



10 Ethical and 50 Legal Considerations in Elections

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Noble Purpose of Philippine Elections

1987 Constitution

CHOPFE

Credible

Honest

Ordery

Peaceful

Free

Elections



1) Free and Fair Elections

1. Suffrage is a right, not an obligation.
2. Regularity of elections is guaranteed.
3. There are no substantive requirements to be a voter.
4. Illiterate Persons, Persons with Disabilities (PWDs), Overseas and Local Absentee Voters, Persons Deprived of Liberty are allowed to vote.
5. Secrecy of Ballots is assured under the law.



2) Transparency

1. Certificates of Candidacy and Statements of Contributions and Expenditures are published.
2. Hybrid Voting System (i.e., automated ballot counting and manual verification) is in place.
3. Selected candidates by voters can be viewed on the 12-inch screen of the ACM and checked against the Voter Verified Paper Audit Trail (VVPAT).
4. Results are transmitted to Poll Watchdogs and Political Parties who are also entitled to Election Returns.
5. COMELEC conducts monthly briefings.



3) Accountability

1. Philippine Elections is governed by laws and rules.
2. COMELEC is an independent administrative agency in charge with the conduct of elections. It is composed of the Chairperson and Commissioners with a fixed term. They can be impeached.
3. COMELEC cannot issue resolutions and render decisions which are inconsistent with law.
4. There are close to 100 Election Offenses.
5. There are QR Codes on VVPAT and Election Returns.



4) Campaign Integrity

1. Prior to the campaign period, there are no candidates, only aspirants, thus, there is no vote-buying or illegal campaigning prior to the campaign period.
2. There are requirements for candidates and political parties on the types and sizes of campaign paraphernalia and areas where they can be displayed, tri-media and social media campaign, billboards, giveaways and gadgets.
3. Candidates must declare their contributions and expenditures, and disclose true name of donors.
4. Violation of campaign regulations can result in disqualification and imprisonment.
5. Voters are not required to follow campaign regulations.



5) Prevention of Corruption and Bribery

1. Vote-Buying/ -Selling/ -Betting are election offenses.
2. Abuse of State Resources is prohibited.
3. There is a cap on expenditures.
4. Coercion of employees, Transfer/ Detail, Appointment and Salary Increases are also prohibited.
5. Donations from private corporations must be reasonable and corporations which enjoy governmental privileges cannot make campaign contributions.



6) Media and Social Media Ethics

1. Registration of campaign social media accounts by candidates, political parties and party-list organizations is required.
2. Fake news, misinformation and disinformation are considered election offenses and any such posts will be taken down.
3. There are regulations on the use Tri-Media in terms of exposure and duration.
4. Expenditures for tri-media must be disclosed in the Statement of Contributions and Expenditures.
5. Poll watchdogs and Civil Society Organizations are part of the monitoring and enforcement.



7) Equal Representation and Non-Discrimination

1. Qualifications of Elective Officials are outlined in the 1987 Constitution and the 1991 Local Government Code.
2. COMELEC can cancel Certificates of Candidacy on account of willful material misrepresentation and can declare candidates as nuisances.
3. COMELEC promotes Fair and Anti-Discriminatory Campaigning.
4. The Party-List system has been expanded and liberalized.
5. A voter is only entitled to one ballot.

8) Use of Technology and Data Privacy

1. COMELEC conducted an open bidding of the Automated Counting Machine mandating innovation, transparency, accountability and durability.
2. The ACM is connected to the modem only after 9 Election Returns (ERs) are printed and 1 ER posted.
3. Candidates can use AI but this must be disclosed.
4. Personal information is redacted from posts by the COMELEC.
5. COMELEC uses social media in informing and educating the public.

9) Protection of the Environment

1. Campaign materials must bear this Notice – “This material should be recycled or disposed responsibly.”
2. COMELEC encourages the use of reusable materials for food/ beverage containers, energy-efficient lighting/ sound system, and biodegradable materials for banners.
3. COMELEC also encourages the use e-vehicles/ hybrid vehicles for motorcades.
4. COMELEC also advises candidates to use LED billboards.
5. The use of posters and standees which are not made of cloth, paper or any recyclable material, single-use plastics, fireworks for rallies and gatherings, and styrofores and other flex, non-biodegradable materials and hazardous substances are prohibited.



10) Peaceful Transition of Power

1. The terms of office of elective officials are fixed and found in the 1987 Constitution.
2. Those proclaimed assume office on June 30, 2025.
3. Post-Proclamation cases are allowed (i.e., Election Protests, Quo Warranto and Election Offenses).
4. There is clear delineation of jurisdiction of cases.
5. If unseated after being proclaimed, the seat is vacated and the 2nd placer assumes or succession takes place.

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