



REPUBLIC OF THE PHILIPPINES

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JOINT LETTER DIRECTIVE 01-2010

AFP-PNP JOINT OPERATIONAL GUIDELINES FOR 2010 NATIONAL AND LOCAL ELECTIONS

1. References:

- a. COMELEC Resolution Number 8646 "Calendar of Activities and Periods of Prohibited Acts in Connection with the May 10, 2010 National and Local Elections";
- b. COMELEC Resolution Number 8714 "Rules and Regulations on the: (1) Bearing, Carrying or Transporting of Firearms or Other Deadly Weapons; and (2) Employment, Availment or Engagement of the Services of Security Personnel or Bodyguards, During the Election Period for the May 10, 2010 National and Local Elections";
- c. COMELEC Resolution Number 8729 "Guidelines on the Establishment of COMELEC Checkpoints in Connection With the May 10, 2010 National and Local Elections";
- d. COMELEC Resolution Number 8734 "In the Matter of Placing Some Areas in the Country Under COMELEC Control in Connection with the May 10, 2010 National and Local elections";
- e. AFP-PNP Election Watchlist of Areas (EWAs);
- f. National Firearms Control Program;
- g. PNP LOI 16/09 NTF HOPE 2010 dated June 9, 2009;
- h. LOI 01-2010 AFP TF HOPE 2010;

- i. AFP-PNP Joint Letter Directive “Establishment of Joint Security Coordinating Center”; and
- j. Administrative Order Number 275 “Creating an Independent Commission to Address the Alleged Existence of Private Armies in the Country”.

2. Purpose:

This Joint Letter Directive (JLD) provides for the policies, guidelines and procedures to be undertaken by the AFP and PNP in the conduct of law enforcement and security operations to ensure honest, orderly and peaceful elections (HOPE) in 2010. Specifically, this Joint Letter Directive sets forth the following:

- a. Establishment of Joint Security Control Centers (JSCC) Nationwide;
- b. Implementation of Nationwide Firearms Ban;
- c. Establishment of COMELEC Checkpoint;
- d. Placing Some Areas in the Country Under COMELEC Control;
- e. Provision of Security Detail; and
- f. Proper Conduct and Decorum of AFP and PNP Personnel during the Election Period.

3. Situation:

The National and Local Elections will be held on May 10, 2010. The COMELEC will deputize the AFP, PNP and other law enforcement agencies to ensure HOPE 2010.

Records of previous National and Local Elections reveal that there were 312 Election Related Violent Incidents (ERVIs) in 2004; and 276, in 2007.

Relatedly, in the run-up to the 2010 elections, unscrupulous politicians may employ private armed groups, organized crime syndicates and other lawless elements to undertake their nefarious activities to influence the outcome of the forthcoming elections.

In order to prevent the occurrence of violent incidents that may disrupt the holding of HOPE 2010, there is a need to intensify law enforcement, security and public safety operations before, during, and after the elections.

4. Definition of Terms:

The following terms or phrases used herein shall mean or be understood as follows:

- a. **Candidate** – refers to any person aspiring for or seeking an elective public office whose certificate of candidacy has been duly accepted and accredited by COMELEC or any registered party, organization or coalition that has filed a manifestation to participate under the party-list system.
- b. **Checkpoint** – refers to the location where inspections are being conducted by authorized personnel of law enforcement agencies in accordance with existing procedures/policies purposely to deter the occurrence of crimes, enforce the laws and for other legitimate purposes.
- c. **COMELEC Representative** – refers to the highest official or authorized representative of the COMELEC in a Region (RED)/province (PES)/city/municipality/district (EO).
- d. **Deadly Weapons** – includes bladed instrument, hand grenades, or other explosives, except pyrotechnic.
- e. **Firearm** – shall refer to the “firearm” as defined in existing laws, rules and regulations. The term also includes airgun, airsoft guns and their replica/imitation in whatever form that can cause an ordinary person to believe that they are real.
- f. **Firearms Verification Hotline** – refers to the computer program of the PNP-FED designed to ascertain the data or records of any firearm.
- g. **Licensed Firearms** – refer to firearms that have undergone the licensing procedures of the PNP.
- h. **Local Election** – refers to any general election held for the positions of the Members of the House of Representatives, Provincial Governor, Vice-Governor, Members of Sangguniang Panlalawigan, and for the Mayor, Vice-Mayor, Members of the Sangguniang Bayan, and any referendum, plebiscite or initiative on any local issues, or recall.

- i. **NALECC** – refers to the National Law Enforcement Coordinating Committee created by virtue of Executive Order No. 829 as amended by Executive Order Nos. 41 and 41A.
- j. **National Election** – refers to any general election held for the positions of President, Vice-President, members of the Senate and the party-list nominees, or any plebiscite, referendum or initiative on any national issue.
- k. **Organic Firearms** – refer to all firearms recorded under the property book/records of an agency.
- l. **PDA (Private Detective Agency)** - shall mean any person, association, partnership, firm or Private Corporation, who contracts, recruits trains, furnishes or posts a licensed private detective to perform private detective services such as: investigation, surveillance, information gathering, training, consultancy to any persons, private or public corporations under a contracted compensation. This includes providing personal security protection service to private persons or individuals.
- m. **Performance of Official Duty** – refers to the act of a certain individual in carrying out a specific duty, obligation or responsibility as prescribed in the letter order or duty detail covering a period of time.
- n. **Polling Place** - refers to the building or place where the Board of Election Inspectors conduct its proceedings and where the voters shall cast their votes.
- o. **Security Detail** – a bonafide personnel of the AFP, PNP, NBI or protective agents of Private Detective Agency (PDA) deputized or detailed by the COMELEC as a security of a candidate during election period of 2010 elections. In the case of the PNP, only personnel assigned in the PNP headquarters of Regional/City/Provincial Police Offices will be detailed/deputized as security. Likewise, only AFP personnel assigned with AFP Unified Command Headquarters, Infantry Division Headquarters or equivalent in Philippine Navy and Philippine Air Force may be detailed/deputized as security.
- p. **Uniform** – refers to the set of prescribed/authorized standard clothing worn by members of any unit, agency or bureau while in the performance of their official duties to include those authorized by COMELEC as the prescribed uniform of the law enforcement agencies to be used during election period.

5. Policies and Guidelines:

a. Establishment of Joint Security Control Centers (JSCC)

A JSCC shall be established in all Regions, Provinces and Cities nationwide. The JSCC shall craft and implement a strategy to address all election related security issues and concerns peculiar to an area. The JSCC shall be composed of the following:

Chairperson: Highest Ranking COMELEC Official

Members: Highest Ranking PNP Official in the Area
Highest Ranking AFP Official in the Area (or his authorized representative)

The JSCC shall have the following functions:

1. Formulate and implement a plan for intensified law enforcement and security operations to thwart nefarious activities of criminals targeting loose firearms with threat groups and neutralize/dismantle private armed groups within respective jurisdiction;
2. Only Regional JSCCs shall accept and process all applications for security detail by candidates for House of Representatives and local candidates and provide temporary security detail to the concerned applicants for a maximum period of thirty (30) days;
3. Provide and supervise security details duly approved/deputized by the COMELEC;
4. Determine strategic locations of joint COMELEC-AFP-PNP strong points/checkpoints in accordance with reference c;
5. Direct the deployment of PNP and AFP personnel to secure polling centers, COMELEC offices and officers and the members of the Board of Election Inspectors (BEIs);
6. Assess and direct the deployment of equitable area/route security at the request of candidates;
7. Direct the arrest or apprehension of violators of COMELEC Resolution 8714, other COMELEC Resolutions and Omnibus Election Code caught in *flagrante delicto*;
8. Assess and recommend areas to be placed under COMELEC control in accordance with reference d;

9. Maintain a record/roster of all authorized security details in respective areas of jurisdiction and register all visiting personalities/candidates and their security details;
10. Determine the government agency that will provide the security details to a requesting political candidate;
11. Prepare threat assessment on request for security;
12. Initiate appropriate measures to ensure the safety of identified high-risk elected and appointed government officials; and
13. Act on any and all security matters not covered by the provisions of this JLD upon final disposition by the COMELEC en banc.

b. Implementation of Nationwide Firearms Ban

- 1) Only the following persons who are in the regular plantilla of the PNP or AFP or other law enforcement agencies are authorized to bear, carry or transport firearms or other deadly weapons during the election period:
 - a) Regular member or officer of the Philippine National Police, the Armed Forces of the Philippines and other law enforcement agencies of the Government, provided that when in the possession of firearm, he is: (1) in the regular plantilla of the said agencies and is receiving regular compensation for the services rendered in said agencies; (2) in the agency-prescribed uniform showing clearly and legibly his name, rank and serial number or in case rank and serial number are inapplicable, his agency-issued identification card showing clearly his name and position, which identification card shall remain visible at all times; (3) duly licensed to possess firearm and to carry the same outside of residence by means of a valid mission order or letter order; and (4) in the actual performance of election/official duty or going to or returning from his residence/barracks or official station.

Other law enforcement agencies of the government shall refer to:

1. Guards of the National Bureau of Prisons, Provincial, and City Jails;;
2. Members of the Bureau of Jail Management and Penology;

3. Members of the Custom Enforcement and Security and Customs Intelligence and Investigation Service of the Bureau of Customs;
4. Port Police Department, Philippine Port Authority;
5. Philippine Economic Zone Authority Police Force;
6. Government guard forces;
7. Law Enforcement Agents and Investigation Agents of the Bureau of Immigration;
8. Members of the Manila International Airport Authority (MIAA) Police Force;
9. Members of the Mactan-Cebu International Airport Authority (MCIAA) Police Force;
10. Organic personnel of the Law Enforcement Service of the Land Transportation Office (LTO);
11. Members of the Philippine Coast Guard, Department of Transportation and Communication;
12. Members of the Cebu Port Authority (CPA) Police Force;
13. Agents of ISOG of the Witness Protection Program;
14. Members of the Videogram Regulatory Board performing law enforcement functions;
15. Members of the Security Investigation and Transport Department (STTD), Cash Department (CD), including members of the Office of Special Investigation (OSI), Branch Operations and Department of General Services of the Bangko Sentral ng Pilipinas;
16. Personnel of the Office of the Sergeant-At-Arms (OSAA) of the Senate or the House of Representatives and the OSAA-certified / designated senators/congressmen's security escorts;
17. Postal Inspectors, Investigators, Intelligence Officers and Members of the Inspection Service of the Philippine Postal Corporation;
18. Election Officers, Provincial Election Supervisors, Regional Attorneys, Assistant Regional Election Directors, Regional Election Directors, Directors III and IV, Lawyers in the Main Office of the COMELEC and Members of the Commission;
19. Members of the Law Enforcement Section of the Bureau of Fisheries and Aquatic Resources;
20. Members of the Tourist Security Division of the Department of Tourism;
21. Personnel of the Intelligence Division of the Central Management Information Office, Department of Finance;
22. Personnel of the Inspection and Monitoring Service of the National Police Commission;
23. Personnel of the Special Action and Investigation Division, Forest Officers defined under PD 705 and

Department of Environment and Natural Resources (DENR) DAO No. 1997-32, Forest/Park Rangers, Wildlife Officers and all forest protection and law enforcement officers of the DENR;

24. Personnel of the Intelligence and Security, Office of the Secretary, Department of Foreign Affairs;
 25. Personnel of the Philippine Drug Enforcement Agency;
 26. Personnel of the Philippine Center for Transnational Crime (PCTC);
 27. Personnel of the National Intelligence Coordinating Agency;
 28. Personnel of the National Bureau of Investigation;
 29. Personnel of the Presidential Anti-Smuggling Group (PASG);
 30. Field officers of the Fertilizer and Pesticide Authority, Department of Agriculture.
 31. Members of the Civilian Armed Forces Geographical Units (CAFGUs);
 32. Members of the Presidential Security Group (PSG);
 33. Members of the Bureau of Fire Protection;
 34. The Treasurer of the Philippines, Deputy Treasurers, and Members of the Internal Security Division of the Bureau of Treasury; and
 35. Members of the security personnel of accredited members of the foreign diplomatic corps and establishments as governed by international law.
- b) Member of privately owned or operated security, investigative, protective or intelligence agencies duly authorized by the PNP, provided that when in the possession of firearm, he is: (1) in the agency-prescribed uniform with his agency-issued identification card prominently displayed and visible at all times, showing clearly his name and position; and (2) in the actual performance of duty at his specified place/area of duty. The issued firearms of security guards shall be left/deposited in respective posts when on off duty.
- 2) All persons in civilian attire carrying firearms shall be presumed unauthorized to carry the same and subject for arrest and investigation;
 - 3) Firearms of apprehended persons performing duties as security to candidates of any elective position shall be immediately subjected to verification through the Firearms Verification Hotline (FVH) maintained by PNP-FED. During the process of verification, the local PNP unit shall provide temporary security detail to candidates secured by those apprehended persons.

After the conduct of verification confirming the legitimacy of subject's security detail, he shall be immediately restored to his former duty;

- 4) Captured, Confiscated, Surrendered, Deposited, Abandoned and Forfeited Firearms shall be initially deposited to the nearest police station/unit for proper documentation, accounting and proper disposition;
- 5) Joint AFP-PNP teams shall be organized and deployed to conduct intensified implementation of OPLAN "SITA" and OPLAN "BAKAL" especially targeting convoys of known political candidates maintaining Private Armed Groups (PAGs);
- 6) All previously issued Permits To Carry Firearms Outside of Residence (PTCFOR) are hereby suspended effective January 10, 2010 until June 9, 2010; and
- 7) In the case of sale of firearms, the transport and delivery of the same shall be done by the dealer itself on a one way basis directly to the address of the buyer within 24 hours. Likewise, the transport or delivery of firearms and spare parts for exports to seaports on a one-way basis; or the transport or delivery of imported parts, spare parts and other raw materials used in the manufacturing of firearms directly to the manufacturing facility of licensed manufacturer, with proper notice to the Commission, shall be authorized.

c. Provision of Security Detail

1) Only bonafide personnel of the PNP, AFP, NBI and Protective Agents of PDA shall be deputized as security detail during the election period. Provided, that they shall be in proper uniform in the performance of official security duties;

2) Only candidates from Mayor upwards will be provided with PNP/AFP security detail while other candidates may engage the services of Protective Agents;

3) Not more than two (2) regular members of the PNP or AFP or NBI shall be detailed as security for each candidate, with the addition, upon request, of not more than two (2) Protective Agents, save in exceptionally meritorious circumstances, where additional security details may be requested by candidates for national elective positions, subject to such conditions and restrictions that the COMELEC may impose;

4) Only personnel assigned in the PNP headquarters of Regional/City/Provincial Police Offices will be detailed/deputized as security. The PNP SAF and Public Safety Management Unit personnel will not be detailed/deputized as security. Likewise, only personnel assigned with AFP Unified Command Headquarters, Infantry Division Headquarters or equivalent in Philippine Navy and Philippine Air Force may be detailed/deputized as security as a last resort, in the absence of PNP personnel or other law enforcement agents;

5) All existing authority granting security detail is revoked effective January 10, 2010. The affected officials/individuals currently protected by the PNP and the AFP may reapply for the availment of same, consistent with reference b and they shall automatically be granted a 30-day Temporary Security Detail by the R-JSCC pending the approval of the application by the CBFSP;

6) All other applicants, upon determination of presence of real threat warranting the provision of security detail, shall be issued a non-extendible 30-day Temporary Security Detail by the R-JSCC pending the approval of the application by the CBFSP;

7) The application for the engagement/employment of security detail shall be in accordance with the following procedures:

a) Candidates for Members of House of Representatives and local elective positions, as well as public officers or private individuals, shall file their applications with the Regional JSCC in their respective regions, to be chaired by the COMELEC Regional Election Director. Candidates for national elective positions shall file their applications with the Committee on the Ban on Firearms and Security Personnel (CBFSP) at the Main Office of the COMELEC in Intramuros, Manila;

b) Within five (5) days from receipt of the application, the JSCC shall refer the application with threat assessment and recommendations to the CBFSP. In the case of application filed with the CBFSP, the CBFSP shall refer the matter to the AFP and PNP which shall immediately conduct a threat or security assessment. Within five (5) days from referral, the AFP and PNP shall submit to CBFSP its assessment with recommendation on whether to grant or not to grant the request; and

c) Based on the assessment and recommendation submitted to it, the CBFSP shall grant or deny the request or may request for reassessment.

8) The security detail of local candidates visiting other provinces/cities shall compulsorily register with the corresponding JSCC.

d. Proper Conduct and Decorum During the Election Period

1) The presence of AFP and PNP security details and those performing area security shall be at least fifty (50) meters away from the perimeter of the polling centers unless there is an exigency, impending or actual threat to be averted as determined by the Board of Election Inspectors (BEI);

2) The AFP/PNP personnel detailed to escort election paraphernalia shall, as much as possible, not ride on the same vehicle transporting the election materials nor participate in the actual physical handling of the same; and

3) The AFP and PNP personnel shall not perform duties as poll watchers of any candidate or political party.

6. Coordinating Instructions:

a. To effectively implement the ban on firearms and security personnel, joint COMELEC-AFP-PNP checkpoints shall be established in all key entry/exit points in each province/city.

b. The AFP and the PNP shall organize Joint Dedicated Task Group to dismantle identified PAGs in accordance with the provisions of AO 275.

c. All accomplishments/developments in the dismantling of PAGs shall be submitted to the Independent Commission which is responsible for all media releases.

d. The provincial and city JSCCs shall render Daily Election-Related Report (DERR) to the regional JSCC which shall in turn, submit same report to the COMELEC through the PNP communication channels. The PNP and AFP representatives to the JSCC shall be in-charge of the preparation of the DERR; NOC PNP shall collate all regional DERRs and submit same to the COMELEC Project Management Office thru the AFP/PNP Liaison Teams to the COMELEC, copy furnished AFP Command Center.

e. The functions of the Joint Security Coordinating Center, per reference i shall be absorbed by the Joint Security Control Centers effective January 10, 2010.

f. All regional, provincial and city JSCCs shall have dedicated infotext hot lines (cellphone numbers) where the general public can immediately report, thru text messaging, violations of election laws especially on the ban on firearms and security personnel. Said infotext hot lines shall be prominently posted in places of popular convergence.

g. Respect for Human Rights shall be observed in all law enforcement/security operations.

h. The AFP's Standing Rules of Engagement (SROE) and PNP's Police Operational Procedures shall be strictly observed.

i. The JSCCs shall hold office at the Regional, Provincial and City Election Monitoring Action Centers of the corresponding PNP offices. The PNP shall provide the Secretariat.

7. Rescission:

All existing LOIs, directives and other issuances which are contrary to or inconsistent with this directive are hereby rescinded or modified accordingly.

8. Effectivity:

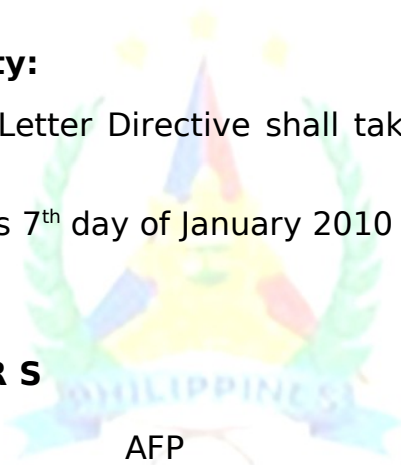
This Joint Letter Directive shall take effect on the 10th day of January 2010.

Signed this 7th day of January 2010 at Camp Crame, Quezon City.

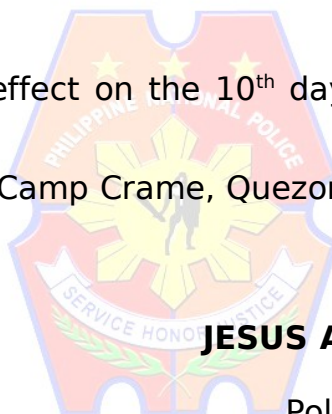
**VICTOR S
IBRADO**

General

Chief of Staff



AFP



JESUS A VERZOSA

Police Director

General

Chief, PNP

CONFORME:

HON JOSE ARMANDO A MELO

Chairman, COMELEC

WITNESSES:

JOSE T TOLENTINO, JR

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