



Republic of the Philippines
COMMISSION ON ELECTIONS
Intramuros, Manila

EN BANC

IN THE MATTER OF PLACING SOME AREAS IN THE COUNTRY UNDER COMELEC CONTROL; AND ESTABLISHMENT OF COMELEC COMMAND CENTER FOR PURPOSES OF THE MAY 13, 2019 NATIONAL AND LOCAL ELECTIONS (NLE).

Abas, S.M., *Chairman*
Parreño, A. A., *Commissioner*
Guia, L.T.F., *Commissioner*
Guanzon, M. R. A. V., *Commissioner*
Inting, S. B., *Commissioner*
Casquejo, M. S., *Commissioner*
Kho, Jr., A. T., *Commissioner*

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Promulgated on: January 15, 2019

RESOLUTION NO. 10481

The Commission on Elections (COMELEC), by virtue of the powers vested in it by the Constitution of the Republic of the Philippines, the Omnibus Election Code and other related election laws, has **RESOLVED**, as it hereby **RESOLVES**, to promulgate the following guidelines in placing any political division, subdivision, unit or area under **COMELEC Control**.

Section 1. Power to declare COMELEC Control. - The COMELEC *En Banc* shall exercise the authority to place certain areas in the country under COMELEC Control.

Section 2. Definition of COMELEC Control. - When the peace and order situation in the area will affect the conduct of elections, the COMELEC *En Banc* may place any political division, subdivision, unit or area affected under its immediate and direct control and supervision. COMELEC Control includes:

A. Immediate and direct control and supervision over national and local officials and employees. - The COMELEC shall take immediate and direct control and supervision over all national and local officials and employees required by law to perform duties and/or to comply with certain prohibitions relative to the conduct of the elections in the political division, subdivision, unit or area concerned.

B. Full control and supervision over all national and local law enforcement agencies. - The COMELEC shall exercise full control and

supervision over all national and local law enforcement agencies as well as military officers and men assigned in the political division, subdivision, unit or area concerned.

Section 3. Grounds for the declaration of COMELEC Control.

- a. History of/or current: intense rivalry among the contending parties. Such rivalries could motivate people to engage in violent acts;
- b. The area has been previously declared under COMELEC Control;
- c. Violence maybe facilitated by the employment of Private Armed Groups (PAGs);
- d. Use of loose firearms by unqualified individuals; and
- e. Serious armed threats posed by the New People's Army (NPA), Bangsamoro Islamic Freedom Fighters (BIFF), Abu Sayyaf Group (ASG) and rogue elements of the Moro National Liberation Front (MNLF) and/or Moro Islamic Liberation Front (MILF), or other paramilitary forces, private armies or identifiable armed bands widely perceived to have committed terrorism, fraud or other election irregularities and threaten or tend to disrupt the holding of free, peaceful, honest, orderly and credible elections in any political division, subdivision, unit or area.

Section 4. Modes of declaration of COMELEC Control. - A declaration of COMELEC Control can be initiated (1) motu proprio; (2) by the filing of request; or (3) by the filing of direct petition/letter.

Section 4.1. Motu Proprio. - The Committee on the Ban on Firearms and Security Personnel (CBFSP) has the authority to declare an area under COMELEC Control. The declaration by the CBFSP shall be final and immediately executory, unless modified, reversed or revoked by the COMELEC En Banc.

Section 4.2. Filing of Request. - COMELEC Field Officers, the Philippine National Police (PNP) and the Armed Forces of the Philippines (AFP) may file with the CBFSP a request for declaration of COMELEC Control. Such request shall be made through official reports.

Section 4.3. Filing of a Direct Petition/Letter. - Any person may file a petition/letter for the declaration of COMELEC Control with the Clerk of the Commission. The filing shall be without cost of docket fees.

Section 4.4. Jurisdiction. - All requests and direct petitions/letters shall be acted upon by the COMELEC En Banc.

Section 5. Effects of a declaration of COMELEC Control. - Once an area is declared under COMELEC Control, the COMELEC has the authority among others, to:

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Section 5.1. Reshuffle or relieve members of the PNP;

Section 5.2. Require the Department of the Interior and Local Government (DILG) as deputized agency of the COMELEC, to:

- a. Look into the existence of any armed group organized to commit, or which is committing or attempting to commit, acts of terrorism, or threats to intimidate or coerce any person to vote for or against a candidate; and
- b. suppress or prevent said acts of terrorism or threats that has been established.

In this regard, the COMELEC, may recommend and/or enjoin the DILG to take appropriate action, including but not limited to the suspension of local government officials involved in the violations of elections laws or failure to comply with the instructions, orders, decisions or rulings of the COMELEC. Further, the COMELEC has the authority, through the DILG, to appoint any local elected officials as officers in-charge (OICs) in such areas;

Section 5.3. The COMELEC may relieve any public officer or employee who violates any election law or fails to comply with its instructions, orders, decisions or rulings from the performance of their duties relating to electoral processes, and appoint their substitutes. Upon recommendation of the COMELEC, the corresponding proper authority shall suspend or remove from office any or all of such officers or employees who may, after due process, be found guilty of such violation or failure.

Section 5.4. To direct the Department of Finance (DOF) to comply with and enforce all orders and instructions of the COMELEC relative to the election duties and functions of its personnel; ensure that all provincial, city, and municipal treasurers remain in their present assignments and neither transferred, detailed, reassigned, whether temporary or permanently, to another province, city or municipality, except upon prior written authority of the COMELEC, nor allowed to go on leave of absence from office during the period starting two weeks before and two weeks after election day, except upon prior written approval of the COMELEC; not to designate temporary or casual employee as OIC of the Office of the Treasurer; and perform such other duties and functions which the COMELEC may prescribe from time to time.

Section 6. Duration of COMELEC Control. - When a political division, subdivision, unit or area is placed under COMELEC Control, such shall continue to be in full force and in effect until the end of the Election Period, unless sooner lifted by the COMELEC.

Section 7. Role of the CBFSP. - The CBFSP, in addition to its existing functions under Resolution No. 10446, is hereby mandated to exercise the following powers and duties:

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- a. To supervise and control the administrative activities and transactions of local government units in the localities under COMELEC Control and enforce therein strict compliance with the election bans and prohibitions under Section 261 of the Omnibus Election Code (OEC), particularly on, but not limited to, the disbursement of public funds, the construction of public works, movements of government personnel and non-intervention of civil service officials and employees as well as police and military officers and personnel;
- b. To oversee effective and necessary distribution, assignment and deployment of officers and personnel of the PNP as well as officers and men of the AFP in the locality concerned, and place under its control their activities relative to the strict enforcement of the law on the firearms ban, security personnel of candidates and private citizens, the appointment or use of special policemen for election purposes and similar prohibitions under the pertinent provisions of Sec. 261 of the OEC and Sec. 32, 33 and Sec. 34 of Republic Act No. 7166;
- c. To augment the police force and assign additional military troops whenever necessary to quell any possible outbreak of violence and maintain peace and order in the locality concerned;
- d. When necessary, to substitute a whole unit of the police force assigned in the locality concerned with another police unit or with an adequate unit of the Armed Forces of the Philippines;
- e. To relieve any police or military officer or personnel who may be found unsuitable for continuance in his present assignment in the locality concerned, reassign or confine to quarters any such member of the police or military unit.
- f. To revoke any Certificates of Authority granted as peace and order conditions demands.
- g. To act as law enforcement arm of the COMELEC in effecting and implementing its specific orders, rulings, resolutions and decisions;
- h. To adopt appropriate measures to safeguard and ensure the holding of free, peaceful, orderly, honest and credible elections in the political division, subdivision, unit or area under COMELEC Control; and
- i. To submit periodic situation reports to the COMELEC through the most expeditious means.

Except when prior approval or authority of the COMELEC *En Banc* is required, the CBFSP decisions and orders in connection herewith, shall be final and immediately executory, unless modified, reversed or revoked by the COMELEC *En Banc*.

Section 8. Role of the PNP and AFP. - In addition to their roles as deputized agencies of the COMELEC under Resolution No. 10470, the PNP and the AFP, are hereby directed to immediately provide personnel, equipment, vehicles and other transportation facilities as the CBFSP may require.

Section 8.1. Designation of PNP/AFP Personnel in Polling Centers. - The PNP and/or AFP shall designate a sufficient number of personnel to adequately cover the security of every polling center, provided that they shall not be allowed to stay within a radius of fifty (50) meters from the polling place. They shall be allowed only to enter the polling place when they are going to cast their votes and if there is an actual disturbance of the peace and order therein.

Section 8.2. Call by the Electoral Boards. - The Electoral Board (EB) upon majority vote, if it deems necessary, may make a call in writing, duly entered in the minutes, for the detail of a policeman or any peace officer for their protection or for the protection of the election documents and paraphernalia, in which case, the said policeman or peace officer shall stay outside the polling place within a radius of thirty meters near enough to be easily called by the EB at any time, but never at the door, and in no case shall the said policeman or peace officer hold any conversation with any voter or disturb or prevent or in any manner obstruct the free access of the voters to the polling place.

They shall be allowed to enter the polling place only in the following instances:

- a. when they are going to cast their votes; and
- b. when there is actual disturbance or disruption of peace and order, the PNP or AFP officials/personnel even without the written order of the EBs.

Section 8.3. Establishment of Quick Reaction Teams (QRTs). - The PNP and AFP shall likewise establish their respective Quick Reaction Teams (QRTs) per region, province, city and municipality under the immediate and direct control supervision of their corresponding Regional Joint Security Control Center (RJSCC), Provincial Joint Security Control Center (PJSCC), City/Municipal Joint Security Control Center (C/MJSCC). The composition and activation of which shall be based on their respective Standard Operating Procedures (SOP) and Manuals of Operations.

Section 9. Election Hotspots. - The PNP and the AFP, in their official reports, shall be guided by the following classifications: (a) Category GREEN (Election Areas of No Security Concern); (b) Category YELLOW (Election Areas of Concern); or (c) Category ORANGE (Election Areas of Immediate Concern); or (d) Category RED (Election Areas of Grave Concern).

Section	9.1.	Area with no security concerns or is relatively peaceful and orderly.
Category GREEN.		

<p>Section 9.2. Category YELLOW.</p>	<p>An area shall be placed under Category YELLOW upon the existence of any of the following factors:</p> <ol style="list-style-type: none"> 1. occurrence of suspected election-related incident (ERI) in the last two (2) elections provided there was no participation of domestic terror groups; 2. existence of intense partisan political rivalry with no participation of domestic terror groups; 3. possible employment of partisan armed groups by the candidates in the area; 4. occurrence of politically motivated ERI in the current election period provided there is no participation of domestic terror groups; or 5. the area has been previously declared under COMELEC Control. <p>The COMELEC <i>En Banc</i>, among others, may direct the augmentation of PNP and AFP personnel, as the need arises in areas under Category YELLOW.</p>
<p>Section 9.3. Category ORANGE.</p>	<p>An area shall be placed under Category ORANGE upon the existence of following factors:</p> <ol style="list-style-type: none"> 1. combination of two (2) or more factors under Category YELLOW; or 2. there is serious armed threats posed by the New People's Army (NPA), Bangsamoro Islamic Freedom Fighters (BIFF), Abu Sayyaf Group (ASG) and rogue elements of the Moro National Liberation Front (MNLF) and/or Moro Islamic Liberation Front (MILF) and other analogous groups. <p>The COMELEC <i>En Banc</i>, among others, may direct the augmentation of PNP and AFP personnel, as the need arises in areas under Category ORANGE, and reshuffle the police force in such areas.</p>
<p>Section 9.4. Category RED.</p>	<p>An area shall be placed under Category RED upon the existence of one (1) or more factors described under Category YELLOW, together with serious armed threats posed by the New People's Army (NPA), Bangsamoro Islamic Freedom Fighters (BIFF), Abu Sayyaf Group (ASG) and rogue elements of the Moro National Liberation Front (MNLF) and/or Moro Islamic Liberation Front (MILF) and other analogous groups</p>

	<p>under Category ORANGE.</p> <p>The COMELEC <i>En Banc</i>, among others, may direct the augmentation of PNP and AFP personnel, as the need arises in areas under Category RED and reshuffle the police force in such areas.</p> <p>The Category RED classification may warrant the motu proprio declaration of COMELEC Control under Section 4.1.</p>
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Section 10. Implementation of COMELEC Control - The Authority to place certain areas in the country under COMELEC Control shall be exercised pursuant to the parameters set forth in this Resolution.

Unless otherwise provided, the highest or designated COMELEC Officer (Regional Election Director/ Provincial Election Supervisor/ Election Officer) in the area shall be responsible in implementing the Resolution declaring an area under COMELEC Control, to be supervised by the Field Operations Group (FOG).

Section 11. Establishment of COMELEC Command Center. - A COMELEC Command Center is hereby established to oversee the implementation of this Resolution.

Section 12. Tasks of the COMELEC Command Center. - The COMELEC Command shall be tasked to monitor the following:

1. Security concerns;
2. Deployment of Official Ballots, other election paraphernalia and supplies;
3. Trainings of Electoral Board;
4. Deployment of cash cards/ cash advances;
5. Payment of Honoraria to Electoral Boards;
6. Conduct of Election (voting, counting, canvassing and proclamation of candidates);
7. Retrieval of election paraphernalia; and
8. Other issues and concerns that might be raised before the COMELEC.

The COMELEC Command Center shall work with other government agencies deputized by the COMELEC for purposes of the conduct of elections, and other non-government organizations in the performance of the above-mentioned tasks.

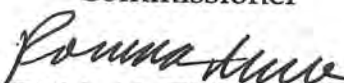
Section 13. Effectivity. - This Resolution shall take effect on the seventh (7th) day after its publication in two (2) daily newspapers of general circulation in the Philippines.

Section 14. Dissemination. - The Education and Information Department shall cause the publication of this Resolution in two (2) daily newspapers of general circulation, and give this resolution the widest dissemination.

SO ORDERED.

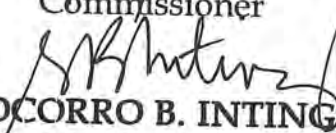

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