



REPUBLIC OF THE PHILIPPINES
COMMISSION ON ELECTIONS
INTRAMUROS, MANILA

IN THE MATTER OF THE DECLARATION
OF FAILURE OF ELECTIONS IN CERTAIN
AREAS AND THE CONDUCT OF SPECIAL
ELECTIONS.

BAUTISTA, J. Andres D.
LIM, Christian Robert S.
PARRENO, Al A.
GUIA, Luie Tito F.
LIM, Arthur D.
GUANZON, Ma. Rowena
Amelia
ABAS, Sherif M.

Chairman
Commissioner
Commissioner
Commissioner
Commissioner
Commissioner

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Promulgated on: May 11, 2016 *[Signature]*

RESOLUTION NO: 10129 *[Signature]*

WHEREAS, on May 9, 2016 National, Local and ARMM Elections, the National Operational Support Center (NOSC) received verified reports that no elections were held in the following areas for the reasons stated below:

A. NO PRINTED OFFICIAL BALLOTS (OBs)

Region	Province	Barangay/ City/ Municipality	No. of affected Clustered Precincts (CP)	No. of affected Registered Voters (RV)	Remarks
VII	Cebu	Cordova, Brgy. Gabi	1	436 out of 772	Out of the 772 affected RVs, 336 were directed to cast their votes in the nearby polling place within the same voting center; while 436 were not able to vote because there are no more available OBs.
Total			1	436	

B. MISDELIVERED OFFICIAL BALLOTS (OBs)

Region	Province	Barangay/ City/ Municipality	No. of affected Clustered Precincts (CP)	No. of affected Registered Voters (RV)	Official Ballots intended for	Remarks
XII	Sarangani	Maitum	1	677	CP # 3, Brgy. Alobo, Sta. Cruz, Marinduque	No elections conducted. Waiting for the swapping/re-printing of OBs.
IV	Marinduque	Sta. Cruz	1	621	Brgy. Malalag, Maitum, Sarangani	
Total			2	1,298		

C. LACKING OFFICIAL BALLOTS (OBs)

Region	Province	Barangay/ City/ Municipality	No. of affected Clustered Precincts (CP)	No. of affected Registered Voters (RV)	Remarks
VI	Antique	Brgy. Mabuyong, Anini-y	1	691	268 voters were not able to vote
		Brgy. Insubuan, San Remigio	1	158	34 voters were not able to vote
Total			2	849	

D. SECURITY CONCERNS

REGION	PROVINCE	CITY/ MUNICIPALITY / BARANGAY	No. of affected Clustered Precincts	No. of Affected Registered Voters (RV)	BRIEF DESCRIPTION	STATUS/ ACTION
VIII	Northern Samar	Lope de Vega Brgy. Roxas	1	169	A shooting incident occurred at around 2:00 PM on May 8, 2016 resulting to the death of one (1) AFP trooper. The shooting forced the residents to flee to Poblacion for safety.	PES Gulay requested for a formal declaration of failure of election and recommen-ded that a special election be held today May 10, 2016.
	Western Samar	Matuguinao - Nagpapacao	1	285	At around 3:25 PM of May 9, 2016 three (3) armed men with bonnets and four (4) others rushed inside the polling place, destroyed and burned the VCM, all election paraphernalia and documents. Only the voters' receipts inside the voters' receipt receptacle were left intact.	EO Lowell D. Villaflor of Matuguinao submitted a memorandum to PES Juan Bautista A. Beato, Jr., of Western Samar, who endorsed the same to RED Dennis L. Ausan. RED Ausan submitted to us the report on May 10, 2016.

ARMM	Lanao del Sur	Binidayan (all 26 barangays)	26	7,845	1) EO filed. 2) 3 out of 6 voting centers were demanded to be transferred by contending parties without authorization from COMELEC, prompting the EO to declare failure of election. 3) BEI reportedly being harassed and intimidated prior to opening of VCMs and ballots.	According to the EO, he submitted his report to PES dela Peña. We talked to PES dela Peña asking him to fax the report. Now waiting for the report.
ARMM	Sulu	Pata -Daungdong -Kamawi Island -Kayawan -Likud -Niog-niog -Timuddas	6	1,670 263 185 394 181 256 391	BEIs did not report on election day at Kayawan Primary School. Reported to REDO Abbas	Reported by PES Tago. Written report to follow. PES is waiting for the report of the EO.
		Panglima Estino -Gagguil -Gata-gata -Jinggan -Kamih Pungud -Lihbug- Kabaw -Lubuk-lubuk -Pandakan -Tiptipon	10	4,058 414 682 394 341 358 466 359 238 410 396	BEIs did not appear. Reported to REDO Abbas	Recommendation of PES Tago, utilization of PNP trainees as SBEIs to serve in the affected areas.
	Lanao del Sur	Tamparan -Dilausan - Bangun -Dasumalong	3	1,047 444 340 263	There was a fire incident in Dilausan Primary School, the voting center of Brgys. Dilausan, Bangon and Dasomalongis. The rest of the classrooms were not affected. However, the EO decided not to proceed with the election,	Verified through the EO.

					otherwise chaos will ensue. There was even a commotion in the said school. The voters were afraid that the firefight might continue.	
Total			47	15,074		

SUMMARY

ISSUES	Total No. of Affected Clustered Precincts (CP)	Total No. of Affected Registered Voters (RV)
NO PRINTED BALLOTS	1	436
MISDELIVERED OFFICIAL BALLOTS	2	1,298
LACKING OFFICIAL BALLOTS	2	849
SECURITY CONCERNS	47	15,074
TOTAL	52	17,657

WHEREAS, Section 6, Article I of Batas Pambansa Bilang 881 (otherwise known as the Omnibus Election Code (OEC), states that, "If, on account of force majeure, violence, terrorism, fraud, or other analogous causes, the election in any polling place has not been held on the date fixed, or has been suspended before the hour fixed by law for the closing of the voting, or after the voting and during the preparation and the transmission of the election returns or in the custody or canvass thereof, such election results in a failure to elect, and in any of such cases the failure or suspension of election would affect the result of the election, the Commission shall, on the basis of a verified petition by any interested party and after due notice and hearing, call for the holding or continuation of the election not held, suspended or which resulted in a failure to elect on a date reasonably close to the date of the election not held, suspended or which resulted in a failure to elect but not later than thirty days after the cessation of the cause of such postponement or suspension of the election or failure to elect."

NOW, THEREFORE, the Commission, pursuant to the powers vested in it by the 1987 Philippine Constitution, Omnibus Election Code and other related statutes, **RESOLVED**, as it hereby **RESOLVES** to:

A. In areas where there were no/misdelivered/lacking OBs:

1. Direct the MBOC to suspend the proclamation of the winning candidates, if the conduct of the elections would affect the results.
2. Direct the Printing Committee to print the official ballots.
3. Direct the Packing and Shipping Committee to deliver the official ballots to the Municipal Treasurer's Office (MTO), with notice to the Election Officer (EO).
4. Direct the EO, immediately upon receipt of the official ballots by the MTO, to notify all interested parties by posting the notice of the conduct of special elections on **May 14, 2016 (Saturday)** in the bulletin boards of his/her office, city/municipal hall, and barangay halls of the affected barangays, if any. The concerned Regional Election Directors (RED) and Provincial Election Supervisors (PES) shall supervise and monitor the conduct thereof.

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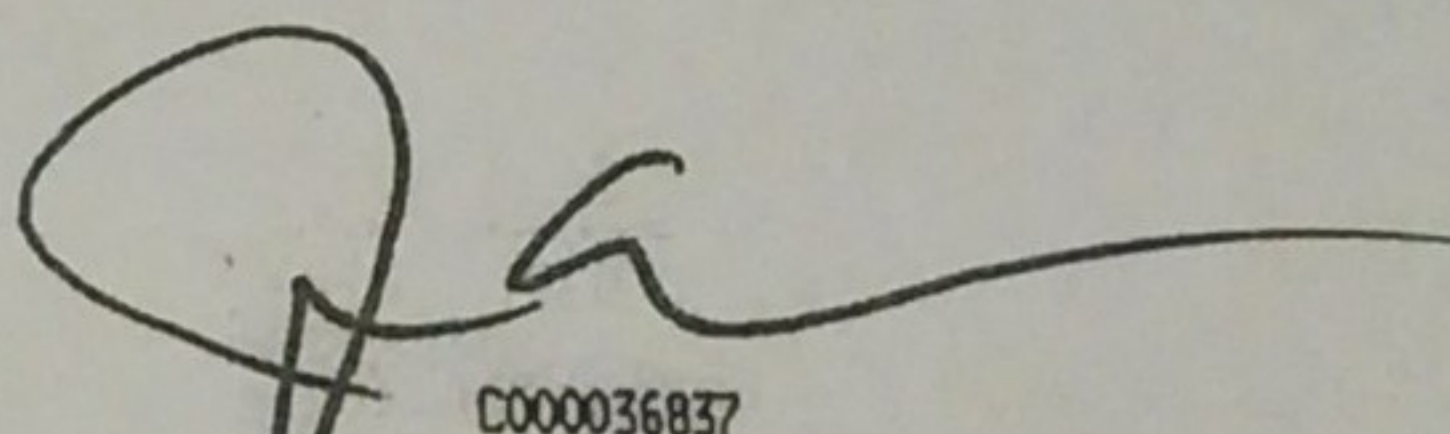
5. After casting of votes, ballots will be manually counted by BEIs in areas where elections were previously conducted and electronically transmitted, prepare election returns by indicating the electronically transmitted results and adding the manually counted result.

B. In areas where no elections were held due to security concerns:

1. Declare failure of elections.
2. Direct the Printing Committee to reprint the Official Ballots for Barangay Nagpapacao, Clustered No. 17, Matuguinao, Samar only.
3. Hold in abeyance the proclamation of winning candidates for positions that will be affected by the non-holding of elections.
4. Conduct the special elections in the affected areas on **May 14, 2016 (Saturday)**, with due notice to all interested parties. The concerned Election Officers (EO) shall post notice of the conduct of special elections in the bulletin boards of their respective offices, city/municipal halls, and barangay halls of the concerned barangays. The concerned Regional Election Directors (RED) and Provincial Election Supervisors (PES) shall supervise and monitor the conduct thereof; and
5. The Armed Forces of the Philippines (AFP) and the Philippine National Police (PNP) shall intensify efforts to ensure the holding of orderly and peaceful special elections.

Let the Field Operations Group, Printing Committee, Packing and Shipping Committee and Project Management Office implement this Resolution.

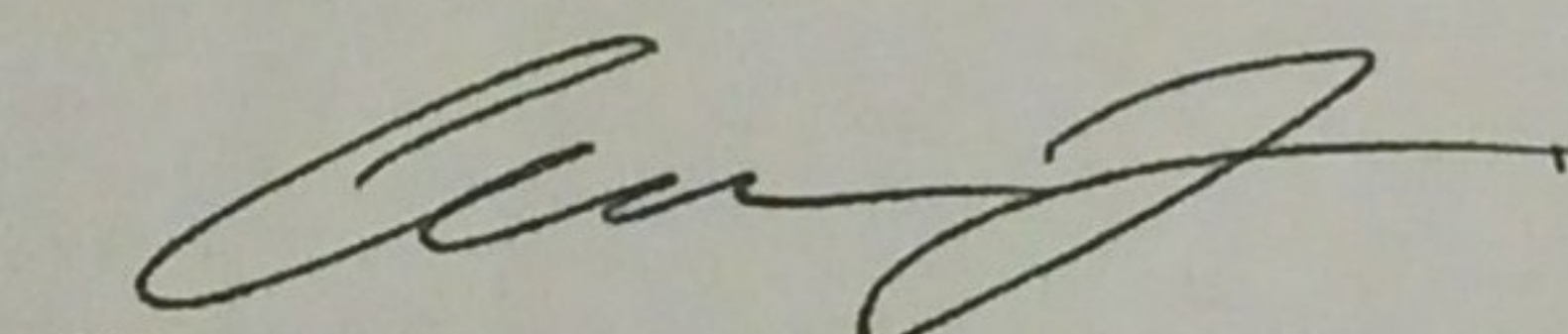
SO ORDERED.



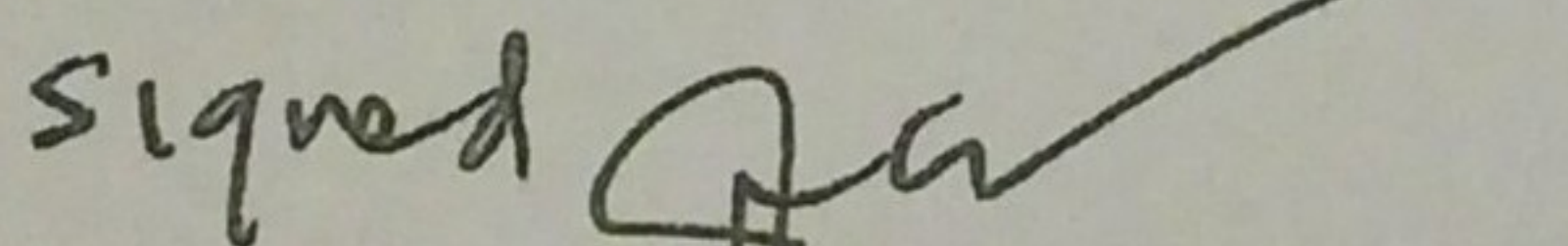
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J. ANDRES D. BAUTISTA

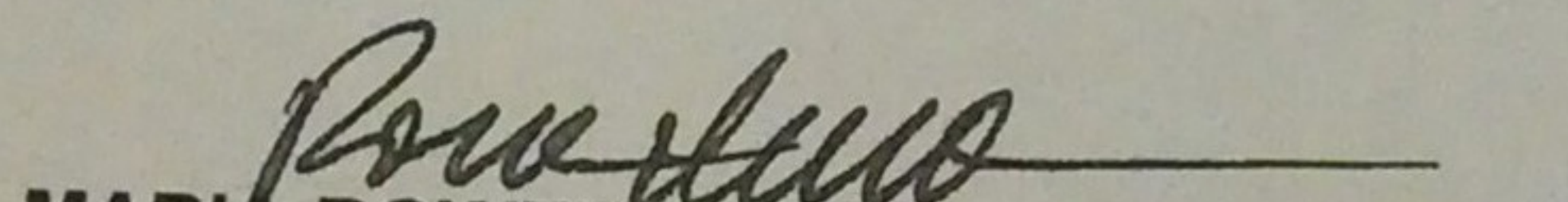
Chairman

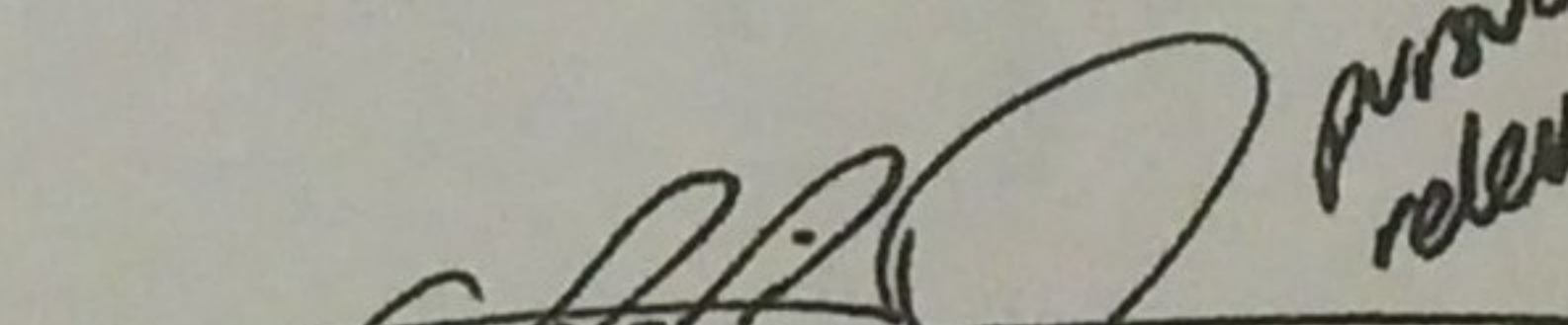


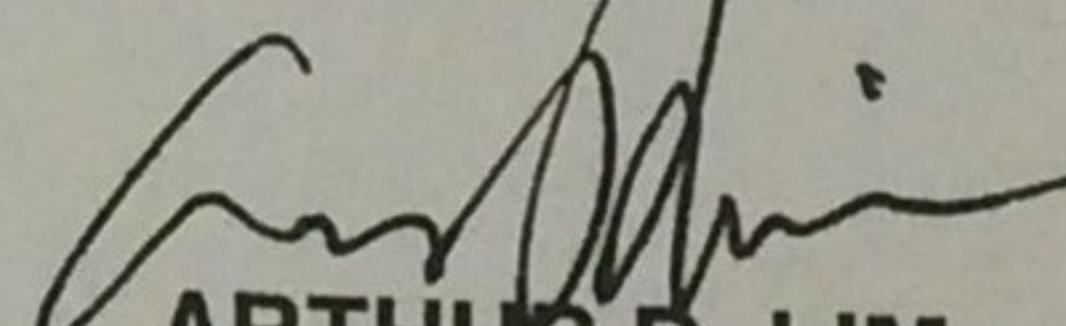
CHRISTIAN ROBERT S. LIM
Commissioner

Signed 

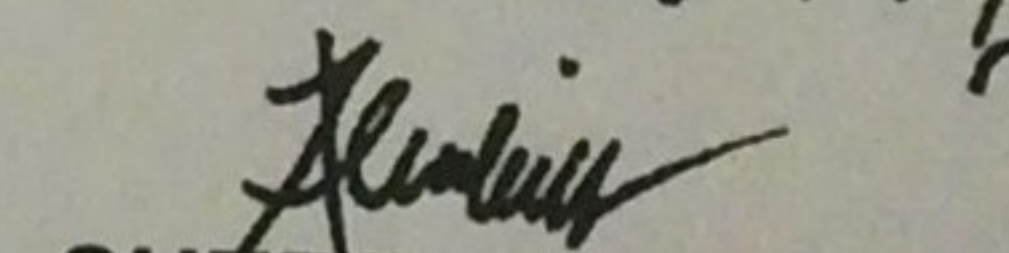
LUIE TITO F. GUIA
Commissioner


MARIA ROWENA AMELIA V. GUANZON
Commissioner

 *pursuant relevant*
AL A. PARRENO
Commissioner


ARTHUR D. LIM
Commissioner

- subject to pertinent ruler


SHERIFF M. ABAS
Commissioner