

A Case Study

SURIGAO CITY: AUTOMATION DIDN'T STOP VOTE BUYING

A major concern of the Surigaonons with whom Project 3030 had interaction during the field research was the lack of transparency in the automated election process. For them, the speed of the AES was not an answer to the systemic problem of vote buying in the city. It was also not enough to compensate for the grave lack of transparency of the system (which does not even show the voters how their votes were interpreted by the machine, or assure them that their votes were actually counted by the machine).

SURIGAO CITY - Surigao City, the capital of the province of Surigao del Norte in Mindanao, was chosen as one of the case study areas of Project 3030 based on the reports received of delayed deliveries of machines and other election paraphernalia, and the PCOS glitches that several voting precincts encountered on election day. There were also reports of vote buying.



Case Study Methodology

Project 3030's research team went on the ground to validate the reports received by the national office on election day, and to gather other relevant information. The case study for Surigao City was conducted from July 12-13, 2010.

Key informant Interviews (KIIs) and Focus Group Discussions (FGDs) were conducted by the Research team to gather information on what actually transpired in the city on election day, and even on the days before and after that. Informants included Smartmatic technical personnel who served in Surigao Norte National High School, San Pedro Elementary School, and San Isidro Elementary School; members of the Board of Election Inspectors (BEI) who served in various schools and village voting centers; a member of the Board of Canvassers (BOC), voters, and poll watchers.

Geographic Information System

A basic geographic information system (GIS) survey on the schools that were assigned as voting centers on election day was also done in this study. With the use of GPS, coordinates of the location of the schools, as well as availability of electricity and telecommunication signals were taken for these schools to be included in the mapping being done for the Geographic Information System (GIS) of Project 3030. At least 20 schools were surveyed.

Profile of Surigao City

With a population of 118,534, Surigao City thrives with its major industries of fruit production and processing, fishery, and forest and mineral-based resources.



The politics of the province of Surigao del Norte is basically a competition between the Barbers and the Matugas family dynasties. In the earlier years of the competition between them, the Barbers were ahead of the Matugas, with three members of the Barbers family holding government positions: Sen. Robert Barbers, Rep. Robert Ace Barbers, and Gov. Robert Lyndon Barbers. It is believed, that their “political charisma” to the Surigaonons started to wane when the Barbers allied themselves with former President Gloria Macapagal Arroyo. It was also when the Matugas started getting more votes from the people.

However, as a general view, many Surigaonons see the dynastic struggle as purely “political” with no semblance of public service at all – where one gained power while the other waited for his turn.

In the 2010 polls, two posts were the target of electoral race by the Barbers and the Matugas: gubernatorial and mayoralty. In both contests, the Matugas won. Aside from this, a big majority of the members of the political bloc of the Barbers lost in this years' election.

For the 2010 elections, the entire province of Surigao del Norte had 228,663 voters.

PRE-ELECTION

Training of major election actors

In an assessment given by the informants interviewed by the research team on the preparedness of Surigao City for the conduct of the May 10 automated elections, about 80% said that majority of the people were not prepared for it; 20% said that majority of the city was prepared for it.

A big number of the informants said that the Commission on Elections (Comelec) itself was not prepared enough for the implementation of the new automated election being unable to foresee at least some of the challenges that were faced in the voting precincts in the city. The members of the Board of Election Inspectors (BEIs) were left to strategize on their own on how they were going to address the problems faced by their polling precincts.

Board of Election Inspectors (BEI) and Board of Canvassers (BOC)

In an focus group discussion (FGD) and key informant interviews (KII) conducted among the members of the BEI, Project 3030 found that their training was conducted on March 16-17, 2010 by the Comelec and the DOST, with around 400 teachers as trainees. Similar to other trainings conducted for the BEIs, the first day was dedicated to lectures and hands-on training on the proper use of the PCOS machine, while the second day was devoted for the examination that they had to take and pass from the DOST. They were again asked by the Comelec to attend another training on April 26, but it was more of a session for reminders on the contents of the General Instructions (GI).

The members of the BOC, likewise, were called for a two-day training in Butuan City, last week of April. The main material for the training was the General Instructions for the Board of Canvassers. They were trained on how to use the Consolidating and Canvassing System (CCS), including the rules and procedures of the canvassing and the transmission.

Smartmatic technicians and other personnel

The hiring of the Smartmatic technicians in Surigao City was made by Ventureslink (one of the accredited manpower agencies for the implementation of the AES) in the CARAGA region. Ventureslink coordinator went to different schools in the city to scout for applicants.

To “qualify” for the job, an aspiring PCOS technician must at least be computer proficient. However, in an FGD conducted with election day PCOS technicians, no actual qualification was applied for the hiring process. There were even some housewives who were hired; other applicants had their first interaction with a “computer” only during the training given by Ventureslink for the hired technicians.

Meanwhile, the hired PCOS technicians were trained for one whole day sometime in February 2010 in Mabua, Surigao City. In the one-day training, the technicians were taught the parts of the PCOS, how to operate the machine, and how to identify common problems that may arise (like paper jam among others). According to the technicians themselves, the training was insufficient; actual transmission was not even included in the training. Moreover, there were no training manuals given during the training; the manuals were sent to them, by courier, only four days before the day of Final testing and Sealing (FTS) which was on May 3.

Voters and poll watchers

Although the Comelec said that voter education sessions were successfully and sufficiently conducted throughout the city to prepare voters on the use of the AES, many voters felt that the Comelec did not prepare them enough for the May 10 elections. Other organizations and volunteers of political parties and candidates believed that they have done more voter education than did the local Comelec. They also believed that the voter education campaigns should not have been limited to the technical procedures and do's and don'ts of voting, but should have included how the process continues after they voted (e.g., how the counting was done exactly, and how the votes were consolidated and transmitted up to the national level).

Likewise, poll watchers relied heavily on the instructions given by the Comelec – fitting their own poll watch guides to the official procedures that the Comelec issued. However, the delays in the release of Comelec guidelines and instructions affected the trainings conducted by various citizens groups for their own pool of volunteers.

Delivery of election paraphernalia

One of the reasons why Project 3030 chose Surigao City to be a case study area was because of reports that there were polling precincts that experienced delays in the delivery of the PCOS machines. This was validated during the field research; the critical delays were found to have happened in the remote and mountainous areas of the city.

In the absence of PCOS machines in these voting centers on election day, members of the BEI had to ask the voters to shade their ballots and place them in a ballot box. By the time the PCOS machines arrived very late in the day almost all voters were already done casting their votes with majority of the voters gone. The BEIs then fed the ballots into the machines one after the other.

Except for these mountainous barangays of the city and other areas, informants said PCOS machines were delivered on time or one day ahead of schedule in the rest of the voting centers in Surigao City. There was no problem encountered in the delivery of the machines. It was observed, however, that the security and safety of the machines could have been compromised by the use of inappropriate delivery vehicles (such as the same ones being used in fish deliveries in the local markets).

Final testing and sealing (FTS)

Per instruction aired by the national office of Comelec in Manila to all its provincial offices, the Final Testing and Sealing (FTS) of PCOS machines should be conducted at least three days before the election. But because of the May 3 FTS fiasco in the pilot areas that conducted the procedure in many parts of Luzon, the FTS in Mindanao was delayed. After the compact flash (CF) cards from the entire country were recalled and reconfigured at the Smartmatic warehouse in Cabuyao, Laguna, the original schedule of May 4-5 FTS in the provinces of Mindanao was moved to May 7-9. Actually some precincts were able to conduct it only in the wee hours of May 10.

Aside from the delay in the FTS, some problems were also encountered and observed both by the BEIs and the Smartmatic technicians, among these:

- Incomplete contents of the PCOS package
- Some CF card slots did not have plastic seals
- Modems had no antennae

Many PCOS units did not have any modem. Comelec instructions said for the PCOS machines that will be using BGAN, the ratio should be 1:1. Like in many other provinces, this was not followed in Surigao City.

Not all thermal papers had Comelec seals. Some BEIs were unaware that not all thermal papers had Comelec seals. Apparently the thermal papers with Comelec seals were used up during the FTS thus leaving barely nothing for the actual voting. This incident is replicated in many voting centers throughout the country – belying claims of Comelec and Smartmatic-TIM that there is enough thermal paper for all clustered precincts on May 10.

An informant-technician also noticed that certain ballots that had (x) marks were still read, contrary to the statements that ballots with less than 50% shading or with other markings cannot be read.

One of the PCOS technicians was assigned 3 machines.

One BEI member relayed her experience during the FTS that there were no problems with the PCOS. However, BEIs discovered upon opening the PCOS packages of the polling precincts in their voting center, the IButtons of their machines were reshuffled. It took the BEIs of the voting center almost one hour to find out which IButton really belongs to the machine assigned to them

ELECTION DAY

Another reason for choosing Surigao City as one of the case study areas in Mindanao was to validate the unique reports on election day such as ballots being snipped in order to fit for feeding into the PCOS machines. This was verified by Project 3030 to be true, among other glitches that were found out through the data gathering implemented by the research team.

Voting process

Even the peaceful city of Surigao was not spared from the disorderly and chaotic conduct of the first automated elections. Long lines were a sight in all polling precincts in the city; not all BEIs were prepared to handle this situation in their precincts.

In the first place, many BEIs were not familiar with the new voting process. Project 3030 interviews showed majority of the BEIs in Surigao City did not use the ultraviolet (UV) lamps in order to test the authenticity of the ballots. One BEI interviewed said that the BEI chairman knew the critical function of the UV lamp, but having seen the first ballot accepted by the machine without being authenticated, she did not use the UV lamp anymore - assuming that all the ballots were genuine. Some BEIs even mistook the UV lamp for a flashlight.

A Smartmatic technician also observed a BEI who, after voting ended, instead of sending the main CF card to the canvassing center placed it inside the PCOS ballot box together with other election paraphernalia. Another incident is when a BEI broke the seals, removed the CF card from the machine, and showed it to the poll watchers during election day, which should not have been done.

Although there was a high turnout of voters in the voting centers, a high percentage of them were unfamiliar with poll automation. This became a factor that slowed down voting and created long queues of voters.

The confusion in the voting centers was attributed to the vague and generalized protocols given by the Comelec to the teachers.

PCOS glitches and other observed problems

Aside from the ballot trimmings that were reported, the following are PCOS-related glitches and other irregularities on election day that Project 3030 was able to gather during the case study:

- One polling precinct experienced a problem when the PCOS machine stopped accepting ballots – BEIs just asked the voters to vote, and then placed the ballots in the ballot box (therefore, these ballots were not counted by the machine)
- Paper Jams: Ballot boxes had to be opened to push down the ballots;
- Some ballots were still read even if their security marks were accidentally shaded (tampered with) by the voters;
- Some CF card slots did not have proper seals;
- Ballot rejection: All informants interviewed observed ballot rejections in their polling precincts;
- High voter turnout: One voting center had around 6,000 voters but only had 4 PCOS machines, or a ratio of 1:1500 voters;
- Transmission: Machine handled by one technician hung during transmission; machine handled by another did not have a modem but had to use one BGAN share by 5 other polling precincts for transmission; machine handled by another (assigned in an island) had to be brought near the pier to be able to transmit;
- Retrieval of the PCOS machines after voting: Different manners of returning the PCOS depending on the PCOS technician; one PCOS technician left the 3 machines with the barangay captain; another left the machine assigned to him to the school principal's office; another had the machine immediately picked up by the courier

Canvassing

Based on an interview with a member of the Board of Canvassers (BOC) of Surigao City, canvassing was concluded except for some obstacles: Delays in receiving the election returns (ERs) due to transmission problems at the precinct level; and the occasional “hanging” of the CCS laptops while receiving the ERs from PCOS machines that were able to transmit.

The Surigao City canvassing center also experienced receiving FTS results from a particular precinct instead of the election day results. Brgy. San Juan transmitted only 10 votes, but the actual number of votes cast according to the BEI was 800. After heated arguments, the electronically-transmitted ER reflecting only 10 votes was decided to be included in the canvassing. A Comelec resolution was given out to manually count these types of ERs. However, because of the late release of the resolution (May 15), the manual count was not done with the BEIs assuming that the precinct results wouldn't affect the overall local results anyway.

In all, more than 50% of the CF cards were physically transported from polling precincts to the city canvassing center. An informant said, had this not been done, the canvassing should not have finished on time. The manual delivery of CF cards was resorted to by the BEIs given the unreliable telecommunication signal in a city where modern technology has long been used. It should be noted that this was also the case in many cities and towns on election day throughout the country.

Fraud and violence

Although incidences of physical harassment and violence were not as high in Surigao City compared with the other provinces and cities in Mindanao, vote-buying as a systemic problem was common during the election as expected.

Vote buying is done using several mediums: money, sacks of rice, furniture, toys and other recreational things for the younger voters. People will actually fight for a P20 from a candidate, and then sell his/her vote

to another candidate. Another strategy is for a candidate to gather all the young supporters of his opponent, and treat them to a vacation in a nearby province on election day so they can't vote.

Multiple registration was also a common form of election fraud in the city. Surigao City Mayor Cassura asked Comelec to investigate cases of multiple registration after learning that more than half of the registered voters of Surigao del Norte came from the second district of the province.

POST-ELECTION ISSUES

Even before all the winning candidates have been proclaimed in this city, protests had mounted reaching the national level over allegations of fraud and other forms of cheating during the May 10 elections. On May 24, 2010 or two weeks after the election, candidate for Surigao del Norte governor Robert "Ace" Barbers, who lost to Sol Matugas, testified before the House Committee on Suffrage and Electoral Reform (CSER) that the results of the elections in the entire province were incredible and unbelievable.

Barbers said that sometime in November 2009, a man appeared before his office to offer him a "sure-win" deal for the 2010 automated elections for a fee of Php50 million. When asked how he will be able to deliver that win, the man said that an exchange of the CF cards after the Final Testing and Sealing will guarantee his win. Barbers said he declined the offer. He believes that having been refused, the man approached the opposing party and offered the same thing. The opposing party, he thinks, accepted the offer - a great majority of their candidates won in the election.

The investigation of the case of Barbers, and all other candidates who filed protests in the House of Representatives Electoral Tribunal were somehow given credence when CSER chair Rep. Teodoro Locsin, Jr. released the Committee report on the conduct of the AES. The Locsin committee stated that the entire AES is in need of a lot of improvements to plug in its numerous loopholes. However, it would be somewhat an uphill battle for the protesting candidates considering, that with the automated system lacking transparency and means of verifiability, the collection of evidence could be challenging.

SUMMARY AND ASSESSMENT

Based on the feedback obtained from the local informants, there was admission that the AES was indeed fast. They agreed, however, that although it seemed easier both for the voters and watchers, the process was more complicated. Some said the May 10 election was successful but disorderly; but a bigger number thought it was unsuccessful and disorderly.

A major concern of the Surigaonons with whom Project 3030 had interaction during the field research was the lack of transparency in the entire process. For them, the speed of the AES was not an answer to the systemic problem of vote buying in the city. It was also not enough to compensate for the grave lack of transparency of the system (which does not even show the voters how their votes were interpreted by the machine, or assure them that their votes were actually counted by the machine).

Most of the problems encountered in the voting centers can also be attributed to the lack of training of the principal implementers, and lack of voter education for the electorate. The BEIs, Smartmatic technicians, and voters themselves admit that they were not confident in their skills and knowledge during election day - itself a mirror of the kind of preparation that the Comelec did for the automated election.

For most of the Surigaonons interviewed, unless the Automated Election System undergoes a major overhaul, addressing the loopholes and its lack of transparency, and unless the entire electorate and the election implementers are properly and sufficiently-trained for their roles in the election process, the AES will remain complicated to them - a mere alternative to the equally-flawed manual election system that they used to know. *EU-CenPEG Project 3030*

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