EMBASSY ADVISORY

Guidelines for the Accreditation of Domestic and International Observers/Monitors for the 2022 National Elections

The Philippine Embassy wishes to inform the public that the Philippine Commission on Elections (COMELEC) has issued guidelines for the accreditation of domestic and international observers/monitors for the 2022 National Elections.

Philippine and foreign nationals, whether as individuals or in groups, whether representing governmental or private interests, may observe and monitor the conduct of the 2022 Philippine National Elections provided that they are qualified and have received approval from COMELEC for accreditation.

Applicants must have a *bona fide* intention to participate in the conduct of the 2022 National Elections exclusively as observers or monitors of the electoral process, must be **free from any political, economic or other conflicts of interests** that would interfere with conducting observations/monitoring impartially, and must comply with the provisions as stipulated in Sections 4 and 11 of the COMELEC Guidelines.

All parties requesting for accreditation shall submit the following:

a) Duly accomplished application form for accreditation;
b) Two (2) recent 1.5" x 1.5" colored photographs of the applicant;
c) If foreigner or foreign group, organization, committee or association organization, endorsement issued by the Ambassador or Consul of the applicant's home country; and
d) Terms of Reference or similar document, explaining the purposes of the election observation mission.

Applications with incomplete requirements shall not be processed.

Applications for accreditation of **foreign observers and domestic** observers with official addresses in the National Capital Region shall be filed **online** through the following links:

- For foreign observers: https://bit.ly/2022NLEForeignObserver
- For domestic observers: https://bit.ly/DomesticMonitorObserver

The last day of filing of application for accreditation is on **Friday, 11 March 2022.**

Please refer to the attached COMELEC Resolution No. 10740 for the complete guidelines for accreditation of domestic and international observers/monitors for the 2022 National Elections.

Thank you.

PHILIPPINE EMBASSY, SINGAPORE
14 January 2022

Republic of the Philippines
COMMISSION ON ELECTIONS
Intramuros, Manila

EN BANC

GUIDELINES FOR THE ACCREDITATION OF DOMESTIC AND INTERNATIONAL OBSERVERS/MONITORS FOR THE MAY 9, 2022 NATIONAL AND LOCAL ELECTIONS.

ABAS, Sheriff M. *Chairman*
GUANZON, Ma. Rowena Amelia V. *Commissioner*
INTING, Socorro B. *Commissioner*
CASQUEJO, Marlon S. *Commissioner*
KHO, Antonio Jr. T., *Commissioner*
FEROLINO, Aimee P. *Commissioner*

x----------x Promulgated: December 09, 2021

RESOLUTION NO. 10740

WHEREAS, Philippine and foreignnationals, whether as individuals or in groups, whether representing governmental or private interests, are expected to observe and monitor the conduct of the May 9, 2022 National and Local Elections;

WHEREAS, the Commission on Elections (COMELEC), as the sole government agency charged with the conduct of honest, orderly and peaceful electoral exercises, has a substantial interest in maintaining the orderliness and credibility of the elections;

WHEREAS, election observation and monitoring play an important role in providing accurate and impartial assessments about the conduct of the elections and has the potential to enhance the integrity of the electoral process;

WHEREAS, there is a necessity to provide for the accreditation and regulate the activities of domestic and foreign observers/monitors in the elections in accordance with established international standards on election monitoring;

NOW, THEREFORE, pursuant to the powers vested in it by the Constitution, the Omnibus Election Code, and other election laws, the COMELEC has **RESOLVED**, as it hereby **RESOLVES**, to promulgate the following guidelines:

SECTION 1. ***Definition of Terms.***– As used in this Resolution:

a) ***Domestic observer or monitor*** refers to any Philippine national, whether or not a resident of the Philippines, formally observing or monitoringthe conduct of the elections.

b) ***Domestic group, organization, committee or association*** refers to any group of individuals organized under the laws of the Philippines.

c) ***Foreigner*** *or* ***Foreign national*** refers to any person whose nationality is other than Filipino, whether or not a resident of the Philippines.

d) ***Foreign group, organization, committee or association*** refers to any group of individuals duly organized and existing under national laws other than that of the Philippines.

SECTION 2. ***Qualifications for Accreditation.***– Applicants must have a *bona fide* intention to participate in the conduct of the May 9, 2022 National and Local Elections *exclusively* as *observers or monitors* of the electoral process, must be *free* from any political, economic or other conflicts of interests that would interfere with conducting observations/monitoring impartially, and must comply with the provisions of Sections 4 and 11 hereof. Applicants are required to disclose their intentionto take part the conduct of the elections as *domestic or foreign observers or monitors*.

SECTION 3. ***Application for Accreditation.***– Filipino or foreign nationals, whether as individuals or in groups, whether representing governmental or private interests, who are interested to observe or monitor the conduct of the May 9, 2022 National and Local Elections, shall file an Application for Accreditationat the following offices:

a) Applications for accreditation of foreign observers and domestic observers with official addresses in the National Capital Region

shall be filed at the **COMELEC Education and Information Department (EID)** via **online** through the following links:

For foreign observers: https://bit.ly/2022NLEForeignObserver

For domestic observers: https://bit.ly/DomesticMonitorObserver

b) Applications for accreditation for domestic observers residing within the provinces in the region shall be filed personally or through an authorized representative at the **Offices of the Regional Election Directors (OREDs) concerned**. The prescribed application form for domestic observersis downloadable at the COMELEC website, www.comelec.gov.ph.

SECTION 4. ***Documentary Requirements.***– The application shall be supported by the following documents:

a. Duly accomplished application form for accreditation;
b. Two (2) recent1.5"x 1.5" colored photographs of the applicant;
c. If foreigner or foreign group, organization, committee or association organization, endorsement issued by the ambassador or consul of the applicant's home country; and
d. Terms of Reference or similar document, explaining the purposes of the election observation mission.

Applications with incomplete requirements shall not be processed.

SECTION 5. ***Period for Filing Application for Accreditation.***– The period for filing applications for accreditation shall be from the effectivity of this Guidelines until **March 11, 2022**.

SECTION 6. ***Approval of Applications for Accreditation.***– The individual application forms shall be reviewed and evaluated by the EID and OREDs.

Approval of applications for accreditation is hereby delegated by the Chairman to the:

a) Director IV of the COMELEC-EID-for foreign observers and domestic observers with official addresses in the National Capital Region; and to
b) The concerned Regional Election Director (RED)- for domestic observers residing within the provinces in the region.

Within seven working days after the deadline, the REDs shall furnish the EID with the final list of applications for accreditation indicating the status of each individual application, whether approved or denied.

The EID shall furnish the Commission *en Banc* a list of the approved applications for accreditation.

SECTION 7. *Opposition to the Application for Accreditation.*– Any opposition to applications for accreditation shall be *filed* within *five* (5) *days* from *filing* of the application being contested. The opposition for accreditation shall be filed with the Office where the application being contested was filed.

SECTION 8. *Grounds for opposition.*-The opposition shall be filed on any of the following grounds:

a) the applicant has a previous derogatory record; or
b) any of the submitted documentary requirements is not authentic, falsified or contains any information which is false.

The Director IV of the EID or the Regional Election Director (RED) concerned shall resolve the opposition within three (3) days from the receipt thereof.

For this purpose, the EID and OREDs shall post an updated list of applicants at the bulletin boards of their respective offices.

SECTION 9. *Accredited Observer Passes.* – Upon approval of the applications for accreditation, the EID and OREDs shall issue the appropriate Accredited Observer Passes to the accredited observers/monitors.

SECTION 10. *Privileges.* – Duly accredited domestic or foreign observers or monitors shall have the following privileges subject to such conditions as may be necessary for the protection of COMELEC personnel, property, privileged information and integrity of the elections and compliance with the relevant guidelines of Inter-Agency Task Force for the Management of Emerging Infectious Diseases (IATF-MEID):

- Unimpeded access to all stages of the electoral processes;
- Unimpeded access to all persons concerned with electoral processes, including, but not limited to:

1. Electoral officials at all levels, upon reasonable requests;
2. Members of legislative bodies and government and security officials whose functions are relevant to organizing democratic elections;
3. All political parties, organizations and persons participating in the elections, in whatever capacity; and
4. News media personnel.

SECTION 11. ***Code of Conduct.*** – All duly accredited observers/monitors shall be deemed bound by the following Guidelines:

a) Respect the authority of election officials and their duly accredited deputies at all times;

b) Prominently display the Accredited Observer Pass, provided by the COMELEC, at all times;

c) Refrain from interfering with, obstructing, or otherwise hampering the conduct of any election related activity, including preparatory and post-election activities;

d) Maintain proper personal behavior and respect others, including exhibiting sensitivity to the country's cultures and customs, exercise sound judgment in personal interactions and observe the highest level of professional conduct at all times, including *leisure* times;

e) Maintain impartiality and objectivity in carrying out the observation/monitoring mission; and

f) Strictly observe the minimum health protocols and other prescribed safety measures as stated in the prevailing guidelines of Inter-Agency Task Force for the Management of Emerging Infectious Diseases (IATF-MEID), COMELEC and concerned local government units. As added measure, all observers, are required to present a negative RT-PCR test or antigen test taken within the last seventy-two (72) hours prior to election day to the Electoral or Canvassing Board where they will be observing.

SECTION 12. ***Summary Revocation of Accreditation.*** – The accreditation of any observer/monitor may be summarily revoked by the Electoral or Canvassing Board by confiscating the Accredited Observer

Pass, and removing him/her or the group from the polling station or canvassing center due to any of the following grounds:

- Any violation of the Code of Conduct.
- Any disruptive behavior by anyone in the group.
- Misconduct which may include but not limited to:
  a) breaching or attempting to breach the secrecy of the ballot;
  b) knowingly obstructing electoral proceedings;
  c) asking electors about their voting preference while observing at the polling station.

The accreditation of the organizations may also be revoked if it refuses to promptly remove an observer found to be in breach of this Code from their list of nominated individuals.

The power of the Electoral Board to remove observers/monitors for misconduct is in addition to their general power to keep order at the relevant electoral proceeding.

SECTION 13. ***Period of Validity of Accreditation.*** - Accreditation of *domestic or foreignelection observers/monitors* shall be valid from the date of the approval of the application until the *end* of *election period* or until June 8, 2022.

SECTION 14. ***Prohibited Acts.***- It shall be unlawful for any domestic, foreigner, domestic or foreign group, organization, committee or association to:

a) Aid any person or group of persons in whatever manner, directly or indirectly, relative to the conduct of the elections (Sec. 81 & 89, OEC);
b) Take part or influence in any manner the conduct of the elections (Sec. 81 & 261 (j), OEC);
c) Engage in partisan political activities, which refer to acts designed to affect the results of the elections (Sec. 79 (b), OEC);
d) Contribute or make any expenditure in connection with any election campaign or partisan political activity (Sec. 81 & 261 (j), OEC);
e) Enter any polling place without consent of the chairman of the Electoral Board concerned (Sec. 192, OEC);

f) Mingle and talk with voters inside any polling place, or otherwise disrupt the proceedings in the polling place (Sec. 192, OEC);
g) Threaten, intimidate, or actually causes, inflicts or produces any violence, injury, punishment, damage, loss or disadvantage upon any person (Sec. 261 (e), OEC); and
h) Propagate false and alarming reports or information, transmit or circulate false orders, directives or messages relating to the conduct of the elections (Sec. 261 (z.11), OEC).

SECTION 15. *Penalty for Violation.* – Any violation of the immediately preceding Section shall be punishable as an election offense which, if found guilty, may be penalized by an imprisonment of not less than one (1) but not more than six (6) years and shall not be subject to probation. In addition, if the guilty party is a Filipino, the offender shall be sentenced to suffer disqualification to hold public office and deprivation of right of suffrage. On the other hand, if the guilty party is a foreigner, he shall be sentenced to deportation, which shall be enforced after the prison term has been served (Section 264, OEC).

SECTION 16. *Reportorial Requirements.* – Accredited domestic and foreign observers shall make a report to the Commission en banc of their observations in a conference for this purpose and/or written report submitted to the Office of the Chairman and the EID on or before the end of the election period or until June 8, 2022.

SECTION 17. *Effectivity.* – This resolution shall take effect immediately after its publication in two (2) daily newspapers of general circulation in the Philippines.

SECTION 18. *Dissemination.* – The EID and OREDs shall implement this Resolution.

The Executive Director shall furnish copies of this Resolution to the Office of the President, the Presidential Communications Operations Office (PCOO), the Department of Foreign Affairs, the Philippine Information Agency, and all mass media organizations.

The Department of Foreign Affairs shall furnish copies of this Resolution to all foreign embassies and consulates.

The EID shall cause the publication of this Resolution in two (2) daily newspapers of general circulation and shall furnish copies to the Regional Election Directors, Provincial Election Supervisors and the Election Officers.

SO ORDERED.

SHERIFF M. ABAS
Chairman

MA. ROWENA AMELIA V. GUANZON
Commissioner

SOCORRO B. INTING
Commissioner

MARLON S. CASQUEJO
Commissioner

(On Leave)
ANTONIO T. KHO, JR.
Commissioner

AIMEE P. FEROLINO
Commissioner

CERTIFICATION

APPROVED by the Commission En Banc during its special online meeting on **December 9, 2021**, pursuant to Comelec Resolution No. 10671, "Supplemental Resolution No. 9936 promulgated March 25, 2015, Rule on the Enactment and Promulgation of Executive or Administrative Resolutions providing for other format of meetings to include online meetings applicable in times of the COVID-19 pandemic and the imposition of Community Quarantines and similar emergency situations."

ATTY. CONSUELO B. DIOLA
Acting Comelec Secretary