

RE: REPORT ON THE 31 AUGUST 2005 PUBLIC HEARING OF THE JOINT CONGRESSIONAL OVERSIGHT COMMITTEE ON ABSENTEE VOTING (JCOCAV)

MEMBERS PRESENT: Sen. Richard J Gordon, chairman, Senate panel, Sen. Juan M. Flavier, Sen. Edgardo J. Angara, Sen. Alfredo S. Lim; Representative Teodoro L. Locsin, Jr., chairman, House panel; Rep. Jesli A. Lapus; and Rep. Salacnib F. Baterina

GUESTS/ RESOURCE PERSONS: Hon. Florentino A. Tuason, Jr., commissioner, Commission on Elections and chairman, Committee on Overseas Absentee Voting; Hon. Rafael E. Seguis, undersecretary for Special Concerns, Department of Foreign affairs (DFA) and chairperson, Overseas Absentee Voting secretariat; Hon. Leonides T. Caday, DFAa; Ms. Marichu Mauro, vice chairperson, Overseas Absentee Voting; Ms. Catherine Maceda, former vice-chairperson, Overseas Absentee Voting Secretariat.

HIGHLIGHTS

At 10:54 a.m., the chairman, Senator Gordon and Representative Baterina, in behalf of the Chairman, Representative Locsin called the meeting to order.

After acknowledging the presence of the members and the speakers, Senator Gordon called the DFA to make their presentation.

Department of Foreign Affairs' Undersecretary Rafael Seguis stated that the DFA was the primary government agency tasked to assist the Comelec in the implementation of the Absentee Voting Law. As such, he said that the DFA people in the Foreign Service Posts have been involved in every aspect and stage in the implementation of the law. Armed only with dedication and relentless perseverance, the DFA people according to him, have spent their valuable time, resources, and effort to conduct the information campaign.

As to the particular section of the law that needs to be revisited, Undersecretary Seguis pointed to Section 28 of R.A. 9189. According to him, procedures, measures and safeguards could be introduced therein; and (1) the experiences at the Foreign Service Posts; (2) the technological advances; and (3) the structural political changes in the previous election should be taken into consideration.

Ms. Cathy Maceda, DFA's Foreign Affairs adviser, consultant of the Overseas Absentee Voting Secretariat, and former vice chairperson of the DFA's Overseas Absentee Voting Secretariat presented the following highlights of the OAV implementation in the May 2004 elections.

Her slide presentation showed the following:

1. a total of 364,187 registrants were registered by the DFA and Comelec for a period of 60 days;
2. with a total of 89 registration centers, registration was conducted at the embassies and consulates;
3. total of 44 Posts out of 62 did field registration covering 154 areas;
4. the farthest field registration was done in Colombo, Sri Lanka;

She added that the other major highlights in the implementation of the law was the shipment of 1.5 million pieces of election materials sent through the DHL.

On Senator Gordon's query whether the materials were only for ballots or registration, Ms. Maceda replied that the materials shipped out were for everything, ballots and registration documents. If it would be possible, she suggested that the procedure be changed in order to cut cost.

On Senator Angara's query on to whether there was a breakdown of cost and location, Ms. Maceda replied in the affirmative. Senator Angara then remarked that it could be better if countries where printing is better than Manila could be identified so that it would be easy to identify the local printer who could do the job. He said that it would be cheaper to send a senior Comelec officer to authenticate accountable forms than to have the accountable forms shipped out of Manila. Likewise, he expressed apprehension on the recommendation of the Comelec to have an election board manned by a senior Comelec official. He said that the guy could easily authenticate the accountable forms.

Senator Gordon joined Senator Angara's comment, adding that it was precisely his point of view from the very start.

Continuing her presentation, Ms. Maceda remarked that the Comelec and the DFA have posted some of the forms in the website so that people could download the same. Commissioner Florentino Tuason, Jr. added that the unaccountable forms are very easy to reproduce abroad.

Ms. Maceda also identified some provisions of the law that need to be revisited, naming among others: (1) the period of shipment of materials which is 75 days prior to election day; (2) the voting by mail; (3) the mode of voting, (personal and postal); and (4) the on-site counting and canvassing of votes;

Asked by Senator Gordon whether there is already electronic voting in America, Commissioner Tuason replied that network is not yet affordable. Senator Gordon then suggested that perhaps electronic voting could be outsourced especially in Singapore, England or United States. Mr. Tuason replied that perhaps, the Comelec could probably do that and use the technology of the host country. He said that the Comelec is studying that idea.

For counting, Ms. Maceda stated that there were 438 SBEIs for counting. She said that the shortest period of counting was done in Havana where it took only for the SBEIs 30 minutes; the longest was in Hong Kong where each SBEIs counted 800 ballots.

Senator Angara remarked that the suggestion of Senator Gordon for the Committee to appoint an international consultant on economic voting, was a good idea.

Going back to the issues, Senator Angara further stated that it took awhile for the committee to put together the present Absentee Voting Law; and of getting Filipinos abroad to participate in electoral exercises. Since the law was just now, he said that the output was quite low as compared to the cost, adding that such an experience is very helpful to the committee. Instead of adopting the local technology, like U.S., Canada, and U.K. Senator Angara also suggested to adopt the host countries' own technology. Senator Gordon stated that precisely it was his point of view, that's why he said he wanted to hire an international consultant that could actually guide the lawmaking process.

Senator Gordon acceded to the recommendation of Representative Lapus that the present oversight committee have a joint undertaking with the oversight committee on modernization in the next scheduled hearing.

Commissioner Tuason for his part proposed the following amendments to the law:

1. Section 3 , to shorten the period to 30 days instead of 60 days voting period;
2. Section 7 and 8 – the creation of the Registration Election Board;
3. Section 11, 12,13 – the cancellation of registration
4. Sections 17 – personal or voting by mail
5. Section 18 - the conduct of field registration

He also stated that the Comelec wanted to use the most modern technology if it could be possible but the law on modernization allows them only a certain specific type of counting machines. He then recommended that the law be amended in order to cater to the needs of the times.

Having no more queries and issues to be taken up, Senator Gordon suspended the meeting.

Prepared by Ms. Eleuteria L .Mirasol, Legislative Committee Secretary.

