



NAMFREL's Proposal for an Electoral Reform Legislative Agenda

For the 20th Congress - House Committee on Suffrage and Electoral Reform

Submitted by: National Citizens Movement for Free Elections – Bantay ng Bayan Foundation Inc. (NAMFREL)

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EXECUTIVE SUMMARY

The Philippine electoral system faces systemic challenges that undermine democratic governance and enable corruption. Building on NAMFREL's decades of electoral reform advocacy since 1983, this agenda consolidates and updates previous reform proposals submitted to the 17th, 18th, and 19th Congresses, addressing persistent issues: political dynasties, campaign finance opacity, party system weakness, obsolete election code, captured COMELEC, and inadequate technology standards.

NAMFREL's mission remains steadfast: "to ensure that all elections reflect the true will of informed voters" and to secure "transparent, low-cost, competitive, inclusive, orderly, free, and fair elections." These reforms are essential to breaking the corruption-politics nexus that has captured Philippine governance.

PRIORITY 1: ANTI-POLITICAL DYNASTY LEGISLATION

Proposed: Anti-Political Dynasty Act of 2025

Status of 19th Congress Work: Multiple bills filed (HB 190, HB 246, HB 534, SB 231, SB 130) but remained pending without committee approval.

NAMFREL Historical Position: Included in NAMFREL's electoral reform agenda consistently advocated since the 1990s.

Explanatory Note:



The 1987 Constitution (Article II, Section 26) mandates that "The State shall guarantee equal access to opportunities for public service and prohibit political dynasties as may be defined by law." Nearly 40 years later, this constitutional provision remains unimplemented, enabling the concentration of political and economic power within elite families. As NAMFREL has documented, elite dominance in politics perpetuates patronage systems, limits genuine competition, and creates structural conditions for corruption by consolidating resources and power within family networks.

Key Provisions Should Include:

- **Definition:** Prohibit relatives within the second degree of consanguinity or affinity from simultaneously holding elective positions within the same province or city
- **Temporal Restrictions:** Bar immediate family members from succeeding each other in the same position for at least one intervening term
- **National Scope:** Apply restrictions to all levels - from barangay to national positions
- **Transition Period:** Three-year implementation period for current officeholders
- **Exceptions:** Positions won before effectivity exempted until term completion

Rationale: Political dynasties perpetuate patronage networks, limit political competition, and create conditions conducive to corruption by consolidating resources and power within family networks. NAMFREL's observation confirms that "the problems of lack of accountability and corruption in governance are ultimately traceable to the country's historically evolved political processes" including "the dominance of elite interests – both local and national – in politics and political contests."

PRIORITY 2: COMPREHENSIVE CAMPAIGN FINANCE REFORM

Proposed: Electoral Campaign Finance Transparency and Accountability Act

Status of 19th Congress Work: Partial discussions in SB 810 (Marcos), SB 1178 (Pimentel), SB 456 and HB 7295 (per Committee Report No. 636) and HB 1234, focused only on increasing expenditure limits without comprehensive transparency mechanisms.

NAMFREL Historical Position: "Improve laws, regulations & systems on electoral and campaign finance." NAMFREL submitted detailed position paper (August 2018) supporting indexed increases but demanding transparency provisions.

Explanatory Note:

Current campaign finance laws are grossly inadequate. The Omnibus Election Code sets spending limits that have not been meaningfully updated, making them obsolete. Disclosure requirements are weak, enforcement is lax, and anonymous donations facilitate corruption. The



2022 and 2025 elections demonstrated how undisclosed funding sources enable vote-buying and electoral manipulation.

NAMFREL's 2018 analysis noted that while increasing spending limits is necessary to reflect inflation, such increases without transparency mechanisms would worsen corruption.

As NAMFREL observed in its 2018 position paper: establishing "a level playing field" requires not just spending limits but comprehensive regulation of private funding, banning anonymous donations, strict disclosures, and public subsidy mechanisms practiced in established democracies.

Key Provisions Should Include:

A. Spending Limits with Automatic Indexation:

- Index campaign spending limits to inflation based on average Consumer Price Index for three years prior to election year
- Presidential: ₱100 per registered voter (updated from ₱20 in 19th Congress proposals)
- Senatorial: ₱50 per registered voter
- Local positions: Graduated limits based on jurisdiction size
- Spending limits should not exceed equivalent of one year's salary for the position

B. Transparency Requirements:

- Real-time online disclosure of donations exceeding ₱50,000 within 48 hours
- Ban anonymous donations above ₱10,000
- Require disclosure of donor occupation and principal business to prevent illicit sources (drug money, illegal gambling)
- Mandatory electronic filing of all campaign finance reports
- Public database accessible via COMELEC website with open data standards
- Distinguish candidate from party donations/expenditures to prevent use as channel for circumvention

C. Contribution Limits:

- Individual donors: ₱500,000 per candidate per election
- Corporate/union contributions: Prohibited (following established democracy standards)
- Ban corporate donations from companies doing business with government or where government has equity
- Foreign contributions: Absolute prohibition with criminal penalties

D. Enforcement Mechanisms:

- COMELEC Campaign Finance Monitoring Division with 100+ auditors



- Random audits of 20% of all candidates
- Mandatory forensic audit of winning candidates for major positions
- Criminal liability for treasurers and candidates for false reports
- Administrative penalties: Disqualification, forfeiture of contributions

E. Third-Party Expenditures:

- Regulate political advertising by non-candidate groups
- Require registration and disclosure of expenditures exceeding ₱500,000
- Coordination with candidates triggers contribution limits

F. Public Subsidy System:

- State subsidies for registered parties to lower candidacy costs
- Automatic recounts for close margins (1% or less) borne by state to reduce financial burden on candidates
- Matching funds for small donors to encourage grassroots support

Rationale: Campaign finance opacity is the primary vehicle for corruption in Philippine elections. Undisclosed funds fuel vote-buying, enable quid-pro-quo arrangements, and allow corrupt officials to launder ill-gotten wealth through the electoral process. NAMFREL's position: lowering cost barriers encourages wider participation and reduces financial burdens that incentivize corruption after election.

PRIORITY 3: PHILIPPINE ANTI-CORRUPTION IN ELECTIONS ACT (PACEA)

A Philippine Adaptation of RICO Principles

Status of 19th Congress Work: Not previously proposed in comprehensive form.

NAMFREL Historical Context: NAMFREL has consistently documented that "the corruption of elections through patronage and money politics" is systematic, not isolated. Electoral fraud operates as organized crime requiring comprehensive prosecution framework.

Explanatory Note:

The United States Racketeer Influenced and Corrupt Organizations (RICO) Act provides a powerful framework for prosecuting systematic corruption. Philippine elections are increasingly captured by organized criminal networks that use electoral victory to secure impunity and



perpetuate corrupt schemes. Traditional anti-corruption laws focus on individual acts rather than systematic criminal enterprises.

NAMFREL's decades of election observation reveal patterns of vote-buying, violence, and electoral manipulation that function as coordinated operations by political-criminal syndicates. Traditional prosecution is insufficient to dismantle these networks.

Key Provisions Should Include:

A. Definition of Electoral Racketeering:

- Pattern of activity involving at least two predicate offenses within a 10-year period
- Predicate offenses include: vote-buying, electoral fraud, campaign finance violations, money laundering, extortion, bribery of election officials, violence against voters or candidates, systematic disinformation campaigns

B. Expanded Liability:

- Criminal liability for leaders and financiers of electoral racketeering enterprises
- Conspiracy charges for those who plan, fund, or facilitate systematic electoral corruption
- Liability extends beyond direct perpetrators to masterminds and beneficiaries

C. Asset Forfeiture:

- Civil and criminal forfeiture of assets derived from electoral racketeering
- Forfeiture of positions won through racketeering activity
- Disgorgement of salaries and benefits received through illegally won positions

D. Enhanced Penalties:

- Imprisonment: 12-20 years for convicted electoral racketeers
- Perpetual disqualification from public office
- Triple damages in civil suits brought by affected voters or candidates
- Forfeiture of PERA, office budget allocations, and pork barrel funds

E. Witness Protection and Incentives:

- Comprehensive witness protection for those testifying against electoral syndicates
- Whistleblower rewards: ₱100,000 per successful prosecution of vote-buying
- Reduced penalties for cooperating defendants
- Whistleblower rewards: 10% of forfeited assets

F. Special Prosecution Units:



- Create specialized Electoral Racketeering Prosecution Task Force under the Department of Justice
- Grand jury-style preliminary investigation process
- Fast-track prosecution with dedicated trial courts

Rationale: Corruption in the Philippines operates as organized crime, with political networks systematically using elections as vehicles to capture state resources. Traditional prosecution of individual acts is insufficient. PACEA enables prosecution of entire corrupt networks and deters systematic electoral manipulation.

PRIORITY 4: REVISED OMNIBUS ELECTION CODE

Proposed: Election Code Modernization Act of 2025

Status of 19th Congress Work: Discussions initiated in joint House-Senate Technical Working Group but comprehensive bill not filed.

NAMFREL Historical Position: "Amend the Omnibus Election Code & rationalize it with current election laws.", "Amend legislation on election offenses, violations & penalties."

Explanatory Note:

Batas Pambansa Blg. 881 (Omnibus Election Code) was enacted in 1985 - 40 years ago. It predates the internet, social media, automated elections, and modern campaign techniques. Numerous provisions are obsolete, contradictory, or unenforceable. Piecemeal amendments have created a confusing legal landscape that NAMFREL has identified as a barrier to effective election administration.

Key Provisions Should Include:

A. Digital Campaign Regulations:

- Regulate social media campaigning, including bot networks and disinformation
- Require disclosure tags on political advertisements online
- Prohibit deepfakes and manipulated media in political advertising
- Platform accountability for failure to remove prohibited content
- Equitable access provisions for candidates without digital resources

B. Modernized Campaign Period:

- Harmonize campaign periods: 90 days for national, 45 days for local
- Premature campaigning redefined for digital age



- Regulation of "soft campaigning" and surrogate activities

C. Automated Election System (AES) Standards:

- NAMFREL PRIORITY: Reform AES to use indigenous & appropriate technology which is accurate, efficient, transparent & auditable
- Codify requirements for transparency, auditability, and security of AES
- Mandatory source code review open to ALL stakeholders, not limited to accredited reviewers
- Mandatory random manual audits: 1% of precincts nationwide
- Voter-verified paper audit trail as primary record
- Prohibition on electoral systems with uncertifiable security
- **Move away from monolithic vendor-dependent systems** toward standards-based, open systems

D. Technology Integration Standards:

- Blockchain technology for voter list integrity
- Immutable audit logs in automated election systems (NAMFREL technical recommendation)
- GPG (GNU Privacy Guard) for securing data at rest and in transit (NAMFREL technical recommendation)
- Mobile devices as part of Multi-Factor Authentication for BEIs and potentially voters (NAMFREL technical recommendation)
- Focus on standards rather than proprietary vendor solutions
- Minimize specialized hardware requirements
- Publish all technological standards - reject security-by-obscurity

E. Inclusive Voting Provisions:

- Mandatory accessibility standards for persons with disabilities
- Automated voting systems displaying candidate picture images for illiterate voters
- Special polling places for senior citizens, PWDs, pregnant women regardless of precinct assignment
- Biometric voter verification at all precincts to prevent fraud
- Absentee voting expansion for internally displaced persons
- Local absentee voting for residents temporarily away from registration
- Voting assistance for indigenous peoples with language support

F. Election Offenses Update:

- Cyber-enabled electoral offenses (hacking, disinformation campaigns)
- Gun ban enforcement with modern surveillance tools



- Presumption of vote-buying when unexplained cash distributions occur during campaign period
- Liability for coordinators and financiers, not just distributors of vote-buying money
- Coordinated vote-buying operations as aggravating circumstance
- Increased penalties proportionate to inflation

G. COMELEC Powers and Independence:

- Strengthen COMELEC's contempt powers and enforcement capacity
- Insulate COMELEC budget from executive/legislative manipulation
- Professionalize COMELEC staff with competitive salaries and merit-based hiring

Rationale: An obsolete election code creates legal ambiguities, hampers enforcement, and fails to address modern electoral manipulation techniques. Comprehensive modernization incorporating technology advances is essential for credible elections.

PRIORITY 5: POLITICAL PARTY DEVELOPMENT AND SYSTEM STRENGTHENING

Proposed: Political Party System Strengthening Act

Status of 19th Congress Work: SB 782, HB 2345, HB 522 (Castro), HB 697 (Arroyo), HB 1695 (Rodriguez), HB 3200 (Villarin) filed but pending. Limited discussion on party system reform.

Status of 19th Congress Work: SB 782 and HB 2345 filed but pending. Limited discussion on party system reform.

NAMFREL Historical Position: "Introduce political party development for representative & inclusive representation.", "Consider promoting and incentivizing the formation of political party institutes." and "Encourage the participation of women & youth in politics."

Explanatory Note:

The Philippines has a weak multi-party system characterized by personality-driven politics, frequent defections, and absence of ideological coherence. NAMFREL observed "the absence of political parties that exact accountability from individual politicians based on principled party platforms" is a root cause of governance failure. This "turncoatism" undermines accountability and enables corruption by allowing politicians to evade responsibility through party-switching. Strong parties are essential for programmatic governance and democratic accountability.



As NAMFREL noted: "By incentivizing [party institute] formation, the parties would have the means to do research and present positions on various issues, and possibly use these to attract voters. This would encourage voters to affiliate themselves with party ideas or ideals."

Key Provisions Should Include:

A. Anti-Turncoatism Provisions:

- Elected officials changing parties forfeit their seats
- Exception: Party dissolution or merger approved by COMELEC
- Six-month residency requirement in new party before running for office
- Prohibit "guest candidates" and party-switching during elections

B. Party Registration and Standards:

- Require all political parties to field contestants in all elective posts in jurisdiction where registered
- Nationally registered parties must field candidates in ALL elective posts nationwide
- Regionally/provincially-registered parties must field candidates in ALL posts in their regions/provinces
- **Rationale:** Discourages connivance among parties by selectively fielding candidates and negotiating to avoid contests. In 2016, 13% of elective posts had only one candidate due to party deals
- Stricter registration: Parties must demonstrate organizational presence in at least 50% of regions
- Required membership: Minimum 10,000 registered members
- Regular COMELEC audits of party membership and finances
- Deregistration for parties failing to field candidates in two consecutive elections

C. Intra-Party Democracy:

- Mandatory party primaries or conventions for candidate selection
- Transparent party financial reporting
- Gender quota: At least 30% women representation in party leadership and candidate slates
- Youth representation requirements in party structures

D. Political Party Institutes:

- Tax incentives for party policy research institutes as think-tanks
- State funding/subsidies for party institutes to formulate policy, recruit and train candidates



- Public funding for party platforms and manifestos
- Party institutes as vehicles for strengthening parties and attracting voters based on ideas

E. Party Financing:

- State subsidy for registered parties based on vote share (minimum 3% threshold)
- Annual allocation: ₱5 billion distributed proportionally
- Matching funds for small donors to encourage grassroots support
- Transparent reporting of party income and expenditures

F. Party List System Reform:

- Genuine representation requirement: Party-list groups must represent marginalized sectors
- Ban bogus representation by elite-controlled groups
- Three-term limit for party-list organizations
- Mandatory disclosure of party-list funders and major donors
- Promote women's participation through party-list (HB 3200-Villarin framework)
- Mandatory disclosure of party-list funders and major donors

F. Ideological Development Support:

- Tax incentives for party policy research institutes
- Public funding for party platforms and manifestos
- Mandatory policy debates and platform publication

Rationale: Weak parties enable personality-driven, patronage-based politics that facilitates corruption. Strong, ideologically coherent parties create accountability structures and programmatic alternatives, reducing corruption opportunities and providing voters with genuine choices.

PRIORITY 6: ELECTORAL JUSTICE AND ADJUDICATION REFORMS

Proposed: Electoral Dispute Resolution Efficiency Act

Status of 19th Congress Work: Minimal legislative attention despite persistent delays in electoral dispute resolution.



NAMFREL Historical Position: "Separate the adjudication & management functions of the commission.", "Consider removing the judicial functions from the Commission on Elections."

Explanatory Note:

Electoral disputes languish for years in Philippine tribunals. Election contests often remain unresolved until the term expires, making remedies meaningless. The House of Representatives Electoral Tribunal (HRET), Senate Electoral Tribunal (SET), and Commission on Elections (COMELEC) face massive backlogs.

NAMFREL has consistently advocated that COMELEC should focus solely on administering elections, not adjudicating disputes. As stated in NAMFREL's 2018 proposal: "This would make the Commission on Elections focused on administering the elections and improving the conduct of the process. All election cases should be referred to and handled either by the appropriate judicial bodies or by a body created in the constitution that would solely handle election cases, including complaints against election officials."

Delayed justice undermines public confidence in elections and allows fraudulent winners to consolidate power.

Key Provisions Should Include:

A. Separation of Adjudication from Election Management:

- Remove judicial functions from COMELEC (NAMFREL core recommendation)
- Create dedicated Electoral Courts separate from COMELEC for all election disputes
- COMELEC focuses exclusively on election administration, voter registration, candidate qualification, and process management
- Electoral Courts handle all election protests, quo warranto cases, and complaints against election officials

B. Mandatory Resolution Timelines:

- Electoral Courts: Decide election protests within 6 months of filing
- Electoral tribunals (HRET/SET): Decide within 9 months
- Supreme Court review: Decide within 6 months
- Automatic dismissal for failure to meet timelines unless extraordinary circumstances shown

C. Tribunal Reforms:

- Increase HRET and SET membership to handle caseload
- Require dedicated magistrates for electoral disputes
- Mandatory continuous trial system - no postponements without compelling cause



- Public hearing livestreaming for transparency

D. Preliminary Injunction Standards:

- Clear standards for status quo ante orders in election protests
- Provisional winners maintain position unless fraud preponderance shown
- Expedited preliminary hearing within 30 days

E. Evidence Rules:

- Electronic evidence admissibility standards
- Mandatory forensic examination of contested election materials
- Sanctions for destruction or tampering of electoral evidence

F. Costs and Fees:

- Loser-pays system to discourage frivolous protests
- Fee waivers for indigent protestants with prima facie cases
- Treble costs for protests found to be harassment

Rationale: Delayed electoral justice enables fraudulent winners to enjoy the spoils of office while legitimate winners are denied. Separating adjudication from administration allows COMELEC to focus on improving election conduct. Fast, decisive resolution enhances deterrence and public trust.

PRIORITY 7: VOTER EDUCATION AND INFORMATION SYSTEMS

Proposed: Voter Information and Democratic Education Act

Status of 19th Congress Work: Limited provisions in 19th Congress; no comprehensive voter education framework enacted.

NAMFREL Historical Position: "Deepen youth engagement & participation by making mandatory civic education & inclusion in school curricula."

Explanatory Note:

Informed voters are essential for democratic accountability. The Philippines lacks a systematic, adequately funded voter education program. Many voters lack information about candidates' qualifications, track records, and policy positions. Disinformation proliferates unchecked.



NAMFREL has consistently emphasized voter education as core to free and fair elections. As NAMFREL's mission states: ensuring elections "reflect the true will of informed voters" and "empower the electorate to elect competent, honest public officials" requires systematic civic education and accessible information systems.

Key Provisions Should Include:

A. Voter Information Portal:

- COMELEC-managed online platform with candidate profiles
- Mandatory disclosure: Education, work experience, criminal record, tax compliance, SALN filings
- Performance scorecards for incumbent candidates
- Platform comparisons and voting records
- Multilingual and accessible format
- Open data standards for transparency and third-party innovation

B. Civic Education Program:

- Mandatory civic education in secondary and tertiary curricula
- Integration of LGC and election laws in school curricula for youth engagement
- COMELEC public information campaigns funded at ₱500 million annually
- Partnership with media for voter education programming
- Use of social media for information dissemination to stakeholders
- Community-based education through NGOs and people's organizations

C. Fact-Checking and Disinformation Countermeasures:

- COMELEC Fact-Checking Unit partnering with independent fact-checkers
- Rapid response system for electoral disinformation
- Social media platform cooperation protocols
- Public advisory system for viral disinformation

D. Accessible Voter Information:

- Plain language summaries of candidate positions
- Indigenous language translations
- Accessibility formats for persons with disabilities
- SMS-based information service for offline communities

Rationale: Voter ignorance enables demagogues and corrupt politicians. As NAMFREL emphasizes, comprehensive, accessible information empowers voters to make informed choices and hold leaders accountable. Civic education builds democratic culture and citizen engagement essential for good governance.



PRIORITY 8: FAIR ELECTION ENVIRONMENT AND MEDIA REGULATIONS

Proposed: Fair Campaign and Media Access Act

Status of 19th Congress Work: Partial regulations exist but comprehensive reform not undertaken.

NAMFREL Historical Position: "Consider discouraging the holding of simultaneous elections" to enable informed voter choice and genuine candidate differentiation.

Explanatory Note:

Wealthy candidates dominate media coverage through paid advertising, while poorer candidates lack access. Under the present setup, voters select from over 100 candidates to fill 24-32 elective posts simultaneously from president to city councilors. NAMFREL observed: "In such a field of contest, it is difficult for any voter to carefully look at party platforms and qualifications of each candidate. For the candidates, it is equally difficult, if not more so, for them to differentiate from one another. This do not really encourage informed and critical choice on the part of the voters and a competitive environment on the part of the contestants."

Media inequality and simultaneous elections create conditions for uninformed voting and money-driven campaigns.

Wealthy candidates dominate media coverage through paid advertising, while poorer candidates lack access. Media networks favor candidates who can pay premium rates. This creates profound inequality in electoral competition. Airtime allocation reforms and limits on paid political advertising can level the playing field.

Key Provisions Should Include:

A. Equal Media Access:

- COMELEC-mandated free airtime on television and radio for all qualified candidates
- Presidential/Senatorial: 30 minutes total free airtime in prime slots
- Local candidates: Proportionate allocation based on jurisdiction
- State broadcasting network (PTV/Radyo ng Bayan) dedicated election coverage
- Principle: "Those competing should have reasonable opportunity to get message across" following international standards

B. Paid Political Advertising Limits:



- Cap total paid media spending: 40% of overall campaign spending limit
- Prohibit paid political ads 7 days before election (reflection period extended)
- Equal rates for all candidates - no premium pricing discrimination
- Mandatory disclosure of advertising sponsors

C. Debate Requirements:

- Mandatory debates for presidential, vice-presidential, and senatorial candidates
- COMELEC-organized, moderated debates broadcast on all major networks
- Criminal penalty for unjustified absence from debates
- Issue-focused debate formats to enable candidate differentiation

D. Social Media Advertising:

- Transparency requirements for online political ads
- Disclosure of sponsors and spending
- Platforms must maintain public archive of political ads
- Ban on micro-targeted political advertising using personal data

E. Journalist Protection:

- Enhanced penalties for violence or harassment of journalists covering elections
- Press freedom protections during campaign period
- Right of reply for candidates misrepresented in media

F. Staggered Elections Exploration:

- Study and pilot staggered elections to reduce voter overload
- Separate national and local elections to enable focused attention
- Enhanced voter capacity for informed choice and candidate differentiation

Rationale: Media access inequality entrenches incumbent and wealthy candidates. Simultaneous elections overwhelm voters and prevent meaningful evaluation of candidates. Fair access provisions and streamlined ballot democratize campaigns and enhance issue-based voter decision-making.

PRIORITY 9: ELECTORAL INTEGRITY AND SECURITY

Proposed: Electoral Integrity Protection Act

Status of 19th Congress Work: Limited legislative attention; enforcement gaps persist.



NAMFREL Historical Position: Implicit across all NAMFREL election observation work documenting vote-buying, violence, and fraud. Specific recommendations on observer protections and community-based monitoring.

Explanatory Note:

Electoral fraud, voter intimidation, and violence undermine democratic legitimacy. Despite existing laws, enforcement is weak. Vote-buying remains rampant. Private armed groups continue to intimidate voters. NAMFREL's decades of election observation reveal persistent patterns of electoral manipulation requiring comprehensive integrity measures.

As NAMFREL has emphasized: achieving elections that are "free, fair, orderly, honest, transparent, competitive, inclusive, and low cost" requires robust protection against fraud, violence, and manipulation.

Key Provisions Should Include:

A. Enhanced Anti-Vote Buying:

- Presumption of vote-buying when unexplained cash distributions occur during campaign period
- Liability for coordinators and financiers, not just distributors
- Whistleblower rewards: ₱100,000 per successful prosecution
- Community-level monitoring through deputized citizens

B. Election-Related Violence Prevention:

- Expanded definition of election offenses to include coercion, harassment, and intimidation
- Disqualification for candidates linked to private armed groups
- Mandatory disarmament of candidates with armed followers
- Fast-track prosecution of election-related violence
- Protection for election observers and monitors (particularly non-partisan) from harassment and obstruction

C. Electoral Fraud Prevention:

- Biometric voter verification in all precincts
- Indelible ink mandatory for all voters
- Real-time transmission of election results with digital signatures
- Blockchain technology for result collection and publication to ensure transparency and integrity
- Criminal liability for manipulation of automated election system



D. Observer and Watchdog Protections:

- Legal protections for accredited citizen election observers (NAMFREL, PPCRV, other credible organizations)
- Right of access to all stages of electoral process without obstruction
- Penalties for obstruction of lawful election monitoring
- Funding support for credible non-partisan monitoring organizations
- Recognition of critical role of civil society in limiting and controlling state power

E. Post-Election Audit:

- Mandatory forensic audit of elections with irregularity reports
- Random manual audits of vote tabulation
- Public reports on electoral integrity findings

Rationale: Electoral fraud and violence rob citizens of their democratic rights. NAMFREL's role as the world's first citizen election monitoring organization (since 1983) demonstrates that independent observation is essential to electoral integrity. Robust integrity measures and observer protections deter manipulation and restore public trust.

PRIORITY 10: ELECTORAL SYSTEM INNOVATIONS

Proposed: Electoral System Enhancement Act

Status of 19th Congress Work: Not comprehensively addressed in 19th Congress.

NAMFREL Historical Position: Electoral reform recommendations on presidential run-offs, "none of the above" option, and vote thresholds for unopposed candidates.

Explanatory Note:

The Philippine electoral system retains features that enable manipulation, reduce genuine competition, and produce unrepresentative outcomes. NAMFREL has identified specific reforms to enhance democratic quality and voter agency.

Key Provisions Should Include:

A. Presidential Run-Off Elections:

- If no presidential candidate wins majority of votes cast, first and second place proceed to run-off
- Run-off held within 30 days of initial election



- Ensures president always has majority support, strengthening legitimacy and mandate

B. "None of the Above" Option:

- Voters provided "NOTA" option for each elective position
- If NOTA wins plurality, new election called with different candidates
- Empowers voters to reject inadequate candidate fields
- Restores genuine electoral choice and discourages cynical candidacies

C. Vote Threshold for Unopposed Candidates:

- Unopposed candidates for president, representative, governor, vice-governor, mayor, vice-mayor must garner at least 50% of votes to be proclaimed winner
- Prevents automatic victory for unopposed candidates through party collusion
- Addresses manipulation where 13% of 2016 elective posts had only one candidate due to party deals

D. District Election Boards:

- Create election boards per district for enhanced local oversight
- Decentralized election management improving accountability
- Community engagement in election administration

E. Enhanced Voter List Management:

- Revamp, rationalize, and make more efficient collection and management of voter list data
- Blockchain technology to ensure voter list integrity
- Regular cleaning and verification processes
- Biometric integration to prevent multiple registrations

Rationale: Electoral system design shapes democratic quality. Run-offs ensure majority support for presidents. NOTA empowers voter agency. Vote thresholds prevent manipulation through unopposed candidates. These innovations enhance representativeness, competition, and legitimacy.

PRIORITY 11: GENDER PARITY AND INCLUSIVE REPRESENTATION

Proposed: Gender Parity in Elective Office Act



Status of 19th Congress Work: Limited discussion; HB 3200 (Villarin) addressed party promotion of women but not constitutional gender parity.

NAMFREL Historical Position: "Consider ensuring gender parity in all elective positions. Women should compose at least 50 percent of all elective posts."

Explanatory Note:

Women remain underrepresented in Philippine governance despite constitutional provisions on women's rights. NAMFREL observed: "The draft constitutions should go beyond recognizing the role of women in national development, but enshrine their roles and value in governance." Gender parity is not just a rights issue but enhances governance quality and democratic legitimacy.

Key Provisions Should Include:

A. Constitutional Requirement:

- Women must compose at least 50% of all elective posts at all levels
- Equal number of men and women in national and local legislative bodies
- Gender parity in party leadership and candidate nominations

B. Implementation Mechanisms:

- Separate ballot listings for women and men candidates for president, senator, representative, governor, vice-governor, mayor, vice-mayor
- Makes gender-balanced voting easier for voters
- Zipper system for party lists ensuring alternating gender placement
- Sanctions for parties failing to meet gender balance requirements

C. Capacity Building:

- State funding for women's political leadership training programs
- Mentorship and support networks for women candidates
- Public education on gender equality in governance

Rationale: Gender parity enhances democratic representativeness, improves governance outcomes, and ensures equal opportunities for public service. Structural mechanisms are necessary to overcome historical barriers to women's political participation.



PRIORITY 11a: INDIGENOUS PEOPLES AND MARGINALIZED SECTORS INCLUSION

Proposed: Inclusive Electoral Participation Act

Status of 19th Congress Work: Limited legislative focus on marginalized sector voting rights.

Explanatory Note:

Indigenous peoples, persons with disabilities, senior citizens, and other marginalized sectors face barriers to electoral participation. Geographic isolation, lack of documentation, inaccessible facilities, and language barriers disenfranchise millions. Inclusive reforms are both a rights imperative and democratic necessity.

Key Provisions Should Include:

A. Indigenous Peoples Voting Rights:

- Special registration drives in indigenous communities
- Indigenous language ballots and voter information
- Community-based voting centers accessible to geographically isolated areas
- Cultural sensitivity training for election officials
- Recognition of indigenous governance systems in local electoral processes

B. Persons with Disabilities Access:

- Mandatory accessibility audit of all voting centers
- Priority lanes and assisted voting provisions
- Accessible ballot templates (braille, large print, audio)
- Disability rights training for COMELEC personnel

C. Senior Citizens and Vulnerable Groups:

- Priority voting lanes for senior citizens and pregnant women
- Mobile voting for homebound elderly and sick persons
- Simplified absentee voting for hospitalized voters

D. Overseas Filipino Workers (OFWs):

- Expanded overseas voting locations in OFW destination countries
- Expand electronic voting pilot programs for overseas voters
- Early voting provisions for OFWs with irregular schedules



E. Internally Displaced Persons (IDPs):

- Registration transfer mechanisms for conflict-displaced voters
- Temporary voting centers in evacuation sites
- Documentation alternatives for voters without IDs

Rationale: Democracy requires universal participation. Marginalized sectors must have meaningful access to suffrage. Inclusive reforms strengthen democratic legitimacy and ensure all voices are heard.

PRIORITY 12: STRENGTHENING COMELEC INDEPENDENCE AND CAPACITY

Proposed: COMELEC Institutional Strengthening and Independence Act

Status of 19th Congress Work: Ongoing discussions but insufficient reforms enacted.

NAMFREL Historical Position: "Uphold independence & isolate the Comelec from political & resource influence." Multiple NAMFREL documents emphasize COMELEC capacity gaps and political pressure vulnerabilities.

Explanatory Note:

The Commission on Elections is constitutionally mandated to enforce election laws, but it lacks sufficient resources, independence, and enforcement capacity. COMELEC is often subjected to political pressure, its budget is inadequate, and its personnel lack proper training and remuneration.

NAMFREL has consistently emphasized that COMELEC independence and competence are foundational to electoral integrity. As stated in NAMFREL's reform agenda: creating "a more independent COMELEC not subject to outside influence" and "a more competent COMELEC with improved capacity to better manage each of the regions" is essential. Institutional strengthening is prerequisite for all other reforms to succeed.

Key Provisions Should Include:

A. Fiscal Autonomy:

- Guaranteed budgetary allocation: 0.5% of national budget
- Insulation from executive/legislative budget cuts
- Dedicated fund for election technology and automation



- Multi-year budgeting for election preparation cycles

B. Commissioner Selection Reform:

- Transparent, merit-based appointment process
- Judicial Bar Council and civil society consultation
- Staggered seven-year terms to ensure continuity
- Removal only through impeachment for cause
- Protection from political interference

C. Personnel Professionalization:

- Competitive salaries for COMELEC staff comparable to Judiciary
- Mandatory training and certification programs
- Career development pathways and merit-based promotion
- Protection from political interference and harassment
- Improve capacity and capability of IT Department to keep pace with technology

D. Enforcement Capacity:

- Dedicated COMELEC law enforcement division with arrest powers
- Partnership with PNP Electoral Task Force
- Prosecution authority for electoral offenses
- Fast-track courts for election cases

E. Regional Coordination Enhancement:

- Use of conferencing technologies for regular meetings between Commission En Banc, senior COMELEC officers, and local officers (PES, EO, etc.)
- Real-time coordination and problem-solving capacity
- Standardized protocols across regions
- Enhanced communication infrastructure

E. Technology and Innovation:

- Dedicated IT security team for electoral systems
- Cybersecurity infrastructure investment
- Blockchain exploration for result transmission security
- Innovation fund for electoral technology pilots
- Standards-based approach to technology procurement

Rationale: No reform will succeed if COMELEC lacks the capacity, independence, and resources to implement it. Political interference and resource constraints undermine election integrity.



Institutional strengthening with fiscal autonomy, professional staff, and modern technology is the foundation for all other reforms.

CROSS-CUTTING PRIORITY: CIVIL SOCIETY PARTNERSHIP IN ELECTORAL GOVERNANCE

Proposed: Electoral Governance Civil Society Partnership Act

Status of 19th Congress Work: Not systematically addressed.

NAMFREL Historical Context: NAMFREL's 40+ years of election observation demonstrates civil society's critical role in democratic governance. As emphasized in NAMFREL documents: "The first and most basic role of civil society is to limit and control the power of the state."

Explanatory Note:

Civil society organizations play irreplaceable roles in checking state power, reducing corruption, and ensuring electoral accountability. NAMFREL, as the world's first citizen election monitoring organization (founded 1983), has provided independent verification of election results, deterred fraud through observation, and advocated for reforms.

Election observation "provides a means to verify the genuineness of election results," "ensures proper implementation of electoral laws," "decreases likelihood of intimidation and fraud," and "instills confidence in the electorate." Yet civil society organizations face resource constraints, political pressure, and legal barriers.

Key Provisions Should Include:

A. Legal Recognition and Protection:

- Statutory recognition of nonpartisan election monitoring as essential democratic function
- Legal protections for election observers from harassment, intimidation, and obstruction
- Criminal penalties for obstruction of lawful election observation
- Free movement and access rights for accredited observers

B. Institutional Support:

- State funding support for accredited credible nonpartisan monitoring organizations (NAMFREL, PPCRV, etc.)
- Grants for voter education, election observation, and electoral reform advocacy



- Transparent accreditation process for monitoring organizations
- Multi-year funding commitments for organizational sustainability

C. Access Rights:

- Guaranteed access to all stages of electoral process including voter registration, campaign monitoring, voting, counting, canvassing
- Real-time access to election data and results
- Observer presence at COMELEC proceedings
- Technology access for parallel vote counting and verification

D. Partnership in Electoral Governance:

- Civil society representation in electoral reform consultations
- Structured dialogue between COMELEC and civil society
- Civil society input on election administration improvements
- Recognition of civil society's "fiscalizer" role

E. Capacity Building:

- State support for observer training programs
- Technology transfer for election monitoring innovations
- International partnership facilitation
- Research and documentation support

Rationale: As NAMFREL's experience demonstrates, independent civil society monitoring is essential to electoral integrity. Civil society organizations provide accountability mechanisms beyond state institutions, deter electoral manipulation through observation presence, and advocate for reforms based on ground-level experience. Partnership with civil society strengthens democracy by limiting state power and enhancing transparency.

IMPLEMENTATION STRATEGY AND TIMELINE

Phase 1: Immediate Priority (2025-2026)

Foundation for 2028 Elections

1. **Anti-Political Dynasty Act** - Break elite capture, enable genuine competition
2. **Campaign Finance Transparency Act** - Close corruption channels, real-time disclosure
3. **Philippine Anti-Corruption in Elections Act (PACEA)** - Dismantle electoral racketeering networks



4. **COMELEC Institutional Strengthening Act** - Build capacity and independence
5. **Electoral Governance Civil Society Partnership Act** - Formalize observer protections

Target: Bills filed first quarter 2026, committee hearings by mid-2026, passage before 2026 ends.

Phase 2: Medium-Term Priority (2026-2027)

Comprehensive System Modernization

6. **Election Code Modernization Act** - 40-year-old code updated for digital age
7. **Political Party Strengthening Act** - Build accountable party system
8. **Electoral Justice Reform Act** - Separate adjudication from administration
9. **Fair Campaign and Media Access Act** - Level playing field for candidates

Target: Bills filed by early 2027, passage before 2027 ends, implementation testing during 2028 preparations.

Phase 3: Continuous Development (2027-2028)

Enhanced Democracy and Inclusion

10. **Voter Information and Democratic Education Act** - Informed electorate foundation
11. **Electoral Integrity Protection Act** - Comprehensive anti-fraud framework
12. **Electoral System Enhancement Act** - Run-offs, NOTA, unopposed thresholds
13. **Gender Parity in Elective Office Act** - Structural equality mechanisms

Target: Bills filed throughout 2027-2028, phased implementation, full operation by 2031 elections.

A Call For Transformational Change

The Philippine electoral system is at a critical juncture. After more than 40 years of NAMFREL's election monitoring fundamental reforms remain unrealized.

Systemic corruption, political dynasties, weak parties, obsolete laws, compromised election management, and inadequate technology have created a captured democracy that serves elite interests rather than the common good. As NAMFREL has documented: "the problems of lack of accountability and corruption in governance are ultimately traceable to the country's historically evolved political processes."

The cost of inaction is immense:



- ₱50-100 billion lost annually to electoral corruption
- Public services undermined by incompetent, corrupt officials
- Development paralyzed by patronage politics
- Democratic legitimacy eroded by fraudulent elections
- Citizens disillusioned with democracy itself

The benefits of reform are transformative:

- Breaking elite capture through anti-dynasty laws
- Transparent governance through campaign finance reform
- Accountable leadership through strong political parties
- Professional election management through COMELEC strengthening
- Informed citizens through civic education
- Genuine competition through fair electoral environment
- Democratic renewal through comprehensive system modernization

This reform agenda represents NAMFREL's synthesis of decades of observation, analysis, and advocacy. It builds on proposals submitted to the 17th, 18th, and 19th Congresses—proposals that remain urgently relevant and necessary. It incorporates international best practices while respecting Philippine constitutional traditions and democratic aspirations.

NAMFREL urges the 20th Congress House Committee on Suffrage and Electoral Reform to prioritize this agenda. Democratic renewal requires political will, but the alternative, continued democratic decay, is unacceptable.

The Filipino people deserve elections that are free, fair, transparent, competitive, inclusive, orderly, honest, and low-cost. They deserve a democracy that serves the common good rather than elite enrichment. They deserve governance that upholds the constitutional promise: sovereignty resides in the people.

The time for reform is now. The 2028 elections can mark a turning point if we act with courage and urgency.

As NAMFREL has affirmed since 1983: "Ang boto ay sagrado. Ang halalan ay dapat malinis, patas, at totoo. Para sa kinabukasan ng ating bayan, kailangan natin ang tunay na reporma."

Submitted by:

National Citizens Movement for Free Elections (NAMFREL)

"Bantay ng Bayan, Bantay ng Boto" - Guardians of the Nation, Guardians of the Vote

The world's first citizen election monitoring organization, established 1983



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ANNEXES

ANNEX A: SUMMARY TABLE OF PROPOSED LEGISLATION

Priority	Proposed Legislation	Key Objective	NAMFREL Historical Position	19th Congress Status
1	Anti-Political Dynasty Act	Prohibit concentration of power in families	Point 8 (14-point agenda)	Multiple bills filed, pending
2	Campaign Finance Transparency Act	Transparent, indexed limits; ban anonymous donations	Point 9 (14-point agenda); 2018 position paper	Partial discussions, SB 1178, HB 7295
3	Philippine Anti-Corruption in Elections Act (PACEA)	Apply RICO principles to electoral corruption	Implicit in anti-corruption advocacy	Not previously proposed
4	Election Code Modernization Act	Update 1985 code for digital age; AES reform	Points 1, 13, 14 (14-point agenda)	TWG discussions, no comprehensive bill
5	Political Party Strengthening Act	Build accountable parties; party institutes	Points 7, 8 (14-point agenda; 2018 #8)	Multiple bills filed (HB 522, 697, 1695, 3200)
6	Electoral Justice Reform Act	Separate adjudication from administration	Points 2, 9 (14-point agenda; 2018 #9)	Minimal legislative attention
7	Voter Information and Education Act	Informed voting; mandatory civic education	Point 10 (14-point agenda)	Limited provisions, not comprehensive



Priority	Proposed Legislation	Key Objective	NAMFREL Historical Position	19th Congress Status
8	Fair Campaign and Media Access Act	Equal media access; explore staggered elections	2018 #2 (discourage simultaneous elections)	Partial regulations, not comprehensive
9	Electoral Integrity Protection Act	Anti-fraud; observer protections; whistleblower rewards	Implicit across monitoring work	Enforcement gaps persist
10	Electoral System Enhancement Act	Run-offs; NOTA; unopposed thresholds	2018 #1, #4, #5	Not addressed
11	Gender Parity in Elective Office Act	50% women in all elective posts	2018 #7; Point 12 (women participation)	Limited discussion (HB 3200)
12	COMELEC Institutional Strengthening Act	Independence, capacity, technology	Points 3, 4, 5, 6, 11 (14-point agenda)	Ongoing but insufficient
Cross-cutting	Electoral Governance Civil Society Partnership Act	Formalize observer protections; funding support	Core NAMFREL mission and role	Not systematically addressed

ANNEX B: NAMFREL'S 14-POINT ELECTORAL REFORM ADVOCACY

As consistently promoted since 2018:

1. Reform the AES - use indigenous & appropriate technology which is accurate, efficient, transparent & auditable
2. Separate the adjudication & management functions of the commission
3. Encourage the adoption of open data by the commission
4. Uphold independence & isolate the Comelec from political & resource influence
5. Revamp, rationalize & make more efficient the collection & management of data for the upkeep of the voters list
6. Create election boards per district
7. Introduce political party development for representative & inclusive representation
8. Enact an enabling law on limiting political dynasties
9. Improve laws, regulations & systems on electoral and campaign finance
10. Deepen youth engagement & participation by making mandatory civic education & inclusion in school curricula
11. Explore the adoption of block-chain technology to make more efficient, secure & make transparent the management & use of election & other related data



12. Encourage the participation of women in politics
13. Amend the Omnibus Election Code & rationalize it with current election laws
14. Amend legislation on election offenses, violations & penalties

ANNEX C: NAMFREL 2018 INPUTS ON CONSTITUTIONAL REFORM

Submitted March 7-8, 2018 to President, Senate President, House Speaker, and Constitutional Committee Chair:

1. Consider providing a run-off for the presidential elections
2. Consider discouraging the holding of simultaneous elections
3. Consider requiring all political parties to field contestants in all elective posts in the jurisdiction within which they are registered
4. Consider allowing voters to choose "none of the above" on the ballot
5. Consider requiring unopposed candidates to garner at least 50 percent of the votes
6. Consider requiring the state through COMELEC to lower the cost of candidacy
7. Consider ensuring gender parity in all elective positions (50% women)
8. Consider promoting and incentivizing the formation of political party institutes
9. Consider removing the judicial functions from the Commission on Elections

ANNEX D: TECHNICAL RECOMMENDATIONS FOR ELECTORAL TECHNOLOGY

From NAMFREL presentations on technology use in elections:

Blockchain Applications:

- Decentralized, distributed public ledger for immutable election records
- Recording for in-precinct records and consolidated database
- Transparency in voting process, recording, counting, consolidation
- Include metadata (timing, location, transmission method)
- Remove need for centralized database vulnerabilities

Security Standards:

- GPG (GNU Privacy Guard) for securing data at rest and in transit
- Public-private key encryption (open source)
- Digital signatures for transmitted results

Authentication:

- Mobile devices as Multi-Factor Authentication for BEIs
- Future potential for voter authentication
- Biometric systems at all polling places



System Design Principles:

- Focus on standards instead of vendors
- Publish all technological standards - reject security-by-obscurity
- Minimize use of specialized hardware
- Divide-and-conquer approach - avoid monolithic systems
- Different providers auditing each other's results
- Emphasize transparency over proprietary solutions

ANNEX E: ALIGNMENT WITH INTERNATIONAL STANDARDS

International Best Practices Incorporated:

Campaign Finance (from NAMFREL 2018 position paper analysis):

- Established democracies favor expenditure limits (except USA)
- Public funding systems (South Korea, Taiwan models)
- Regulated private funding with disclosure requirements
- Ban on anonymous donations (prevent illicit sources)
- Distinction between candidate and party finances
- Media access principles: "Equal access" (Denmark, France) or "Equitable access" (Cambodia, Germany)
- Some democracies ban political advertising (UK, Ireland); others protect it (Australia)

Electoral Management:

- International IDEA frameworks for EMB independence
- IFES standards for electoral technology
- OSCE/ODIHR election observation protocols
- Commonwealth electoral management practices

Inclusive Participation:

- Universal Design principles for accessibility
- Indigenous peoples' electoral rights frameworks
- Gender equality international commitments

ANNEX F: CIVIL SOCIETY ROLE IN DEMOCRATIC GOVERNANCE

NAMFREL'S Analysis of Civil Society Functions:

Primary Roles (from NAMFREL governance presentations):

1. Limit and control power of state



2. Check, monitor, and restrain exercise of power
3. Hold government accountable
4. Reduce political corruption
5. Provide independent verification mechanisms

Election Observation Functions:

- Verify genuineness of election results
- Ensure proper implementation of electoral laws
- Decrease likelihood of intimidation and fraud
- Instill confidence in electorate
- Increase voter turnout and participation
- Ensure free expression of political will
- Guarantee deployment, access, protection of observers

Partnership Principles:

- Shared vision and responsibility
- Shared accountability
- Defined roles and functions
- Defined processes and transparency
- Shared resources
- Active participation in planning, implementation, monitoring, evaluation

Civil Society Strengths in Governance Partnerships:

- Innovative mindset and social laboratory function
- Fast-track approach to problem-solving
- Extensive networks for mobilization
- Advocacy capacity and credibility
- Independence from political pressures

ANNEX G: INDICATORS AND MONITORING FRAMEWORK

NAMFREL's Indicators of Good Elections (Evaluation Metrics):

Indicator	Measurement Criteria	Data Sources
Free	- Vote-buying incident reports - Violence/intimidation cases - Voter movement restrictions - Coercion complaints	Observer reports, police records, election court cases
Fair	- Campaign finance disclosure compliance - Media access equality - Incumbency advantage metrics - Vote-buying prosecutions	COMELEC reports, media monitoring, court records



Indicator	Measurement Criteria	Data Sources
Orderly	- Polling station operations smoothness - Queue wait times - Technical failure rates - Results transmission timeliness	Observer reports, COMELEC data, technical logs
Honest	- Fraud complaint substantiation rates - Audit discrepancies - Electoral offenses prosecuted - PACEA cases filed	Electoral courts, audit reports, DOJ records
Transparent	- Campaign finance disclosure rates - Open data publication compliance - Observer access incidents - Source code review completion	COMELEC portal, observer reports, technical audits
Competitive	- Unopposed candidate percentages - New candidate entry rates - Dynasty presence metrics - Party competition levels	COMELEC statistics, dynasty tracking, party data
Inclusive	- PWD voting participation rates - Indigenous peoples turnout - Gender balance in candidates - Senior citizen voting rates	Demographic voting data, accessibility audits
Low-Cost	- Average candidate expenditures - Public subsidy utilization - Candidate debt levels - Cost-per-voter metrics	Campaign finance reports, candidate surveys