



This statement has been endorsed for the 14th International Anti-Corruption Conference (IACC) held on Nov. 10-13, 2010 in Bangkok, Thailand by Judge Barry O'Keefe, AM QC, Chair of the IACC Council, and Dr. Huguette Labelle, Chair, Transparency International. The IACC was attended by 1,300 delegates from 135 countries, including the Philippines.

A CALL FOR SUPPORT TO THE FILIPINO PEOPLE'S FREEDOM OF INFORMATION

Queen Sirikit National Convention Center
Bangkok, Thailand

In this momentous occasion of the 14th IACC, we call on the participants and delegates to the IACC to support the efforts of civil society organizations, research groups, and NGOs in the Philippines in the fight for the right to public information - including the election source code and other election-related documents, as well as to support the call for the enactment of a law implementing and upholding the Freedom of Information. The international support to Philippine efforts to gain access to election documents and institutionalize the freedom of information will go a long way toward strengthening global efforts for public information and against corruption.

The right of a citizen to access public information is a basic constitutional and human right. It is not a solution to transparent governance but is a vital weapon for ordinary citizens to hold their government accountable for their public actions that affect the people.

While an increasing number of peoples in more than 85 countries have their own laws on Freedom of Information, it is still a right alien and denied to 91 million Filipinos.

In the Philippines, corruption involving public officials is systemic. It pervades in all layers of government resulting in millions of dollars of revenues wasted and, consequently, aggravating poverty and other social woes. But the campaign against corruption continues to be vibrant especially in the civil society movement and has resulted in the removal of two seating Presidents, in 1986 and 2001. These were achieved often at the cost of lives and tough struggles against restrictions and harassments by the state.

One of CenPEG's current thrusts is to advocate for the enactment of Freedom of Information (FOI) in the Philippine Congress. If this succeeds, it could be a major step that would actualize the citizens' right to public information toward enhancing the public crusade against corruption.

On Sept. 21, 2010, the Center for People Empowerment in Governance (CenPEG), a policy research and advocacy institution based in the University of the Philippines, won a landmark decision when the highest tribunal – the Supreme Court (SC) – ruled in its favor for the release of the source code (computer program) that was used for the country's first-ever automated elections held last May 2010. Considered as a breakthrough case for a country in the world, the decision was reached after almost a year of dialogues, series of letters of request, and various forms of public forum asking the Commission on Elections (Comelec) to release of the source code in order to enable independent groups and political parties to conduct an independent review as provided by the election law, Republic Act (RA) 9369.

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Center for People Empowerment in Governance

"What makes CenPEG's mission significant is that the power it seeks for the people is in the area of governance. Towards this end, it engages in policy studies and research, education, training and advocacy aimed at securing political and electoral changes that would bring hitherto marginalized sectors into active participation in defining and shaping the destiny of our nation."

To this day, however, long after the elections, the Comelec has refused to comply with the ruling of the Supreme Court using all forms of justifications including imposing a new round of requirements and restrictions for independent reviewers. Rubbing insult to injury, it continues with its practice – or policy-- of denying Filipino independent non-government assessment and research groups and individuals their inalienable right to access vital public documents with regard to the first automated elections in the country while providing a great latitude of freedom to foreign parties.

CenPEG's fight to gain access to public information on the elections is founded on constitutional provisions, and has been invoked by the Supreme Court in two other cases – that election documents are public information which the Comelec should release to the public. The advocacy for public information by CenPEG has also been supported by the broadest citizens' coalition monitoring the last May 2010 elections – the Automated Election System Watch (or AES Watch) – as well as by academic institutions, IT organizations, civil libertarians, and various citizens' election watchdogs.

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Copies furnished to House Committee on Public Information
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