

Title:

Angelo Castro De Alban vs. Commission on Elections (COMELEC), COMELEC Law Department and COMELEC Education and Information Department

Facts:

Angelo Castro De Alban filed a Certificate of Candidacy (CoC) for senator in the May 13, 2019 elections. The COMELEC Law Department, on October 22, 2018, moved to declare De Alban a nuisance candidate, alleging no bona fide intent to run and his candidacy could confuse the electorate. De Alban contested, arguing his genuine intention and presenting evidence of his campaign efforts. The COMELEC First Division declared De Alban a nuisance candidate, citing his lack of financial capacity for a national campaign. De Alban sought reconsideration, arguing financial capacity wasn't a legal requirement for candidature. The COMELEC En Banc denied his motion, emphasizing the need for substantial campaign resources. De Alban then filed a Petition for Certiorari with the Supreme Court, challenging the COMELEC's decision and questioning the constitutionality of the COMELEC's authority under Section 69 of the Omnibus Election Code (OEC).

Issues:

1. Whether the COMELEC's authority under Section 69 of the OEC to motu proprio cancel a CoC of a nuisance candidate applies to senatorial elections.
2. Whether RA 6646 impliedly repealed Section 69 of the OEC.
3. The constitutionality of the phrase in Section 69 concerning "bona fide intention to run for office."
4. Whether Comelec's decision declaring De Alban a nuisance candidate was based on grave abuse of discretion.

Court's Decision:

The Supreme Court held that the petition was partly granted. The provisions of Section 69 of the OEC were not unconstitutional. However, the COMELEC's declaration of De Alban as a nuisance candidate was set aside due to grave abuse of discretion for lack of substantive evidence and misconstrued legal basis.

Doctrine:

The Supreme Court reiterates the constitutional basis of the COMELEC's authority to declare nuisance candidates and emphasizes the principle that candidacy is a privilege subject to the statutory limitations set by law.

Financial capacity and association with a political party are not pre-requisites for

demonstrating a bona fide intention to run for public office.

Class Notes:

1. To be declared a nuisance candidate under OEC Section 69, the COMELEC must find clear evidence of the candidate's lack of bona fide intention to run for office, intending to cause confusion among voters or discredit the electoral process.
2. Financial capacity and being part of a political party are not among the criteria for determining bona fide intention to run for office.
3. The right to be elected is not dependent on the candidate's financial capacity or political affiliation.
4. Legal standards for the cancellation of a CoC include ensuring the candidate's genuine intention to partake in the electoral process without marring the sanctity or fairness of elections.

Historical Background:

The case scrutinizes the bounds of the COMELEC's authority under the current electoral legal framework in the Philippines. It depicts the evolving nature of candidacy and electoral integrity, amidst varying interpretations of what constitutes a nuisance candidate in the context of modern political and electoral practices.