

SIXTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)



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SENATE
P. S. R. No. 223

RECEIVED BY: *ji*

Introduced by Senator Miriam Defensor Santiago

RESOLUTION

DIRECTING THE SENATE COMMITTEE ON ELECTORAL REFORM AND PEOPLE'S PARTICIPATION, TO CONDUCT AN INQUIRY IN AID OF LEGISLATION, ON THE ALLEGATIONS THAT THE COMMISSION ON ELECTIONS IS STILL PRINTING BALLOTS MONTHS AFTER THE 2013 ELECTIONS IN VIOLATION OF REPUBLIC ACT NO. 8436

WHEREAS, the Constitution, Article 2, Section 27 provides: "The State shall maintain honesty and integrity in the public service and take positive and effective measures against graft and corruption";

WHEREAS, Republic Act No. 8436, or the Automated Election System Law, Section 12, paragraph 4 states that "The official ballots shall be printed by the National Printing Office and/or the Bangko Sentral ng Pilipinas at the price comparable with that of private printers under proper security measures which the Commission shall adopt. The Commission may contract the services of private printers upon certification by the National Printing Office/ Bangko Sentral ng Pilipinas that it cannot meet the printing requirements. Accredited political parties and deputized citizens' arms of the Commission may assign watchers in the printing, storage and distribution of official ballots";

WHEREAS, the *Philippine Daily Inquirer*, in its 31 July 2013 issue, reported that election watchdog group Automated Election Systems Watch (AES Watch) and former Commission on Elections (Comelec) lawyer Melchor Magdamo alleged that the Comelec is still printing ballots for the May 2013 elections;

WHEREAS, the report said that the group and Magdamo showed to the media photos of ballots they said were being printed over the last two weeks of July 2013 at the Holy Family Printing on Congressional Road in Quezon City;

WHEREAS, the report said Magdamo alleged that Holy Family Printing won the contract to print the ballots for the May 2013 elections;

WHEREAS, Magdamo said that the photos he showed to media came from groups from the Comelec that were disgruntled over reports by the agency having P30 million intelligence funds, the use of which is a subject of a Court of Appeals petition for a writ of habeas data filed by the AES Watch against the Comelec;

WHEREAS, according to the *Inquirer* report, Magdamo alleged that the Comelec is still printing eight million more ballots to match the 39 million ballots the agency first said it had

printed for last May's elections, and added that the Comelec adjusted the number to 31 million ballots in its website; that the Comelec needs to fabricate eight million ballots to answer for the shortage of eight million ballots;

WHEREAS, Magdamo also alleged that it is also possible that the Comelec would use these ballots to switch them with the genuine ballots in the ballot boxes being held in connection with various investigations;

WHEREAS, the same report said that Comelec Commissioner Lucenito Tagle denied the agency had sanctioned the printing of ballots by Holy Family Printing and maintained that the National Printing Office was the official printer of the 2013 midterm elections ballots;

WHEREAS, Tagle also asked AES Watch to show their evidence to the Comelec so that the agency can investigate the allegations themselves;

WHEREAS, the irregularity in the printing of ballots beyond election period and the jurisdiction of the government agencies is a disturbing development in the efforts of Congress for election reforms and refining the automated election system, and therefore merits an investigation as to the true purpose of these anomaly and the identity of the government officials and private individuals involved;

WHEREAS, Congress should keep close watch of anomalies such as these in order to formulate and strengthen legislation on electoral reforms;

WHEREFORE, be it hereby resolved by the Philippine Senate, to direct the Senate committee on electoral reforms and people's participation, to conduct an inquiry in aid of legislation, on the allegations that the Commission on Elections is still printing ballots months after the 2013 elections in violation of Republic Act No. 8436.

Adopted,

miriam defensor santiago
MIRIAM DEFENSOR SANTIAGO
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