



06 February 2020

**HON. MA. LUCILLE L. NAVA, M.D.**

Chairperson, Committee on Population and Family Relations  
3/F Ramon V. Mitra Building, Batasan Complex  
Constitution Hills, Quezon City

Attention: **Ms. Isabelita Magnaye**  
*Committee Secretary*

Dear Representative Nava:


Greetings from the Commission on Filipinos Overseas (CFO)!

We are pleased to submit CFO's inputs to House Bill Numbers 100, 838 and 2663 on the institution of absolute divorce in the Philippines. We thank the Committee for the opportunity to provide inputs to the proposed legislations and convey our continued commitment to provide assistance to Congress.

We have attached for reference our inputs to said bills. For any queries, your office may contact Director Maria Regina Angela G. Galias of the CFO Policy, Planning and Research Division at telephone number 8-552-4765 or through email at [rgalias@cfo.gov.ph](mailto:rgalias@cfo.gov.ph)

Thank you and best regards.

Very truly yours,

  
**JUSTICE FRANCISCO P. ACOSTA (Ret.)**  
Secretary and Chairperson *H*

Cc: Representative Edcel Lagman, First District, Albay  
Representative Pantaleon Alvarez, First District, Davao del Norte  
Representative Arlene Brosas, Gabriela Women's Party List  
Representative France Castro, ACT Teacher Party List  
Representative Sarah Jane Elago Kabataan Party List  
Representative Eufemia Cullamat, Bayan Muna Party List  
Representative Carlos Isagani Zarate, Bayan Muna Party List  
Representative Ferdinand Gaité, Bayan Muna Party List



**Office of the President**  
**COMMISSION ON FILIPINOS OVERSEAS**

**POLICY INPUTS ON HOUSE BILL NOs. 100, 838 and 2263**  
**AN ACT INSTITUTING ABSOLUTE DIVORCE IN THE PHILIPPINES**

1. The Commission on Filipinos Overseas (CFO) is a government agency mandated to provide pre-departure services to Filipino emigrants, including marriage migrants and maintain and strengthen ties with the Filipino diaspora.
2. The CFO would like to extend its appreciation to the House Committee on Population and Family Relations chaired by Representative Ma. Lucille L. Nava, M.D., for soliciting CFO's comments and inputs on House Bill numbers 100, 838 and 2263.
3. The CFO expresses its support to the legislative intents of the authors to provide an avenue that will safeguard the rights and protect the welfare of Filipinos especially those caught in an abusive marriage by re-introducing absolute divorce in the Philippines.
4. The CFO also lauds the provision on overseas Filipino workers in the said bills as it takes cognizance of various marriage realities faced by our migrant workers. However, may we respectfully recommend that Sections 4(t) and 8 be amended to use the more inclusive term "Overseas Filipinos" rather than 'OFWs' to refer collectively to all our citizens abroad.

In the Philippine migration governance landscape, the migration of Filipinos to international destinations is divided into two streams – Filipinos migrating for long-term or permanent settlement overseas and Filipinos migrating for short-term work overseas and who are popularly known as OFWs. Based on CFO's 2013 stock estimate of overseas Filipinos, there are 10.2 million overseas Filipinos in more than 200 destination countries and territories. Of this number, 4.8 million are permanent migrants, 4.2 million are considered as temporary workers while at least 1.2 million are of irregular status. *Kindly visit our website at <https://cfo.gov.ph/statistics-2/> for further details.*

5. The CFO welcomes the provision on the recognition of foreign divorce under Section 5(g) of HB 838 which is not present in the other bills. Though may we respectfully suggest that the recognition of foreign divorce be considered as an administrative procedure instead of undergoing the rudiments of a judicial process.
6. Specifically, we propose that the Filipino partner need not undergo the tedious court process of recognition in order to legally and validly enforce the divorce decree obtained by his/her foreign spouse. It is enough that the divorce decree is authenticated/apostilled by the Philippine Consul in the country where the divorce decree was obtained. This is in recognition of the fact that divorce in other countries are administrative in nature and obtained through non-judicial procedure (including

divorce by mutual agreement), in accordance with their laws and based on nationality principles.

As a background, the CFO had pushed for the passage of HB 6446<sup>1</sup> in the 17<sup>th</sup> Congress specifically for the purpose of recognizing foreign divorce as an administrative procedure instead of undergoing a judicial process. This is also a way of safeguarding the rights of Filipino migrant women, which is one of the most vulnerable sectors of our society. This initiative will ease the psychological and emotional abuse of our women and help them move on with their lives after divorce. Furthermore, the State values the dignity of women and guarantees full respect for human rights.

7. The CFO appreciates the efforts of the proponents of said legislative measures and hope that the inputs provided by the Commission will be taken into consideration by the Committee in coming up with this landmark legislation.

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<sup>1</sup> An Act Recognizing The Capacity Of The Filipino Spouse To Remarry When The Alien Spouse Has Obtained A Foreign Judicial Decree Of Absolute Divorce, Amending For The Purpose Executive Order No. 209, Otherwise Known As The Family Code Of The Philippines.