

**COMELEC SHOULD COMPLY WITH POLL AUTOMATION LAW,  
UPHOLD VOTERS' RIGHTS**  
**Release the source code & ensure safeguards to the AES' 30 vulnerabilities**

**Statement of the Ecumenical Bishops Forum addressed to the COMELEC  
*Mindanao Regional Consolidation and Education Conference, Dipolog City,  
Sept. 23-25, 2009***

**The Honorable Chairman Jose Melo  
& the Commissioner en banc  
Comelec Bldg., Intramuros, Manila**

**Dear Chairman Melo,**

The Commission on Elections (Comelec) will conduct the country's first fully-automated national and local elections on May 10, 2010 with close to 50 million voters. The May 2010 election is also the most crucial and critical ever next to the snap presidential election in 1986 in the light of problems with regard to presidential succession, the imminent danger of emergency rule, and the systemic and endemic problem of fraud. It is also vital to the Filipino people as they gear for the election of a new government and use this exercise as a venue for articulating genuine social, economic, and political reforms that should be put across to all national and local candidates.

**AWARE**, however, that the automated election system (AES) is untested and is fraught with at least 30 vulnerabilities and weak spots ranging from ballot printing, the lack of a source code review, to unreliable infrastructural systems and imminent power and telecommunication transmission failures;

**CONCERNED**, that the Comelec has entrusted to a foreign consortium, Smartmatic-TIM, the management of the electoral process without this company being answerable to the country's constitutional and legal provisions;

**ALARMED**, that under these circumstances and other problems and concerns, the country could be facing grave uncertainties including an imminent failure of elections that could plunge the country into a political and constitutional crisis;

**EVER** committed to defend the people's voting rights, to support the call for a credible, transparent, and trustworthy election in pursuit of the democratic principle of "secret voting, public/transparent counting" and, hence, of our mission to shepherd our flock and serve the people,

In view of the foregoing, we ask the Commission on Elections (Comelec):

1) To heed the demand of independent parties or groups to immediately release the RA 9369-mandated AES source code a request by the Center for People

Empowerment in Governance (CenPEG) for which had long been approved by the Comelec en banc so that CenPEG as well as other interested parties and groups can review it, as mandated by RA 9369;

2) To immediately install the proposed safeguards and security measures designed to address the 30 vulnerabilities or weak spots of the AES as a means of guaranteeing the integrity and credibility of the automated election as well as enhancing the voters' rights;

3) While responding to the above, for Comelec to likewise heed the people's call for electoral reform including cleaning its own ranks and addressing decisively the systemic problem of fraud the failure of which would make the goals of modernizing the poll system impossible to fulfill;

4) For Comelec to fully comply with RA 9369 and related laws by coming up with the long-delayed IRR and other provisions, the legal and adjudication process for electronic-generated election protests - all toward making the automated election process transparent, voters' rights-friendly, credible, and trustworthy.

Unless Comelec complies satisfactorily with the automated election law, institutes the urgent safeguards and security measures, and addresses decisively the problem of fraud machineries, the poll body shall be accountable for any adverse consequences such as, but not limited to, a failure of elections thus endangering the voters' rights and disenfranchising significant numbers of voters all resulting in a grave political and constitutional crisis.

Signed on Sept. 25, 2009 by the Ecumenical Bishops Forum (EBF) participants:

Bishop Jose Manguiran (RC)  
Bishop Felixberto L. Calang (IFI)  
Bishop Rudy N. Juliada (IFI)  
Emeritus Bishop Osias B. Jaina (UCCP)  
Rev. Rex RB Reyes, Jr. (NCCO General Secretary)

Together with 13 other priests and nuns

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Senate of the Philippines  
House of Representatives  
Catholic Bishops Conference of the Philippines  
United Church of Christ in the Philippines  
Iglesia Filipiniana Independiente