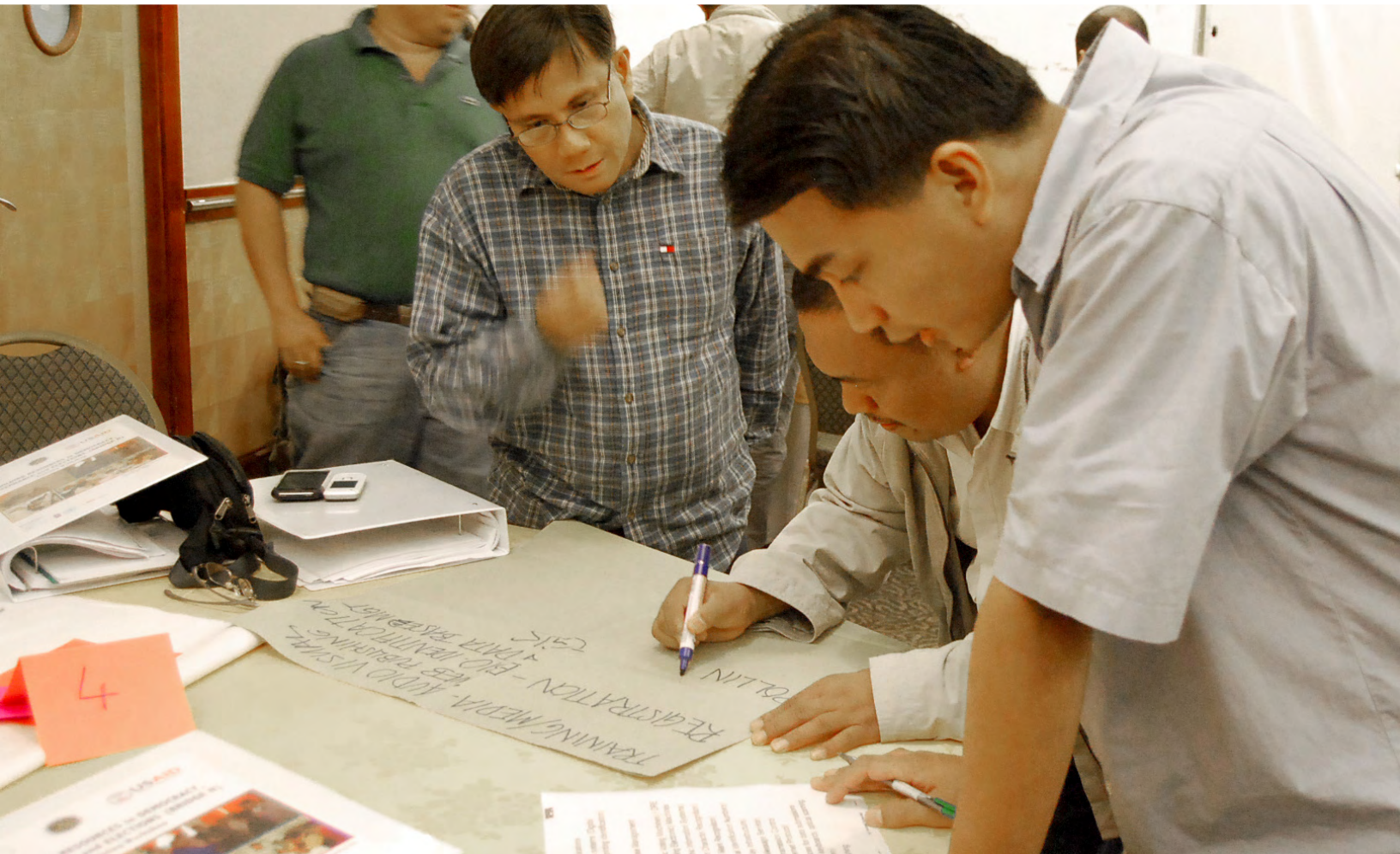




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PHILIPPINES ELECTION REFORM PROJECT IFES FINAL PROJECT REPORT



October 2007 - December 2009

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IFES FINAL PROJECT REPORT

PHILIPPINES: PHILIPPINES ELECTION REFORM PROJECT

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

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Final Project Report
Philippines: Philippines Election Reform Project

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I. Overview

This final report concludes the implementation of IFES' activities carried out under the program "**Philippines Election Reform Project**" (PERP) with funding from the United States Agency for International Development (USAID). The program was implemented from 1 October 2007 through 31 December 2009.

IFES is an international NGO that supports development of democracy around the world. Since 1987, IFES has been engaged in a broad range of democracy and governance programming, including elections assistance, in more than 100 countries. IFES is widely known for the nonpartisan role it maintains in elections and for the consistent quality of the technical electoral assistance services it provides. IFES' initial involvement in the Philippines began in 1998 with technical assistance to the Philippine Commission on Elections (COMELEC) in areas such as voter education, training and media outreach. In March 2004, IFES consultants assessed the political situation and proposed recommendations for supporting a modernized electoral reform process in many areas, including voter education, legal framework and institutional change within the election administration itself. The PERP program continued to address their recommendations while building from the success of IFES' previous Philippines programs including: *Advancing Reforms in Philippine Election Administration and Management, Consortium for Elections and Political Process Strengthening* (2004 – 2005) and *Advancing Reforms in Philippine Election Administration program* (2005 – 2008).

The PERP Program successfully addressed the goal of supporting a modernized electoral reform process through the following objectives:

- 1) Assist the Commission on the Elections (COMELEC) to become more transparent, professional, and credible;
- 2) Increase civil society's capacity to advocate for electoral reform;
- 3) Increase civil society's involvement in the electoral process through election monitoring and collaboration with COMELEC; and
- 4) Improve the efficacy of election adjudication through training and reform.

IFES would like to express its appreciation to USAID Philippines for its on-going support of democratic elections in the Philippines, to COMELEC for the access and cooperation it extended, and to the many civil society partners who contributed to the success of this undertaking.

II. Project Context

With less than one year remaining before the May 2010 national and local elections, all attention was focused on the efforts of the Commission on Elections (COMELEC) to fully automate the voting, counting, canvassing and results transmission processes of the May 2010 elections. Automation is seen by many in the Philippines as a cure-all for the election woes of the country, and its failure would have wide-reaching consequences. This broad, top-down automation process requires massive voter education and training for COMELEC employees and poll workers.

The automation process itself was pilot tested during the 11 August 2008 ARMM regional elections. Although the automation of the elections, using both Direct Record Electronic (DRE) and Optical Mark Reader (OMR) technology were generally considered a success, the new technology did little to eliminate so-called "retail" fraud. Vote-buying, intimidation, underage voters, flying voters, cleansing of the voters' list among other problems continued to plague the electoral process in this region. Through IFES technical assistance, the COMELEC has sought to address these challenges in preparation for the nationwide fully automated May 2010 presidential, provincial, and local elections.

III. PROGRAM ACTIVITIES

Component 1: A More Transparent, Professional and Credible COMELEC

A. Building the Capacity of the COMELEC

A.1. COMELEC Voter Registration Administrative Structure Evaluation

IFES voter registration expert Michael Yard worked with the Commission and conducted an analysis and review of COMELEC's existing voter registration structure with the objective of mapping a strategy to address existing problems. As part of his evaluation, Yard met with COMELEC commissioners, their staff and representatives of civil society to discuss several key issues concerning registration, including:

- Cleansing the voters' list;
- Increasing transparency in the voters' list;
- Lack of manpower and equipment in the field offices to handle registration applicants;
- Lack of biometric data for about 50% of the total number of registered voters;
- Proposals to conduct general registration;
- Utilizing the internet to upload the voters' list and other forms;
- Implementing an Automated Fingerprint Identification System (AFIS) in the Philippines, and;
- Past efforts to revise and update the Voters' List under previous COMELEC administrations.

In the course of his meetings, Yard observed COMELEC's limited capacity to implement a complete validation of the voter registry. He also noted that updating AFIS in time for the May 2010 would be challenging, given the heavy demands placed upon limited information technology staff who are already preparing for the automated elections.

In his assessment, Yard observed that the current registration structure is outdated as regards important features of a computerized voter register. These features include the use of electronic forms for application and digitized files, uploading of the voters list in the website for increased transparency, the assignment of a unique number for each database entry, the use of a self-validating number (such as that used by banks and credit card companies), and the wide use of the internet to accelerate the updating of information. Yard likewise pointed out the importance of strict adherence to registration laws and due process before removing names from the list. While technology is far advanced in terms of biodata capture and AFIS, Yard noted that technology is limited by the legal basis for removing names from the database.

COMELEC's facilities and central files for voter registration were also evaluated and found to be inadequate. In the course of preparing his evaluation (see Annex A for final October 2009 report), Yard briefed the leadership of COMELEC who took note of his initial findings and recommendations. These recommendations are further detailed in section A.4 of this report. Yard also engaged relevant departments and participated in the COMELEC Commissioners Retreat (see section A.4.2 of this report).

A.2. Voter Registration Summit

Based on the initial evaluation of the voter registration system and resulting discussions, former Commissioner Leonardo Leonida and Executive Director Jose Tolentino agreed to convene a public forum on voter registration inviting stakeholders from political parties, government agencies and civil society. Based on their recommendation, the Voter Registration Summit was held prior to the start of the official voter registration period, which commenced on 2 December 2008. The summit provided a venue for information exchange and constructive dialogue to jointly consider solutions to past voter registration problems. Seventy election stakeholders attended the event, including the entire Commission en Banc, all senior COMELEC directors, other responsible government agencies such as the National Statistics

Office and the Philippines Association of Civil Registrars, fifteen civil society organizations, representatives of some political parties and media networks. IFES consultants Mike Yard and Linda Edgeworth were invited to give a brief lecture on comparative international experiences in this field.

The event generated positive feedback and key innovations that advanced tenable improvements in the voter registration processes. It opened dialogue between COMELEC and the association of local civil registrars on gaps in information sharing and delays in updating the list. COMELEC increased its credibility with stakeholders by opening themselves to them, thus generating confidence by making their processes more transparent. In the Summit, representatives from the youth sector presented their list of recommendations to COMELEC. Two out of five demands voiced by youth groups were addressed; namely, satellite registration and website posting of registration forms to facilitate their filling. The Voter Registration summit allowed COMELEC and civil society to openly discuss ideas that could lead to policy changes, as occurred with promoting the registration of voters detained in prison cells in Manila in August 2009.

A.3. Analyzing COMELEC's Capacity to Automate Voting, Counting, and Results Transmission Processes

The passage of the new Republic Act No. 9369 (January 2008), authorizing the conduct of automated elections in the Philippines, raised many issues in terms of COMELEC's capacity to automate for 2010 on a nationwide scale, despite a series of pilot tests in the ARMM in 1996, 1998, and 2008. In response, IFES met with COMELEC, the COMELEC Advisory Council, (CAC), IT experts, and civil society actors to discuss automation issues and the type of technologies that might be used in 2010, the role of the COMELEC advisory Council vis-à-vis automation, limitations of the existing law, and the lack of transparency that has undermined past modernization efforts.

In Yard's final report, he provided an alternative framework for the application of the 2010 elections known as "appropriate technology"¹ (see Annex A). Yard made numerous recommendations for the COMELEC to adopt, such as:

- 1) Maintain a stringent tracking system for the chain of custody logs for all hardware, software and materials from the point of certification;
- 2) Enhance auditability by using two independent transfers of data, as well as performing random audits on statistically valid random samples of polling stations and for various records, ballots, chain of custody logs, etc.;
- 3) Expand COMELEC's Project Management Office (PMO's) functions to include management of all tasks required, such as printing and delivery of ballots, bidding of election paraphernalia, etc.;
- 4) Actively monitor and engage civil society to receive public feedback on the legal framework on elections, media initiatives, voter registration, party and candidate registration/campaigning and Election Day activities.

Yard highlighted that the often quoted phrase of "minimize human intervention," used to justify the application of automated election systems with more technology than human participation, can run counter to the fundamental attribute of transparent democracy of encouraging human observation over every aspect of an election.

¹ This was a concept introduced by economist E.F. Schumacher in 1973. Appropriate technology (AT) is technology that is designed with special consideration to the environmental, ethical, cultural, social and economical aspects of the community it is intended for. AT typically requires fewer resources, is easier to maintain, and has a lower overall cost and less of an impact on the environment. The term is usually used to describe simple technologies suitable for use in developing nations or less developed rural areas of industrialized nations.

Building on Yard's voter registration evaluation and in response to the Chairman of the Technical Evaluation Committee (TEC) of the Department of Science and Technology, Yard oriented TEC members on the U.S. National Institute of Standards and Technology (NIST) guidelines regarding the certification of voting system testing labs. The TEC members used this information to draft their Request for Proposal for an International Third Party Source Code Review, which is required by Philippine law. In addition, the Special Bids and Awards Committee (SBAC) accepted IFES' recommendation that they use NIST standards in the bid document. The SBAC issued the bids document on April 21, 2009, which mentioned the use of the Voluntary Voting System Guidelines as recommended in the NIST standards.

A.4. Legal Framework Focus Groups and Roundtable Discussions

In addition to COMELEC internal discussions and public forums, IFES experts Mike Yard, Luie Guia, and Linda Edgeworth participated in a series of focus groups and roundtable discussions to highlight the legal framework for voter registration and current challenges to cleansing, updating, and automating the Voters' List. These events were sponsored by institutions such as the Legal Network for Truthful Elections (LENTE) and LIBERTAS, and further advanced dialogue between official institutions and civil society organizations like the COMELEC, the Commission on Human Rights, relevant House and Senate committees, academics, election attorneys, technical resource groups, and NGOs.

The events presented comparative practice, analysis of existing laws and proposed amendments, and discussions on issues such as the scope of registration, the legal definition of a precinct, concerns of vulnerable sectors, and the need for greater transparency, the issue of general registration, and validation and biometrics technologies. In addition, Yard highlighted the experiences of other countries in modernizing their voter registration systems and the lessons to be learned from those efforts.

Recommendations for Voter Registration Law Reform within the Philippines

- Acknowledging the limitations of the existing legal framework on registration (Republic Act no. 8189 or the Registration law of 1996) in the areas of:
 - capturing biometrics;
 - handling of duplicates;
 - recognition of electronic equivalents of the paper instruments of registration; and,
 - using a legal basis for removal from the voter's list.

- Using the Internet to achieve the following:
 - To access, update and validate the registration records lists;
 - To use as a tool to streamline the information exchanges between civil registrars, election officials;
 - To enhance information sharing between COMELEC central and field offices;
 - To recognize the replacement of paper documents with electronic files; and,
 - To guide access to the registration data as widely as possible, within the current law and policies on voter data privacy.

- Modifying the Registration law to address future adoption of more modern registration methods such as online applications, electronic archival, and the option of using electronic mapping, i.e., Geographical Information Systems (GIS) in the creation of precinct maps.

- Encouraging the use of voter registration auditability due to the limitations of the Automated Fingerprint Identification System, including:
 - Completing a "change accounting form;"
 - Conducting mathematical checksums and periodic CRC (cyclic redundancy check) audit; and,
 - The use of a unique self-validating ID number, to allow computer validation every time the number is entered as data, particularly through the adoption of the Modulus 11 calculation.

A.5. Supporting the Project Management Office within the COMELEC

IFES provided support to the newly established Project Management Office (PMO) within the COMELEC. During the February 2009 workshop, the immediate priority of the PMO was to prepare a presentation for the joint Congressional oversight committee on the preparation for registration and the nationwide implementation of the automated election system. As such, Yard facilitated a two-day workshop focused on addressing issues of the registration process, particularly with respect to Automated Fingerprint Identification system (AFIS), biometric data capturing, and voter verification processes. The first IFES-PMO planning workshop was also dedicated to outlining IT governance issues and was the key to formally convening all PMO groups. About



IFES specialist Michael Yard lectures the COMELEC PMO on data flow analysis. Left to right are: Director Divina Blas Perez (Election and Barangay Affairs Department), Ferdinand de Leon, Jeannie Flororita and Eden Bolo (Information Technology Department) and Ramon Aquino (Office of the Chairman)

20 Senior level staff directors and deputy directors who joined the workshop identified all of the processes involved in the conduct of automated elections, and began delineating group functions, tasks, and roles.

A second planning workshop with Yard was conducted for the heads of all PMO working groups in April 2009 (technical, field operations, public information, manpower management, project administration, and project control). The groups revisited the PMO's structure, the delineation of functions and identified key deliverables, tasks, timeframes, challenges, and staffing requirements for the May 2010 automation implementation. Yard then assisted in incorporating all of these inputs into a Microsoft Project (MS) file to enable the PMO's project control group to monitor the project timeline. The result was a detailed project timeline that could guide the newly formed Project Control group of the PMO. Given the importance of monitoring the project timeline, IFES also provided a licensed Microsoft Project software program to COMELEC and facilitated a hands-on MS Project training course for both heads of the Project Control Group at the Informatics Computer Institute.

A.6. Institutionalizing a Training Department in COMELEC and Consultations with its National Pool of Trainers (CNPT)

During the training module of the BRIDGE program (see *A.8 BRIDGE Training Programs* below), Personnel Director Adolfo Ibañez, together with key Personnel Department staff, were exposed to several training designs specific for the 2010 automated elections. Director Ibañez is adopting the cascading program to train the Board of Election Inspectors (BEI) on the 2010 automated election system. COMELEC Regional Election Directors and Assistant Directors would then train the Provincial Election Supervisors and Assistants. The latter would be responsible for training the City and Municipal Election Officers who will eventually train the teachers, ie. BEI members. Director Ibañez also plans to activate the COMELEC National Pool of Trainers (CNPT) to conduct facilitation of these trainings. (See also Section C.2).

A.7. BRIDGE Training Programs

During this project, IFES introduced COMELEC to the Building Resources in Democracy, Governance, and Elections (BRIDGE)² program, presenting options tailored to the Philippines. COMELEC identified three BRIDGE training priorities which included voter education, voter registration, and election automation/election technologies. Other areas of interest included election administration and management, election access, polling and counting, the media, and training. Based on this input, IFES

² The five BRIDGE partners are the Australian Electoral Commission (AEC), International IDEA, International Foundation of Electoral Systems (IFES), United Nations Development Program (UNDP) and the United Nations Electoral Assistance Division (UNEAD).

experts developed and customized a BRIDGE curriculum and training modules for COMELEC. In March and July of 2009, accredited BRIDGE facilitators Alistair Legge of the Australian Election Commission (AEC) and BRIDGE facilitator Fernanda Lopes conducted BRIDGE training according to the following modules:

MODULE	DESCRIPTION
Foundation Module: Intro to Election Administration	<ul style="list-style-type: none"> Helps participants understand standards, principles, and management techniques that are fundamental to good electoral practice Provides an introduction to the study of elections
Voter Information Module	<ul style="list-style-type: none"> Introduces participants to principles of voter information and education Explores mass media and other delivery mechanisms for VE messages Reviews processes for planning, designing, preparing, implementing, and evaluating VE programs Initiates exercises in planning and designing COMELEC VE programs
Voter Registration Module	<ul style="list-style-type: none"> Introduces participants to principles, legal frameworks, and models of voter registration Identifies key operational steps and alternative approaches to successful VR Involves participants in an exercise involving operational steps and corresponding logistical arrangements
Electoral Access Module	<ul style="list-style-type: none"> Increases understanding of aspects of the electoral process where access can be an issue, who is affected, and what solutions exist Facilitates networking opportunities for advocacy groups Showcases specific tools to analyze electoral structures and administrative procedures and develop strategies to promote access
Election Technology Module	<ul style="list-style-type: none"> Sets a framework for policy makers, electoral officials and electoral stakeholders to decide on the appropriate level of technology Provides an overview of the state of the art of technological application in elections Explores a sound management approach in introducing new technologies
Media and Elections Module	<ul style="list-style-type: none"> Explores electoral principles, structures and processes as they affect media regulation, campaign and election coverage and voter education Improves mechanisms for communication between EMBs and media in advance of an electoral process
Polling Counting Results Module	<ul style="list-style-type: none"> Provides the tools to develop a thorough logistics plan for polling, counting and results Examines the standards, principles and management techniques that are fundamental to good logistical planning Considers the resources (human and material (sensitive and non-sensitive) required for Polling, Counting, Results
Training Module	<ul style="list-style-type: none"> Explores the principles of adult learning in training Considers the implementation of training including needs assessment, training plans, training strategy, and logistical arrangements Provides participants with concrete and engaging training skills

Participants in the BRIDGE trainings included COMELEC Chairman and Commissioners, senior staff from nine (9) different central office departments and regional election directors from all sixteen (16) regions in the country, along with representatives of several civil society organizations, including a representative from Citizens CARE in the Autonomous Region in Muslim Mindanao and the Commission on Human Rights.

Each module was designed to produce an output(s) of concrete materials which could be included in 'living'

COMELEC AFFIRMS BRIDGE METHODOLOGY

"I learned that the best way to learn is to communicate with each other, share ideas, and work as a team. I liked the techniques used by the facilitators, who made every session enjoyable."

- COMELEC Commissioner

"I realized that no matter how long you've been at the Commission, if you are open and willing, there are still a lot of things you need to learn."

- COMELEC Regional Election Director

COMELEC documents, plans and policies. These included a media strategy; training plans (both for central and regional offices); a contingency planning program; assessments for the adoption of new technologies; baseline questions to assess the success of the 2010 election; polling place lay-out options; and to a lesser extent, an election day operational plan and contingency plan.



Chairman Jose Melo (center) with the Commissioners in discussion during the BRIDGE workshop.

The COMELEC expressed special interest in the development of an operational plan and contingency plan, taking advantage of the presence of all the Regional Election Directors. The vision and hands-on experience of field officers was invaluable to the discussion of various and specific issues which allowed them to have direct participation and input into policy and procedures. The joint presence of regional directors and senior COMELEC headquarter officials resulted in direct communication between the two and provided the opportunity to inform and enrich each other, create a common vision and bring more realistic input to influence future decisions. Through the BRIDGE module on training, plans were designed by the

actual implementers.

The BRIDGE facilitators served as catalysts for discussions and provided guidance to the participants in drafting the plans and designs of the polling place layout and procedures for the 2010 elections. The BRIDGE facilitators also conducted a practical “mock election” exercise that enabled COMELEC to better understand the new challenges arising from the introduction of automation and properly identify potential solutions to mitigate those problems.

A.8. Exposing COMELEC to International Best Practices in Election Administration

A.8.1. Indonesia Parliamentary Election Observation Mission

IFES selected Indonesia to conduct a regional COMELEC election observation mission given the similarities in institutional and operational challenges confronting election commissions in each country. Newly confirmed Commissioner Armando Velasco and Senior Director of the Election Barangay Affairs Department Teopisto Elnas Jr. participated in the program. They observed the electoral process in Aceh (West) and Papua (East), as well as in Jakarta and central Indonesia. Highlights of the mission included observation of a Rock the Vote concert, electronic transmission of results, and the operations of the media center.

“The trip was a good learning experience. Indonesians are very similar to us, except in one thing, they have more trust in their manual system than we do. There is more acceptance of results ...

They also had crowding, but their queuing system appears more efficient and could probably be adopted here. I found their creative use of local indigenous materials to build their polling places interesting. “

- Atty. Teopisto Elnas, Jr., Director, COMELEC

Following the trip, the participants debriefed the Commission En Banc and presented their observations to senior directors of the central and regional offices during an intermission at the BRIDGE training. They narrated their experience and shared their observations and lessons from Indonesia’s pilot testing of the electronic transmission of election results through SMS or text messaging.

LESSONS FROM THE INDONESIAN PARLIAMENTARY ELECTIONS

The geographical challenges of conducting a nationwide electoral exercise in the world’s biggest archipelago nation with over 17,000 islands, with an estimated population of 237 million and over 300 diverse ethnic groupings provided good insights and lessons to COMELEC observers Commissioner Armando Velasco and Director Teopisto Elnas, Jr. The April 2009 Indonesian parliamentary elections observation tour gave them an opportunity to observe the implementation of a pilot run of the electronic transmission of results and the operations of the national media center and to meet their Indonesian counterparts from the KPU, the Indonesian Election Commission.

During their field monitoring, they were able to survey creative ways of setting up polling centers and voting booths using indigenous materials present in the locality. They cited the different application of the indelible ink where voters dipped the top of their fifth finger into the ink bottle. This is a different procedure from what is practiced in the Philippines, where ink is dropped onto the index finger, and people find the stain too messy and easy to erase. The poster size ballot paper and the use of pre printed names with symbols were of interest to the observers. Both observers cited problems such as lack of secrecy in voting, intolerable peace and order conditions, poor infrastructure and operational challenges in the pilot electronic transmission project. The COMELEC observers submitted their initial impressions as well as recommendations to IFES Indonesia. With this observation tour, COMELEC officials gained familiarity on international standards on free and fair elections and a better understanding of the important role of observers during elections.

A.8.2. Mexico's Instituto Federal de Electoral (IFE) and Tribunal Electoral del Poder Judicial de la Federacion (TRIFE) Study Tour

IFES arranged for two COMELEC senior staff, Deputy Executive Director for Operations Bartolome Sinocruz and Regional Election Director Renato Magbutay, to participate in a week-long study with the IFE and TRIFE in Mexico in August of 2009. IFES Washington Program Officer Paulina Ojeda traveled with the delegates to provide necessary programmatic, logistical and translation support.

During their trip, the delegates observed the application of 2007 Mexican reforms aimed at improving electoral administration practices, such as separating election administration and election adjudication powers into two separate entities (the IFE and TRIFE respectively), the application of campaign finance regulations to media and political parties, and the creation, guiding principles and maintenance of a voter registration system that could serve as the future basis for Mexico's civil registry. The delegates found that many of IFE's innovations can be directly applicable to the Philippines, most notably their training program. Specific themes addressed by the study tour included training capacities, organizational structures, voter registration, voter education, results transmission, ballot design, election budgeting, election observation, election adjudication and voters with disabilities. Upon their return, Directors Sinocruz and Magbutay presented a report on their Study Tour to the COMELEC En Banc on 15 September 2009.

The COMELEC senior officials found the IFE presentations and materials to be very helpful in evaluating the applicability of similar tools and processes for the Philippines context. IFE materials were given to the COMELEC Election Resource Center and are now part of its permanent collection of international materials. Regional Election Director Magbutay recommended the COMELEC be further exposed to the following automated election system areas:

- Electoral boundary delineation;
- Updating of electoral registry;
- Monitoring campaign expenses;
- Formulation, design, and printing of voters information and campaign materials.

Both Regional Election Director Magbutay and Deputy Executive Director Sinocruz highly recommended the IFE study tour to more COMELEC staff, especially for career election officials. They suggested the next study tour also include topics on organizational management and case studies on actual election experience. They found that the experience and lessons learned through IFE enhanced their election administration and management skills, as well as their outlook on the conduct of elections.

A.9. COMELEC Commissioner Retreat

IFES worked in collaboration with COMELEC to design and plan a retreat for the full commission and their chiefs of staff from the 21 - 23 November 2008. The retreat featured IFES election expert Peter Erben, voter registration and election IT specialist Michael Yard and Chief of Party Beverly Hagerdon Thakur. During the retreat, IFES experts engaged the COMELEC leadership in overarching discussions on international standards, strategic planning, and organizational development. Specific themes included training, interacting with the mass media, engaging civil society, election observation and oversight, successful application of modern technologies, voter education, campaign finance, election adjudication, and overseas (absentee) voting. Commissioners were presented with options for election automation

and comparative experience using different technologies. As a result of IFES advisory services, Commissioners were informed that apart from the Direct Recording Equipment (DRE) and Optical Mark Reader (OMR) technologies, there are other equally viable and legitimate options that are considerably less expensive like the Electronic Transmission Automated Consolidation (ETAC).

A.10. Provision of Resource Materials on International Standards

In cooperation with International IDEA, IFES provided COMELEC with a collection of books and manuals on international standards and comparative best practices, including the *Electoral Management Design: The International IDEA Handbook*, among others. These resources were donated to the COMELEC Election Resource Center and are now being used not only in COMELEC, but also in university classroom settings, where some Commissioners also serve as law professors.

B. Updating the Legal Framework on Elections

B.1. Comprehensive Analysis of Legal Framework for the Automated Election System (AES) and the Omnibus Election Code (OEC)

At the request of then newly appointed COMELEC Chairman Jose Melo, IFES – with leading Philippines election expert Attorney Luie Guia – undertook an analysis of the legal framework governing automation of the electoral system and practical challenges of implementation. In his issue brief, Guia outlined the legal framework in a simple and easy to follow manner and provided clarifications about what the law actually required and what types of automation were permitted. He concluded that the law did not require automation of the ARMM elections, but doing so would be in response to political pressure.

As sections of the study were completed, they were presented for discussion. For example, the voter registration section was utilized by an IFES partner, the Legal Network for Truthful Elections (LENTE), during a roundtable discussion on Voter Registration Law at the Ateneo Professional School in Manila. Upon completion, the study was presented for review to gather reactions and opinions during a focus group/roundtable discussion involving COMELEC, the Commission on Human Rights, LENTE, and the Consortium on Electoral Reforms (CER). Copies of the study were also provided to the chairpersons of the congressional committees, Senator Chiz Escudero and Representative Teodoro Locsin. Members of the Committee on Suffrage and Electoral Reforms (CSER) of the House of Representatives also required copies from the committee secretariat. It was also referenced during the Institute on Political and Electoral Reforms (IPER) Roundtable of Political Parties on the Automation of the 2010 Elections, which generated considerable interest from political parties and civil society.³

B.2. Roadmap for COMELEC to produce a rational legal framework

Guia also prepared a separate study entitled *A Roadmap for Updating Philippine Election Laws*, which provided a comprehensive analysis of all laws on elections, including the history of amendments to the laws and new legal policies impacting automation. The intent of this undertaking was to provide a guide to COMELEC for proposing revisions to the Omnibus Election Code.

IFES, including local consultant Guia, presented to the COMELEC En Banc the highlights of the roadmap emphasizing a shortlist of issues that immediately need to be addressed before the 2010 elections. These issues show conflicts in the laws which require legislative revision of the laws or amendment in the rules. The COMELEC welcomed and accepted the Roadmap on October 2009 and the Chairman adopted the recommendation of forming a task force/committee to study and draft needed reform measures for immediate submission to Congress. IFES provided twenty (20) copies of the Roadmap to COMELEC, which were distributed to the senior staff and headquarter directors, and one hundred (100) compact discs containing soft copies for distribution to the Regional Election Directors and Provincial Election Supervisors. The Executive Summary is attached as Annex B.

C. Introducing an Integrity Framework to COMELEC

³ To increase access to the report, IFES posted it on its webpage.

C.1. Improving the effectiveness and efficiency of COMELEC's Law Department

Upon the assumption to office of the new Law Department Director, IFES was approached with a request to conduct a Needs Assessment workshop that could lead to increased efficiency and productivity in the workplace. The workshop was attended by all members of the Law department and was facilitated by Dr. George Carmona, a prominent rule of law expert with direct experience working with the judiciary to implement a case management information system (CMIS). During the workshop, Carmona facilitated a Strengths, Weaknesses, Opportunities and Threats (SWOT) analysis. Each functional group within the legal department, namely the Investigation and Prosecution Division (IPD), Legal Opinion and Research Division (LORD), Director's Office, and Administrative Support Division, worked on identifying core functions, challenges, opportunities and means of improving their functions in terms of effectiveness, efficiency, and accountability.

COMELEC Legal Department IFES Needs Assessment
1) More and current legal reference materials;
2) Training on legal writing, prosecutorial skills, how to argue in court, and campaign finance regulation;
3) A case management system; and,
4) Tangible efforts to rectify public misperceptions about the role and responsibility of the Law Department.

Carmona also introduced the concept of an integrity framework and new public management principles, which incorporate human rights considerations. Carmona also advocated for the Training in Detection and Enforcement (TIDE) program, which focuses on campaign finance reporting by candidates and political parties. Attendance in the workshop was high (98%), and included the participation of the COMELEC Chairman and Commissioners. Post workshop evaluations confirmed a high regard for the activity.

After the successful conduct of the Legal Department's needs assessment workshop, the Electoral Complaints and Adjudication Department (ECAD) and the Internal Audit Office (IAO) expressed interest in conducting similar needs assessment workshops for their own departments. Upon the advice of the Chairman's Chief of Staff, General Edgardo Gurrea, the plan for the introduction of the integrity framework within an organizational restructuring project will be held after the May 2010 automated elections.



*IFES formally turned over the COMELEC Personnel manual to Dir. Adolfo Ibanez and Assistant Director Margaret Ching, both from the Personnel Department
From left: Dir. Adolfo Ibanez. Margaret*

C.2. Establishing a Baseline for COMELEC Staff Policies and Procedures

Upon the request of COMELEC Personnel Department Director Adolfo Ibañez, IFES agreed to support COMELEC in the printing of its first-ever COMELEC Personnel Handbook to assist the Commission in its endeavor to professionalize the institution. The COMELEC Handbook compiles existing personnel policies and standards adopted by the COMELEC based on civil service rules and regulations and pertinent laws. IFES helped in reviewing the outline of the manual and made suggestions to the topic material for inclusion in the Handbook. The Handbook was conceived to present all these policies and standards in a manner that is easy to read and understand with language that is brief, concise and has colorful illustrations.

The ever-changing environment in which the COMELEC functions is considered in the format of the Handbook, which allows for easy updates and improvements as these become necessary, thus making it a live working document. A total of 2,200 copies of the Handbook was given to COMELEC for distribution to its headquarters staff and officers, and to all its field offices in the regional, provincial, and municipal/city levels. Director Ibañez has reported very positive feedback from those that have received copies, including Commissioners' office staff, who have been using the Handbook as first reference in complaints about and requests for benefits and promotions. Establishing a

basis for personnel policies will set the stage for future IDR work with the Commission. This also represents the fulfillment of one of the objectives identified under Operation MERIT⁴.

Component 1: Issues and Developments/Lessons Learned

During the course of the project, several issues and developments and/or lessons learned emerged that impacted project implementation, planned activities, and anticipated results, including:

Issues/Developments	Lessons Learned
<ul style="list-style-type: none"> • Subsequent to the mandate established by the appropriations bill (no 5715) – at the insistence of the opposition – to include a provision for COMELEC to use biometric information and the Automated Fingerprint Identification System (AFIS) to remove multiple registrants from the Voters’ List at a cost of 2 billion Philippine pesos, COMELEC began drafting a request for proposals for AFIS software and data capturing machines. This technology however, is targeted for use at the 2013 elections. • As a result of the need to prepare for automated election processes, such as clustering of precincts, COMELEC issued an amending resolution cutting short the period for registration from 15 December 2008 to 31 October 2009 (10.5 months) so the Voters’ List and the assignment of precincts could be determined sooner. To try to counter the negative ramifications of a shorter registration period, COMELEC offices extended their hours and worked on the weekends and holidays. • Once COMELEC initiated the bidding process and began preparations for implementation, its attention was drawn away from other important initiatives and the momentum of some project activities began to slow. During this period, IFES had difficulties scheduling meetings with COMELEC representatives. Examples include the Special Bids and Awards Committee and the director of the Personnel Department regarding the establishment of a permanent training pool in the Commission. • Members of Congress also showed little interest or urgency in passing election legislation in light of the approaching elections and the overwhelming focus on automation, despite lobbying by COMELEC to update the Omnibus Election Code and other key pieces of election legislation to rationalize with the provisions of R.A 9369. 	<ul style="list-style-type: none"> • Many facets of planning for the first nationwide implementation of automated elections in the Philippines have yet to be discovered or are being undertaken for the first time. IFES recognized the bureaucratic limitations associated with this vast undertaking and achieved numerous programmatic goals within this fluid framework. Due to the extra efforts needed to prepare the automated elections, select activities had to be delayed until after the May 2010 election. • The continuous coordination of COMELEC and civil society organizations greatly enhances transparency and credibility to the election process. Champions are needed within the Commission to support vulnerable sectors and receive the attention it deserves. This was particularly manifested in the COMELEC’s commendable attitude by providing more access to vulnerable sectors, championed by Commissioner Rene V. Sarmiento who is very receptive to civil society partnerships. This has paved the way to increased dialogue and collaboration. • The good working relationship between IFES consultants and COMELEC officials has been key to achieving productive collaborations, such as the PMO workshop and the BRIDGE programs. There are many instances where IFES may necessitate provision of technical assistance to COMELEC which was not originally envisioned or planned for as COMELEC embarks on the automation project. Having constant dialogue between the COMELEC and IFES enables IFES to provide meaningful technical assistance that combines IFES objectives with the urgent operational needs of COMELEC.

⁴ Operational Plan “MERIT” stands for Modernization and Electoral Reform with Integrity and Transparency, a product of a series of strategic planning sessions held in 2006 and facilitated by the University of the Philippines National College for Public Administration and Governance.

- IFES decided – in consultation with USAID – to delay the management audit activity until after the May 2010 elections at the urging of the COMELEC. This change was noted in the revised work plan submitted to USAID in June 2009.

COMPONENT 2: CIVIL SOCIETY’S CAPACITY TO ADVOCATE FOR ELECTORAL REFORM

A. Legislative Reform Needs Identified

During the course of this project, LENTE Executive Director Carlos Medina and members of the board and staff organized and launched chapters of the organization in the several law schools, including the University of the Philippines in Quezon City, the Ateneo de Manila University in Makati, and the University of Santo Tomas in Manila. Initial talks were also conducted with other law schools in Manila and in the province of Ilocos Sur. LENTE additionally held recruitment seminars and symposia on reforming election laws, particularly the Party List Law and the Automated Election Systems Law, around Metro Manila law schools.

LENTE, through its law school network, conducted several public fora on RA 7941 (an Act Providing for the Election of Party-List Representatives through the Party-List System, also known as the Party-List System Act) through a series of roundtables from February to September 2009. Attendees to these events included members of Party-List groups elected to Congress, Party-List groups that have not succeeded in the elections, academics, students and electoral reform advocates. On 29 September 2009, LENTE finalized its position paper entitled *Idealizing the Party-List System*. The paper was distributed and submitted to the congressional committee on Suffrage and Electoral Reforms.

In March 2009, IFES and LENTE co-sponsored an All-Partners Coordination meeting to discuss areas of convergence and synergy with respect to election projects and activities.⁵ During the meeting, LENTE informed partners of its expansion of local chapters in preparation for a 2010 deployment, with the intent of providing legal assistance and advice to all civil society monitors on the ground. LENTE also detailed its work in preparing a basic education module on legal accountability of public officials, which will be used by volunteers providing training to civil society monitors during the 2010 election period.

In May 2009, LENTE conducted its first-ever strategic planning exercise to identify network needs for the May 2010 national and local elections. This activity included five (5) members of the National Executive Council. LENTE also completed a national training of trainers (TOT) event for thirty-three (33) of its volunteer law students to prepare them for activities they will undertake in the 2010 elections, as well as a series of networking, orientation, and organizational meetings. To enhance its outreach to young people, LENTE created a Facebook fan page and a Twitter account. In May 2009, LENTE toured Metro Manila law schools to hold recruitment seminars and symposia on reform of election laws, such as the party list law and the automated election systems law. LENTE completed 18 networking meetings (760 participants, 352 males; 408 females) nationwide and 12 Training Seminars (577 participants, 249 males; 328 females).

B. Ensuring Complete and Proper Implementation of the Political Party Bill

The political party development bill seeks to institutionalize and strengthen political parties, reform campaign finance through effective and transparent mechanisms (such as providing financial subsidies to political parties to augment their funds for campaign purposes and party development) and establish

⁵ The meeting included the following partners: Center for Media Freedom and Responsibility (CMFR), Citizens CARE, Task Force 2010; National Union of Journalists in the Philippines (NUJP), Association of Schools of Public Administration in the Philippines (ASPAP), Consortium on Electoral Reform (CER),

incentives to promote party loyalty and discipline. Through IFES' previous "Advancing Electoral Reforms in the Philippines" program, the Consortium for Electoral Reforms/Institute for Political and Electoral Reform (CER/IPER) organized a focus group discussion on the political party system with officers and members of major political parties and party lists. This was followed by a CER-led workshop to review and propose revisions to the political party development law. Participants in that workshop included political parties, party list groups, academia, and civil society.

During the summer of 2008, IFES provided a sub-grant to IPER/CER to conduct information and education campaigns on the bill, develop constituencies for reform of political parties and campaign financing, and prepare election stakeholders for anticipated political party and campaign finance reforms leading into the 2010 elections. IPER served as the Secretariat of the Consortium.

Despite concerted efforts by IPER through the course of its grant, the bill was withdrawn at third reading due to party-list groups' concerns that they were being excluded from deliberations and that only the largest parties would be awarded subsidies under the draft legislation. The continued support of the bill's key sponsors, however, continued at public events where the bill's main sponsor, Congressman Edgardo Angara, discussed the merits of the legislation and answered questions about its provisions. This served to diffuse expressed concerns. However, deliberations were further interrupted due to the adjournment of Congress from 11 October – 9 November 2008 and a change of leadership in the Senate that prompted subsequent changes in the permanent committee chairmanship.

IPER continued to advocate for passage of the bill, meeting with representatives and senators, requesting committee hearings, and holding roundtables with all major political parties and party list groups both on the political party bill and other issues, such as automation. Despite these efforts, there continued to be strong opposition to the bill, as well as increasing disinterest in tackling the topic as elections drew near and early campaigning began.

Component 2: Issues and Developments/Lessons Learned

During the course of the project, several issues and developments and/or lessons learned emerged that impacted project implementation, planned activities, and anticipated results as follows:

Issues/Developments	Lessons Learned
<ul style="list-style-type: none"> Due to significant opposition to the political party development bill, and decreased focus and momentum as the 2010 elections drew nearer and campaigning began, IPER requested a change in their program scope to discontinue the effort at this time and instead reallocate resources to expand Bantay Eleksyon monitoring efforts. LENTE's analysis of the Party List Law was an initial effort to increase awareness and continue debate on the original intent of the legislation, which was to give a voice to marginalized sectors. In tackling this issue, LENTE realized a broader effort will need to be undertaken to make significant progress towards legislative reform. 	<ul style="list-style-type: none"> Although the political party bill met many obstacles and failed to be passed in time before the campaign season started, the project facilitated dialogue and exchanges between political parties and civil society organizations on various electoral reform initiatives that could be advanced before the 2010 elections and beyond. In line with its expansion, LENTE realized the importance of strengthening its staff component to ensure continuity and implementation of activities.

COMPONENT 3: Civil Society’s Election Monitoring & COMELEC Collaboration

A. Increased Civil Society Oversight of COMELEC Procurement

A.1. COMELEC Procurement Monitoring by Transparency and Accountability Network (TAN)

The COMELEC Procurement process, like all government transactions, must comply with key principles of transparency, competitiveness, efficiency, accountability, and public monitoring. The Government Procurement Reform Act (2003) sought to enhance transparency by authorizing the presence of the private sector and NGOs as observers. Still, the cancellation of the nearly one billion pesos Mega Pacific contract to procure automated counting machines in 2004 caused an uproar among anti-corruption groups, and called into question the legitimacy of COMELEC’s procurement process.

IFES conferred with the Transparency and Accountability Network (TAN), which sits on the Procurement and Transparency Group (a multi-stakeholder group formed to observe procurement procedures in government) about adding COMELEC procurement into the group’s work plan. The Group subsequently agreed to incorporate COMELEC procurement into its monitoring efforts. To best focus these activities and avoid any duplication of efforts within civil society, TAN spearheaded the COMELEC Procurement Watch (CPW) and directed its monitoring efforts at expensive procurement items associated with automated machines, in compliance with the nationwide implementation of the Automation Law for the 2010 presidential elections. Related to its activities in this area, TAN undertook an applied research project, collecting data and reports on past government and COMELEC procurements and controversies accompanying the contracting process. It also collaborated with the National Movement for Free Elections (NAMFREL) and the First Time Voters Project (FTV) to include information on procurement monitoring in their voter education modules.



The Transparency and Accountability Network project officer and staff pose with the Chairman and Vice chairman of the COMELEC Special Bids and Awards Committee (SBAC) for the automated election machines. From Left: Atty. Adolfo Ibanez, Vice Chairman, COMELEC SBAC, Toix Cerna, TAN Project Officer, Farrah Sevilla, (TAN), Atty. Ferdinand Rafanan, Chairman, COMELEC SBAC, Leslie Flores, (TAN), Reylene dela Paz, (TAN)

In March 2009, TAN requested and received approval from the COMELEC Special Bids and Awards Committee (SBAC) to monitor the bidding process, starting with the pre-bid conference. TAN representatives attended daily SBAC hearings along with other civil society watchdog groups and government agencies. To further expand public access to information about COMELEC procurement, TAN created a web page on their primary site (www.tan.org.ph) that included news, information, and articles on this issue. Civil society groups initially concluded that the procurement process had been transparent.

In late July 2009, TAN together with the Ateneo School of Government (ASOG) organized a one day forum with 130 representatives from various civil society watchdog and election reform groups on the automated election titled “Come, Elect: National Conference on Ensuring Successful Automation in 2010”, which presented panel discussions with representatives from Bantay Eleksyon, Youth Vote Philippines, TAN and the COMELEC.⁶ A live demonstration of the Smartmatic machine provided the civil

⁶ The TAN-ASOG conference proceedings can be found at www.tan.org.ph.

society community with a first-hand look at the Precinct Count Optical Scan (PCOS) technology that will be used for the 2010 elections. The workshop sessions facilitated the gathering of feedback from stakeholders on the preparation and implementation plans of COMELEC, and identified concrete ways and means to enhance transparency and accountability in the process. A video clip of the entire live demonstration was prepared by TAN and was shared with other organizations to enhance their voter education initiatives.

In addition, TAN was invited by the COMELEC SBAC to observe the bidding of the Automated Fingerprint Identification System (AFIS). The invitation was indicative of the COMELEC’s efforts to enhance transparency in the bidding process and collaborate with civil society groups. The AFIS bidding process, however, remained on-going at the end of the project.

B. Increasing Civil Society Capacity to Monitor Campaign Finance

B.1. University Lecture Series on Political Finance Monitoring

Drawing from lessons learned by the *Pera’t Pulitika (PAP)* political finance monitoring project during the 2007 elections, PAP prepared a users’ manual on monitoring political finance in the Philippines. The manual will inform planning for – and implementation of – a large scale political finance monitoring effort for the 2010 elections. It will be utilized in training sessions for campaign finance monitors.

The Association of Schools of Public Administration in the Philippines (ASPAP), one of the civil society groups in the *Pera’t Pulitika* consortium, held a series of lectures at universities around the country on the issue of political finance and its role in the cycle of corruption from March-September 2009. ASPAP-member schools hosted the fora given their strategic locations, as well as their potential to reach the most number of students and critical stakeholders. Using its network of nearly 120 member schools to attract attendees to the lectures, the lecture series were successfully conducted in every region at ASPAP magnet schools, as follows:

Lecture Series Universities Results	
1. Ateneo de Davao University	<p>3,000 participants attended ASPAP lecture series</p> <p>1,400 students signed up as campaign finance monitors</p>
2. Cebu Normal University	
3. Western Visayas State University	
4. Western Mindanao State University	
5. Siliman University	
6. Ateneo de Naga University	
7. University of the Philippines	
8. Holy Angel University	
9. University of Sto. Tomas	

The selected speakers and resource persons for the lectures were election experts, academics, political analysts and advocates of electoral reforms and good governance from the *Pera’t Pulitika* Consortium, as well as the institutional partners of ASPAP. Officials from the Commission on Elections (COMELEC) were also invited to provide necessary information and perspective about the state’s electoral system, particularly its institutions, policies and guidelines, as well as its plans and programs.

The lecture series gathered hundreds of students, faculty, scholars, local officials, regional government officials, representatives from nongovernmental organizations (NGOs) and people’s organizations (POs), as well as other institutional partners of the local ASPAP schools and chapters. Nearly 3,000 people, mostly students, participated in the fora.

Through the fora, increased awareness and knowledge about campaign finance monitoring was facilitated through open, lively and informative question and answer sessions with invited speakers, resource persons and a panel of reactors. This increased awareness and knowledge among students is most significant given the fact that most of them are first time voters. Moreover, the enthusiasm and interest of the students on the need to monitor campaign finance has been translated concretely into their interest in becoming potential volunteer monitors. More than 1,400 students from ASPAP schools that hosted the series have signed up to be campaign finance monitors.

COMELEC Regional Offices have also now been prompted of the major role of the academe (i.e. ASPAP School) in mounting awareness and advocacy campaigns for electoral reforms. Some of those present in the fora have indicated interest in forging partnerships with the local ASPAP schools in their areas and welcoming the mobilization of selected student volunteers. On the civil society side, they now recognize ASPAP schools in their areas and view them as real partners and/or venues where their respective programs and/or advocacy campaigns toward clean and honest elections, political transparency and accountability can be facilitated and strengthened.

After the conclusion of all the lectures, a follow-up activity that can facilitate actual campaign-finance-monitoring action is the critical next step to sustain the increased awareness and advocacy established through this component. It is hoped that the orientation of the student/volunteer recruits will be folded into the 2010 campaign finance monitoring effort. The student/volunteers may become part of the roster of monitors in the lead up to the 2010 elections. After arousing awareness and advocacy, the volunteers now impatiently await for the next phase of activities.

B.2. Training Journalists on Election Reporting – Philippines Center for Investigative Journalists (PCIJ)

Upon request of PCIJ and following USAID endorsement, IFES reprogrammed some funds to enable PCIJ to conduct two (2) three-day trainings for journalists on elections. The first training was conducted in July 2009 in Laguna province with twenty (20) participants from the major broadcasting networks and print organizations, including top online journalists and bloggers. The second training was conducted in August 2009 in Zambales province with participants from Metro Manila and northern and Central Luzon provinces, including again online journalists and top bloggers. Speakers included leading election advocates and personalities like Ramon Casiple of CER/IPER and Attorney Guia of the Lawyers League for Liberty (LIBERTAS), and COMELEC Commissioner Armando Velasco. PCIJ Executive Director Malou Mangahas trained the participants in investigative techniques to focus on campaign finance reporting in the coming elections. The post-training evaluations show an increased awareness on elections and election laws and issues. As a result of these trainings, the bloggers organized themselves into BlogWatch, and with a dozen more journalists committed themselves to learn and follow election issues, particularly, campaign finance. www.Blogwatch.ph is now a new resource for elections.

C. Implementing Voter Education and Election Monitoring Activities for ARMM Elections

C.1. Improving Stakeholder Coordination

During this project, IFES worked with Citizens CARE to conduct voter education and election monitoring activities in the ARMM, particularly for the August 2008 elections. As part of this effort, IFES participated in Citizens CARE institutional strengthening sessions dedicated to reviewing and addressing the groups' organizational and financial needs leading to the elections, and to improving their management and reporting.

Citizens CARE, as part of a coordination effort by the Canadian and British embassies, IFES, The Asia Foundation (TAF), and Citizens CARE Ugnayan Tayo, convened a stakeholders meeting of civil society organizations working toward free, fair, and honest elections in the ARMM. The event sought to:

- Foster coordination and partnership among election stakeholders in preparation for the 2008 ARMM election;
- Identify steps to be taken in connection with the automation of the ARMM election; and,
- Sign a pact to provide for unified action by all election stakeholders for the ARMM election.

The meeting was attended by representatives of COMELEC (e.g. Education and Information Department and IT Department), other government agencies, various NGOs and civil society networks dedicated to elections (e.g. IPER, CER, LENTE, Parish Pastoral Council for Responsible Voting -PPCRV, NAMFREL), the mass media, and the donor and diplomatic community (USAID, Canadian Embassy). During the event, participants prepared and signed a Memorandum of Understanding for coordination for the 2008 ARMM elections. Through the lead-up to the elections, the RCC met regularly, and Citizens CARE created an e-group to provide continuous communication among members.

C.2. Carrying Out Election Observation of the ARMM elections

In addition to monitoring the campaign and election preparation period, volunteers also observed the opening of the polls, voting, and the counting and consolidation of results on Election Day. A total of 5,231 Citizens CARE monitors were recruited to monitor and observe the August 11, 2008 ARMM Elections. The 2008 Monitoring report is attached as Annex C. Provincial de-briefings were held in all Citizens CARE provincial offices the week following the elections. The fifth Regional Coordinating Council Meeting and a Regional Post-Election Assessment and Evaluation were then conducted from August 25-29, 2008. At this event, participants consolidated the findings from the monitoring reports and drafted a final report, which was presented to COMELEC on 16 September as per condition for approval of Citizens CARE's accreditation. Among the issues raised in the report, the following irregularities were noted at the precinct level:

- Vote buying;
- Election Day campaigning (including the use of children for such purposes);
- Failure to post the Computerized Voters' Lists (CVL);
- Violations of secrecy of the ballot;
- Completion of ballots by Board of Elections Inspectors (BEIs) and casting of multiple ballots; and,
- Inconsistent application of indelible ink once voters had cast their ballots.

In response to these observations, Citizens CARE recommended the following to COMELEC and other relevant stakeholders:

- Immediate investigation of alleged violations and prosecution of those responsible;
- Improved safeguarding of the secrecy of the vote;
- Augmented training for BEIs;
- Intensified voter education activities, particularly on automation; and,
- Multi-stakeholder efforts to curb vote-buying efforts.

After issuance of the final report, Citizens CARE conducted a series of *Ugnayan Tayo (UT)* meetings at the provincial level with their partner organizations and relevant government agencies, as well as the media, academia, and other watchdog groups (see *C.3. Conducting Voter Education Activities* for more information on UT). At these meetings, Citizens CARE presented the results of its election monitoring effort and sought to generate support among stakeholders for the upcoming May 2010 national and local elections.

Following the ARMM elections, Citizens CARE refocused its activities on the 2010 national and local elections. It began conducting voter education sessions focused on the continuing registration process and explained registration forms and procedures. It also updated its voter education manual to address a range of issues relating to automation of the 2010 election process.

C.3. Conducting Voter Education Activities

In preparation for the 2008 ARMM election, IFES voter education and training expert Ian Smith worked with Citizens CARE during July 2008 to finalize a voter education manual for use during training activities. Citizens CARE conferred with various vendors for the ARMM election automation, e.g. Smartmatic and Avante, as well as with COMELEC and LENTE to ensure an accurate and comprehensive manual. There was also a demonstration of Direct Recording Electronic (DRE) and Optical Mark Recognition (OMR)

"Citizens CARE has been a long-time partner of COMELEC ARMM as it undertakes advocacy efforts for electoral reform in the Region. Citizens CARE has been complementing COMELEC's efforts in disseminating information through its voter education activities that are able to penetrate even far-flung communities that COMELEC by itself cannot reach. The Coalition's strength lies on its ability to recruit election volunteers from the barangays and municipalities, who are instrumental in getting the right voter messages across to community members and in monitoring electoral exercises in the Region. Since 2005, the Coalition at all levels has been regularly coordinating with COMELEC to ensure the smooth implementation of its SEPVEEM project. Indeed, Citizens CARE's activities are a big help to us COMELEC as we perform our constitutional duties and responsibilities in the ARMM."

ATTY. RAY SUMALIPAO
COMELEC Regional Election Director
Autonomous Region in Muslim Mindanao

machines at the RCC meeting. Information gathered during the demonstration was incorporated into the manual. COMELEC also provided a final review of its contents, offering some comments prior to printing.

Citizens CARE proceeded with its own voter education activities, while collaborating with COMELEC and vendors as they held public demonstrations of the machines. Mock election exercises portrayed the proper election processes and procedures in an automated set-up. Voters were surprised to learn of all the various procedures and had many questions regarding automation. Smartmatic and Avante personnel were present to demonstrate the equipment and answer participant questions.

Through Citizens CARE's "Strengthening Election Process through Voters Education and Election Monitoring in the Autonomous Region in Muslim Mindanao" (SEPVEEM), Citizens CARE continued to empower disadvantaged community members with knowledge and skills that enabled them to actively participate in decision making processes and exercise their right to suffrage responsibly. This was done by applying three modes of intervention: Pulong Tayo/PT (Let's Meet), Ugnayan Tayo/UT (Let's Link Up), and Election Monitoring.



CCARE volunteers training to observe elections

Citizens CARE conducted these voter education activities (including mock elections and using translated materials) in 1,565 barangays in 89 municipalities, four (4) cities (2 non-ARMM), resourcefully drawing on local schools and students. A total of 3,002 community-based PTs with 70,053 participants (51% female and 49% male) were conducted in the ARMM by the leadership of the six provincial management committees (PMCs). Citizens CARE conducted 36 Ugnayan Tayo's (local democracy stakeholder meetings) during the course of the project with a total of 820 participants, of which 57% were men and 43% were women. Participants to these events included the Commission on Elections, Department of the Interior and Local Government, Department of Education, Department of Social Welfare and Development, National Statistics Office, Bureau of Public Information-ARMM, Philippine Information Agency, and some representatives from the academe, media, and other poll monitoring groups such as the Parish Pastoral Council for Responsible Voting (PPCRV). Through its voter education and election observation activities for the ARMM elections, Citizen CARE estimated reaching a minimum of 150,000 direct and indirect beneficiaries.

Following are areas where SEPVEEM's PTs and UTs activities occurred under the PERP program:



In conducting its voter education activities, Citizens CARE was able to effectively maximize its resources and exceeded its original target by 13 municipalities and 65 barangays (the original target was 76 municipalities and 1500 barangays). This increase can be attributed to demand from some communities to include them in the voter education activities. In addition, Citizens CARE added 18 more new member organizations, bringing the total number of Citizens CARE members to 36. New members included:

Maguindanao Province	PUSAKA Mindanao
	Development Youth Movement Associations (DYMA)
	United Youth of the Philippines - Women
Shariff Kabunsuan Province	Maguidanao Foundation for Good Government and Development Inc.
	Bangsamoro Network and Development Center (Net DEC)
	MINSED – Ensuring Economic Development Foundation Inc. (EAGLES)
Lanao del Sur Province	Ompongan o Mga Bae sa Ranao (OBAERA)
	Maranao Youth for Peace and Development (MYPD)
Sulu Province	Lupah Sug Bangsamora Women's Association
	Lupah Sug Youth Organization
Tawi-Tawi Province	Tawi-Tawi Youth Parliament (TYP)
	Samahan at Lingap Angat sa Mahihirap Inc. (SALAM)
	Tawi-Tawi Alliance for Good Governance
	Bato Islamic Foundation

C.4. Implementing Election Observer Training

Citizens CARE conducted six (6) training of trainers (TOT) events for a total of 80 municipal election gurus (MEGs) and partner organizations in all provinces. A total of 5,231 volunteers – a 16% increase from the project target – were trained and oriented on how to monitor the August 2008 ARMM elections. These volunteers monitored 1,565 barangays in 89 municipalities and four cities. During the trainings, participants were provided with a monitoring manual and a checklist, along with t-shirts, bags for MEGs, notebooks, pens and IDs.

Throughout its training activities, Citizens CARE used video documentation of its past voter education and election monitoring activities to provide participants with a background on the Coalition. In addition, a videotaped demonstration provided by Smartmatic and Avante was used during the MEG ToT so they understood what the machines looked like, and how they would be used on Election Day.

C.5. Creation and Publication of Citizens CARE website and newsletter

IFES also provided training on website design and maintenance to the Citizens CARE Secretariat (see <http://www.citizens-care.org.ph/>). As part of this effort, IFES taught Citizen CARE staff and volunteers how to create and use a database, how to use these tools for Monitoring and Evaluation (M&E) purposes, and how the database can be integrated into the website by partner organizations. To supplement information available through the website, Citizens CARE began publishing a quarterly newsletter in July 2008 to document its activities in the ARMM.

C.6. Promoting Voter Participation through Radio

Citizens CARE also promoted voter participation through a series of weekly radio broadcasts by stations owned by Notre Dame Broadcasting Corporation (NDBC), which has the largest coverage in the ARMM. With the exception of Citizens CARE Basilan, all provinces were able to begin airing radio programs in the month preceding the election. The interactive format of the programs allowed the anchor and invited guests to discuss the relevance of voters' active participation in elections. The programs were also used to recruit volunteers to serve as election monitors. Among the key topics addressed by the radio programs were:

- Explaining election processes and procedures;
- Discouraging vote buying and improper registration;
- Criteria by which to assess candidates (for example, in integrity); and,
- Separating the issue of peace talks from that of the postponement of elections (and addressing misinformation on this topic).

In addition Citizens CARE sponsored radio spots on electoral reforms that were aired at least five times per day over NDBC and its several radio affiliates in the ARMM. Themes of the spots included:

- Choosing the right leader;
- Refraining from selling one's vote;
- Understanding the automation process;
- Being alert and vigilant on Election Day to help avert malfeasance; and,
- Encouraging voters to turn out on Election Day.

Following the election, Citizens CARE continued to broadcast spots and utilize radio programming to disseminate important information on the findings of the election monitoring effort and on the outcome of the elections. Citizens CARE and IFES received positive feedback on the spots through text messages.

C.7. Conducting Candidate Education Forums and Peace Covenant Signings

Citizens CARE also conducted Candidate Education Forums and Peace Covenant Signings in the ARMM prior to the August 2008 elections. These events presented an opportunity for candidates to give assurances to voters that they were committed to peaceful and conflict free elections. In addition to voters, other attendees to the events included representatives of the Department of Education,

Department of the Interior and Local Government, Philippine Information Agency, COMELEC, the Asian Network for Free Elections (ANFREL), among other NGOs and networks.

C.8. Final Project Assessment Event

The Citizens CARE Final Project Assessment was held from 17-19 August 2009 in Davao City. A total of 29 participants (15 males and 14 females) from Citizens CARE attended the activity. Four officers from IFES Philippines also participated in the conduct of the activity, led by IFES' Chief of Party Beverly Hagerdon Thakur. Gerardo Porta, Senior Civic Participation Specialist of USAID Philippines, also delivered a message to the Coalition. The COMELEC Education and Information Department Director James Jimenez provided participants with a clear view of how the PCOS technology will work in the 2010 elections. Attorney Luie Guia, LIBERTAS' Director of the Democratic and Electoral Reform Desk, provided a lecture on the "Right to Vote and Remedies to a Cleaner Voter's List."

The Citizens CARE activity also served as a venue for the Coalition to consolidate and assess its accomplishments of the SEPVEEM ARMM Phase 2 project, which included activities on voter education, provincial stakeholders meetings, election monitoring, candidates education forum, radio programs, and provincial debriefings, to mention a few. The activity allowed the Coalition to hear major success stories from the field, including issues and concerns or problems encountered in carrying out the various Citizens CARE activities that can be improved in future programming.

C.9 Citizen CARE as a Prominent Election Monitoring group among Local and International Institutions.

During the PERP program, Citizens CARE achieved the broader recognition and respect of local and international institutions. For one, COMELEC collaborated with the organization when it conducted its continuing registration drive in April 2008 for the then upcoming Regional Elections in August. As the leading voter education and domestic monitoring group in the ARMM, two of its officers were also invited to be part of the pool of observers for ANFREL's election observation missions in Thailand (December 2007) and Bangladesh (December 2008). Its chairman was also invited to take part in the Young Mindanao Leaders Educational tour in Japan from 13-17 of November 2008, sponsored by the Japanese Embassy.



CCARE Chairperson Mr. Salic Ibrahim, (second from left) being briefed on the Thailand Elections together with other ANFREL observers

Citizens CARE's voter education materials were also used by other government organizations as they also conducted their own voter education activities for their personnel. These include the Armed Forces of the Philippines and the Department of Social Welfare and Development, to mention a few.

At the close of this project, Citizens CARE has slowly become that primary source of information on elections in the ARMM by media groups, such as the national TV network ANC, national broadcasters and even COMELEC, thus establishing an impartial and citizen based election monitoring group in the region.

D. Increasing Vulnerable Sector Participation in 2010 Elections

In November 2008 and following September 2008 USAID approval, IFES provided a grant to the recently formed election-reform consortium, Task Force 2010, which brought together sixteen election watchdog organizations. To support and coordinate the activities of Task Force 2010, a Secretariat was established. The project produced a research study on the status of seven (7) vulnerable⁷ sectors that necessitated

⁷ Each sector has been labeled as vulnerable due to different barriers or impediments present and specialized concerns exclusive to them in relation to the exercise of their right to suffrage.

support as identified by the group. These sectors include the elderly, persons with disabilities, indigenous people, detainees, internally displaced persons, first time voters and overseas absentee voters. Based on current statistics, these 7 sectors account for a combined share of approximately 30 – 35% of the national population⁸. The research paper is can be found in Annex D.

The work of the Task Force was guided by three basic principles: (1) respect for the sanctity of the ballot, (2) engagement of voters in the process, and (3) enforcement of political rights and liberties as protected under the Constitution. Through its activities, the Task Force hoped to motivate citizens, particularly youth aged 18-35 who will make up approximately 60% of voters in 2010, to become more actively involved in the electoral reform process and preparations for the 2010 national and local elections.



TF2010 Voter Registration Materials which reads, "I am important in elections. Give us access to participate in the 2010 elections"

Among the main objectives of Task Force 2010 were to:

- Advocate for implementation of RA 9369 to automate the electoral process;
- Initiate community-based activities to cleanse and update the existing Voters' List within the limitations of 8189, or lobby for amendments to improve it along with a call for a general registration in preparation for 2010;
- Strengthen collaborative linkages with COMELEC and other election stakeholders to push for genuine electoral reform;

In February 2009, Task Force 2010, with the support of the Commission on Human Rights (CHR), formally presented to COMELEC the proceedings of the *Ensuring the Right to Election Participation: Giving Access to Vulnerable Sectors in 2010*. The conference was sponsored by IFES and addressed the challenges to voter registration and voting by vulnerable sectors. During the presentation of the report, participants discussed how to ensure maximum participation by persons with special needs, particularly first time voters.

IPER BE 2010 Political and Election Monitoring Report Findings:

- No system is perfect and the process needs to be secured in order for public trust to increase.
- Despite COMELEC Chairmen Melo's efforts to seek reforms, the major challenges of maintaining transparency and credibility in the implementation of automation in 2010 remain.
- The high importance of civil society organizations and other stakeholders monitoring the process, thereby ensuring the credibility of the entire process and holding the COMELEC accountable should it fail to fulfill its responsibilities, cannot be downplayed.
- The gaps in the law make it difficult for the COMELEC to address the alarming concern of early campaigning of presidential aspirants and possible use of public funds, as highlighted by the growing issue of "infomercials" which appear to circumvent laws on election campaigning.

Task Force 2010 also initiated a First Time Voters' Project. Through this initiative, Task Force 2010 held campus registration events to enable students to register to vote. To further support its outreach efforts and recruitment, Task Force 2010 created a website (www.tf2010.slb.ph) and a Facebook group. As of the end of the voter registration activities, 3,000 persons joined to support the Task Force 2010 Facebook registration campaign and about 300 organizational members signed up to the Facebook group.

As a result of high profile efforts to introduce vulnerable populations into the mainstream electorate, the Caucus of Development NGO Networks (CODE-NGOs), the largest network of civil society groups in the Philippines, applied to Task Force 2010 for membership.

⁸ Figures from the National Statistics Office indicate that the Philippines has a population estimate of 92.23M in 2009.

CODE-NGO is comprised of seven national networks and five regional networks representing more than 2,500 people's organizations throughout the country.

E. Ensuring the Credibility of the 2010 Elections through Long-Term Domestic Monitoring

In 2007, the Consortium on Electoral Reforms conducted a comprehensive long-term evaluation of the 2007 national and local elections which covered the entire electoral process (from July 2006 – June 2007). Due to the success of that program, the CER decided to extend its effort to the 2010 elections. Toward this end, *Bantay-Eleksyon 2010*, or the *People's Coalition to Monitor the 2010 Elections*, was formed. Its initial objectives were to:

- Monitor the entire election process, including pre-election preparations, the campaign period, Election Day, counting and canvassing, and the proclamation of results, with a particular emphasis on the implementation of election automation;
- Monitor the performance of election management, political parties, and campaign financing;
- Intervene as appropriate in the case of electoral malfeasance, by reporting abuses and making representations to election authorities; and,
- Determine the general credibility of the conduct and results of the 2010 elections.



A Bantay Eleksyon seminar, which included a Citizen-Voter Education session and the Bantay Eleksyon 2010 recruitment orientation conducted before 400 Social Science students of the University of South-Eastern Philippines (USEP) in Davao City, Southern Philippines.

To support this effort, IFES provided a grant to CER through its Secretariat, IPER. IFES expert Mike Yard served as key note speaker in a roundtable discussion on how civil society organizations (CSO) could participate in monitoring automated elections. During the event, Yard shared key points on international standards and comparative best practices, particularly regarding the importance of transparency of automated processes and the correlation between the scope of the monitoring effort and the levels of public acceptance and trust in automated systems.

From July 2008 to the end of their program, *Bantay Eleksyon 2010* (BE 2010) or the *People's Coalition to Monitor the 2010 Elections*, was able to conduct activities to network, expand and strengthen its

organization. BE 2010 was able to set-up a basic organizational structure consisting of the National Secretariat and Regional Area Coordinators for 10 clustered regions. It continued to conduct recruitment sessions nationwide for Organized Monitoring Teams or Citizen Reporters (Volunteers). The first *Bantay Eleksyon* public report focused on the preparations of COMELEC and the activities of the COMELEC Advisory Council (CAC). Their findings are contained in the first public report which also included observations of the political landscape and pre-election activities from November 2008 to August 2009. These findings were presented in a press conference held in late August 2009.

The *Bantay Eleksyon* launch was deemed a success, as it brought the monitoring effort to media attention. The promotion of *Bantay Eleksyon* in news reports, in conjunction with media interviews of BE 2010 coordinators, is anticipated to increase project leadership credibility and boost volunteer recruitment.

BE 2010 also set up its website, www.bantayeleksyon.org, to serve as its portal and volunteer recruitment site. Under this project, a national trainers training workshop was held on the last week of July 2009, attended by 19 regional coordinators. Thirteen (13) provincial trainings were also conducted in 7 regional clusters in the country which tallied the participation of 174 attendees. Of these, 45% were women and 55% were men.

F. Increasing Access to Election Results and Data

In November of 2008, IFES contracted the National Citizen’s Movement for Free Elections (NAMFREL) to build a website to house election results dating back to 1998 and to serve as a communications portal for election reform advocacy organizations and election monitoring groups. The website provided NAMFREL with a tool for uploading the results of quick counts. It also presented citizens with a means of reporting election irregularities and suspected fraud by posting messages, or uploading video or audio files.

Given that a significant amount of COMELEC data was lost during a 2007 fire that destroyed its warehouse, the IFES supported and NAMFREL created website is now the most comprehensive database of election results from 1998 to the present day. Since its launch in January 2009 to October 2009, the site received 252,460 hits and 9,903 visitors.

Component 3: Issues and Developments/Lessons Learned

During the course of the project, several issues and developments and/or lessons learned emerged that impacted project implementation, planned activities, and anticipated results, including:

Issues/Developments	Lessons Learned
<ul style="list-style-type: none"> • In many areas of the ARMM, the issue of peace and order remains a challenge as regards the implementation of Citizens CARE programs at the local level. For example, the provinces of Maguindanao and Basilan were not able to meet their one of their targets as three candidates fora were called off primarily due to the local security situation. • The addition of ASPAP to the campaign finance reform scene highlighted the need to develop a pool of new experts on the topic. The holding of PCIJ seminars has engaged for the first time reporters from new media, so-called citizen journalists, to report and monitor election issues on blogs and social networking sites. • TF2010 was able to bring together organizations from the Catholic network, the evangelical churches and the Muslim Civil Society Organization groups based in the ARMM to support the voter registration information campaign, particularly the vulnerable sector registration. The group widened the issue of vulnerable sectors’ lack of access to registration by coordinating with the Commission on Human Rights and COMELEC. Due to the increased attention given to persons with special needs and first time voters, COMELEC created a special project to draft rules on voting by detainees who have not yet been convicted. Several local government executives also passed resolutions to ensure access by persons with disabilities. 	<ul style="list-style-type: none"> • TAN’s success is attributable to their specific focus and past experience in the area of procurement monitoring. Their expertise not only served them well in their role as watchdogs, but was also sought by COMELEC to advise the election body in closed door sessions on how to properly proceed with the procurement process. TAN’s involvement raised public awareness and made the procurement process increasingly transparent, which at the same time raised the credibility of COMELEC. • In response to past problems involving a lack of coordination of voter education activities, 80 participants at the ARMM Stakeholders Meeting agreed to form a Regional Coordination Council (RCC), headed by Citizens CARE. The RCC’s role was to ensure that CSOs working in the ARMM – and the public at large - were aware of electoral reform advocacy, voter education, and election monitoring by their counterparts. As a result of improved coordination, CSOs avoided duplication of efforts and allowed them to strategically pool their resources to ensure maximum coverage on Election Day. • Garnering targeted local support and acceptance by the community (e.g. pilot testing voter education materials at the grassroots level) has been a key factor to Citizens CARE’s success. • A long term domestic monitoring effort raises issues on other phases of the electoral cycle which has not been given attention in the past, such as preparatory activities carried out by the Election Commission during the pre-election period.

COMPONENT 4: IMPROVING THE EFFICACY OF ELECTION ADJUDICATION THROUGH TRAINING AND REFORM

A. Seminar on Election Fraud and Ballot Validity

In cooperation with the Philippines Judicial Academy (PHILJA), in January 2008 IFES conducted a seminar for judges and clerks of the court of the special election courts on election laws. Of the 132 participants (69 judges and 63 clerks of court) in the PHILJA seminar, 51 were men and 71 were women. During the event, participants discussed how best to handle election fraud cases and the criteria and procedures for ruling a ballot valid or invalid. Following these discussions, participants broke into working groups to assess the validity of ballots. A panel assessed and critiqued the rulings of the working groups, and attending observers also had an opportunity to comment on this process.

B. Applied Research on Election Adjudication

Based on the findings of its 2007 study entitled *Baseline Study on the System of Election Adjudication in the Philippines*, LIBERTAS integrated its oversight activities to include monitoring the progress of various adjudicative bodies in handling election complaints and the prosecution of election cases. The aim of LIBERTAS' work in these new areas was to facilitate discourse among legal practitioners, community leaders, and a cross section of civil society on key issues, as well as build constituencies for election adjudication reform.

As a first step in this process, LIBERTAS conducted an assessment of: (1) the performance of the Special Election Courts throughout the country, and, (2) the implementation of the Administrative Circular on handling election cases. This research helped to establish an important baseline for election adjudication in the Philippines. LIBERTAS detailed its findings in a report entitled *Evaluation of the Impact and Efficacy of the New Rules Concerning the Adjudication of Election Cases in the Trial Courts* (see Annex E). Prior to releasing the report, LIBERTAS presented a draft for comment at a roundtable discussion in February 2009, attended by COMELEC's Election Complaints and Adjudication Department (ECAD), Law Department, and the offices of Commissioners Velasco and Leonida, judges from the special election courts, and the election tribunals of the House of Representatives and the Senate as well as prominent election attorneys. The study was subsequently submitted to the Chief Justice and all members of the Supreme Court, COMELEC, senators and congressmen in the Senate and House of Representatives election tribunals, and other key election stakeholders.

LIBERTAS thereafter conducted a review of the state of election adjudication of election offense and disqualification cases and published the report entitled *A Study of Adjudication of Disqualification Cases, Pre-Proclamation Controversies and Election Offense Cases in the Philippines*. This report assessed the performance of the special election courts during the May 2007 election cycle, and disqualification, pre-proclamation, and election offense cases in COMELEC.

C. Roundtable on the Automated System and Election Adjudication in the ARMM

In August 2008, LIBERTAS held a roundtable titled *The Future of Election Adjudication: Reflections on the Automated ARMM Elections* in cooperation with the University of the Philippines Law School. Participants represented COMELEC, the Integrated Bar of the Philippines, LENTE, the University of Philippines and Ateneo de Manila law schools, Smartmatic, Avante, Task Force 2010, and CER as well as practicing election attorneys. The roundtable featured discussion and debate on the future of the election adjudication in an automated election system.

D. Seminar on Teaching Law Related Studies

As part of its continuing advocacy to educate the public on the dynamics of the electoral process and exercise of voting rights, LIBERTAS in collaboration with the University of Philippines Law Center conducted a *Popularizing the Law: Seminar on Teaching Law Related Studies* the 16-17 of May, 2009.

Approximately two hundred (200) public school teachers from around the country attended the university seminar. During the event, participants learned about the new processes, procedures and issues related to the automation of the 2010 elections and the role of public school teachers as members of the Boards of Election Inspectors (BEI). A representative of the Autonomous Regions in Muslim Mindanao (ARMM), who also served as Chairman of the Maguindanao precinct BEI, shared practical insights and experiences with automation and cautioned participants against possible manipulation of results under such a system. Participants agreed that there was inadequate training on the application of new technologies and safeguarding the election process under an automated system. Other topics of discussion included the constitutional framework, human rights, rule of law, and the Barangay justice system.

E. Forum on Election Adjudication under an Automated System in 2010

This event, hosted by LIBERTAS on 3 June 2009, generated discussion on election adjudication in the context of the May 2010 automated election. Representatives of COMELEC and the various election adjudication courts and tribunals, election attorneys, and electoral reform groups attended. During the



Trial court judges, election lawyers from the Commission on Elections, House of Representatives Electoral Tribunal, Senate Electoral Tribunal and private lawyers for candidates join a round table discussion on the Election adjudication disputes before trial courts last January 2009.

event, the COMELEC Education and Information Department provided an overview of the AES. Attorney Luie Guia then presented possible areas of dispute in automated election systems. Former commissioners and veteran election lawyers contributed their insights and experiences related to previous COMELEC attempts to automate elections and the lessons drawn from those efforts. Following the event, LIBERTAS began discussions with COMELEC officials and several election attorneys about promulgating specific rules and instructions concerning election disputes that might arise from an automated system.

Upon IFES' suggestion, LIBERTAS reprogrammed its budget to include a workshop with the COMELEC to draft Legal Remedies in the 2010 Automated Election System. LIBERTAS consulted and collaborated with Attorney Rodolfo Benjamin, a 40-year veteran and retired Director of the COMELEC Election and Barangay Affairs Department in the drafting of the rules.

The draft outline was then presented at several focus group discussions to different members and senior officers and field officers of the COMELEC, the electoral tribunals and election lawyers and professors on 3 June, 25 August, and 4 September of 2009. The *Proposed Interim Rules of Procedure of the COMELEC Governing Election Disputes in a PCOS-Automated Election System* aims to assist the COMELEC in its process of drafting new rules for the 2010 electoral process. It was submitted by LIBERTAS to the COMELEC through the Chairman and Members of the Commission at the end of September 2009.

F. Manual on Voting Rights and Remedies

LIBERTAS prepared a manual for registration entitled *A Quick Guide on your Right to Vote*, which emphasizes suffrage as a pillar of a functioning democracy and a potentially powerful tool for governance and societal transformation when fully and properly realized. The manual seeks to inform readers on the basics of the registration process and on legal processes and remedies that can be used to enforce or challenge the right to vote.

The manual which includes step-by-step instructions on the Inclusion and Exclusion proceedings (of voters from the voter registry) was formally launched on 7 August 2009. This manual was distributed to COMELEC and civil society partners like Task Force 2010 to assist in the ongoing registration process. LIBERTAS also made the manual available in its website at www.libertasphilippines.org.

G. Creation of Website on Election Adjudication

The LIBERTAS website (www.libertasphilippines.org) was established to highlight the activities, findings, and results of its Election Adjudication Reform project. The site also includes information and reference materials outlining and explaining the different election courts, featuring news coverage of election cases, and providing the base laws and rules of procedures of different adjudicative bodies.

H. Workshops to draft recommendations for Congress

LIBERTAS held workshops in August and September 2009 to draft new rules on election adjudication based on the PCOS in support of COMELEC. The workshops were attended by technical people from the different adjudicative bodies, namely: the COMELEC, the Electoral Tribunals of the House of Representatives and the Senate, including the Supreme Court. COMELEC Commissioner Nicodemo T. Ferrer, Law Department Director Ferdinand Rafanan, and Tribunal Secretaries participated in many of the workshops. Also in attendance were practicing election lawyers identifying with the need for new rules on adjudicating contests under the new PCOS system. After discussions pointed to the fact that the participants were uninformed about the PCOS, COMELEC was requested to arrange for a demonstration of the machine to the Tribunals on 22 September 2009. This aided the group in understanding which parts of the machine or process should be considered the primary and secondary evidences. Based on these workshops and on their own study and research, LIBERTAS drafted new rules for the COMELEC's consideration.

COMPONENT 4: Issues and Developments/Lessons Learned

During the course of the project, several issues and developments and/or lessons learned emerged that impacted project implementation, planned activities, and anticipated results as follows:

Issues/Developments	Lessons Learned
<p>The transition to an automated election system has required civil society groups such as LIBERTAS to expand their reform efforts in new directions. For example, ballot appreciation rules under an automated system will build on procedures established under the old manual system, but also require innovations to adapt to the new technology.</p>	<p>Long term engagement of civil society organizations, such as LIBERTAS, has resulted in the development of expertise in the highly specialized field of election adjudication. The studies and draft procedures that have been produced now serve as the basis for both General Instructions in COMELEC, as well as long-term legal reform advocacy on harmonizing rules for all adjudicative bodies.</p>

IV. OVERALL IMPACT/RECOMMENDATIONS

A. Increased Transparency and Capacity of the COMELEC

Implementation of the PERP program covered the period between two national elections, which included the pilot automation of the ARMM regional elections in August 2008 and the early planning and preparatory stages for the country's first attempt to automate elections on a nationwide basis. During this critical two-year period, IFES was able to provide a well-rounded and comprehensive technical assistance program to the COMELEC, ranging from the provision of expert advice in the areas of voter registration and election technology to internationally recognized training and professional development programs. Exposure to international standards and comparative practices helped inform COMELEC's decisions on how best to approach the challenging implementation of an automated election system through the application of such knowledge to the local context as most appropriate.

Efforts to facilitate meetings and activities with COMELEC and other stakeholders led to increased transparency of COMELEC processes and made the Commission more accountable to citizens. The

Commission was able to provide new services requested by citizens, such as mobile satellite registration stations targeting first-time voters, while expanding the electorate through increasing access to detainees. These efforts were rewarded with more positive media coverage, thus enhancing the credibility of the Commission. More work needs to be done in order to increase the effective use technology in modernizing the voter registration process, as well as operational efficiency in general.

By working directly with the Project Management Office in charge of implementing the automated election system, IFES was able to provide new tools to modernize project management capacities through the introduction of MS Project. The PMO used MS Project to create a detailed and comprehensive timeline that, if updated and followed regularly, should allow the COMELEC to increase their capacity to oversee all details of program implementation while being able to better inform the Philippines government leadership on the status of their preparations. These regular progress reports should give policy-makers more timely information for decision-making on issues related to the implementation of an automated election system, including when to introduce contingency measures if such a situation should arise.

Initial steps were taken toward improving the management of the Commission, namely the implementation of the first needs assessment for a COMELEC department and the establishment of a baseline for COMELEC policies and procedures. The personnel manual will be a tool used by the staff to aid them in carrying out their duties with integrity and consistency. The needs assessment conducted for the Law Department introduced the concept of an integrity framework to COMELEC for the first time, and can be used as a model for future management audits during the post-election period. Sustained follow-up is still needed to ensure the integration of recommendations targeting improvements in the Law Department's processes.

The COMELEC National Pool of Trainers, established for the 2007 National Elections, has been recognized as a training resource within the Commission. However, COMELEC's bureaucratic structure restricts the management of operational training for field staff and pollworkers to the personnel department which has curtailed the improvement of training procedures for the 2010 elections. Despite this constraining management structure, the current director is applying lessons learned from previous efforts as a regional election director and integrating more modern training practices where possible. This is another area where sustained technical assistance could achieve greater success in the future, as it takes more than one electoral cycle to institutionalize such radical changes to long-established processes.

The launching of the Election Resource Center was the first step to enhancing the Commission's information resource capacity and provided an outreach opportunity to external stakeholders. COMELEC personnel, on their own initiative, took advantage of the new resources to improve their professional capacity on an individual basis, including making it part of their continuing education outside of the Commission.

Through the introduction of the globally-renowned BRIDGE program that provides training in election administration and management, COMELEC joined the international family of professionalized Election Management Bodies who have undergone this accredited program. The BRIDGE training also "bridged" gaps between headquarter and regional staff members by combining the groups during BRIDGE training modules and thus giving voice to the oftentimes neglected field personnel in the development of draft operational policies and procedures for voter education, media, operations and contingency planning. Exposing key senior staff members and Commissioners to comparative electoral practices through the implementation of two study trips provided direct contact with other election practitioners. Observing elections in Indonesia gave the participants an opportunity to witness how a country in the region dealt with similar challenges relating to the automation of a results transmission process. Interaction with colleagues in Mexico gave perspective on how the Philippines Commission could grow in the future to become a leader in this field. It is recommended that talented staff members are given more opportunities to become part of the international pool of electoral experts through BRIDGE training certifications, as well as more opportunities to work in developing democracies in their areas of expertise.

The initiation of newly-appointed and serving Commissioners to the discipline of international best practices in electoral administration and management offered an opportunity to build collegiality among

the new Commission while discussing the appropriate application of global standards to the Philippine context. The Commissioner Retreat, as conceived and implemented by IFES Philippines, should serve as a model for other electoral assistance programs and provide a unique opportunity for knowledge-sharing by other program managers in different countries.

More work needs to be done to solidify gains through the continued engagement of experts who can support COMELEC in taking the next steps toward implementation of the key recommendations that were adopted during earlier consultations, especially in the areas of voter registration and training. As with many large bureaucracies, an external catalyst is invaluable in terms of initiating overdue changes. While outside expertise can provide a neutral opinion on various solutions available that would meet international standards, it is the Election Management Body that must have ownership of these changes as they will only be successfully implemented if wholeheartedly embraced by the entire organization. IFES hopes to continue working closely with the COMELEC to challenge old thinking and to help modernize the EMB in ways other than automation.

B. Continuing Electoral Legal Reforms

In the area of legal reform, IFES local consultant, Attorney Luie Guia, made great strides in identifying where the Omnibus Election Code needs updating in order to comply with the new Automated Election System Law (R.A. 9369). While priority legal reforms could not be enacted prior to the May 2010 elections, the recommendations outlined in his study were used to inform discussions on this issue in several conferences and roundtable events. Guia's seminal work on updating all of the Philippine election laws and bringing them into compliance will provide the roadmap for comprehensive legal reform work during the post-election period. As an additional benefit, the roadmap was disseminated to 120 COMELEC senior staff, mainly field personnel, as a comprehensive guide clarifying the current provisions in all of the various election laws, including updates, amendments and modifications that have heretofore not been compiled in one easy reference package. The impact on the consistency in adherence to ruling electoral law and procedures can not be underestimated.

C. Broadening Impact of Civil Society Partners

Two of IFES' civil society partners attempted to tackle challenging legislative reform activities regarding the party-list law and political party bill. Both LENTE and IPER were able to increase public awareness of problems with the existing legislation and the need for reforms. The two organizations were also successful in broadening coalitions, which will aid them in future efforts. Civil society groups should re-evaluate current advocacy efforts and look for new ways to make greater impact in this area.

Greater success was achieved by IFES' local civil society partners in the fields of monitoring, training, voter education, and increasing public awareness on a variety of electoral reform issues. Through their efforts, greater transparency and access to information was achieved, which will lead to a more credible election process in 2010. Civil society monitoring efforts were extended to new areas, expanding existing networks and including vulnerable sectors as a priority target audience for the first time. Coalitions such as Citizens CARE also gained international recognition with invitations to participate as election observers in Thailand and Bangladesh, while becoming respected locally among stakeholders both in the ARMM and throughout the Philippines. Training of other stakeholders, such as journalists and judges, broadened the reach of the program into critical sectors and provided more opportunities for networking and information-sharing among all local partners. In the future, efforts to focus on gender-oriented priorities should be strengthened.

The research studies on election adjudication have resulted in manuals and draft procedures which have been used by policy-makers to help inform decisions on reforms needed in the system, with a particular focus on how the introduction of automated processes will impact dispute resolution processes. Civil society organizations now have access to comprehensive and user-friendly information to help voters better understand their rights and become more active citizens in aspects of the electoral process that have been traditionally less participatory, such as ensuring the accuracy of voter lists. The tireless efforts undertaken in this area over the past several years has established a strong multi-sectoral network among civil society, COMELEC and other organizations with judiciary functions responsible for resolving

election cases. Combined with the intellectual achievements captured in the written materials, the work done in this area has set the stage for meaningful and comprehensive reform of the election adjudication system in the Philippines. This momentum should be carried over to become one of the first reform initiatives to be taken up after May 2010.

V. ATTACHMENTS

- A. Technical Report by Mr. Michael Yard
- B. A Roadmap to Updating the Legal Framework
- C. Monitoring Report for the August 2008 Elections (Citizens CARE)
- D. Baseline Study on the Vulnerable Sectors (Task Force 2010)
- E. Evaluation of the Impact and Efficacy of the New Rules Concerning the Adjudication of Election Cases in the Trial Courts (LIBERTAS Study)