

**NATIONAL SECRETARIAT FOR SOCIAL ACTION (NASSA)
CATHOLIC BISHOPS CONFERENCE IN THE PHILIPPINES (CBCP)**

(Printed in NASSA-CBCP stationery)

October 5, 2009

HON. JOSE A. R. MELO

Chairman

The Commission on Elections

8F Palacio del Gobernador Building

General Luna St., Intramuros, Manila

Dear Chairman Melo:

Greetings of Peace and Justice!

We, the National Secretariat for Social Action – Justice and Peace, the social action arm of the Catholic Bishops' Conference of the Philippines, congratulate COMELEC for painstakingly ensuring that the May 2010 election will be automated. NASSA believes that automation is a great help of attaining a credible, authentic and responsible 2010 election. We also see it as an opportunity for the COMELEC to restore the trust of the people to its democratic processes that had been tarnished in previous elections. People's trust will pave the way for the electorate to actively participate in the electoral exercise and elect competent and deserving candidates who could serve and effect good governance.

We truly believe that the automated election provides speed and accuracy on voting, counting and canvassing thus reduces the exposures of teachers, voters and those directly involved in election from threats and danger. However, it may violate a significant requirement in democratic processes that is, transparency, which is an important component to win the trust of the people.

While automated election poses advantages as answer to election fraud but it can still be used to lead to wholesale cheating if safeguards are not properly implemented. That is why the Automated Election Law or RA 9369 itself provides certain major safeguards to help ensure the integrity of the vote, promote secret voting yet transparent and credible counting. COMELEC must comply with such provisions of the law safeguarding the May 2010 election to prevent the dangerous pitfall of automated disaster and possible further distrust to the Commission.

One of the remedies that would safeguard and provide transparency to the automated election is the review of the source code. Such review is granted by Section 12 of RA

9369, which states, "Once an AES technology is selected for implementation, the Commission shall promptly make the source code of that technology available and open to any interested party or groups." Source code is a vital safeguard to possible election fraud, especially the counting and canvassing of votes will be done secretly by the machines.

In line with this, NASSA joins other electoral reform advocates to call your Commission to comply with your duty, as provided by the law, by allowing review of the source code by political parties and interested groups. It is the right of the citizens and electoral advocates to demand from COMELEC what is guaranteed by the law.

While we understand the interest of the Commission to ensure that the source code will not be exposed to possible manipulation and hacking by disgruntled and malicious politicians and supporters, yet such fear has no basis since as the Commission claims that PCOS is a stand alone machine, it cannot be manipulated apart from it. The transmission too is impossible to be "influenced or controlled by hacking" due to speed. If it so, then it debunks your position that it is impossible to hack the automated election from outside.

We, in NASSA, therefore, appeal to the Commission, to allow interested electoral advocates to access the source code for review in the interest of the public and for the common good.

We trust in the name of the Almighty God that those who do right and love goodness will walk humbly with God for the common good

In behalf of NASSA,

In Christ,



Bishop Broderick S. Pabillo, D.D
NASSA National Director

Cc:

Commissioner Rene V. Sarmiento
Commissioner Nicodemo T. Ferrer
Commissioner Lucenito N. Tagle
Commissioner Armando C. Velasco
Commissioner Elias R. Yusoph