

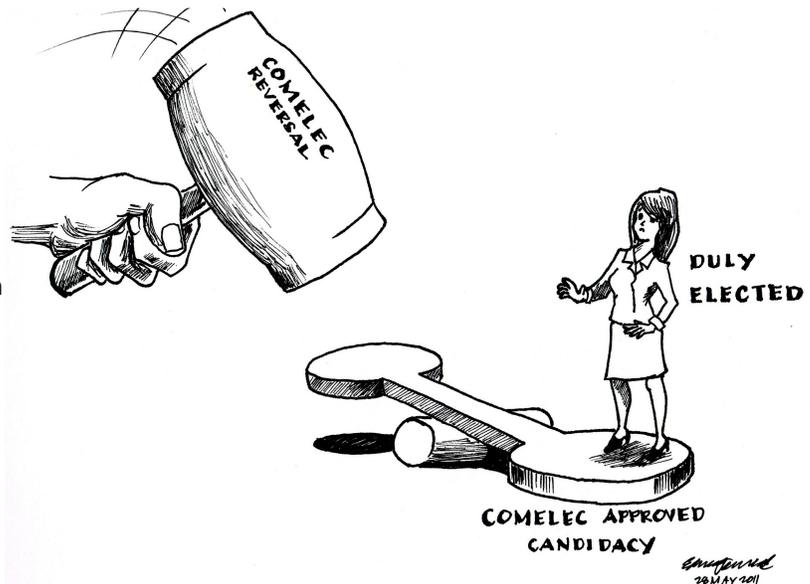
## Comelec considering manual elections for ARMM

As there is no certainty yet whether the ARMM election would be held as scheduled in August, Comelec Chairman Sixto Brillantes, Jr. said that they are now considering having a manual election for ARMM, if the final decision regarding its postponement comes not until June. Brillantes said the Comelec wants to automate the ARMM elections but it would be "taking a very high risk" if it would proceed, given the uncertainty of whether or not the elections would push through. "We do not want a very tight timeline because it may only lead to problems or failure of the automation. We do not want to take that risk also," Brillantes said.

Aside from the manual process, the Comelec is also considering implementing the "open election system" (OES). The manual process covers voting, counting, and canvassing, while in the OES, voting and counting are done manually but transmission and canvassing of ballots will be automated.

Brillantes said the Comelec could only wait until the first week of June for the Senate to resolve the issue. On Friday, May 27, Senator Ferdinand Marcos, Jr., chair of the Senate Committee on Local Government, released a statement saying that his committee will release their report the following week for the senators to vote on. Marcos also said that they have scheduled one last hearing for Tuesday, May 31, on the bills seeking to postpone the ARMM elections. It will be held in Manila, and high ranking officials from the administration have been invited, "to (give) the executive branch of government the last say, so to speak, to explain exactly why they had made this proposal to cancel the ARMM elections scheduled for August of this year in favor of Malacañang appointees," according to Marcos. Both the Senate and the lower House are scheduled to go on recess starting on June 10 until July 24.

On Wednesday, May 25, the Comelec closed the filing of Certificates of Candidacy (CoCs) for the ARMM elections, with 14 candidates for governor and 16 for vice governor, with no official candidates coming from President Aquino's Liberal Party.



The 14 candidates seeking to get elected ARMM governor are:

1. Ashmaira Mayasa Abdullah
2. Mamintal Alonto Adiong (incumbent Lanao del Sur governor)
3. Saad Ibrahim Amate
4. Pangalian Macaorao Balindong
5. Ephraim Baldomero Defino
6. Mujiv Sabbihi Hataman (former Anak Mindanaw party-list representative)
7. Alvarez Silal Isnaji (former OIC ARMM governor)
8. Ansaroden Magangcong Sani Banuas Luman Moner
9. Pax Pakung Sandigan Mangudatu (former Sultan Kudarat governor and representative)
10. Kadra Asani Masihul
11. Datu Habib Sarifuddin Samanodi Maulana

12. Elsie New Orejudos
13. Saidamen Balt Pangarungan (former Lanao del Sur OIC governor)
14. Sahiron Dulah Salim (former police director)

For Vice Governor, 16 candidates have filed their COCs:

1. Acting ARMM governor Ansaruddin Abdul Malik Alonto Adiong
2. Mikunug Pangcatan Ampao
3. Arab Dimasimpun Ampasao
4. Shariffa Ziola Anding Bago
5. Datu Pelaez Alo Carudin
6. Margarita "Tingting" Delos Reyes Cojuangco (former Tarlac governor)
7. Bobby Mana-ngaran Datimbang
8. Alikhan Awar Dimaro
9. Gani Usman Gaddung
10. Abdulbasit Ampaso Hadjinor
11. Omar Tani Hassiman
12. Fatani Sultan Abdul Malik
13. Basher Dimalaang Manalao (former Lanao del Sur governor)
14. Kano Pasandalan Nor
15. Marconi Curso Paise Al Haj
16. Abdusakur II Abubakar Tan

For Assemblymen in Maguindanao (note: we do not have the names yet for the other provinces):

#### 1st District

1. Abdulradzak Tomawis
2. Ronnie Sinsuat
3. Cahar Ibay
4. Abel Mastura

#### 2nd District

1. Midtimbang, Midpantao
2. Solaiman Sandigan
3. Borgiva Tasmi Datumanong
4. Abubacar Paglas
5. Guimid Matalam
6. Abdulwahal Alan Sabal
7. Udtog Kawit
8. Mashur Biruar
9. Tungal Mangudadatu Piang
10. Pike Mentang

(Sources: PDI, Tempo, GMA News, Comelec)

## May 2010 automation "made a mockery of our right of suffrage"

Tanggulang Demokrasya (TanDem), a multisectoral coalition of civil society leaders, organizations and institutions, was launched on May 26 in a press conference. The group also rejected the further use of Smartmatic's PCOS machines in future Philippine elections. In a statement, the group said that the May 2010 elections ushered in a "mechanism for fraud," which "betrayed the electorate" and "made a mockery of (Filipinos') right of suffrage."

Among the guest speakers during the launch was Atty. Grace Riñoza-Plazo of Ang Kapatiran Party, who lost in the May 2010 senatorial race. She believes that the PCOS machines were compromised that even in her hometown of Nasugbu, Batangas, she got very little votes. Atty. Plazo also called attention to Comelec's election results website, which she claims showed erroneous results, but was then corrected after her party spoke about it in the media just after May 10, 2010.

Mr. Edmundo Casiño of the Philippine Computer Society made a presentation on the security features of the PCOS machines that were disabled in the run-up to the elections; how provisions of the automation law were violated by the Comelec in its implementation of the automated system; and serious administrative lapses committed by the Comelec in said implementation. Mr. Casiño also expressed his belief that the source code of the machines used already belongs to the Filipino people (and not to the foreign technology provider), since it has already been made to conform with the requirements of the Philippine electoral system. It should therefore be made available for review by Filipino organizations.



According to TanDem, their objectives are "to bring to people's attention serious electoral crimes; to demand accountability; and to seek an immediate rectification of the corrupted Automated Electoral System (AES) before any other automated elections are held." The group is calling for the non-use of Smartmatic's PCOS in the ARMM election scheduled for August.

Read TanDem's statement here: <http://bit.ly/IsOIh4>

Watch TanDem's video presentation on Smartmatic's PCOS here: <http://bit.ly/jZ0ReF>

## When positions are won without getting elected

After the Commission on Elections' (Comelec) decision on the protest regarding the mayoral race in Lucena City – in which the vice mayor is being installed by the Comelec as mayor (a position he did not run for) – it is now the turn of the House of Representatives Electoral Tribunal (HRET) to act on a similar protest case filed against the representative of the 4th district of Leyte.

It will be recalled that actor Richard Gomez, the husband of TV personality Lucy Torres-Gomez, filed his certificate of candidacy as representative in the fourth district of Leyte for the May 2010 elections, but was disqualified by Comelec because of residency issues. Lucy Torres-Gomez substituted for him and eventually won the race. After the May elections, losing candidate Eufrocino Codilla, Jr. filed a protest against Lucy Torres-Gomez before the HRET on the ground that neither Richard nor Lucy was a legitimate candidate. Since Gomez's candidacy was never official, therefore, Torres' candidacy was also unofficial since there was no candidate to substitute for in the first place. Therefore, the candidacies of the couple should be considered as invalid. This is the point to which Codilla is giving emphasis and is now awaiting the HRET's decision.

Torres-Gomez appealed to stop the hearing of the protest but HRET denied it. The incumbent representative also tried to appeal before the Supreme Court but to no avail. The HRET now seems geared to hearing the case any time.

Regarding the Lucena City electoral protest (previously covered here: <http://bit.ly/lw3B37>) the Comelec promulgated a resolution declaring the incumbency of elected mayor Barbara Talaga as void. Five of the six Comelec commissioners concurred to declare winning vice mayor Roderick Alcala as the new mayor of the city. Earlier, it was reported that the losing candidate Philip Castillo and elected vice-mayor Alcala filed protests assailing Barbara Talaga's proclamation as mayor, citing many technical issues that allegedly characterized the decision of Comelec to declare Talaga as an official substitute candidate for her husband, Ramon Talaga, who was disqualified for having served as mayor for three terms.

The resolution nullifying the proclamation of Ruby Talaga as mayor was signed by commissioners Rene Sarmiento, Lucenito Tagle, Armando Velasco, Elias Yusoph and Christian Robert Lim. Commissioner Augusto

Lagman inhibited, while Chairman Sixto Brillantes filed a dissenting opinion, maintaining that the election and proclamation of Barbara was valid and legal, and took note of the fact that the people of Lucena knew on election day that her husband had been disqualified from running and that she had substituted for him in the mayoral election.

Comelec has already ordered Barbara Talaga to vacate the post and Roderick Alcala is expected to assume the position of city mayor.

The Lucena City protest case involves an elected official whose legitimacy of candidacy was questioned by a candidate who did not even run for the position that he is now going to assume, while the case in the 4th district of Leyte involves a losing candidate questioning the legality of the candidacy of the winning district representative. The cases are different, but in both cases, the legitimacy of the victory of the winning candidates are questioned, and the result of the election can be overturned by the respective electoral tribunal, disregarding the outcome of the voting process. (Sources: PDI, Journal, PhilStar)

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