

Title: Atong Paglaum, Inc., et al. vs. Commission on Elections (COMELEC)

Facts:

These consolidated cases involve 52 party-list groups and organizations that filed Petitions for Certiorari and Prohibitions with the Supreme Court, challenging the COMELEC's resolutions which disqualified them from participating in the 13 May 2013 party-list elections. The COMELEC denied their registration under the party-list system or canceled their existing registration and accreditation, based on various grounds cited in different resolutions dated from 23 November 2012 to 4 December 2012. These grounds include failure to represent the marginalized and underrepresented sectors, having nominees who do not qualify under RA 7941 and the Ang Bagong Bayani doctrine, and other similar reasons.

The Supreme Court, in resolutions dated from 13 November 2012 to 19 February 2013, consolidated the 54 petitions. The Court issued Status Quo Ante Orders in all petitions, mandating the inclusion of the petitioners' names in the printing of ballots while the cases were pending resolution.

Issues:

1. Whether the COMELEC committed grave abuse of discretion in disqualifying the petitioner's from the 2013 party-list elections based on their failure to represent the "marginalized and underrepresented" sectors and having nominees who do not qualify under existing laws and jurisprudence.
2. Whether the criteria set by the Supreme Court in Ang Bagong Bayani and BANAT should be adopted by the COMELEC for determining qualifiers in the party-list system.

Court's Decision:

The Supreme Court ruled that while the COMELEC did not commit grave abuse of discretion in following the prevailing decisions and disqualifying the petitioners, the parameters set in Ang Bagong Bayani and BANAT for determining qualified parties under the party-list system would not apply for the coming 13 May 2013 party-list elections.

The Court introduced new parameters in qualifying party-list participants, distinguishing between national, regional, and sectoral parties or organizations. The Court clarified that national and regional parties or organizations do not need to represent any "marginalized and underrepresented" sector, unlike sectoral parties or organizations. It further stipulated conditions for legitimate nomination of individuals within these categories and participation

of major political parties through their sectoral wings.

Therefore, the Court remanded the cases to the COMELEC to determine the qualification of the petitioners under the newly established parameters.

#### Doctrine:

The doctrine set by this case clarifies the qualifications for party-list groups wishing to participate in the elections, stating that there are three different groups that may participate in the party-list system: (1) national parties or organizations, (2) regional parties or organizations, and (3) sectoral parties or organizations. It specifies that national and regional parties or organizations do not need to organize along sectoral lines and do not need to represent any “marginalized and underrepresented” sector.

#### Class Notes:

- Party-list groups can be national, regional, or sectoral.
- National and regional parties or organizations do not need to represent “marginalized and underrepresented.”
- Sectoral parties should represent “marginalized and underrepresented” sectors or those lacking “well-defined political constituencies.”
- Political parties participating through sectoral wings must have a majority of members from the represented sector.

#### Historical Background:

This case underscores the evolution of the Supreme Court’s stance on the qualifications of party-list participants, from the strict application of representing “marginalized and underrepresented” sectors to a more inclusive interpretation allowing participation of national and regional parties. It reflects the adaptability of the Court in interpreting laws to cater to the changing dynamics and realities of Philippine society and its political landscape.