



## **NATIONAL CITIZENS' MOVEMENT FOR FREE ELECTIONS (NAMFREL)**

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## Namfrel's inputs on electoral reforms pertaining to the move to amend the charter and shift to federalism

Today, March 08, 2018, the National Citizens' Movement for Free Elections sent to the president, Senate president, speaker of the House of Representatives, and to the chair of the Constitutional Committee its views on electoral reforms.

Augusto Lagman, chairperson of Namfrel, a nonpartisan election monitoring organization that was formed in 1983 -- the first of its kind in the world -- in the letter to them said, "Our interest is to see inclusive, free, fair, competitive and low-cost democratic representation through elections." The organization referred to [Senate Joint Resolution 10 \(JR10\)](#), [Resolution of Both Houses 8 \(RBH8\)](#) and the [proposed federalism constitution by PDP-Laban](#), which it obtained through their respective websites.

Namfrel's inputs were:

1. **Consider providing a run-off for the presidential elections.** If none of the presidential candidates win a majority of votes cast for the position, the first and second vote-getters would go into a run-off election. This would ensure that any president would always have the majority of voters behind him/her, and his/her administration.
2. **Consider discouraging the holding of simultaneous elections.** Under the present set-up, voters select from over 100 candidates to fill as many as between 24 and 32 elective posts from president to city/municipal councilors. In such a field of contest, it is difficult for any voter to carefully look at party platforms and qualifications of each candidate. For the candidates, it is equally difficult, if not more so, for them to differentiate from one another. This do not really encourage informed and critical choice on the part of the voters and a competitive environment on the part of the contestants.
3. **Consider requiring all political parties to field contestants in all elective posts in the jurisdiction within which they are registered.** Nationally registered parties should field candidates in all the elective posts nationwide; and regionally- or provincially-registered parties should field candidates in all the elective posts in their respective regions or provinces. This would make the elections more competitive and provide voters with possibly viable choices of qualified candidates. This would also discourage connivance among parties by selectively fielding candidates and negotiating among themselves to avoid a contest. In the 2016 general elections, 13 percent of all the elective posts had only one candidate. Parties admitted that they struck a deal not to contest against each other in certain jurisdictions, partly explaining why there are unopposed candidates. There are many other places where there is just one real candidate and the opponents are proxies put in for semblance of a contest. These are manipulations depriving voters of real choices.
4. **Consider allowing voters to choose "none of the above" on the ballot.** Voters should be provided this option for each elective position for when they believe that none of the candidates is deserving of their vote. If this option wins another election should be called.

5. **Consider requiring unopposed candidates to garner at least 50 percent of the votes.** Any unopposed candidate for president, representative of congress, governor, vice-governor, mayor and vice-mayor, would have to hurdle this threshold in order to be proclaimed winner.
6. **Consider requiring the state through the Commission on Elections to lower the cost of candidacy.** Lowering the cost barrier would be a means to encourage wider participation among groups and individuals, thereby providing voters with many quality candidates. It would also reduce the financial burden, which some officials carry after they get elected. The state must determine the true costs of being a candidate and in getting elected, to guide where subsidies could be used to level the contest and reduce cost for the contestants. Spending limits could be set per position such that it should not be more than its equivalent to the annual salary. Automatic recounts, the cost of which should be borne by the state, for contests where the winning margin is, say two percent or less, depending on the balloting system used.
7. **Consider ensuring gender parity in all elective positions.** Women should compose at least 50 percent of all elective posts. The draft constitutions should go beyond recognizing the role of women in national development, but enshrine their roles and value in governance. Therefore, provisions stating equal number of men and women in all elective positions like in the national and local legislative bodies should be in place. Operationally, for example, women and men candidates for president, senator, representative in congress, governor, vice-governor, mayor and vice-mayor should be separately listed on the ballot to make it easier for voters to select.
8. **Consider promoting and incentivizing the formation of political party institutes as a means to strengthen parties and encourage the formation of new parties.** Political party institutes could serve as think-tanks for formulating policy, recruiting and training arms, and vehicles for strengthening the party itself. By incentivizing their formation, the parties would have the means to do research and present positions on various issues, and possibly use these to attract voters. This would encourage voters to affiliate themselves with party ideas or ideals.
9. **Consider removing the judicial functions from the Commission on Elections.** This would make the Commission on Elections focused on administering the elections and improving the conduct of the process. All election cases should be referred to and handled either by the appropriate judicial bodies or by a body created in the constitution that would solely handle election cases, including complaints against election officials.