



Republic of the Philippines
Supreme Court
Office of the Court Administrator
Manila

OCA CIRCULAR NO. 153-2019

TO : ALL DESIGNATED REGIONAL TRIAL COURTS HANDLING ELECTION PROTEST CASES

SUBJECT : COMELEC MINUTE RESOLUTION NO. 19-0652 DATED 13 JUNE 2019 (IN THE MATTER OF THE GUIDELINES/PROTOCOL FOR AUDIT LOGS AND GUIDELINES TO DECRYPT BALLOT IMAGES ALL IN CONNECTION WITH THE MAY 13, 2019 NATIONAL AND LOCAL ELECTIONS); COMELEC MINUTE RESOLUTION NO. 19-0757 DATED 10 JULY 2019 (IN THE MATTER OF THE SECURITY FEATURES OF THE BALLOTS USED IN THE MAY 13, 2019 NATIONAL AND LOCAL ELECTIONS); AND COMELEC RESOLUTION NO. 10550 PROMULGATED ON 23 JULY 2019 (IN THE MATTER OF THE GUIDELINES ON THE PRODUCTION OF ELECTION DOCUMENTS, EQUIPMENTS AND PARAPHERNALIA TO BE USED IN ELECTION PROTEST CASES IN CONNECTION WITH THE MAY 13, 2019 NATIONAL AND LOCAL ELECTIONS)

For the information, guidance, and strict compliance of all concerned, appended herein as Annexes "A", "B" and "C" are **Comelec Minute Resolution No. 19-0652 dated 13 June 2019** (*In the Matter of the Guidelines/Protocol for Audit Logs and Guidelines to Decrypt Ballot Images, all in Connection with the May 13, 2019 National and Local Elections*); **Comelec Minute Resolution No. 19-0757 dated 10 July 2019** (*In the Matter of the Security Features of the Ballots Used in the May 13, 2019 National and Local Elections*); and **Comelec Resolution No. 10550 promulgated on 23 July 2019** (*In the Matter of the Guidelines on the Production of Election Documents, Equipments and Paraphernalia to be Used in Election Protest Cases in Connection with the May 13, 2019 National and Local Elections*).

27 August 2019


JOSE MIDAS P. MARQUEZ
Court Administrator



**EXCERPT FROM THE MINUTES OF THE SPECIAL EN BANC
MEETING OF THE COMMISSION ON ELECTIONS
HELD ON JUNE 13, 2019**

Chairman Sheriff M. Abas
Commissioner Al A. Parreño
Commissioner Luie Tito F. Guia
Commissioner Ma. Rowena Amelia V. Guanzon
Commissioner Socorro B. Inting
Commissioner Marlon S. Casquejo
Commissioner Antonio T. Kho, Jr.

x x x

x x x

x x x

19- 0652- **IN THE MATTER OF THE GUIDELINES/PROTOCOL FOR
AUDIT LOGS AND GUIDELINES TO DECRYPT BALLOT IMAGES,
ALL IN CONNECTION WITH THE MAY 13, 2019 NATIONAL AND
LOCAL ELECTIONS**

This pertains to the Memorandum dated June 5, 2019 of Director Ester L. Villaflor-Roxas, Election Records and Statistics Department, as referred by Executive Director Jose M. Tolentino, Jr., submitting the Guidelines/Protocol for Audit Logs and Guidelines to Decrypt Ballot Images, all in connection with the May 13, 2019 National and Local Elections.

The Memorandum of Director Villaflor-Roxas reads:

"In connection with your Memorandum dated May 30, 2019, attached please find the proposed guidelines/protocol for Requests for Audit Logs and other Reports that will be taken from the SD cards and/or Compact Disc (CD) relative to the May 13, 2019 National and Local Elections.

Also attached is the proposed guidelines to decrypt ballot images.

For consideration."

**"GUIDELINES FOR THE ISSUANCE OF REQUESTS FOR AUDIT
LOGS, ELECTION RETURNS, STATISTICAL REPORT AND
TRANSMISSION REPORT**

May 13, 2019 National and Local Elections

1. Interested parties may request from the Commission, through the Office of the Executive Director, for copies of reports (audit logs, election returns, statistical report and transmission report) stored in the SD cards that were installed in the vote counting machines (VCMs).
2. The Office of the Executive Director shall, upon authority of the Commission en banc, approve the request and forward the same

to the Office of the Director of the Election Records and Statistics Department (OD-ERSD).

3. *The ERSD Director shall notify the parties concerned of the date, time and place of the decryption of the requested report(s).*
4. *Decryption shall be under the supervision of the ERSD Directors and shall only be done at the office of the Election Records and Statistics Department, Annex Building.*
5. *The cost of the decryption of each report is Php 10.00 per SD card to cover expenses for the electricity and the use of printer and computer and Php 50.00 per SD card for the honoraria of ERSD personnel.*

Consumables for the decryption, generation and printing of report(s), such as copy paper, toner, CD/DVD and sign pens shall be provided by the parties.

6. *The ERSD personnel shall prepare the Order of Payment, and the requesting party shall pay to the Cash Division the appropriate amount for the decryption of the report(s).*
7. *Upon presentation of the Official Receipt issued by the Cash Division, the ERSD personnel shall cause the decryption of the requested report(s).*
8. *The following procedures shall be followed in the decryption of the requested report(s):*

- a. *Using a laptop with LINUX Operating system, insert the Main/Backup SD card in the Card Reader.*
- b. *Run the script for decryption, which shall take 10-15 minutes per SD Card. The script will automatically follow this process:*
 - i. *Extract and decrypt files from the SD card.*
 - ii. *Save said files and identify them into clustered precinct ID folder. The clustered precinct ID consists of the province code, city/municipality code and precinct code.*
 - iii. *The report(s) requested (audit log, transmission report, election returns, and statistical report) are extracted from the clustered precinct ID folder.*
 - iv. *Generate the hashed code of the report(s).*
- c. *Print the hash code.*
- e. *Print the report(s) and/or save files to CD/DVD.*

[9.] *After printing of the requested report(s) and hash code, the ERSD personnel and the representatives of the parties, if present, shall affix their initial in all the pages of the printed report(s) and hash code.*

[10.] *The printed and softcopies (saved in CD/DVD) of requested report(s) shall be turned-over under proper receipt to the requesting party.*

[11.] *The printed hashed code shall be given to the representative of the parties. One copy shall be kept by ERSD personnel.*

***“GUIDELINES TO DECRYPT BALLOT IMAGES
May 13, 2019 National and Local Elections***

1. *Ballot images shall only be decrypted upon issuance of an Order to the Commission by the Tribunals (House of the Representatives Electoral Tribunal (HRET), Senate Electoral Tribunal (SET) and lower courts. In addition, ballot images shall also be provided to the Commission Division upon Order by the Presiding Commissioner.*
2. *Based on the Order received, this office shall inform the tribunals/Division/lower courts of the schedule and place of the decryption.*
3. *The parties (protestant and protestee) shall be notified by the tribunals/division/lower courts based on the schedule given by this office.*
4. *Representatives from the tribunals/division/lower courts and parties shall be present during the decryption process to observe the proceedings.*
5. *Decryption shall be under the supervision of the ERSD Directors and shall only be done at the Office of the Election Records and Statistics Department, Annex Building.*
6. *The following cost of the decryption of the ballot images per SD card shall be paid by the requesting party pursuant to Resolution No. 8226 and 9720 dated May 17, 2011 and June 20, 2013, respectively and MR No. 11-0399 dated March 29, 2011:*
 - a. *ERSD personnel honoraria — Php 350.00*
 - b. *Electricity-Php 100.00*
 - c. *Use of computers and printers - Php 50.00*
 - d. *Use of system per case:*
 - i. *SET - Php 50,000.00*
 - ii. *HRET - Php 5,000.00*
 - iii. *Division - Php 5,000.00*
 - iv. *Courts - Php 2,500.00*

All consumables for the decryption, generation and printing of ballot images, such as toner, copy paper, DVD and sign pens shall be provided by the requesting party.

7. *The ERSD personnel shall prepare the Order of Payment, and the requesting party shall pay to the Cash Division the appropriate amount for the decryption of the ballot images.*
8. *Upon presentation of the Official Receipt issued by the Cash Division, the ERSD personnel shall cause the decryption of the ballot images.*
9. *The following procedures shall be followed in the decryption of the ballot images:*
 - a. *Using a laptop with LINUX Operating system, insert the Main/Backup SD card in the Card Reader.*

- b. *Run the script for decryption, which shall take 10-15 minutes per SD card. The script will automatically follow this process:*
 - i. *Extract and decrypt files from the SD card.*
 - ii. *Save said files and identify them into clustered precinct ID folder. The clustered precinct ID consists of the province code, city/municipality code and precinct code.*
 - iii. *Read the ballot images and generate the PDF files. The serial number of the ballot is the filename of the decrypted ballots. Apply the filename marks on the top of the decrypted ballot images. Every decrypted ballot image contains both faces of the ballots and the voter receipt.*
 - v. *Generate a PDF format files that contains all the votes and merged the PDF ballot images into one file.*
 - vi. *Generate the list of the decrypted ballot images.*
 - c. *Print the list of filename of the ballot images.*
 - d. *Print the hash code.*
 - e. *Print the pdf merged file and save it to DVD.*
10. *After printing the ballot images, the ERSD personnel, representatives of the tribunals/division/courts including the parties shall affix their initial in all the pages of the printed ballot images.*
 11. *The printed and softcopies of ballot images shall be turned-over to representative of the tribunals/division/courts.*
 12. *The printed hashed code shall be distributed to the representative of the tribunals/division/courts representative and to the parties. One copy shall be kept by the ERSD personnel.*
 13. *The ERSD shall issue a certification to the representative of the tribunals/ division/courts that the decrypted ballot images are taken from the SD card(s) that were submitted by the field officers."*

The Commission **RESOLVED**, as it hereby **RESOLVES** to **approve** the foregoing Guidelines as submitted by ERSD Director Ester L. Villaflor-Roxas:

1. Guidelines for the Issuance of Requests for Audit Logs, Election Returns, Statistical Report and Transmission Report May 13, 2019 National and Local Elections; and
2. Guidelines to Decrypt Ballot Images May 13, 2019 National and Local Elections.

Let the Election Records and Statistics Department implement this Resolution.

SO ORDERED. subject to pertinent rules

[Signature]
SHERIFF M. ABAS
Chairman

[Signature]
AL A. PARREÑO
Commissioner

[Signature]
LUIE TITO F. GUIA
Commissioner

[Signature]
MA. ROWENA AMELIA V. GUANZON
Commissioner

[Signature]
SOCORRO B. INTING
Commissioner

[Signature]
MARLON S. CASQUEJO
Commissioner

(On Official Business)
ANTONIO T. KHO, JR.
Commissioner

- Cc: Chairman
All Commissioners
Executive Director
Deputy Executive Director for Operations
Deputy Executive Director for Administration
Election Records and Statistics Department
Information Technology Department
Finance Services Department
Cash Division, ASD



**EXCERPT FROM THE MINUTES OF THE REGULAR EN BANC
MEETING OF THE COMMISSION ON ELECTIONS
HELD ON JULY 10, 2019**

Chairman Sheriff M. Abas
Commissioner Al A. Parreño
Commissioner Luie Tito F. Guia
Commissioner Ma. Rowena Amelia V. Guanzon
Commissioner Socorro B. Inting
Commissioner Marlon S. Casquejo
Commissioner Antonio T. Kho, Jr.

COMMISSION ON ELECTIONS	
ECAD - OFFICE OF THE DIRECTOR	
Date :	8-14-19
Time :	3:00 PM
Received by:	MVA

xxx

xxx

xxx

19-0757

**IN THE MATTER OF THE SECURITY FEATURES OF THE
BALLOTS USED IN THE MAY 13, 2019 NATIONAL AND LOCAL
ELECTIONS**

This pertains to the Memorandum dated July 2, 2019 of Director Maria Victoria S. Dulcero, Vice-Chairperson, Printing Committee, forwarding the Memorandum dated June 18, 2019 of Director Allen Francis B. Abaya, Electoral Contests Adjudication Department, requesting for guidelines on the security features of the official ballots used in the May 13, 2019 National and Local Elections to serve as guidance of the lower courts in the disposition of election cases filed before them.

The Memorandum of Director Dulcero reads:

"This refers to the June 18, 2019 Memorandum of Dir. Allen Francis B. Abaya, Director IV, ECAD, requesting for guidelines on the security features of the [official] ballots used in the May 13, 2019 National and Local Elections (NLE) through an en banc Resolution to serve as guidance of the lower courts in the disposition of election cases filed before them.

In response, undersigned drafted a list of security features and vital information relative to the 2019 NLE Official Ballot and referred the same to the Information Technology Department on June 26, 2019 for confirmation.

For this reason, she is respectfully submitting the Memorandum of ITD Director Jeannie V. Flororita, dated June 20, 2019, on the security features and vital information of the Official Ballot used in the May 13, 2019 NLE to serve as guidelines for the lower courts in determining the authenticity of the ballots in election cases filed before them pursuant to Section 9, Rule 10 of A.M. No. 10-4-1-SC (2010 Rules of Procedure in Election Contests Before the Courts Involving Elective Municipal Officials).

For your Honors' consideration and approval."

The Memorandum dated June 29, 2019 of Acting Director Jeannie V. Flororita reads:

"Relative to the memorandum received from your office, [below] are the security features and vital information of the official ballot used in the 2019 National and Local Election held last May 13, 2019.

1. Security features and other Ballot Components

*1. **Ballot Paper** - The ballot paper used for the May 2019 NLE is imported (part of stock used was from Canada and part from Germany) and is not readily available in the local market.*

*2. **Timing Marks** - The black square marks that run along all sides, upper and bottom portions of the ballots. These black markings are printed on the front and back of the ballot.*

*3. **Fiducial Mark** - These marks are used to establish reference points in the ballot elements, as well as defining the ballots orientation and rotation. Fiducial marks are located at the top-left, top-right and bottom-left corners of the ballots.*

*4. **QR Code** - The COMELEC QR code which contains alpha-numeric symbols is located at the upper middle portion, at the front and back of the ballot. Also, the National Printing Office (NPO) has placed a QR code at the extreme right top portion of the ballot indicated by a red square.*

*5. **Title** - This information is the first line in the header. It is aligned to the left and it starts with the statement 'OFFICIAL BALLOT'*

*6. **Election Information** - Appears below the title. It is aligned to the left and it includes the name of elections, election date and the name of the place.*

*7. **Voter Instructions** - Helps the voters know how to make the ballots.*

*8. **Country Logo** - Distinctive image of the Philippines*

*9. **Ultra-Violet Ink Mark** - Security features using UV ink in the design of the Philippine flag is found on the upper middle portion of the ballot. The UV marks are not visible to the naked eye and requires the use of any commercially-available hand-held ultra-violet lamp for manual detection.*

*10. **Box for Signature of Election Board (EB) Chairperson** - The box where the EB Chairperson signs his/her signature to authenticate the ballot.*

↳

11. **Electoral Precinct Code** – consist of **Clustered Precinct ID Number** (contain the province code, city/municipality code, and the sequential number) and **Precincts in a Cluster**

II. Front and Back Design of the Ballot

A. For Local Ballots

- 1) The **FRONT** of the ballot will show the following positions:
 - a) Senator (Blue background)
 - b) Member, House of Representative (green background)
 - c) Provincial Governor (blue background)
 - d) Provincial Vice-Governor (green background)
 - e) Member, Sangguniang Panlalawigan (blue background)
 - f) Mayor, (green background)
 - g) Vice Mayor (blue background)
 - h) Member, Sangguniang Panlungsod/Bayan (green background)
- 2) The **BACK** of the ballot will show the position for Party List (blue background)
- 3) The date of the elections (in **BOLD** letters) is in the upper left corner of the Official Ballot
- 4) The name of the barangay, city/municipality and province (all in capital letters) are located on the upper left corner of the official Ballot, just below the date of the elections.

B. For Overseas Ballots

- 1) The **FRONT** of the ballot will show the position for Senator while the **BACK** will show the position for Party List
2. The date of the elections (in **BOLD** letters) is in the upper left corner of the Official Ballot
- 3) The name of the country and/or Post (all in capital letters) are located on the upper left corner of the Official Ballot, just below the date of the elections.

Additional information was italicized for distinction.

For your information please.”

The Commission **RESOLVED** as it hereby **RESOLVES**, to **approve** the Guidelines on the Security Features of the Official Ballots used in the May 13, 2019 National and Local Elections to serve as guidelines for the

✓

lower courts in determining the authenticity of the ballots in election cases filed before them pursuant to Section 9, Rule 10 of A.M. No. 10-4-1-SC (2010 Rules of Procedure in Election Contests Before the Courts Involving Elective Municipal Officials).

Let the Electoral Contests Adjudication Department implement this Resolution.

SO ORDERED.


SHERIFF M. ABAS
Chairman

(On Leave)
AL A. PARREÑO
Commissioner

(On Leave)
LUIE TITO F. GUIA
Commissioner


MA. ROWENA AMELIA V. GUANZON
Commissioner


SOCORRO B. INTING
Commissioner


MARLON S. GASQUET
Commissioner


ANTONIO T. KHO, JR.
Commissioner

cc. Chairman
All Commissioners
Executive Director
Deputy Executive Director for Operations
Deputy Executive Director for Administration
Electoral Contests Adjudication Department
Information Technology Department
Printing Committee



Republic of the Philippines
COMMISSION ON ELECTIONS
Intramuros, Manila

IN THE MATTER OF THE
GUIDELINES ON THE PRODUCTION
OF ELECTION DOCUMENTS,
EQUIPMENTS AND
PARAPHERNALIA TO BE USED IN
ELECTION PROTEST CASES IN
CONNECTION WITH THE MAY 13,
2019 NATIONAL AND LOCAL
ELECTIONS

ABAS, Sheriff, 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, A. T. Jr.	Commissioner

X-----X

Promulgated: July 23, 2019

RESOLUTION NO. 10550

WHEREAS, in election protest cases filed before the Electoral Tribunals and Regional Trial Courts in connection with the May 13, 2019 national and local elections, there are Orders or requests for the production of the Vote Counting Machines (VCMs), Consolidated Canvassing System (CCS) Laptops, SD cards and other election documents, equipments and paraphernalia for purposes of, among others, authenticating ballots and determining how the VCM read the shades on the official ballots;

WHEREAS, the genuineness and authenticity of the official ballots may be ascertained by the presence of the Ultra-Violet (UV) marks which may be detected by using any commercially-available hand-held UV lamp;

WHEREAS, the SD cards containing the election returns and digital ballot images may be decrypted and printed to determine how the VCM read the shades on the official ballots;

NOW, THEREFORE, the Commission on Elections, by virtue of the powers vested in it by the Constitution, the Omnibus Election Code and other election laws, **RESOLVED**, as it hereby **RESOLVES**, as follows:

1. To advise the Electoral Tribunals and Regional Trial Courts:
 - i. To use any commercially-available hand-held Ultraviolet (UV) lamp which is hereby authorized and certified to be capable of detecting UV marks in the determination of the genuineness and authenticity of the official ballots, hence, the VCMs, CCS laptops and SD cards need not be produced before them anymore;

^

ii. To resort to the decryption of ballot images to determine how the VCMs read the shades on the official ballots following the procedures as enunciated in Comelec Resolution No. 0652;

2. To authorize the Election Officers to produce before the Electoral Tribunals and Regional Trial Courts concerned the List of Voters with Voting Records of the precincts involved in an election protest case subject to clearance from higher tribunals which issued Precautionary Protection Orders relative to protest cases filed before them, if any.

SO ORDERED.


SHERIFF M. ABAS
Chairman


AL A. PARREÑO
Commissioner


LUIE TITO F. GUIA
Commissioner


MA. ROWENA AMELIA V. GUANZON
Commissioner


SOCORRO B. INTING
Commissioner


MARLON S. CASQUEJO
Commissioner


ANTONIO T. KHO, JR.
Commissioner

Cc: Chairman
Commissioners
Executive Director
Deputy Executive director for Operations
Deputy Executive Director for Administration
All REDs - c/o ODEDO