



NATIONAL CITIZENS' MOVEMENT FOR FREE ELECTIONS (NAMFREL)

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NAMFREL Report on the Observation of the March 13, 2021 Palawan Plebiscite

Introduction

Republic Act No. 11259, approved in April 2019, called for the holding of a plebiscite in the province of Palawan to approve the division of the province into three: Palawan del Norte, Palawan Oriental, and Palawan del Sur. Originally set for the second Monday of May 2020, the Palawan Plebiscite was postponed to March 13, 2021. It was the first electoral exercise in the country to be held in the middle of the Covid-19 pandemic.

The division of Palawan would involve its 23 municipalities, excluding its capital, Puerto Princesa. *"The residents of the City of Puerto Princesa, as a highly urbanized city, shall not be qualified to vote in the plebiscite and for candidates for provincial elective positions"* (RA 11259, Sec. 54). The plebiscite involved 490,639 registered voters, 2,959 clustered precincts, 3,250 established precincts, and 487 voting centers in 23 municipalities.

NAMFREL set out to participate in the March 13, 2021 Palawan Plebiscite not only to assist the Commission on Elections (Comelec) in ensuring that the Plebiscite would be transparent and credible, as this issue had generated a lot of interest among the citizens of Palawan, but also to help Comelec achieve its goal of ensuring that Philippine electoral processes are safe from Covid-19. The Plebiscite would be a test for the Comelec if it could hold elections during a pandemic, ensuring the safety of not just the voters, but also election staff and other stakeholders.

NAMFREL saw that its participation in this process could help improve the confidence of Filipinos that they will be safe if they get involved in the forthcoming national and local elections. It would help increase the number of Filipinos who would register, and eventually vote in the 2022 NLE. Ensuring the participation of as many Filipinos as possible in the next presidential elections would have a profound political, social, and economic impact on the country moving forward, including on the business sector as it recovers from the effects of the pandemic.

NAMFREL Accreditation

NAMFREL identified three important activities to help secure the integrity of the process, thus contributing to the credibility of the plebiscite:

1. Observe the activities during the pre-plebiscite period, including the delivery and reception of polling materials, and campaign activities, if any;
2. Observe the activities on Plebiscite day in the different voting centers and precincts, including the opening of polls, the voting process, the counting process, and consolidation of results;
3. Conduct a parallel vote tabulation. The Palawan plebiscite was going to be a manual process, and NAMFREL has had decades-long experience in parallel vote counting for manual elections.

After several discussions with partners, Comelec, and NAMFREL's Palawan chapter, NAMFREL sought Comelec accreditation that would allow NAMFREL observers entry to the

different voting centers and polling places. NAMFREL also participated in several online discussions on preparations for the Plebiscite, organized by Comelec and opened to members of the media and the public.

On March 8, 2021, Comelec heard NAMFREL's Petition for Accreditation. On March 10, or 3 days before the Plebiscite, Comelec released to NAMFREL a Memorandum stating that the petition was approved. However, as of the writing of this report, Comelec has not released to NAMFREL the full accreditation resolution, even after the Comelec offices in Intramuros had resumed operations after going into lockdown just before the holding of the Plebiscite due to a rise in Covid cases among Comelec employees.

Due to limitations in available resources, NAMFREL decided to focus on just the Palawan municipalities with the largest voting populations, and concentrating on one voting center in each municipality, the one with the largest number of registered voters. It was also decided later on that NAMFREL will no longer pursue holding a parallel vote tabulation for the Plebiscite, as doing so would entail coverage of all polling places, and a much larger budget.

NAMFREL-Palawan organization

NAMFREL's Palawan chapter was the one tasked in carrying out NAMFREL's activities related to the Plebiscite, from coordinating with the Comelec provincial office, to recruitment of observers, distribution of observation materials, and doing the observation proper.

NAMFREL-Palawan is headed by a chairperson, and ably assisted by two co-chairpersons handling the northern and southern municipalities of the province. Its headquarters for the Plebiscite was located in Puerto Princesa.

More than a hundred NAMFREL observers were recruited to observe the Palawan Plebiscite, consisting of Palawan HQ staff, municipal chairpersons, voting center managers, polling place observers, and documentors.

Voter Assistance

The NAMFREL-Palawan HQ also fielded inquiries from Palawan voters on the location of their polling places. NAMFREL-Palawan heeded Comelec's request to help in assisting voters find their polling places by opening SMS lines for polling place inquiries from voters. As of the first three hours of voting, more than 500 inquiries were received from Palawan voters since lines were opened the day before Plebiscite Day.

NAMFREL Observation

NAMFREL observers were deployed in 9 municipalities: Aborlan, Bataraza, Brooke's Point, Busuanga, Coron, Narra, Rizal, Roxas, and Taytay, to observe election day activities. For the Palawan Plebiscite, Comelec required that observers be registered voters in the municipalities where they were to be assigned.

NAMFREL observers were guided by forms prepared by NAMFREL in accordance with internationally accepted standards on election observation. NAMFREL observed the different processes on election day: opening, voting, closing, counting, and canvassing. The observers

also had separate observation forms for the voting center and its immediate environment, for campaign activities, and for election-related incidents.

During the observation, aside from looking at the transparency and credibility of the process, NAMFREL put focus on highlighting the effectiveness of the implementation of Comelec's anti-Covid protocols, to be able to identify areas that could be further strengthened, and to recommend measures to ensure the conduct of a safer 2022 National and Local Elections (NLE). Questions on the forms related to anti-Covid protocols were based on Comelec's published guidelines for the Palawan Plebiscite, as contained in Comelec Resolution No. 10687.

Findings

Adherence to anti-Covid protocols

All observers noted that specific protocols were implemented during the time of their observation, such as checking of temperature prior to entry of voters; application of rubbing alcohol; maintaining the maximum number of people allowed to vote at a time; voting assistants adhering to protocols; people leaving the polling place immediately after voting; proper ventilation of polling places and canvassing centers used; and proper disposal of used personal protective equipment such as the plastic gloves given to voters.

However, observers found inconsistencies in the implementation of others, such as the accomplishment of Covid self-declaration forms by voters; use of foot baths in the entrance to polling places; and use of plastic gloves by voters during voting.

Most noteworthy among those that observers found to be needing improvement and more consistency in implementation were observance of physical distancing in general, especially in the queues, in waiting areas, and during the transport of ballots and election paraphernalia to canvassing centers; proper disinfection of election materials and furniture such as chairs after use by each voter, as required by Comelec's guidelines; and proper wearing of face masks and face shields.

On Plebiscite day, due to inclement weather in some municipalities, there were instances when physical distancing in the queues was not observed due to the downpour at the start of voting. In Bataraza town, it was observed by NAMFREL that wearing of face mask and face shield as required by Comelec procedures was not being strictly enforced in one voting center. In one voting center in Aborlan town, observers also noted the absence of medical personnel at the time of observation. In at least one voting center in Taytay town, people with no face mask or face shield were not allowed entry. However, in Coron and Narra towns, NAMFREL observers reported that the Comelec or the school principal provided face masks and face shields to those who came without them.

Observers also noted that implementation of protocols was more lax during the canvassing process, a longer process that would require a more sustained effort and vigilance against Covid.

Lack of physical distancing was also observed in an outdoor campaign event in Narra town prior to Plebiscite day.

Election process

Observers noted the commitment to give priority in voting to members of vulnerable sectors, like senior citizens and pregnant women. Almost all observers also noted the presence of a complete polling staff at the time of observation, the completeness of election materials received, and the transparency or observability of the counting process.

NAMFREL observers reported that in general, election paraphernalia to be used in the plebiscite were received on schedule, polling precincts opened on time, and there was no significant delay in the start of voting. Voting went on smoothly and counting started on time, with no significant delays or disturbances during voting and counting observed.

In one voting center in Narra town, NAMFREL observers noted confusion among voters with regard the polling precincts because the polling precinct numbers were not assigned to rooms as they were physically laid out (i.e. some polling precinct numbers in a series were assigned to rooms in another part of the voting center). Voters who were also accustomed to going to the same rooms in past elections also found out that they were assigned to another room for the plebiscite, perhaps due to the efforts of Comelec to limit the number of people voting in one polling place as part of their anti-Covid measures.

Observers also timed the voting process, and most voters observed spent only three minutes going through the process of voting.

With regard the manual system used in the Plebiscite, some voters in Taytay, Narra, and Bataraza towns told observers that they prefer the manual system of counting because they could see and hear the votes as they were being read and tallied, and that they were confident that their votes were being counted correctly.

However, also due to the manual system used, observers noted that there were clerical or typographical errors in some of the forms received for canvassing. They also reported having a hard time reading the canvassing results, suggesting that the Comelec could use projectors in future exercises to remedy the situation.

Observers also noted the presence of members of the barangay tanod and PNP inside voting centers and canvassing centers; observers noted that they were there to maintain peace and order. The Comelec guidelines allow the detail of a PNP or AFP personnel for protection if deemed necessary, but they will *“stay outside the polling place within a radius of thirty (30) meters near enough to be easily called by the PlebCom at any time, but never at the door,”* (Com Res 10687, Sec. 32, 77).

NAMFREL observers estimated that voter turnout was at less than 50% in some voting centers compared with the usual turnout in regular elections, but in some voting centers, turnout reached about 70%. Observers noted the low turnout of voters at the start of voting, but as the day progressed and the weather cleared, more voters turned up.

In a statement made on Plebiscite Day, NAMFREL expressed concern over reports of vote buying prior to Plebiscite Day. In Brooke's Point town, a NAMFREL observer personally witnessed the distribution of envelopes with Php200 inside in exchange for people to vote a certain way in the plebiscite. It is unfortunate that this corrupt practice found its way even to this electoral exercise.

Conclusion and Recommendations

Based on NAMFREL's observation, Comelec's anti-Covid measures for the Palawan Plebiscite were appropriate, adequately enforced, and generally adhered to by voters and polling staff. While there are rooms for improvement, NAMFREL believes that the Comelec was able to rise to the challenge of holding a safe and secure electoral exercise during a pandemic. The turnout of voters was also reflective of the people's confidence that they will be safe and protected if they participate in the plebiscite. The plebiscite also appeared well-organized and operations generally ran smoothly, in a province that is geographically challenging. NAMFREL also notes improvements in Comelec's operations as a response to a changed electoral landscape, from regular online briefings with election stakeholders and the general public, to establishing Isolation Polling Places (IPPs) and Accessible Polling Places (APPs) in the voting centers. The Comelec should continue this practice for the 2022 NLE to promote transparency in their operations.

To help further enhance preparations for the holding of the 2022 National and Local Elections in a year's time, still amidst the Covid-19 pandemic, NAMFREL would like to offer the following recommendations to the Comelec:

1. To ensure the consistency in implementation of anti-Covid measures. While Comelec's anti-Covid measures were generally implemented and adhered to, they were done so in varying levels of consistency and adherence. It will be challenging, but the Comelec should target 100% adherence throughout the country, because a small slip could mean infection. A commitment to 100% safety and protection would also further encourage the electorate to go out and vote in May 2022.
2. To further train election personnel in ensuring that anti-Covid measures are actually done and performed well, especially in disinfection of election materials and furniture
3. To prioritize ensuring a more transparent form of vote counting, that would make the process more observable, and will make the electorate more confident that their votes are being counted correctly.