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SENATE

P. S. Res. No. 1151

RECEIVED BY: 

INTRODUCED BY THE HONORABLE MAR ROXAS

A RESOLUTION

DIRECTING THE APPROPRIATE SENATE COMMITTEES TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE 2010 ELECTION AUTOMATION CONTROVERSY WHICH DIRECTLY AFFECTS OUR NATIONAL INTEREST, DEMOCRACY AND NATIONAL SECURITY, WITH THE END IN VIEW OF DETERMINING URGENT LEGISLATIVE MEASURES TO PREVENT POTENTIAL SOCIAL, CIVIL AND POLITICAL UNREST AND ENSURE THE HOLDING OF A FREE, ORDERLY, HONEST, PEACEFUL, CREDIBLE AND INFORMED ELECTIONS.

WHEREAS, Section 2 of Republic Act No. 9369, otherwise known as the *Election Automation Law, As Amended*, provides that "it is the policy of the State to ensure free, orderly, honest, peaceful, credible and informed elections, plebiscites, referenda, recall and other similar electoral exercises by improving on the election process and adopting systems, which shall involve the use of an automated election system that will ensure the secrecy and sanctity of the ballot and all election, consolidation and transmission documents in order that the process shall be transparent and credible and that the results shall be fast, accurate and reflective of the genuine will of the people;"

WHEREAS, Congress, through Republic Act No. 9525, appropriated a total amount of eleven billion three hundred one million seven hundred ninety thousand pesos (P11,301,790,000.00) to fund and support the holding and conduct of an Automated Election System, the procurement of services, supplies and machines on a lease purchase agreement including mandatory biometric registration of voters for the upcoming 2010 Elections;

WHEREAS, on 9 June 2009, the Commission on Elections (COMELEC) *En Banc*, awarded the contract for the automation of the 2010 Elections to the joint venture of Total Information Management Corp. (TIM) and Smartmatic International Inc. which was declared as the bidder with the "Lowest Calculated Responsive Bid" in the amount of seven billion one hundred ninety-one million, four hundred eighty-four thousand, seven hundred thirty-nine pesos and forty-eight cents (PhP7,191,484,739.48);

WHEREAS, on 29 July 2009, the entire nation was taken aback with the COMELEC's announcement that TIM, the local partner of the supposed joint venture, had withdrawn from its partnership with Smartmatic;

WHEREAS the controversies surrounding the automation election jeopardize not only the implementation of the election automation but also country's democratic system and the faith of the people in it;

WHEREAS, the importance of national elections cannot be overstated as these empower our people, especially the poor, to choose new leaders whom they believe will uplift them and the plight of our country, making them at equal footing with the rich and powerful;

WHEREAS, the scenarios created by the automation election controversy such as "back to manual counting" and, worse, "no election" are highly alarming and could lead to social, civil and political unrest;

WHEREAS, there is a need to conduct a legislative inquiry on such election mess to determine urgent legislative measures to ensure the holding of a free, orderly, honest, peaceful, credible and informed elections;

NOW THEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED, that the Senate direct the appropriate Senate Committees to conduct an inquiry, in aid of legislation, on the 2010 election automation controversy which directly affects our national interest, democracy and national security, with the end in view of determining urgent legislative measures to prevent potential social, civil and political unrest and ensure the holding of a free, orderly, honest, peaceful, credible and informed elections.

Adopted,


M A R ROXAS
Senator