



### **Comelec proclaims party-list for laborers**

The Comelec en banc issued on December 9 a Certificate of Proclamation to party-list group Association of Laborers and Employees (ALE). ALE will be represented by one of its nominees, Eryn de Leon, who will sit in the Fifteenth Congress representing the workers group. De Leon is a certified public accountant and a lawyer. She is married to former Department of Justice (DOJ) Regional State Prosecutor Carlos de Leon. She was a former official in Malacañang during former President Arroyo administration as appointments secretary. Besides de Leon, ALE party-list group has three other nominees which include former Sasmuan, Pampanga Mayor and now Provincial Board Member Catalina Cabrera-Bagasina and Mitz Magtoto. The Comelec has also proclaimed party-list group Adhikaing Itinataguyod ng Kooperatiba (Ating Koop) and the group Kasosyo, Producers-Consumers Exchange Association Inc. The three additional party-list groups were proclaimed on the basis of the special elections held by the Comelec in Bulacan, Lanao del Sur and Basilan.

The 15<sup>th</sup> Congress already has 42 party list namely: 1 CARE, A TEACHER, AA KASOSYO, AAMBIS-OWA, AANGAT TAYO, ABANTE MINDANAO, ABONO, ABS, ACT TEACHERS, AGAP, AGBIAG, AGHAM, AGP, AKBAYAN, AKO BICOL, ALAGAD, ALE, ALIF, AN WARAY, ANAD, ANAKPAWIS, ANG KASANGGA, APEC, ATING KOOP, AVE, BAGONG HENERASYON, BAYAN MUNA, BUHAY, BUTIL, CIBAC, COOP NATCCO, DIWA, GABRIELA, KABATAAN, KAKUSA, KALINGA, LPGMA, PBA, SENIOR CITIZENS, TUCP, UNA ANG PAMILYA and YACAP with a total of 55 representatives. This list does not include the two recently proclaimed party list groups.

### **AFIS to cleanse the voters' list**

The Commission on Elections (Comelec) is pushing for the House of Representatives to enact a law to cleanse the list of voters in the country through the Automated Fingerprints Identification System (AFIS). The AFIS is a biometric identification system that uses digital imaging technology to obtain, store, and analyze fingerprint data. Currently, no one can be compelled to have a biometric identification taken since no law exists to that effect. This situation has rendered ineffective Comelec resolution no. 8882 promulgated on May 7, 2010 that has resolved to adopt policies and guidelines relative to AFIS in cleansing the lists of voters. The resolution reads that the premise of credible elections is anchored on a clean voters' list. Based on its statutory mandate, Section 52 (i) of the Omnibus Election Code authorizes the Commission to prescribe the use or adoption of the latest technological and electronic devices, which in this case is the AFIS technology in pursuit of its equally important mandate to establish clean, complete, updated and permanent lists of voters pursuant to Republic Act No. 8189 otherwise known as an "Act providing for a general registration of voters, adopting a system of continuing registration".

Other countries have used the AFIS technology in various applications. The Integrated Automated Fingerprint Identification System (IAFIS) is a national automated fingerprint identification and criminal history system maintained by the Federal Bureau of Investigation (FBI). IAFIS provides automated fingerprint search capabilities, latent searching capability, electronic image storage, and electronic exchange of fingerprints and responses. Many other entities, including Canada, the European Union, the United Kingdom, Israel, Pakistan, Argentina, Turkey, Morocco, Italy, Chile, Venezuela, Australia, Denmark, the International Criminal Police Organization, and various states, provinces, and local administrative regions have their own systems, which are used for a variety of purposes, including criminal identification, applicant background checks, receipt of benefits, and receipt of credentials (such as passports). European police agencies are now required by a European Council Act to open their AFIS database to each other to improve the war on terror and the investigation of cross-border crime. The act followed the Pruem treaty, an initiative between the countries Belgium, Germany, Spain, France, Luxembourg, the Netherlands and Austria. While technically not being an AFIS itself, the Pruem treaty's decentralized infrastructure allows AFIS queries on all European criminal AFIS database within a reasonable timeframe. To maximize the AFIS technologies capability to cleanse the voters' list it would be advantageous to share and integrate the Comelec database with other regulatory and government agencies database.

### **House Bill 3201 seeks to amend Absentee Voting Act**

Less than 10% of qualified overseas Filipino workers registered to vote in the May 2010 elections, with even less that were able to cast votes. Some of the reasons identified for this very low turnout include the rigid process of registration and voting which usually mean taking a day off from work to travel to a designated location (usually Philippine consulates or embassies);

documentary requirements; and poor voters education, all contributing to a process deemed too inconvenient, or one that encourages apathy and non-participation, eventually resulting to marginalization and disenfranchisement.

On November 24, 2010, a bill was filed in the House of Representative Committee on Suffrage and Electoral Reform by Rep. Walden Bello, et al seeks to increase participation of overseas Filipino workers by amending certain provisions of Republic Act 8189, or the Overseas Absentee Voting Act, to ease the burden of voting in foreign lands and to improve the process as conducted by the Comelec. Some of the provisions of the said bill include:

- \* deletion of the provision that requires overseas Filipinos, numbering close to 4 million, who are categorized as immigrants and permanent residents to execute an affidavit declaring that they shall resume actual, physical permanent residence in the Philippines not later than 3 years from approval of their applications for registration under the OAV law;
- \* broadening the coverage of OAV to include national referenda and plebiscites;
- \* composition of in-house COMELEC Resident Election Registration Board (RERB);
- \* ensuring that the system of continuing registration is properly and fully observed;
- \* allowing for the filing of application for registration at any post abroad or at designated registration centers outside the post;
- \* mandating the COMELEC to determine the mode of voting for which posts
- \* mandating COMELEC to adopt other modes or systems using automated election system;
- \* budget provision for OAV information and education campaign and
- \* institutionalization of the role and engagement of Filipino civil society organizations.

The proposed amendments have already gotten endorsement from Filipino migrant workers organizations such as the Center for Migrant Advocacy (CMA) Philippines.

[Source: Wikipedia, Office of the Hon. Walden Bello, The Freeman, Philippine Daily Inquirer, CMA 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](http://www.namfrel.org.ph)

Note: E- Newsletter will be distributed weekly starting December 10, 2010

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