



REPUBLIC OF THE PHILIPPINES
SENATE ELECTORAL TRIBUNAL

COA-NCR Bldg., Batasan Road, Quezon City

FRANCIS N. TOLENTINO,
Protestant,

SET Case No. 001-16

-versus-

LEILA M. DE LIMA,
Protestee.

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RESOLUTION NO. 16 - 93

In compliance with Resolution No. 16-84 dated 22 November 2017, the Commission on Elections (COMELEC) delivered one (1) unit of Consolidation and Canvassing System (CCS) Laptop to the Tribunal on 06 December 2017. The CCS Laptop came from Basco, Batanes. The "actual system date change" demonstration was conducted at the Tribunal Session Hall on 25 January 2018 by Mr. Alvin V. Genota, COMELEC IT, in the presence of the official IT representative of the Tribunal, Mr. Larry U. Aumentado, and party representatives.

The purpose of the demonstration was to determine whether or not the proposed system date change will allow the COMELEC to back up the statistical data contained in the CCS Laptops used during the 09 May 2016 National and Local Elections without compromising the integrity of the data contained therein.

In his written report, Mr. Larry Aumentado, Legislative Staff Officer V of Information and Communications Systems and Judicial Records Management Service (ICSJRMS) of the Tribunal, made the following recommendation:

"There is still a need to verify if the data encoded in the CCS laptop are still intact. Since there are no printed copies of Certificates of Canvass and Statistical Reports for Basco, Batanes on hand during the demonstration conducted by the Commission on Elections, the undersigned as well as the other observers during the scheduled demonstration have no way of knowing if the integrity of the data remained intact.

The best way to verify is to require COMELEC to furnish the Tribunal with copies of Certificates of Canvass and Statistical Reports from the CCS Laptop for Basco, Batanes. After which, the Tribunal should require COMELEC's IT expert, Mr. Alvin Genota, to appear again before the Tribunal to print all reports found inside the CCS laptop in the presence of the Tribunal and of the parties.

From the time the documents are printed from the CCS Laptop, all parties present shall be given an opportunity to compare the hash codes of the printed copies produced during the 2016 elections and those copies which COMELEC will deliver.

If the hash codes remain intact, the undersigned may safely say that the documents contained in the CCS Laptop remained intact even after the conduct of system date change.”

After the demonstration of the system date change, counsel for Protestant Francis N. Tolentino filed on 29 January 2018 a *Manifestation and Motion* declaring the Protestant's continuing objection to the change of system date on all other CCS Laptops and moved that the Tribunal continue to restrict the change of system date until it is verified, through comparison with credible election documents, that the change of system date indeed had no effect on the election data contained in the CCS Laptop from the Municipal Board of Canvassers of Basco, Batanes.

The Tribunal agrees with Mr. Aumentado and with Protestant Tolentino that there is indeed a need to check if all the figures in the reports shown during the demonstration are the same with the reports produced during the 2016 elections. To settle the issue, the COMELEC has to furnish the Tribunal with certified true copies of all the reports generated by the CCS Laptop for Basco, Batanes during the 2016 elections which are in its custody and again require Mr. Alvin V. Genota of the COMELEC's Information and Technology Department (ITD) to print before the Tribunal and the parties all reports from the aforementioned Laptop. A comparison of the two (2) sets of reports shall forthwith ensue to validate if the hash codes of the copies printed from the CCS Laptop after the system date change remained intact.

IN VIEW OF THE FOREGOING, the Executive Committee of the Tribunal Resolves to:

1. **REQUIRE** the Commission on Elections to furnish the Tribunal with certified true copies of Certificates of Canvass (COC) and Statistical Reports from the Consolidation and Canvassing System (CCS) Laptop of Basco, Batanes within five (5) days from receipt of this Resolution; and
2. **DIRECT** the Acting Secretary of the Tribunal to set the schedule for the printing of all reports from the Consolidation and Canvassing System (CCS) Laptop of Basco, Batanes upon receipt of all certified true copies of COCs and Statistical Reports from the Commission on Elections and **NOTIFY** the COMELEC and the parties of the said schedule.

SO ORDERED.

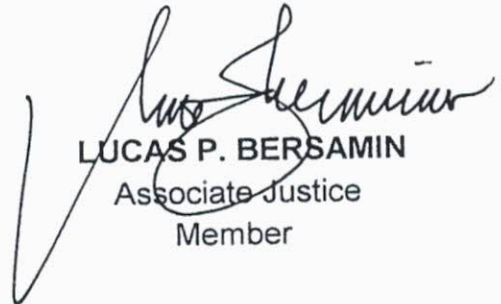
12 February 2018.



ANTONIO T. CARPIO
Senior Associate Justice
Chairperson



TERESITA J. LEONARDO-DE CASTRO
Associate Justice
Member



LUCAS P. BERSAMIN
Associate Justice
Member