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COMELEC Should Revert To Manual System

SACRAMENTO, CALIF., Oct 20 (PinoyGlobal) - Last October 17, 2009, a Manila source sent me a copy of the hitherto unpublished House Resolution 1465 which was filed in the House of Representatives on October 14, 2009. H.R. 1465 urges the Commission on Elections (COMELEC) to seriously consider the use of partially automated election system in the 2010 national and local elections. The resolution was introduced by Representatives Pablo P. Garcia, Carlos M. Padilla, Rodolfo G. Plaza, Jonathan A. Dela Cruz, Eduardo Nonato N. Josen, Eric D. Singson, Arnulfo P. Fuentesbella, Mark Llandro L. Mendoza, Benhur L. Salimbangon, and Jeci A. Lapus.

The lawmakers filed H.R. 1465 because of potentially fatal problems in implementing the new automated election system (SMARTMATIC-TIM). The lawmakers say that technology experts have identified 14 “risks, vulnerabilities, threats, and other logistical nightmares that will seriously cause failures of elections,” to wit:

1. Sensitivity of the machines - when you place epoxy/glue in the ballot immediately before placing it into the machine, the machine will break down.
2. Erroneous printing of the ballots - There will be 1,631 versions of the ballot and there will be some 35,000 names to be distributed among 1,631 versions of the ballot, for printing. The probability of making mistakes is very high and the consequences of such mistakes could be fatal.

3. Erroneous delivery of the ballots - After printing, the right set of ballots will have to be delivered to the 1,631 cities, districts and municipalities, which errors could also be fatal.
4. The numerous names of candidates numbering around 250-300 that would have to be pre-printed in the ballot will require long and large ballots. This will make it difficult for the voter to keep his voting secret.
5. The need to train some 500,000 teachers to assist the voters.
6. The need to train 45-50 million voters.
7. The need to hire and train 40,000 technicians, one for each precinct.
8. The clustering of 300,000 precincts, down to 80,000, could cause confusion.
9. Due to COMELEC’s decision to let the voter himself feed his ballot into the machine, any breakdown could cause delays.
10. Voters could intentionally introduce substances into the PCOS that would result in its malfunction.
11. Erroneous markings, smudges, poor calibration/alignment could cause rejection of the ballot.

12. Nobody would see the counting at the precincts.

13. Given that nobody would see the counting, the voting public would likely not trust the results. Losing candidates therefore, especially in hotly-contested areas, might create trouble that could cause a failure of elections in their localities. If this occurs in many areas, it could mean a total failure of elections nationwide.

14. The reliability of the machines come election day is also suspect. It took the Department of Science and Technology four months in 1991 to test the failed Mega Pacific Election Automation System to certify the reliability and accuracy of the counting machines. This time around, COMELEC is only giving one month to test the 80,000 SMARTMATIC-TIM machines.

The lawmakers are also concerned about the delays in implementing the automated system. Production of the election machines was held up for four months due to the government's delay in releasing the mobilization fund. In addition, implementation has been delayed by 60 to 120 days due to unrealistically tight schedule, which was later aggravated by the petition filed by the Concerned Citizens Movement with the Supreme Court for alleged violations of Republic Act 9369.

R.A. 9369 mandated, among other things, to "use a direct recording electronic system (DRE) for the process of voting, counting of votes and canvassing/consolidation and transmittal of results of electoral exercises." However, the lawmakers claim that the "legal mandate to use the DRE will not be implemented due mainly to the fact that the COMELEC acquired only counting machines with limited functions and capabilities."

The lawmakers are also concerned about COMELEC Chairman Jose A. Melo's recent statement declaring that 30 to 50 percent of the precincts "may have to use the manual election system in the 2010 National and Local Elections due to the absence of power and communications facilities in some areas."

The lawmakers also claim that the use of Precinct Count Optical Scan (PCOS) is "not compliant with the provision of R.A. 9369 and other laws incorporated in said Act." Evidently, this was known to COMELEC; however, it was ignored.

And, lastly, the lawmakers are concerned that since the "risks and vulnerabilities of the automated election system have not yet been properly addressed, particularly the adoption of the potentially dangerous open balloting and secret canvassing, which is the complete opposite of the secret voting and open canvassing under the manual system, there is great possibility of failure of elections that will eventually cause chaos in the streets."

But while H.R. 1465 urges COMELEC to revert to manual voting and precinct counting, it recommends the automation of the canvassing of the votes and requiring a "simultaneous electronic transmission system from the precinct level to the municipal, provincial, National Board of Canvassers and to Congress in the 2010 National and Local Elections."

In my opinion, the automation of the canvassing of the votes would be vulnerable to massive "dagdag-bawas" (add-subtract) cheating. As in past elections, "dagdag-bawas" cheating was done during the canvassing of votes where it was easy to cheat -- with the connivance of COMELEC officials -- by subtracting votes from a certain candidate and adding them to another candidate's tally. If canvassing of votes were done electronically, it would be easier to perform "dagdag-bawas" manipulations. During the 2004 presidential elections, "dagdag-bawas" cheating was allegedly perpetrated by President Gloria Macapagal Arroyo, which was exposed in the celebrated "Hello Garci" election cheating scandal.

To pursue total or partial implementation of the SMARTMATIC-TIM automated election system could lead to wholesale confusion and total breakdown of the 2010 elections. The prudent thing to do is to totally revert to the old manual system.