

**\*\*Title:\*\* \*Bello et al. v. Commission on Elections (COMELEC) & Related Consolidated Cases: A Denial of Party-List Nominee Disqualification\***

**### \*\*Facts:\*\***

The foundation of this legal controversy traces back to the sequence of events surrounding the party-list nomination and subsequent election participation of Juan Miguel “Mikey” Arroyo, the respondent, under the banner of Ang Galing Pinoy Party-List (AGPP) in the 2010 elections.

AGPP expressed its intent to join the 2010 elections on November 29, 2009, followed by the submission of its Certificate of Nomination on March 23, 2010. COMELEC issued Resolution No. 8807 on March 25, 2010, detailing the disqualification procedures for party-list nominees. This includes a provision that nominees must provide evidence of representing marginalized sectors.

When the COMELEC published its initial list of candidates, Arroyo was named as AGPP’s nominee, sparking petitions for his disqualification by several parties including Walden Bello, Loretta Ann Rosales, Liza L. Maza, Saturnino C. Ocampo, and Bayan Muna Party-List, on grounds that he did not represent a marginalized sector and violated AGPP’s registration conditions.

Despite a failure by AGPP to submit requisite documentary evidence as per Resolution No. 8807, the COMELEC Second Division, and later the COMELEC en banc, dismissed the disqualification petitions. The Division ruled Arroyo met the nominal requirements, a position endorsed by the en banc resolution.

Following his election success, Arroyo took his oath and assumed office, after which two separate quo warranto petitions were filed against him. The petitioners then sought relief from the Supreme Court, framed as special civil actions for certiorari, mandamus, and prohibition, primarily seeking Arroyo’s disqualification.

**### \*\*Issues:\*\***

The Supreme Court was tasked to examine several critical issues, including:

1. Whether a writ of mandamus compels COMELEC to disqualify AGPP nominees and cancel AGPP’s registration.
2. Whether the COMELEC’s endorsement of AGPP’s electoral participation after the failure to meet Resolution No. 8807’s evidence submission deadline was valid.
3. After proclamation and assumption of office as a House of Representatives member,

whether Arroyo's qualification disputes fall under the jurisdiction of the HRET (House of Representatives Electoral Tribunal).

### ### **Court's Decision:**

The Supreme Court dismissed all petitions. It ruled that:

1. *Mandamus* was not the correct remedy as the petitioners failed to demonstrate exhaustion of all administrative remedies, notably not filing a proper petition for disqualification with COMELEC.
2. The issue of prohibiting COMELEC from continuing with the AGPP's candidates' electoral process became moot since the election had concluded, AGPP won, and Arroyo assumed office.
3. The matter concerning Arroyo's qualifications, post his assumption of office, now fell squarely within the jurisdiction of the HRET rather than the Supreme Court or COMELEC.

### ### **Doctrine:**

The case reaffirmed the jurisdictional boundary between electoral bodies and the HRET, especially that the HRET is the proper body to address a congressman's qualifications issues once they have assumed office.

### ### **Class Notes:**

- **Jurisdiction of HRET**: once a party-list representative has assumed office, the HRET has exclusive jurisdiction over their qualifications.
- **Mandamus Requirements**: for a writ of mandamus to be considered, petitioners must demonstrate the exhaustion of all other administrative remedies.
- **Moot Issues**: cases become moot when subsequent events make it impossible for the court to grant any effective relief.
- **Electoral Participation Precedents**: the procedural and substantive requirements for party-list organization nominees' qualifications and disqualifications.

### ### **Historical Background:**

This case illuminates the procedural intricacies and jurisdictional demarcations within the Philippine electoral process, especially regarding party-list representatives. It underscores the balance between the administrative autonomy of electoral bodies like COMELEC and the judicial oversight of the HRET in determining the eligibility of elected officials, particularly within the context of representing marginalized sectors.