

# **STAR SCORECARD**

System Trustworthiness, Accountability & Readiness

An assessment of COMELEC'S readiness for the  
country's first automated polls



**aeswatch 2010**

Secretariat: University of the Philippines Alumni Association (UPAA), Ang Bahay ng Alumni,  
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# **OVERVIEW OF THE STAR CARD**



**S** - System

**T** - Trustworthiness

**A** - Accountability and

**R** - Readiness



- A. Setting Up**
- B. Internal Systems and Trustworthiness**
- C. Personnel Training and Voters' Education**
- D. Contingency Plan**



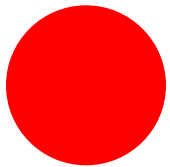
**PASS**



**WARNING**



**DANGER**



**FAIL**



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# SETTING UP



# SMARTMATIC DELIVERY OF HARDWARE AND SOFTWARE COMPONENTS TO COMELEC

Various hardware and software components (e.g., PCOS and CCS machines, servers, etc.) have to be developed, customized, manufactured, delivered, configured and/or tested to have a fully functioning automated election system.



Less than 20% of the total PCOS machines scheduled to arrive last Dec 2009 actually arrived – more than 30,000 short of the agreed number of machines. As of Jan.9, 2010 only about 15,000 machines of more than 75,000 machines have arrived. These machines still need to be configured, tested and certified.

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# QUALITY OF MACHINES

All the Machines delivered should undergo all quality assurance tests specified in the TOR. The system should also be able to count the voter's vote as marked on the ballot with an accuracy rating of at least 99.995 %.

Will the remaining time left before the May 10 elections be sufficient to finish all other activities dependent on the testing of all machines such as the TEC systems certification when RA 9369 Sec.11 states that TEC should come out with its certification 3 months before the May 10 elections, or Feb.10?

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# TECHNOLOGY CERTIFICATION

RA Sec.11 states that three months before Election Day or on February 10, 2010, “the AES, including its hardware and software components, should be certified as operating properly, securely and accurately in accordance with the provisions of the law...”

The deadline for certification according to RA 9369 Sec.11 is Feb 10, 2010. Can the Comelec ensure that all machines will actually pass the tests?

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# AVAILABILITY OF TRANSMISSION FACILITIES

Under the Terms of Reference for bidders, the COMELEC requires that the transmission capability cover all clustered precincts for the electronic delivery of the election results to the different canvassing levels. Do we have enough transmission facilities that can cover for full automation?



There is no functional geographic information system on the location and adequacy of the telco facilities, road networks and power lines throughout the country.

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# DEPLOYMENT OF MACHINES

Have the following been identified?

- The warehouse hubs
- The final delivery points
- The various modes of transportation from warehouse hubs to final delivery points
- The deployment schedules

In the absence of a functional GIS, how can COMELEC ensure that the machines will reach their destination and still be functional given the prevailing local conditions of road and sea networks in the Philippines?

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# PHYSICAL SECURITY OF MACHINES

AES Watch had requested the COMELEC through the JCOC for an update on how the COMELEC plans to secure all machines, including the CF cards, from the time they are delivered to assigned locations to the time they are pulled out to ensure that none is lost or tampered with.

No updates from COMELEC.



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# PRECINCT-SPECIFIC BALLOTS

As part of the implementation of the selected technology, ballots will be pre-printed with the names of candidates for specific localities (there will be more than 1, 600 ballot faces) RA9369 also provides for the right number of ballots per clustered precinct.



With pending appeals of disqualified candidates, will Smartmatic have enough time to finish customization and printing of ballots and customization of machines?

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# RESOURCE INVENTORY AT THE VOTING CENTERS

AES Watch had requested the COMELEC through the JCOC for an update on the survey of available resources in each of the voting centers, including:

- Power supply and periods of operation
- IT-capable personnel for the BEIs and BOCs

No official site survey report for the entire country has been released to date.

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# ADEQUATE GENERAL INSTRUCTIONS

Drafts of the General Instructions Governing the Consolidation, Transmission, and Canvassing of Votes in connection with the May 10, 2010 National and Local Elections and General Instructions for the Board of Election Inspectors (BEI) on the Voting, Counting, and Transmission of election results have been issued.



No response regarding the request for the refinement of the GI (taking into account comments from stakeholders i.e. security of private keys, canvassing, etc.)

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# **INTERNAL SYSTEMS AND TRUSTWORTHINESS**

# SOURCE CODE

When will the COMELEC release the source code of the EMS, PCOS, CCS, Transmission programs and other programs for review by interested political parties and groups per RA9369 Sec.12, some of which have already submitted requests to the COMELEC?

RA 9369 Sec.12 was not complied with because the source code was not made available and open to interested political parties or groups which may conduct their own review. Thus putting in doubt the reliability and trustworthiness of the system.

# SOURCE CODE

**FAIL**

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# VERIFIABILITY OF VOTING AND RESULTS AT ALL CANVASSING LEVEL

Will a voter be able to verify that his marks on the ballot are properly translated by the PCOS into votes? Will the municipal BOCs, provincial BOCs, and national BOCs be able to verify the authenticity and due execution of the ER, SOV, and COC?

Voter verification is a disabled function which is a violation of RA 9369 Sec.7 which states that the automated election system must provide the voter a system of verification to find out whether or not the machine has registered his choice.

We are still awaiting GI on canvassing.



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# SECURED TRANSMISSION OF ELECTION RESULTS

How can COMELEC ensure secured transmission? In particular, will the private keys (pin code) be individually generated, used for signing, and held for safekeeping by the teachers (BEI and BOC) themselves?

GI document (draft and even COMELEC Resolution 8739) is silent about a lot of things with respect to procedures/ mechanics for making transmissions secure.

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# INITIALIZATION OF MACHINES

Under the Terms of Reference for the AES bidders, COMELEC requires all AES machines to be cleared or “zeroed out” to show that there are no entries/votes in the PCOS memory. However, it does not require the machine to show that there are no ballot images stored in the machine memory prior to voting.

Zeroing out of the machines does not guarantee that there are no entries/ votes in the PCOS memory. RA9369 and TOR are silent regarding the possible storage of ballot images in the machine memory prior to voting.

## INITIALIZATION OF MACHINES

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# MANUAL AUDIT OF VOTE COUNTS

The sample size for the audit of one precinct per congressional district is low.

Who will conduct the auditing?



The Random Manual Audit Committee (RMAC) will perform this function. However, there are questions as to the credibility of the committee since its members are from PPCRV which is part of the COMELEC Advisory Council (CAC). The RMAC should be more independent.

MANUAL AUDIT OF VOTE  
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# **TRAINING OF PERSONNEL & VOTERS' EDUCATION**

# TRAINING OF TECHNICAL PERSONNEL AND MEMBERS OF THE BEI AND BOC

RA 9369 Sec. 3 provides that at least one member of the Board of Election Inspectors shall be an information technology (IT)-capable person, who is trained or certified by the DOST to use the AES. In addition, Sec.5 of the same law provides that each Board of Canvassers shall be assisted by an IT-capable person authorized to operate the equipment adopted for the elections...

COMELEC Executive Director Jose Tolentino stated in the Dec. 17, 2009 JCOC hearing that the training for teachers (BEI) will start on March 18, cutting short time allotted for training and certification. Currently, reports show that there is growing fear among teachers that this delay will leave them inadequately trained in operating the machine.

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# STAKEHOLDER EDUCATION AND TRAINING

Pulse Asia's October 2009 Nationwide Survey on Election-Related Probes revealed that 60% of Filipinos have little or almost no knowledge at all about the automated election system (AES) that will be implemented in May 2010.

According to the SWS October 24-27, 2009 National Survey, half (49%) of adults sense that people power will happen if the 2010 elections fail; 47% fear the counting machines are vulnerable to sabotage; and only 44% trust the COMELEC to ensure the counting machines will not be sabotaged.

Latest surveys show Filipinos' lack of knowledge and trust on the AES. This reflects the growing public awareness with regard to the vulnerabilities of the AES. Also, voters' education for all the country's 50 million voters should be adequate as well as responsive to the critical questions and vulnerabilities of the AES.



# STAKEHOLDER EDUCATION AND TRAINING

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# PRECINCT ASSIGNMENT OF VOTERS

Implementation of the AES will involve clustering of precincts. This means that the majority of voters will likely have to go to new polling places.

No response yet regarding the request for the update on the preparation of voters list for each of the clustered precincts and on the plan for informing voters of their new precinct assignments, especially on election day, in order to avoid confusion and delays in locating assigned precincts.

# PRECINCT ASSIGNMENT OF VOTERS

# WARNING

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# CONTINGENCY PLANS



# CONTINUITY PLAN

Is COMELEC ready for rules in the event that full manual or partial AES becomes inevitable, or for the occurrence of other failure scenarios?

Failure scenarios identified by COMELEC (per Senate Committee on Constitutional Reform and Suffrage meeting last Jun.23, 2009) are centered on the PCOS (inability to scan, print and transmit). And the planned actions are basically the same, replace the PCOS or go manual. Certainly, there are a lot more than three kinds of failure that the Board of Election Inspectors (BEI) will encounter on election day (i.e. tampered PCOS machine, etc.).

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**DANGER**

Is COMELEC ready for rules in the event that full manual or partial AES becomes inevitable, or for the occurrence of other failure scenarios?



# ELECTORAL PROTEST MECHANISM

One of the main reasons for going for the AES is to make cheating difficult, if not impossible. However, there is still the possibility of protests from candidates and interested parties.

No legal provisions specific to the AES to cover for electoral protests (i.e. appeal for recount, discrepancies in printed and transmitted results, etc.)

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# ALTERNATIVE ELECTION SYSTEM SOME PARTS OF THE COUNTRY

What preparations are being undertaken to implement a manual election system in some parts of the country?

There are no clear plans for an alternative election system.

ALTERNATIVE ELECTION  
SYSTEM SOME PARTS  
OF THE COUNTRY

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**THE END**

