

AFFIDAVIT

I, **CLINTON JOHN E. COLCOL**, of legal age, single and residing at Kininan, South Upi, Maguindanao, after having been duly sworn, do hereby depose and states that:

1. The undersigned worked as a Project Development Officer of the local government unit of South Upi, Maguindanao from March 22, 2002 up to August 31, 2005;
2. The undersigned was recruited by Municipal Election officer Raupdin Mangelen to assist him as one of the COMELEC staff at South Upi, Maguindanao for the 2004 elections. A copy of my specific appointment is hereto attached as Annex "A";
3. On instructions of Commissioner Virgiliano Garcillano, the Provincial Election Supervisor in a memorandum dated May 8, 2004, two days before the elections, issued an order directing the replacement of selected municipal election officers in Maguindanao including Municipal Election Officer Raupdin Mangelen of South Upi. He was replaced by Election Officer Haidy D. Mamalinta. Copies of the said Garcillano order and that of the Provincial Election Supervisor are hereto attached as Annex "B" and "B1";
4. The municipality of South Upi has 35 voting precincts with a voting population of approximately 6,000;
5. My special duty given by election officer Mamalinta during the canvassing of votes for national and provincial level officials which - includes positions for President, Vice-President, Senators, Congressman and Party-Lists - was to write down the number of votes in words and in figures on the Municipal Certificate of Canvass of Votes (MCOV) for National Positions garnered by the national and provincial candidates;
6. On May 10, 2004, at about 2:30 am, the undersigned was designated to replace the Chairman of the Board of Precinct 10 A of the municipality of South Upi. As Chairman of the Board of Precinct 10 A, the undersigned was able to perform all duties and responsibilities assigned to me which included preparation of election materials before the opening of the precinct; overseeing the actual voting during the day; closing the precinct; and, preparing for the counting of votes casts. However, after the closing, no counting was actually done due to protests filed by some of the local candidates;
7. Immediately thereafter the undersigned was called by Election Officer Mamalinta to report to her at the temporary Municipal Hall of South Upi, Maguindanao. Election Officer Mamalinta then told me to set aside my duties at Precinct 10 A and to re-assume my duties as a member of the COMELEC staff;
8. On May 16, 2004 at around 1 pm, because of confusion and threats of violence in the canvassing of votes in the local level, election officer Mamalinta, the Board of Canvassers and some of the COMELEC staff including myself left for Cotabato City;
9. In Cotabato City, on May 16, 2004 at around 3 pm at Hotel Castro Room 320, Election Officer Mamaminta ordered me and the other COMELEC staff to immediately fill up the Municipal Certificates of Canvass of Votes for the National Positions (MCOVs) for the May 2004 elections saying it was urgently needed in Manila even if the canvassing of votes has not been completed;

*Clinton John E. Colcol*

10. As it turned out, it was the undersigned who actually filled up all the entries to the MCOC including all recorded votes in figures and in words; all poll watchers' names and their signatures; and, the corresponding thumbmarks made thereon; A copy of the same MCOC bearing number 000115 is hereto attached as Annex "C";
11. In making the entries in regard to the number of votes garnered by the national candidates, the undersigned was instructed by Election Officer Mamalinta to make sure that Gloria Macapagal Arroyo get more than three thousand votes and Fernando Poe, Jr. get less than two thousand votes and in complying with this specific instruction, the undersigned wrote down the votes for Gloria Macapagal Arroyo as 3,286 and for Fernando Poe, Jr. 1,877 votes;
12. Subsequent to my accomplishing the said MCOC for South Upi, the undersigned had the opportunity to examine the original, genuine election returns given to and held by the dominant majority party in South Upi. Based on said election returns, the actual votes garnered by Fernando Poe, Jr. was 2,141 while Gloria Macapagal Arroyo garnered 1,445. This is the proof that the entries in the MCOC which the undersigned accomplished upon the instruction of Election Officer Mamalinta were spurious and merely manufactured figures. Copies of said election returns for South Upi are hereto attached by reference and marked as Annexes "D" to "II";
13. The undersigned knows for a fact that the surrounding circumstances behind the purported results of the elections of South Upi were prominently mentioned in the "Hello Garci" tape wherein Gloria Macapagal Arroyo and Commissioner Garcillano allegedly conducted the following conversations:

"GMA: May problema sa South Upi. Pero local. Kasi iba raw ang prinocclaim ng Comelec dun.

Garci: Sino ba ang atin dun?

GMA: Naku, ang importante, hindi madamay yung sa taas.

Garci: Hindi ho, ako ang may hawak nun."
14. The foregoing conversations convinced me that the instructions given to Election Officer Mamalinta to manufacture the entries of the MCOC (Annex "C") emanated from Commissioner Garcilliano himself;
15. On May 20, 2004, the undersigned along with Election Officer Mamalinta and a contractual COMELEC staff named Shariff Kusain left General Santos City for Manila. A day after, the three of us together submitted the original copy of the MCOC of South Upi referred to in paragraph 10 as Annex "C" hereof to the Office of the Senate President;
16. Two days after May 20, we were made to report to one Atty. Dato in the K-4 Headquarters at the second floor of the LTA Building, Perea Street, Makati. Atty. Dato, who represented himself as belonging to the Office of Gloria Macapagal Arroyo and told us that he was tasked by Gloria Macapagal Arroyo herself to meet the election officers of Maguindanao. In my presence, Atty. Dato instructed Election Officer Mamalinta to call upon all the election officers of Maguindanao still in Manila at that time and for them to issue a group statement saying that "the elections in their respective municipalities in the province of Maguindanao were clean, honest and peaceful";
17. Of course, based on the foregoing facts, it is clear that the results of the elections in Maguindanao, particularly in South Upi were far from being "clean and honest" principally because of the unholy conspiracy among the COMELEC officials and personnel;

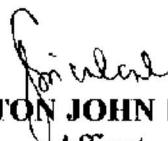


18. The undersigned is voluntarily offering this narration of facts in the hope that the real and honest truth will finally surface with regards the actual results of the 2004 national elections in Maguindanao particularly in South Upi.

**JUL 17 2006**

IN WITNESS WHEREOF, I have here unto set my hand this July , 2006 at the City of

**SAN JUAN, METRO MANILA** Philippines.

  
**CLINTON JOHN E. COLCOL**  
Affiant

**JUL 17 2006**

**SUBSCRIBED AND SWORN TO** before me this July , 2006 at the City of **SAN JUAN, METRO MANILA**

Affiant having exhibited to me his Community Tax Certificate No. 08576935, dated May 16,

2006, issued at South Upi, Maguindanao. GSIS ID No. 44075274, 04366003 valid MAR 2008

  
**MARIA FLORITA A. CRUZ**  
NOTARY PUBLIC

UNTIL DEC. 31.2006

PTR NO. 2489026:1-07-05.RIZON

IBP NO. 627289:12-15-04.BULACAN

ROLL OF ATTORNEY NO. 48233

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