



NAMFREL

+63 8470 4151 · +63 8451 1586
namfrelsecretariat@namfrel.org.ph
www.namfrel.org.ph

National Citizens' Movement For Free Elections
Unit 601, DMG Center, Domingo M. Guevara St.,
Brgy. Mauway, Mandaluyong City, Philippines, 1550

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NAMFREL: Ban government contractors from the party list, prohibit using names of celebrities and government assistance programs like "ayuda" and "tupad," adopt anti-dynasty measures up to fourth degree of consanguinity and affinity

In a position paper dated March 1, 2026 submitted to the Senate Committee on Electoral Reforms and People's Participation (CERPP) in connection with the public hearing on March 2 on proposed Party-List Reform Bills currently under deliberation, the National Citizens' Movement for Free Elections (NAMFREL) makes the following specific recommendations:

1. Consolidate the Best Provisions. NAMFREL recommends that the Committee work toward a consolidated substitute bill that draws on the strongest elements of SB 1656, SB 1559, SB 1871 and SB 1907. At a minimum, the consolidated bill should include: (a) robust anti-dynasty provisions covering at least the third to fourth degree of consanguinity and affinity; (b) outright prohibition on government contractors as nominees; (c) removal of the three-seat cap in favor of a true proportional seat allocation formula; (d) prohibitions on the use of government program names and celebrity or media personalities; (e) extended COMELEC vetting periods with mandatory evidentiary hearings; and (f) mandatory disclosure of campaign donors and political backers.

2. Ensure Constitutional Soundness. Provisions that seek to restrict participation exclusively to marginalized and underrepresented sectors should be carefully harmonized with the Supreme Court's Atong Paglaum ruling (not unconstitutionally restricting participation exclusively to marginalized and underrepresented groups) to avoid provisions that will be immediately challenged before the Supreme Court. The Committee should invite constitutional law experts and the COMELEC to provide guidance.

3. Remove Red-Tagging Provisions. Any provision that may be used to disqualify party-list organizations on the basis of alleged ideological affiliations without due process — as appears in SB 201 — should be removed. Political pluralism and the protection of legitimate political participation are fundamental to democracy.



4. Pursue Companion Legislation. Party-list reform will be most effective as part of a broader reform package. NAMFREL urges the Senate to pair party-list reform with: (a) the Anti-Political Dynasty Act, to prevent dynasties from using the party-list as an extension of family political power; and (b) broader political finance reforms that strengthen the enforceability of campaign spending limits.

5. Protect Genuine Grassroots Organizations. In designing compliance and vetting requirements, the Committee must ensure that the administrative burden does not become so heavy as to exclude legitimate but resource-constrained grassroots organizations — the very groups the system was designed to empower — while wealthy entities with professional legal and compliance teams easily navigate the requirements.

6. Strengthen Political Parties and Address Turncoatism. The reform legislation should include provisions that promote party stability, including provisions limiting party-switching (turncoatism), to prevent the use of party-list organizations as mere electoral vehicles abandoned after elections.

NAMFREL expressed commitment to supporting the Senate Committee's work and remains available to provide additional technical assistance, research, or clarifications as the Committee may require in the course of its deliberations.

READ the position paper in full HERE: <https://bit.ly/4u3WLtt>

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