



NATIONAL CITIZENS' MOVEMENT FOR FREE ELECTIONS (NAMFREL)

Unit 601, DMG Center, D.M. Guevara Streets,
Mandaluyong City, Philippines 1550

Telephone
Telefax:
E-Mail:
Website:

+63(2) 4511586; 736-0969
+63 (2) 470-4151
secretariat@namfrel.com.ph
www.namfrel.org.ph

July 5, 2013

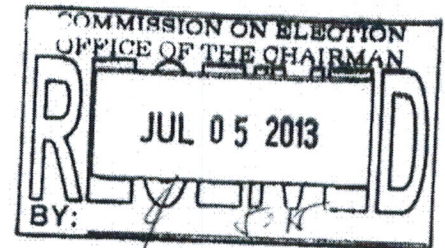
HONORABLE SIXTO S. BRILLANTES, JR.
Chairperson
Commission on Elections
Intramuros, Manila

COMELEC-Comm.LIM

5 JUL 2013 5:13PM



Through: Commissioner Christian Robert S. Lim
Commissioner in Charge
Comelec – Random Manual Audit Committee



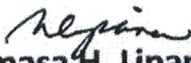
Dear Chairman Brillantes,

We would like to submit to the Commission NAMFREL's report on the conduct of the 2013 National and Local Elections Random Manual Audit. The figures are based on reports submitted by NAMFREL volunteers who observed the conduct of the RMA in the precincts. The report presents analysis on the RMA results from 130 clustered precincts nationwide, as well as NAMFREL's recommendations to help improve the audit of results in future elections.

We would be pleased to meet with you and / or Commissioner Lim should you need any clarification on this report.

Very truly yours,


David L. Balangue
National Co-Chairperson, NAMFREL


Tomasa H. Lipana
Head, NAMFREL RMA
Monitoring Project



NATIONAL CITIZENS' MOVEMENT FOR FREE ELECTIONS (NAMFREL)

Room 601, DMG Center, Domingo M. Guevara corner
Calbayog Extension Streets, Mandaluyong City
Philippines 1550

Telefax:
E-Mail
Website:

+63(2) 4704151, 4511586
secretariat@namfrel.com.ph
www.namfrel.org.ph

ERRATUM

NAMFREL's July 5, 2013 Report on the 2013 Elections Random Manual Audit Monitoring

A) Executive Summary p. 2, Metric 1 column 1 row 2 – “Total of 7,224 variances out of 633,719 marks” is corrected to “Total of **7,210** variances out of **633,297** marks”

B) p. 5, 1.1, 1st paragraph, line 3 to 6 – “ for the total votes or marks of 633,719 obtained from 130 CPs, the allowable error is only 32 marks (633,719 divided by 20,000 equals 31.69). However, the total absolute value of variances reported in the 130 CPS was 7,224 (633,719 per RMA count less 629,991 per AES count) or 226 times (7,224 divided by 32) more than the allowable error.”

Should read:

*“ for the total votes or marks of **633,297** obtained from 130 CPs, the allowable error is only 32 marks (**633,297** divided by 20,000 equals **31.66**). However, the total absolute value of variances reported in the 130 CPS was **7,210** or **225** times (**7,210** divided by 32) more than the allowable error.”*

C) p. 5, 1.1, 2nd paragraph, line 1 – “ Stated differently, a total variance of 7,224 in a field of 633,719 translates to an ...”

Should read:

*“ Stated differently, a total variance of **7,210** in a field of **633,297** translates to an ...”*

D) p.5, 1.2, 1st paragraph, line 3 – “.2423 machines...”

Should read:

“.2421 machines...”

E) p.5, 1.2, 1st paragraph, line 4 – “...is only 4,846 per CP (629, 991 total PCOS counted marks...”

Should read:

“... is only 4,843 per CP (629, 581 total PCOS counted marks ...”

F) p.5, 1.2, 1st paragraph, line 5 – “...barely 24.23 % of 20,000 marks (4,846 divided ...”

Should read:

“... barely 24.21 % of 20,000 marks (4,843 divided ...”

G) p.5, 1.2, 1st paragraph, line 8 – “...PCOS machine or 4,846 marks ...”

Should read:

“...PCOS machine or 4,843 marks ...”

H) p.5, 1.2, 1st paragraph, line 10 – “ ...1 divided by 4,846...”


Should read:

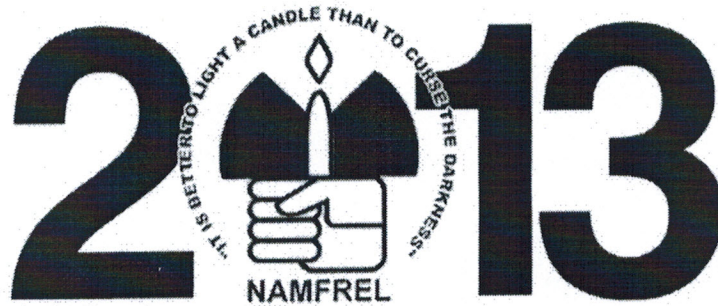
“ ...1 divided by 4,843...”

I) Summary Table p. 7, Metric 1 column 1 row 2 – “Total of 7,224 variances out of 633, 719 marks” is corrected to “Total of **7,210** variances out of **633,297** marks”

X X X

Corrections Attested by:


ERIC JUDE O. ALVIA
Secretary General



EXECUTIVE SUMMARY

NAMFREL deployed on May 13, 2013 teams of volunteers (including members of the Philippine Institute of Certified Public Accountants and Jaycees) for Random Manual Audit Monitoring (RMAM), to observe the conduct of the RMA by the Comelec's RMA teams, and to make a report on the results of the manual count vis-a-vis the PCOS count. Of the 234 clustered precincts chosen by the Comelec for the RMA, NAMFREL volunteers were able to submit reports with complete data for only 130, which were the basis for this analysis.

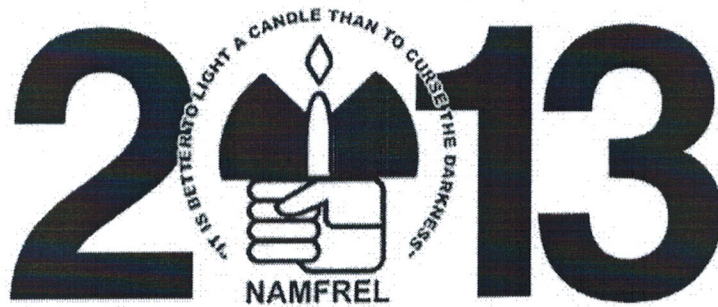
In summarizing and analyzing the RMAM tally form data submitted by the observers, NAMFREL focused on the variances between the Automated Count and the RMA Count considering three metrics contained in official documents and directives coming from the Comelec. NAMFREL's findings are presented without the benefit of an analysis of the nature or evaluation of the causes of the variances, thus, any variances noted between the PCOS machine count (AES result) and the manual count (RMA Result) are treated as a machine error for the purpose of this report.

- Metric I. The expected accuracy (99.995%) of the PCOS machines under the Terms of Reference and Request for Proposal for the AES contract and as published in the daily papers;
- Metric II. Discrepancies of ten votes per candidate per position stated in Section 12 of Comelec Resolution No. 9595;
- Metric III. Aggregate difference of ten votes under Section 13 of the same Resolution (No. 9595, as amended).

Below is a summary of the findings resulting from the analysis of the RMA as observed by NAMFREL volunteers on the ground using the three different metrics, discussed in greater detail in the report:

<u>Metric 1</u>	<u>Metric 2</u>	<u>Metric 3</u>
<p>99.995 % accuracy of the PCOS machines</p>	<p>Margin of ten (10) votes per candidate per position (SECTION 12 of Res. 9595)</p> <p>Note: 10 or less is allowed</p>	<p>Aggregate variance of 10 votes" (SECTION 13 of Res. 9595, as amended by Res. 9647</p> <p>Note: 10 or less is allowed</p>
<p>1.1) Allowable error of one (1) for every 20,000 marks</p> <p>Results: Total of 7,224 variances out of 633,719 marks translates to an accuracy rate of 98.86 %.</p>	<p>Results: Met the allowed margin - 118 PCOS or 90.77 % .</p> <p>Exceeded the allowed margin - 12 PCOS or 9.23 %</p>	<p>3.1) For the 33 Senatorial Candidates per Clustered Precinct or Ballot Box</p> <p>Results: Met the allowed margin - 43 PCOS or 33.08 %</p> <p>Exceeded the allowed margin - 87 PCOS or 66.92 %</p>
<p>1.2) Allowable error of one (1) per PCOS –</p> <p>Results:</p> <p>Met the allowed margin - 15 PCOS or 11.54 %</p> <p>Exceeded the allowed margin - 115 PCOS or 88.46 %</p>		<p>3.2) For All Positions:</p> <p>Results:</p> <p>Met the allowed margin – 32 PCOS or 24.62 %</p> <p>Exceeded the threshold – 98 PCOS or 75.38 %</p>

Based on the results of the RMA as well as the observation reports submitted by NAMFREL volunteers, NAMFREL recommends to Comelec to, among others, seriously consider the propriety of reusing the same PCOS machines in future elections; design a clearer and simpler audit procedure; and conduct the "root cause determination" for variances at the precinct level in the interest of transparency. NAMFREL also recommends the amendment of the election automation law to define in clearer terms the purpose of random manual audit, taking into consideration its possible role in the resolution of electoral protests.



Report on Random Manual Audit Monitoring

A. Background

The Random Manual Audit (RMA) is one of the safeguards in the automated election system (AES) under Republic Act (RA) 9369 – amending RA 8436 Entitled “An Act Authorizing the Commission on Elections to use an Automated Election System xxx to encourage transparency, credibility, fairness and accuracy of Elections xxx”.

Its main purpose is to validate the accuracy of the machine count and thus ensure the integrity and acceptability of the automated election results. It is required under Section 29 of RA 9369 which states: *“Where the AES is used, there shall be a random manual audit in one precinct per congressional district chosen by the Commission in each province and city. Any difference between the automated and manual count will result in the determination of root cause and initiate a manual count for those precincts affected by the computer or procedural error.”*

To implement the foregoing provisions of Section 29, the COMELEC issued Resolution Nos. 9595 and 9647 on December 27, 2012 and February 22, 2013, respectively, prescribing the General Instructions on the conduct of the RMA in the May 13, 2013 elections and subsequent ones.

B. Role of NAMFREL Volunteers

In line with its role as a duly accredited citizens’ arm, NAMFREL organized teams of volunteers (including members of the Philippine Institute of Certified Public Accountants and Jaycees) for RMA Monitoring (RMAM) after the elections on May 13.

The RMAM volunteers were deployed primarily to observe if the RMA was conducted by the COMELEC’s RMA Team (RMAT) in accordance with the general instructions on the conduct of RMA as provided in the aforementioned COMELEC Resolution Nos. 9595 and 9647 and to submit a report on the results of the manual count vis a vis the PCOS count.

Prior to Election Day, the RMAM volunteers were briefed on the purpose of the RMA as well as the salient features of the general instructions (RMAT composition and when, where and how the RMA shall be conducted, etc).

To enable the volunteers to do their tasks, they were provided with the necessary materials consisting of briefer/guidelines, Checklists/Observation Report Form and RMAM Tally Form (Annexes A.1 to A.3). The Checklist/Observation Report Form contained the detailed questions (answerable by Yes or No, with a provision for exceptions or findings) relating to the conduct of the RMA. The RMAM Tally Form is the equivalent of the RMA Minutes used by the RMAT. In other words, the first Form captures the qualitative aspect of the RMA while the second Form covers the quantitative results (automated versus manual) of the RMA. In this regard, it is to be noted that for May 13, 2013 elections, it being a Midterm Elections, the RMA is limited to the positions of Senators, Member House of Representatives and Mayor pursuant to Section 10 of Resolution No. 9595.

C. Parameters of the Evaluation

Out of the total 234 Clustered Precincts (CPs) chosen by COMELEC for the RMA (i.e., one precinct per congressional district as stated in the afore-quoted Section 29 of RA 9369) NAMFREL volunteers submitted RMAM Tally Forms for 144 CPs. However, only 130 CPs were included in the analysis because these are only the CPs with complete data on both the automated and the manual counts. (Note: Each CP is provided with one PCOS machine.)

The 130 CPs are distributed as follows:

	Number of Legislative Districts	Number of CPs NAMFREL has data on ER and RMA	Percentage
NCR	32	26	81.25%
North Luzon	50	25	50.00%
South Luzon	47	33	70.21%
Visayas	46	31	67.39%
Mindanao	59	15	25.42%
TOTAL	234	130	55.56%

In summarizing and analyzing the RMAM Tally Form data, we focused on the variances between the Automated Count and the RMA Count considering three metrics contained in official documents and directives coming from COMELEC, as follows:

- 1.) the expected accuracy (99.995%) of the PCOS machines under the Terms of Reference and Request for Proposal for the AES contract and as published in the daily papers; (Annex B)
- 2.) discrepancies of ten votes per candidate per position stated in Section 12 of Resolution No. 9595, (see citation below); and
- 3.) aggregate difference of ten votes under Section 13 of the same Resolution (No. 9595, as amended), (see citation below).

"SECTION 12, *Closing Procedure*. --- The following procedure shall be observed:

XXX

(e) Chairman shall turnover the ballot box to the City/Municipal Treasurer for safekeeping. XXX

However, in case the discrepancy exceeds the allowable margin of ten (10) votes per candidate per position, the ballot box in question shall be turned over by the RMAT to the Office of the Coordinator. The Chairman of the RMAT shall inform all the watchers present that the ballot box will be submitted to the Coordinator for delivery to the RMA Committee. The Coordinator, shall authorize a representative to personally deliver the said ballot box to the RMA Committee for verification within twenty-four (24) hours from receipt thereof." (emphasis ours)

SECTION 13, *Discrepancy Between AES and RMA*. ---

In the event *the* discrepancy between the AES and RMA results still exceeds the allowable margin of an aggregate difference of ten (10) votes, the RMA Committee, with the assistance of the Validation Personnel, shall:

- a. Notify Candidates, Political Parties and their Watchers, who may observe the proceedings, through the Regional Election Director (for NCR) or the concerned Provincial Election Supervisor of the date, time and place of opening of ballot boxes; XXXX
- d. **Perform manual counting of ballots or receipts for the position with discrepancy in the RMA and the AES count** xxxx;
- g. Turnover the ballot box to the Technical Evaluation Committee for technical determination of the root cause in case the finding is that the discrepancy is valid; XXXX"

In brief, Section 12 states that if the discrepancy exceeds the allowable margin of ten votes per candidate per position, the ballot box in question shall be turned over to RMAC for verification.

On the other hand, Section 13 provides that if the discrepancy between the AES and RMA results still exceeds the allowable margin of an aggregate difference of ten votes, the RMAC, with the assistance of the Validation Personnel, shall perform manual counting of ballots for the position with the discrepancy in the RMA and AES count and if the discrepancy is valid (i.e., the discrepancy exists or is not a mere mathematical error), the ballot box shall be turned over to the Technical Evaluation Committee for technical determination of the root cause.

In view of the conflicting or different metrics in Sections 12 and 13 (insertion of the word “aggregate” and the deletion of the phrase “per candidate per position” in Section 13 by virtue of the amendment introduced by Resolution 9647), we clarified the matter with Ms. Agnes Carreon (RMA Committee member). She explained that the aggregate difference of ten (10) votes referred to in the above-quoted SECTION 13 was interpreted and applied by the RMAC as the absolute value of the variances for the 33 Senatorial Candidates per Clustered Precinct or Ballot Box. (The Variances for the local candidates, ie. Congressman and Mayor, were not included).

D. RMAM Results

Using the thresholds discussed above, hereunder are our findings. It must be noted, however, that these findings are presented without the benefit of an analysis of the nature or evaluation of the causes of the variances; thus, any variances noted between the PCOS machine count (AES result) and the manual count (RMA Result) are treated as machine errors for the purpose of this report. Having no access to the source documents (e.g. ballots), Namfrel is not in a position to verify the nature of the variances or analyze their causes. Moreover, the above treatment of variances is consistent with the universally accepted election practice mentioned on page 78 of the book "Monitoring Electronic Technologies in Electoral Processes" by Vladimir Pran and Patrick Merloe, pertinently quoted as follows:

"In cases of discrepancy between the paper record and electronic record, the paper record should be taken as the legal representation of the voter's choice and should be determinative unless there is adequate evidence that the paper records were corrupted (for example, altered, substituted or "stuffed" as has been done with paper ballots)." .

(About the authors: Pran is with the International Foundation for Electoral Systems which has supported election bodies in 140 countries including the Philippines. Merloe is a lawyer with vast experiences in monitoring elections worldwide. He has produced several publications on democratic elections.)

1. On Applying the 99.995 % Expected Accuracy Rate of PCOS Machines

1.1 Under this threshold, the allowable margin of error is one (1) for every 20,000 votes (marks in the ballot). Using the RMA data NAMFREL volunteers have gathered, for the total votes or marks of 633,719 obtained from 130 CPs, the allowable error is only 32 marks (633,719 divided by 20,000 equals 31.69). However, the total absolute value of variances reported in the 130 CPS was 7, 224 (633,719 per RMA count less 629,991 per AES count) or 226 times (7,224 divided by 32) more than the allowable error.

Stated differently, a total variance of 7,224 in a field of 633,719 translates to an error rate of 1.14% or conversely, an accuracy rate of 98.86 %. Clearly, this is way below the 99.995 % expected accuracy of the PCOS machines.

1.2 If the 99.995 % accuracy rate were to be strictly applied on a per PCOS machine basis (one CP has one PCOS machine), the maximum variance that can be allowed is .2423 per machine. This is so because the average total votes or marks in the PCOS machines used in 130 CPs is only 4,846 per CP (629, 991 total PCOS counted marks divided by 130 CPs), or barely 24.23 % of 20,000 marks (4,846 divided by 20,000). A hundred per cent (100 %) accuracy of a machine means zero (0) variance. Since there can be no variance between zero (0) and (1), or a fraction of one (1) in any instance, a variance of one (1) per PCOS machine or 4,846 marks is reasonable under a liberal interpretation of an accuracy rate of 99.995 %, which translates to 99.98 % (100% minus [1 divided by 4,846]).

Out of the 130 Clustered Precincts, 15 had zero (0) and one (1) variance. This means that only 11.54 % of the CPs had PCOS machines meeting the relaxed interpretation of the accuracy rate of 99.995 % (or 99.98 %). Conversely, there are 115 CPs or 88.46 % with more than one variance each, which means the PCOS machines in these CPs failed the relaxed interpretation of the accuracy rate of 99.995 % (or 99.98 %).

2. Applying the Margin of ten (10) votes per candidate per position (SECTION 12) threshold.

Out of 130 CPs, there are 118 CPs or 90.77 % where the variances between the AES and the RMA counts did not exceed ten (10) votes per candidate per position. Twelve (12) CPs or 9.23 % had variances exceeding the above threshold. This shows that even with this very liberal threshold (error of 10 votes per candidate per position), only 90.77 % of the 130 PCOS machines passed.

As stated earlier, any variances between the PCOS machine and the manual count are treated as machine errors in this analysis. For the variances exceeding the threshold, the ballot box and its contents shall be turned over to the RMAC for verification as provided in Sec. 12 of Comelec Resolution no. 9595.

3. Applying the Margin of an aggregate difference of ten (10) votes (SECTION 13) threshold:

3.1 Only to the 33 Senatorial Candidates per Clustered Precinct as interpreted by the RMAC.

Forty three (43) Clustered Precincts or 33.08 % of 130 CPs had variances which did not exceed the margin of an aggregate difference of ten (10) votes for the Senatorial candidates. On the other hand, there are eighty seven (87) CPs or 66.92 % where the aggregate discrepancy or total absolute value of the variances for the 33 Senatorial candidates per Clustered Precinct exceeded the threshold of ten (10) votes. In other words, only 33.08 % of the 130 PCOS machines passed this metric.

3.2. To all the Positions (Senator, Congressman and Mayor) Subjected to RMA.

Thirty two (32) Clustered Precincts or 24.62 % of 130 CPs had variances not exceeding the aggregate difference of ten (10) votes for all the positions, while there are ninety eight (98) CPs or 75.38 % where the aggregate discrepancy or total absolute value of the variances for the three positions (Senator, Congressman, and Mayor) exceeded ten (10) votes. In brief, only 24.62 % of the 130 PCOS machines passed this metric.

As in no. 2 above, any variances between the PCOS machine and the manual count are treated as machine errors for both 3.1 and 3.2.

For the variances exceeding the threshold, the RMAC shall perform manual counting of the ballots for the position with discrepancy. If the discrepancy is valid, the ballot

box and its contents shall be turned over to the Technical Evaluation Committee for root cause determination as provided in Sec. 13 of Comelec Resolution no. 9595 as amended.

A summary of the above findings on 130 CPs/PCOS machines is presented in tabular form, as follows:

<u>Metric 1</u>	<u>Metric 2</u>	<u>Metric 3</u>
99.995 % accuracy of the PCOS machines	Margin of ten (10) votes per candidate per position (SECTION 12 of Res. 9595) Note: 10 or less is allowed	Aggregate variance of 10 votes" (SECTION 13 of Res. 9595, as amended by Res. 9647 Note: 10 or less is allowed
1.1) Allowable error of one (1) for every 20,000 marks Results: Total of 7,224 variances out of 633,719 marks translate to an accuracy rate of 98.86 %.	Results: Met the allowed margin - 118 PCOS or 90.77% Exceeded the allowed margin - 12 PCOS or 9.23 %	3.1) For the 33 Senatorial Candidates per Clustered Precinct or Ballot Box Results: Met the allowed margin - 43 PCOS or 33.08 % Exceeded the allowed margin - 87 PCOS or 66.92 %
1.2) Allowable error of one (1) per PCOS – Results: Met the allowed margin - 15 PCOS or 11.54 % Exceeded the allowed margin - 115 PCOS or 88.46 %		3.2) For All Positions: Results: Met the allowed margin – 32 PCOS or 24.62 % Exceeded the allowed margin – 98 PCOS or 75.38 %

A breakdown of the Variances per Region is presented in Annex B.

E. Observations

As mentioned above, our RMAM volunteers observed how the conduct of RMA was done. For this purpose, they were asked to answer the various questions in the Checklist/Observation Form and to briefly state their observations or the exceptions they have noted. They were able to submit observation reports on 59 Clustered Precincts.

In most cases, the volunteers reported that the prescribed guidelines/procedures for the conduct of the RMA were followed. There were, however, a number of deviations. The most common exceptions noted relate to the delay in the conduct of RMA due primarily to:

1. Transmission problems mostly due to:
 - i. poor signal in twelve (12) areas so some PCOS machines had to be brought to another location to be able to transmit Election Returns (Tondo, Manila; Manggahan, Pasig; Dagupan City; Rosales, Pangasinan; Morong, Rizal; Lemery, Batangas; Jovellar, Albay; Medellin, Cebu; Cagayan de Oro City - Barangay Poblacion and Bulua; Balingoan, Misamis Oriental; Catanuan, Quezon) ;
 - ii. PCOS machine defect/malfunction (Sampaloc, Manila and Barangay 36 in Caloocan City)
2. Need to transfer to different location due to poor light and ventilation (Morning Breeze Elementary School, Caloocan City District 1) and security and safety (Del Gallego, Camarines Sur; Zamboanga City)
3. RMA untrained (Pasay City), not familiar with or unsure of their tasks (Medellin, Cebu; Zamboanga City)

The other observations reported by the RMAM volunteers included the following deviations from the prescribed procedures for RMA and/or areas for improvements:

1. RMA counted ballots without any Election Returns (Sampaloc, Manila; Barangay 36, Caloocan City)
2. The RMA declared recess about 5 times during the process due to fatigue. (Dagupan City, Pangasinan)
3. AES results not entered in the audit returns, hence, not compared with the RMA results (Sampaloc, Manila)

4. Incomplete seal on the ballot box (only 4 instead of 5); this was reported in the minutes by the chairman (Mandaluyong)
5. The BEI's brought the torn, unused ballots instead of putting half of the batch inside the ballot box (Mandaluyong)
6. Insufficient envelopes for undervotes, hence, the one for disputed ballots was used (Mandaluyong)
7. No padlocks used in locking the ballots, only fixed-length seal (Daraga, Albay)
8. Serial number of seals not indicated in the minutes (Zamboanga City)

On the bright side, the following observations are worth reporting:

1. Las Pinas – Pamplona Uno

The RMA team meticulously conducted the manual count and verification of ballots cast in the cluster precinct 76010111. The RMA procedures were followed and complied with as provided under the electoral law and printed on their RMA booklet. According to the RMA Minutes, the reasons for variance are as follows: not perfect shading, questionable ballots, and error in recounting. The audit showed the accuracy of the PCOS machine counting in this particular precinct.

2. Kalayaan, Palawan

The team followed the guidelines in the manual in counting votes. After the manual audit, it was observed that almost all votes were counted by the machine except for some candidates' votes that resulted to minimal discrepancy.

3. Baao, Camarines Sur

The RMA started at 8:45 a.m. (May 14, 2013). It was very organized.

4. Cagayan de Oro City, Misamis Oriental (006A)

There was an instance when a properly shaded oval and a check mark were put on both candidates for a congressional seat. The machine counted properly shaded vote.

F. Recommendations

1. In view of the extent of the problems encountered in the use of the PCOS machines for the second time, COMELEC should seriously consider the propriety of reusing the same PCOS machines in the next elections.
2. Clearer and simpler procedures for conducting the audit have to be designed. This will minimize the possibility of errors on the RMA. For instance, there must be specific instructions on how to determine what will be included in the manual count – a check, an X mark, a big dot or other indications of the voter's intent in line with the key principle that in the appreciation of ballots, the determination of the voter's intent is fundamental. It is immaterial how the voter's intent is manifested - whether it is a check mark as they do in Afghanistan, or stamping the ballot with the voter's personal seal as they do in Taiwan (Taiwanese have seals which they can use in official transactions as with a bank), or using an X mark as they do in Thailand, or "shading an oval" as done in the Philippines, or punching the ballot with a 'nail' as they do in Indonesia. All these manifest the intent of the voter provided the marks (oval for the Philippines, a square in Thailand, etc.) are within the space provided for in the ballot.

There is no standard practice on how the intent of the voter is manifested. In any case, the machine cannot or must not determine how the intent of the voter is manifested such as 20% shading of the oval. Determination of the voter's intent by whatever means gives substance to the universal principle of "one person, one vote, equal value".

Also, such instruction or program to the machine should be consistent with the criteria for the manual appreciation of the ballot.

3. Consideration should be given to doing the random selection of Clustered Precincts for RMA on the day of the Election at least for precincts located in places which are easily accessible.
4. The prescribed guidelines/procedures for the conduct of the RMA should be strictly implemented. Notably, the RMA should be done at the precinct, right after the machine count, so it is publicly and visibly performed. In the rare event that the RMA could not be done at the precinct for justified reasons, the RMA should be done in a place that is open to the public for transparency. As the machine counts in secret, the audit as a tool to enhance confidence in the machine and forestall the possibility of manipulation should be performed before the watchful eyes of observers and in a timely manner.
5. "Root cause determination" for variances should be done at the precinct level in the interest of transparency. The RMA has to be trained for this purpose.

6. Sufficient election materials/supplies (envelopes, seals and padlocks) should be provided to the RMAT.
7. The COMELEC should determine a statistically significant number of precincts to be audited. This means increasing the number that will build confidence in the machine. While this may require legislative action as the current law prescribes only one precinct per congressional district, it must be noted that in the 2010 election, the COMELEC required five (5) precincts per congressional district to be audited.
8. It is recommended that the AES law should be amended to define in clearer terms the purpose of the random manual audit to consider among others the following questions:

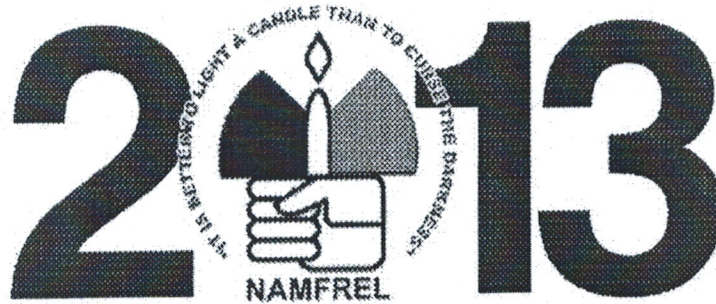
a). What is the role of the audit in the resolution of electoral protests?

In **defining its role** vis a vis an Electoral protest, probably it can be studied that x no. of errors in a Precinct can trigger the audit of y no. of Precincts to determine the root cause and therefore be the basis for the filing of an Electoral Protest.

b). Can the audit trigger a manual recount in a closely contested race?

c). If it has been determined that the error was caused by the software/machine, may the manual recount be done without cost to the protesting candidates? However, to discourage the request for frivolous recounts, a deposit equivalent to the cost of the recount will be required from the candidate which will be refunded when the protest is upheld.

ANNEX A.1



Guidelines for Observers of Random Manual Audit

Introduction

Random Manual Audit (RMA) is required under Section 29 of RA 9369 (Automated Election System or AES Law), which reads as follows:

“Where the AES is used, there shall be a random manual audit in one precinct per congressional district chosen by the Commission in each province and city. Any difference between the automated and manual count will result in the determination of root cause and initiate a manual count for those precincts affected by the computer of procedural error.”

The RMA is one of the safeguards under RA 9369, the main purpose of which is to validate the accuracy of the machine count and thus, ensure the integrity and acceptability of the automated election results.

Under COMELEC Resolution 9595 promulgating the General Instructions for the conduct of the RMA, one clustered precinct per legislative district will be chosen randomly using an automated random selection program.

Role of NAMFREL Observers

NAMFREL volunteers will observe if the RMA is conducted by the RMA Team (RMAT) in accordance with the General Instructions contained in COMELEC Resolution 9595 dated December 21, 2012, as amended by Resolution 9647 dated February 22, 2013 and pertinently summarized in the accompanying checklist.

CHECKLIST FOR RANDOM MANUAL AUDIT

A. Who will conduct the RMA

1. The Random Manual Audit Team (RMAT) shall be composed of five (5) members, divided into two (2) groups:

ANNEX A.1

- a. Manual Count Group – Chairman, Secretary and Third Member
- b. Verification Group – Co-Chairman and Assistant Secretary

The RMA members shall be public school teachers, preferably those who have served as members of the Board of Election Inspectors in past Elections. They shall be chosen from the six (6) members earlier proposed by the DepEd.

In case of absence or illness of an RMA member, the present members shall call upon the substitute (the remaining member of the 6 members mentioned above) to perform the duties of the absent member. If none is available, the RMA members shall appoint any of the following persons, in the order of priority, who must be non-partisan and registered voter in the province concerned:

- a. Teachers in public schools;
 - b. Teachers in private schools;
 - c. Employees in the civil service;
 - d. Member of non-partisan COMELEC accredited Citizen's Arm of the concerned legislative district precinct; or
 - e. Representatives from the private sector.
2. As soon as the selection of the RMA members is finalized (not later than January of the year of the Election), the RMA Committee shall disseminate through the fastest means possible the corresponding appointment papers through the DepEd and the Coordinator Concerned.
 3. After he is informed of the randomly selected clustered precinct on Election Day, the Coordinator shall be responsible for the speedy distribution of the Appointment Papers and RMA kits to the RMA members within his jurisdiction.
 4. All RMA members shall accomplish their Appointment Papers and take their Oath not later than 12:00 noon of the Election Day.
 5. The RMA members shall proceed to the assigned polling place of the randomly selected clustered precinct on Election Day soon as they receive their Appointment Papers and RMA Kit. Upon arrival at the polling place they shall inform the BEI of the clustered precincts selected for the RMA.

ANNEX A.1

B. Date, Time and Place of RMA

1. The RMA shall take place in the polling place of the randomly selected clustered precinct.
2. The RMA shall be conducted immediately after the sealing of the ballot box (except as mentioned below) by the Board of Inspectors or BEI who will turn over the ballot box to the RMA.

Note : The RMA shall witness the closing of the ballot box; provided that in the event that the counting machine fails to transmit the result, the RMA will follow the BEI and the ballot box until the BEI transmits the results.

3. The RMA shall be conducted in the presence of Poll Watchers, Political Parties, Citizen's Arm Groups, Media and the Public.
4. Upon commencement of the RMA until the same is terminated, the regular BEI shall not be allowed inside the polling place of the randomly selected clustered precinct or to communicate with RMA in whatever manner.
5. The RMA may choose, upon majority vote, to conduct the RMA at 7:00AM the day after Elections only upon exceptional circumstances, such as:
 - a. the polling place is affected by a power interruption;
 - b. fire and any other calamity in the polling place or within the immediate area;
 - c. occurrence of violence in the polling place or within the immediate area; and
 - d. other circumstances analogous to the foregoing.

In such event, the RMA should apprise the present Poll Watchers of their decision and notify the Coordinator, who shall make arrangements for the security of the sealed ballot box and the place for the RMA. The RMA shall moreover submit a Report to the RMA Committee regarding their decision, the arrangements for the security of the sealed ballot box and the place for the RMA.

C. PROCEDURE FOR THE RMA

At the start of the RMA, the Chairman shall:

ANNEX A.1

- a. Announce the commencement of the RMA and determine the presence of a quorum. The presence of two (2) Manual Count Group members and one (1) Validation/Verification Group member shall suffice to constitute a quorum. In case of an absence or illness of an RMA member, the members present shall summon the substitute member. The RMA shall proceed with the RMA while waiting for the substitute, provided a quorum is present.
- b. Proceed with the RMA by presenting the ballot box to all those who are present.
- c. Verify the condition of the ballot box and the fixed-length seals attached to the ballot box to check if the integrity is maintained.
- d. Break the fixed-length seals and open the ballot box.
- e. Retrieve the sealed envelopes containing the Minutes of Testing and Sealing, Minutes of Voting and Counting and the copy of the Election Returns from the ballot box.
- f. Break the security seals and open the envelopes containing the Minutes of Testing and Sealing, the Minutes of Voting and Counting and the copy of the Election Returns from the ballot box.

The Assistant Secretary shall:

- g. Verify if serial numbers of the fixed-length seals attached to ballot box is the same as that indicated in the Minutes of Voting and Counting. The results of such verification or any discrepancy whatsoever shall be recorded in the RMA Minutes.
- h. Ensure that every event is recorded in the RMA Minutes; provided that if there is any article that the BEI should have placed inside the ballot box and that is found missing, the RMA should get a witness to attest to such fact by signing the RMA Minutes.

In the event that the copy of the Election Returns for the ballot box is missing therein, the RMA shall borrow one of the 22 copies of the Election Returns printed after the AES results have been transmitted.

Thereafter, the Secretary, with the aid of the Assistant Secretary, shall:

- i. Retrieve the valid ballots, from the ballot box, perform a physical count and compare if the number of valid ballots found inside the ballot box is equal to the number of valid ballots counted as indicated in the Election Returns.

ANNEX A.1

The Third Member shall:

- j. Do a recount if the total number of valid ballots contained inside the ballot box does not match with the number of valid ballots counted as indicated in the Election Returns as found by the Secretary, to confirm such finding. After the said recount and the total number of valid ballots still does not match the number of valid ballots counted, the Third Member shall determine whether valid ballots were mixed with rejected ballots by referring to the Minutes of Testing and Sealing and Minutes of Voting and Counting of the BEI and have the Assistant Secretary record the incident in the RMA Minutes.

NOTE: During the conduct of the RMA, the RMA shall maintain peace and order within the

selected clustered polling precinct and its premises, keep access thereto open and unobstructed, and enforce obedience to its lawful orders. If any person refuses to obey the lawful orders of the RMA, or conducts himself in a disorderly manner in its presence or within its proceedings, or interrupts or disturbs the same, RMA may issue an order in writing directing any peace officer to take such person into custody until adjournment of the RMA.

D. GUIDELINES ON READING OF VOTES

The Chairman, prior to reading the votes cast, shall:

- a. Check the number of votes for each position subject to RMA.

- (1) In case there is an over-vote, such fact shall be recorded in the Audit Returns by the Secretary but the vote shall not be counted for any candidate for that particular position. An over-vote is an incident when a voter selects more than the allowed number of seats for a particular position. For example, there is an over vote for senators if the voter selects more than 12, while for Mayor if the voter chooses more than 1. However, the fact of over-voting in any particular position will not invalidate the entire ballot. It shall remain valid and votes for other positions (that are not over-voted) shall be counted.

- (2) In case there is an under-vote, such fact shall be recorded in the Audit Returns by the Secretary. An under-vote pertains to the situation where the voter chooses less than the allowed maximum number of seats for a position; i.e. if there are 12 seats for a position and the voter selected only 5 candidates, there are 7 under-votes, or the situation where the voter does not choose a candidate

ANNEX A.1

for a position with only one seat. The fact of under-voting in any particular position will not invalidate the votes for that position.

The Chairman shall set aside ballots with over-votes and those with under-votes in the respective envelopes so denominated. In the event that a ballot has an over-vote and an under-vote, the ballot should be placed in the Envelope for Ballots with Over-votes.

- b. In case the Elections utilize an OMR Counting Machine, if an oval of a ballot is not shaded properly, i.e. the shaded portion of the oval is below the approved threshold, or contains other questionable marks (such as checks or crosses), the vote corresponding to the said candidate shall be counted but such fact shall be recorded in the RMA Minutes. The subject ballot shall then be placed in an RMA envelope for Ballots with Questionable Marks.

In the event that a ballot has an over-vote and/or under-vote and contains questionable marks, the said ballot should be placed in the Envelope for Ballots with Over-Votes.

Note: The rules on appreciation of ballots in manual system of counting shall not apply for purposes of the RMA.

The Co-Chairman shall validate the findings of the Chairman. In case of dispute with the Chairman, the findings of the Co-Chairman will prevail. The Co-Chairman marks the ballot then places the same in an envelope for Disputed Ballots and directs the Assistant Secretary to record the incident in the RMA Minutes.

The RMA members are not permitted to mark the ballots in any manner except when the Co-Chairman marks the ballot as "disputed".

E. MANNER OF COUNTING OF VOTES

- a. The RMA shall proceed with the counting of votes for the following positions:

Senators, Member House of Representatives and Mayor.
- b. The Chairman and Co-Chairman shall form separate piles of one hundred (100) ballots.
- c. The Chairman shall take the ballots of the first pile one by one and read first the number assigned to the candidate followed by the candidate's name.

ANNEX A.1

- d. For every ballot, the Chairman shall announce the votes cast. The Co-Chairman shall closely observe the reading of the ballots and validate the votes cast. In case of dispute, the finding of the Co-Chairman shall prevail. The Co-Chairman marks the ballot, then places the same in the envelope for Disputed Ballots and directs the Assistant Secretary to record the incident in the RMA Minutes.

The RMA members are not permitted to mark the ballots in any manner except when Co-Chairman marks the ballot as "disputed".

- e. The Secretary shall accomplish six (6) copies of the Audit Returns and respectively record thereon each vote read by the Chairman, while the Third Member does the same on the Tally Board. The Assistant Secretary shall confirm that the Secretary records each vote correctly. Each vote shall be recorded by a vertical line, except every fifth vote which shall be recorded by a diagonal line crossing the previous four (4) vertical lines (Taras).
- f. After each pile has been read, the votes obtained by each candidate shall be added and the sum recorded on the space immediately after the last vote recorded.
- g. The same procedure shall be followed with the succeeding piles.
- h. After all the ballots have been read, the Secretary, the Assistant Secretary and Third Member shall compute and record, in words and figures, the total number of votes obtained by each candidate in the Audit Returns and the Tally Board. The Secretary, the Assistant Secretary and Third Member shall then compare if their tallies are the same; otherwise, they shall repeat the counting procedure until their tallies are the same.
- i. The Chairman shall enter the AES results for Senators, Member House of Representatives, and Mayor, in the Audit Returns and compare the same with the RMA results to determine if a discrepancy exists.
- j. In case the number of votes counted by the RMA does not match the number of votes found in the Election Returns, the Chairman shall record such discrepancy in the RMA Minutes while the Third Member shall refer to the Minutes of Testing and Sealing and the Minutes of Voting and Counting for any possible reason for such discrepancy, (i.e. rejected or spoiled ballots). The Co-Chairman and Assistant Secretary shall review the entries of the Audit Returns in order to exclude the possibility of human error.
- k. If a discrepancy still exists, the RMA shall note this down and the probable reasons therefor in the RMA Minutes.

ANNEX A.1

During the counting, the RMA shall position themselves in such a way as to give the Poll Watchers and the Public an unimpeded view of the ballot being read by the Chairman, as well as of the Audit Returns and Tally Board being simultaneously accomplished by the Secretary, Assistant Secretary and Third Member, respectively. The table to be used by the RMA shall be cleared of all unnecessary things.

Lawyers, Poll Watchers or Representatives of Political Parties and/or Candidates and the Public shall not touch any RMA documents/paraphernalia. Any violation hereof shall constitute an election offense and shall be penalized in accordance with Batas Pambansa Blg. 881. Lawyers, Poll Watchers or Representatives of Political Parties and/or Candidates shall have no involvement in the proceedings of the RMA except as observers.

Upon conclusion of the RMA, all RMA members shall affix their signatures on the RMA Minutes, Tally Board and Audit Returns attesting to the contents thereof. Poll Watchers shall witness the recording of entries and affixing of signatures of the RMA members. The Chairman shall immediately notify the concerned Coordinator of the results of the RMA, who in turn, shall report the same to the RMA Committee.

The RMA shall be provided with security personnel until the RMA is finished and shall ensure the safety and security of the RMA and its proceedings.

F. MINUTES AND AUDIT RETURNS OF THE RMA

Minutes of the RMA:

- a. The Chairman shall accomplish three (3) copies of the Minutes of the RMA, accurately entering therein all data required as they become available and all acts or events as they occur.

Copies of the Minutes shall be signed by all RMA members and sealed in separate clearly labeled envelopes for distribution, as follows:

- b.1. Original copy – to be deposited inside the ballot box.
- b.2. One copy - for the COMELEC to be delivered to the Coordinator
- b.3. One copy – for the RMA committee to be delivered to the Coordinator

Audit Returns:

- a. The Secretary shall accomplish 6 copies of the Audit Returns by accurately entering therein the votes obtained by each candidate.

ANNEX A.1

- b. Copies of the Audit Returns shall be signed by all RMAT members and sealed in separate clearly

labeled envelopes for distribution, as follows:

- b.1. Original copy - to be deposited in the ballot box.
- b.2. One copy - for the COMELEC to be delivered to the Coordinator.
- b.3. Once copy- for the RMA Committee to be delivered to the Coordinator.
- b.4. One copy- for the Dominant Majority Political Party.
- b.5. One copy for the Dominant Minority Political Party.
- b.6. One copy for the Accredited Citizen's Arm Group authorized by the COMELEC to receive one of the first eight copies of the Election Returns and to conduct an unofficial parallel count.

G. CLOSING PROCEDURES

The following procedures shall be observed:

- a. The RMAT shall return the ballots in the ballot box.
- b. All BEI reports, documents, forms, and the Minutes of Testing and Sealing and the Minutes of Voting and Counting previously opened shall be resealed using the seals provided in the RMA Kit.
- c. One (1) copy of the Audit Returns used during the conduct of the RMA shall be sealed in a clearly labeled envelope and placed inside the ballot box. The tally board shall also be placed in the ballot box.
- d. Chairman shall lock the ballot box with a fixed-length seal and two (2) padlocks.(?) The serial number of the fixed-length seal shall be recorded in the RMA Minutes before closing the ballot box,
- e. Chairman shall turn over the ballot box to the City/Municipal Treasurer for safekeeping. Retrieval of the box shall be under the custody and responsibility of the City/Municipal Treasurer and shall form part of the retrieval operations of the Treasurer's Office. However, in case the discrepancy exceeds the allowable margin of ten (10) votes per candidate per position, the ballot box in question shall be turned over by RMAT to the Office of the Coordinator. The Chairman of the RMAT shall inform all the watchers

ANNEX A.1

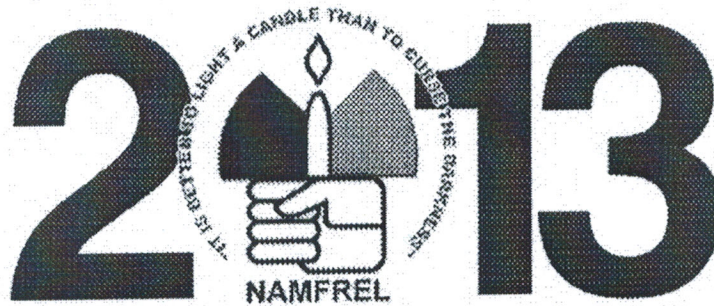
present that the ballot box will be submitted to the Coordinator for delivery to the RMA Committee. The Coordinators shall authorize a representative to personally deliver the said ballot box to the RMA Committee for verification within twenty-four (24) hours from receipt thereof.

H. HANDLING OF DISCREPANCY BETWEEN AES AND RMA

In the event of discrepancy between the AES and RMA results still exceeds the allowable margin of an aggregate difference of ten (10) votes (per candidate), the RMA Committee, with the assistance of the Validation Personnel, shall:

- a. Notify Candidates, Political Parties and their Watchers, who may observe the proceedings, through the Regional Election Director (for NCR) or the concerned Provincial Election Supervisor of the date, time and place of opening of ballot boxes;
- b. Analyze the findings of RMA (to be done by the Validation Personnel who have been constituted four (4) days prior to Election Day);
- c. Open the boxes in observance of Section C hereof;
- d. Perform manual counting of ballots or receipts for the positions with discrepancy in the RMA and the ABS count in observance of Sections D and E hereof;
- e. Record manual counting activity in the RMA Minutes;
- f. Return the box to the concerned City/Municipal Treasurer in case the finding is that the discrepancy does not actually exist or a mere mathematical error;
- g. Turn over the ballot box to the Technical Evaluation Committee for technical determination of the root cause in case the finding is that the discrepancy is valid; and
- h. In all above procedure needing signature of the RMA Committee, the signatories shall be the Chairperson and one (1) of the two (2) other members of the RMA Committee.

In no way shall the results of the RMA delay the proclamation of the winning candidates based on the results reached by the AES.



Random Manual Audit Monitoring (RMAM)

BRIEFER

Introduction

The Random Manual Audit (RMA) is one of the safeguards of the automated election system (AES) under Republic Act 9369. Its main purpose is to validate the accuracy of the machine count and thus ensure the integrity and acceptability of the automated election results. It is required under Section 29 of RA 9369 which states: *"Where the AES is used, there shall be a random manual audit in one precinct per congressional district chosen by the Commission in each province and city. Any difference between the automated and manual count will result in the determination of root cause and initiate a manual count for those precincts affected by the computer of procedural error."*

The COMELEC released Resolutions No. 9647 and 9595 on February 22, 2013 and December 27, 2012, respectively, stating the General Instructions on the conduct of RMA in the May 13 elections. You may access these at the COMELEC website: Res 9647 - <http://bit.ly/111ZJMX>; Res 9595 - <http://bit.ly/16XU0bQ>.

The basic principles in the conduct of the Random Manual Audit are:

1. RMA will be conducted in one clustered precinct per legislative district, or a total of 231 precincts in the entire country.
 - A. The precincts for RMA shall be selected randomly to ensure that every precinct has equal chance of being selected.
3. The RMA shall be conducted immediately after the sealing of the Ballot Box, at the same location where the voting was held.
 - A. Random Manual Audit Team or RMAT (consisting of Manual Group: Chairman, Secretary and Third Member, and Validation Group: Co-Chairman and Assistant Secretary) will conduct the RMA.
 - B. Positions to be included in the RMA are Senator, Member of the House of Representatives, and Mayor of the Municipality or City.
6. The results of the manual count shall be recorded on a COMELEC accountable form called Audit Returns.
7. Any discrepancy, between the results of the automated count and of the manual count, exceeding the allowable margin of an aggregate difference of ten (10) votes shall be further analyzed by a Technical Team at the Central COMELEC to determine root cause.
8. The conduct of the RMA shall be open to the public.
9. The purpose of the RMA is to test the reliability and accuracy of the PCOS count, not to change or validate the victory of the winning candidates.

The Project

NAMFREL considers the RMAM as a critical project in the May 13 elections for the following reasons:

1. This will check the accuracy of the PCOS machines by comparing the automated results versus the manual count; and
2. This is the final safeguard in ensuring the integrity of the automated election process since some of the safeguards provided for in the automated election law have been relaxed.

Assuming that it has objective, uniform, and comprehensive reports from all or majority of the 234 RMA subject-precincts, NAMFREL will be able to draw a national picture of the accuracy and reliability of the automated election machines.

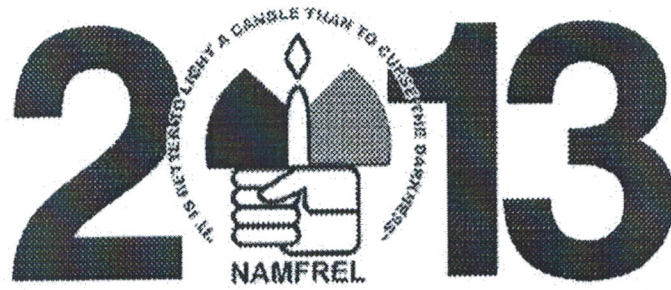
The leadership of the Philippine Institute of Certified Public Accountants (PICPA) has agreed to partner with NAMFREL by providing extra manpower in provincial chapters where PICPA is active.

Methodology

1. One week before the elections, identify some 6-10 volunteers (for every congressional district in the province) who can be assigned for the RMAM task. For example, if the province has two congressional districts, there shall ideally be 12 – 20 volunteers. The volunteers will be assigned to observe in shifts because it is anticipated that the RMA will take between 6 – 18 hours depending on number of ballots being counted, physical conditions of the RMA site, and efficiency of the RMAT.
2. Before the election day, the RMAM volunteers shall at the very least read this Briefer before engaging in the RMAM. Reading of COMELEC Resolutions 9647 (Amendments to GI-RMA) and 9595 (GI-RMA) will further equip the volunteers in preparing to monitor the RMA.
3. On election day or at the earliest time that the information will be available, the Provincial Chair will receive notice from National NAMFREL on which specific clustered precinct will be the subject RMA so he /she can deploy the members of the RMAM team.
4. The RMAM Volunteers will be at the subject-precinct BEFORE THE START OF THE RMA so he/she can observe the turnover of ballots, ballot boxes, and other accountable forms from the Board of Election Inspectors to the RMAT.
5. The RMAM Volunteers will accomplish/ sign the RMAM Report/Observation Form Cover Sheet and use the Checklist/Report Form in this Briefer in recording their observations. There will only be one Checklist/Report Form for every subject-precinct, hence volunteers will turn over the Checklist to the shift succeeding them.
6. Assign among yourselves one person per shift to fill out the Checklist/Observation Form. To establish accountability, each person assigned per shift should affix his/her signature before the item number where he/she left off.
7. The RMAM Volunteers are observers, hence, will not intervene or express any opinion on the conduct of the RMA. If they have findings / comments / observations not captured in the Checklist/Observation Form, they will narrate these in a separate sheet.
8. The NAMFREL RMAM Volunteers are tasked to get copy of the Audit Log and the 27th copy of the Election Return.

ANNEX A.2

9. The RMAM Volunteers will stay until the completion of the manual count and the recording of the results in a form called AUDIT RETURNS and RMA Minutes/Report..
10. Since NAMFREL is not a listed recipient of any of the six (6) copies of the Audit Returns/RMA Minutes, the NAMFREL RMAM Volunteer is tasked to ACCOMPLISH the NAMFREL RMAM TALLY FORM. He/she may also opt to take a picture of the Audit Return/RMA Minutes IF POSSIBLE.
11. Transmit information from RMAM TALLY FORM upon completion by:
 - a. **EMAIL**, a scanned copy or clear photo of the form to fatima.delrosario@namfrel.com.ph
 - b. **SMS** "RMAM REPORT" to **0916 309 5909** (Globe) or **0999 861 4406** (Smart)
 - c. **Fax** to (02) **470 4151**
12. The RMAM Volunteers will turn over the RMAM Checklist/Observation Form, hard copy of the Tally Form and other reports, if any, to the Chapter Chair as soon as possible. These reports shall be sent through NAMFREL preferred courier company (to be announced later) to NAMFREL National within 48 hours from completion of the RMA.



RANDOM MANUAL AUDIT MONITORING (RMAM)

REPORT FORM COVER SHEET

Province : _____
 Municipality / City : _____
 RMA Clustered Precinct No. : _____
 Polling Place : _____

NAMFREL Volunteers for RMAM

NAMES	SIGNATURES

RMAT Members

A. Manual Count Group

Chairman : _____
 Secretary : _____
 Third member : _____

ANNEX A.2

C. Verification Group

Co-Chairman : _____

Assistant Secretary : _____

C. Substitute

Name : _____

Qualification : _____

Date of RMA : _____

Start time of RMA : _____

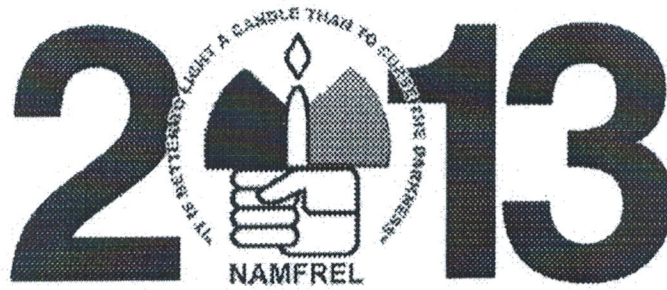
End time of RMA : _____

Submitted by:

NAME : _____

Position in NAMFREL : _____

Submission Date : _____



RANDOM MANUAL AUDIT MONITORING (RMAM)

CHECKLIST/OBSERVATION REPORT FORM

Reminder: The volunteer who will accomplish this form will affix his signature before the item number where he left off before endorsing it to the next set of volunteers in the immediate succeeding shift.

A. Before Reading of the Votes

1. Did the RMA Team (RMAT) witness the closing of the ballot box by the Board of Inspectors (BEI)? YES No

2. Did the RMA start immediately after the sealing of the Ballot Box by the BEI?
 YES NO

If NO, please state the reason. _____

3. Did the Chairman announce the commencement of the RMA?
 YES NO

4. Did the Chairman announce the presence of a quorum (two Manual Count members and one Validation or Verification member)?
 YES NO

5. Did the Chairman break the fixed-length seals in opening the ballot box?
 YES NO

6. Did the Chairman break the security seals and open the envelopes containing the following materials contained in the Ballot Box?

6.1 Minutes of Testing and Sealing YES NO

6.2 Minutes of Voting and Counting YES NO

6.3 Copy of the Election Returns YES NO

7. Did the Secretary, with the aid of the Assistant Secretary, verify if the number of valid ballots inside the ballot box is equal to the number stated in the Election Returns?

YES NO

ANNEX A.2

8. If there is a discrepancy, did the Third Member perform a recount and determine if the valid ballots were mixed with rejected ballots by referring to the Minutes of Testing and Sealing and Minutes of Voting and Counting? _____ YES _____ NO

9. Did the Assistant Secretary record the incident in the RMA Minutes? _____ YES _____ NO

B. During Reading of the Votes

1. Was the RMA conducted in the presence of:

- | | | |
|-------------------------------|-----------|----------|
| 1.1 Political Party Leaders? | _____ YES | _____ NO |
| 1.2 Political party Watchers? | _____ YES | _____ NO |
| 1.3 Media? | _____ YES | _____ NO |
| 1.4 Citizens' arms? | _____ YES | _____ NO |

2. Were the ff. guidelines followed in the reading of votes:

2.1 Not counting instances of overvote (when a voter selects more than the allowed number of seats for a position) and then recording same in the Audit Return _____ YES _____ NO

2.2 Counting instances of ovals not properly shaded or containing questionable marks (such as checks or crosses) and reporting same in RMA Minutes _____ YES _____ NO

2.3 Putting ballots with overvotes/undervotes and ovals with improper shade/marks in their respective envelopes _____ YES _____ NO

3. Did the RMAT position themselves in such a way as to give everyone in the room an unimpeded view of the ballot being read by the Chairman?
_____ YES _____ NO

4. Was the Tally Board being filled up as the votes were announced?
_____ YES _____ NO

5. Was the Audit Return being filled up in six (6) copies as the votes were announced?
_____ YES _____ NO

6. Did the Chairman accomplish the Minutes of the RMA, accurately entering therein all data required and all acts or events as they occurred?
_____ YES _____ NO

C. Recording and Closing Procedures

1. After all the ballots have been read, did the Secretary, the Asst. Secretary, and the Third Member compute and record, in words and in figures, the total number of votes obtained by each candidate in the :

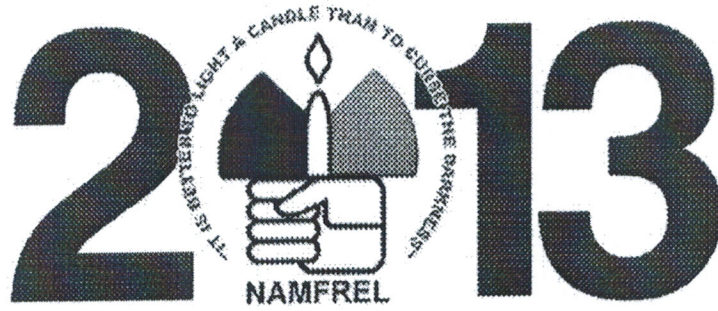
Audit Return? _____ YES _____ NO

Tally Board? _____ YES _____ NO

2. Were the tallies in the Audit Return and in the Tally Board the same?
_____ YES _____ NO

3. If there is any difference in the tallies, did the RMA repeat the counting procedure until the tallies are the same? YES NO
4. Did the Chairman enter the Automated Election System results in the Audit Returns/RMA Minutes and compare the same with the RMA results to determine if a discrepancy exists. YES NO
5. If the comparison in 4 above showed a discrepancy, did the Chairman record such discrepancy in the RMA Minutes? YES NO
6. Upon conclusion of the RMA, did the RMA members affix their signatures on all copies of the RMA Minutes, Tally Board, and Audit Returns attesting to the contents thereof? YES NO
7. Were copies of the signed Minutes of the RMA sealed in separate clearly labeled envelopes (for deposit in the Ballot Box, for the COMELEC, and for the RMA Committee)? YES NO
8. Were six copies of the Audit Returns signed by all RMA members sealed in separate clearly labeled envelopes for distribution to designated recipients? YES NO
9. Were all BEI reports, documents, forms, Minutes of Testing and Sealing, and Minutes of Voting and Counting previously opened RESEALED using the seals provided in the RMA Kit? YES NO
10. Was a copy of the Audit Return sealed in a clearly labeled envelope and placed inside the ballot box? YES NO
11. Was the tally board placed in the ballot box? YES NO
12. Did the Chairman lock the ballot box with a fixed-length seal and two padlocks? YES NO
13. Was the serial number of the fixed-length seal recorded in the RMA Minutes before closing the ballot box? YES NO
14. If there was a discrepancy between the automated count (Election Return) and the manual count (Audit Return) exceeding the allowable margin of ten (10) votes per candidate, did the RMA Chairman inform all the watchers present that the ballot box would be submitted to the Office of the Coordinator for delivery to the RMA Committee? YES NO

ANNEX A.2



RANDOM MANUAL AUDIT MONITORING (RMAM)

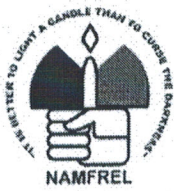
ADDITIONAL OBSERVATION REPORT FORM

Item No.

Comments/Observations

A.1.

2.



Random Manual Audit Tally Form

Instructions to the Random Manual Audit Monitoring (RMAM) Team of Namfrel

1. Observe the random manual audit (RMA) in the selected clustered precinct.
2. After the audit, **COPY the data** from the COMELEC's RMA Minutes/Reports unto this form.
3. With the form properly filled, please send to the National Secretariat
 - a) Email, a scanned copy or a clear photo of the form to fatima.delrosario@namfrel.com.ph, or
 - b) SMS "RMAM REPORT" to: 0916 309 5909 or 0999 861 4406 and expect a call within 15 minutes, or
 - c) Fax to 02 470 4151.

4. For queries, SMS "RMAM QUERY" to 0916 309 5909 or to 0999 861 4406 and expect a call within 15 minutes.

Legislative District. No.		Registered voters in precinct	
Municipality/City		No. of voters who voted	
Clustered Precinct No.		No. of valid ballots	

Senator	No. of votes in figures		
	Per AES	Per RMA	Variance
1. ALCANTARA			
2. ANGARA			
3. AQUINO			
4. BELGICA			
5. BINAY			
6. CASINO			
7. CAYETANO			
8. COJUANCO			
9. DAVID			
10. DELOS REYES			
11. EJERCITO			
12. ENRILE			
13. ESCUDERO			
14. FALCONE			
15. GORDON			
16. HAGEDORN			
17. HONASAN			
18. HONTIVEROS			
19. LEGARDA			
20. LIASOS			
21. MACEDA			
22. MADRIGAL			
23. MAGSAYSAY, M			
24. MAGSAYSAY, R.			
25. MONTANO			
26. PENSON			
27. PIMENTEL			
28. POE			
29. SENERES			
30. TRILLANES			
31. VILLANUEVA			
32. VILLAR			
33. ZUBIRI			

Position	Total over votes	Total questionable votes	Total under votes
Senator			
Congressman			
Mayor			

Congressman	No. of votes in figures		
	Per AES	Per RMA	Variance
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			

Mayor	No. of votes in figures		
	Per AES	Per RMA	Variance
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			

RMAM Observer: _____ Date: _____ Time: _____ Signature: _____

ANNEX B – AES PROJECT SPECIFICATIONS – 99.995 % ACCURACY RATING

AUTOMATION OF THE 2010 NATIONAL AND LOCAL ELECTIONS PROJECT SPECIFICATIONS

TABLE OF CONTENTS

TECHNICAL SPECIFICATIONS

- * **Component 1:** PAPER-BASED AUTOMATED ELECTION SYSTEM(AES)
 - Component 1-A :** Election Management System (EMS)
 - Component 1-B :** Precinct-Count Optical Scan (PCOS)
 - Component 1-C :** Consolidation/Canvassing System (CCS)
- * **Component 2:** PROVISION FOR ELECTRONIC TRANSMISSION USING PUBLIC TELECOMMUNICATION NETWORKS
- * **Component 3:** OVERALL PROJECT MANAGEMENT

OTHER SPECIFICATIONS

The proposed solutions shall comply with the following minimum technical specifications:

COMPONENT 1 PAPER-BASED AUTOMATED ELECTION SYSTEM (AES)

Component 1-A Election Management System (EMS)

1. The system shall have an integrated election management system (EMS) which shall be:
 - A. Capable of creating pre-election configuration data by direct entry and by importing these data from *mySQL* format, *mdb* format, or *csv* format, into the EMS, such as:
 - i. Voting jurisdictions (provinces, legislative districts, provincial districts, councilor districts, cities/municipalities, barangays, precincts)
 - ii. Number of registered voters per precinct;
 - iii. Elective positions and number of seats to be voted for;
 - iv. Candidates information (full name, nickname/stage name, elective position, political party affiliation, jurisdiction where he intends to run;
 - v. Title and date of elections;
 - B. Capable of automatically generating the ballot faces to be used in printing the official ballots;
 - C. Able to handle configurations for different types of electoral exercises both for the PCOS and the CCS, such as:
 - i. National and Local Elections;
 - ii. ARMM Regional Elections;

ANNEX B – AES PROJECT SPECIFICATIONS – 99.995 % ACCURACY RATING

- iii. Plebiscites;
 - iv. Initiatives;
 - v. Recall elections;
 - vi. Special elections.
- D. Capable of maintaining an immutable audit log, which shall include, among others:
- i. All user activities;
 - User ID;
 - Actual date and time stamps; and
 - Specific action taken;
 - ii. All system messages (including error messages);
- E. customizable in accordance with the requirements of this RFP;
2. The system shall require authorization and authentication of all users, such as, but not limited to, usernames and passwords, with multiple user access levels.
 3. The system shall make use of a graphical user interface, including, but not limited to, screen prompts, error messages and help screens.

Component 1-B Precinct-Count Optical Scan (PCOS)

1. The system shall allow manual feeding of a ballot into the PCOS machine.
2. The system shall be capable of scanning a ballot sheet at the speed of at least 2.75 inches per second.
3. The system shall be able to capture and store in an encrypted format the digital images of the ballot for at least 2,000 ballot sides (1,000 ballots, with back-to-back printing).
4. The system shall be a fully integrated single device. The printing and transmission functionalities may or may not be integrated into the system.
5. The system shall have a scanning resolution of at least 200 dpi.
6. The system shall scan in grayscale.
7. The system shall require authorization and authentication of all operators, such as, but not limited to, usernames and passwords, with multiple user access levels.
8. The system shall have an electronic display indicating the acceptance or rejection of a ballot.
9. The system shall employ error handling procedures, including, but not limited to, the use of error prompts and other related instructions.
10. **The system shall count the voter's vote as marked on the ballot with an accuracy rating of at least 99.995 %.**
11. The system shall not count ballots more than the specified number of registered voters, inclusive of the number of BEI members and support staff for every precinct/clustered precinct.
12. The system shall only count ballots intended for the city/municipality/councilor district for which it has been configured.
13. In case of over-voting for a position, the system shall not credit any vote for any candidate for the affected position. The rest of the votes for the unaffected positions shall be counted.

ANNEX C – SUMMARY OF VARIANCES PER REGION

		Variance (absolute value)	Variance (absolute value)	Variance (absolute value)
	All Positions (0 & 1 variance)	11+ per Candidate	11 + Total for Senators	11+ Total for All Positions
NCR	2	2	9	8
North Luzon	3	3	11	7
South Luzon	4	3	10	9
Visayas	2	3	7	3
Mindanao	4	1	6	5
TOTAL	15	12	43	32