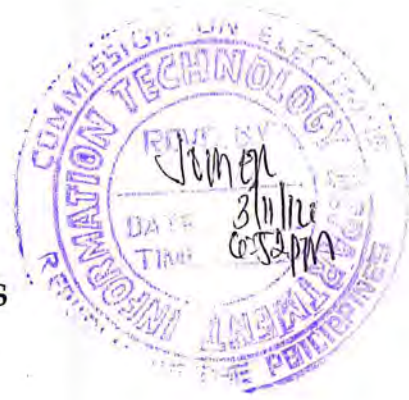


ITD



Republic of the Philippines  
**COMMISSION ON ELECTIONS**  
Intramuros, Manila



**EN BANC**

**GUIDELINES FOR ACCREDITATION OF FOREIGN OBSERVERS IN CONNECTION WITH THE MAY 9, 2016 NATIONAL, LOCAL AND AUTONOMOUS REGION IN MUSLIM MINDANAO (ARMM) ELECTIONS.**

**BAUTISTA, J. Andres D.,**  
**LIM, Christian Robert S.,**  
**PARREÑO, Al A.,**  
**GUIA, Luie Tito F.,**  
**LIM, Arthur D.,**  
**GUANZON, Ma. Rowena Amelia V.,**  
**ABAS, Sheriff M.,**

*Chairman*  
*Commissioner*  
*Commissioner*  
*Commissioner*  
*Commissioner*  
*Commissioner*  
*Commissioner*

Promulgated:

March 11, 2016

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**RESOLUTION NO. 10079**

**WHEREAS**, foreign nationals, whether as individuals or in groups, whether representing governmental or private interests, are expected to arrive in the Philippines to observe the conduct of the May 9, 2016 National, Local and Autonomous Region in Muslim Mindanao Elections;

**WHEREAS**, the Commission on Elections (COMELEC), as the sole government agency charged with the conduct of honest, orderly, and peaceful elections, has a substantial interest in maintaining the orderliness and credibility of elections;

**WHEREAS**, there is a necessity to regulate the activities of foreign observers in the elections;

**NOW, THEREFORE**, pursuant to the powers vested in it by the Constitution, the Omnibus Election Code, Republic Act No. 7166<sup>1</sup> and other election laws, the COMELEC has **RESOLVED**, as it hereby **RESOLVES**, to promulgate the following guidelines:

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<sup>1</sup>An Act Providing for Synchronized National and Local Elections and for Electoral Reforms, Authorizing Appropriations Therefor, and for Other Purposes promulgated on November 26, 1991.

election laws, the COMELEC has RESOLVED, as it hereby RESOLVES, to promulgate the following guidelines:

**SECTION 1. *Definition of Terms.*** – As used in this Resolution:

1. *Foreigner or Foreign national* refers to any person whose nationality is other than Filipino, whether or not a resident of the Philippines;
2. *Foreign group, organization, committee or association* refers to any group of individuals organized under the laws other than that of the Philippines;

**SECTION 2. *Application for Accreditation.*** – Foreign nationals, whether as individuals or in groups, whether representing governmental or private interests, who are interested to observe the conduct of the May 9, 2016 National, Local and ARMM Elections, shall file an application for accreditation at the COMELEC Education and Information Department (EID).

**SECTION 3. *Qualifications for Accreditation.*** – Applicants must have a *bona fide* intention to participate in the Philippine elections exclusively as observers of the electoral process, must be free from any business interest, must not be politically motivated or influenced by any political candidate, and must comply with the provisions under Sections 6 and 12 hereof. Applicants are required to disclose their intention for involvement in the Philippine elections as foreign observers.

**SECTION 4. *Period for Filing Application for Accreditation.*** – The period for filing applications for accreditation shall be from February 15, 2016 to April 28, 2016. This period shall be non-extendible.

**SECTION 5. *Opposition to the Application for Accreditation.*** – Any opposition to applications for accreditation of any foreigner, foreign group, organization, committee or association shall be filed at the EID within five (5) days from the filing date of the contested application.

**SECTION 6. *Documentary Requirements.*** – The application shall be supported by the following documents:

- a. duly accomplished application form for accreditation;
- b. two (2) recently taken 2" x 2" colored photographs of the applicant; and
- c. endorsement issued by the ambassador or consul of the applicant's home country.

**SECTION 7. *Application Forms.*** – Application forms for accreditation shall be available at the COMELEC EID. Application forms may also be downloaded from the COMELEC website (<http://www.comelec.gov.ph>).

**SECTION 8. *Identification Cards.*** – Upon approval of the application, the EID shall issue identification cards to the accredited foreign observers.

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**SECTION 9. *Privileges.*** - Duly accredited foreign observers shall have the following privileges:

**A. Before the Election Day**

1. Request from any official of the government, representatives of registered political parties, organizations or coalitions, candidates or their representatives, representatives of media, private firms or organizations, any political party or candidate for interview or briefing on the upcoming electoral exercise; and
2. Observe election related activities at the offices of the Election Officers (EO).

**B. On Election Day - Subject to the provisions of Section 11 hereof**

1. Observe the conduct of elections in any locality;
2. Conduct brief interviews with the chairman and members of the Board of Election Inspectors (BEI) inside the polling place in a manner which shall not disrupt the election proceedings;
3. Conduct interviews with the voters and other persons outside the polling place; and
4. Document their observation activities, as well as the conduct of elections, by means of audio, visual, or audio-visual recordings, subject to the mandate under Section 11 hereof.

**C. After the Election Day**

1. Observe all the proceedings in the precinct until the counting and transmission of votes are over; and
2. Keep track of the transport of the Vote Counting Machines after the voting, counting and transmission.

**SECTION 10. *Responsibilities.*** - Duly accredited foreigner, foreign group, organization, committee or association shall:

1. In choosing respondents for their interviews, endeavor to apply objective criteria in order to ensure fairness and balance in their observations and conclusions. Interview questions shall not tend to advance the candidacy of or disfavor or harass any candidate, and shall be limited to legitimate concerns.

2. Report, in the most effective and efficient means possible any untoward incident or violation of the election laws and its rules and regulations to the COMELEC Main Office, through the EID, or any of the COMELEC representatives in the field, or to any of the COMELEC's accredited citizen arms.
3. Ensure that in all their statements to the media on Election Day shall explicitly state that their observations reflect only and are limited to the conditions in the area where they conducted actual observation and not the overall conditions in the Philippines.

**SECTION 11. *Term of the Accreditation.*** Accreditation of foreign election observers shall be valid until the end of election period or until June 30, 2016.

**SECTION 12. *Observation Report.*** - A copy of any observation report of duly accredited foreigners, foreign groups, organizations, committees or associations shall, at least twenty-four (24) hours before its release to the media or general public, be submitted to the EID together with the complete copy of any raw video footage that was used, in whole or in part, in the said report.

**SECTION 13. *Prohibited Acts.*** - It shall be unlawful for any foreigner, foreign group, organization, committee or association to:

1. Aid any candidate or political party directly or indirectly;
2. Take part or influence in any manner in the conduct of the elections;
3. Engage in partisan political activities, which refer to acts designed to promote the election or defeat of a particular candidate or candidates to public office;
4. Contribute or make any expenditure in connection with any election campaign or partisan political activity;
5. Enter any polling place without consent of the chairman of the BEI concerned; and
6. Mingle and talk with voters inside any polling place, or otherwise disrupt the proceedings in the polling place.

**SECTION 14. *Penalty of Violation.*** - Any violation of the immediately preceding Section shall be punishable with one (1) to six (6) years of imprisonment and deportation which shall be enforced after the prison term has been served, pursuant to Section 264 of the Omnibus Election Code and other related laws.

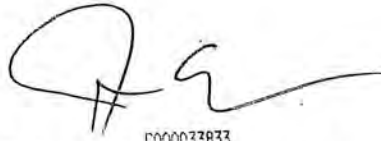
**SECTION 15. *Effectivity.*** - This resolution shall take effect on the seventh (7<sup>th</sup>) day after its publication in two (2) daily newspapers of general circulation in the Philippines.

**SECTION 16. *Dissemination.*** - The EID shall implement this Resolution, cause its publication and furnish copies thereof to all Regional Election Directors, Provincial Election Supervisors, Election Officers, all political parties, all candidates, the Philippine Information Agency, and the Department of Foreign Affairs, which shall cause



dissemination thereof to its foreign service establishments and to representatives of foreign countries in the Philippines, for their information and guidance.

SO ORDERED.



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**J. ANDRES D. BAUTISTA**  
*Chairman*



**CHRISTIAN ROBERT S. LIM**  
*Commissioner*



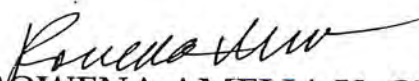
**AL A. PARREÑO**  
*Commissioner*



**LUIE TITO F. GUIA**  
*Commissioner*



**ARTHUR D. LIM**  
*Commissioner*



**MA. ROWENA AMELIA V. GUANZON**  
*Commissioner*



**SHERIFF M. ABAS**  
*Commissioner*