

ITD



Republic of the Philippines
COMMISSION ON ELECTIONS
Intramuros, Manila

EN BANC

**IN THE MATTER OF PLACING
SOME AREAS IN THE COUNTRY
UNDER COMELEC CONTROL IN
CONNECTION WITH THE MAY 9,
2016 NATIONAL AND LOCAL
ELECTIONS**

x-----x

Chairman J. ANDRES D. BAUTISTA
Commissioner CHRISTIAN ROBERT S. LIM
Commissioner AL A. PARREÑO
Commissioner LUIE TITO F. GUIA
Commissioner ARTHUR D. LIM
Commissioner MA. ROWENA AMELIA V. GUANZON
Commissioner SHERIFF M. ABAS

Promulgated: March 10, 2016

RESOLUTION NO. 10074

The Commission on Elections, by virtue of the powers vested in it by the Constitution, the Omnibus Election Code, Republic Act No. 7166, and other election laws, **RESOLVED**, as it hereby **RESOLVES** to promulgate, the following guidelines in placing any political division, subdivision, unit or area under COMELEC CONTROL:

SECTION 1. Grounds for COMELEC Control. - The Commission may place under its immediate and direct control and supervision, any political division, subdivision, unit or area affected by any or all of the following parameters, viz:

- a. History of/or current intense rivalry among the contending parties. Such rivalries could motivate people to engage in violent acts;
- b. Violence maybe facilitated by the employment of Private Armed Groups (PAGs);
- c. Abetted by loose firearms in the hands of unqualified individuals; and
- d. Serious armed threats posed by the New People's Army (NPA), Bangsamoro Islamic Freedom Fighters (BIFF), Abu Sayyaf Group (ASG) and rogue elements of the Moro National Liberation Front (MNLF), or other paramilitary forces, private armies or identifiable armed bands widely perceived to have committed terrorism, fraud or other election irregularities and threaten or tend to disrupt the holding of free, peaceful, honest, orderly and credible elections in any political division, subdivision, unit or area.

SECTION. 2. Powers and Functions of the Commission.- The authority to place certain areas in the country under COMELEC Control shall be exercised by the Commission *En Banc* as the circumstances so warrant and pursuant to the

- a. Take immediate and direct control and supervision over all national and local officials and employees required by law to perform duties and/or comply with certain prohibitions relative to the conduct of the elections in the political division, subdivision, area or unit concerned; and
- b. Exercise full control and supervision over all national and local law enforcement agencies as well as military officers and men assigned or deployed in the political division, subdivision, unit or area concerned.

For immediate and effective control of the political division, subdivision, unit or area concerned, the Commission, shall exercise such authority where COMELEC control has been imposed.

SEC. 3. *Committee on the Ban on Firearms and Security Personnel (CBFSP).* -

To ensure the conduct of free, peaceful, orderly, honest and credible elections in each political division, subdivision, unit or area placed under COMELEC control, the CBFSP, in addition to its existing functions, is hereby mandated to exercise the following powers and duties:

- a. To supervise and control the administrative activities and transactions of local government units in the localities under COMELEC control and enforce therein strict compliance with the election bans and prohibitions under Section 261 of the Omnibus Election Code, particularly on, but not limited to, the disbursement of public funds, the construction of public works, movements or government personnel and non-intervention of civil service officials and employees as well as police and military officers and personnel;
- b. To oversee effective and necessary distribution, assignment and deployment of officers and personnel of the PNP as well as officers and men of the AFP in the locality concerned, and place under its control their activities relative to the strict enforcement of the law on the firearms ban, security personnel of candidates and private citizens, the appointment or use of special policemen for election purposes and similar prohibitions under the pertinent provisions of Sec. 261 of the Omnibus Election Code and Sec. 32, 33 and Sec. 34 of Republic Act No. 7166;
- c. To augment the police force and assign additional military troops whenever necessary to quell any possible outbreak of violence and maintain peace and order in the locality concerned;
- d. When necessary, to substitute a whole unit of the police force assigned in the locality concerned with another police unit or with an adequate unit of the Armed Forces of the Philippines;
- e. To relieve any police or military officer or personnel who may be found unsuitable for continuance in his present assignment in the locality concerned, reassign or confine to quarters any such member of the police or military unit;
- f. To revoke all exemptions heretofore issued under the firearms ban to candidates and their bodyguards, and cancel all permits to carry firearms outside residence granted to residents of the political division,

subdivision, unit or area concerned, as peace and order conditions in the locality demand;

- g. To act as law enforcement arm of the Commission in effecting and implementing its specific orders, rulings, resolutions and decisions;
- h. To adopt appropriate measures to safeguard and ensure the holding of free, peaceful, orderly, honest and credible elections in the political division, subdivision, unit or area under COMELEC control; and
- i. To submit periodic situation reports to the Commission through the most expeditious means.

Except when prior approval or authority of the Commission *En Banc* is required, the CBFSP decisions and orders in connection herewith, shall be final and immediately executory, unless modified, reversed or revoked by the Commission *En Banc*.

SEC. 4. Support of the PNP and AFP. - The PNP and the AFP are hereby directed to immediately provide personnel, equipment, vehicles and other transportation facilities as the CBFSP may require.

SEC. 5. Duration of COMELEC Control. - When a political division, subdivision, unit or area is placed under COMELEC control, such shall continue to be in full force and in effect until the end of the election period, unless sooner lifted by the Commission.


SEC. 6. Effectivity. - This Resolution shall take effect on the seventh (7th) day after its publication in two (2) daily newspapers of general circulation in the Philippines.

SEC. 7. Dissemination. - The Education and Information Department shall cause the publication of this Resolution in two (2) daily newspapers of general circulation, and give this resolution the widest dissemination.

SO ORDERED.



J. ANDRES D. BAUTISTA
Chairman


CHRISTIAN ROBERT S. LIM
Commissioner
LUE TITO F. GUIA
Commissioner
AL A. PARRENO
Commissioner
ARTHUR D. LIM
Commissioner

ON OFFICIAL BUSINESS
MA. ROWENA AMELIA V. GUANZON
Commissioner


SHERIFF M. ABAS
Commissioner