

Petition of 1-UTAK remains unheeded

Party-list group 1-United Transport Coalition (1-UTAK) picketed the Commission on Elections (Comelec) on November 23 in connection with its representative not being able to take its seat in Congress. 1-UTAK said its members may be forced to implement a transport strike if their petition would not be acted. The group said Comelec has not been acting on an earlier petition that sought to have its nominee, Engineer Homer Mercado, represent the group in the lower House. The party-list group won 1 seat in the May 2010 elections. They have dropped former Energy Secretary Angelo Reyes as its first nominee representing the transport group in the House of Representatives because of the decision made by the Comelec to disqualify Reyes as nominee since he does not belong to the marginalized sector he would like to represent. The move by 1-UTAK came as the Commission on Elections (Comelec) 2nd Division junked a petition seeking to disqualify Reyes as party-list representative of transport group 1-UTAK on September 22.

The Comelec cannot issue a resolution to approve the nomination of Mercado since the Supreme Court (SC) has not yet given a verdict on Angelo Reyes appeal to disallow Mercado to seat as 1-UTAK representative in Congress and against the decision of the Comelec to withdraw him. On the other hand, the Comelec said that it will observe "judicial courtesy" after Reyes elevated his case to the High Tribunal. This means that the poll body will not rule and allow any nominee from 1-UTAK to sit as party-list representative in Congress until the Supreme Court resolves the case of Reyes. Judicial courtesy is a principle wherein a lower court or a quasi-judicial body, such as the Comelec, will yield to the Supreme Court because of a pending case being appealed to the High Tribunal. The Rules of Court, however, provide that lower courts or quasi-judicial bodies will not be restrained from affecting their rulings unless a temporary restraining order or a status quo ante is issued by the High Court. In the present case, the Comelec decided to observe "judicial courtesy" rather than the Rules of Court.

Comelec gets failing grade from corruption watchdog

The People for Empowerment and Truth (PET) faulted the poll body for ignoring the equally important task of resolving election protests and other poll related problems. The PET said unresolved election protests have been piling up at Comelec, and poll officials appear to be totally indifferent. The PET lamented that the poll body is not doing enough to perform its mandated tasks. PET was prompted to issue the call amid mounting complaints over the apparent failure of the Comelec to attend to its basic duties especially in ensuring the integrity of the poll results. PET also noted that the poll body does not have available space in its warehouse at the Philpost building to store ballot boxes that contain the contested election returns. The poll body received offers from various groups for its warehousing needs but its commissioners failed to act on the said proposals. Resolution No. 8804 which was promulgated last March 22, 2010 also known as Comelec Rules of Procedure on Disputes in an Automated Election System in connection with the May 10, 2010 failed to resolve anything but instead sow more confusion among parties involved in electoral disputes.

The Consitution has given the Comelec powers and jurisdiction over election activities and processes. Not only they have been constitutionally mandated to administer elections but also are vested with quasi-judicial and judicial functions. However, reviewing the Comelec Rules of Procedures, all the responsibility of making resolutions and decisions in any activities even protests are burdened to the Commissioners alone. Aside from that, each Commissioner is designated to handle certain department of the Comelec. Because of too much burden set by law, this leads to delays and failures to meet expectations and time lines.

President Aquino speaks with Myanmar's Aung San Suu Kyi

Philippine President Benigno Aquino III spoke to Myanmar democracy leader Aung San Suu Kyi on Monday, a little over a week after her release from seven years under house arrest. The Philippines had been the most outspoken among Southeast Asian nations in calling for the release of Aung San Suu Kyi and for greater freedoms in Myanmar. So far, except for Aquino, all of the foreign leaders Suu Kyi has spoken with directly were from Western countries including UN Secretary-General Ban Ki-moon, Greek Prime Minister George Papandreu, and former British Prime Minister Gordon Brown. Suu Kyi's National League for Democracy The NLD also said that according to Suu Kyi, "said that with the help of President Aquino, there would be a possibility that contacts be made between Suu Kyi and the other Asean leaders". The NLD also said that according to Suu Kyi "all of the Asean members, the Philippines has been the most welcoming toward her and the party. While the Philippines had initially welcomed the release of Aung San Suu Kyi, it had also said the Myanmar government needed to take "more substantive steps toward democratization."

[Source: ABS CBN News, American Chronicle, Manila Bulletin, The Irrawaddy, NAMFREL data]