

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila



SIXTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 4991

Introduced by
Representatives JESULITO A. MANALO and RONALD M. COSALAN

AN ACT AMENDING REPUBLIC ACT NO. 10590, ENTITLED "THE OVERSEAS
VOTING ACT OF 2013"

*Be it enacted by the Senate and House of Representatives of the Philippines in
Congress assembled,*

EXPLANATORY NOTE

Suffrage is a "political right enabling every citizen to participate in the process of government to assure it derives its powers from the consent of the governed"¹. Thus, the right to suffrage should be equally accorded to all Filipinos qualified to vote, particularly including our Filipino seafarers who are mostly working on board vessels in order to provide for their families.

Foremost, the huge relevance of the maritime sector cannot be negated. Based on the World Trade Organization records, the dollar value of the world's merchandise exports is equivalent to US\$18.3 Trillion. Presently, 90% of the world trade is still reliant on the use of maritime transport. While there are 1.5 Million seafarers in the world, 25% of them are Filipinos, which means our seafarers play a significant role in the world trade. Clearly, the seafaring industry has created employment for thousands of Filipino marine officers and service providers. Thus, the Philippines occupies a premier position in the maritime industry.

While our Filipino seafarers constitute only less than 5% of the total 10.5 million OFWs around the world, their remittances constitute a huge portion of these total remittances. According to BSP numbers, our Filipino seafarers contributed US\$4.8 Billion in 2012 and US\$5.2 Billion in 2013, which comprise one-fifth (1/5)

¹ Pungutan vs. Abubakar, L-33541, 20 January 1972

of the total annual remittances from the Overseas Filipino Workers (OFWs). These growing contributions from our seafarers indicate the vastness of their significance to our financial growth.

With these contributions to the Philippine economy, our global maritime professionals must, at the least, be given ample opportunity to be heard by electing the people who are tasked to lead the government and to utilize the funds that they bring in.

Undeniably, our seafarers are on board international vessels most of the time and are unable to cast their votes on the designated days and in the voting areas organized by the Commission on Elections (COMELEC). The unavailability of other modes that should allow the seafarers, and even all other OFWs, who do not have the means to vote, thus tend to deprive them to enjoy their right to suffrage.

Section 28 of Republic Act No. 10590 authorizes the COMELEC to explore other modes or system using automated election system. Initial findings from the explorations made by the COMELEC nonetheless show that indeed, the current modes of overseas voting do not address the factors affecting voter turnout.

The most common issues of overseas voters are:

1. **High Mobility of Filipino Overseas.** Some overseas voters were not able to vote because they have changed their addresses between the registration and voting period without informing the Embassies/Consulates. Thus, they were not able to get their electoral mails as they are addressed to their former residences.²
2. **Geographical locations of overseas voters.** The residences of some overseas voters are located far from the Embassy and Consulates.³
3. **Working Conditions.** In some countries, employers do not allow overseas voters time-off to cast their votes.

In the case of our seafarers, their geographical location, which is usually on the high seas, is among the reason for the restraint on their right to vote. This bill seeks to address this problem.

Further, the study conducted by COMELEC showed that the modes of voting provided by law – personal, postal and automated voting system – are not sufficient to address the foregoing accessibility issues. The analysis of the statistical report on voters who actually voted in 2013 National and Elections shows a low voter turnout.

1. **Postal Voting.** Only 16.25% of the registered overseas voters actually voted. From the 255,692 overseas voters who were registered for postal voting, only 41,558 voters actually voted.

² COMELEC Overseas Voting Narrative and Statistical Report, 2010;

³ *Ibid.*

2. **Personal Voting.** Only 15.64% of voters who were registered for personal voting cast their votes. Out of the 130,548 registered voters, only 20,420 voters actually voted.

3. **Voting Seafarers.** Only 5.64% of registered as seafarers actually voted. There were 26,808 registered as seafarers but only 1,513 cast their votes.

4. **Automated Voting.** Only 17.51% of overseas voters who were registered for automated voting cast their votes. From the 324,770 registered voters, only 56,880 actually voted.

It is in the light of these matters that the COMELEC itself proposes other modes of voting which can address the accessibility issue to ensure high voter turnout. Practically, the accessibility issue and low voter turnout can be addressed by the system of internet overseas voting.

According to the findings of COMELEC, based on the conduct of non-binding secure internet voting in Singapore in 2007, the new system demonstrated capacity to increase voter turnout. The results of the mock elections show the following features of the internet voting system.

1. **Delivers fast and accurate results.** The COMELEC received the facsimile copy of the mock election results in less than an hour. The said results were also sent through electronic mail.

2. **Cost efficient.** The cost of internet system is lower as it is no longer necessary to create Special Board of Election Inspectors. The printing of paper ballots and other election forms and supplies is dispensed with.

3. **Eases deployment.** There is no longer need for deployment of election forms, document and other paraphernalia.

4. **Accessible.** Actual voting was not time-bound. The voters could vote during the 20-day period at any time of the day.

5. **Secured.** No attackers were able to break the Voter Registration and Internet Voting Systems. The Commission tapped "ethical hackers" to test the system prior to going live.

The results of the assessment survey participated by the 330 voters during the voting period demonstrate the following features of the system.

1. **Easy to use.** 96% of the voters expressed that internet voting is easy to use. 95% of them said that if it was a real and binding election, they will vote through the internet.

2. **Confidence in the system.** 92% of the voters who participated expressed confidence in the internet voting.

This proposed measure intends to make the pertinent amendment to section 28 of Republic Act No. 10590 that would authorize the COMELEC to resort to online registration and voting. The use of recent and most accessible technology had always largely assisted in facilitating and promoting progress. The same may yield positive results for our voting system

This bill is designed to guarantee equal opportunity to all qualified citizens of the Philippines here and abroad in the exercise of the fundamental right. The new system introduced herein seeks to address the accessibility issues to ensure high voter turnout, that will provide our Filipino seafarers and other OFWS all over the world to exercise their constitutionally granted right and privilege to assert their sovereign will.



JESULITO A. MANALO
Partylist Representative
ANGKLA



RONALD M. COSALAN
District Representative
Lone District, Benguet

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

SIXTEENTH CONGRESS
Second Regular Session

4991
HOUSE BILL NO. _____

Introduced by
Representatives JESULITO A. MANALO and RONALD M. COSALAN

AN ACT AMENDING REPUBLIC ACT NO. 10590, ENTITLED "THE OVERSEAS
VOTING ACT OF 2013"

*Be it enacted by the Senate and House of Representatives of the Philippines in
Congress assembled,*

SECTION 1. Section 28 of Republic Act No. 10590 is hereby amended to read as
follows:

"Sec. 28. Authority to Use an Online Registration and Voting System. – The Commission on Elections is hereby authorized to use an efficient, reliable and secure system of online registration and voting using electronic-based or internet-based technology or such other technology available which it may deem appropriate; Provided, the system shall ensure the secrecy and sanctity of the entire process; Provided, further, That the online voting system shall comply with the applicable minimum systems capabilities for automated elections under existing law."