



NATIONAL CITIZENS' MOVEMENT FOR FREE ELECTIONS (NAMFREL)

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NAMFREL Report on the Observation of August 19, 2023, Mall Voting Simulation

I. Introduction

On August 19, 2023, COMELEC held a Mall Voting Simulation for the Barangay and Sangguniang Kabataan (SK) Elections (BSKE). COMELEC signed a Memorandum of Agreement with SM Supermalls at SM City Manila on the morning and with Robinsons Land Corporation at Robinsons Manila on the afternoon of August 7, 2023, covering voting in 10 malls in Metro Manila, and one mall each in Legazpi City (SM) and Cebu City (Robinsons) for the upcoming 2023 BSKE. The voting simulation employed a manual counting method, which is the standard practice for BSKE.

The Mall Voting Simulation took place in SM Manila, Robinsons Manila, Robinson Galleria Cebu City, and SM Legaspy City, which targeted to reach fifty (50) voters including the Sangguniang Kabataan (SK) voters at each polling place. As set by the law for the conduct of BSKE, the voting opened at 7 AM. However, for this particular voting simulation, COMELEC set the closing of polls as early as 10 AM.

NAMFREL set out to participate in the August 19, 2023, Mall Voting Simulation not only to assist the COMELEC in ensuring that the October 30, 2023, Barangay and Sangguniang Kabataan Elections (BSKE) would be transparent and credible but also to help COMELEC achieve its goal of ensuring that Philippine electoral processes are safe from COVID-19. Participation in the mock polls would be an opportunity for NAMFREL to be able to formulate recommendations based on actual on-the-ground observations to help COMELEC improve forthcoming electoral processes such as the BSKE, especially in the areas of conducting the different procedures, and ensure that voters, election staff, and other stakeholders are adequately protected health-wise.

II. NAMFREL Accreditation

On August 26, 2022, NAMFREL filed its Petition for Accreditation as COMELEC citizen's arm for the BSKE, at that time scheduled to be held on December 5, 2022. On September 6, 2022, NAMFREL filed before the COMELEC a Motion to Admit Supplemental Petition as citizens' arm for all electoral exercises, including special elections, plebiscites, initiatives, referendums, and recall elections (but not including regular elections), until May 12, 2025, National and Local Elections, subject to the availability of resources, manpower, and reasonable time to organize and deploy.

COMELEC heard NAMFREL's Petition for Accreditation on September 13, 2022. A day later, COMELEC granted NAMFREL Accreditation as the citizens' arm for all electoral exercises, including special elections, plebiscites, initiatives, referendums, and recall elections (but not including regular elections).

NAMFREL applied to be authorized to do the following, among others, for all electoral exercises, including the Mall Voting Simulation:

- To provide informational assistance to the voters;
- To observe the activities during the electoral exercise period, including but not limited to the delivery and reception of materials; barangay assemblies, fora or "pulong pulongs"; and other information and campaign activities;
- To observe the activities on voting day;
- To assist the COMELEC in ensuring that the electoral exercises would be transparent and credible;
- To perform all other activities as the COMELEC may deem necessary.

III. NAMFREL Observation Teams

NAMFREL organized and deployed on August 19, 2023, teams of observers for the following malls for mall voting simulation.

1. SM Manila in Manila City
2. Robsonson Manila in Manila City
3. Robinson Galeria Cebu City
4. SM Legaspi City

The observation teams were equipped with observation forms for the opening of voting, voting procedures, the voting center, closing and counting procedures, and incident reports. The filled-out observation forms will be analyzed and shall be the basis of NAMFREL in writing the content of its final report for the mall voting simulation observation.

IV. Mall Voting Simulation Day Observation

A. Opening

NAMFREL observers observed the preparation of election materials and paraphernalia prior to the opening of voting. The members of the Electoral Boards were present in all voting centers during the preparation. However, some NAMFREL observers reported that some materials were incomplete. In Robinsons Galeria Cebu City, the list of VAD reference numbers, padlock for the ballot box, and ballot secrecy folders were not seen prepared. NAMFREL observers in Cebu City also noted that the EB members seem to have difficulties with the procedures.

B. Voting

The opening of voting was generally peaceful according to the NAMFREL observers. However, in Voting Centers in Robinsons Galeria Cebu City and SM Legaspi City, NAMFREL observers noted that the opening of voting was late. In the same voting centers, NAMFREL observers also noted that there were voters who were not on the list but wanted to vote which they described as

an untoward incident. NAMFREL observers also noted the lack of signages and directions when entering the mall. In SM City Manila, the guards have to help in directing the voter toward the designated polling place.

NAMFREL observers reported that the ballot secrecy folders were barely used by the voters while voting.

In SM City Legaspi, a NAMFREL observer observed that a voter was able to vote even with the absence of the name of the voter in the computerized voters' list (CVL). The members of the EB allowed the unlisted voter for the reason that the voter was part of the pre-identified voter to participate in the mall voting simulation. However, NAMFREL is concerned that it should not happen in the real elections as voters need to be verified first using the CVL.

Adherence to COVID-19 Protocols

The voting guidelines set by COMELEC continue to emphasize the significance of adhering to anti-COVID-19 protocols. These protocols entail regular temperature checks, upholding a minimum distance of 1 meter between people, and wearing face masks while inside the voting venue. NAMFREL observers observed that there was no temperature check when entering the voting center. NAMFREL observers also noted that a considerable number of voters and onlookers were not fully complying with the 1-meter physical distancing requirement. Furthermore, a small number were even seen without proper face masks.

Emergency Accessible Polling Place (EAPP) and Voters' Assistance Desk (VAD)

NAMFREL observers observed the absence of established EAPPs, but they did find Voters' Assistance Desks (VADs) present in all the observed voting centers. These desks were staffed by volunteers from the Parish Pastoral Council for Responsible Voting (PPCRV). On average, voters took around a minute to reach their polling booths from these VADs. In SM City Manila, the VAD and waiting area are inside the voting room which poses a risk to the secrecy of the voting process.

Electoral Board

NAMFREL observers observed that in many voting centers, the Electoral Board members appeared to need more familiarity with the procedures, despite having undergone training. In a clustered precinct in Robinsons Galleria Cebu City, the EB chairperson was seen signing a ballot in advance. NAMFREL observers noted that EB members were seen not taking the mall voting simulation seriously.

Voting Center and Polling Place

NAMFREL observers noted that the polling places were considerably small. In Robsinsons Manila, a NAMFREL observer noted the polling booths were made of thick corrugated card board which ensured secrecy of the ballots while the voter voted. But NAMFREL observers noted the writing surface is too high for voters with height five feet and below. In Robinsons Galeria Cebu City, a NAMFREL observer noted that there were no maps or signage inside the voting center. There were also no tables offered for the Philippine National Police (PNP) personnel stationed outside the polling place.

C. Closing and Counting

NAMFREL observers noted that the voting closed on time in most voting centers observed which were described as smooth. However, in Robinsons Galeria Cebu City, a NAMFREL observer reported that the closing was delayed due to the EB members being eager to eat their lunch. The counting process seems to be in order and has an unimpeded view.

While the closing and counting procedures were smooth, NAMFREL observers noted that some EBs did not follow some procedures such as the proper tearing of the unused ballots. In Robinsons Galeria Cebu City, a NAMFREL observer reported that the unused ballots were not torn lengthwise. NAMFREL observers observed that the election materials were put inside the ballot box after the closing and counting procedures.

Voter Turnout

NAMFREL observers observed a significant turnout of voters during the Mall Voting Simulation for BSKE.

To see photos from NAMFREL observation, visit this Google Drive link: <https://drive.google.com/drive/folders/1Dda1NnE2oQZeLjunrANEu0zs7nu4HhSk?usp=sharing>

V. Conclusion and Recommendations

The Mall Voting Simulation was smooth and generally peaceful without any untoward incidents that might compromise the fairness of the electoral procedure. Participants expressed favorable responses to the concept of mall voting due to its voter-friendly convenience. NAMFREL observers noted that all sectors were well-represented during the mall voting simulation.

While it was just a voting simulation, NAMFREL believes that it is vital for the implementors of such exercises in voting centers and polling places to take the process more seriously, observing a high standard of integrity, transparency, and credibility throughout the execution of such electoral exercises.

Since the malls will be designated voting centers, NAMFREL recommends adding more Barangays for mall voting. NAMFREL also recommends putting signages and maps at the entrances of the mall for voters' ease of access for voters to their polling places.

Although the crowd management within malls during the voting simulation was well-organized, COMELEC must remain prepared for a substantially higher number of voters in malls, which could potentially lead to unnecessary crowding as malls will still operate during regular mall hours. In light of this, NAMFREL suggests implementing a uniform polling place arrangement that upholds the fundamental principle of private voting and public counting.

Additionally, NAMFREL would like to reiterate its suggestion for a broader and more active effort to provide voters with precise information, especially about the fundamental goals of electoral activities, including the conduct of mock elections.

NAMFREL would also like to reiterate its comments to encourage COMELEC to consider:

1. Further emphasizing the importance of vote secrecy, not only during the training of election personnel but also in voter information/education;
2. Consider initiating the free transportation of voters to voting centers instead of giving local governments the opportunity to do so on their own initiative, to prevent possible questions regarding election fairness and the use of public resources by incumbents;
3. Providing transportation to members of the EBs, especially in the transport of election paraphernalia to and from the voting centers; and
4. Providing better pairs of scissors for cutting unused ballots in bundles.