



NATIONAL CITIZENS' MOVEMENT FOR FREE ELECTIONS (NAMFREL)

Unit 601, DMG Center, Libertad corner
M. Cruz St., Mandaluyong City
Philippines

Telephone: +63 (2) 484-7590
Telefax: +63 (2) 470-4151
E-Mail: secretariat@namfrel.com.ph
Website: www.namfrel.com.ph

Speech of Mr. Jose L. Cuisia, Jr., NAMFREL National Chairperson NAMFREL Appreciation Dinner, June 18, 2010 Ayala Museum, Makati City

Distinguished partners, members of the National Council, chapter chairmen, friends in media, a warm welcome to you. Good evening and welcome to all of our NAMFREL volunteers, supporters, donors and staff.

It is a wonderful time of optimism for the Philippines. The elections have given rise to a growing sense of enthusiasm about the impending change in administration and the hopes for a new generation of governance in the country. And while the inauguration is still some days away, people cannot seem to contain the excitement over this historic event and the promise of what lies ahead for us.

And it is with this sense of enthusiasm, combined with a deep sense of thanksgiving that I welcome each of you to this simple but very heartfelt thanksgiving dinner. This is for all who have assisted NAMFREL in many ways-- through providing valuable financial support, and others through offering time, effort and assistance in various ways.

There are too many individual names to mention. So I hope that you do not mind if I do not call out to you individually. But suffice it to say, that together, we have been an influential and still important voice during this electoral process. Even without the accreditation, which at the time was a painful and humbling experience, we continued to be united in helping our fragile country move towards a genuinely free election. We, as a united and passionate group of people, performed two key functions: we provided critical observations and constructive criticism for those involved in this election in addition to helping revive the spirit of volunteerism and patriotism of Filipinos around the country. I think these are meaningful accomplishments that we can be proud of.

I just want to make mention that we will continue to issue our reports that will state the following:

- While the automated elections accomplished speed, we find many areas of improvement in the process of automation. While we have assurance that the national election vote is quite accurate, we cannot say the same for the local elections because the random manual audit reports, which are designed to test the accuracy of the automated count, have yet to be released. At least in the national elections, we have been able to validate results where at least two areas have a 3-digit difference between the electronic count and the manual count and we have to verify and are waiting to see the final report. The pre-election surveys and exit polls, as you heard the analysis of Mr. Mahar Mangahas, SWS President, showed a slight difference between the pre election survey and the Election Results. Congratulations.

We will also share some major observations:

First, there was a general lack of transparency in the automated election system. The machine and canvassing source codes were never reviewed. The COMELEC shielded the review of SMARTMATIC software and made it difficult for Philippine IT organizations and interested political parties to ensure that the computer codes are correct and free from malicious lines instead of protecting the nation's interest.

Second, we observed a weakness and lack of capacity of the COMELEC to supervise SMARTMATIC. It is lamentable to think that SMARTMATIC, and not COMELEC, could have run our elections. Many were confused as to the lines of responsibility and accountability between both parties.

When the compact flash cards were recalled and exchanged one week before the elections, the COMELEC defended SMARTMATIC and did not publicly raise the issue of possible accuracy of the untested replacement CF cards. Reports point that not all of the PCOS machines had UV readers in them. The question we ask is whether disabling the printing of ultraviolet marks on the ballot, which is a much advertised security feature of the system, was the result of using the wrong UV ink as claimed by SMARTMATIC? Or was it because SMARTMATIC could not put that feature in all the 80,000 plus machines? How did the COMELEC deal with SMARTMATIC if this case were true?

The random manual audit (RMA) is supposed to check against fraud and defects in the counting and canvassing that is provided by the contractor. How well were these audits conducted, why has it taken so long, and where are the results? It is 39 days after the election and yet we do not have the complete report on RMA.

Third, there was a general lack of information on the critical aspects of the automated elections system. Weeks after the elections, the questions asked at the post-election hearings about security, controls and transparency of the system were raised. These basic questions could have been addressed beforehand had there been sufficient information on the system to the political parties, candidates and professional IT organizations. The value of the CF cards was not emphasized until they were recalled and exchanged. There was never a testing of canvassing software to show elections contestants of the matter of lowering of thresholds on other positions which were not anticipated.

Fourth, the automated elections system did not improve the credibility of the COMELEC despite improvements in the speed. Discriminating against NGOs and professional organizations that are critical but not against the automated election system did not enhance COMELEC's credibility. COMELEC was defensive and even dismissive of positive and practical recommendations that could have enhanced the execution of the new system like having more mock polls and testing the nationwide testing of the canvassing system before the elections.

Poor training of the boards of election inspectors; long voters lines; voting day reactive acts like lowering of thresholds to proclaim local candidates; adjustments in the canvassing procedures to remove final sealing and testing results from the canvass; and the incomplete reporting of election results by third-parties (of only 90 percent by PPCRV and KBP), which is superposed to aid in the transparency, did not add confidence on the COMELEC. The removal of safeguards like the UV marks on the ballot, the digital signatures, the voter verification paper audit trail, and the non-use of the UV lamps and the secrecy folders, are among other issues that did not improve the image of the COMELEC.

We plugged the hole of cheating in the counting and canvassing through automation, although we did not really know how we did it, but the cheating had gone elsewhere or have been more highlighted, like rampant vote-buying and selling of votes that has become more blatant and widespread based on the field reports we have received.

As a result of these observations, we are sharing some major recommendations:

Set up a collective review of the just conducted automated election system. Perhaps at the leadership of the new Congress or through a specially commissioned body of the Office of the President, compose a multi-sectoral group to evaluate the automated process and other election related processes.

Embed transparency and verifiability in any and all approaches to improve the electoral process. Many aspects of the automated election process could not be verified such as the accuracy of the canvassing and the verifiability of the transmitted results. There is also no clear knowledge of the accountabilities of the other contractors and subcontractors, such as the Total Information Management or TIM, which is supposed to be the other party to SMARTMATIC. Transparency in the process and in the contractual relations of the various entities involved in the elections is important because it could enhance support and collective buy-in.

Enhance COMELEC capacity to supervise contractors. We believe that it is in the interest of many that COMELEC is able to obtain more capabilities especially in the use of technology in elections, management of projects and supervision of contractors.

Resolution of election cases in six months. There are close to a total of 100 election cases filed before the COMELEC and the House of Representatives Electoral Tribunal. We urge civil society organizations and the media to join us track the resolution of these cases before the year end.

Share the most recent Philippine experience on election automation with the rest of the world. Ours is the second case of nationwide automation in the world to our knowledge (the other one we believe is Venezuela). Just as we shared our key insights with the rest of the world in 1986, we believe it is our duty to inform others of our positive and negative experiences in automating our elections.

Help establish international standards for using technology in elections. Since 1986 NAMFREL has been involved in many elections worldwide. As an organization, it wields reasonable clout with international organizations involved in elections. Jointly, we can work with other organizations to influence how election technologies may evolve. Our interest is to keep this market of election technologies or solutions competitive. This will discourage monopolies and improve the development of electoral process solutions. We are also interested in making sure that more transparency measures are in place especially when it is difficult to keep pace with technology. Our utmost primary interest is to ensure that the voter becomes the center of the rationale in improving the election process.

Those are some of the recommendations we are making.

Of course there are yet many other observations we can share. But perhaps tonight is not the best time to do this. I would rather that we remember the key realization we take from this experience: First that the automated election system is here to stay. Second, there are many ways by which we can improve this system. And as long as there is positive change to be made, and as long as we wish to contribute to ensuring genuinely free elections in the Philippines, then NAMFREL will continue to live and have value to this beloved country of ours.

Before I end, I wish to acknowledge our major donors- Megaworld who is represented by Atty. Anthony Charlie Yu, San Miguel Corporation, Lopez Group of Companies, Ayala Corporation represented by Ms. Vicky Garchitorena, SM Investment Corporation as well as other donors such as PHINMA represented by Mr. Bobby Lavinia, Shell Group of Companies represented by Mr. Ed Chua, PLDT- SMART representative and others whom I will not name individually in the interest of time. Let me also thank our partners, mentioning the major ones: CBCP-NASSA represented by Bishop Pabillo, the CER Bantay Eleksyon for Electoral Reform, the Legal Network for Truthful Elections (LENTE), YouthVote Philippines represented by Ms. Tanya Hamada who is also a member of the national council, the Association of the Major Religious Superiors of the Philippines, Bangon Pilipinas, the Philippine Council of Evangelical Churches (PCEC), the Pentecostal Missionary Church of Christ (PMCC), the University of the Philippines Information and Technology Training Center (UP ITTC), Polytechnic University of the Philippines, Department of Information and Technology (PUP-IT), San Beda College Department of Information and

Technology, De La Salle and of course the De La Salle Justice and Peace Council, the Center for People Empowerment and Government (CENPEG) and AES Watch, and SWS of Mr. Mahar Mangahas who did an excellent job with his whole team in doing the exit polls. Let me acknowledge some of our volunteers particularly our Systems group headed by Maricor Akol with the support from Mr. Gus Lagman, Mr. Jade Deinla of Xinapse, Mr. Ed Favila and Mr. Jimmy Caro from UP; for valuable legal assistance Atty. Gerry Geronimo and Atty. Dick Romulo; on the finance side we have of course Ms. Cora de la Paz and Ms. Evelyn Singson, our three active national council members Ms. Cora Ignacio, Mr. Dammy Magbual and Eric Alvia our Secretary General, Mr. Telibert Laoc, Ms. Amina Rasul, Mr. Virgilio Gerolaga and to our Vice Chairman Mr. Dave Balangue. I may have not mentioned everyone but again thank you.

We rejoice seeing many civil society organizations involved in the elections. We have never seen as many as these election monitoring organizations discussing the automated election. We are pleased to see many of our young people working for the cause of credible elections. For those who remain with us and to the "generational volunteers," those who have taken on the chairpersonship of NAMFREL from their parents, we continue to be inspired by your dedication.

My sincere thanks again to all of you for everything you have done for NAMFREL. I know that our organization was merely a channel for your love for our country. On behalf of the NAMFREL National Council, salamat ulit at mabuhay kayong lahat! Mabuhay ang Pilipinas! Maraming Salamat.