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Questions

1. Please provide background to the Municipal elections in Tanauan, Batangas. How frequent, which parties were involved in May 2004, how do they differ, who was successful and who was declared the winner almost 2 years later?
2. Is there evidence of violence in the town around the election time?
3. Is there evidence of political campaigners being harassed in municipal elections?
4. Where is Tanauan located?
5. Anything else of relevance.

RESPONSE

1. Please provide background to the Municipal elections in Tanauan, Batangas. How frequent, which parties were involved in May 2004, how do they differ, who was successful and who was declared the winner almost 2 years later?

The following material is grouped under three headings covering the elections of 2004 and the subsequent administrative and court decisions; the political parties involved; and the general timing of local elections in the Philippines.

The elections of 2004 and the subsequent administrative and court decisions

Sources indicate that there was a mayoral election in Tanauan in May 2004. The incumbent Alfredo Corona was at first declared the winner, and continued to act in the post, but Sonia Torres-Aquino lodged a protest. After more than a year of deliberations and various petitions and protests by the Corona faction, Comelec (the Electoral Commission) decided in favour of Aquino in late 2005. In May 2006, this decision was upheld by the Supreme Court after

Corona petitioned it, and Sonia Torres-Aquino was declared mayor of Tanauan. Recent reports indicate that she still holds the position.

The following news articles from 2004 to 2006 are in reverse chronological order.

A May 2006 article by Ramos provides a history of the case, as it reports on the final ruling by the Supreme Court in favour of Sonia Aquino:

> The Supreme Court has upheld the decision of the Commission on Elections declaring Sonia Torres-Aquino as the duly elected mayor of Tanauan City, Batangas, ending a dispute that led to the freezing of the city's bank account since last February.
>
> In a four-page resolution released last Monday, the court threw out a petition by former Mayor Alfredo C. Corona questioning the Comelec's ruling and asking the court to restrain the poll body from enforcing its decision.
>
> Immediately after the Supreme Court's ruling was released last Monday, Torres-Aquino told reporters at her office that she expected Corona to respect the decision "because he himself said that he would only honor a decision from the Supreme Court".
>
> "…Finally, the city of Tanauan can now move on," she added. "With the decision of the Supreme Court, we can proceed with our plans for better service and economic development for our people."
>
> She called on pro-Corona city councilors to pass a resolution allowing her to enter into financial transactions in behalf of the city government. The council has refused to pass such a resolution, prompting the local branch of the Land Bank of the Philippines to freeze the city's bank account as it could not honor the mayor's signature without the resolution.
>
> The mayoral row adversely affected the functions of the city government as Corona and his followers had originally refused to leave his office to protest the Comelec's decision to install Torres-Aquino as city mayor last Feb. 9. Corona eventually gave up the post and went to the Supreme Court.
>
> The case stemmed from an election protest against Corona filed by Torres-Aquino which was assigned to the Comelec's second division, which had only Commissioners Mehol K. Saddain and Florentino Tuason Jr. as members. Comelec Chair Benjamin S. Abalos appointed Commissioner Rufino S.B. Javier as the third member.
>
> On Dec. 22, the panel ruled in favor of Torres Aquino, with Tuason dissenting, and later issued a writ of execution.
>
> …But Corona petitioned for a reconsideration of the decision, and the case was taken up by the Comelec en banc. Two commissioners inhibited themselves, two voted for the motion but the two others voted to reject it.
>
> But with the impending retirement of two commissioners, the Comelec decided en banc last Feb. 2 to enforce the writ of execution earlier issued by its second division, in effect upholding its earlier ruling.
>
> It was at this point that Corona went to the Supreme Court, questioning Abalos' appointment of a third commissioner to the Comelec's second division. He said the Comelec should have also conducted another hearing.

> But the high court said the Comelec rules and procedures "clearly sanctions the appointment made by (Abalos)."
>
> The court also ruled that following the retirement of the two commissioners, the Comelec "may no longer set the case for rehearing." It added that "since the commission en banc was equally divided in opinion, the motion for reconsideration should be deemed lost," thus leaving the original decision of the Comelec's second division (Ramos, Armand N.N.M. 2006, 'SC upholds Comelec ruling ousting mayor', *Philippine Daily Inquirer*, 10 May – Attachment 1).

A May 2006 article by Panaligan describes in legal and technical terms the deliberations of the courts and the Comelec (Panaligan, Rey G. 2006, 'SC affirms Comelec: Aquino won in Tanauan', *Manila Bulletin*, 10 May – Attachment 2).

A January 2006 report, written before the Supreme Court decision, mentions that after the December 2005 decision by Comelec in Aquino's favour, a motion for reconsideration was filed by the Corona camp and a temporary restraining order placed on Aquino which prevented her carrying out her duties ('Tanauan Mayors' "Battle"' Rages' 2006, *The Manila Times*, 21 January – Attachment 3).

Another January 2006 report describes protests by Corona supporters (including a group called "Katapat"), and provides further detail on the case. It mentions that both Corona and Aquino ran under the "administration party Lakas":

> More than 700 supporters of embattled Mayor Alfredo Corona trooped to the City Hall grounds here late Sunday night and held a vigil in anticipation of a supposed order of the Commission on Elections (Comelec) to vacate his post in favor of Corona's rival in the last elections.
>
> The protesters, led by the Kalipunan ng mga Tanaueño Para sa Tunay na Tinig ng Tao (Katapat), accused election officials and Sonia Torres-Aquino, Corona's rival, of conniving to reverse the results of the last elections.
>
> Katapat is made up of seven people's organizations with about 5,000 members.
>
> Aurelio Llanto, Katapat chair, assailed the Comelec decision and described it as a farce.
>
> He said they went to the City Hall as news spread that Torres-Aquino would sit as the new Tanauan mayor after the Comelec allegedly issued a writ of execution.
>
> "We are not here to support Mayor Corona but to defend our right to choose and be heard. The people of Tanauan know who really won the elections. We just cannot accept the Comelec's decision (favoring Torres-Aquino)," Llanto said.
>
> The writ would have enforced the Dec. 22, 2005 ruling of the Comelec's second division, which said Torres-Aquino won by 3,102 votes over Corona after a revision of the ballots.
>
> The local election board had Corona winning by 3,741 over Torres-Aquino.
>
> Both ran under the administration party Lakas.
>
> As of 3 p.m. yesterday, at least 400 supporters of Corona were still at the City Hall grounds as if to guard the mayor who stayed at his office the whole day.

Despite the rally, operations at the City Hall remained normal, said administrator Norberto Mendoza (Ramos, Marlon 2006 'Tanauan folk hold vigil to back mayor', *Philippine Daily Inquirer,* 10 January – Attachment 4).

The political parties

The previous report mentions that both Aquino and Corona are affiliated with a party called "Lakas". The following reports indicate that Lakas-CMD is currently the ruling coalition of the Philippines, but that it has been through many variations of name, coalition partner, and factional ally. It is not clear whether Aquino and Corona belong to different factions or branches of Lakas.

The entry on the Philippines in the *Political Handbook of the World 2007* provides this description of Lakas:

> **Lakas-Christian Muslim Democrats** – *Lakas*-CMD (*Lakas ng Kristiyano at Muslim Demokrata*). *Lakas*-CMD traces it origin to the People Power Party…that was founded by presidential hopeful Fidel Ramos in January 1992, ten months after he left the dominant [Democratic Filopino Struggle]…In early February the formation was redesignated as ADSA-LDP (EDSA being an acronym for Epifanio de los Santo Avenue, the location of the first "People Power" rally in 1986). Subsequently, *Lakas ng EDSA* ("Edsa Power") joined in a coalition with the National Union of Christian Democrats (NUCD), led by Raul MANGLAPUS.
>
> While *Lakas*-NUCD won only 51 of 201 lower house seats at the 1992 election, its ranks were subsequently swelled by defections from other parliamentary groups, including, most notably, the LDP. In mid-1994, by contrast, it lost a number of House supporters, most prominently its majority leader…It captured an overwhelming majority of House seats in 1995. In June 1997 the Supreme Court ruled that Ramos cold not run for reelection, and in December he backed Jose de Venecia, speaker of the House of Representatives.
>
> To enhance his party's chances at the polls, Ramos engineered an electoral alliance with the moderate United Muslim Democratic Party (UMDP) of Mindanao and the Alliance of Free Filipinos (Kampi) of Gloria Macapagal-Arroyo, daughter of the former president Diosdado Macapagal. Although opinion polls indicated that Macapagal-Arroyo was running second only to Joseph Estrada among presidential contenders, she agreed to unite Kampi with *Lakas*-NUCD and to serve as de Venecia's running mate.
>
> In May 1998 de Venecia finished second, with 15.9 percent of the presidential vote, while Macapagal-Arroyo won the vice-presidency with a 47 percent share and subsequently agreed to join the cabinet as secretary of social welfare and development. Although the *Lakas*-NUCD won 5 Senate seats and 50 House seats, its effectiveness as the leading opposition party was soon weakened by defections to President Estrada's LAMP. The situation was reversed leading up to and following Estrada's departure from office in January 2001, and *Lakas*-NUCD emerged from the May 2001 election with a plurality of some 85 seats (including those won by *Lakas* candidates with other endorsements.
>
> President Macapagal-Arroyo was named chair of the party in June 2002, at which time she proposed adopting a new, consolidated name. Accordingly, in October the party leadership approved the change to *Lakas*-CMD , which replaced the tripartite *Lakas*-NUCD-UMDP coalition designation. Meanwhile, Macapagal-Arroyo's Kampi continued its separate existence, although most members held simultaneous membership in *Lakas*-CMD.

> In October 2003 Macapagal-Arroyo reversed a 2002 decision not to seek election to a full term in 2004, which resulted in the departure from the party of Vice President Teofisto Guingona, who had been *Lakas*-CMD's president. At the May 2004 balloting Macapagal-Arroyo won a full term, with 40 percent of the vote, against four other contenders. At the same time, the party and its K4 allies captured sufficient seats to maintain a government majority in the Senate and swept to an easy victory in the House of Representatives. The K4's apparent unity subsequently suffered a significant setback in the House, however, when several dozen members, dissatisfied with the House leadership and the divvying up of key committee assignments, declared allegiance to a revitalized Kampi.
> *Leaders:* Gloria Macapagal-Arroyo (President of the republic and Chair of the Party). Jose de Venecia (President of the Party and Speaker of the House of Representatives), Fidel V. Ramos (Chair Emeritus), Prospero Nograles (House Majority Leader), Kiko Pangilinan (Senate Majority Leader) (Banks A.S., Muller, T.C. & Overstreet, W.R. 2007, *Political Handbook of the World 2007,* CQ Press, Washington, p.979-980 – Attachment 5).

The *Political Handbook of the World 2007* also mentions briefly that in 2004 Lakas-CMD "announced the formation of a successor to the PPC, the Coalition for Truth and Experience for the Future (*Koalisyon ng Katapatan at Karanasam sa Kinabukasan* – K4)" and that after the elections of that years "differences within the Lakas CMD led a significant number of representatives to identify themselves as members of Kampi" (the party of president Macapagal-Arroyo, full name *Kabalikat ng Mayayang Pilipino* or Alliance of Free Filipinos) (Banks A.S., Muller, T.C. & Overstreet, W.R. 2007, Political Handbook of the World 2007, CQ Press, Washington, p.979 – Attachment 5).

A recent report on Mayor Sonia Aquino mentions that she has a program she calls "KKK Kabuhayan, Karunungan, Kalusugan" which appears not to be directly related to the K4 movement mentioned above:

> The lady mayor, who took over the mayorship of this progressive town about one year ago after she won in an electoral protest, said she conducts the "barangay ugnayan" twice a week to deliver basic services and consult her constituents on various community issues.
>
> She said she finds the regular consultation as an effective tool in local governance.
>
> Her leaders said that the mayor's sincerity to serve her constituents catapulted her to mayorship in the last election. But she was able to assume the mayoralty post about a year ago after she won by a margin of more than 3,000 votes over her closest rival in the poll protest she had filed in court.
>
> A native Tanaueño, Mayor Sonia was a former bank employee who later ventured into different businesses which are all successful. Much later, she decided to try politics.
>
> Encouraged by her desire to bring a new breed and effective governance to City Hall, the first lady mayor of Tanauan immediately launched various projects under her "KKK – Kabuhayan, Karunungan, Kalusugan" program to address the livelihood, education, and health needs of the city residents.
>
> As a way to pursue the objective of her program, an Education, Training and Employment Center was established in the town to provide skills to every unemployed Tanaueño.
>
> As a result, many jobless Tanaueños were employed in different industries in the city and elsewhere.

> "Everybody should be given a job to make him a productive citizen. More employment means growth in our economy," she said.
>
> "We should also generate sustainable livelihood in the city's 48 barangays to enable us to attain growth of industries, especially small- and medium-scale enterprises," she added.
>
> Tanauan, which is the birthplace of known sublime statesmen and writers, is being described as a "rising star" in Calabarzon due to an upsurge in commercial, industrial, ecotourism and agricultural developments in the city (Murillo, Benjie J. 2007, 'Tanauan mayor holds "Barangay Ugnayan"' *Manila Bulletin*, 23 March – Attachment 6).

A report already quoted, that describes protests in January 2006 in support of the incumbent mayor Corona, mentions that the protests were led by a group called "the Kalipunan ng mga Tanaueño Para sa Tunay na Tinig ng Tao (Katapat)"; that "Katapat is made up of seven people's organizations with about 5,000 members"; and Katapat is chaired by Aurelio Llanto (Ramos, Marlon 2006 'Tanauan folk hold vigil to back mayor', *Philippine Daily Inquirer*, 10 January – Attachment 4).

The timing of local elections

A document from the website of the Philippines Commission on Elections gives the years of all major elections since the 1940s. The last few local elections were held in 1995, 1998 and 2001, which seems to indicate that they are generally held every three years. However there are variations for the periods between elections in years gone by ('Elections history: National and local elections' 2005, Republic of the Philippines Commission on Elections website http://www.comelec.gov.ph/hist/natlocal_txt.html – Accessed 11 September 2007 – Attachment 7).

A 2004 report is of interest as it mentions that the city mayor of Batangas (where Tanauan is situated), Criseta Cuevas-Reyes is from "the ruling Lakas CMD", but that she was not supporting President Arroyo in the 2004 presidential elections since the opposing candidate Ping Lacson was a friend of hers. She is quoted as saying that "even among the 32 municipal and two city mayors here in Batangas, an informal survey showed that 98% are for Ping Lacson (Sinfuego, Roy C. 2004, 'Lacson says poll surveys just part of propaganda', *Manila Bulletin*, 26 February – Attachment 8).

The site map of the website of the Philippines Commission on Elections provides links to information on the running of elections in the Philippines.
http://www.comelec.gov.ph/sitemap.html

A web page from the same site gives the results of the 2004 local elections in Tanauan and other areas. Interestingly, it still shows Alfredo Corona as having been elected.
http://www.comelec.gov.ph/results/2004local.html

2. Is there evidence of violence in the town around the election time?
3. Is there evidence of political campaigners being harassed in municipal elections?

Reports were not found of violence in Tanauan at the time of the 2004 local elections, but there were reportedly some violent confrontations in 2006 between supporters of Corona and

Torres-Aquino. (See also the following question for general information on political violence and impunity in the Philippines.)

A February 2006 report states that after COELEC issued its resolution installing Sonia Torres-Aquino as mayor, "tension erupted as hundreds if supporters of Mayor Alfredo Corona trooped to the city hall grounds". The Chief Superintendent "immediately ordered the deployment of more than 100 policemen to maintain peace and order, as angry protesters held a program at the lobby of the building" (Ramos, Marlon 2006, 'Tension grips Batangas town in mayoralty fight', *Philippine Daily Inquirer*, 9 February – Attachment 9).

In March 2006 the violence became more serious:

> The almost one-month standoff at the Tanauan City Hall saw a violent end on Friday as about 1,000 policemen dispersed supporters of defeated Mayor Alfredo Corona who had barricaded the building since Feb. 7.
>
> More than 100 supporters of Corona, including two Catholic priests, were injured when policemen armed with guns and truncheons entered the City Hall premises at around 4 a.m.
>
> The injured were brought to the Daniel Mercado Medical Center.
>
> …Councilor Armin Roxas said parish priest Diosdado Collado and his assistant, Fr. Chris de Guzman, were negotiating with Corona when the police officers entered the mayor's office.
>
> During the scuffle, Roxas said the priests were clubbed in the arm.
>
> A few minutes earlier, a bomb exploded at the back of the building, prompting the police to clear the area, said city police chief, Supt. Manuel Abu.
>
> No one was hurt in the explosion.
>
> Abu said the dispersal operation was not illegal. "We just implemented the order of the Comelec and the (Department of the Interior and Local Government) which installed (Sonia) Torres-Aquino as the duly elected mayor of Tanauan," he told the Inquirer.
>
> Abu said members of the Air Force's Explosives Ordnance Division based in Fernando Air Base in Lipa City found a dynamite stick with a blasting cap at the men's toilet.
>
> Aquino, who was declared rightful winner in the 2004 elections by the Commission on Elections, arrived at the mayor's office at around 10:30 a.m.
>
> She appealed for calm amid the tension at City Hall. "Let us all forget the political bickering and instead work together toward the development of Tanauan," she told a crowd of about 500 followers who greeted her.
>
> Asked what she would do to bring back normal operations at City Hall, she said: "We would first clean City Hall of the garbage that the [protesters] left. I will also issue an order to immediately release the salary of the employees."
>
> It was the first time that Aquino set foot at the seat of the city government after the Comelec's Second Division issued a resolution on Dec. 22, 2005, declaring her the winner in the mayoral elections.

> …Abu said two supporters of Corona had been arrested and would be charged with disobedience and disrespect to police authorities.
>
> The protesters also destroyed a van owned by television giant ABS-CBN. Corona's supporters have accused the media of being biased against the former mayor.
>
> Trucks, buses and fire trucks were placed as roadblocks in three major entry points to the City Hall.
>
> Corona moved to the church, together with his supporters.
>
> Abu said that of the 963 policemen deployed in the area, almost 600 were members of the Crowd Dispersal Management (CDM) unit from the Calabarzon.
>
> Thirty private security guards were also sent to maintain security in the area.
>
> He said the Task Force Tanauan decided to retain about 600 policemen to guard the City Hall premises from protesters who might try to regain control of the building.
>
> Calabarzon police director Chief Supt. Prospero Noble led the police contingent that stormed the City Hall (Ramos, Marlon 2006, 'Standoff in Tanauan ends in violence' *Philippine Daily Inquirer*, 6 March – Attachment 10).

Also of interest is a 2005 report of the murder of two waiters by Rene Dologmanding, the bodyguard of Alfredo Corona. Dologmanding reportedly "went berserk" and gunned down three waiters in the restaurant where he was attending a party. Two of the waiters died (Magsino, Mai 2005, 'Tanauan murder survivor vows to pursue raps', *Philippine Daily Inquirer*, 10 February – Attachment 11).

4. Where is Tanauan located?

An *Encarta* map shows three different views of the area where Tanauan is located in the Philippines. The first and closest view has Boot, Tanauan and Batangas marked; and subsequent views show the location of the area within the whole country ('Tanauan, Philippines' 1999, *Microsoft Encarta* – Attachment 12).

A 2006 business article from the *Manila Bulletin* calls Tanauan City in the province of Batangas, the "model of a small city" which is becoming a "major industrial centre". Information contained in the article includes the following:

- Tanauan has a population of "about 120,000 in a land area of 10,716 hectares".
- The city contains two industrial parks.
- There are "at least 14 banks and other financial institutions serving the city".
- Tanauan is also "positioning itself to be a major player in business process outsourcing". There is a plan to "develop Tanauan as the Call Center of Batangas owing to the high number of schools in the city".
- There are four institutions offering college education and a technical school for computer education. There are "44 public elementary schools; 11 public high schools; 15 private elementary schools; and nine private high schools".
- The city has a high literacy rate of 98%.

- Some regard Tanauan as likely to be "one of the most progressive small cities around the periphery of Metro Manila" (Villegas, Bernardo 2007, 'Business and Society – Tanauan City', *Manila Bulletin*, 31 July – Attachment 13).

5. Anything else of relevance.

A recent report on the Philippines by Human Rights Watch is of relevance. It indicates that there is a widespread culture of political violence and impunity from prosecution in the country. There have been "hundreds of extrajudicial executions and failed prosecutions in the Philippines in recent years" and many have been carried out by the armed forces. The victims have been "members of left-wing political parties and non-governmental organizations, political journalists, outspoken clergy, anti-mining activists and agricultural reform activists" (Human Rights Watch 2007, *Scared silent: Impunity for extrajudicial killings in the Philippines*, Volume 19, No. 9(C), June – Attachment 14).

List of Sources Consulted

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List of Attachments

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2. Panaligan, Rey G. 2006, 'SC affirms Comelec: Aquino won in Tanauan', *Manila Bulletin*, 10 May. (FACTIVA)

3. 'Tanauan Mayors' "Battle"' Rages' 2006, *The Manila Times*, 21 January. (FACTIVA)

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