



**Center for People Empowerment in Governance (CenPEG)
October 3, 2009**

Bishops, solons, IT educators to Comelec:

RELEASE SOURCE CODE NOW BEFORE IT'S TOO LATE!

Several bishops, members of Congress, IT educators and practitioners, NGO leaders, and governance advocates today asked the Commission on Elections (Comelec) for the immediate release of the source code that will be used for the May 2010 automated election.

"We reiterate in strongest terms our call for the Comelec to comply with Sec. 12 of RA 9369 and release the source code of the PCOS-OMR and CCS computer programs NOW before it is too late," the joint statement sent to Comelec reads.

While most of the signatories are conducting relief missions for thousands of refugees of Typhoon Ondoy disaster today, they said that an appeal must still be put forward to Comelec with regard to the safeguards that must be instituted so as to preempt an automation disaster in May 2010.

The signatories, numbering at least 60, included Bishop Broderick S. Pabillo, chairman of CBCP's National Secretariat for Social Action (Nassa); Alfredo E. Pascual, president of the UP Alumni Association (UPAA); Prof. Rommel P. Feria of UP's Department of Computer Science; Profs. Sherwin Ona and Wilmarc D. Lopez, De La Salle University IT department; Dr. Ma. Regina E. Estuar, chair of Ateneo's Department of Information Systems and Computer Science; Dr. Jaime D. L. Caro, chair of UP's Department of Computer Science; Antonio Tinio, national chair of the Alliance of Concerned Teachers (ACT); Rev. Rex RB Reyes, Jr., General Secretary of the National Council of Churches in the Philippines (NCCP); Bishop Deogracias Iniguez, co-chair of the Ecumenical Bishops Forum (EBF); former Sen. Serge Osmena; Conrado M. Dayrit III, president of STI (San Fernando, Angeles and Guagua); Dr. Pablo Manalastas, IT faculty of Ateneo and UP, and CenPEG Fellow; Rep. Mong Palatino of Kabataan Party-list; and Fr. Joe Dizon, promoter of Solidarity Philippines.

NBN-ZTE whistleblower Rodolfo "Jun" Lozada, an ICT engineer; lawyer Aquilino Pimentel III, secretary general of PDP-Laban; Bill Luz, chairman of the Movement for Good Governance (MGG); Dr. Judy M. Taguiwalo, convener of Pagbabago; and Alvin Peters, president of the National Union of Students of the Philippines (NUSP) also signed.

Comelec is legally bound to release the source code to interested parties and groups so that it may be reviewed by competent computer experts "who are independent and known for their probity and integrity in the IT hardware and software security industry and are unattached to the vendors or the Comelec," the signatories said.



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They added that "the voters must be assured that the machines themselves cannot be used as instruments for cheating, that they have been programmed correctly and are internally resistant to vote rigging. For this, the RA 9369 provides for certain safeguards" such as the source code review.

A request for the release of the source code was made by the Center for People Empowerment in Governance (CenPEG) last May 26 and was approved by Comelec en banc on June 10. Until now, however, no source code has been obtained. Despite the Comelec's en banc approval, poll officials said any release would be "premature" and that it can only be made available at the end of customization in November this year or in February 2010.

The final blow to the call for source code review came from Comelec lawyer Ferdinand Rafanan who said that no source code review will be allowed for CenPEG and only "an international certification agency will do it as a requisite to the Technical Evaluation Committee (TEC)."

Finding the Comelec's new position as misleading, the signatories said that the certification by TEC through an international entity "is a separate requirement (Section 9) from the mandate to release the source code for review by interested groups (Sec. 12)."

Source code is the human-readable set of computer program instructions that will command how Comelec's 82,000 voting/scanning machines and nearly 2,000 canvassing machines will operate during the country's first automated election. A prior review of the source code will ascertain that the programs comply with the election law's counting, canvassing, and transmission of the votes as well as identify and fix serious security flaws.

"Of primordial importance are the rights of voters and the integrity of the voting system," the signatories said. "The review is critical on moral, political, and economic grounds."

Among the other signatories to the joint appeal are: Sr. Mary John Mananzan, OSB, chair of the Association of Major Religious Superiors of the Philippines (AMRSP); Bishop Felixberto L. Calang IFI, Diocese of Cagayan de Oro City; Renato Constantino, Jr.; Angelito S. Averia, Jr., president, Philippine Computer Emergency Response Team (PhCERT); and Anthony Ian "Tonyo" Cruz, president of TXTPower.

In a separate statement, Dr Pablo Manalastas, IT Consultant and Senior Fellow of CenPEG expressed grave concern that there may be no source code review done again for the May 2010 election technology as what happened in the 2008 ARMM automated election.

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