

ARMM election: the clock is ticking

Less than six months before the scheduled elections in the Autonomous Region in Muslim Mindanao (ARMM), no definite decision has been arrived at with regard its holding or its postponement. Many sectors of society are still debating over whether the ARMM elections should be postponed anew, or if it should be held as scheduled.

No less than the Office of the President is calling for its postponement. Last week, presidential spokesperson Edwin Lacierda cited their position in a press conference that "The President believes that the ARMM elections should be postponed. The President is proposing major reforms to address the causes of rebellion and hopelessness in ARMM...The President wants to synchronize ARMM and national elections [in 2013] for the sake of the economy...This would also restore the healthy vitality of the democratic process as it eliminates captive voting blocs that keep regional leaders in power and enables them to sell votes to the highest bidder in the national elections." President Aquino also certified as urgent House Bill 4146, sponsored by more than 50 representatives, which seeks to postpone the ARMM elections, synchronize it with the 2010 national and local elections, and authorizing the President to appoint in the meantime officers-in-charge (OICs) for the ARMM who will be ineligible to run in 2013.

Many sectors recognize the need for reforms in the ARMM. NAMFREL Tawi-Tawi chairperson Termizie Masahud believes that the ARMM has been corrupt and too politicized, that even the appointment of people in professional positions are in the inordinate discretion of those in power. Many do not agree however with the idea of the President appointing OICs for the ARMM if the election is postponed. Among them is Rep. Pangalian Balindong (2nd District, Lanao del Sur). Rep. Balindong was the proponent of House Bill 3542, which also sought to postpone the ARMM election and synchronize it with the 2013 polls. However, instead of the President appointing OICs, the bill sought the retention of all incumbent ARMM officials until the next election. Due to the President certifying as urgent House Bill 4146, Balindong withdrew his bill on February 16, during a Committee on Suffrage hearing on the ARMM election postponement. Balindong is now supporting the call to hold the election on schedule. In an interview, Balindong said that the President's plan to appoint OICs is "well-meaning but ill-advised because an appointed leadership in the region sorely lacks the legitimacy to implement reforms. This lack of legitimacy could be the source of political instability in the region, if not more turmoil."

Fr. Eliseo Mercado of Cotabato City, executive director of the Institute of Autonomy and Governance, also does not agree with the President's plan to appoint OICs. In his blog, Fr. Mercado said that "Appointment of OICs will further weaken the autonomy of ARMM. Elections are essential to strengthen the autonomy of ARMM and give it its rightful self-determination. The government should instead focus its role in ensuring that ARMM elections are conducted fairly, accurately and peacefully."

In his own blog, Ramon Casiple of the Institute for Political and Electoral Reform (IPER) said: "The irony here is that they are now arguing for President Aquino to appoint an OIC when they were demanding previously against presidential intervention in internal Moro affairs. For sure, appointing an OIC will be a first in any administration. In itself, it will be a setback to the cause of Moro self-determination and to the cause of Philippine democracy itself."

Cotabato Auxiliary Bishop Jose Bagaforo also expressed opposition to the postponement. "I don't see any major reasons of postponing it. To have it now will bring stability in the region...It will be more chaotic if we will synchronize it...It would be better if we hold it separately so we can better monitor the conduct of the elections," said Bagaforo, who also heads the Parish Pastoral Council for Responsible Voting (PPCRV) in Cotabato.

In support of the ARMM election postponement, Secretary Leila De Lima of the Department of Justice (DOJ) said that the postponement "is constitutionally and legally defensible." She said the recommendation to synchronize the voting for ARMM officials with the election of members of Congress and local officials in May 2013 is in accordance with the Constitution. "The Constitution has an express policy on synchronization of elections for national and local officials, and ARMM officers are considered as local officials," she said. Regarding the appointment of OICs, De Lima said "The President has the residual power

to appoint OICs. This is also consistent with the principle that the law abhors a vacuum...Holdover cannot be allowed. In a 1991 case, the Supreme Court ruled it as unconstitutional," she said.

Some nongovernment organizations in Mindanao have also expressed support for the postponement and for the appointment of OICs. In a statement issued last week, they said that "a transition reform government that is appointive is needed now than holding a costly political exercise." Salic Ibrahim of the organization Reform ARMM Now (RAN) said "We support President Aquino's call for deferment to install drastic electoral reforms and to focus on the peace process. Based on studies of past ARMM elections and the May 2010 elections, there is a need for drastic reforms in the electoral process in ARMM before another elections be held." RAN also cited the need for Comelec to cleanse the voters' list and conduct a general registration of voters using biometrics systems as a priority electoral reform project for ARMM.

The call to purge the voters' lists first and to use biometrics in the registration of voters was also echoed by Fr. David Procalla, who chairs the PPCRV in the ARMM.

Nur Misuari, the founding chair of the Moro National Liberation Front (MNLF), is also calling for the postponement of the ARMM elections and to synchronize it with the 2013 polls. In a statement relayed by RAN, Misuari said "The present ARMM does not reflect the true intent of the 1996 Final Peace Agreement. Having elections now will complicate the ongoing negotiations. Government must focus all its efforts on attaining sustainable peace that had eluded us for decades. President Aquino should muster his popular mandate to end the rebellion in Moroland." Misuari said that should Congress postpone the Aug. 11 ARMM elections, it will not be the first time an election there was postponed to give way for the peace process.

For its part, the Commission on Elections (Comelec) has said that it is ready for the conduct of the ARMM election if it pushes through. However, it also said that should the election pushes through in August, they could only use the PCOS technology, or go manual. According to the commission, the Comelec Advisory Council had already made the recommendation that Smartmatic's automated system used in the May elections also be used for the ARMM. Comelec Chair Sixto Brillantes Jr. said the poll body has opted to reuse the controversial PCOS machines for the Aug. 8 balloting as Smartmatic assured to fix glitches encountered during the May 2010 elections. "There were errors in the dates and testing before and they (Smartmatic) have to correct that for us to use the PCOS machines again," Brillantes told reporters. "Otherwise, we will be forced to go manual because we have no more time for a new bidding process."

As previously expressed, NAMFREL for its part supports the call to hold the ARMM election as scheduled. It also joins other civil society organizations like the Center for People Empowerment and Governance (CenPEG) and AESWatch in calling for the non-use of Smartmatic's faulty counting machines and canvassing system, whose various glitches and errors have not yet been sufficiently addressed in a transparent and satisfying manner almost a year after the May elections. (Various news sources)

Update on special elections

Following the vacancy of the congressional district post due to the untimely death of Rep. Florencio Vargas, the Commission on Elections (Comelec) has set the special elections in the 2nd District of Cagayan Province on March 12, 2011 from 07:00 AM to 03:00 PM. House Speaker Feliciano Belmonte assigned Cagayan 1st District Rep. Juan Ponce Enrile, Jr. as the caretaker for the 2nd District until the new representative is determined after the March, 12, 2011 special elections. Besides the 2nd District of Cagayan Province, Comelec has also set special elections in different municipalities and provinces to take place on the same date.

There are special elections to be held in Paracelis, Mountain Province; Sumisip, Basilan; Indanan, Sulu; and Sapa-Sapa, Tawi-Tawi. A report by the Philippine Information Agency says that Comelec declared a failure of election in precinct No. 30A in sitio Apalis in Paracelis, Mountain Province, after armed men burned the PCOS machine and the election paraphernalia in the area during the May 10, 2010 elections. According to NAMFREL Tawi-Tawi chairperson Termizie Masahud, the Board of Election Tellers in Bgy. Baldatal Islam, Sapa-Sapa, Tawi-Tawi, withdrew from carrying out their tasks due to security concerns. Additionally, contending political parties did not agree as to what military unit to tap to ensure order in the conduct of the May 10, 2010 elections. There were also issues encountered such as the non-determination of the venue for the elections, among others.

The Comelec, through Minute Resolution 10-1434, has resolved to adapt manual voting process for the upcoming March 12, 2011 special elections.



In gratitude

This year we commemorate the 25th anniversary of not only the EDSA People Power I revolution, but also the first time that nationwide observation of the electoral process by a citizens group took place in the country. Indeed, time and again, not only in the Philippines but throughout the world, it has been proven that citizens involvement in safeguarding the ballot is an important component in keeping democracy alive, for it not only ensures that the vote is held sacred, but it also gives an opportunity for ordinary people from all walks of life to actively contribute and participate in nation building. For more than 25 years, NAMFREL has shared its experiences to more than 30 countries around the world, contributing to democratization efforts by arming volunteers with the same expertise developed, honed, and strengthened in the Philippines.

We now take time to give tribute to some of our volunteers who have given their lives while on active duty safeguarding the ballot:

- Jaime Alcala
- Abdulhak Balabadan
- Cresencio Barcuma
- Hamlet Canales
- Neoldino Del Corro
- Fructuoso Javines
- Irineo Magbanua
- Samuel Moulic
- Alexis Parao
- Rodrigo Ponce
- Dan Sarmiento

Wherever our advocacy takes us, we stand on the shoulders of our fallen heroes, and of the other nameless faces who continue to work towards the strengthening of democracy in the country in their own small way. They are our inspiration. Memories of their valiant efforts will carry us through the next 25 years and beyond, as long as we find the existence of this nationwide movement of citizens necessary. Indeed, it is better to light a candle than to curse the darkness.