

EN BANC

**ATONG PAGLAUM, INC., represented
by its President, Mr. Alan Igot,**
Petitioner,

G.R. No. 203766

- versus -

COMMISSION ON ELECTIONS,
Respondent.

X-----X

AKO BICOL POLITICAL PARTY (AKB),
Petitioner,

G.R. Nos. 203818-19

- versus -

**COMMISSION ON ELECTIONS
EN BANC,**
Respondent.

X-----X

**ASSOCIATION OF PHILIPPINE
ELECTRIC COOPERATIVES (APEC),
represented by its President Congressman
Ponciano D. Payuyo,**
Petitioner,

G.R. No. 203922

- versus -

COMMISSION ON ELECTIONS,
Respondent.

X-----X

**AKSYON MAGSASAKA-PARTIDO TINIG
NG MASA, represented by its President
Michael Abas Kida,**

G.R. No. 203936

Petitioner,

- versus -

**COMMISSION ON ELECTIONS
EN BANC,**

Respondent.

X-----X

**KAPATIRAN NG MGA NAKULONG
NA WALANG SALA, INC. (KAKUSA),**
Petitioner,

G.R. No. 203958

- versus -

COMMISSION ON ELECTIONS,

Respondent.

X-----X

**1st CONSUMERS ALLIANCE FOR
RURAL ENERGY, INC. (1-CARE),**
Petitioner,

G.R. No. 203960

- versus -

**COMMISSION ON ELECTIONS
EN BANC,**

Respondent.

X-----X

**ALLIANCE FOR RURAL AND AGRARIAN
RECONSTRUCTION, INC. (ARARO),**
Petitioner,

G.R. No. 203976

- versus -

COMMISSION ON ELECTIONS,

Respondent.

X-----X

**ASSOCIATION FOR RIGHTEOUSNESS
ADVOCACY ON LEADERSHIP (ARAL)
PARTY-LIST, represented herein by
Ms. Lourdes L. Agustin,
the party's Secretary General,**
Petitioner,

G.R. No. 203981

- versus -

COMMISSION ON ELECTIONS,
Respondent.

X-----X

ALLIANCE FOR RURAL CONCERNS,
Petitioner,

G.R. No. 204002

- versus -

COMMISSION ON ELECTIONS,
Respondent.

X-----X

**ALLIANCE FOR NATIONALISM
AND DEMOCRACY (ANAD),**
Petitioner,

G.R. No. 204094

- versus -

COMMISSION ON ELECTIONS,
Respondent.

X-----X

**1-BRO PHILIPPINE GUARDIANS
BROTHERHOOD, INC., (1BRO-PGBI)
formerly PGBI,**
Petitioner,

G.R. No. 204100

- versus -

**COMMISSION ON ELECTIONS
EN BANC,**
Respondent.

X-----X

**1 GUARDIANS NATIONALIST
PHILIPPINES, INC.,
(1GANAP/GUARDIANS),**
Petitioner,

G.R. No. 204122

- versus -

COMMISSION ON ELECTIONS

**EN BANC composed of
 SIXTO S. BRILLANTES, JR., Chairman,
 RENE V. SARMIENTO, Commissioner,
 LUCENITO N. TAGLE, Commissioner,
 ARMANDO C. VELASCO, Commissioner,
 ELIAS R. YUSOPH, Commissioner, and
 CHRISTIAN ROBERT S. LIM, Commissioner,**
 Respondents.

X-----X

**AGAPAY NG INDIGENOUS PEOPLES
 RIGHTS ALLIANCE, INC. (A-IPRA),
 represented by its Secretary General,
 Ronald D. Macaraig,**
 Petitioner,

G.R. No. 204125

- versus -

**COMMISSION ON ELECTIONS
 EN BANC,**
 Respondent.

X-----X

**KAAGAPAY NG NAGKAKAISANG
 AGILANG PILIPINONG MAGSASAKA
 (KAP), formerly known as AKO AGILA
 NG NAGKAKAISANG MAGSASAKA
 (AKO AGILA), represented by its Secretary
 General, Leo R. San Buenaventura,**
 Petitioner,

G.R. No. 204126

- versus -

COMMISSION ON ELECTIONS,
 Respondent.

X-----X

**ALAB NG MAMAMAHAYAG (ALAM),
 represented by Atty. Berteni Cataluña
 Causing,**
 Petitioner,

G.R. No. 204139

- versus -

COMMISSION ON ELECTIONS,

Respondent.

X-----X

**BANTAY PARTY LIST, represented by
Maria Evangelina F. Palparan, President,
Petitioner,**

G.R. No. 204141

- versus -

**COMMISSION ON ELECTIONS,
Respondent.**

X-----X

**PASANG MASDA NATIONWIDE PARTY
represented by its President Roberto
“Ka Obet” Martin,
Petitioner,**

G.R. No. 204153

- versus -

**COMMISSION ON ELECTIONS,
Respondents.**

X-----X

**ABROAD PARTY LIST,
Petitioner,**

G.R. No. 204158

- versus -

**COMMISSION ON ELECTIONS,
CHAIRMAN SIXTO S. BRILLANTES, JR.,
COMMISSIONERS RENE V. SARMIENTO,
ARMANDO C. VELASCO,
ELIAS R. YUSOPH,
CHRISTIAN ROBERT S. LIM,
MARIA GRACIA CIELO M. PADACA,
LUCENITO TAGLE, AND ALL OTHER
PERSONS ACTING ON THEIR BEHALF,
Respondents.**

X-----X

**AANGAT TAYO PARTY LIST-PARTY,
represented by its President Simeon T. Silva, Jr.,
Petitioner,**

G.R. No. 204174

- versus -

**COMMISSION ON ELECTIONS
EN BANC,**

Respondent.

X-----X

**COCOFED-PHILIPPINE COCONUT
PRODUCERS FEDERATION, INC.,**
Petitioner,

G.R. No. 204216

- versus -

COMMISSION ON ELECTIONS,

Respondent.

X-----X

ABANG LINGKOD PARTY-LIST,
Petitioner,

G.R. No. 204220

- versus -

**COMMISSION ON ELECTIONS
EN BANC,**

Respondent.

X-----X

FIRM 24-K ASSOCIATION, INC.,
Petitioner,

G.R. No. 204236

- versus -

COMMISSION ON ELECTIONS,

Respondent.

X-----X

ALLIANCE OF BICOLNON PARTY (ABP),
Petitioner,

G.R. No. 204238

- versus -

**COMMISSION ON ELECTIONS
EN BANC,**

Respondent.

X-----X

**GREEN FORCE FOR THE ENVIRONMENT
SONS AND DAUGHTERS OF MOTHER
EARTH (GREENFORCE),**
Petitioner,

G.R. No. 204239

- versus -

COMMISSION ON ELECTIONS,
Respondent.

X-----X

**AGRI-AGRA NA REPORMA PARA SA
MAGSASAKA NG PILIPINAS MOVEMENT
(AGRI), represented by its Secretary General,
Michael Ryan A. Enriquez,**
Petitioner,

G.R. No. 204240

- versus -

**COMMISSION ON ELECTIONS
EN BANC,**
Respondent.

X-----X

**A BLESSED PARTY LIST A.K.A. BLESSED
FEDERATION OF FARMERS AND
FISHERMEN INTERNATIONAL, INC.,**
Petitioner,

G.R. No. 204263

- versus -

COMMISSION ON ELECTIONS,
Respondent.

X-----X

**UNITED MOVEMENT AGAINST DRUGS
FOUNDATION (UNIMAD) PARTY-LIST,**
Petitioner,

G.R. No. 204318

- versus -

COMMISSION ON ELECTIONS,
Respondent.

X-----X

**ANG AGRIKULTURA NATIN ISULONG
(AANI), represented by its Secretary General
Jose C. Policarpio, Jr.,**

G.R. No. 204321

Petitioner,

- versus -

**COMMISSION ON ELECTIONS,
Respondent.**

X-----X

**BAYANI PARTYLIST as represented by
Homer Bueno, Fitrylin Dalhani,
Israel de Castro, Dante Navarro
and Guiling Mamondiong,**

G.R. No. 204323

Petitioner,

- versus -

**COMMISSION ON ELECTIONS,
CHAIRMAN SIXTO S. BRILLANTES, JR.,
COMMISSIONERS RENE V. SARMIENTO,
LUCENITO N. TAGLE,
ARMANDO C. VELASCO,
ELIAS R. YUSOPH,
CHRISTIAN ROBERT S. LIM, and
MARIA GRACIA CIELO M. PADACA,**

Respondents.

X-----X

**ACTION LEAGUE OF INDIGENOUS MASSES
(ALIM) PARTY-LIST, represented herein by
its President Fatani S. Abdul Malik,**

G.R. No. 204341

Petitioner,

- versus -

**COMMISSION ON ELECTIONS,
Respondent.**

X-----X

**BUTIL FARMERS PARTY,
Petitioner,**

G.R. No. 204356

- versus -

COMMISSION ON ELECTIONS,
Respondent.

X-----X

**ALLIANCE OF ADVOCATES IN MINING
ADVANCEMENT FOR NATIONAL
PROGRESS (AAMA),**

G.R. No. 204358

Petitioner,

- versus -

**COMMISSION ON ELECTIONS
EN BANC,**

Respondent.

X-----X

**SOCIAL MOVEMENT FOR ACTIVE
REFORM AND TRANSPARENCY (SMART),
represented by its Chairman, Carlito B. Cubelo,**
Petitioner,

G.R. No. 204359

- versus -

**COMMISSION ON ELECTIONS
EN BANC,**

Respondent.

X-----X

**ADHIKAIN AT KILUSAN NG ORDINARYONG-
TAO, PARA SA LUPA, PABAHAY, HANAPBUHAY
AT KAUNLARAN (AKO BUHAY),**
Petitioner,

G.R. No. 204364

- versus -

**COMMISSION ON ELECTIONS EN BANC,
SIXTO S. BRILLANTES, JR.,
RENE V. SARMIENTO,
LUCENITO N. TAGLE,
ARMANDO C. VELASCO,
ELIAS R. YUSOPH,
CHRISTIAN ROBERT S. LIM, and
MA. GRACIA CIELO M. PADACA, in their
capacities as Commissioners thereof,**

Respondents.

X-----X

**AKBAY KALUSUGAN INCORPORATION
(AKIN),**

Petitioner,

G.R. No. 204367

- versus -

COMMISSION ON ELECTIONS,
Respondent.

X-----X

**AKO AN BISAYA (AAB), represented by its
Secretary General, Rodolfo T. Tuazon,**
Petitioner,

G.R. No. 204370

- versus -

COMMISSION ON ELECTIONS,
Respondent.

X-----X

**BINHI-PARTIDO NG MGA MAGSASAKA
PARA SA MGA MAGSASAKA,**
Petitioner,

G.R. No. 204374

- versus -

COMMISSION ON ELECTIONS EN BANC,
Respondent.

X-----X

**ALAGAD NG SINING (ASIN) represented by
its President, Faye Maybelle Lorenz,**
Petitioner,

G.R. No. 204379

- versus -

COMMISSION ON ELECTIONS,
Respondent.

X-----X

**ASSOCIATION OF GUARD UTILITY HELPER,
AIDER, RIDER, DRIVER/DOMESTIC HELPER,
JANITOR, AGENT AND NANNY OF THE
PHILIPPINES, INC. (GUARDJAN),**
Petitioner,

G.R. No. 204394

- versus -

COMMISSION ON ELECTIONS,
Respondent.

X-----X

**KALIKASAN PARTY-LIST, represented by its
President, Clemente G. Bautista, Jr., and
Secretary General, Frances Q. Quimpo,**
Petitioner,

G.R. No. 204402

- versus -

COMMISSION ON ELECTIONS EN BANC,
Respondent.

X-----X

**PILIPINO ASSOCIATION FOR COUNTRY-URBAN
POOR YOUTH ADVANCEMENT AND WELFARE
(PACYAW),**
Petitioner,

G.R. No. 204408

- versus -

COMMISSION ON ELECTIONS,
Respondent.

X-----X

1-UNITED TRANSPORT KOALISYON (1-UTAK),
Petitioner,

G.R. No. 204410

- versus -

COMMISSION ON ELECTIONS,
Respondent.

X-----X

**COALITION OF ASSOCIATIONS OF SENIOR
CITIZENS IN THE PHILIPPINES, INC.
SENIOR CITIZEN PARTY-LIST, represented
herein by its 1st nominee and Chairman,
Francisco G. Datol, Jr.,**
Petitioner,

G.R. No. 204421

- versus -

COMMISSION ON ELECTIONS,
Respondent.

X-----X

**COALITION OF ASSOCIATIONS OF SENIOR
CITIZENS IN THE PHILIPPINES, INC.,**
Petitioner,

G.R. No. 204425

- versus -

**COMMISSION ON ELECTIONS and
ANY OF ITS OFFICERS AND AGENTS,
ACTING FOR AND IN ITS BEHALF,
INCLUDING THE CHAIR AND MEMBERS
OF THE COMMISSION,**
Respondents.

X-----X

**ASSOCIATION OF LOCAL ATHLETICS
ENTREPRENEURS AND HOBBYISTS, INC.
(ALA-EH),**
Petitioner,

G.R. No. 204426

- versus -

**COMMISSION ON ELECTIONS EN BANC,
SIXTO S. BRILLANTES, JR.,
RENE V. SARMIENTO,
LUCENITO N. TAGLE,
ARMANDO C. VELASCO,
ELIAS R. YUSOPH,
CHRISTIAN ROBERT S. LIM, and
MA. GRACIA CIELO M. PADACA, in their
respective capacities as COMELEC
Chairperson and Commissioners,**
Respondents.

X-----X

**ANG GALING PINOY (AG), represented by
its Secretary General, Bernardo R. Corella, Jr.,**
Petitioner,

G.R. No. 204428

- versus -

COMMISSION ON ELECTIONS,
Respondent.

X-----X

**1 ALLIANCE ADVOCATING AUTONOMY
PARTY (1AAAP),**

G.R. No. 204435

Petitioner,

- versus -

COMMISSION ON ELECTIONS EN BANC,
Respondent.

X-----X

**ABYAN ILONGGO PARTY (AI), represented by
its Party President, Rolex T. Suplico,**

G.R. No. 204436

Petitioner,

- versus -

COMMISSION ON ELECTIONS EN BANC,
Respondent.

X-----X

**MANILA TEACHER SAVINGS AND LOAN
ASSOCIATION, INC.,**

G.R. No. 204455

Petitioner,

- versus -

COMMISSION ON ELECTIONS EN BANC,
Respondent.

X-----X

**PARTIDO NG BAYAN ANG BIDA (PBB),
represented by its Secretary General,
Roger M. Federazo,**

G.R. No. 204484

Petitioner,

- versus -

COMMISSION ON ELECTIONS,
Respondent.

X-----X

ALLIANCE OF ORGANIZATIONS, NETWORKS AND ASSOCIATIONS OF THE PHILIPPINES, INC. (ALONA), **G.R. No. 204485**

Petitioner,

- versus -

COMMISSION ON ELECTIONS EN BANC,
Respondent.

X-----X

1st KABALIKAT NG BAYAN GINHAWANG SANGKATAUHAN (1st KABAGIS), **G.R. No. 204486**

Petitioner,

- versus -

COMMISSION ON ELECTIONS,
Respondent.

X-----X

PILIPINAS PARA SA PINOY (PPP),
Petitioner,

G.R. No. 204490

Present:

SERENO, *C.J.*,
CARPIO,
VELASCO, JR.,
LEONARDO-DE CASTRO,
BRION,
PERALTA,
BERSAMIN,
DEL CASTILLO,
ABAD,
VILLARAMA, JR.,
PEREZ,
MENDOZA,
REYES,
PERLAS-BERNABE,* and

- versus -

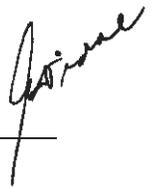
* On official leave.

LEONEN, *JJ.*COMMISSION ON ELECTIONS
EN BANC,

Respondent.

Promulgated:

APR 02 2013



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DECISION**CARPIO, J.:****The Cases**

These cases constitute 54 Petitions for *Certiorari* and Petitions for *Certiorari* and Prohibition¹ filed by 52 party-list groups and organizations assailing the Resolutions issued by the Commission on Elections (COMELEC) disqualifying them from participating in the 13 May 2013 party-list elections, either by denial of their petitions for registration under the party-list system, or cancellation of their registration and accreditation as party-list organizations.

This Court resolved to consolidate the 54 petitions in the Resolutions dated 13 November 2012,² 20 November 2012,³ 27 November 2012,⁴ 4 December 2012,⁵ 11 December 2012,⁶ and 19 February 2013.⁷

The Facts

Pursuant to the provisions of Republic Act No. 7941 (R.A. No. 7941) and COMELEC Resolution Nos. 9366 and 9531, approximately 280 groups and organizations registered and manifested their desire to participate in the 13 May 2013 party-list elections.

¹ Under Rule 64 in relation to Rule 65 of the 1997 Rules of Civil Procedure.

² *Rollo* (G.R. Nos. 203818-19), pp. 1079-1080.

³ *Rollo* (G.R. No. 204094), pp. 176-177.

⁴ *Rollo* (G.R. No. 204141), pp. 145-148.

⁵ *Rollo* (G.R. No. 203766), unpaginated.

⁶ *Id.*

⁷ *Id.*



	G.R. No.	SPP No.	Group	Grounds for Denial
A. Via the COMELEC En Banc's automatic review of the COMELEC Division's resolutions approving registration of groups/organizations				
Resolution dated 23 November 2012⁸				
1	204379	12-099 (PLM)	Alagad ng Sining (ASIN)	- The "artists" sector is not considered marginalized and underrepresented; - Failure to prove track record; and - Failure of the nominees to qualify under RA 7941 and <i>Ang Bagong Bayani</i> .
Omnibus Resolution dated 27 November 2012⁹				
2	204455	12-041 (PLM)	Manila Teachers Savings and Loan Association, Inc. (Manila Teachers)	- A non-stock savings and loan association cannot be considered marginalized and underrepresented; and - The first and second nominees are not teachers by profession.
3	204426	12-011 (PLM)	Association of Local Athletics Entrepreneurs and Hobbyists, Inc. (ALA-EH)	- Failure to show that its members belong to the marginalized; and - Failure of the nominees to qualify.
Resolution dated 27 November 2012¹⁰				
4	204435	12-057 (PLM)	1 Alliance Advocating Autonomy Party (1AAAP)	- Failure of the nominees to qualify: although registering as a regional political party, two of the nominees are not residents of the region; and four of the five nominees do not belong to the marginalized and

⁸ *Rollo* (G.R. No. 204379), pp. 26-35. Signed by Chairman Sixto S. Brillantes, Jr. and Commissioners Rene V. Sarmiento, Armando C. Velasco, Christian Robert S. Lim, and Maria Gracia Cielo M. Padaca, with Commissioners Lucenito N. Tagle and Elias R. Yusoph dissenting.

⁹ *Rollo* (G.R. No. 204455), pp. 38-55; *rollo* (G.R. No. 204426), pp. 127-144. Signed by Chairman Sixto S. Brillantes, Jr. and Commissioners Rene V. Sarmiento, Christian Robert S. Lim, and Maria Gracia Cielo M. Padaca, with Commissioners Lucenito N. Tagle and Elias R. Yusoph dissenting; Commissioner Armando C. Velasco also concurred except for Ala-Eh.

¹⁰ *Rollo* (G.R. No. 204435), pp. 47-55. Signed by Chairman Sixto S. Brillantes, Jr. and Commissioners Rene V. Sarmiento, Armando C. Velasco, Christian Robert S. Lim, and Maria Gracia Cielo M. Padaca, with Commissioners Lucenito N. Tagle and Elias R. Yusoph dissenting.

				underrepresented.
Resolution dated 27 November 2012¹¹				
5	204367	12-104 (PL)	Akbay Kalusugan (AKIN), Inc.	- Failure of the group to show that its nominees belong to the urban poor sector.
Resolution dated 29 November 2012¹²				
6	204370	12-011 (PP)	Ako An Bisaya (AAB)	- Failure to represent a marginalized sector of society, despite the formation of a sectoral wing for the benefit of farmers of Region 8; - Constituency has district representatives; - Lack of track record in representing peasants and farmers; and - Nominees are neither farmers nor peasants.
Resolution dated 4 December 2012¹³				
7	204436	12-009 (PP), 12-165 (PLM)	Abyan Ilonggo Party (AI)	- Failure to show that the party represents a marginalized and underrepresented sector, as the Province of Iloilo has district representatives; - Untruthful statements in the memorandum; and - Withdrawal of three of its five nominees.
Resolution dated 4 December 2012¹⁴				
8	204485	12-175 (PL)	Alliance of Organizations, Networks and	- Failure to establish that the group can represent 14 sectors;

¹¹ *Rollo* (G.R. No. 204367), pp. 30-35. Signed by Chairman Sixto S. Brillantes, Jr. and Commissioners Rene V. Sarmiento, Armando C. Velasco, Christian Robert S. Lim, and Maria Gracia Cielo M. Padaca, with Commissioners Lucenito N. Tagle and Elias R. Yusoph dissenting.

¹² *Rollo* (G.R. No. 204370), pp. 37-50. Signed by Chairman Sixto S. Brillantes, Jr. and Commissioners Rene V. Sarmiento, Armando C. Velasco, Christian Robert S. Lim, and Maria Gracia Cielo M. Padaca, with Commissioners Lucenito N. Tagle and Elias R. Yusoph dissenting.

¹³ *Rollo* (G.R. No. 204436), pp. 45-57. Signed by Chairman Sixto S. Brillantes, Jr. and Commissioners Rene V. Sarmiento, Armando C. Velasco, Christian Robert S. Lim, and Maria Gracia Cielo M. Padaca, with Commissioners Lucenito N. Tagle and Elias R. Yusoph dissenting.

¹⁴ *Rollo* (G.R. No. 204485), pp. 42-49. Signed by Chairman Sixto S. Brillantes, Jr. and Commissioners Rene V. Sarmiento, Armando C. Velasco, and Christian Robert S. Lim with Commissioners Lucenito N. Tagle and Elias R. Yusoph dissenting. Commissioner Maria Gracia Cielo M. Padaca took no part.

			Associations of the Philippines, Inc. (ALONA)	<ul style="list-style-type: none"> - The sectors of homeowners' associations, entrepreneurs and cooperatives are not marginalized and underrepresented; and - The nominees do not belong to the marginalized and underrepresented.
B. Via the COMELEC En Banc's review on motion for reconsideration of the COMELEC Division's resolutions denying registration of groups and organizations				
Resolution dated 7 November 2012¹⁵				
9	204139	12-127 (PL)	Alab ng Mamamahayag (ALAM)	<ul style="list-style-type: none"> - Failure to prove track record as an organization; - Failure to show that the group actually represents the marginalized and underrepresented; and - Failure to establish that the group can represent all sectors it seeks to represent.
Resolution dated 7 November 2012¹⁶				
10	204402	12-061 (PP)	Kalikasan Party-List (KALIKASAN)	<ul style="list-style-type: none"> - The group reflects an advocacy for the environment, and is not representative of the marginalized and underrepresented; - There is no proof that majority of its members belong to the marginalized and underrepresented; - The group represents sectors with conflicting interests; and - The nominees do not belong to the sector which the group claims to represent.
Resolution dated 14 November 2012¹⁷				

¹⁵ *Rollo* (G.R. No. 204139), pp. 505-512. Signed by Chairman Sixto S. Brillantes, Jr. and Commissioners Rene V. Sarmiento, Lucenito N. Tagle, and Armando C. Velasco. Commissioners Elias R. Yusoph and Christian Robert S. Lim also voted in favor. Commissioner Maria Gracia Cielo M. Padaca took no part.

¹⁶ *Rollo* (G.R. No. 204402), pp. 22-33. Signed by Chairman Sixto S. Brillantes, Jr. and Commissioners Rene V. Sarmiento, Lucenito N. Tagle, Elias R. Yusoph, and Christian Robert S. Lim. Commissioners Armando C. Velasco and Maria Gracia Cielo M. Padaca on official business.

11	204394	12-145 (PL)	Association of Guard, Utility Helper, Aider, Rider, Driver/ Domestic Helper, Janitor, Agent and Nanny of the Philippines, Inc. (GUARDJAN)	<ul style="list-style-type: none"> - Failure to prove membership base and track record; - Failure to present activities that sufficiently benefited its intended constituency; and - The nominees do not belong to any of the sectors which the group seeks to represent.
Resolution dated 5 December 2012¹⁸				
12	204490	12-073 (PLM)	Pilipinas Para sa Pinoy (PPP)	<ul style="list-style-type: none"> - Failure to show that the group represents a marginalized and underrepresented sector, as Region 12 has district representatives; and - Failure to show a track record of undertaking programs for the welfare of the sector the group seeks to represent.

In a Resolution dated 5 December 2012,¹⁹ the COMELEC *En Banc* affirmed the COMELEC Second Division’s resolution to grant Partido ng Bayan ng Bida’s (PBB) registration and accreditation as a political party in the National Capital Region. However, PBB was denied participation in the 13 May 2013 party-list elections because PBB does not represent any “marginalized and underrepresented” sector; PBB failed to apply for registration as a party-list group; and PBB failed to establish its track record as an organization that seeks to uplift the lives of the “marginalized and underrepresented.”²⁰

These 13 petitioners (ASIN, Manila Teachers, ALA-EH, 1AAAP, AKIN, AAB, AI, ALONA, ALAM, KALIKASAN, GUARDJAN, PPP, and PBB) were

¹⁷ *Rollo* (G.R. No. 204394), pp. 59-62. Signed by Chairman Sixto S. Brillantes, Jr. and Commissioners Rene V. Sarmiento, Lucenito N. Tagle, Armando C. Velasco, Elias R. Yusoph, and Christian Robert S. Lim. Commissioner Maria Gracia Cielo M. Padaca took no part.

¹⁸ *Rollo*, (G.R. No. 204490), pp. 71-78. Signed by Chairman Sixto S. Brillantes, Jr. and Commissioners Armando C. Velasco, Elias R. Yusoph, and Christian Robert S. Lim. Commissioners Lucenito N. Tagle and Rene V. Sarmiento concurred but took no part in Ang Ating Damayan. Commissioner Maria Gracia Cielo M. Padaca took no part.

¹⁹ *Rollo*, (G.R. No. 204484), pp. 42-45. Signed by Chairman Sixto S. Brillantes, Jr. and Commissioners Rene V. Sarmiento, Lucenito N. Tagle, Armando C. Velasco, Elias R. Yusoph, Christian Robert S. Lim, and Maria Gracia Cielo M. Padaca.

²⁰ PBB’s petition is docketed as G.R. No. 204484 before this Court, and as SPP No. 11-002 before the COMELEC.

not able to secure a mandatory injunction from this Court. The COMELEC, on 7 January 2013 issued Resolution No. 9604,21 and excluded the names of these 13 petitioners in the printing of the official ballot for the 13 May 2013 party-list elections.

Pursuant to paragraph 222 of Resolution No. 9513, the COMELEC *En Banc* scheduled summary evidentiary hearings to determine whether the groups and organizations that filed manifestations of intent to participate in the 13 May 2013 party-list elections have continually complied with the requirements of R.A. No. 7941 and *Ang Bagong Bayani-OFW Labor Party v. COMELEC23 (Ang Bagong Bayani)*. The COMELEC disqualified the following groups and organizations from participating in the 13 May 2013 party-list elections:

	G.R. No.	SPP No.	Group	Grounds for Denial
Resolution dated 10 October 2012²⁴				
1	203818-19	12-154 (PLM) 12-177 (PLM)	AKO Bicol Political Party (AKB)	Retained registration and accreditation as a political party, but denied participation in the May 2013 party-list elections - Failure to represent any marginalized and underrepresented sector; - The Bicol region already has representatives in Congress; and - The nominees are not marginalized and underrepresented.
Omnibus Resolution dated 11 October 2012²⁵				

²¹ In the Matter of Clarifying the Inclusion in the Party-List Raffle of New Groups Denied Accreditation but were Able to Obtain a Status *Quo Ante* Order from the Supreme Court.

²² (2) To set for **summary evidentiary hearings** by the Commission *En Banc*, for purposes of determining their continuing compliance with the requirements of R.A. No. 7941 and the guidelines in the *Ang Bagong Bayani case*, and, if non-compliant, cancel the registration of the following:

- (a) Party-list groups or organizations which are already registered and accredited and will participate in the May 13, 2013 Elections, provided that the Commission *En Banc* has not passed upon the grant of their respective *Petitions for Registration*; and
- (b) Party-list groups or organizations which are existing and retained in the list of Registered Party-List Parties per Resolution No. 9412, promulgated on 27 April 2012, and which have filed their respective *Manifestations of Intent to Participate in the Party-List System of Representation in the May 13, 2013 Elections*. (Boldface and italics in the original)

²³ 412 Phil. 308 (2001).

²⁴ *Rollo* (G.R. Nos. 203818-19), pp. 83-87. Signed by Chairman Sixto S. Brillantes, Jr. and Commissioners Rene V. Sarmiento, Lucenito N. Tagle, Armando C. Velasco, Elias R. Yusoph, and Christian Robert S. Lim. Commissioner Maria Gracia Cielo M. Padaca took no part.

²⁵ *Rollo* (G.R. No. 203766), pp. 75-99; *rollo* (G.R. No. 203981), pp. 47-70; *rollo* (G.R. No. 204002), pp. 53-76; (G.R. No. 204318), pp. 23-46. Signed by Chairman Sixto S. Brillantes, Jr. and Commissioners

2	203766	12-161 (PLM)	Atong Paglaum, Inc. (Atong Paglaum)	Cancelled registration and accreditation - The nominees do not belong to the sectors which the party represents; and - The party failed to file its Statement of Contributions and Expenditures for the 2010 Elections.
3	203981	12-187 (PLM)	Association for Righteousness Advocacy on Leadership (ARAL)	Cancelled registration and accreditation - Failure to comply, and for violation of election laws; - The nominees do not represent the sectors which the party represents; and - There is doubt that the party is organized for religious purposes.
4	204002	12-188 (PLM)	Alliance for Rural Concerns (ARC)	Cancelled registration and accreditation - Failure of the nominees to qualify; and - Failure of the party to prove that majority of its members belong to the sectors it seeks to represent.
5	204318	12-220 (PLM)	United Movement Against Drugs Foundation (UNIMAD)	Cancelled registration and accreditation - The sectors of drug counsellors and lecturers, veterans and the youth, are not marginalized and underrepresented; - Failure to establish track record; and - Failure of the nominees to qualify as representatives of the youth and young urban professionals.
Omnibus Resolution dated 16 October 2012²⁶				

6	204100	12-196 (PLM)	1-Bro Philippine Guardians Brotherhood, Inc. (1BRO-PGBI)	Cancelled registration - Failure to define the sector it seeks to represent; and - The nominees do not belong to a marginalized and underrepresented sector.
7	204122	12-223 (PLM)	1 Guardians Nationalist Philippines, Inc. (1GANAP/GUARDIANS)	Cancelled registration - The party is a military fraternity; - The sector of community volunteer workers is too broad to allow for meaningful representation; and - The nominees do not appear to belong to the sector of community volunteer workers.
8	204263	12-257 (PLM)	Blessed Federation of Farmers and Fishermen International, Inc. (A BLESSED Party-List)	Cancelled registration - Three of the seven nominees do not belong to the sector of farmers and fishermen, the sector sought to be represented; and - None of the nominees are registered voters of Region XI, the region sought to be represented.
Resolution dated 16 October 2012²⁷				
9	203960	12-260 (PLM)	1 st Consumers Alliance for Rural Energy, Inc. (1-CARE)	Cancelled registration - The sector of rural energy consumers is not marginalized and underrepresented; - The party's track record is related to electric cooperatives and not rural energy consumers; and - The nominees do not belong to the sector of rural energy consumers.

N. Tagle, Armando C. Velasco, Elias R. Yusoph, and Christian Robert S. Lim. Commissioner Maria Gracia Cielo M. Padaca took no part.

²⁷ *Rollo* (G.R. No. 203960), pp. 61-68. Signed by Chairman Sixto S. Brillantes, Jr. and Commissioners Lucenito N. Tagle, Armando C. Velasco, and Elias R. Yusoph. Commissioner Christian Robert S. Lim also concurred but did not sign. Commissioners Rene V. Sarmiento and Maria Gracia Cielo M. Padaca took no part.

Resolution dated 16 October 2012²⁸				
10	203922	12-201 (PLM)	Association of Philippine Electric Cooperatives (APEC)	Cancelled registration and accreditation - Failure to represent a marginalized and underrepresented sector; and - The nominees do not belong to the sector that the party claims to represent.
Resolution dated 23 October 2012²⁹				
11	204174	12-232 (PLM)	Aangat Tayo Party-List Party (AT)	Cancelled registration and accreditation - The incumbent representative in Congress failed to author or sponsor bills that are beneficial to the sectors that the party represents (women, elderly, youth, urban poor); and - The nominees do not belong to the marginalized sectors that the party seeks to represent.
Omnibus Resolution dated 24 October 2012³⁰				
12	203976	12-288 (PLM)	Alliance for Rural and Agrarian Reconstruction, Inc. (ARARO)	Cancelled registration and accreditation - The interests of the peasant and urban poor sectors that the party represents differ; - The nominees do not belong to the sectors that the party seeks to represent; - Failure to show that three of the nominees are <i>bona fide</i> party members; and

²⁸ *Rollo* (G.R. No. 203922), pp. 92-101. Signed by Commissioners Rene V. Sarmiento, Lucenito N. Tagle, Armando C. Velasco, Elias R. Yusoph, and Christian Robert S. Lim. Chairman Sixto S. Brillantes, Jr. penned a Separate Concurring Opinion. Commissioner Maria Gracia Cielo M. Padaca took no part.

²⁹ *Rollo* (G.R. No. 204174), pp. 158-164. Signed by Commissioners Rene V. Sarmiento, Lucenito N. Tagle, Armando C. Velasco, and Elias R. Yusoph. Commissioner Christian Robert S. Lim also concurred but did not sign. Chairman Sixto S. Brillantes, Jr. penned an extended opinion. Commissioner Maria Gracia Cielo M. Padaca took no part.

³⁰ *Rollo* (G.R. No. 203976), pp. 21-37. Signed by Chairman Sixto S. Brillantes, Jr. and Commissioners Rene V. Sarmiento, Lucenito N. Tagle, Armando C. Velasco, Christian Robert S. Lim. Commissioner Elias R. Yusoph also voted in favor. Commissioner Maria Gracia Cielo M. Padaca took no part.

				- Lack of a Board resolution to participate in the party-list elections.
Omnibus Resolution dated 24 October 2012³¹				
13	204240	12-279 (PLM)	Agri-Agrana Reporma Para sa Magsasaka ng Pilipinas Movement (AGRI)	Cancelled registration - The party ceased to exist for more than a year immediately after the May 2010 elections; - The nominees do not belong to the sector of peasants and farmers that the party seeks to represent; - Only four nominees were submitted to the COMELEC; and - Failure to show meaningful activities for its constituency.
14	203936	12-248 (PLM)	Aksyon Magsasaka- Partido Tinig ng Masa (AKMA- PTM)	Cancelled registration - Failure to show that majority of its members are marginalized and underrepresented; - Failure to prove that four of its nine nominees actually belong to the farmers sector; and - Failure to show that five of its nine nominees work on uplifting the lives of the members of the sector.
15	204126	12-263 (PLM)	Kaagapay ng Nagkakaisang Agilang Pilipinong Magsasaka (KAP)	Cancelled registration - The Manifestation of Intent and Certificate of Nomination were not signed by an appropriate officer of the party; - Failure to show track record for the farmers and peasants sector; and

³¹ *Rollo* (G.R. No. 204240), pp. 47-69; *rollo* (G.R. No. 203936), pp. 128-150; *rollo* (G.R. No. 204126), pp. 51-73; *rollo* (G.R. No. 204364), pp. 34-56; *rollo* (G.R. No. 204141), pp. 31-53; *rollo* (G.R. No. 204408), pp. 46-68; *rollo* (G.R. No. 204153), pp. 24-46; *rollo* (G.R. No. 203958), pp. 26-48. Signed by Chairman Sixto S. Brillantes, Jr. and Commissioners Rene V. Sarmiento, Lucenito N. Tagle, Armando C. Velasco. Commissioner Elias R. Yusoph also voted in favor. Commissioner Christian Robert S. Lim also concurred but inhibited in KAKUSA. Commissioner Maria Gracia Cielo M. Padaca took no part.

				<ul style="list-style-type: none"> - Failure to show that nominees actually belong to the sector, or that they have undertaken meaningful activities for the sector.
16	204364	12-180 (PLM)	Adhikain at Kilusan ng Ordinaryong Tao Para sa Lupa, Pabahay, Hanapbuhay at Kaunlaran (AKO-BAHAY)	<p>Cancelled registration</p> <ul style="list-style-type: none"> - Failure to show that nominees actually belong to the sector, or that they have undertaken meaningful activities for the sector.
17	204141	12-229 (PLM)	The True Marcos Loyalist (for God, Country and People) Association of the Philippines, Inc. (BANTAY)	<p>Cancelled registration</p> <ul style="list-style-type: none"> - Failure to show that majority of its members are marginalized and underrepresented; and - Failure to prove that two of its nominees actually belong to the marginalized and underrepresented.
18	204408	12-217 (PLM)	Pilipino Association for Country – Urban Poor Youth Advancement and Welfare (PACYAW)	<p>Cancelled registration</p> <ul style="list-style-type: none"> - Change of sector (from urban poor youth to urban poor) necessitates a new application; - Failure to show track record for the marginalized and underrepresented; - Failure to prove that majority of its members and officers are from the urban poor sector; and - The nominees are not members of the urban poor sector.
19	204153	12-277 (PLM)	Pasang Masda Nationwide Party (PASANG MASDA)	<p>Cancelled registration</p> <ul style="list-style-type: none"> - The party represents drivers and operators, who may have conflicting interests; and - Nominees are either operators or former operators.
20	203958	12-015 (PLM)	Kapatiran ng mga Nakulong	<p>Cancelled registration</p> <ul style="list-style-type: none"> - Failure to prove that

			na Walang Sala, Inc. (KAKUSA)	majority of its officers and members belong to the marginalized and underrepresented; - The incumbent representative in Congress failed to author or sponsor bills that are beneficial to the sector that the party represents (persons imprisoned without proof of guilt beyond reasonable doubt); - Failure to show track record for the marginalized and underrepresented; and - The nominees did not appear to be marginalized and underrepresented.
Resolution dated 30 October 2012³²				
21	204428	12-256 (PLM)	Ang Galing Pinoy (AG)	Cancelled registration and accreditation - Failure to attend the summary hearing; - Failure to show track record for the marginalized and underrepresented; and - The nominees did not appear to be marginalized and underrepresented.
Resolution dated 7 November 2012³³				
22	204094	12-185 (PLM)	Alliance for Nationalism and Democracy (ANAD)	Cancelled registration and accreditation - Failure to represent an identifiable marginalized and underrepresented sector; - Only three nominees were submitted to the COMELEC;

³² *Rollo* (G.R. No. 204428), pp. 35-40. Signed by Chairman Sixto S. Brillantes, Jr. and Commissioners Rene V. Sarmiento, Lucenito N. Tagle, and Armando C. Velasco. Commissioner Christian Robert S. Lim also concurred but did not sign. Commissioner Elias R. Yusoph also voted in favor but was on official business at the time of signing. Commissioner Maria Gracia Cielo M. Padaca took no part.

³³ *Rollo* (G.R. No. 204094), pp. 30-40. Signed by Chairman Sixto S. Brillantes, Jr. and Commissioners Rene V. Sarmiento, Lucenito N. Tagle, Elias R. Yusoph, and Christian Robert S. Lim. Commissioners Armando C. Velasco and Maria Gracia Cielo M. Padaca were on official business.

				<ul style="list-style-type: none"> - The nominees do not belong to the marginalized and underrepresented; and - Failure to submit its Statement of Contribution and Expenditures for the 2007 Elections.
Omnibus Resolution dated 7 November 2012³⁴				
23	204239	12-060 (PLM)	Green Force for the Environment Sons and Daughters of Mother Earth (GREENFORCE)	<p>Cancelled registration and accreditation</p> <ul style="list-style-type: none"> - The party is an advocacy group and does not represent the marginalized and underrepresented; - Failure to comply with the track record requirement; and - The nominees are not marginalized citizens.
24	204236	12-254 (PLM)	Firm 24-K Association, Inc. (FIRM 24-K)	<p>Cancelled registration and accreditation</p> <ul style="list-style-type: none"> - The nominees do not belong to the sector that the party seeks to represent (urban poor and peasants of the National Capital Region); - Only two of its nominees reside in the National Capital Region; and - Failure to comply with the track record requirement.
25	204341	12-269 (PLM)	Action League of Indigenous Masses (ALIM)	<p>Cancelled registration and accreditation</p> <ul style="list-style-type: none"> - Failure to establish that its nominees are members of the indigenous people in the Mindanao and Cordilleras sector that the party seeks to represent; - Only two of the party's nominees reside in the Mindanao and Cordilleras;

³⁴ *Rollo*, (G.R. No. 204239), pp. 25-42; *rollo* (G.R. No. 204236), pp. 57-74; *rollo* (G.R. No. 204341), pp. 29-46. Signed by Chairman Sixto S. Brillantes, Jr. and Commissioners Rene V. Sarmiento, Lucenito N. Tagle, Elias R. Yusoph, and Christian Robert S. Lim. Commissioner Armando C. Velasco was on official business. Commissioner Maria Gracia Cielo M. Padaca took no part.

				and - Three of the nominees do not appear to belong to the marginalized.
Resolution dated 7 November 2012³⁵				
26	204358	12-204 (PLM)	Alliance of Advocates in Mining Advancement for National Progress (AAMA)	Cancelled registration - The sector it represents is a specifically defined group which may not be allowed registration under the party-list system; and - Failure to establish that the nominees actually belong to the sector.
Resolution dated 7 November 2012³⁶				
27	204359	12-272 (PLM)	Social Movement for Active Reform and Transparency (SMART)	Cancelled registration - The nominees are disqualified from representing the sectors that the party represents; - Failure to comply with the track record requirement; and - There is doubt as to whether majority of its members are marginalized and underrepresented.
Resolution dated 7 November 2012³⁷				
28	204238	12-173 (PLM)	Alliance of Bicolnon Party (ABP)	Cancelled registration and accreditation - Defective registration and accreditation dating back to 2010; - Failure to represent any sector; and - Failure to establish that the nominees are employed in the

³⁵ *Rollo* (G.R. No. 204358), pp. 140-148. Signed by Chairman Sixto S. Brillantes, Jr. and Commissioners Rene V. Sarmiento, Lucenito N. Tagle, Elias R. Yusoph, Christian Robert S. Lim, and Maria Gracia Cielo M. Padaca. Commissioner Armando C. Velasco was on official business.

³⁶ *Rollo* (G.R. No. 204359), pp. 42-50. Signed by Chairman Sixto S. Brillantes, Jr. and Commissioners Rene V. Sarmiento, Lucenito N. Tagle, Armando C. Velasco, and Elias R. Yusoph. Commissioner Christian Robert S. Lim also concurred but was on official business at the time of signing. Commissioner Maria Gracia Cielo M. Padaca took no part.

³⁷ *Rollo* (G.R. No. 204238), pp. 54-58. Signed by Chairman Sixto S. Brillantes, Jr. and Commissioners Rene V. Sarmiento, Lucenito N. Tagle, Elias R. Yusoph, and Christian Robert S. Lim. Commissioners Armando C. Velasco and Maria Gracia Cielo M. Padaca were on official business.

				construction industry, the sector it claims to represent.
Resolution dated 7 November 2012³⁸				
29	204323	12-210 (PLM)	Bayani Party List (BAYANI)	Cancelled registration and accreditation - Failure to prove a track record of trying to uplift the marginalized and underrepresented sector of professionals; and - One nominee was declared unqualified to represent the sector of professionals.
Resolution dated 7 November 2012³⁹				
30	204321	12-252 (PLM)	Ang Agrikultura Natin Isulong (AANI)	Cancelled registration and accreditation - Failure to establish a track record of enhancing the lives of the marginalized and underrepresented farmers which it claims to represent; and - More than a majority of the party's nominees do not belong to the farmers sector.
Resolution dated 7 November 2012⁴⁰				
31	204125	12-292 (PLM)	Agapay ng Indigenous Peoples Rights Alliance, Inc. (A-IPRA)	Cancelled registration and accreditation - Failure to prove that its five nominees are members of the indigenous people sector; - Failure to prove that its five nominees actively participated in the undertakings of the party; and - Failure to prove that its five

³⁸ *Rollo* (G.R. No. 204323), pp. 44-48. Signed by Chairman Sixto S. Brillantes, Jr. and Commissioners Rene V. Sarmiento, Lucenito N. Tagle, Elias R. Yusoph, Christian Robert S. Lim, and Maria Gracia Cielo M. Padaca. Commissioner Armando C. Velasco was on official business.

³⁹ *Rollo* (G.R. No. 204321), pp. 43-51. Signed by Chairman Sixto S. Brillantes, Jr. and Commissioners Rene V. Sarmiento, Lucenito N. Tagle, Elias R. Yusoph, Christian Robert S. Lim, and Maria Gracia Cielo M. Padaca. Commissioner Armando C. Velasco was on official business.

⁴⁰ *Rollo* (G.R. No. 204125), pp. 44-48. Signed by Chairman Sixto S. Brillantes, Jr. and Commissioners Rene V. Sarmiento, Lucenito N. Tagle, Elias R. Yusoph, and Christian Robert S. Lim. Commissioner Armando C. Velasco was on official business. Commissioner Maria Gracia Cielo M. Padaca took no part.

				nominees are <i>bona fide</i> members.
Resolution dated 7 November 2012⁴¹				
32	204216	12-202 (PLM)	Philippine Coconut Producers Federation, Inc. (COCOFED)	Cancelled registration and accreditation - The party is affiliated with private and government agencies and is not marginalized; - The party is assisted by the government in various projects; and - The nominees are not members of the marginalized sector of coconut farmers and producers.
Resolution dated 7 November 2012⁴²				
33	204220	12-238 (PLM)	Abang Lingkod Party-List (ABANG LINGKOD)	Cancelled registration - Failure to establish a track record of continuously representing the peasant farmers sector; - Failure to show that its members actually belong to the peasant farmers sector; and - Failure to show that its nominees are marginalized and underrepresented, have actively participated in programs for the advancement of farmers, and adhere to its advocacies.
Resolution dated 14 November 2012⁴³				
34	204158	12-158 (PLM)	Action Brotherhood for	Cancelled registration and accreditation

⁴¹ *Rollo* (G.R. No. 204216), pp. 23-28. Signed by Chairman Sixto S. Brillantes, Jr. and Commissioners Rene V. Sarmiento, Lucenito N. Tagle, Elias R. Yusoph, and Maria Gracia Cielo M. Padaca. Commissioner Christian Robert S. Lim penned a separate Concurring Opinion. Commissioner Armando C. Velasco was on official business.

⁴² *Rollo* (G.R. No. 204220), pp. 39-44. Signed by Chairman Sixto S. Brillantes, Jr. and Commissioners Rene V. Sarmiento, Lucenito N. Tagle, Elias R. Yusoph, and Christian Robert S. Lim. Commissioners Armando C. Velasco and Maria Gracia Cielo M. Padaca were on official business.

⁴³ *Rollo* (G.R. No. 204158), pp. 59-64. Signed by Chairman Sixto S. Brillantes, Jr. and Commissioners Rene V. Sarmiento, Lucenito N. Tagle, Armando C. Velasco, Elias R. Yusoph, and Christian Robert S. Lim. Commissioner Maria Gracia Cielo M. Padaca took no part.

			Active Dreamers, Inc. (ABROAD)	<ul style="list-style-type: none"> - Failure to show that the party is actually able to represent all of the sectors it claims to represent; - Failure to show a complete track record of its activities since its registration; and - The nominees are not part of any of the sectors which the party seeks to represent.
Resolution dated 28 November 2012⁴⁴				
35	204374	12-228 (PLM)	Binhi-Partido ng mga Magsasaka Para sa mga Magsasaka (BINHI)	<p>Cancelled registration and accreditation</p> <ul style="list-style-type: none"> - The party receives assistance from the government through the Department of Agriculture; and - Failure to prove that the group is marginalized and underrepresented.
Resolution dated 28 November 2012⁴⁵				
36	204356	12-136 (PLM)	Butil Farmers Party (BUTIL)	<p>Cancelled registration and accreditation</p> <ul style="list-style-type: none"> - Failure to establish that the agriculture and cooperative sectors are marginalized and underrepresented; and - The party's nominees neither appear to belong to the sectors they seek to represent, nor to have actively participated in the undertakings of the party.
Resolution dated 3 December 2012⁴⁶				
37	204486	12-194 (PLM)	1 st Kabalikat ng Bayan	Cancelled registration and accreditation

⁴⁴ *Rollo* (G.R. No. 204374), pp. 36-41. Signed by Chairman Sixto S. Brillantes, Jr. and Commissioners Rene V. Sarmiento, Lucenito N. Tagle, Armando C. Velasco, Elias R. Yusoph, and Christian Robert S. Lim. Commissioner Maria Gracia Cielo M. Padaca took no part.

⁴⁵ *Rollo* (G.R. No. 204356), pp. 56-64. Signed by Chairman Sixto S. Brillantes, Jr. and Commissioners Rene V. Sarmiento, Lucenito N. Tagle, Armando C. Velasco, Elias R. Yusoph, and Christian Robert S. Lim. Commissioner Maria Gracia Cielo M. Padaca took no part.

⁴⁶ *Rollo* (G.R. No. 204486), pp. 42-47. Signed by Chairman Sixto S. Brillantes, Jr. and Commissioners Rene V. Sarmiento, Armando C. Velasco, Elias R. Yusoph and Christian Robert S. Lim. Commissioners Lucenito N. Tagle and Maria Gracia Cielo M. Padaca took no part.

			Ginhawang Sangkatauhan (1 st KABAGIS)	<ul style="list-style-type: none"> - Declaration of untruthful statements; - Failure to exist for at least one year; and - None of its nominees belong to the labor, fisherfolk, and urban poor indigenous cultural communities sectors which it seeks to represent.
Resolution dated 4 December 2012⁴⁷				
38	204410	12-198 (PLM)	1-United Transport Koalisyon (1-UTAK)	<ul style="list-style-type: none"> Cancelled accreditation - The party represents drivers and operators, who may have conflicting interests; and - The party's nominees do not belong to any marginalized and underrepresented sector.
Resolution dated 4 December 2012⁴⁸				
39	204421, 204425	12-157 (PLM), 12-191 (PLM)	Coalition of Senior Citizens in the Philippines, Inc. (SENIOR CITIZENS)	<ul style="list-style-type: none"> Cancelled registration - The party violated election laws because its nominees had a term-sharing agreement.

These 39 petitioners (AKB, Atong Paglaum, ARAL, ARC, UNIMAD, 1BRO-PGBI, 1GANAP/GUARDIANS, A BLESSED Party-List, 1-CARE, APEC, AT, ARARO, AGRI, AKMA-PTM, KAP, AKO-BAHAY, BANTAY, PACYAW, PASANG MASDA, KAKUSA, AG, ANAD, GREENFORCE, FIRM 24-K, ALIM, AAMA, SMART, ABP, BAYANI, AANI, A-IPRA, COCOFED, ABANG LINGKOD, ABROAD, BINHI, BUTIL, 1st KABAGIS, 1-UTAK, SENIOR CITIZENS) were able to secure a mandatory injunction from this Court, directing the COMELEC to include the names of these 39 petitioners in the printing of the official ballot for the 13 May 2013 party-list elections.

⁴⁷ *Rollo* (G.R. No. 204410), pp. 63-67. Signed by Chairman Sixto S. Brillantes, Jr. and Commissioners Rene V. Sarmiento, Armando C. Velasco, and Christian Robert S. Lim. Commissioner Lucenito N. Tagle penned a Dissenting Opinion and joined by Commissioner Elias R. Yusoph. Maria Gracia Cielo M. Padaca took no part.

⁴⁸ *Rollo* (G.R. No. 204421), pp. 43-50; *rollo* (G.R. No. 204425), pp. 21-28. Signed by Chairman Sixto S. Brillantes, Jr. and Commissioners Rene V. Sarmiento, Christian Robert S. Lim, and Maria Gracia Cielo M. Padaca with Commissioners Lucenito N. Tagle, Armando C. Velasco, and Elias R. Yusoph, dissenting.

Petitioners prayed for the issuance of a temporary restraining order and/or writ of preliminary injunction. This Court issued Status Quo Ante Orders in all petitions. **This Decision governs only the 54 consolidated petitions that were granted Status Quo Ante Orders, namely:**

G.R. No.	SPP No.	Group
Resolution dated 13 November 2012		
203818-19	12-154 (PLM) 12-177 (PLM)	AKO Bicol Political Party (AKB)
203981	12-187 (PLM)	Association for Righteousness Advocacy on Leadership (ARAL)
204002	12-188 (PLM)	Alliance for Rural Concerns (ARC)
203922	12-201 (PLM)	Association of Philippine Electric Cooperatives (APEC)
203960	12-260 (PLM)	1 st Consumers Alliance for Rural Energy, Inc. (1-CARE)
203936	12-248 (PLM)	Aksyon Magsasaka-Partido Tinig ng Masa (AKMA-PTM)
203958	12-015 (PLM)	Kapatiran ng mga Nakulong na Walang Sala, Inc. (KAKUSA)
203976	12-288 (PLM)	Alliance for Rural and Agrarian Reconstruction, Inc. (ARARO)
Resolution dated 20 November 2012		
204094	12-185 (PLM)	Alliance for Nationalism and Democracy (ANAD)
204125	12-292 (PLM)	Agapay ng Indigenous Peoples Rights Alliance, Inc. (A-IPRA)
204100	12-196 (PLM)	1-Bro Philippine Guardians Brotherhood, Inc. (1BRO-PGBI)
Resolution dated 27 November 2012		
204141	12-229 (PLM)	The True Marcos Loyalist (for God, Country and People) Association of the Philippines, Inc. (BANTAY)
204240	12-279 (PLM)	Agri-Agra na Reporma Para sa Magsasaka ng Pilipinas Movement (AGRI)
204216	12-202 (PLM)	Philippine Coconut Producers Federation, Inc. (COCOFED)

204158	12-158 (PLM)	Action Brotherhood for Active Dreamer, Inc. (ABROAD)
Resolutions dated 4 December 2012		
204122	12-223 (PLM)	1 Guardians Nationalist Philippines, Inc. (1GANAP/GUARDIANS)
203766	12-161 (PLM)	Atong Paglaum, Inc. (Atong Paglaum)
204318	12-220 (PLM)	United Movement Against Drugs Foundation (UNIMAD)
204263	12-257 (PLM)	Blessed Federation of Farmers and Fishermen International, Inc. (A BLESSED Party-List)
204174	12-232 (PLM)	Aangat Tayo Party-List Party (AT)
204126	12-263 (PLM)	Kaagapay ng Nagkakaisang Agilang Pilipinong Magsasaka (KAP)
204364	12-180 (PLM)	Adhikain at Kilusan ng Ordinaryong Tao Para sa Lupa, Pabahay, Hanapbuhay at Kaunlaran (AKO-BAHAY)
204139	12-127 (PL)	Alab ng Mamamahayag (ALAM)
204220	12-238 (PLM)	Abang Lingkod Party-List (ABANG LINGKOD)
204236	12-254 (PLM)	Firm 24-K Association, Inc. (FIRM 24-K)
204238	12-173 (PLM)	Alliance of Bicolnon Party (ABP)
204239	12-060 (PLM)	Green Force for the Environment Sons and Daughters of Mother Earth (GREENFORCE)
204321	12-252 (PLM)	Ang Agrikultura Natin Isulong (AANI)
204323	12-210 (PLM)	Bayani Party List (BAYANI)
204341	12-269 (PLM)	Action League of Indigenous Masses (ALIM)
204358	12-204 (PLM)	Alliance of Advocates in Mining Advancement for National Progress (AAMA)
204359	12-272 (PLM)	Social Movement for Active Reform and Transparency (SMART)
204356	12-136 (PLM)	Butil Farmers Party (BUTIL)
Resolution dated 11 December 2012		

204402	12-061 (PL)	Kalikasan Party-List (KALIKASAN)
204394	12-145 (PL)	Association of Guard, Utility Helper, Aider, Rider, Driver/Domestic Helper, Janitor, Agent and Nanny of the Philippines, Inc. (GUARDJAN)
204408	12-217 (PLM)	Pilipino Association for Country – Urban Poor Youth Advancement and Welfare (PACYAW)
204428	12-256 (PLM)	Ang Galing Pinoy (AG)
204490	12-073 (PLM)	Pilipinas Para sa Pinoy (PPP)
204379	12-099 (PLM)	Alagad ng Sining (ASIN)
204367	12-104 (PL)	Akbay Kalusugan (AKIN)
204426	12-011 (PLM)	Association of Local Athletics Entrepreneurs and Hobbyists, Inc. (ALA-EH)
204455	12-041 (PLM)	Manila Teachers Savings and Loan Association, Inc. (Manila Teachers)
204374	12-228 (PLM)	Binhi-Partido ng mga Magsasaka Para sa mga Magsasaka (BINHI)
204370	12-011 (PP)	Ako An Bisaya (AAB)
204435	12-057 (PLM)	1 Alliance Advocating Autonomy Party (1AAAP)
204486	12-194 (PLM)	1 st Kabalikat ng Bayan Ginhawang Sangkatauhan (1 st KABAGIS)
204410	12-198 (PLM)	1-United Transport Koalisyon (1-UTAK)
204421, 204425	12-157 (PLM) 12-191 (PLM)	Coalition of Senior Citizens in the Philippines, Inc. (SENIOR CITIZENS)
204436	12-009 (PP), 12-165 (PLM)	Abyan Ilonggo Party (AI)
204485	12-175 (PL)	Alliance of Organizations, Networks and Associations of the Philippines, Inc. (ALONA)
204484	11-002	Partido ng Bayan ng Bida (PBB)
Resolution dated 11 December 2012		
204153	12-277 (PLM)	Pasang Masda Nationwide Party (PASANG MASDA)

The Issues

We rule upon two issues: *first*, whether the COMELEC committed grave abuse of discretion amounting to lack or excess of jurisdiction in disqualifying petitioners from participating in the 13 May 2013 party-list elections, either by denial of their new petitions for registration under the party-list system, or by cancellation of their existing registration and accreditation as party-list organizations; and *second*, whether the criteria for participating in the party-list system laid down in *Ang Bagong Bayani and Barangay Association for National Advancement and Transparency v. Commission on Elections*⁴⁹ (*BANAT*) should be applied by the COMELEC in the coming 13 May 2013 party-list elections.

The Court's Ruling

We hold that the COMELEC did not commit grave abuse of discretion in following prevailing decisions of this Court in disqualifying petitioners from participating in the coming 13 May 2013 party-list elections. However, since the Court adopts in this Decision new parameters in the qualification of national, regional, and sectoral parties under the party-list system, thereby abandoning the rulings in the decisions applied by the COMELEC in disqualifying petitioners, we remand to the COMELEC all the present petitions for the COMELEC to determine who are qualified to register under the party-list system, and to participate in the coming 13 May 2013 party-list elections, under the new parameters prescribed in this Decision.

The Party-List System

The 1987 Constitution provides the basis for the party-list system of representation. Simply put, the party-list system is intended to democratize political power by giving political parties that cannot win in legislative district elections a chance to win seats in the House of Representatives.⁵⁰ The voter elects two representatives in the House of Representatives: one for his or her legislative district, and another for his or her party-list group or organization of choice. The 1987 Constitution provides:

Section 5, Article VI

(1) The House of Representatives shall be composed of not more than two hundred and fifty members, unless otherwise fixed by law, who shall be elected from legislative districts apportioned among the provinces, cities, and the Metropolitan Manila area in accordance with the number of their

⁴⁹ G.R. Nos. 179271 and 179295, 21 April 2009, 586 SCRA 210.

⁵⁰ II Record, CONSTITUTIONAL COMMISSION 566-567 (1 August 1986).

respective inhabitants, and on the basis of a uniform and progressive ratio, and those who, as provided by law, shall be elected through a party-list system of registered national, regional, and sectoral parties or organizations.

(2) The party-list representatives shall constitute twenty per centum of the total number of representatives including those under the party list. For three consecutive terms after the ratification of this Constitution, one-half of the seats allocated to party-list representatives shall be filled, as provided by law, by selection or election from the labor, peasant, urban poor, indigenous cultural communities, women, youth, and such other sectors as may be provided by law, except the religious sector.

Sections 7 and 8, Article IX-C

Sec. 7. No votes cast in favor of a political party, organization, or coalition shall be valid, except for those registered under the party-list system as provided in this Constitution.

Sec. 8. Political parties, or organizations or coalitions registered under the party-list system, shall not be represented in the voters' registration boards, boards of election inspectors, boards of canvassers, or other similar bodies. However, they shall be entitled to appoint poll watchers in accordance with law.

Commissioner Christian S. Monsod, the main sponsor of the party-list system, stressed that **“the party-list system is not synonymous with that of the sectoral representation.”**⁵¹ The constitutional provisions on the party-list system should be read in light of the following discussion among its framers:

MR. MONSOD: x x x.

I would like to make a distinction from the beginning that **the proposal for the party list system is not synonymous with that of the sectoral representation.** Precisely, the party list system seeks to avoid the dilemma of choice of sectors and who constitute the members of the sectors. In making the proposal on the party list system, we were made aware of the problems precisely cited by Commissioner Bacani of which sectors will have reserved seats. In effect, a sectoral representation in the Assembly would mean that certain sectors would have reserved seats; that they will choose among themselves who would sit in those reserved seats. And then, we have the problem of which sector because as we will notice in Proclamation No. 9, the sectors cited were the farmers, fishermen, workers, students, professionals, business, military, academic, ethnic and other similar groups. So these are the nine sectors that were identified here as "sectoral representatives" to be represented in this Commission. The problem we had in trying to approach sectoral representation in the Assembly was whether to stop at these nine sectors or include other sectors. And we went through the exercise in a caucus of which sector should be included which went up to 14 sectors. And as we all know, the longer we make our enumeration, the more limiting the law become because when we make an enumeration we exclude those who are not in the enumeration. Second, we had the problem of who comprise the farmers. Let us just say the farmers and the laborers. These days, there are many citizens who are called “hyphenated citizens.” A doctor

⁵¹ II Record, CONSTITUTIONAL COMMISSION 85-86 (22 July 1986).

may be a farmer; a lawyer may also be a farmer. And so, it is up to the discretion of the person to say “I am a farmer” so he would be included in that sector.

The third problem is that when we go into a reserved seat system of sectoral representation in the Assembly, we are, in effect, giving some people two votes and other people one vote. We sought to avoid these problems by presenting a party list system. Under the party list system, there are no reserved seats for sectors. Let us say, laborers and farmers can form a sectoral party or a sectoral organization that will then register and present candidates of their party. How do the mechanics go? Essentially, under the party list system, every voter has two votes, so there is no discrimination. First, he will vote for the representative of his legislative district. That is one vote. In that same ballot, he will be asked: What party or organization or coalition do you wish to be represented in the Assembly? And here will be attached a list of the parties, organizations or coalitions that have been registered with the COMELEC and are entitled to be put in that list. This can be a regional party, a sectoral party, a national party, UNIDO, Magsasaka or a regional party in Mindanao. One need not be a farmer to say that he wants the farmers' party to be represented in the Assembly. Any citizen can vote for any party. At the end of the day, the COMELEC will then tabulate the votes that had been garnered by each party or each organization — one does not have to be a political party and register in order to participate as a party — and count the votes and from there derive the percentage of the votes that had been cast in favor of a party, organization or coalition.

When such parties register with the COMELEC, we are assuming that 50 of the 250 seats will be for the party list system. So, we have a limit of 30 percent of 50. That means that the maximum that any party can get out of these 50 seats is 15. When the parties register they then submit a list of 15 names. They have to submit these names because these nominees

have to meet the minimum qualifications of a Member of the National Assembly. At the end of the day, when the votes are tabulated, one gets the percentages. Let us say, UNIDO gets 10 percent or 15 percent of the votes; KMU gets 5 percent; a women's party gets 2 1/2 percent and anybody who has at least 2 1/2 percent of the vote qualifies and the 50 seats are apportioned among all of these parties who get at least 2 1/2 percent of the vote.

What does that mean? It means that any group or party who has a constituency of, say, 500,000 nationwide gets a seat in the National Assembly. What is the justification for that? When we allocate legislative districts, we are saying that any district that has 200,000 votes gets a seat. There is no reason why a group that has a national constituency, even if it is a sectoral or special interest group, should not have a voice in the National Assembly. It also means that, let us say, there are three or four labor groups, they all register as a party or as a group. If each of them gets only one percent or five of them get one percent, they are not entitled to any representative. So, they will begin to think that if they really have a common interest, they should band together, form a coalition and get five percent of the vote and, therefore, have two seats in the Assembly. Those are the dynamics of a party list system.

We feel that this approach gets around the mechanics of sectoral representation while at the same time making sure that those who really have

a national constituency or sectoral constituency will get a chance to have a seat in the National Assembly. These sectors or these groups may not have the constituency to win a seat on a legislative district basis. They may not be able to win a seat on a district basis but surely, they will have votes on a nationwide basis.

The purpose of this is to open the system. In the past elections, we found out that there were certain groups or parties that, if we count their votes nationwide; have about 1,000,000 or 1,500,000 votes. But they were always third place or fourth place in each of the districts. So, they have no voice in the Assembly. But this way, they would have five or six representatives in the Assembly even if they would not win individually in legislative districts. So, that is essentially the mechanics, the purpose and objectives of the party list system.

BISHOP BACANI: Madam President, am I right in interpreting that when we speak now of party list system though we refer to sectors, we would be referring to sectoral party list rather than sectors and party list?

MR. MONSOD: As a matter of fact, if this body accepts the party list system, we do not even have to mention sectors because the sectors would be included in the party list system. **They can be sectoral parties within the party list system.**

x x x x

MR. MONSOD. Madam President, I just want to say that we suggested or proposed the party list system because we wanted to open up the political system to a pluralistic society through a multiparty system. x x x **We are for opening up the system, and we would like very much for the sectors to be there. That is why one of the ways to do that is to put a ceiling on the number of representatives from any single party that can sit within the 50 allocated under the party list system.** x x x.

x x x

MR. MONSOD. Madam President, **the candidacy for the 198 seats is not limited to political parties. My question is this: Are we going to classify for example Christian Democrats and Social Democrats as political parties? Can they run under the party list concept or must they be under the district legislation side of it only?**

MR. VILLACORTA. **In reply to that query, I think these parties that the Commissioner mentioned can field candidates for the Senate as well as for the House of Representatives. Likewise, they can also field sectoral candidates for the 20 percent or 30 percent, whichever is adopted, of the seats that we are allocating under the party list system.**

MR. MONSOD. **In other words, the Christian Democrats can field district candidates and can also participate in the party list system?**

MR. VILLACORTA. **Why not? When they come to the party list system, they will be fielding only sectoral candidates.**

MR. MONSOD. **May I be clarified on that? Can UNIDO participate in the party list system?**

MR. VILLACORTA. **Yes, why not? For as long as they field candidates who come from the different marginalized sectors that we shall designate in this Constitution.**

MR. MONSOD. Suppose Senator Tañada wants to run under BAYAN group and says that he represents the farmers, would he qualify?

MR. VILLACORTA. No, Senator Tañada would not qualify.

MR. MONSOD. But UNIDO can field candidates under the party list system and say Juan dela Cruz is a farmer. Who would pass on whether he is a farmer or not?

MR. TADEO. Kay Commissioner Monsod, gusto ko lamang linawin ito. **Political parties, particularly minority political parties, are not prohibited to participate in the party list election if they can prove that they are also organized along sectoral lines.**

MR. MONSOD. What the Commissioner is saying is that all political parties can participate because it is precisely the contention of political parties that they represent the broad base of citizens and that all sectors are represented in them. Would the Commissioner agree?

MR. TADEO. Ang punto lamang namin, pag pinayagan mo ang UNIDO na isang political party, it will dominate the party list at mawawalang saysay din yung sector. Lalamunin mismo ng political parties ang party list system. Gusto ko lamang bigyan ng diin ang "reserve." Hindi ito reserve seat sa marginalized sectors. Kung titingnan natin itong 198 seats, reserved din ito sa political parties.

MR. MONSOD. Hindi po reserved iyon kasi anybody can run there. But my question to Commissioner Villacorta and probably also to Commissioner Tadeo is that under this system, would UNIDO be banned from running under the party list system?

MR. VILLACORTA. **No, as I said, UNIDO may field sectoral candidates. On that condition alone, UNIDO may be allowed to register for the party list system.**

MR. MONSOD. **May I inquire from Commissioner Tadeo if he shares that answer?**

MR. TADEO. **The same.**

MR. VILLACORTA. **Puwede po ang UNIDO, pero sa sectoral lines.**

MR. MONSOD: Sino po ang magsasabi kung iyong kandidato ng UNIDO ay hindi talagang labor leader or isang laborer? Halimbawa, abogado ito.

MR. TADEO: Iyong mechanics.

MR. MONSOD: Hindi po mechanics iyon because we are trying to solve an inherent problem of sectoral representation. My question is: Suppose UNIDO fields a labor leader, would he qualify?

MR. TADEO: **The COMELEC may look into the truth of whether or not a political party is really organized along a specific sectoral line. If such is verified or confirmed, the political party may submit a list of individuals who are actually members of such sectors. The lists are to be published to give individuals or organizations belonging to such sector the chance to present evidence contradicting claims of membership in the said sector or to question the claims of the existence of such sectoral organizations or parties. This proceeding shall be conducted by the COMELEC and shall be summary in character. In other words, COMELEC decisions on this matter are final and unappealable.**⁵²
(Emphasis supplied)

Indisputably, the framers of the 1987 Constitution intended the party-list system to include not only sectoral parties but also non-sectoral parties. The framers intended the sectoral parties to constitute a part, but not the entirety, of the party-list system. **As explained by Commissioner Wilfredo Villacorta, political parties can participate in the party-list system “[F]or as long as they field candidates who come from the different marginalized sectors that we shall designate in this Constitution.”**⁵³

In fact, the framers voted down, 19-22, a proposal to reserve permanent seats to sectoral parties in the House of Representatives, or alternatively, to reserve the party-list system exclusively to sectoral parties. As clearly explained by Justice Jose C. Vitug in his Dissenting Opinion in *Ang Bagong Bayani*:

The draft provisions on what was to become Article VI, Section 5, subsection (2), of the 1987 Constitution took off from two staunch positions — the first headed by Commissioner Villacorta, advocating that of the 20 per centum of the total seats in Congress to be allocated to party-list representatives half were to be reserved to appointees from the marginalized and underrepresented sectors. The proposal was opposed by some Commissioners. Mr. Monsod expressed the difficulty in delimiting the sectors that needed representation. He was of the view that reserving seats for the marginalized and underrepresented sectors would stunt their development into full-pledged parties equipped with electoral machinery potent enough to further the sectoral interests to be represented. The Villacorta group, on the other hand, was apprehensive that pitting the unorganized and less-moneyed sectoral groups in an electoral contest would be like placing babes in the lion's den, so to speak, with the bigger and more established political parties ultimately gobbling them up. R.A. 7941 recognized this concern when it banned the first five major political parties on the basis of party representation in the House of Representatives from participating in the

⁵² II RECORD, CONSTITUTIONAL COMMISSION 85-86 (22 July 1986), 256-257 (25 July 1986).

⁵³ II RECORD, CONSTITUTIONAL COMMISSION 257 (25 July 1986).

party-list system for the first party-list elections held in 1998 (and to be automatically lifted starting with the 2001 elections). The advocates for permanent seats for sectoral representatives made an effort towards a compromise — that the party-list system be open only to underrepresented and marginalized sectors. This proposal was further whittled down by allocating only half of the seats under the party-list system to candidates from the sectors which would garner the required number of votes. The majority was unyielding. **Voting 19-22, the proposal for permanent seats, and in the alternative the reservation of the party-list system to the sectoral groups, was voted down.** The only concession the Villacorta group was able to muster was an assurance of reserved seats for selected sectors for three consecutive terms after the enactment of the 1987 Constitution, by which time they would be expected to gather and solidify their electoral base and brace themselves in the multi-party electoral contest with the more veteran political groups.⁵⁴ (Emphasis supplied)

Thus, in the end, the proposal to give permanent reserved seats to certain sectors was outvoted. Instead, the reservation of seats to sectoral representatives was only allowed for the first three consecutive terms.⁵⁵ There can be no doubt whatsoever that the framers of the 1987 Constitution expressly rejected the proposal to make the party-list system exclusively for sectoral parties only, and that they clearly intended the party-list system to include both sectoral and non-sectoral parties.

The common denominator between sectoral and non-sectoral parties is that they cannot expect to win in legislative district elections but they can garner, in nationwide elections, at least the same number of votes that winning candidates can garner in legislative district elections. The party-list system will be the entry point to membership in the House of Representatives for both these non-traditional parties that could not compete in legislative district elections.

The indisputable intent of the framers of the 1987 Constitution to include in the party-list system both sectoral and non-sectoral parties is **clearly written** in Section 5(1), Article VI of the Constitution, which states:

Section 5. (1) The House of Representative shall be composed of not more that two hundred and fifty members, unless otherwise fixed by law, who shall be elected from legislative districts apportioned among the provinces, cities, and the Metropolitan Manila area in accordance with the number of their respective inhabitants, and on the basis of a uniform and progressive ratio, and **those who, as provided by law, shall be elected through a party-list system of registered national, regional, and sectoral parties or organizations.** (Emphasis supplied)

⁵⁴ 412 Phil. 347, 350 (2001).

⁵⁵ *Party-List System: The Philippine Experience*, Fritzie Palma Tangkia and Ma. Araceli Basco Habaradas, Ateneo School of Government and Friedrich Ebert Stiftung (FES), Philippine Office, April 2001, <http://library.fes.de/pdf-files/bueros/philippinen/50076.pdf> (accessed 30 March 2013).

Section 5(1), Article VI of the Constitution is crystal-clear that there shall be **“a party-list system of registered national, regional, and sectoral parties or organizations.”** The commas after the words “national[,]” and “regional[,]” separate national and regional parties from sectoral parties. Had the framers of the 1987 Constitution intended national and regional parties to be at the same time sectoral, they would have stated “national and regional sectoral parties.” They did not, precisely because it was never their intention to make the party-list system exclusively sectoral.

What the framers intended, and what they expressly wrote in Section 5(1), could not be any clearer: the party-list system is composed of three different groups, and the sectoral parties belong to only one of the three groups. **The text of Section 5(1) leaves no room for any doubt that national and regional parties are separate from sectoral parties.**

Thus, the party-list system is composed of **three different groups**: (1) national parties or organizations; (2) regional parties or organizations; and (3) sectoral parties or organizations. National and regional parties or organizations are **different** from sectoral parties or organizations. National and regional parties or organizations need not be organized along sectoral lines and need not represent any particular sector.

Moreover, Section 5(2), Article VI of the 1987 Constitution mandates that, during the first three consecutive terms of Congress after the ratification of the 1987 Constitution, “one-half of the seats allocated to party-list representatives shall be filled, as provided by law, by selection or election from the labor, peasant, urban poor, indigenous cultural communities, women, youth, and such other sectors as may be provided by law, except the religious sector.” This provision clearly shows again that the party-list system is not exclusively for sectoral parties for two obvious reasons.

First, the other one-half of the seats allocated to party-list representatives would naturally be open to non-sectoral party-list representatives, clearly negating the idea that the party-list system is exclusively for sectoral parties representing the “marginalized and underrepresented.” *Second*, the reservation of one-half of the party-list seats to sectoral parties applies only for the first “three consecutive terms after the ratification of this Constitution,” clearly making the party-list system fully open after the end of the first three congressional terms. This means that, after this period, there will be no seats reserved for any class or type of party that qualifies under the three groups constituting the party-list system.

Hence, the clear intent, express wording, and party-list structure ordained in Section 5(1) and (2), Article VI of the 1987 Constitution cannot be disputed: the party-list system is not for sectoral parties only, but also for non-sectoral parties.

Republic Act No. 7941 or the Party-List System Act, which is the law that implements the party-list system prescribed in the Constitution, provides:

Section 3. *Definition of Terms.* (a) The party-list system is a mechanism of proportional representation in the election of representatives to the House of Representatives from national, regional and sectoral parties or organizations or coalitions thereof registered with the Commission on Elections (COMELEC). Component parties or organizations of a coalition may participate independently provided the coalition of which they form part does not participate in the party-list system.

(b) A party means either a political party or a sectoral party or a coalition of parties.

(c) A political party refers to an organized group of citizens advocating an ideology or platform, principles and policies for the general conduct of government and which, as the most immediate means of securing their adoption, regularly nominates and supports certain of its leaders and members as candidates for public office.

It is a national party when its constituency is spread over the geographical territory of at least a majority of the regions. It is a regional party when its constituency is spread over the geographical territory of at least a majority of the cities and provinces comprising the region.

(d) A sectoral party refers to an organized group of citizens belonging to any of the sectors enumerated in Section 5 hereof whose principal advocacy pertains to the special interest and concerns of their sector.

(e) A sectoral organization refers to a group of citizens or a coalition of groups of citizens who share similar physical attributes or characteristics, employment, interests or concerns.

(f) A coalition refers to an aggrupation of duly registered national, regional, sectoral parties or organizations for political and/or election purposes. (Emphasis supplied)

Section 3(a) of R.A. No. 7941 defines a “party” as “**either a political party or a sectoral party** or a coalition of parties.” Clearly, a political party is different from a sectoral party. Section 3(c) of R.A. No. 7941 further provides that a “**political party** refers to an organized **group of citizens advocating an ideology or platform, principles and policies for the general conduct of government.**” On the other hand, Section 3(d) of R.A. No. 7941 provides that a “**sectoral party** refers to an organized group of citizens belonging to any of the sectors enumerated in Section 5 hereof **whose principal advocacy pertains to the special interest and concerns of their sector.**” R.A. No. 7941 provides different definitions for a political and a sectoral party. Obviously, they are separate and distinct from each other.

R.A. No. 7941 does not require national and regional parties or organizations to represent the “marginalized and underrepresented” sectors. To require all national and regional parties under the party-list system

to represent the “marginalized and underrepresented” is to deprive and exclude, by judicial fiat, ideology-based and cause-oriented parties from the party-list system. How will these ideology-based and cause-oriented parties, who cannot win in legislative district elections, participate in the electoral process if they are excluded from the party-list system? To exclude them from the party-list system is to prevent them from joining the parliamentary struggle, leaving as their only option the armed struggle. To exclude them from the party-list system is, apart from being obviously senseless, patently contrary to the clear intent and express wording of the 1987 Constitution and R.A. No. 7941.

Under the party-list system, an ideology-based or cause-oriented political party is clearly different from a sectoral party. A political party need not be organized as a sectoral party and need not represent any particular sector. There is no requirement in R.A. No. 7941 that a national or regional political party must represent a “marginalized and underrepresented” sector. It is sufficient that the political party consists of citizens who advocate the same ideology or platform, or the same governance principles and policies, **regardless of their economic status as citizens.**

Section 5 of R.A. No. 7941 states that “the sectors shall include labor, peasant, fisherfolk, urban poor, indigenous cultural communities, **elderly**, handicapped, **women**, **youth**, veterans, overseas workers, and **professionals.**”⁵⁶ The sectors mentioned in Section 5 are not all necessarily “marginalized and underrepresented.” For sure, “professionals” are not by definition “marginalized and underrepresented,” not even the elderly, women, and the youth. However, professionals, the elderly, women, and the youth may “lack well-defined political constituencies,” and can thus organize themselves into sectoral parties in advocacy of the special interests and concerns of their respective sectors.

Section 6 of R.A. No. 7941 provides another compelling reason for holding that the law does not require national or regional parties, as well as certain sectoral parties in Section 5 of R.A. No. 7941, to represent the “marginalized and underrepresented.” Section 6 provides the grounds for the COMELEC to refuse or cancel the registration of parties or organizations after due notice and hearing.

⁵⁶ Section 5. *Registration.* – Any organized group of persons may register as a party, organization or coalition for purposes of the party-list system by filing with the COMELEC not later than ninety (90) days before the election a petition verified by its president or secretary stating its desire to participate in the party-list system as a national, regional or sectoral party or organization or a coalition of such parties or organizations, attaching thereto its constitution, by-laws, platform or program of government, list of officers, coalition agreement and other relevant information as the COMELEC may require: *Provided*, That the sectors shall include labor, peasant, fisherfolk, urban poor, indigenous cultural communities, elderly, handicapped, women, youth, veterans, overseas workers, and professionals.

The COMELEC shall publish the petition in at least two (2) national newspapers of general circulation.

The COMELEC shall, after due notice and hearing, resolve the petition within fifteen (15) days from the date it was submitted for decision but in no case not later than sixty (60) days before election.

Section 6. *Refusal and/or Cancellation of Registration.* — The COMELEC may, *motu proprio* or upon verified complaint of any interested party, refuse or cancel, after due notice and hearing, the registration of any national, regional or sectoral party, organization or coalition on any of the following grounds:

- (1) It is a religious sect or denomination, organization or association organized for religious purposes;
- (2) It advocates violence or unlawful means to seek its goal;
- (3) It is a foreign party or organization;
- (4) It is receiving support from any foreign government, foreign political party, foundation, organization, whether directly or through any of its officers or members or indirectly through third parties for partisan election purposes;
- (5) It violates or fails to comply with laws, rules or regulations relating to elections;
- (6) It declares untruthful statements in its petition;
- (7) It has ceased to exist for at least one (1) year; or
- (8) It fails to participate in the last two (2) preceding elections or fails to obtain at least two *per centum* (2%) of the votes cast under the party-list system in the two (2) preceding elections for the constituency in which it has registered.

None of the 8 grounds to refuse or cancel registration refers to non-representation of the “marginalized and underrepresented.”

The phrase “**marginalized and underrepresented**” appears only *once* in R.A. No. 7941, in Section 2 on *Declaration of Policy*.⁵⁷ Section 2 seeks “to promote proportional representation in the election of representatives to the House of Representatives through the party-list system,” which will enable Filipinos belonging to the “**marginalized and underrepresented sectors, organizations and parties, and who lack well-defined political constituencies,**” to become members of the House of Representatives. While the policy declaration in Section 2 of R.A. No. 7941 broadly refers to

⁵⁷ Section 2. *Declaration of Policy.* — The State shall promote proportional representation in the election of representatives to the House of Representatives through a party-list system of registered national, regional and sectoral parties or organizations or coalitions thereof, which will enable Filipino citizens belonging to **marginalized and underrepresented sectors, organizations and parties, and who lack well-defined political constituencies** but who could contribute to the formulation and enactment of appropriate legislation that will benefit the nation as a whole, to become members of the House of Representatives. Towards this end, the State shall develop and guarantee a full, free and open party system in order to attain the broadest possible representation of party, sectoral or group interests in the House of Representatives by enhancing their chances to compete for and win seats in the legislature, and shall provided the simplest scheme possible. (Emphasis supplied)

“marginalized and underrepresented sectors, organizations and parties,” the specific implementing provisions of R.A. No. 7941 do not define or require that the sectors, organizations or parties must be “marginalized and underrepresented.” On the contrary, to even interpret that all the sectors mentioned in Section 5 are “marginalized and underrepresented” would lead to absurdities.

How then should we harmonize the broad policy declaration in Section 2 of R.A. No. 7941 with its specific implementing provisions, bearing in mind the applicable provisions of the 1987 Constitution on the matter?

The phrase “**marginalized and underrepresented**” should refer only to the sectors in Section 5 that are, *by their nature*, economically “**marginalized and underrepresented.**” These sectors are: labor, peasant, fisherfolk, urban poor, indigenous cultural communities, handicapped, veterans, overseas workers, and other similar sectors. **For these sectors, a majority of the members of the sectoral party must belong to the “marginalized and underrepresented.” The nominees of the sectoral party either must belong to the sector, or must have a track record of advocacy for the sector represented.** Belonging to the “marginalized and underrepresented” sector does not mean one must “wallow in poverty, destitution or infirmity.” It is sufficient that one, or his or her sector, is below the middle class. More specifically, the economically “marginalized and underrepresented” are those who fall in the low income group as classified by the National Statistical Coordination Board.⁵⁸

The recognition that national and regional parties, as well as sectoral parties of professionals, the elderly, women and the youth, need not be “marginalized and underrepresented” will allow small ideology-based and cause-oriented parties who lack “well-defined political constituencies” a chance to win seats in the House of Representatives. On the other hand, limiting to the “marginalized and underrepresented” the **sectoral** parties for labor, peasant, fisherfolk, urban poor, indigenous cultural communities, handicapped, veterans, overseas workers, and other sectors that by their nature are economically at the margins of society, will give the “marginalized and underrepresented” an opportunity to likewise win seats in the House of Representatives.

This interpretation will harmonize the 1987 Constitution and R.A. No. 7941 and will give rise to a multi-party system where those “marginalized and underrepresented,” *both in economic and ideological status*, will have the opportunity to send their own members to the House of Representatives. This

⁵⁸ The National Statistical Coordination Board (NSDB) classifies the population into three income groups: the high income, the middle income, and the low income group. See Table 2. *Annual Family Income of the Low, Middle, and High Income Classes: 1997*, <http://www.nscb.gov.ph/ncs/10thNCS/papers/contributed%20papers/cps-12/cps12-01.pdf> (accessed 30 March 2013).

interpretation will also make the party-list system honest and transparent, eliminating the need for relatively well-off party-list representatives to masquerade as “wallowing in poverty, destitution and infirmity,” even as they attend sessions in Congress riding in SUVs.

The major political parties are those that field candidates in the legislative district elections. Major political parties cannot participate in the party-list elections since they neither lack “well-defined political constituencies” nor represent “marginalized and underrepresented” sectors. **Thus, the national or regional parties under the party-list system are necessarily those that do not belong to major political parties.** This automatically reserves the national and regional parties under the party-list system to those who “lack well-defined political constituencies,” giving them the opportunity to have members in the House of Representatives.

To recall, *Ang Bagong Bayani* expressly declared, in its second guideline for the accreditation of parties under the party-list system, that “while even major political parties are expressly allowed by RA 7941 and the Constitution to participate in the party-list system, they must comply with the declared statutory policy of enabling ‘Filipino citizens belonging to marginalized and underrepresented sectors xxx to be elected to the House of Representatives.’ ” However, the requirement in *Ang Bagong Bayani*, in its second guideline, that “the political party xxx must represent the marginalized and underrepresented,” automatically disqualified major political parties from participating in the party-list system. This **inherent inconsistency** in *Ang Bagong Bayani* has been compounded by the COMELEC’s refusal to register sectoral wings officially organized by major political parties. *BANAT* merely formalized the prevailing practice when it **expressly prohibited** major political parties from participating in the party-list system, even through their sectoral wings.

Section 11 of R.A. No. 7941 expressly prohibited the “**first five (5) major political parties** on the basis of party representation in the House of Representatives at the start of the Tenth Congress” from participating in the May 1988 party-list elections.⁵⁹ **Thus, major political parties can participate in subsequent party-list elections since the prohibition is expressly limited only to the 1988 party-list elections.** However, major political parties should participate in party-list elections only through their **sectoral** wings. The participation of major political parties through their sectoral wings, a majority of whose members are “marginalized and underrepresented” or lacking in “well-defined political constituencies,” will facilitate the entry of the “marginalized and underrepresented” and those who

⁵⁹ Section 11 of R.A. No. 7941 provides in part:

x x x For purposes of the May 1988 elections, the first five (5) major political parties on the basis of party representation in the House of Representatives at the start of the Tenth Congress of the Philippines shall not be entitled to participate in the party-list system.

x x x.

“lack well-defined political constituencies” as members of the House of Representatives.

The 1987 Constitution and R.A. No. 7941 allow major political parties to participate in party-list elections so as to encourage them to work assiduously in extending their constituencies to the “marginalized and underrepresented” and to those who “lack well-defined political constituencies.” The participation of major political parties in party-list elections must be geared towards the entry, as members of the House of Representatives, of the “marginalized and underrepresented” and those who “lack well-defined political constituencies,” giving them a voice in law-making. Thus, to participate in party-list elections, a major political party that fields candidates in the legislative district elections must organize a sectoral wing, like a labor, peasant, fisherfolk, urban poor, professional, women or youth wing, that can register under the party-list system.

Such sectoral wing of a major political party must have its own constitution, by-laws, platform or program of government, officers and members, a majority of whom must belong to the sector represented. The sectoral wing is in itself an independent sectoral party, and is *linked to a major political party through a coalition*. This linkage is allowed by Section 3 of R.A. No. 7941, which provides that “component parties or organizations of a coalition may participate independently (in party-list elections) provided the coalition of which they form part does not participate in the party-list system.”

Section 9 of R.A. No. 7941 prescribes the qualifications of party-list nominees. This provision prescribes a special qualification only for the nominee from the youth sector.

Section 9. *Qualifications of Party-List Nominees*. No person shall be nominated as party-list representative unless he is a natural-born citizen of the Philippines, a registered voter, a resident of the Philippines for a period of not less than one (1) year immediately preceding the day of the election, able to read and write, a *bona fide* member of the party or organization which he seeks to represent for at least ninety (90) days preceding the day of the election, and is at least twenty-five (25) years of age on the day of the election.

In case of a nominee of the youth sector, he must at least be twenty-five (25) but not more than thirty (30) years of age on the day of the election. Any youth sectoral representative who attains the age of thirty (30) during his term shall be allowed to continue in office until the expiration of his term.

A party-list nominee must be a *bona fide* member of the party or organization which he or she seeks to represent. **In the case of sectoral parties, to be a *bona fide* party-list nominee one must either belong to the sector represented, or have a track record of advocacy for such sector.**

In disqualifying petitioners, the COMELEC used the criteria prescribed in *Ang Bagong Bayani* and *BANAT*. *Ang Bagong Bayani* laid down the guidelines for qualifying those who desire to participate in the party-list system:

First, the political party, sector, organization or coalition must represent the marginalized and underrepresented groups identified in Section 5 of RA 7941. x x x

Second, while even major political parties are expressly allowed by RA 7941 and the Constitution to participate in the party-list system, they must comply with the declared statutory policy of enabling “Filipino citizens belonging to marginalized and underrepresented sectors x x x to be elected to the House of Representatives.” x x x.

x x x x

Third, x x x the religious sector may not be represented in the party-list system. x x x.

x x x x

Fourth, a party or an organization must not be disqualified under Section 6 of RA 7941, which enumerates the grounds for disqualification as follows:

“(1) It is a religious sect or denomination, organization or association, organized for religious purposes;

(2) It advocates violence or unlawful means to seek its goal;

(3) It is a foreign party or organization;

(4) It is receiving support from any foreign government, foreign political party, foundation, organization, whether directly or through any of its officers or members or indirectly through third parties for partisan election purposes;

(5) It violates or fails to comply with laws, rules or regulations relating to elections;

(6) It declares untruthful statements in its petition;

(7) It has ceased to exist for at least one (1) year; or

(8) It fails to participate in the last two (2) preceding elections or fails to obtain at least two *per centum* (2%) of the votes cast under the party-list system in the two (2) preceding elections for the constituency in which it has registered.”

Fifth, the party or organization must not be an adjunct of, or a project organized or an entity funded or assisted by, the government. x x x.

x x x x

Sixth, the party must not only comply with the requirements of the law; its nominees must likewise do so. Section 9 of RA 7941 reads as follows:

“SEC 9. *Qualifications of Party-List Nominees.* – No person shall be nominated as party-list representative unless he is a natural-born citizen of the Philippines, a registered voter, a resident of the Philippines for a period of not less than one (1) year immediately preceding the day of the election, able to read and write, a *bona fide* member of the party or organization which he seeks to represent for at least ninety (90) days preceding the day of the election, and is at least twenty-five (25) years of age on the day of the election.

In case of a nominee of the youth sector, he must at least be twenty-five (25) but not more than thirty (30) years of age on the day of the election. Any youth sectoral representative who attains the age of thirty (30) during his term shall be allowed to continue in office until the expiration of his term.”

***Seventh*, not only the candidate party or organization must represent marginalized and underrepresented sectors; so also must its nominees. x x x.**

Eighth, x x x the nominee must likewise be able to contribute to the formulation and enactment of appropriate legislation that will benefit the nation as a whole. (Emphasis supplied)

In 2009, by a vote of 8-7 in *BANAT*, this Court stretched the *Ang Bagong Bayani* ruling further. In *BANAT*, the majority officially excluded major political parties from participating in party-list elections,⁶⁰ abandoning even the lip-service that *Ang Bagong Bayani* accorded to the 1987 Constitution and R.A.No. 7941 that major political parties can participate in party-list elections.

The minority in *BANAT*, however, believed that major political parties can participate in the party-list system through their sectoral wings. The minority expressed that “[e]xcluding the major political parties in party-list elections is manifestly against the Constitution, the intent of the Constitutional Commission, and R.A. No. 7941. This Court cannot engage in socio-political engineering and judicially legislate the exclusion of major political parties from the party-list elections in patent violation of the Constitution and the law.”⁶¹ The experimentations in socio-political engineering have only resulted in confusion and absurdity in the party-list system. Such experimentations, in clear contravention of the 1987 Constitution and R.A. No. 7941, must now come to an end.

⁶⁰ G.R. Nos. 179271 and 179295, 21 April 2009, 586 SCRA 210, 258 citing CONSTITUTION, Art. XIII, Sec. 1.

⁶¹ *Id.* at 251.

We cannot, however, fault the COMELEC for following prevailing jurisprudence in disqualifying petitioners. In following prevailing jurisprudence, the COMELEC could not have committed grave abuse of discretion. However, for the coming 13 May 2013 party-list elections, we must now impose and mandate the party-list system **actually envisioned and authorized** under the 1987 Constitution and R.A. No. 7941. In *BANAT*, this Court devised a new formula in the allocation of party-list seats, reversing the COMELEC's allocation which followed the then prevailing formula in *Ang Bagong Bayani*. In *BANAT*, however, the Court did not declare that the COMELEC committed grave abuse of discretion. Similarly, even as we acknowledge here that the COMELEC did not commit grave abuse of discretion, we declare that it would not be in accord with the 1987 Constitution and R.A. No. 7941 to apply the criteria in *Ang Bagong Bayani* and *BANAT* in determining who are qualified to participate **in the coming 13 May 2013 party-list elections**. For this purpose, we suspend our rule⁶² that a party may appeal to this Court from decisions or orders of the COMELEC only if the COMELEC committed grave abuse of discretion.

Thus, we remand all the present petitions to the COMELEC. In determining who may participate in the coming 13 May 2013 and subsequent party-list elections, the COMELEC shall adhere to the following parameters:

1. Three different groups may participate in the party-list system: (1) national parties or organizations, (2) regional parties or organizations, and (3) sectoral parties or organizations.
2. National parties or organizations and regional parties or organizations do not need to organize along sectoral lines and do not need to represent any “marginalized and underrepresented” sector.
3. Political parties can participate in party-list elections provided they register under the party-list system and do not field candidates in legislative district elections. A political party, whether major or not, that fields candidates in legislative district elections can participate in party-list elections only through its sectoral wing that can separately register under the party-list system. The sectoral wing is by itself an independent sectoral party, and is linked to a political party through a coalition.
4. Sectoral parties or organizations may either be “marginalized and underrepresented” or lacking in “well-defined political constituencies.” It is enough that their principal advocacy pertains to the special interest and concerns of their sector. The sectors that are “marginalized and underrepresented” include labor, peasant, fisherfolk, urban poor, indigenous cultural communities, handicapped, veterans, and overseas

⁶² Rule 64 in relation to Rule 65, 1997 Rules of Civil Procedure.

workers. The sectors that lack “well-defined political constituencies” include professionals, the elderly, women, and the youth.

5. A majority of the members of sectoral parties or organizations that represent the “marginalized and underrepresented” must belong to the “marginalized and underrepresented” sector they represent. Similarly, a majority of the members of sectoral parties or organizations that lack “well-defined political constituencies” must belong to the sector they represent. The nominees of sectoral parties or organizations that represent the “marginalized and underrepresented,” or that represent those who lack “well-defined political constituencies,” either must belong to their respective sectors, or must have a track record of advocacy for their respective sectors. The nominees of national and regional parties or organizations must be *bona-fide* members of such parties or organizations.
6. National, regional, and sectoral parties or organizations shall not be disqualified if some of their nominees are disqualified, provided that they have at least one nominee who remains qualified.

The COMELEC excluded from participating in the 13 May 2013 party-list elections those that did not satisfy these two criteria: (1) **all** national, regional, and sectoral groups or organizations must represent the “marginalized and underrepresented” sectors, and (2) **all** nominees must belong to the “marginalized and underrepresented” sector they represent. Petitioners may have been disqualified by the COMELEC because as political or regional parties they are not organized along sectoral lines and do not represent the “marginalized and underrepresented.” Also, petitioners' nominees who do not belong to the sectors they represent may have been disqualified, although they may have a track record of advocacy for their sectors. Likewise, nominees of non-sectoral parties may have been disqualified because they do not belong to any sector. Moreover, a party may have been disqualified because one or more of its nominees failed to qualify, even if the party has at least one remaining qualified nominee. As discussed above, the disqualification of petitioners, and their nominees, under such circumstances is contrary to the 1987 Constitution and R.A. No. 7941.

This Court is sworn to uphold the 1987 Constitution, apply its provisions faithfully, and desist from engaging in socio-economic or political experimentations contrary to what the Constitution has ordained. Judicial power does not include the power to re-write the Constitution. Thus, the present petitions should be remanded to the COMELEC not because the COMELEC committed grave abuse of discretion in disqualifying petitioners, but because petitioners may now possibly qualify to participate in the coming 13 May 2013 party-list elections under the new parameters prescribed by this Court.

WHEREFORE, all the present 54 petitions are **GRANTED**. The 13 petitions, which have been granted Status Quo Ante Orders but without mandatory injunction to include the names of petitioners in the printing of ballots, are remanded to the Commission on Elections only for determination whether petitioners are qualified to register under the party-list system under the parameters prescribed in this Decision but they shall not participate in the 13 May 2013 party-list elections. The 41 petitions, which have been granted mandatory injunctions to include the names of petitioners in the printing of ballots, are remanded to the Commission on Elections for determination whether petitioners are qualified to register under the party-list system and to participate in the 13 May 2013 party-list elections under the parameters prescribed in this Decision. The Commission on Elections may conduct summary evidentiary hearings for this purpose. This Decision is immediately executory.

SO ORDERED.



ANTONIO T. CARPIO
Associate Justice

WE CONCUR:

I dissent. Ang Bagong Bayani should be upheld, not reversed. Congress and see dissenting opinion.

MARIA LOURDES P. A. SERENO
Chief Justice

(no part due to relative's participation in party list election)

PRESBITERO J. VELASCO, JR.
Associate Justice

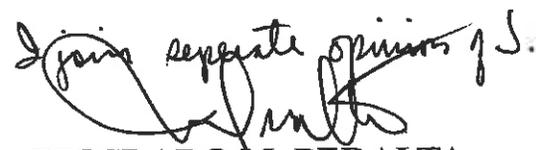
See: Separate Opinion


ARTURO D. BRION
Associate Justice

I concur and also with the additional grounds cited in Justice Sereno's concurring opinion for restoring the Ang Bagong Bayan ruling and his erudite analysis of the party-list system under the Constitution and its implications on political law.

TERESITA J. LEONARDO-DE CASTRO
Associate Justice

I join separate opinions of J. Velasco and J. Brion


DIOSDADO M. PERALTA
Associate Justice

Lucas P. Bersamin
LUCAS P. BERSAMIN
Associate Justice

Mariano C. Del Castillo
MARIANO C. DEL CASTILLO
Associate Justice

I join J.A.P. Bruni in his separate opinion
Unsubd
ROBERTO A. ABAD
Associate Justice

Martin S. Villarama, Jr.
MARTIN S. VILLARAMA, JR.
Associate Justice

Jose Portugal Perez
JOSE PORTUGAL PEREZ
Associate Justice

I concur to remand but there was a grave abuse of discretion but only with respect to the disqualification of nominees separate from the party organization
JOSE C. MENDOZA
Associate Justice

with separate concurring and DISSENTING opinions

Bienvenido L. Reyes
BIENVENIDO L. REYES
Associate Justice

(on leave)
ESTELA M. PERLAS-BERNABE
Associate Justice

separate concurring and dissenting opinions
Marvic Mario Victor F. Leonen
MARVIC MARIO VICTOR F. LEONEN
Associate Justice

CERTIFICATION

Pursuant to Section 13, Article VIII of the Constitution, I certify that the conclusions in the above Decision had been reached in consultation before the case was assigned to the writer of the opinion of the Court.

Maria Lourdes P. A. Sereno
MARIA LOURDES P. A. SERENO
Chief Justice