
ARNULFO P. FUENTEVELIA

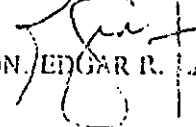
CONFEREES ON THE PART  
HOUSE OF REPRESENTATIVES:

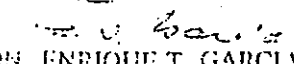
  
HON. EMIGDIO S. TANJUATCO, JR.

HON. SERGIO ANTONIO F. APOSTOL

HON. ALFREDO AMOR E. ABUEG, JR.

  
HON. EDCCEL C. LAGMAN

  
HON. EDGAR R. LARA

  
HON. ENRIQUE T. GARCIA

AN ACT

PROVIDING FOR A GENERAL REGISTRATION OF VOTERS, ADOPTING A SYSTEM OF CONTINUING REGISTRATION, PRESCRIBING THE PROCEDURES THEREOF AND AUTHORIZING THE APPROPRIATION OF FUNDS THEREFOR

*Be it enacted by the Senate and the House of Representatives of the Philippines in Congress assembled:*

SECTION 1. *Title.* - This Act shall be known as "The Voters' Registration Act of 1996."

SEC. 2. *Declaration of Policy.* - It is the policy of the State to systematize the present method of registration in order to establish a clean, complete, permanent and updated list of voters.

SEC. 3. *Definition of Terms.* - As used in this Act:

- (a) "Registration" refers to the act of accomplishing and filing of a sworn application for registration by a qualified voter before the election officer of the city or municipality wherein he resides and including the same in the book of registered voters upon approval by the Election Registration Board;
- (b) "Registration Record" refers to an application for registration duly approved by the Election Registration Board;
- (c) "Book of Voters" refers to the compilation of all registration records in a precinct;
- (d) "List of Voters" refers to an enumeration of names of registered voters in a precinct duly certified by the Election Registration Board for use in the election;
- (e) "Illiterate or Disabled person" refers to one who cannot by himself prepare an application for registration because of his physical disability and/or inability to read and write;
- (f) "Commission" refers to the Commission on Elections (COMELEC);
- (g) "Election Registration Board" refers to the body constituted herein to act on all applications for registration;
- (h) "Voter's Identification Number" (VIN) refers to the number assigned by the Commission on Elections to a registered voter that shall consist of three (3) parts: (1) The current address (city/municipality and province); (2) the current precinct assignment of the voter; and (3) the permanent birth and name code unique to every voter;

(i) "Political Parties" refer to local, regional or national political parties existing and duly registered and accredited by the Commission;

(j) "Precinct" refers to the basic unit of territory established by the Commission for the purpose of voting;

(k) "Precinct Maps" refer to a sketch or drawing of a geographical area stated in terms of streets or street blocks or *sitios* the residents of which would belong to a particular precinct;

(l) "Polling place" refers to the place where the Board of Election Inspectors conducts its proceedings and where the voters cast their votes;

(m) "Voting center" refers to the building or place where the polling place is located;

(n) "Election Officer" refers to the highest official or authorized representative of the Commission in a city or municipality; and

(o) "Board of Election Inspectors" refers to the body which conducts the election in the polling place of the precinct usually composed of three (3) public school teachers appointed by the Commission.

**SEC. 4. Permanent List of Voters.** - There shall be a permanent list of voters per precinct in each city or municipality consisting of all registered voters residing within the territorial jurisdiction of every precinct indicated by the precinct maps.

- Such precinct-level list of voters shall be accompanied by an addition/deletion list for the purpose of updating the list.

For the purpose of the 1997 general registration, the Commission shall cause the preparation and posting of all precinct maps in every barangay nationwide. Five days before the 1997 general registration, individual precinct maps shall be posted at the door of each polling place. Subsequently, the Election Officer shall be responsible for the display, throughout the year, of precinct maps in his office and in the bulletin board of the city or municipal hall.

The precinct assignment of a voter in the permanent list of voters shall not be changed or altered or transferred to another precinct without the express written consent of the voter: *Provided, however,* That the voter shall not unreasonably withhold such consent. Any violation thereof shall constitute an election offense which shall be punished in accordance with law.

**SEC. 5. Precincts and their Establishment.** - In preparation for the general registration in 1997, the Commission shall draw updated maps of all the precincts nationwide. Upon completion of the new precinct maps, all the precincts established in the preceding elections shall be deemed abolished.

*Linam before Santiago*

*M. V. Bano*

*up to 1997*

For the purpose of the general registration, the Commission shall create original precincts only. Spin-off precinct may be created after the regular elections of 1998 to accommodate additional voters residing within the territorial jurisdiction of the original precincts.

The Commission shall introduce a permanent numbering of all precincts which shall be indicated by Arabic numerals and a letter of the English alphabet. Original or mother precincts shall be indicated by the Arabic numeral and letter "A" of the English alphabet. Spin-off or daughter precincts shall be indicated by the Arabic numeral and letter of the English alphabet starting with letter "B", and so on.

No territory comprising an election precinct shall be altered or a new precinct be established at the start of the election period.

Splitting of an original precinct or merger of two or more original precincts shall not be allowed without redrawing the precinct map/s one hundred twenty (120) days before election day.

**SEC. 6. Arrangement of Precincts.** - Every barangay shall have at least one (1) precinct. Each precinct, shall have no more than two hundred (200) voters and shall comprise contiguous and compact territories.

(1) A precinct shall be allowed to have less than 200 registered voters under the following conditions:

(a) As soon as the 200-limit for every precinct has been reached, a spin-off or daughter precinct shall be created automatically by the Commission to accommodate voters residing within the territorial jurisdiction of the original precinct. Thereafter, a separate list of new voters shall be prepared by the Election Officer; and

(b) An island or group of islands with less than two hundred (200) voters may comprise one original precinct.

(2) Every case of alteration of precincts shall be duly announced by posting a notice thereof in a conspicuous place in the precinct, in the office of the election officer and in the city or municipal hall and by providing political parties and candidates a list of all the precincts at the start of the campaign period; and

(3) Consolidation or merger of at most three (3) precincts may be allowed; *Provided*, That the computerized counting shall be implemented. *Provided, further*, That the merger of such precincts shall be effected ninety (90) days before election day.

**SEC. 7. General Registration of Voters.** - Immediately after the barangay elections in 1997, the existing certified list of voters shall cease to be effective and operative. For purposes of the May

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1998 elections and all elections, plebiscites, referenda, initiatives, and recalls subsequent thereto, the Commission shall undertake a general registration of voters before the Board of Election Inspectors on June 14, 15, 21 and 22 and, subject to the discretion of the Commission, on June 28 and 29, 1997 in accordance with this Act.

SEC. 8. *System of Continuing Registration of Voters.* - The personal filing of application of registration of voters shall be conducted daily in the office of the Election Officer during regular office hours. No registration shall, however, be conducted during the period starting one hundred twenty (120) days before a regular election and ninety (90) days before a special election.

SEC. 9. *Who May Register.* - All citizens of the Philippines not otherwise disqualified by law who are at least eighteen (18) years of age, and who shall have resided in the Philippines for at least one year, and in the place wherein they propose to vote, for at least six (6) months immediately preceding the election, may register as a voter.

Any person who temporarily resides in another city, municipality or country solely by reason of his occupation, profession, employment in private or public service, educational activities, work in the military or naval reservations within the Philippines, service in the Armed Forces of the Philippines, the National Police Forces, or confinement or detention in government institutions in accordance with law, shall not be deemed to have lost his original residence.

Any person, who, on the day of registration may not have reached the required age or period of residence but, who, on the day of the election shall possess such qualifications, may register as a voter.

SEC. 10. *Registration of Voters.* - A qualified voter shall be registered in the permanent list of voters in a precinct of the city or municipality wherein he resides to be able to vote in any election. To register as a voter, he shall personally accomplish an application form for registration as prescribed by the Commission in three (3) copies before the Election Officer on any date during office hours after having acquired the qualifications of a voter.

The application shall contain the following data:

- (a) Name, surname, middle name, and/or maternal surname;
- (b) Sex;
- (c) Date, and place of birth;
- (d) Citizenship;
- (e) Civil status, if married, name of spouse;
- (f) Profession, occupation or work;
- (g) Periods of residence in the Philippines and in the place of registration;

*Clinton Defensor*

*E. V. Rana*

(h) Exact address with the name of the street and house number for location in the precinct maps maintained by the local office of the Commission, or in case there is none, a brief description of his residence, *sitio* and barangay;

- (j) A statement that the applicant possesses all the qualifications of a voter;
- (j) A statement that the applicant is not a registered voter of any precinct; and
- (k) Such information or data as may be required by the Commission.

The application for registration shall contain three (3) specimen signatures of the applicant, clear and legible rolled prints of his left and right thumbprints, with four (4) identification size copies of his latest photograph, attached thereto, to be taken at the expense of the Commission.

Before the applicant accomplishes his application for registration, the Election Officer shall inform him of the qualifications and disqualifications prescribed by law for a voter, and thereafter, see to it that the accomplished application contains all the data therein required and that the applicant's specimen signatures, fingerprints, and photographs are properly affixed in all copies of the voter's application.

**SEC. 11. Disqualification.** - The following shall be disqualified from registering:

(a) Any person who has been sentenced by final judgment to suffer imprisonment of not less than one (1) year, such disability not having been removed by plenary pardon or amnesty: *Provided, however,* That any person disqualified to vote under this paragraph shall automatically reacquire the right to vote upon expiration of five (5) years after service of sentence;

(b) Any person who has been adjudged by final judgment by a competent court or tribunal of having committed any crime involving disloyalty to the duly constituted government such as rebellion, sedition, violation of the firearms laws or any crime against national security, unless restored to his full civil and political rights in accordance with law: *Provided,* That he shall automatically reacquire the right to vote upon expiration of five (5) years after service of sentence; and

(c) Insane or incompetent persons declared as such by competent authority unless subsequently declared by proper authority that such person is no longer insane or incompetent.

**SEC. 12. Change of Residence to Another City or Municipality.** - Any registered voter who has transferred residence to another city or municipality may apply with the Election Officer of his new residence for the transfer of his registration records.

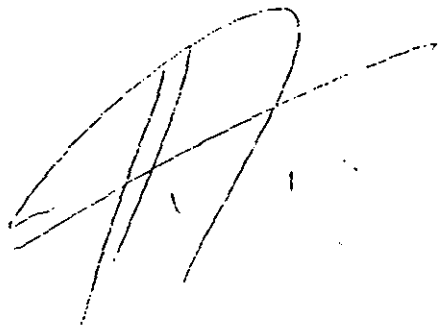
The application for transfer of registration shall be subject to the requirements of notice and hearing and the approval of the Election Registration Board, in accordance with this Act. Upon approval

*Election Officer*

*Linan S. Posen Santiago*



*v. v. barila*



of the application for transfer, and after notice of such approval to the Election Officer of the former residence of the voter, said Election Officer shall transmit by registered mail the voter's registration record to the Election Officer of the voter's new residence.

SEC. 13. *Change of Address in The Same City or Municipality.* - Any voter who has changed his address in the same city or municipality shall immediately notify the Election Officer in writing. If the change of address involves a change in precinct, the Board shall transfer his registration record to the precinct book of voters of his new precinct and notify the voter of his new precinct. All changes of address shall be reported to the office of the provincial election supervisor and the Commission in Manila.

SEC. 14. *Illiterate or Disabled Applicants.* - Any illiterate person may register with the assistance of the Election Officer or any member of an accredited citizen's arm. The Election Officer shall place such illiterate person under oath, ask him the questions, and record the answers given in order to accomplish the application form in the presence of the majority of the members of the Board. The Election Officer or any member of an accredited citizen's arm shall read the accomplished form aloud to the person assisted and ask him if the information given is true and correct. The accomplished form shall be subscribed by the applicant in the presence of the Board by means of thumbmark or some other customary mark and it shall be subscribed and attested by the majority of the members of the Board.

The attestation shall state the name of the person assisted, the name of the Election Officer or the member of the accredited citizen's arm who assisted the applicant, the fact that the Election Officer placed the applicant under oath, that the Election Officer or the member of the accredited citizen's arm who assisted the applicant read the accomplished form to the person assisted, and that the person assisted affirmed its truth and accuracy, by placing his thumbmark or some other customary mark on the application in the presence of the Board.

The application for registration of a physically disabled person may be prepared by any relative within the fourth civil degree of consanguinity or affinity or by the Election Officer or any member of an accredited citizen's arm using the data supplied by the applicant.

The fact of illiteracy or disability shall be so indicated in the application.

SEC. 15. *Election Registration Board.* - There shall be in each city and municipality as many as Election Registration Boards as there are election officers therein. In thickly populated cities/municipalities, the Commission may appoint additional election officers for such duration as may be necessary.

*Linam Segura Santiago*

*Winkler*

*W. V. Bawls*

The Board shall be composed of the Election Officer as chairman and as members, the public school official most senior in rank and the local civil registrar, or in his absence, the city or municipal treasurer.

In case of disqualification of the Election Officer, the Commission shall designate an acting Election Officer who shall serve as Chairman of the Election Registration Board. In case of disqualification or non-availability of the Local Civil Registrar or the Municipal Treasurer, the Commission shall designate any other appointive civil service official from the same locality as substitute.

No member of the Board shall be related to each other or to any incumbent city or municipal elective official within the fourth civil degree of consanguinity or affinity. If in succeeding elections, any of the newly elected city or municipal officials is related to a member of the Board within the fourth civil degree of consanguinity or affinity, such member is automatically disqualified to preserve the integrity of the Election Registration Board.

Every registered party and such organizations as may be authorized by the Commission shall be entitled to a watcher in every registration board.

**SEC. 16. Compensation of the Members of the Board.** - Each member of the Board shall be entitled to an honorarium to Two Hundred Pesos (P200.00) for each day of actual service rendered in the Board, which amount the Commission may adjust every three (3) years thereafter. No member of the Board shall be entitled to travelling expenses.

**SEC. 17. Notice and Hearing of Applications.** - Upon receipt of applications for registration, the Election Officer shall set them for hearing, notice of which shall be posted in the city or municipal bulletin board and in his office for at least one (1) week before the hearing, and furnish copies thereof to the applicant concerned, the heads or representatives of political parties, and other accredited groups or organizations which actively participate in the electoral process in the city or municipality. On the date of the hearing, the Election officer shall receive such evidence for or against the applicant.

A registrant whose application is not seasonably objected to shall be notified in writing stating therein that no objection was raised against his application and that he need not appear on the date set for the hearing of his application. Physical presence of the applicant concerned shall, however, be mandatory in all cases where objections against his application have been seasonably filed with the proper Election Registration Board for him to rebut or refute evidence presented in opposition thereto.

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*Linan Stefan Santoy*

*v. Barrio*



All applications for registration shall be heard and processed on a quarterly basis. For this purpose, the Election Registration Board shall meet and convene on the third Monday of April, July, October, and January of every calendar year, or on the next following working day if the designated days fall on a non-working holiday, except in an election year to conform with the one hundred twenty (120) days prohibitive period before election day. Should one day be insufficient for the processing of all accepted applications, the Board shall adjourn from day to day until all the applications shall have been processed.

SEC. 18. *Challenges to Right to Register.* - Any voter, candidate or representative of a registered political party may challenge in writing any application for registration, stating the grounds therefor. The challenge shall be under oath and be attached to the application, together with the proof of notice of hearing to the challenger and the applicant.

Oppositions to contest a registrant's application for inclusion in the voters' list must, in all cases, be filed not later than the second Monday of the month in which the same is scheduled to be heard or processed by the Election Registration Board. Should the second Monday of the month fall on a non-working holiday, oppositions may be filed on the next following working day. The hearing on the challenge shall be heard on the third Monday of the month and the decision shall be rendered before the end of the month.

SEC. 19. *Power to Administer Oath and Issue Summons.* - For purposes of determining the right of the applicants to be registered as a voter, the Election Officer shall have the power to administer oath, issue subpoena *duces tecum* and swear in witnesses. The fees and expenses incidental thereto shall be paid in advance by the party in whose behalf the summons is issued.

SEC. 20. *Approval and Disapproval of Application.* - The Election Officer shall submit to the Board all applications for registration filed, together with the evidence received in connection therewith. The Board shall, by majority vote, approve or disapprove the applications.

Upon approval, the Election Officer shall assign a voter's identification number and issue the corresponding identification card to the registered voter. If the Board disapproves the application, the applicant shall be furnished with a certificate of disapproval stating the ground therefor. In cases of approval or disapproval, any aggrieved party may file a petition for exclusion or inclusion, as the case may be, with the proper Municipal or Metropolitan Trial Court as provided for in this Act.

SEC. 21. *Publication of Action on Application for Registration.* - Within five (5) days from approval or disapproval of application, the Board shall post a notice in the bulletin board of the city or municipal hall and in the office of the Election Officer, stating the name and address of the applicant, the

Simon Siquan Santiago

W. V. Barrios

Copy of the Act

date of the application, and the action taken thereon. The Election Officer shall furnish a copy of such notice personally, or by registered mail or special delivery to the applicant and heads or representatives of registered political parties in the city or municipality.

SEC. 22. *Preservation of Voter's Registration Records.* - The Election Officer shall compile the original copies of the approved applications for registration per precinct and arrange the same alphabetically according to surname. He shall preserve the book of voters and ensure its integrity. The second and third copies of the registration records shall be sent to the provincial and national central files within three (3) days after the approval of the Board.

SEC. 23. *Provincial File.* - There shall be a provincial file consisting of the duplicate copies of all registration records in each precinct of every city and municipality in the province. It shall be in the custody of the Provincial Election Supervisor and shall be compiled and arranged by precinct, by municipality and alphabetically by surnames of voters.

Should the book of voters in the custody of the Election Officer be lost or destroyed at a time so close to election day that there is no time to reconstitute the same, the corresponding book of voters in the provincial file shall be used during the voting.

SEC. 24. *National Central File.* - There shall be a national central file under the custody of the Commission in Manila consisting of the third copies of all approved voter registration records in each city or municipality. It shall be compiled by precinct in each city/municipality and arranged alphabetically by surname so as to make the file a replica of the book of voters in the possession of the Election Officer. Thereafter, a national list shall be prepared following the alphabetical arrangements of surnames of voters.

There shall be a national file consisting of the computerized voters' list (CVL), both in print and in diskette, submitted by the Election Officers in each city and municipality concerned, under the custody of the Commission in Manila.

The computerized voters' list shall make use of a single and uniform computer program that will have a detailed sorting capability to list voters alphabetically by the precincts where they vote, by the barangays, municipalities, cities or provinces where they reside and by their voter's identification number (VIN).

SEC. 25. *Voter's Identification Card.* - The voter's identification card issued to the registered voter shall serve as a document for his identification. In case of loss or destruction, no copy thereof may be issued except to the registered voter himself and only upon the authority of the Commission.

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The Commission shall adopt a design for the voter's identification card which shall be, as much as possible, tamper proof. It shall provide the following: the name and address of the voter, his date of birth, sex, photograph, thumbmark, and the number of precinct where he is registered, the signature of the voter and the chairman of the Election Registration Board and the voter's identification number (VIN).

SEC. 26. *Voter's Identification Number (VIN).*- The Commission shall assign every registered voter a voter's identification number (VIN) consisting of three parts, each separated by a dash. For example: 7501-0019A-C145BCD

(1) Part I: Current Address of the Voter

- (a) The first two digit, 75, stand for the province; and
- (b) The last two digits, 01, stand for the city, municipality, or a district, particularly in Manila.

The code assignment for provinces, cities and municipalities shall follow the Rurban Code devised by the National Census and Statistics Office (NCSO).

(2) Part II: Current Precinct Assignment of the Voter

- (a) The first four digits, 0019, stand for the permanent number of the precinct where the voter is currently assigned; and
- (b) The letter indicates whether it is a mother or a daughter precinct.

The number assigned to the precinct in every city or municipality shall be permanent but the voter may transfer his precinct number. The VIN reflects the current precinct assignment of the voter.

(3) Part III: Permanent Birth and Name Code Unique to the Voter

- (a) The letter, C, stands for the month, i.e., A for January, B for February, and so forth;
- (b) The next two digits, 14, stand for the date of birth;
- (c) The next two digits, 51, stand for the year of birth; and
- (d) The last three letters, BCD, stand for the name code, i.e., Bayani Cruz Davide

The last three letters shall stand for the first letter of the first name, the middle name, and the last name in that order.

The Commission shall ensure that Part III hereof of the voter's identification number (VIN) shall be permanent and unique to each voter. If necessary, the Commission may expand and modify the same.

(4) The combined birth and name code is assigned during the lifetime of every voter. Upon transfer of the voter to another precinct, the first two parts of the VIN shall change.

SEC. 27. *Deactivation of Registration.* - The Board shall deactivate the registration and remove the registration records of the following persons from the corresponding precinct book of voters and place the same, properly marked and dated in indelible ink, in the inactive file after entering the cause or causes of deactivation:

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(a) Any person who has been sentenced by final judgment to suffer imprisonment for not less than one (1) year, such disability not having been removed by plenary pardon or amnesty; *Provided, however,* That any person disqualified to vote under this paragraph shall automatically reacquire the right to vote upon expiration of five (5) years after service of sentence as certified by the clerks of courts of the Municipal/Municipal Circuit/Metropolitan/Regional Trial Courts and the Sandiganbayan;

(b) Any person who has been adjudged by final judgement by a competent court or tribunal of having caused/committed any crime involving disloyalty to the duly constituted government such as rebellion, sedition, violation of the anti-subversion and firearms laws, or any crime against national security, unless restored to his full civil and political rights in accordance with law; *Provided,* That he shall regain his right to vote automatically upon expiration of five (5) years after service of sentence;

(c) Any person declared by competent authority to be insane or incompetent unless such disqualification has been subsequently removed by a declaration of a proper authority that such person is no longer insane or incompetent;

(d) Any person who did not vote in the two (2) successive preceding regular elections as shown by their voting records. For this purpose, regular elections do not include the *Sangguniang Kabataan* (SK) elections;

(e) Any person whose registration has been ordered excluded by the court; and

(f) Any person who has lost his Filipino citizenship.

For this purpose, the clerks of court of the Municipal/Municipal Circuit/Metropolitan/Regional Trial Courts and the *Sandiganbayan* shall furnish the Election Officer of the city or municipality concerned at the end of each month a certified list of persons who are disqualified under paragraph (a) hereof, with their addresses. The Commission may request a certified list of persons who have lost their Filipino citizenship or declared as insane or incompetent with their addresses from other government agencies.

The Election Officer shall post in the bulletin board of his office a certified list of those persons whose registration were deactivated and the reasons therefor, and furnish copies thereof to the local heads of political parties, the national central file, provincial file, and the voter concerned.

**SEC. 28. Reactivation of Registration.** - Any voter whose registration has been deactivated pursuant to the preceding Section may file with the Election Officer a sworn application for reactivation of his registration in the form of an affidavit stating that the grounds for the deactivation no longer exist any time but not later than one hundred twenty (120) days before a regular election and ninety (90) days before a special election.

The Election Officer shall submit said application to the Election Registration Board for appropriate action.

In case the application is approved, the Election Officer shall retrieve the registration record from the inactive file and include the same in the corresponding precinct book of voters. Local heads or representatives of political parties shall be properly notified on approved applications.

**SEC. 29. Cancellation of Registration.** - The Board shall cancel the registration records of those who have died as certified by the Local Civil Registrar. The Local Civil Registrar shall submit each month a certified list of persons who died during the previous month to the Election Officer of the place where the deceased are registered. In the absence of information concerning the place where the deceased is registered, the list shall be sent to the Election Officer of the city or municipality of the deceased's residence as appearing in his death certificate. In any case, the Local Civil Registrar shall furnish a copy of this list to the national central file and the proper provincial file.

The Election Officer shall post in the bulletin board of his office a list of those persons who died whose registrations were cancelled, and furnish copies thereof to the local heads of the political parties, the national central file, and the provincial file.

**SEC. 30. Preparation and Posting of the Certified List of Voters.** - The Board shall prepare and post a certified list of voters ninety (90) days before a regular election and sixty (60) days before a special election and furnish copies thereof to the provincial, regional and national central files. Copies of the certified list, along with a certified list of deactivated voters categorized by precinct per barangay, within the same period shall likewise be posted in the office of the Election Officer and in the bulletin board of each city/municipal hall. Upon payment of the fees as fixed by the Commission, the candidates and heads of registered political parties shall also be furnished copies thereof.

The Board shall also furnish two (2) certified copies of said certified list of voters, along with a certified list of deactivated voters to the Board of Election Inspectors for posting in the polling place and for their reference on election day.

**SEC. 31. Sealing of Precinct Book of Voters.** - The Board shall notify within fifteen (15) days before the start of the campaign period all registered political parties and members of the Board of Election Inspectors to inspect and verify the completeness of the voters' registration records for each precinct compiled in the book of voters.

After verification and certification by the Board of Election Inspectors and party representatives as to the completeness of the voters' registration records in the precinct book of voters, the Board shall

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seal the book of voters in the presence of the former at the start of the campaign period and take custody of the same until their distribution to the Board of Election Inspectors on election day. The Election Officer shall deliver the sealed precinct book of voters to the chairman of the Board of Election Inspectors when the latter secures its official ballots and other paraphernalia for election day.

SEC. 32. *Common Rules Governing Judicial Proceedings in the Matter of Inclusion, Exclusion, and Correction of Names of Voters.* -

(a) Petition for inclusion, exclusion or correction of names of voters shall be filed during office hours;

(b) Notice of the place, date and time of the hearing of the petition shall be served upon the members of the Board and the challenged voter upon filing of the petition. Service of such notice may be made by sending a copy thereof by personal delivery, by leaving it in the possession of a person of sufficient discretion in the residence of the challenged voter, or by registered mail. Should the foregoing procedures not be practicable, the notice shall be posted in the bulletin board of the city or municipal hall and in two (2) other conspicuous places within the city or municipality;

(c) A petition shall refer only to one (1) precinct and implead the Board as respondents;

(d) No costs shall be assessed against any party in these proceedings. However, if the court should find that the application has been filed solely to harass the adverse party and cause him to incur expenses, it shall order the culpable party to pay the costs and incidental expenses;

(e) Any voter, candidate or political party who may be affected by the proceedings may intervene and present his evidence;

(f) The decision shall be based on the evidence presented and in no case rendered upon a stipulation of facts. If the question is whether or not the voter is real or fictitious, his non-appearance on the day set for hearing shall be *prima facie* evidence that the challenged voter is fictitious; and

(g) The petition shall be heard and decided within ten (10) days from the date of its filing. Cases appealed to the Regional Trial Court shall be decided within ten (10) days from receipt of the appeal. In all cases, the court shall decide these petitions not later than fifteen (15) days before the election and the decision shall become final and executory.

SEC. 33. *Jurisdiction in Inclusion and Exclusion Cases.* - The Municipal and Metropolitan Trial Courts shall have original and exclusive jurisdiction over all cases of inclusion and exclusion of voters in their respective cities or municipalities. Decisions of the Municipal or Metropolitan Trial Courts may be appealed by the aggrieved party to the Regional Trial Court within five (5) days from receipt of notice

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thereof; Otherwise, said decision shall become final and executory. The regional trial court shall decide the appeal within ten (10) days from the time it is received and the decision shall immediately become final and executory. No motion for reconsideration shall be entertained.

SEC. 34. *Petition for inclusion of Voters in the List.* - Any person whose application for registration has been disapproved by the Board or whose name has been stricken out from the list may file with the court a petition to include his name in the permanent list of voters in his precinct at any time except one hundred and five (105) days prior to a regular election or seventy-five (75) days prior to a special election. It shall be supported by a certificate of disapproval of his application and proof of service of notice of his petition upon the Board. The petition shall be decided within fifteen (15) days after its filing.

If the decision is for the inclusion of voters in the permanent list of voters, the Board shall place the application for registration previously disapproved in the corresponding book of voters and indicate in the application for registration the date of the order of inclusion and the court which issued the same.

SEC. 35. *Petition for Exclusion of Voters from the List.* - Any registered voter, representative of a political party or the Election Officer, may file with the court a sworn petition for the exclusion of a voter from the permanent list of voters giving the name, address and the precinct of the challenged voter at any time except one hundred (100) days prior to a regular election or sixty-five (65) days before a special election. The petition shall be accompanied by proof of notice to the Board and to the challenged voter and shall be decided within ten (10) days from its filing.

If the decision is for the exclusion of the voter from the list, the Board shall, upon receipt of the final decision, remove the voter's registration record from the corresponding book of voters, enter the order of exclusion therein, and thereafter place the record in the inactive file.

SEC. 36. *Verification of Registered Voters.* - The Election Officer shall, in order to preserve the integrity of the permanent list of voters, file exclusion proceedings when necessary, and verify the list of the registered voters of any precinct by regular mail or house to house canvass.

The Commission may enlist the help of representatives of political parties and deputize non-government organizations (NGOs), civic organizations and barangay officials to assist in the verification and house to house canvass of registered voters in every precinct.

SEC. 37. *Voter Excluded Through Inadvertence or Registered with an Erroneous or Misspelled Name.* - Any registered voter who has not been included in the precinct certified list of voters or who has been included therein with a wrong or misspelled name may file with the Board an application for reinstatement or correction of name. If it is denied or not acted upon, he may file on any

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date with the proper Municipal Circuit, Municipal or Metropolitan Trial Court a petition for an order directing that his name be entered or corrected in the list. He shall attach to the petition a certified copy of his registration record or identification card or the entry of his name in the certified list of voters used in the preceding election, together with the proof that his application was denied or not acted upon by the Board and that he has served notice to the Board.

SEC. 38. *Voters Excluded through Inadvertence or Registered with an Erroneous or Misspelled Name.* - Any registered voter whose registration record has not been included in the precinct book of voters, or whose name has been omitted in the list of voters or who has been included therein with a wrong or misspelled name may file with the Board an application for inclusion of his record, or reinstatement or correction of his name as the case may be. If it is denied or not acted upon, the voter may file on any date with the proper Municipal or Metropolitan Trial Court a petition for an order directing that the voter's name be entered or corrected in the list. The voter shall attach to the petition a certified true copy of his registration record or identification card or the entry of his name in the list of voters used in the preceding election, together with proof that his application was denied or not acted upon by the Board and that he has served notice thereof to the Board.

SEC. 39. *Annulment of Book of Voters.* - The Commission shall, upon verified petition of any voter or election officer or duly registered political party, and after notice and hearing, annul any book of voters that is not prepared in accordance with the provisions of this Act or was prepared through fraud, bribery, forgery, impersonation, intimidation, force or any similar irregularity, or which contains data that are statistically improbable. No order, ruling or decision annulling a book of voters shall be executed within ninety (90) days before an election.

SEC. 40. *Reconstitution of Lost or Destroyed Registration Records.* - The Commission shall reconstitute all registration records which have been lost or destroyed by using the corresponding copies of the provincial or national central files. In case of conflict the Commission shall determine which file shall be used for reconstitution purposes. If this is not feasible, the Commission shall conduct a general registration of voters in the affected area: *Provided, That* there is a scheduled election before the next scheduled general registration of voters in accordance with the Omnibus Election Code. All such voters shall retain their voter's identification number. Reconstituted forms shall be clearly marked with the word "reconstituted".

It shall be the duty of the Election Officer to immediately report to the Commission any case of loss or destruction of registration record in his custody.

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The reconstitution of any lost or destroyed registration records shall not affect the criminal liability of any person who is responsible for such loss or destruction.

SEC. 41. *Examination of Registration Records.* - All registration records/computerized voters list in the possession of the Election Officer, the Provincial Election Supervisor, and the Commission in Manila shall, during regular office hours, be open to examination by the public for legitimate inquiries on election related matters, free from any charge or access fee.

Law enforcement agencies may, upon prior authorization and subject to regulations promulgated by the Commission, have access to said registration records should the same be necessary to, and in aid of their investigative functions and duties.

SEC. 42. *Right to Information.* - The duly authorized representative of a registered political party or of a bonafide candidate shall have the right to inspect and/or copy at their expense the accountable registration forms and/or the list of registered voters in the precincts constituting the constituency of the bonafide candidate or at which the political party is fielding candidates. The inspection and copying shall be conducted during business hours of the Commission and shall be subject to reasonable regulations.

SEC. 43. *Computerization of Permanent List of Voters.* - A permanent and computerized list arranged by precinct, city or municipality, province and region shall be prepared by the Commission. Thereafter, another list shall be prepared consisting of the names of voters, arranged alphabetically according to surnames.

The computer print-outs of the list of voters duly certified by the Board are official documents and shall be used for voting and other election related purposes as well as for legitimate research needs.

The total number of voters in the permanent list shall be the basis for the printing of the official ballots by the Commission.

SEC. 44. *Reassignment of Election Officers.* - No Election Officer shall hold office in a particular city or municipality for more than four (4) years. Any election officer who, either at the time of the approval of this Act or subsequent thereto, has served for at least four (4) years in a particular city or municipality shall automatically be reassigned by the Commission to a new station outside the original congressional district.

SEC. 45. *Election Offenses.* - The following shall be considered election offenses under this Act:

(a) To deliver, hand over, entrust or give, directly or indirectly, his voter's identification card to another in consideration of money or other benefit or promise; or take or accept such voter's identification

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card, directly or indirectly, by giving or causing the giving of money or other benefit or making or causing the making of a promise therefor;

(b) To fail, without cause, to post or give any of the notices or to make any of the reports reacquire under this Act;

(c) To issue or cause the issuance of a voter's identification number or to cancel or cause the cancellation thereof in violation of the provisions of this Act; or to refuse the issuance of registered voters their voter's identification card;

(d) To accept an appointment, to assume office and to actually serve as a member of the Election Registration Board although ineligible thereto; to appoint such ineligible person knowing him to be ineligible;

(e) To interfere with, impede, abscond for purposes of gain or to prevent the installation or use of computers and devices and the processing, storage, generation and transmission of registration data or information;

(f) To gain, cause access to, use, alter, destroy, or disclose any computer data, program, system software, network, or any computer-related devices, facilities, hardware or equipment, whether classified or declassified;

(g) Failure to provide certified voters' and deactivated voters' list to candidates and heads or representatives of political parties upon written request as provided in Section 30 hereof;

(h) Failure to include the approved application form for registration of a qualified voter in the book of voters of a particular precinct or the omission of the name of a duly registered voter in the certified list of voters of the precinct where he is duly registered resulting in his failure to cast his vote during an election, plebiscite, referendum, initiative and/or recall. The presence of the form or name in the book of voters or certified list of voters in precincts other than where he is duly registered shall not be an excuse hereof;

(i) The posting of a list of voters outside or at the door of a precinct on the day of an election, plebiscite, referendum, initiative and/or recall and which list is different in contents from the certified list of voters being used by the Board of Election Inspectors; and

(j) Violation of any of the provisions of this Act.

SEC. 46. *Penalties.* - Any person found guilty of any Election offense under this Act shall be punished with imprisonment of not less than one (1) year but not more than six (6) years and shall not be subject to probation. In addition, the guilty party shall be sentenced to suffer disqualification to hold public

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office and deprivation of the right of suffrage. If he is a foreigner, he shall be deported after the prison term has been served. Any political party found guilty shall be sentenced to pay a fine of not less than One Hundred Thousand Pesos (P100,000.00) but not more than Five Hundred Thousand Pesos (P500,000.00).

SEC. 47. *Funding.* - The amount of Two Billion Pesos (P2,000,000,000) is hereby included in the General Appropriations Act for the fiscal year 1997 to defray the expenses for the registration activities.

SEC. 48. *Multi-partisan Monitoring and Evaluation Committee.* - A Monitoring and Evaluation Committee is hereby created composed of seven (7) members to be based on party representation of the seven (7) major political parties that fielded presidential candidates in the 1992 synchronized elections. The Committee is an ad hoc body attached to the Commission but not subject to its supervision and control.

The task of the Committee is to monitor and evaluate the system, procedures or guidelines prepared by the Commission for the conduct of the general registration and the continuing system of registration in accordance with this Act.

The Committee shall prepare two reports outlining the findings and recommendations for immediate action or institution of corrective measures by the Commission and/or Congress. The first report shall be submitted to the Commission and Congress three months before the holding of the general registration.

The second report shall be due at the end of the year on the initial implementation of the system of continuing registration.

The amount not less than Fifty Million Pesos (P50,000,000.00) but not more than One Hundred Million Pesos (P100,000,000.00) is hereby allocated from the Two Billion Pesos (P2,000,000,000.00) allocation provided in the preceding section for the operations of the Committee. This amount shall be held in trust by the Commission subject to the usual accounting and auditing procedures.

SEC. 49. *Rules and Regulations.* - The Commission shall promulgate the necessary rules and regulations to implement the provisions of this Act not later than ninety (90) days before the first day of general registration as provided for in this Act. June 92.

SEC. 50. *Separability Clause.* - If any part of this Act is held invalid or unconstitutional, the other parts or provisions hereof shall remain valid and effective.

SEC. 51. *Repealing Clause.* - All laws, decrees, executive orders, rules and regulations inconsistent with this Act are hereby repealed or modified accordingly.

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*Señor Santiago*  
*Linero*  
*E. V. Barrio*

SEC. 52. *Effectivity*. - This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

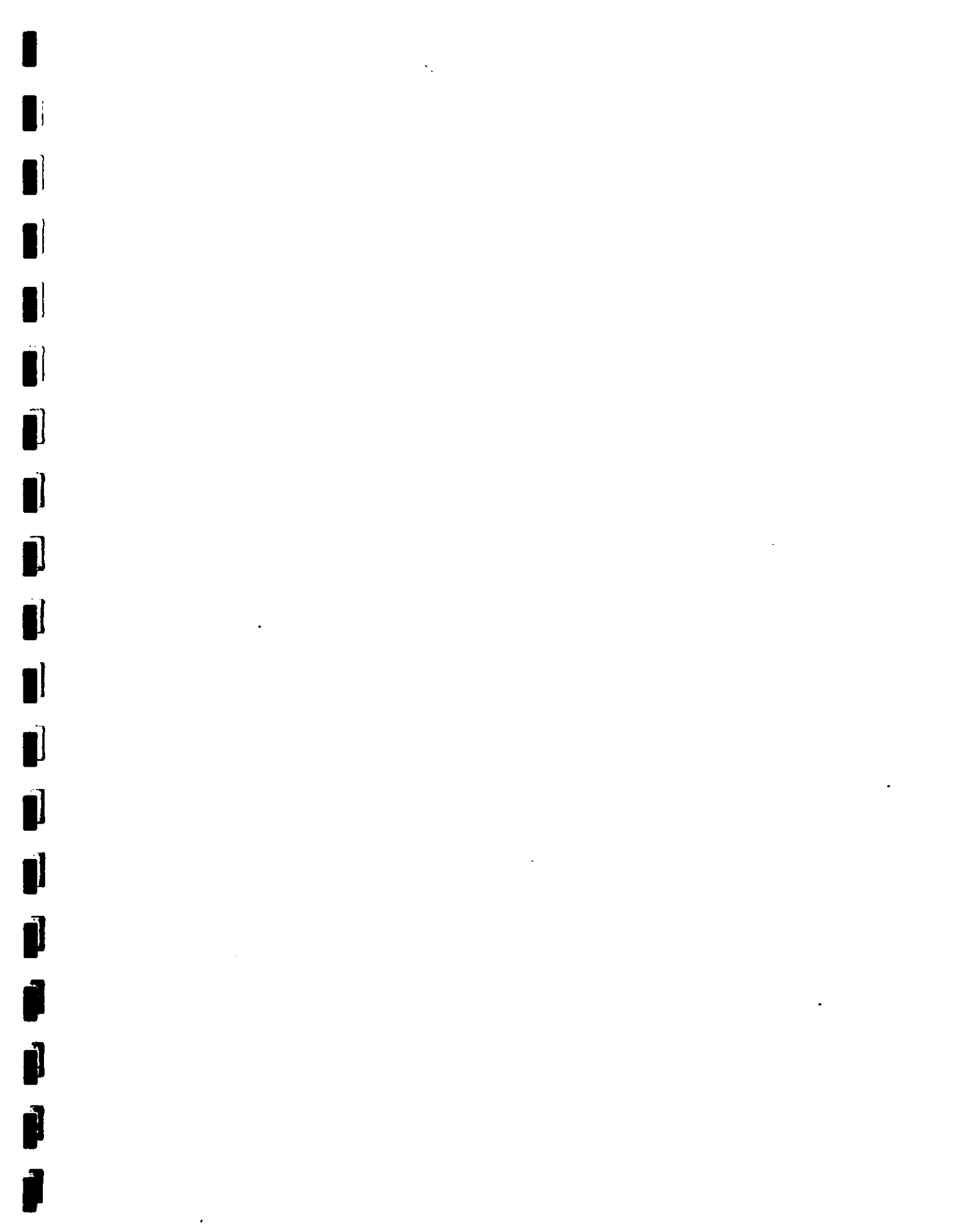
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REPUBLIC ACT NO. \_\_\_\_\_

AN ACT AUTHORIZING THE COMMISSION ON ELECTIONS TO USE AN AUTOMATED ELECTION SYSTEM NATIONWIDE IN THE MAY 11, 1998 NATIONAL AND LOCAL ELECTIONS AND IN OTHER NATIONAL AND LOCAL ELECTIONS THEREAFTER AND PROVIDING FUNDS THEREFOR.

Be it enacted by the Senate and the House of Representatives of the Philippines in Congress assembled:

**SECTION 1. Declaration of policy.** - It is the policy of the State to ensure free, orderly, honest, peaceful and credible elections, and assure the secrecy and sanctity of the ballot in order that the results of elections, plebiscites, referenda and other electoral exercises reflect the genuine will of the people.

**SEC. 2. Definition of terms.** - As used in this Act, the following terms shall mean:

- a) *Automated Election System* - a system using electronic devices to count and canvass votes.
- b) *Counting Machine* - a machine that uses an optical scanning/mark-sense reading device or any similar advanced technology to count ballots;
- c) *Data Storage Device* - a device used to electronically store counting and canvassing results, such as a memory pack or diskette;
- d) *Computer Set* - a set of equipment containing regular components, i.e., monitor, central processing unit or CPU, keyboard and printer;
- e) *Merger of Precincts* - refers to the combination of two or more precincts within the same barangay into one precinct;
- f) *Consolidation of Precincts* - refers to the clustering of two or more precincts within the same barangay, each maintaining its own identity, where voting is conducted by one board of election inspectors.

**SEC. 3. Authority to use an automated election system.** - To carry out the above-stated policy, the Commission on Elections, hereinafter referred to as the "Commission," is hereby authorized to use an automated election system, hereinafter referred to as the

"System," for the process of counting and canvassing of votes in the May 11, 1998 national and local elections and in other national and local elections thereafter.

The System shall not be used in barangay and sangguniang kabataan elections.

**SEC. 4. Features of the system.** - The System shall utilize appropriate technological and electronic devices for counting and canvassing of votes. For this purpose, the Commission shall acquire automated counting machines, computer equipment, devices and materials and adopt new forms and printing materials for the purpose.

The System shall contain the following features: (a) use of appropriate ballots, (b) stand-alone machine which can generate immediate results, (c) with provisions for audit trails, (d) minimum human intervention and (e) adequate safeguard /security measures.

**SEC. 5. Procurement of equipment and materials.** - The Commission shall procure the automated counting machines, computer equipment, devices and materials needed for ballot printing and devices for voting, counting and canvassing, from local or foreign sources free from taxes and import duties, subject to accounting and auditing rules and regulations.

**SEC. 6. Systems breakdown; reversion to manual system.** - In the event of a systems breakdown, the Commission shall provide for a procedure whereby it shall revert to the manual system of counting and canvassing.

**SEC. 7. Examination and testing of counting machines.** - The Commission shall, on the date and time it shall set and with proper notices, allow the political parties and candidates or their representatives to examine and test the machines to ascertain that the machines are operating properly and accurately. Test ballots shall be provided by the Commission.

After the examination and testing, the machines shall be locked and sealed by the election officer or any authorized representative of the Commission in the presence of the political parties and candidates or their representatives. The machines shall be kept locked and sealed and shall be opened again on election day before the counting of votes begins.

Immediately after the examination and testing of the machines, the parties and candidates or their representatives may submit a written report to the Commission through the election officer.

**SEC. 8 Official ballots.** - The Commission shall prescribe the size and form of the official ballots. It shall bear the coat of arms of the Republic of the Philippines and shall contain the titles of positions to be filled. Under each position, the names of candidates arranged alphabetically by their surnames shall be uniformly printed using the same type size. Where necessary, both sides of the ballot may be used.

The ballot shall contain serial numbers and/or corresponding codes and such other security marks as the Commission may deem appropriate.

The official ballots shall be printed by the National Printing Office and/or Bangko Sentral ng Pilipinas under proper security measures which the Commission shall adopt. The Commission may contract the services of private printers should the National Printing Office/Bangko Sentral ng Pilipinas be unable to cope with the printing requirements. Accredited political parties and deputized citizens arm of the Commission may assign watchers in the printing, storage and distribution of official ballots.

The official ballots shall be printed and distributed to each municipality at the rate of one ballot for every registered voter, with a provision of additional two (2) ballots per precinct.

SEC. 9. Ballot box. - There shall be in each polling place on election day a ballot box with safety features that the Commission may prescribe and of such size as to accommodate the official ballots without folding them. It shall be locked with padlocks and self-locking metal seals.

SEC. 10. Merger or consolidation of precincts. - For purposes of the System herein provided, the Commission shall merge or consolidate at most three (3) precincts comprising contiguous and compact territories within the same barangay at least ninety (90) days before election day.

SEC. 11. Composition of board of election inspectors. - The board of election inspectors shall be composed of one (1) chairman and one (1) poll clerk.

SEC. 12. Voting hours. - The casting of votes shall start at seven o'clock in the morning and shall end at one o'clock in the afternoon, except when there are voters present within ten (10) meters in front of the polling place who have not yet cast their votes, in which case, the voting shall continue but only to allow said voters to cast their votes without interruption.

SEC. 13. Manner of preparing the ballots. - Before a voter is given a ballot for voting, the board shall instruct him on how to accomplish the ballot.

Upon receipt of the ballot from the chairman of the board, the voter shall use a vacant voting booth to accomplish the ballot. If a voter commits a mistake in filling the ballot, he shall return the ballot to the board.

NO REPLACEMENT OF BALLOTS SHALL BE ALLOWED



any, store the results in a data storage device and print seven (7) copies of the election returns of each precinct. The printed election returns shall be signed and thumbmarked by the board and attested to by the election officer. Any member of the board shall then publicly read and announce the total number of votes obtained by each candidate based on the election returns. Thereafter, the seven (7) copies of the election returns shall be sealed and placed in the proper envelopes for distribution as follows::

A. In the election of President, Vice-President, Senators and Members of the House of Representatives:

- 1) The first copy shall be delivered to the city or municipal board of canvassers;
- 2) The second copy, to the Congress, directed to the President of the Senate;
- 3) The third copy, to the Commission;
- 4) The fourth copy, to the dominant majority party as determined by the Commission in accordance with law;
- 5) The fifth copy, to the dominant minority party as determined by the Commission in accordance with law;
- 6) The sixth copy, to a citizens arm authorized by the Commission to conduct an unofficial count;
- 7) The seventh copy shall be deposited inside the compartment of the ballot box for valid ballots; and

B. In the election of local officials:

- 1) The first copy shall be delivered to the city or municipal board of canvassers;
- 2) The second copy, to the Commission;
- 3) The third copy, to the provincial board of canvassers;
- 4) The fourth copy, to the dominant majority party as determined by the Commission in accordance with law;
- 5) The fifth copy, to the dominant minority party as determined by the Commission in accordance with law;

After the voter has voted, he shall affix his thumbmark on the corresponding space in the voting record and the chairman shall apply indelible ink on his right forefinger. The voter shall then personally drop his ballot in the ballot box.

**SEC. 14. Closing of polls.** - After the close of voting, the board shall enter in the minutes the serial number of the metal seal to be used in sealing the ballot box. The board shall then place the minutes inside the ballot box and thereafter close, lock and seal the same. The chairman shall publicly announce that the votes will be counted at a designated counting center where the board shall transport the ballot box containing the ballots and other election documents and paraphernalia for the counting of votes.

**SEC. 15. Designation of counting centers.** - The Commission shall designate counting center(s) which shall be a public place within the city/municipality or in such other places as may be designated by the Commission when peace and order conditions so require, where the official ballots cast in various precincts of the city/municipality shall be counted. The election officer shall post prominently in his office, in the bulletin boards at the city/municipal hall and in three (3) other conspicuous places in the city/municipality, the notice on the designated counting center(s) for at least fifteen (15) days prior to election day.

**SEC. 16. Counting procedure.** - (a) The counting of votes shall be public and conducted in the designated counting center(s).

(b) The ballots shall be counted by precinct in the order of their arrival at the counting center. The election officer or his representative shall log the sequence of arrival of the ballot boxes and indicate their condition. Thereafter, the board shall, in the presence of the watchers, open the ballot box, count the number of ballots therein to verify whether the number tallies with the number of voters who voted as recorded in the list of voters with voting records. If there are excess ballots, all of them shall be returned to the box. The poll clerk, without looking at the ballots, shall publicly draw out at random ballots equal to the excess and without looking at the contents thereof, place them in an envelope which shall be marked "excess ballots". The envelope shall be sealed and signed by the members of the board and placed in the compartment for spoiled ballots and its contents shall not be read in the counting of votes.

(c) Any member of the board shall then retrieve the valid ballots from the ballot box. The election officer or any authorized Comelec official or any member of the board shall feed the ballots into the machine without interruption until all the ballots for the precinct are counted.

(d) The board shall remain at the counting center until all the official ballots for the precinct are counted and all reports are properly accomplished.

**SEC. 17. Election Returns.** - After the ballots of the precincts have been counted, the election officer or any authorized Comelec official shall, in the presence of watchers, if

- 6) The sixth copy, to a citizens arm authorized by the Commission to conduct an unofficial count;
- 7) The seventh copy shall be deposited inside the compartment of the ballot box for valid ballots.

After the printing of the election returns, the ballots shall be returned to the ballot box, which shall be locked, sealed and delivered to the city/municipal treasurer for safe-keeping. The treasurer shall immediately provide the Commission and the election officer with a record of the serial numbers of the ballots boxes and the corresponding metal seals.

**SEC. 18. Custody and accountability of ballots.** - The election officer and the treasurer of the city/municipality as deputy of the Commission shall have joint custody and accountability of the official ballots, accountable forms and other election documents as well as ballots boxes containing the official ballots cast. The ballot boxes shall not be opened for three (3) months unless the Commission orders otherwise.

**SEC. 19. Substitution of chairman and members of the board of canvassers.** - In case of non-availability, absence, disqualification due to relationship, or incapacity for any cause of the chairman, the Commission shall appoint a substitute, a ranking lawyer of the Commission. With respect to the other members of the board, the Commission shall appoint as substitute the following in the order named: the provincial auditor, the registrar of deeds, the clerk of court nominated by the Executive Judge of the Regional Trial Court, or any other available appointive provincial official in the case of the provincial board of canvassers; the officials in the city corresponding to those enumerated, in the case of the city board of canvassers; and the municipal administrator, the municipal assessor, the clerk of court, nominated by the Executive Judge of the officials, in the case of the municipal board of canvassers.

**SEC. 20. Canvassing by provincial, city, district and municipal boards of canvassers.** - (a) The city or municipal board of canvassers shall canvass the votes for president, vice-president, senators and members of the House of Representatives and/or elective provincial and city or municipal officials by consolidating the results contained in the data storage devices used in the printing of the election returns. Upon completion of the canvass, it shall print the certificate of canvass for president, vice-president, senators and members of the House of Representatives and elective provincial officials and thereafter, proclaim the elected city or municipal officials, as the case may be.

(b) The city board of canvassers of cities comprising one or more legislative districts shall canvass the votes for president, vice-president, senators, members of the House of Representatives and elective city officials by consolidating the results contained in the data storage devices used in the printing of the election returns. Upon completion of the canvass, the board shall print the certificate of canvass for president, vice-president, and senators and thereafter, proclaim the elected members of House of Representatives and city officials.

(c) (1) In the Metro Manila Area, each municipality comprising a legislative district shall have a district board of canvassers which shall canvass the votes for president, vice-president, senators, members of the House of Representatives and elective municipal officials by consolidating the results contained in the data storage devices used in the printing of the election returns. Upon completion of the canvass, it shall print the certificate of canvass for president, vice-president, and senators and thereafter, proclaim the elected members of the House of Representatives and municipal officials.

(2) Each component municipality in a legislative district in the Metro Manila Area shall have a municipal board of canvassers which shall canvass the votes for president, vice-president, senators, members of the House of Representatives and elective municipal officials by consolidating the results contained in the data storage devices used in the printing of the election returns. Upon completion of the canvass, it shall prepare the certificate of canvass for president, vice-president, senators, members of the House of Representatives and thereafter, proclaim the elected municipal officials.

(3) The district board of canvassers of each legislative district comprising two (2) municipalities in the Metro Manila Area shall canvass the votes for president, vice-president, senators and members of the House of Representatives by consolidating the results contained in the data storage devices submitted by the municipal boards of canvassers of the component municipalities. Upon completion of the canvass, it shall print a certificate of canvass for president, vice-president and senators and thereafter, proclaim the elected member of the House of Representatives in the legislative district.

(d) The provincial board of canvassers shall canvass the votes for president, vice-president, senators, members of the House of Representatives and elective provincial officials by consolidating the results contained in the data storage devices as submitted by the board of canvassers of municipalities and component cities. Upon completion of the canvass, it shall print the certificate of canvass for president, vice-president and senators and thereafter, proclaim the elected members of the House of Representatives and the provincial officials

The Commission shall adopt adequate and effective measures to preserve the integrity of the data storage devices at the various levels of the boards of canvassers.

**SEC. 21. Number of copies of certificate of canvass and their distribution.** - (a) The certificate of canvass for president, vice-president, senators, members of the House of Representatives and elective provincial officials shall be printed in seven (7) copies by the city or municipal board of canvassers and distributed as follows:

- 1) The first copy shall be delivered to the provincial board of canvassers for use in the canvass of election results for president, vice-president, senators, members of the House of Representatives and elective provincial officials;

- 2) The second copy shall be sent to the Commission;
- 3) The third copy shall be kept by the chairman of the board;
- 4) The fourth copy shall be given to the citizens arm designated by the Commission to conduct a media-based unofficial count; and
- 5) The fifth, sixth and seventh copies shall be given to the representatives of any three (3) of the six (6) major political parties. The parties receiving the certificates shall have the obligation to furnish the other parties with authentic copies thereof with the least possible delay.

(b) The certificate of canvass for president, vice-president and senators shall be printed in seven (7) copies by the city boards of canvassers of cities comprising one or more legislative districts, by provincial boards of canvassers and by district boards of canvassers in the Metro Manila Area, and distributed as follows:

- 1) The first copy shall be sent to the Congress, directed to the President of the Senate for use in the canvass of election results for president and vice-president;
- 2) The second copy shall be sent to the Commission for use in the canvass of the election results for senators;
- 3) The third copy shall be kept by the chairman of the board;
- 4) The fourth copy shall be given to the citizens arm designated by the Commission to conduct a media-based unofficial count ; and
- 5) The fifth, sixth and seventh copies of certificate of canvass shall be given to any three (3) of the six (6) accredited major political parties. The parties receiving the certificates shall have the obligation to furnish the other parties with authentic copies thereof with the least possible delay.

(c) The certificates of canvass printed by the city or municipal boards of canvassers shall be signed and thumbmarked by the chairman and members of the board, and the principal watchers if available. Thereafter, it shall be sealed and placed inside an envelope which shall likewise be properly sealed.

**SEC. 22. National board of canvassers for Senators.** - The Chairman and Members of the Commission on Elections sitting *en banc*, shall compose the national board of canvassers for Senators. It shall canvass the results for Senators by consolidating the re-

sults contained in the data storage devices submitted by the district, provincial and city boards of canvassers of those cities which comprise one or more legislative districts. Thereafter, the national board shall proclaim the winning candidates for Senators.

**SEC. 23. Congress as the national board of canvassers for President and Vice-President.** - The Senate and the House of Representatives in joint public session shall canvass the certificate of votes for President and Vice-President submitted by the district, provincial and city boards of canvassers and thereafter, proclaim the winning candidates for President and Vice-President.

**SEC. 24. - Supervision and control.** - The System shall be under the exclusive supervision and control of the Commission. For this purpose, there is hereby created an Information Technology Department in the Commission to carry out the full administration and implementation of the System.

The Commission shall take such steps as may be necessary for the acquisition, installation, administration and maintenance of equipment and devices used to implement the System and promulgate the necessary rules and regulations to be used for the effective implementation of the Act.

**SEC. 25. - Election offenses.** - In addition to those enumerated in Section 261 of Batas Pambansa Blg. 881, the following acts shall be penalized as election offenses, whether or not said acts affect the electoral process or results;

(a) Utilizing without authorization, tampering with, destroying or stealing:

(1) official ballots, election returns, and certificates of canvass of votes used in the System; and

(2) electronic devices or their components, peripherals or supplies used in the System, such as: counting machine, memory pack/diskette, memory pack receiver, and computer set.

(b) interfering with impeding, absconding for purpose of gain preventing the installation or use of computer counting devices and the processing storage generation and transmission of election results, data or information; and

(c) Gaining or causing access to using, altering, destroying, or disclosing any computer data, program, system software, network, or any computer-related devices, facilities, hardware or equipment, whether classified or declassified.

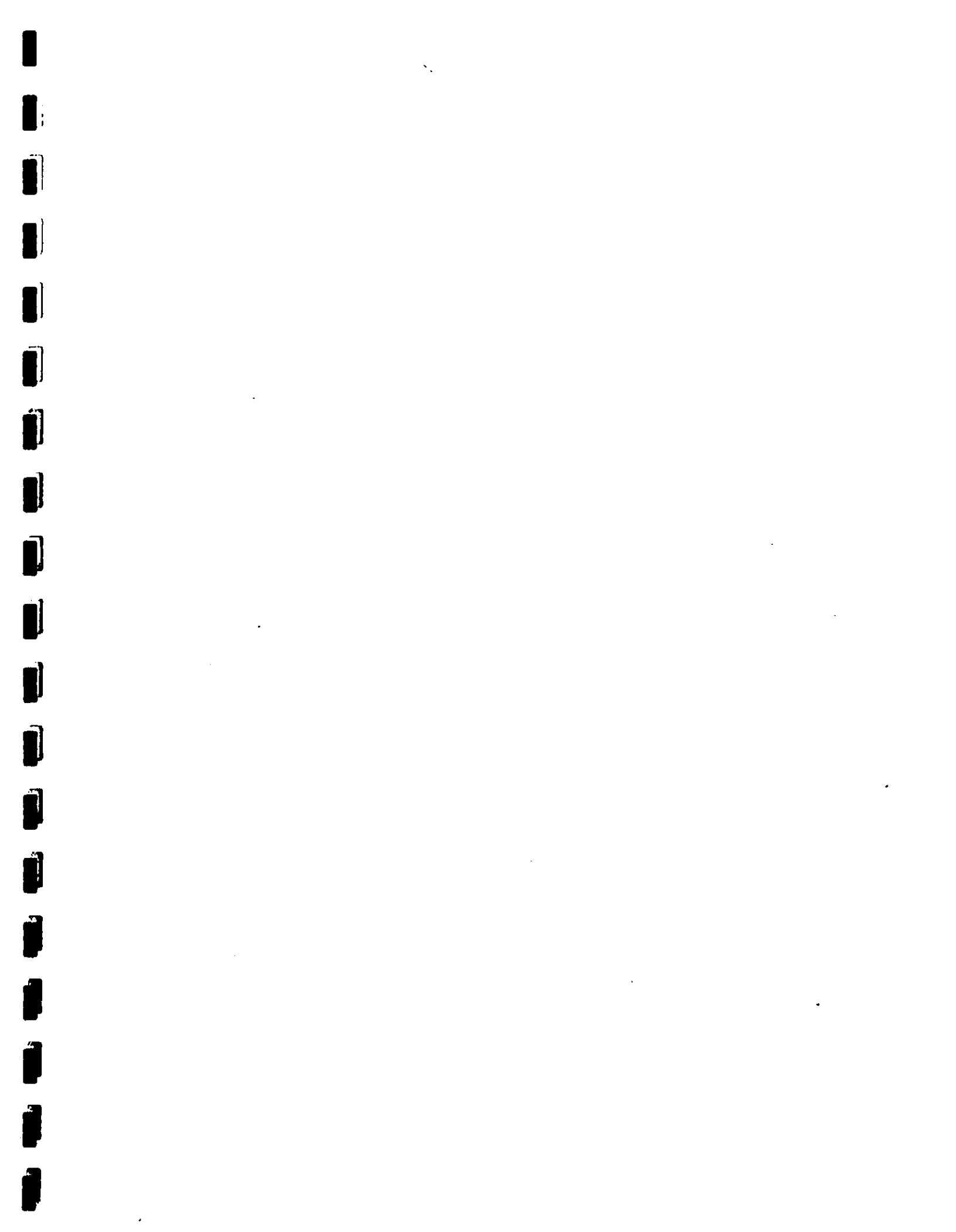
**SEC. 26. Applicability.** - The provisions of BP Blg. 881 otherwise known as the Omnibus Election Code and other election laws not inconsistent herewith, shall apply.

**SEC. 27. Funding.** - The amount necessary for the implementation of this Act shall be charged against the current appropriations of the Commission and thereafter included in the General Appropriations Act. In case of deficiency in the funding requirements herein provided, such amount as may be necessary shall be augmented from the contingent fund in the General Appropriation Act.

**SEC. 28. Separability Clause.** - If for any reason any section or provision of this Act or any part thereof, or the application of such section, provision, portion is declared invalid or unconstitutional, the remainder, thereof shall not be affected by such declaration.

**SEC. 29. Repealing Clause.** - All laws, presidential decrees, executive orders, rules and regulations or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

**SEC. 30. Effectivity.** - This Act shall take effect fifteen (15) days after its publication in a newspaper of general circulation.





## WORKSHOP 1: COMPUTERIZED ELECTION SYSTEM

- Chairman : Mr. Augusto Lagman - NAMFREL  
Information Systems Committee  
Chairman
- Members : Mr. Israel S. Jadjuli - NAMFREL Tawi-Tawi  
Dir. Resurreccion Z. Borra - COMELEC  
Dir. Alwin Sta. Rosa - COMELEC  
Ms. Teresita D. Baltazar - Konsensyang Pilipino  
Ms. Gwen Hoffman - IFES  
Comm. Regalado Maambong - COMELEC  
Mr. Roberto Mauricio - NAMFREL  
Mr. Norberto Gonzales - Konsensyang Pilipino  
Mr. Gerry Sanvictores - SGV Foundation  
Atty. Raoul Victorino - NECCOM  
Ms. Annie Laborte - Manila Standard  
Mr. Allan Villanueva - Center for Legislative Development  
Mr. Rodolfo Regala - Center for Legislative Development  
Atty. Anselmo Adriano - Office of the President
- Facilitator : Ms. Rose Yenke - Ateneo de Manila Human Resource  
Center

Data Gathering : Feeling, concerns or specific suggestions regarding the Computerized Election System.

Process : Everyone in the group was asked to write their reactions on pieces of papers and post them on the board.

The data were then classified into four (4) major concerns; training and education, technology/system, machine selection and election process.

## TRAINING AND EDUCATION

1. COMELEC to initiate this program - content, information - consistent with overall quality. *to get down intention for elect*
2. Urgency to conclude the process - time to inform the public.
3. Minimum standard of training / education
  - candidates
  - voters
  - poll workers
  - technicians
4. Educate for the acceptance of the modernization - show applications for other elections in schools, community, etc. (little elections like clubs or trade unions to erase apprehensions)

*Seeks*

## TECHNOLOGY / SYSTEM

1. Mass campaign
  - be directed to the President - *Pres convince Congress / people of system structure*
  - be directed to the Congress
2. Administer mandate from COMELEC to get educational program going.
3. Secrecy measures
4. Ballots - given upon verification of scanned electronic ID at the precinct level.
5. Machine adjusts to all kinds of elections.
6. Choice of the kind of machine should not be left with COMELEC (decision-making process)
  - All IT projects - one (1) PBAC member from computer society
  - IT experts, practitioners (Advisory Council) start & end
  - selection criteria for the system
  - basic needs criteria

7. Ensure ballots are not replaced before they are put into the machine.
8. Study steps with BEI during voting.
9. Reduce number of BEI from 3 to 2.
10. Maintain the voting hours.
11. Increase the number of voters per precinct.
12. \*\*\* Need for a law right away - speedy adoption.

## MACHINE SELECTION

- Put in the law an advisory board for the selection of the kind of machine.
  - from \* ITFP
  - \* Media
  - \* NGOs

## ELECTION PROCESS

- BEI
- Machines
- Materials
- Ballots and ballot boxes
- Methods

## ON VOTERS EDUCATION...

- Resistance from local officials
- Have Rep. Tanjuatco, Jr. to help in demos.
- Target teachers immediately and local officials  
( thru Leagues & DILG )
- Tap institutions like NAMFREL, Jaycees, schools and others.
- Use showbiz personalities.

WORKSHOP II: THE JUNE 1997 GENERAL  
REGISTRATION AND THE  
CONTINUING REGISTRATION  
SYSTEM - A GENUINE VOTERS'  
LIST

Chairman : Atty. David M. Castro - Catholic Lawyers'  
Guild

Members : Sr. Ma. Virginia Adre - Sulu, Tawi-Tawi  
Broadcasting  
Foundation  
Dir. Erlinda Echevia - COMELEC  
Dir. Zenaida Soriano - COMELEC  
Dir. Mike Aguam - COMELEC  
Atty. Marohombsar - NAMFREL  
Ma. Christina Molo - Office of  
Sen. Santiago  
Edil Guyano - NASSA  
Barry Macaumbos - NAMFREL  
Rep. R. A. Daza - LP  
Jeanette P. Ninte - Congress, Committee  
on Suffrage and  
Electoral Reforms

Facilitator : Bangy Dioquino

WORKSHOP II: THE JUNE 1997 GENERAL  
REGISTRATION AND THE  
CONTINUING REGISTRATION  
SYSTEM - A GENUINE VOTERS'  
LIST

A. SAFEGUARDS

- ensure/apply for NAMFREL accreditation as citizens' arm during the registration
- ensure that photographers are available and well-equipped so ID issuance is facilitated; ensure that the system is well-designed
- check out ghost barangays - c/o DILG barangay lists
- undertake a thorough review of existing barangay lists/precinct maps
- charge/disqualify Board of Election Inspectors (BEI's) and registrars involved

## IMPLEMENTING GUIDELINES

- specify requirements for registration on 14,15,21,22 June 1997 (both for the general and continuing registration)
- reassignments/reshuffling should be strictly implemented (with attention to the requirement of the BEI having to be registered in the same municipality)
- deadline for the distribution of processed ID's through the Election Officers should be 120 days before the election
- green lane/red lane suggestion
- simple primer/flowchart on registration procedures must be distributed/published

## OTHERS

- number of teachers needed in 1997 is 600,000 (more than the total number of public school teachers)

$$\begin{array}{l} 40\text{M voters} \\ \hline 200/\text{precinct} \end{array} = 200,000 \text{ precincts} \times 3 \text{ BEI members} \\ = 600,000 \text{ teachers}$$

- amend Omnibus Code provisions:
  - a. increase the required number of voters per precinct
  - b. voter's ID must be required once more
- institutionalize accreditation
- SSS/GSIS/LTO to institute uniform ID system

**ELECTORAL REFORMS  
ROUNDTABLE  
12-13 October 1996  
Tindalo Room, Manila Hotel**

**WORKSHOP 3: ENFRANCHISING QUALIFIED  
FILIPINOS ABROAD  
(Absentee Voting)**

**Chairman:** *Atty. Amado Sison*  
- Diocese of Alaminos

**Members:** *Sr. Annie Abion*  
- NAMFREL  
*Rebecca Romero*  
- Office of Sen. Marcelo Fernan  
*Bella Lucas*  
- Senate Electoral Tribunal  
*Mario Cruz*  
- CIMPEL  
*Dennis McPhillips*  
- IFES  
*Telibert Laoc*  
- NAMFREL

**Facilitator:** Liza Dioquino



# **WORKSHOP 3: Enfranchising Qualified Filipinos Overseas (Absentee Voting)**

## **A. Minimum Requirements in the Law**

- to be implemented in 1998;
- to cover both national and local elections;
- to include a stipulation providing pilot testing areas for local elections;
- he/she to be a registered voter;
- he/she to register in the Philippines if a non-registered voter;
- to contain security measures that guarantee arrival of ballots to voters/acceptance of ballots by voters;
- to contain security measures that guarantee votes came straight from the voter;

- no campaigns abroad - posters to be sent only by COMELEC;
- to include genuine people participation (citizens' arm, COMELEC, Electoral Reforms Commission) in the drafting of implementing guidelines which has to be released for general publication before approval;

### **B. Minimum Requirements in the Implementing Rules & Regulations**

- voters to file application for absentee voting 180 days prior to elections and send it COMELEC for validation;
- ballots for absentee voting to be printed after certificates of candidacy are filed;
- ballots to be given to voters and then returned to COMELEC 45 days prior to elections ;
- ballots to be given to voters are numbered and has an attached stub containing his/her signature and thumbmark;

- no. of registered voters per country to be sent to its Philippine consular offices;
- receipt of ballots to be recorded;
- total votes cast in the Phils. and abroad to be simultaneously canvassed;
- no extra ballots to be given (in case of error in voting);

### C. Safeguards

- self-addressed/stamped envelopes of voters;
- recording system for receipt of ballots to ensure that no duplication occurs;

### RECOMMENDATIONS

- public hearing on absentee voting to generate wider interest;
- POEA to automatically check if a Filipino going abroad is a registered voter;

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**APPENDIX A**

**DISCUSSION GUIDE**

## **IFES PHILIPPINES FOCUS GROUPS DISCUSSION GUIDE NOVEMBER 1996**

### **I. INTRODUCTION**

1. Moderator/facilitator introduction and thank you to respondents
2. Statement of purpose: Conducting a series of focus groups with voters in the Philippines to assess their knowledge and attitudes about elections. We will use this information to assist COMELEC and NGOs develop a voter education program as it relates the modernization process that is underway.

As you may know, a new way of voting was tested in the ARMM in the September elections, and in 1998, the whole country will be voting using a new system.

Your opinions and assessments are extremely important to the success of this new system. We will be talking about how well you understand the current system, what kinds of problems exist, and what you think could be done about them. I also want to discuss the new voting system and get your thoughts on it.

There are no right or wrong answers. Just give your opinion. If you agree with someone, tell us why. If you disagree, tell us why. Don't always wait for me to call on you. At the same time, let others speak.

Disclosures.

Before we begin, I'd like to go around the room and have each of you introduce yourselves. Tell us your name, what kind of work you do (or what organization you are affiliated with), about your family and so forth.

### **II. IMPRESSIONS OF THE ELECTION SYSTEM**

1. Would you say that the Philippines is a democracy or not? **DISCUSS.**

2. Do you think your vote gives you a voice in government or not? DISCUSS.

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Republic of the Philippines  
September - December 1996  
Appendix A*

3. How familiar are you with how to register and vote? Very, somewhat, etc. Is the election process difficult or easy for most people to understand.

What is your main source of information about elections? Newspapers, television, radio, public debate, friends and family? If you need election-related information, to whom do you go?

Is the information provided by the government or the media partisan or non-partisan? DISCUSS. To what extent does the government control the flow of news and information in the Philippines?

4. How much confidence do you have in the integrity of the election system? Election officials? DISCUSS.

5. What word or phrase would you use to describe elections in the Philippines? PROBE (Free and Fair/Fraudulent/Corrupt/Complicated/Improving?)

Why do you say that?

6. What is the most serious problem with the election system in the Philippines? Why?

7. What is the main thing that needs to be done to improve the electoral system? What other steps can be taken?

8. Would you say that the elections in your area are honest and fair? Why/Why Not?

9. What about in the nation as a whole? Do you believe there is a high incidence of fraud in the elections? DISCUSS. By Whom. At what level? Where does it start? Do you think elections are fair or fraudulent at the precinct level? The district level? The Municipal level?

10. Have you personally observed any fraudulent acts or have you just heard about them? IF YES: What?

11. Who are the most dishonest candidates, elected officials, election officials? Anyone in particular?

12. What are your impressions of COMELEC? How would you rate the job they are doing? DISCUSS. How would you rate NAMFREL? VOTECARE? PPCRV?

13. What is the single biggest obstacle to reforming the election process in your area? In the nation? DISCUSS. Has any progress been made since 1995?

14. Can you tell me anything about the legislation under consideration in Congress to modernize the elections? What?

-- What do you think is the purpose of modernization?

-- What will be different for voters if the election and voting process changes in 1998?

15. Have you heard anything about the proposed new voter registration system? What? **IF ARMM GROUP ASK:** How successful was the effort to re-register all voters in the region?

16. Have you seen, read, or heard anything about the pilot modernization project that was implemented in the ARMM elections in September? What? Where did you hear about it?

**IF ARMM ASK:** How would you rate the new method of voting and counting votes [pilot modernization project] that was implemented in the ARMM elections in September?

17. **IF YES ASK:** What are your impressions of the new system?

18. **DESCRIBE PILOT Project:**  
Nullification and re-registration  
Pre-printed ballots with names of candidates  
Scanner at municipal level  
Computerized vote tally  
Voter information sheet mailed

What do you think about such a system? Would you like to use that kind of system in 1998? Why/Why Not? Would it work on a national scale? Would it be effective in reducing the amount of fraud and abuse in the system? Would it make any difference? What part of the election process would it affect the most. Would that be positive or negative? DISCUSS.

19. If a new system of voting and vote counting were to be implemented for the 1998 elections, what kind of information is it important for people to have? What is the best way of getting that kind of information to them? Newspapers, TV, radio, in person? What would you think about the caravan approach?



19A. **IF ARMM ASK:** What kind of information did you need for September's elections that you did not receive?

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19B. **ARMM ONLY:** How well did the voter education caravans work in informing voters about the new voting system in the region? **DISCUSS.**

**ARMM ONLY:**

20. When did you find out you would be voting on a new kind of ballot? How did you get that information? Did the information you received help you on election day when you were voting/ That is, were you prepared to participate on election day or did you require additional information? **DISCUSS.**
21. Was the new system easy to understand? To Use? What information would be helpful in teaching voters about this system?
22. How helpful was the training video prepared b COMELEC? What about the television commercials for voter education? **DISCUSS.**
23. Do you know how and where the votes were counted under the new system? **DISCUSS.** How did you learn about that?
24. Were election workers well-trained in the use of the new equipment? Did the process go smoothly?
25. Will this new system improve the election process in your area or not? **DISCUSS.**

**III. Closing Discussion**

1. What is the most important step for COMELEC to take regarding the modernization process? What is your biggest concern about proposed reforms to the electoral system?
  - cost of computerization:
  - Database manipulation;
  - Popular incumbents jeopardized;
  - No effect/things same as before.
2. What do you think voters will have the greatest difficulty in understanding? What

information will you need in order to register and vote under the new system?

3. If you were advising COMELEC, what is the most important advice you would give -- especially as regards voter education?

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### **COMELEC/Officials/NGOs/Party Representatives**

1. Perceptions of fraud
2. Perceptions about the pilot test
3. Best ways to improve the system
4. Most appropriate role for NGOs/How important is it that the quick count be converted to independent verification of computer results?
5. Voter education needs
6. Views on reform legislation under consideration
7. Assess need for minimum standard training for voters, election workers and technicians
9. Importance of funding for education and training efforts
10. Assessment of COMELEC
11. Assessment of competing political agendas of NGOs and COMELEC
12. Have NGOs given an appropriate amount of consultation on the modernization process?



**APPENDIX B**

**SCREENING CRITERIA**

## IFES PHILIPPINES FOCUS GROUPS SCREENING CRITERIA

1. Are you registered to vote in [province name or other appropriate jurisdiction]?  
  
Yes Continue  
No Ask for other registered voter in household/If none available, thank and terminate
  
- 2A. **In MINDANAO ASK:** Did you vote in the election for [OFFICE]  
  
Yes Continue  
No Thank and terminate
  
- 2B. **In LUZON ASK:** Did you vote in the last Presidential (or other) election held in [DATE]?  
  
Yes Continue  
No Thank and terminate
  
3. How interested are you in matters of government and politics?  
  
1 Very interested Continue  
2 Somewhat interested Continue  
3 Not very interested Thank and Terminate  
4 Not at all interested Thank and Terminate
  
4. Are you affiliated [sympathize] with a political party? If yes: which one. **Go for a cross-section of party affiliates and those who are not affiliated with a party.**  
  
List names
  
5. Name of election organization affiliation (IF APPROPRIATE)
  
6. For whom did you vote in the last Presidential election?  
  
**List candidate names. Try for a cross section.**

7. Age **GO FOR A CROSS-SECTION** unless specific age-related groups are required.

1	18-24	5	50-59
2	25-29	6	60-65
3	30-39	7	65-69
4	40-49	8	70 and older

8. SEX (50/50 Split)

1	Male
2	Female

9. Race [PROPORTIONATE TO POPULATION IF APPLICABLE]

10. Income [OR OTHER SES VARIABLE] **CROSS-SECTION**

11. What is the last grade of school you completed? [MODIFY AS NEEDED] **GET CROSS-SECTION**

1	Grade School Or Less (1-8)
2	Some High School
3	High School Graduate
4	Vocational / Technical Training
5	Some College (Less Than 2 Years)
6	Some College (2 Years Or More)
7	College Graduate
8	Post Graduate Work
0	Don't Know / Refused

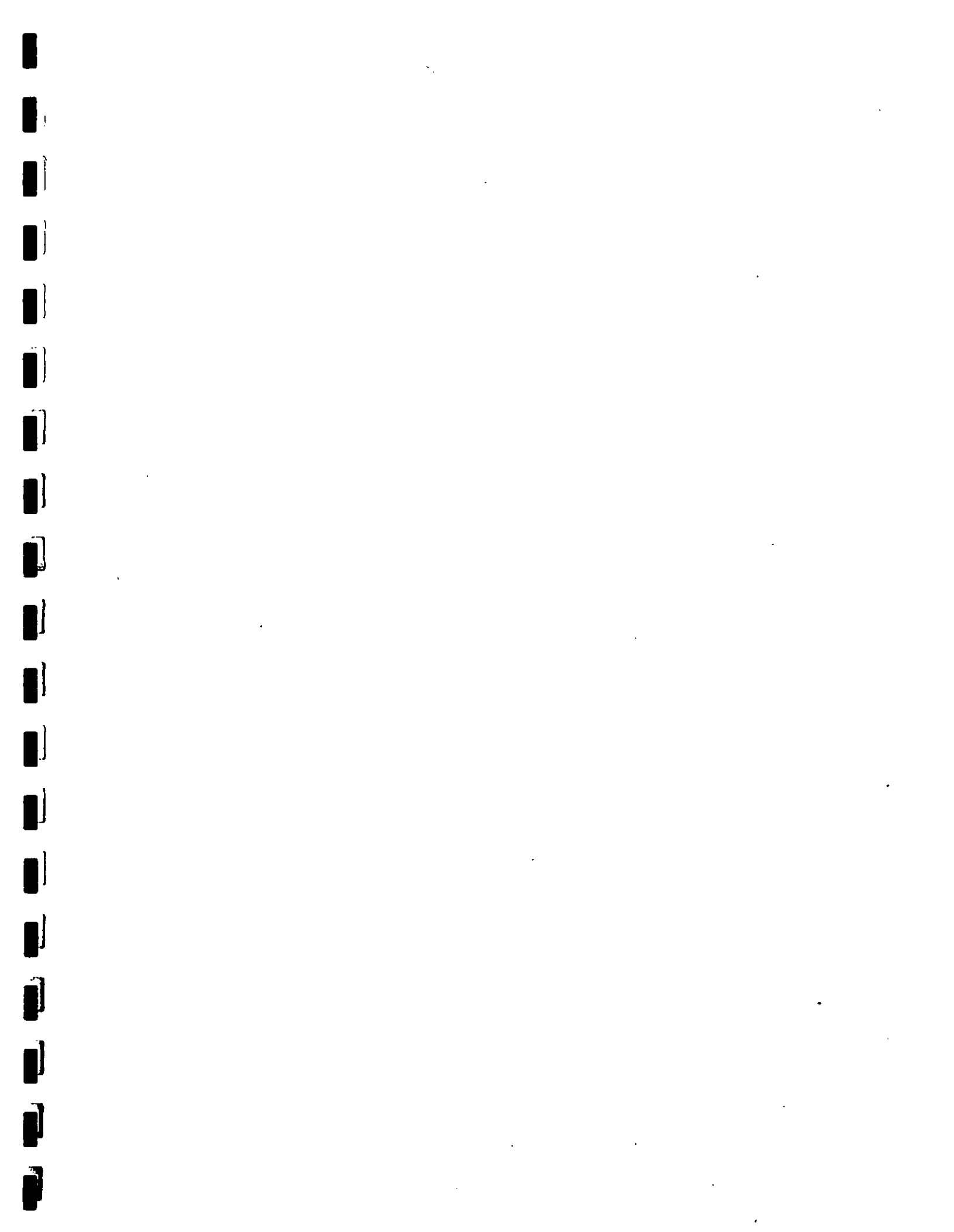
12. Place of Residence (either urban/suburban/rural or specific areas such as Manila and specific suburbs). Cross-section as appropriate.

13. What is your religious preference? (Optional)

14. What is your current occupation? **MODIFY AS NEEDED.**

1	White Collar / Office Work
2	Government Employee
3	Farmer / Rancher
4	Skilled Trades / Foreman / Craftsman

- 5 Unskilled Laborer / Assembly Line
- 6 New Collar / Computer Work
- 7 Educator
- 8 Clerical / Sales / Service Work
- 9 Farm Labor
- 10 Homemaker
- 11 Student
- 12 Retired
- 13 Unemployed
- 14 Other





**APPENDIX C**

**DEMOGRAPHIC SUMMARIES**

Cotabato City Group 1 -- 10 November, 1996 COMELEC/Election Observers/Pollworkers/NAMFREL									
Sex	Age	Education	Registered Voter	Vote History	Interest in Politics	Party Affiliation	Occupation	1995 Income	Organization Affiliation
Female	33	Coll. Grad	Yes	92,95,96	Very	None	Government	<P36000	NAMFREL
Male	28	Coll. Grad	Yes	92,95	Very	People's Reform Party	Business	P36001-48000	NONE
Male	59	Coll. Grad	Yes	92,95,96	Somewhat	None	Government	>P180000	COMELEC
Male	43	LLB	Yes	92,95,96	Not Very	None	Government	P120001-180000	COMELEC
Male	54	Coll. Grad	Yes	95	Very	None	Government	P72001-120000	COMELEC
Female	44	Coll. Grad	Yes	92,95,96	Somewhat	None	Teacher	P48001-72000	NONE
Female	47	Coll. Grad	Yes	92,95,96	NA	None	Teacher	P72001-120000	NONE
Female	43	Post Grad	Yes	92,95	Very	None	Government	P72001-120000	COMELEC
Male	42	Post Grad	Yes	96	Very	None	Government	P72001-120000	COMELEC
Male	35	Coll. Grad	Yes	92,95,96	Very	NGO	Self	<P36000	NAMFREL
Male	29	Post Grad	Yes	92,95,96	Very	PDP-Laban	Elected Councilor	P120001-180000	NA
Female	33	Post Grad	Yes	96	Very	None	NGO	P120001-180000	NAMFREL
Female	33	Coll. Grad	Yes	96	Very	None	Government	P36001-48000	

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COMEL EC Female	41	Coll. Grad	Yes	96	Somewhat	None	Government	P72001- 120000	NAMFREL
Male	45	Coll. Grad	Yes	92, 95	Very	NA	Elected Off.	>180000	NONE

Cotabato City Group 2 – 11 November, 1996 University Students and Rural Youth									
Sex	Age	Education	Registered Voter	Vote History	Interest in Politics	Party Affiliation	Occupation	1995 Income	Organization Affiliation
Male	26	2+ Coll.	Yes	95,96	Very	None	Student	NA	Student Leader
Male	21	<2 Coll.	Yes	92	Very	None	Student	NA	Student Leader
Male	21	2+ Coll.	Yes	92,95,96	Somewhat	People's Reform	Student	NA	Student Leader
Male	19	2+ Coll.	Yes	92,96	Somewhat	People's Reform	Student	P36001-48000	Student Leader
Male	24	2+ Coll.	Yes	92	Not Very	People's Reform	Student	NA	NONE
Male	20	2+ Coll.	Yes	95	Very	Citizen Action	Student	NA	NAMFREL
Male	21	2+ Coll.	Yes	96	Not Very	None	Student	NA	NA
Male	22	2+ Coll.	Yes	92,95,96	Very	None	Student	P36001-48000	Student Leader
Male	21	2+ Coll.	Yes	92	Very	Lakas	Student	P36001-48000	NAMFREL

Cotabato City Group 3 -- 11 November, 1996 ARMM Voters									
Sex	Age	Education	Registered Voter	Vote History	Interest in Politics	Party Affiliation	Occupation	1995 Income	Organization Affiliation
Male	33	Post Grad	Yes	92,95,96	Very	None	Government	P72001-120000	NAMFREL
Male	45	Post Grad	Yes	92,96	Very	None	Government	P120001-180000	NAMFREL
Male	24	Coll. Grad	Yes	92,95	Very	None	Government	P120001-180000	NONE
Male	31	Coll. Grad	Yes	92,95,96	Very	Lakas, NVCD	Government	NA	NONE
Male	31	2+ Coll.	Yes	92,95,96	Very	Lakas, NVCD	ARMM Employee	NA	NONE
Male	24	Coll. Grad	Yes	92,95,96	Very	None	Student	NA	NAMFREL
Male	21	2+ Coll.	Yes	96	Not Very	None	Student	NA	NA
Male	22	2+ Coll.	Yes	92,95,96	Very	None	Student	P36001-48000	Student Leader
Male	21	2+ Coll.	Yes	92	Very	Lakas	Student	P36001-48000	NAMFREL

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Cotabato City Group 4 -- 11 November, 1996 ARMM NGO Representatives									
Sex	Age	Education	Registered Voter	Vote History	Interest in Politics	Party Affiliation	Occupation	1995 Income	Organization Affiliation
Female	40es t	Coll. Grad	Yes	92,95,96	Very	None	Peace Education Center	P48001-72000	NAMFREL VOTECARE PPCRV
Female	55	<2 Coll.	Yes	92,95,96	Very	None	Business	<P36000	NONE
Female	23	Coll. Grad	Yes	92	NA	None	Social Worker	<P36000	NONE
Female	26	2+ Coll.	Yes	95	Very	None	Social Worker	<P36000	NONE
Male	47	Post Grad	Yes	92,95	Very	NA	Business	>P180000	NAMFREL
Male	26	Coll. Grad	Yes	92,95,96	Not Very	Coalition of New Politics	NGO Worker	<P36000	NAMFREL

Manila Group 1 -- 13 November, 1996									
Municipal COMELEC Officials -- National Capital Region									
Sex	Age	Education	Registered Voter	Vote History	Interest in Politics	Party Affiliation	Occupation	1995 Income	Organization Affiliation
Male	43	Post Grad	Yes	NONE	Not Very	None	Government	P72001-120000	COMELEC
Female	56	Post Grad	Yes	92	Very	None	Government	>P180000	COMELEC
Male	58	Post Grad	Yes	92	Very	None	Election Officer	>P180000	COMELEC
Male	60	Post Grad	Yes	95	Very	NA	Government	>P180000	COMELEC
Female	61	Coll. Grad	Yes	92,95	Very	NA	Lawyer/Gov't	>P180000	COMELEC
Male	33	Coll. Grad	Yes	92,95	Very	None	Government	NA	NAMFREL
Male	59	Coll. Grad	Yes	NONE	Very	None	Lawyer	P48001-72000	COMELEC
Female	37	Coll. Grad	Yes	92	Very	None	Government	P120001-180000	COMELEC
Male	44	Coll. Grad	Yes	92	Very	None	Government	>P180000	COMELEC
Male	48	Coll. Grad	Yes	NONE	Very	None	Government	P120001-18000	COMELEC
Male	62	Coll. Grad	Yes	92	Very	None	Government	P120001-180000	COMELEC
Female	54	Post Grad	Yes	92	Very	None	Government	P120001-180000	COMELEC





Manila Group 2 -- 13 November, 1996 NGO Officials									
Sex	Age	Education	Registered Voter	Vote History	Interest in Politics	Party Affiliation	Occupation	1995 Income	Organization Affiliation
Male	33	2+ College	Yes	95	Very	None	NAMFREL	P36001-48000	NAMFREL
Male	51	Coll. Grad	Yes	92,95,96	Very	None	PPCRV	<36000	PPCRV
Male	42	Coll. Grad	Yes	92,95	Very	None	Consultant	>P180000	NAMFREL
Male	35	Post Grad	Yes	92,95	Very	NA	Church Worker	P48001-72000	VOTECARE
Male	48	<2 College	Yes	92,95,96	Very	PPCRV	Concessionaire	P72001-120000	PPCRV
Male	53	Post Grad	Yes	92,95	Very	None	Marketing	>P180000	PPCRV
Male	35	Coll. Grad	Yes	92,95,96	Very	None	Social Worker	P72001-120000	NAMFREL
Male	57	Coll. Grad	Yes	92,95	Very	None	Travel Consultant	P120001-180000	PPCRV



Manila Group 4 -- 14 November, 1996 Women Activists									
Sex	Age	Education	Registered Voter	Vote History	Interest in Politics	Party Affiliation	Occupation	1995 Income	Organization Affiliation
Female	59	Post Grad	Yes	95	Very	PDSP	NGO Director	NA	Konsyensyang Pilipino
Female	56	Coll. Grad	Yes	92,95	Very	None	Management Consultant	>P180000	NAMFREL/ PPCRV
Female	50	Coll. Grad	Yes	92,95,96	Very	None	Social Worker	NA	NGO

Manila Group 5 -- 14 November, 1996 University Students									
Sex	Age	Education	Registered Voter	Vote History	Interest in Politics	Party Affiliation	Occupation	1995 Income	Organization Affiliation
Male	21	HS Grad	No	None	Very	None	Student	P72001-120000	NONE
Male	21	2+ Coll.	No	None	Very	None	Student	P72001-120000	APPHA
Male	21	2+ Coll.	No	None	Somewhat	None	Student	P120001-180000	NONE
Male	20	2+ Coll.	Yes	96	Very	None	Student	>P180000	NONE
Female	23	2+ Coll.	Yes	92,96	Very	None	Student	P72001-120000	NONE
Male	20	2+ Coll.	Yes	95,96	Somewhat	None	Student	>P180000	PPCRV
Female	21	2+ Coll.	Yes	95	Somewhat	None	Student	NA	NONE
Female	20	2+ Coll.	Yes	95,96	Somewhat	None	Student	P120001-180000	NONE
Female	23	Coll. Grad	Yes	92,95	Somewhat	None	Writer Researcher	P72001-120000	NONE
Female	19	2+ Coll.	Yes	95,96	Very	None	Student	P72001-120000	PPCRV
Female	20	2+ Coll.	Yes	95,96	Somewhat	None	Student	P120001-180000	None

Male	21	HS Grad	Yes	95	Very	None	Student	P120001-180000	None
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Los Baños 1 -- 15 November, 1996 University Students									
Sex	Age	Education	Registered Voter	Vote History	Interest in Politics	Party Affiliation	Occupation	1995 Income	Organization Affiliation
Female	22	HS Grad	Yes	95	Very	None	Student	P36001-48000	COMELEC
Female	22	2+ Coll.	Yes	92,96	Somewhat	None	Student	P36001-48000	NONE
Female	18	2+ Coll.	No	None	Somewhat	None	Student	>P180000	NONE
Male	20	2+ Coll.	Yes	96	Very	None	Student	>P180000	NONE
Female	23	2+ Coll.	Yes	92,96	Very	None	Student	P72001-120000	NONE
Male	20	2+ Coll.	Yes	95,96	Somewhat	None	Student	>P180000	PPCRV
Female	21	2+ Coll.	Yes	95	Somewhat	None	Student	NA	NONE
Female	20	2+ Coll.	Yes	95,96	Somewhat	None	Student	P120001-180000	NONE
Female	23	Coll. Grad	Yes	92,95	Somewhat	None	Writer Researcher	P72001-120000	NONE
Female	19	2+ Coll.	Yes	95,96	Very	None	Student	P72001-120000	PPCRV
Female	20	2+ Coll.	Yes	95,96	Somewhat	None	Student	P120001-180000	NONE

Male	21	2+ Coll.	No	None	Somewhat	None	Student	P72001-120000	NONE
Male	20	2+ Coll.	Yes	95	Not Very	None	Student	NA	NONE

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Female	20	Coll. Grad	Yes	96	Not Very	None	Student Asst.	<P36000	NONE
Male	19	2+ Coll.	Yes	95,96	Very	NPC	Student	P36001-48000	NONE
Male	22	2+ Coll.	Yes	92	Somewhat	None	Student	NA	PPCRV
Male	21	2+ Coll.	Yes	96	Somewhat	None	Student	P36001-48000	NONE
Male	22	2+ Coll.	Yes	95,96	Very	None	Student	<P36000	NONE

Los Baños 2 -- 15 November, 1996  
 Rural Voters

Sex	Age	Education	Registered Voter	Vote History	Interest in Politics	Party Affiliation	Occupation	1995 Income	Organization Affiliation
Male	52	Coll. Grad	Yes	92,95,96	Very	None	Gov't	P36001-48000	NONE
Male	42	Elementary	Yes	92	NA	NA	NA	<P36000	NA
Male	37	HS Grad	Yes	95	Not Very	NVCD	Gardener	<P36000	NONE
Female	46	HS Grad	Yes	95	Not Very	PRP	Housewife	<P36000	NONE
Female	43	HS Grad	Yes	92,95	Not Very	NA	Housewife	<P36000	NONE
Female	51	HS Grad	Yes	95	Very	PRP	Housewife	<P36000	NONE
Male	42	HS Grad	Yes	92	NA	NA	NA	NA	NA
Female	41	Coll. Grad	Yes	92,95,96	Somewhat	None	Gov't	P48001-72000	NONE







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