

Barangay and SK elections

Timeline of Activities

25 September-10 November 2010

ELECTION PERIOD

Gun and bodyguards ban.

1- 13 October 2010

Filing of candidates Certificate of Candidacy (COC).

14- 23 October 2010

Candidates campaign period.

18 October 2010

Last day for filing of disqualification cases.

18- 20 October- Inspection and verification of completeness of the Voters' Registration Records and sealing of the Book of Voters for each barangay and SK precinct

20 October- Last day of posting the Computerized Voters' List (CVL)

25 October 2010

Casting of votes from 7 a.m until 3 p.m.. Canvassing follows.

Comelec Resolutions

Resolution No. 9051- Authority of the Regional Election Director to approve various requests for early delivery of accountable forms and other election paraphernalia

Resolution No. 9050-In the matter of exempting the PNP, the AFP and other law enforcement agencies from coverage sections 261 (H) and (R) of the Omnibus Election Code

Resolution No. 9049- In the matter of amending Comelec Resolution No. 9028, otherwise known as "The Rules and Regulation on bearing, carrying, or transporting of firearms or other deadly weapons and availment of security personnel or bodyguards

Resolution No. 9048- Rules delegating to Comelec field officials the authority to hear and receive evidence in disqualification cases filed in connection with the Oct 25 Brgy and SK elections.

Resolution No. 9046- Preservation of the book of voters and other election documents used relative to the precautionary protection issued in PET case no. 004

Comelec cautions candidates on poll spending limits

- The Commission on Elections (Comelec) on October 10 reminded candidates for the October 25 Barangay and Sangguniang Kabataan (SK) elections not to overspend in their campaigns. According to Resolution No. 9043, no candidate shall spend for his/her election campaign an aggregate amount exceeding Php3.00 for every registered voter in the barangay where he seeks to be elected. The en banc resolution said violation of the directive would constitute an election offense that carries a penalty of one to six years imprisonment as well as prohibition to hold public office and suspension of the right to vote. All candidates are also mandated by the Comelec to file their Statements of Contributions and Expenditures not later than November 10 at the Office of the Election Officer, where he filed his certificate of candidacy (COC). Still, numerous candidates do not follow the Php3.00 peso- per voter rule in election campaign because the amount is unrealistic in election spending. The spending limit must be revised to adjust to inflation and current cost realities. Having a rule that is not being observed or enforce will just diminish the authority of the Comelec. It would be better for Comelec to put more emphasize on enforcing political party funding restriction. (KZR)

Comelec places 2301 villages under Election Watch Areas

- Comelec spokesperson James Jimenez told reporters Friday that the 2,301 barangay were identified as election "hot spots" due to either the presence of intense political rivalries or threats posed by communist or secessionist rebels. There are two categories on the watch list. Grouped under Category 1 are areas with existing intense political rivalries and where politically motivated election-related violence occurred during the May 2010 elections. Barangays under Category 2 are areas with "serious armed threats" stemming from the New People's Army and secessionist groups, particularly in the southern Philippines. Under the Comelec watch list made public on October 8, 224 areas have been identified under Category 1 while 2,007 districts have been named under Category 2 out of the 42,025 barangay in the Philippines, as of September 21. In Metro Manila, only two barangays; Bagumbayan in Taguig City and Payatas in Quezon City have been placed under Category 1. The Autonomous Region in Muslim Mindanao (ARMM) has the greatest number of barangays on the watch list were classified as 734 villages as "hot spots" due to the presence of secessionist groups. Only 34 barangay are listed as areas of concern due to political rivalries. The Bicol Region placed second, with 298 barangay identified as areas of concern, 23 under Category 1 and 275 under Category 2. At least 11 barangays in Soccsksargen were placed under Category 1 of the Comelec watch list and 183 areas under Category 2. The Davao region has 165 barangays identified as election hot spots, 96 percent of them listed under Category 2. The list may or may not change as the barangay elections draw closer. To mitigate and avert election violence, local dispute resolution mechanisms have to be adopted by the communities. These may involve a community initiative for talks between disputing candidates or factions, a code of conduct and covenant for candidates and their supporters to observe and allow the Comelec and the duly deputized law enforcers to intervene and diffuse arising tensions and avert the use of violence to resolve it. (EOA)

Comelec meets as it prepares to convene as an electoral tribunal

- NAMFREL has confirmed through sources that Comelec officials, their automation subcontractor, and forensic consultants met last Thursday October 7 to discuss the ground rules and mechanisms to address election disputes as Comelec prepares to convene as an electoral tribunal for disputed local elective positions. Currently, there are almost a hundred election protest cases lodged with the Comelec. Should there be any dispute related to election results, a protest may be filed only by a losing candidate for the same position before the proper electoral tribunal. The different electoral tribunals include the (1) Regional Trial Courts – for municipal elective positions, (2) COMELEC – for city/provincial/regional positions, (3) House of Representatives Electoral Tribunals (HRET) – for members of House of Representatives, (4) Senate Electoral Tribunal (SET) – For members of the Senate, and (5) Presidential Electoral Tribunal (PET) – for the position of President or Vice president. The election protest may include correction of manifest errors in the election returns or a statement of votes by precinct, city and municipality, such that if corrected the results of the election will be altered such that the losing candidate will have more votes than the winning candidate. In this case it seeks to annul the proclamation of the winner and for the tribunal to proclaim the protestor or protestant the winner. The election protest may also be grounded on election irregularities or election fraud such as misreading of ballots, padding or shaving of votes, terrorism, violence, or vote-buying. In this case, the election protest will entail review or re-reading of ballots for the tribunals evaluation for such precincts identified in the election protests. An election protest complaint must comply strictly with procedural requirements under rules. Comelec is highly encourage to make public the nature and proceedings of the tribunal to observe transparency and assure impartiality & credibility in its decision to resolve these protest cases. NAMFREL will provide updates on developments related to the handling of these disputes.

[Sources: Manila Bulletin, Philippine Daily Inquirer, COMELEC data, NAMFREL data]

DISCLAIMER: Any information, opinions or views of the authors or sources referred to in this report do not represent the position of NAMFREL. While reasonable care has been taken to ensure that the information contained herein is not untrue at the time of publication, NAMFREL makes no representation that it is accurate or complete. The information contained herein is subject to change without notice. NAMFREL, or any of its officers or employees, does not accept any liability for any and all direct or consequential losses or damages arising from any use of this publication or its contents. **For comments please e-mail : kristine.rosales@namfrel.com.ph**