



Republic of the Philippines
COMMISSION ON ELECTIONS
Intramuros, Manila

IN THE MATTER OF THE	BRAWNER , Romeo A.	Acting Chairman
AUTOMATED ELECTIONS IN THE	SARMIENTO , Rene V.	Commissioner
AUTONOMOUS REGION IN MUSLIM	FERRER , Nicodemo T.	Commissioner
MINDANAO (ARMM)	MACARAMBON , Moslemen T.	Commissioner

x-----x Promulgated on: 06 February 2008

RESOLUTION NO. 8415

WHEREAS Republic Act No. 9369, signed into law on the 23rd of January 2007 provided for the creation of an Advisory Council that would “recommend the most appropriate, secure, applicable, and cost-effective technology to be applied in the (Automated Election System), in whole or in part, at that specific form in time;”

WHEREAS in an official communication to the Advisory Council, dated the 5th of December 2007, the COMELEC requested that the Council “determine the appropriate automated election system to be utilized in the (Autonomous Region in Muslim Mindanao) elections so that the Commission will be guided in the preparation of specifications and (Terms of Reference) for procurement purposes;”

WHEREAS the Advisory Council, in its Resolution dated the 31st of January 2008, recommended, *inter alia* that:

“1. The COMELEC pursue a full automation of the 2008 Autonomous Region in Muslim Mindanao (ARMM) Elections using the following technologies:

“1.1. Direct Recording Electronic (DRE) technology for two (2) cities or towns in ARMM with stable electricity and reliable telecommunications connectivity to be chosen by COMELEC; and

“1.2. Optical Mark Reader (OMR) technology for the rest of ARMM.”

WHEREAS, the wisdom of using two different technologies in the ARMM elections, as recommended by the Advisory Council, is that such an approach will allow the COMELEC and all stakeholders to evaluate the suitability of the two different technologies for the Philippine setting, preparatory to designing an Automated Election System for nation-wide use in 2010;

WHEREAS the recommended scope of the use of DRE technology is too insignificant to be a sound basis for a proper evaluation for that technology’s suitability for use in Philippine elections;

WHEREAS the recommended scope for the use of DRE technology is so small that there exists a very real risk vendors will not offer a DRE solution considering the great disproportion between the financial value of the order and the risks attendant to the project, thereby defeating the core recommendation that two technologies will be deployed in the ARMM;

WHEREAS, even if a DRE solution is implemented on such a limited scale, the comparison between the two technologies' outcomes will be difficult and will not likely yield usable results;

WHEREAS, the level of development of the province of Maguindanao, in particular with regard to the stability of electric power supply, the reliability of its telecommunications infrastructure, as well as the contiguous nature of its geography, make the entire province a viable implementation area for a DRE-based solution;

WHEREAS Republic Act No. 9369 further provides that "nothing in the role of the Council or any outside intervention or influence shall be construed as an abdication or diminution of the Commission's authority and responsibility for the effective development, management, and implementation of the Automated Election System;"

NOW THEREFORE, the Commission on Elections *en banc* resolved, as it hereby resolves, to:

1. Express its deep gratitude to the Advisory Council for its recommendation;
2. Accept the recommendation that the 2008 elections in the Autonomous Region in Muslim Mindanao be fully automated;
3. Decline the recommendation that DRE technology be used in only two cities or municipalities in the ARMM; and instead
4. Authorize and Order the full automation of the 2008 elections in the Autonomous Region in Muslim Mindanao, using the following technologies:
 - a. Direct Recording Electronic Technology for the Province of Maguindanao; and
 - b. Optical Mark Reader Technology for the rest of the Autonomous Region.

The Senior Staff is hereby directed to submit, for *en banc* approval, the comprehensive implementation plans and timetables necessary to fully automate the 2008 ARMM elections.

Let the Executive Director implement this resolution, furnishing a copy thereof to the Office of the President, the Senate President, the Speaker of the House, and the COMELEC Advisory Council.

SO ORDERED.

(Sgd.) **ROMEO A. BRAWNER**
Acting Chairman

(Sgd.) **RENE V. SARMIENTO**
Commissioner

(Sgd.) **NICODEMO T. FERRER**
Commissioner

(Sgd.) **MOSLEMEN T. MACARAMBON**
Commissioner