

Possible next Comelec commissioners

Consortium for Electoral Reform (CER) urged the President to appoint Commission on Election (Comelec) commissioners with Information Technology backgrounds to oversee upcoming automated elections. The group also urge to name a female commissioner to promote gender balance in the commission. Meanwhile, outgoing Comelec Chairman Jose Melo said that it is a good idea to have an IT expert but the bulk of the commissioners' work involves legal aspects of the elections. Another group, the People for Empowerment and Truth (PET), also urged the President to appoint a commissioner to the Comelec that could initiate guidelines and measures in resolving electoral protests more quickly.

Already some Cabinet members and prominent election lawyers are being floated as possible replacement for Chairman Jose Melo who is set to resign on January 31, 2010. The Chairman's replacement will continue Melo's unfinished seven-year term until February 2015, and be in charge of the ARMM 2011 and 2013 midterm elections. Comelec Commissioner Nicodemo Ferrer, on the other hand, said senior poll officials may apply to replace him and Commissioner Gregorio Larrazabal as their terms end on February 2, 2011.

Although the President has the power to appoint a Comelec commissioner qualified based on the requirement set by the Constitution, there are weak points regarding the selection process. Admittedly there is minimal little opportunity for the public to participate in the selection process or have a similar structure to the Supreme Court's Judicial Bar Council. The Commission on Appointments does not "reject" the confirmation but only confirms or is silent, reappointments of non-rejected candidates are allowed (given the condition that they have not serve the commission), and the power to appoint is vested solely for the President. Given these flaws, the public's involvement is active is most welcome particularly in vetting of nominees for the positions especially on the issue of partisanship/ non partisanship, managerial capability, IT and legal knowledge and experiences and most important their work ethic and integrity.

CenPEG and former VP Guingona files motion to compel against Comelec

On July 26, 2010 the Comelec en banc denied the requests of the Center for People Empowerment in Governance (CenPEG) for the disclosure of election documents regarding the automated election on May 10, 2010. The documents included the AES source codes, Comelec-Smartmatic contract and all annexes, report of PCOS transmissions on May 10 and thereafter, and inventory of compact flash (CF) cards used for the final testing and sealing (FTS) as well as re-configured CF cards. Similar documents had been ordered released by the Supreme Court (SC) in a ruling days before the May 10 election on an urgent petition filed by Teofisto Guingona, Jr., Engr. Rodolfo "Jun" Lozada, and others. Complying with the SC ruling, Comelec released the documents but the group found the information substantially different and incomplete compared to the list of documents ordered released by the high court. The high court also granted on September 21 CenPEG's petition for mandamus for the release of the election source code for its independent review, as the law provides. However, the said election documents have not been made available and released by the Comelec.

On November 30, Guingona and CenPEG filed jointly a motion to compel Comelec to comply with SC ruling to release the source code and other election documents. Other election monitoring organizations like AES Watch have supported the move. NAMFREL likewise has expressed its full support. If the Comelec en banc continues to disregard the high court's order to release the election documents, this defiance would be perceived as an act of deliberate disobedience or disregard to the Supreme Court ruling resulting possibly to contempt of court.

Winning Barangays and SK officials assume office on November 30

The re-elected and newly-elected village and youth officials in the 41,995 barangays all over the Philippines start their three year term of office at noon of November 30 pursuant to Section 2 of Republic Act 9340. Of the officials assuming the posts to which they were elected in the October 25, 2010 Barangay and Sangguniang Kabataan elections, 336,000 are barangay officials and an equal number are Sangguniang Kabataan (SK) officials. Every barangay should have elected one Punong Barangay and seven kagawad and one SK chairman and seven kagawad. Among the powers vested by Barangay officials are the authority to make ordinances in their barangays, could also enact taxes, to provide construction and maintenance of barangay facilities and other public works and the power to regulate barangay facilities. The Barangay Captain can also be authorized by Sangguniang Bayan (SB) to enter into contracts and can prescribe fines not exceeding to Php 1,000. In the case of the SK, it is empowered to promulgate resolutions necessary to carry out the objectives of the youth in the barangay in accordance with the Local Government Code; and to initiate programs designed to enhance the social, political, economic, cultural, intellectual, moral, spiritual, and physical development of members. The SK is also empowered to coordinate with the Presidential Council for Youth Affairs (PCYA) and other agencies concerned for the implementation of youth development projects and programs at the national level.

[Source: Philippine Star, CenPEG data, PIA data, NAMFREL data]

**National Citizens Movement for Free
Elections (NAMFREL)**

Unit 601 DMG Center Domingo M.
Guevara St. corner Calbayog Ext.
Mandaluyong City, Philippines 1550
Website: www.namfrel.org.ph

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