



NATIONAL CITIZENS' MOVEMENT FOR FREE ELECTIONS (NAMFREL)

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NAMFREL Report on the Observation of the 2023 Carmona, Cavite Plebiscite July 21, 2023

Introduction

On July 8, 2023, a Plebiscite was held in Carmona, Cavite when 31,632 out of 58,691 registered voters from 14 barangays went to 116 clustered precincts in 10 voting centers to cast their vote to ratify the conversion of the municipality into a component city. A YES vote meant agreement to the cityhood, while a NO vote meant disagreement. The plebiscite was done manually, with voters writing their answer on a paper ballot, and the votes counted manually in the polling places by members of Plebiscite Committees or PlebComs.

30,363 out of the 31,632 voters who voted, or around 96%, supported the ratification of Republic Act No. 11938 ("An Act Converting the Municipality of Carmona in the Province of Cavite into a component city to be known as the City of Carmona"), signed into law by the President on February 23, 2023. Only 1,016 voters opposed Carmona's cityhood, in a voter turnout that was around 53%.

NAMFREL set out to participate in the July 8 plebiscite not only to assist the COMELEC in ensuring that the Plebiscite 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 plebiscite 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 October 30, 2023 Barangay and Sangguniang Kabataan Elections (BSKE), especially in the areas of conducting the different procedures, and in ensuring that voters, election staff, and other stakeholders are adequately protected health-wise.

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 citizen's arm for all electoral exercises, including special elections, plebiscites, initiatives, referendums, and recall elections (but not including regular elections), until the 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 the Accreditation as citizen's arm for all electoral exercises, including special elections, plebiscites, initiatives, referendums, and recall elections (but not including regular elections).

NAMFREL applied/prayed to be authorized to do the following, among others, for all electoral exercises, including the Carmona, Cavite Plebiscite:

- 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.

NAMFREL observation teams

The National Citizens' Movement for Free Elections (NAMFREL), led by NAMFREL National Chairperson Angel Averia, Jr. (Lito Averia), deployed staff and observers from the national headquarters as well as volunteers from the Ateneo School of Government (ASOG), to observe plebiscite day activities.

On July 7, 2023, or the day before plebiscite day, NAMFREL met with the COMELEC Cavite Provincial Election Supervisor in Carmona to discuss the status of preparations for the plebiscite and to observe the administrative preparations in the canvassing center located in Carmona Municipal Hall.

NAMFREL Plebiscite Day Observation

NAMFREL observers were grouped into teams and were able to cover all voting centers, with the exception of Paligawan Matanda Elementary School. NAMFREL also observed PDL voting in the Carmona municipal jail. The teams were guided by forms prepared by NAMFREL HQ in accordance with internationally accepted standards on election observation. NAMFREL observed the different processes on election day: opening, voting, closing, counting, and the early stages of canvassing. The observers also had separate observation forms for the voting center and its immediate environment, 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 help ensure that forthcoming elections and electoral exercises will be conducted in a safe manner. Questions on the forms related to procedures and anti-COVID protocols were based on COMELEC's published guidelines for the Carmona plebiscite, adopted from COMELEC resolution No. 10907.

Observations

A. Opening

Most polling places observed opened on time, with election paraphernalia and members of the different Plebiscite Committees (PlebComs) complete. Observers described the opening process in general as smooth and orderly, with members of the PlebComs appearing knowledgeable of their tasks. Watchers, mainly representing the LGU, were also present in the polling places during the opening, and throughout the day's processes.

Some voters arrived early and asked to be allowed to vote even before the start of voting at 7am because they said they will still need to go to work. While these voters live in Carmona,

they work in neighboring towns where it was a working day. The respective PlebComs did not allow these voters to vote early as this was not provided for in the COMELEC guidelines, but the voters were told to return at 7am to vote.

B. Voting

Voting started on time in the polling places observed, and observers described the process as generally smooth. Up to 10 voters were allowed inside to vote at any given time, but on average, NAMFREL observers saw only up to 5 voters inside each polling place due to the turnout, which observers described as very few, especially in the morning. With only one question to vote on in the ballot, voters took only 2 to 4 minutes to cast their vote. At the Carmona municipal jail, PDL voters were reportedly done voting by 7:30am.

While voting was relatively quick, observers noted that the verification of the voters' names on the list by the PlebCom as voters entered the room took most of the voters' time inside the polling places.

Secrecy of the vote

NAMFREL observers shared that secrecy of the vote was not maintained in about 25% of all polling places observed. Many voters did not use the secrecy folder during voting. Some members of PlebComs also saw the votes when voters were casting their ballots, or when voters handed to them their ballots instead of dropping them directly into the ballot box. In Milagrosa West Elementary School, a member of the PlebCom – instead of the voters – was seen dropping the ballots inside the ballot box. At the Carmona municipal jail, observers said that poll personnel could sometimes see the vote cast by voters. After voting, some voters were also seen discussing their votes with other voters in the vicinity of the voting centers.

VADs and EAPPs

Observers noted that, especially in the first few hours of voting, there were no voter assistance desks (VAD) or information booths set up in some of the voting centers observed. Some voters came in looking for anyone to ask for information; some of them just went straight to the polling place nearest them to ask for assistance. This was also observed in a voting center where the VAD was located in another end of the school with another entrance, opposite where voters were observed coming in.

In voting centers where VADs were observed, they were being manned by PPCRV volunteers, and/or barangay poll workers. In Carmona National High School, the barangay captain was inside the voting center during the opening and voting processes, assisting and directing voters where to go. In many polling stations observed, watchers from the LGU were seen managing the queues and ticking names off a list at the entrance to polling places.

Observers noted that it took voters 3 minutes on average to get their polling place number and sequence number from the VAD.

Not all voting centers had Emergency Accessible Polling Places (EAPPs) observed, for senior citizens, the heavily pregnant, and people with disabilities (PWDs). In some voting centers with EAPP, observers noted that voters were not using them. In Cabilang Baybay Elementary

School, some voters did not use the EAPP because it was located in the other end of the school from where the voters came in. In said school as well as in Lantic Elementary School, the elderly and PWDs were observed having difficulty accessing their respective polling places that were located on the second floor.

Observers noted that polling place maps were installed at the entrance to the voting centers. However, many voters still got confused by the map because the names of barangays were not indicated, only clustered precinct and polling place numbers.

Campaign materials

Campaign materials for the YES vote were very visible on plebiscite day.

In Milagrosa West Elementary School, campaign flyers for the YES vote were seen being handed out to voters during the voting period. Sample ballots for the YES vote were also seen in Milagrosa Elementary School.

In Maduya Elementary School, a banner for the YES vote was seen beside the VAD.

In other voting centers such as Carmona Elementary School, Cabilang Baybay Elementary School, and Maduya Elementary School, campaign banners for the YES vote were seen still installed on the fences and gates of the schools.

In Cabilang Baybay Elementary School, a vehicle with a banner for the YES vote was parked inside the school during the voting period.

Voters were also seen being ferried by barangay vehicles to some of the voting centers observed.

COVID-19 protocols

COMELEC's plebiscite guidelines still required the observance of COVID-related protocols such as the proper wearing of face masks, maintaining 1-meter physical distancing, and disinfection of hands and materials. These were all not consistently enforced and followed in most of the polling places and voting centers observed.

Some voters asked why they still needed to wear face masks. In some polling places, free face masks were handed out to voters, while in many others, voters were allowed to vote without them. Members of PlebComs were also seen not wearing face masks.

B. Closing and Counting

While the closing and counting processes went smoothly in most polling places observed, observers noted that in some, the PlebComs displayed lack of training in handling the counting process.

Observations in some polling places include:

- PlebCom chairperson reading the vote from each ballot while seated, without showing each ballot to the watchers in the room or to the other members of the PlebCom;

- Ballots were not unfolded before being formed into separate piles of 100 ballots;
- PlebComs used scratch paper during tallying, before transferring the results to the plebiscite returns;
- PlebComs appeared confused during some parts of the counting process that they would leave their station to go to another room to consult with the chair of the PlebCom there. Some points of confusion observed include the proper way of filling out forms, how to deal with blank ballots, and encountering discrepancy in numbers during counting and tallying of votes. This made the process take longer than necessary. In some polling places observed, while the final tally was arrived at within an hour after the end of voting at 3pm, the other closing procedures took more than two hours up to past 6pm.

The NAMFREL team was able to observe the return of ballot boxes and other election materials at the Carmona municipal hall prior to the official start of canvassing. The observers found the process generally orderly, but the venue chosen for this process could have been bigger to avoid crowding and to maintain physical distancing.

Conclusions and Recommendations

The conduct of the Carmona, Cavite Plebiscite was peaceful with no untoward incidents reported. Operations were smooth and organized in general.

There was a strong campaign for a YES vote but there were no visible proponents for a NO vote. Campaign materials for the YES vote was visible even on plebiscite day. While there was heavy presence of watchers from the LGU who are the proponents of the YES vote, there were no watchers to look out for or protect the NO votes.

NAMFREL reiterates its recommendations to the COMELEC contained in the reports on its observations of recent electoral exercises such as the 2021 Palawan Plebiscite, 2022 Maguindanao Plebiscite, 2022 Ormoc Plebiscite, the 2022 Baliwag Plebiscite, and the 2023 Cavite District 7 Special Election. These reports with recommendations were submitted to the COMELEC and are also available online at www.namfrel.org.ph.

NAMFREL would like to place further emphases on the following recommendations to the COMELEC, especially in connection with the upcoming October 30, 2023 Barangay and Sangguniang Kabataan Elections (BSKE), which, like the Carmona, Cavite plebiscite, will involve manual voting, counting, and canvassing:

1. To re-train members of the Electoral Boards (EBs) on how to conduct manual elections, and to ensure that all who will serve in the EBs for BSKE 2023 will attend the trainings. The coming BSKE will be manually conducted where voters will write the names of their chosen candidates for certain elective posts. It is recommended that the training program for EBs include the rules of appreciation of the (manual) ballot as provided for in Section 211 of Batas Pambansa Bilang 881 or the Omnibus Election Code.
2. For the COMELEC to prevent confusion among the EBs regarding dealing with blank ballots and ballots with marks other than the expected vote markings:
 - a. To clearly define or describe spoiled or marked ballots in the guidelines;
 - b. To define abstention: Is leaving a ballot blank an abstention?
 - c. To provide for the recording of abstention and spoiled or marked ballots in the plebiscite or election returns;

d. To emphasize the matter of spoiled and blank ballots in the training of the members of the Plebiscite Committees and Electoral Boards.

3. To strongly enforce the ban on campaign materials on election day or plebiscite day;
4. To further emphasize the importance of vote secrecy, not only during the training of election personnel, but also in voter information/education;
5. To consider initiating the free transportation of voters to voting centers instead of giving local governments the opportunity to do so in their own initiative, to prevent possible questions regarding election fairness and use of public resources by incumbents;
6. To provide transportation to members of the EBs, especially in the transport of election paraphernalia to and from the voting centers;
7. To ensure that a bigger venue is provided for the reception of election paraphernalia, to avoid crowding;
8. To review the amount of forms to be filled out and the procedural steps, to shorten the closing process and to use less paper.

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