Authority:

Freedom of Information – Program Management Office, Presidential Communications Office

Public Entity:

Commission on Elections (COMELEC)

Country/State:

Philippines

Case title:

Legaspi v. Commission on Elections (Manual Recount Request Case)

Official citation:

Supreme Court Decision, G.R. No. 264661 (2024)

Date of decision:

2024

Relevant law:

Constitutional Right to Information; COMELEC FOI Manual

Decision:

The Court dismissed the petition for a manual recount, holding that treating the petition as an FOI request independent of the electoral protest context would impose an undue burden on the Court and COMELEC. It affirmed that COMELEC's FOI Manual already provides a comprehensive procedure for requesting election-related information, with a presumption in favor of disclosure and transparency.

Key words:

Right to Information, elections, manual recount, mandamus, COMELEC FOI Manual

Case Summary

1. Facts

The petitioners, led by Legaspi, requested a manual recount of the provincial election held on 9 May 2022.

The Commission on Elections (COMELEC) argued that a manual recount on the basis of a mere right to information request had no basis in law or fact.

Petitioners sought judicial intervention, treating the matter as an FOI case.

2. Decision

The Supreme Court rejected the claim, stating that an FOI request could not be stretched to compel a manual recount, as this would go beyond the scope of the right to information.

The Court noted that COMELEC's "FOI Manual" already sets clear rules for accessing election-related information, including a presumption in favor of disclosure.

The Court emphasized that the proper remedy for electoral disputes lies in established electoral protest procedures, not in FOI claims.

Note (Optional):

This case illustrates the limits of the right to information in the electoral context, distinguishing between access to election-related documents and substantive electoral remedies such as recounts.

Resource:

Supreme Court Decision, G.R. No. 264661 (2024)

https://sc.judiciary.gov.ph/wp-content/uploads/2024/09/264661.pdf