



Report No. 2

May 11, 2007

Introduction

This is the 2nd Progress Report of the *Bantay-Eleksyon 2007* or the **People's Coalition to Monitor the 2007 Elections**. This report covers the period from the start of local election campaign on March 30, 2007 up to May 11, 2007, the eve of campaign finish. The report contains the following areas:

- A. Conduct of Local and National Election Campaign
- B. Rise of Election-Related Violence
- B. Continuing Election Preparations
- C. Party-list Accreditation and Nominees
- D. Domestic and Overseas Absentee Voting

A. Conduct of Local and National Election Campaign

The 45-day campaign period for local election started last March 30, 2007, a day after the deadline of the filing of candidacy for local candidates. This was implemented in accordance with COMELEC Resolution No. 7707 issued on August 30, 2006 which set forth the election calendar of activities and periods of prohibited acts for the 2007 mid-term elections as mandated by the 1987 Philippine Constitution and the Republic Act 7056, or the Election Synchronization Law.

There is now a ratio of three candidates for every local position to be contested in the May 14 polls. These contested seats are 81 provincial governors, 118 city mayors, 770 provincial board members, 1,510 municipal mayors, 1,314 city councilors, and 12,092 municipal councilors.

According to the Social Weather Stations' (SWS) Feb. 2007 survey, fifty-seven percent of registered voters have much interest in next month's mid-term elections. However, the local election campaign is expected to slow down the momentum of the national election campaign when the electorate shift their attention to local politics which they feel have more significant effects in their daily lives.

In fact, some local electoral contests are already stealing the media spotlight from senatorial bets even before the start of the local election campaign. In Makati City, administration senator Lito Lapid contests opposition leader and Mayor Jejomar Binay for the control of the country's financial district. Showbiz-celebrity and Lipa Mayor Vilma Santos is giving her constituents in the province of Batangas a spell of entertainment by running for governor at the expense of her brother-in-law, Vice Governor Ricky Recto. Boxing icon Manny Pacquiao runs under the administration party to challenge his former sponsor, last-termed opposition re-electionist Congresswoman Darlene Custodio-Antonino. Three priests, Fr. Dela Cruz, Fr. Ronilo Omanio, and Fr. Panlilio, resigned from priesthood to seek public office as mayor of Zamboanga City, as governor of Occidental Mindoro, and as governor of Pampanga, respectively.

The issue of political dynasties is widely raised against incumbents. The latter are often accused of perpetuating a "*vicious political cycle*" wherein relatives of incumbent public officials commonly seek the latter's posts or run under the incumbent slate in an obvious bid to keep their families' presence in the political landscape.

The political tensions brewing between feuding political families over local elections in provinces, cities and towns are setting the alarm on for the possible escalation of high-level election violence.

Senatorial candidates are spending more for electronic media campaign than any political sorties. According to Pera at Punitika (Money and Politics), a campaign finance monitor, both Team Unity and Genuine Opposition spent a total of PhP 1.43 billion as of May 1, 2007. Of these, more than 85% are being spent for television ads. Surigao del Sur Congressman Prospero Pichay is still the top spender with a total of PhP 151.73 million so far.

In competing for public attention from local campaign, senatorial candidates are now banking on expensive TV/radio ads hoping to improve their chances to enter the winning column, particularly those who are in the tail end of various poll surveys. Some politicians have even been accused of pulling unconventional stunts in order to get the attention of television cameras.

Comelec changed its political ads ruling in late February by allowing their airing to 180 minutes for TV and 120 minutes for radio per region.

Issues of Concerns:

1. ***Misuse of government personnel, money and resources in the election.*** The use of government money and resources for partisan political activities is prohibited under existing election laws and regulations. However, there are reports of incumbents using government facilities or resources for campaigns or riding on government projects to project themselves before the electorate. There are even reports of soldiers either campaigning for or being forced to vote by superiors for the administration candidates.

2. ***Expensive campaigns.*** As expected, both national and local campaigns tend to expend more than ever. Senatorial campaigns heavily relied on very expensive TV political ads and air sorties. Local campaigns stressed on new tarpauline-based posters and giveaways, many of whom are of doubtful legality in relation to election laws.
3. ***Drought of relevant campaign issues.*** Although there were attempts to define a platform and present a program of governance, most national and local campaigns centered on alleged benefits or future benefits they have given or promised to give to voters. The only outstanding issues being raised are the legitimacy of the president Arroyo's presidency, corruption and poverty. The issue of political dynasties also surface although mostly because incumbents on their third term showed a marked preference for putting up family members as their replacement.

B. *Election-related Violence*

Tri-Media networks are getting news report concerning election-related violent incidents almost everyday. This situation is just adding to growing fear of possible escalation of political violence as local election campaign heats up. So far, the Philippine National Police (PNP) had announced that, as of May 9, at least 131 incidents of electoral violence have occurred, with 102 candidates or supporters killed. Nearly 50 percent of those killed are candidates running for local positions. These figures do not include those classified by the PNP as "extra-judicial killings" but may have been linked to the elections. The PNP also announced that they are keeping a close watch on nine provinces listed as election "*areas of concern*".

The Comelec has deputized the PNP and AFP to implement election-period ban on the possession and carrying of firearms to prevent election-related violence. As of early March, Police reported to have recovered 1,106 firearms, 57 explosive devices and 198 other deadly weapons from 1,178 arrested violators.

The Comelec has already placed Abra and Nueva Ecija under its control and contemplates adding more areas because of electoral violence. It has also undertaken, together with citizen arms, to have local candidates sign peace accords among themselves to express their commitment to work for clean, peaceful and credible elections.

Issues of Concerns:

1. ***Mismatch of Public Information.*** The number of election-related violent incidents that PNP reported is not matching what the media is reporting. This discrepancy of record only adds to speculation that the police is either doing an inadequate job or withholding information. The police may have difficulties in selecting verified information from actual reports they are receiving. Nonetheless, it can't hold back the right of the public to know the real security situation and falsely paint it as still under their control.

2. ***Ineffective Gun Ban.*** The police visibility in some areas is commendable. However, police has yet to show the extent of their operation and or their action plans for effective gun ban implementation. The actual confiscation of more than a thousand guns pales in comparison with the estimated 450,000 unlicensed firearms in the country. PNP even admitted of having apprehended gunrunning syndicate, including three rookie policemen, who have been supplying firearms to local politicians and senatorial candidates who are running in the May 14 elections. The police efforts are also put in vain when Comelec decided to give more than 23,000 exemptions, many of which are given to candidates and their supporters.
3. ***Impunity of Electoral Violence.*** There is a widespread perception that the Comelec, the executive department and the military and police are powerless to stop or control election-related violence. This is not helped by the admission by no less than Comelec Chairman Abalos that he thinks Comelec has done all it can in Abra, a major election hot spot in the aftermath of an ambush of political supporters of a candidate.
4. ***Extra-judicial Killings and Political harassment.*** What adds to trepidation is that election-related violence is related to the much bigger phenomenon of extra-judicial killings that had raised international concern. These extra-judicial executions which are happening under a climate of impunity are obviously directed against Left party-list groups, journalists, and alleged members of rebel groups. Military operations in the countryside may lead to a security threat situation to justify Comelec declaration of “*immediate areas of concerns*” which will certainly affect the conduct of the elections.

In this connection it is of grave concern that candidates of some Left party-list groups have been arrested or charged with rebellion in the midst of the election campaign.

On the other hand, rebel groups are also intervening in the elections using threats or actual use of violence. One outstanding example was the ambush and kidnapping of Mayor Aranas of Pola, Mindoro Occidental. There were also reports of extortion activities carried out by communist insurgents, New People’s Army in their controlled areas. The “*permit to campaign fees*” is said to go as high as P200,000 for each mayoral candidate, P150,000 for vice mayor and P20,000 for municipal councilors.

C. Continuing Election Preparation

The Commission on Elections (Comelec) has already finalized the total tally of registered voters at 45,055,599, representing around 53 percent of the country’s population, as of March 30. It also announced the weeding out of some 1.13 million from the list including the so-called “flying voters” and double registrants.

Meanwhile, all ballots and election return forms have already been printed. On a daily basis, the National Printing Office (NPO) manufactured an average of 8,500 ballots and ER. The Comelec has already delivered almost all official ballots, election returns and other election paraphernalia to be used in the May 14, 2007 elections.

It is to the credit of the Comelec that, on a nation-wide scale, all preparations for the conduct of the May 14, 2007 national and local elections have basically been completed. Barring some last-minute problems in a few areas, the elections will be held as scheduled.

Issues of Concerns:

1. ***Problems of availability, accuracy and cost of voters' list.*** Despite Comelec's announcement that it released the national certified voters list (NCVL) in the second week of April, this did not reach the public and candidates in many places in time. The delay in the CVL release is only giving the suspicious public more reasons to worry about possible cheating.

There are still worries about the inclusion of "ghost voters" in the NCVL. A media team randomly checked the list in Quezon City and found out that many dead people are still listed. Other localities are reporting the same anomaly. There is a strong possibility that padded voter lists may be used for creating "ghost precincts" to be used for cheating in these elections.

Based on an October 2005 decision, the Comelec has been charging everybody who requests a copy of the whole or part of the NCVL PhP 15.00 per precinct (if in diskette or CD) and PhP 2.00 per page if in a hard copy plus PhP 75.00 as certification fee. While the hard copy cost is understandable, the digital fee is too much. This Comelec policy is basically questionable, both in terms of unnecessary expense and implications on the transparency of the institution.

2. ***Hiring of private printers.*** The report that the National Printing Office has subcontracted the printing of ballots and other election materials to private printing presses may post a serious legal and political problem. NPO as the agency which has the exclusive right to print all election materials is not only guilty of violating its mandated function but it is putting the security in the printing of the ballots at risks. By providing private printers access to printing templates and serial numbers, it is inviting possible election fraud by printing of duplications.
3. ***Security of the printing operation.*** The Comelec and the National Printing Office (NPO) have taken considerable steps to tighten security procedures at the NPO compound due to an incident that involved allegedly three workers of private printing presses with temporary Comelec IDs who were caught copying the serial numbers of the ballots. However, the COMELEC has yet to present the result of its investigation on the incident.

D. Issues over Party-list Accreditation

Comelec thru Resolution No. 7819 which was issued and promulgated on February 12, 2007, has certified or disqualified party-list groups from seeking for accreditation. It has initially certified the qualification of 44 party-list groups which has now ballooned to more than 91 party-list groups. That too many party-list groups being accredited sparked incessant questioning from progressive party-list groups. Suspicions over party-list accreditation heightened when Kontra Daya (Against Cheating), a citizen monitoring group, accused Malacañang of fielding at least 22 party-list groups through the Office of External Affairs. Other disqualified party-list groups even collaborated these allegations by claiming that a gang of “*big-time fixers*” allegedly associated to Malacañang are peddling Party-list seats in the House of Representatives for around P3 million to P7 million and promising “assured victory” to a nominee running in the party-list elections with the aid of unscrupulous officials of the Commission on Election.

Akbayan and former senator Jovito Salonga questioned before Supreme Court the Comelec refusal to disclose the names of nominees of suspect party-list groups. Last week, the Supreme Court granted the petition and directed the Comelec to immediately make public the names of the party-list nominees.

Issues of concern:

1. ***Accreditation of Too Many Party-list groups.*** The number of approved party-list groups are simply too many for practical handling. A long list of party-list may build confusions to everyone. The allegation that there are party-list groups which are not really a representation of marginalized and underrepresented but either formed or led by government officials or their relatives or are extensions of government agencies is a valid point for the Comelec to reconsider its approval and to strictly follow the 8-point criteria set forth by the Supreme Court for party-list accreditation. If there are indeed bogus party-list groups that have been given accreditation by the Comelec, it will certainly undermine the importance of the party-list system and the credibility of the Comelec.
2. ***Legal Challenges.*** The spate of accusations and disclosures on the anomalies regarding the party-list system poses a difficult challenge to the Comelec. It is duty-bound to investigate all of these particularly since many of the challenges involve Comelec personnel. Among these accusations and disclosures are the charge of unqualified party-list groups and unqualified nominees, offer to facilitate party-list accreditation for a fee, Malacañang meddling, and harassment of certain party-list groups.

D. Absentee Voting

Overseas absentee voting started on April 14, 2007 for 504,000 Filipinos working in 150 nations including 18, 404 seafarers on ocean-going vessels who registered under Republic act 9189 or the Overseas Absentee Voting Act of 2003. OFWs could cast their

votes at polling centers set up at Philippine embassies, consulates, Foreign Service establishments and other government offices abroad. Since then, only about 10% of them have showed up to vote.

Domestic absentee voting has also been held in the Philippines. Soldiers and police, especially those to be deputized for election duties, have already voted.

Issues of concern:

1. ***Lack of Extensive Information Drive.*** The overseas absentee voting may result into a dismal turnout of votes primarily because of the lack of extensive information drive in countries with OVA poll places to encourage OFWs to vote. Comelec should have also anticipated the problem of the distance of polling places from where OFWs lodging areas and workplaces are located and should have set up more accessible voting areas.
2. ***Lack of Election Monitoring.*** Comelec has assured that each candidate, political party and party-list group, including citizen's arm and accredited OFW organizations is entitled to one watcher during the voting and counting of absentee votes. But because political parties has no sufficient resources and manpower to field own representatives to monitor 88 OVA posts, the integrity of absentee votes result may be tainted for the lack of election monitoring. The mere fact that absentee voting is being done under the roof of the Philippine embassies, consulates and other foreign-based government agencies which are perceived to bestow loyalty to Malacañang, the conduct of the absentee voting is already susceptible to suspicion and distrust.

The voting of soldiers and police without supervision of Comelec officials and independent watchers is controversial and open to suspicion. That these were conducted in camps also adds to the doubt that attended the activity. In fact, there are already allegations of superiors ordering subordinates to vote for particular candidates.

3. ***A call for amendments.*** The expected low turnout of overseas votes opens door for consideration of amending the guidelines that requires overseas Filipinos to execute an affidavit expressing their intention to return to the country in order to register and vote.