

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS

Third Regular Session

House Bill No. 6430



Introduced by **Hon. Rodolfo G. Biazon**

EXPLANATORY NOTE

International relations have become more intricate and complex in view of the ever-changing and evolving political, social, economic, and security environments. Technological advancements have likewise made the world smaller. A country's foreign policies should be properly crafted and diplomatically projected in such a manner that its sovereignty and territorial integrity before the community of nations are ensured and protected. In order to survive, a country must strive to maintain good relations with its neighbors. The Philippines has enshrined this principle in Section 2, Article II (Declaration of Principles and State Policies) of the 1987 Constitution which provides that: "*The Philippines renounces war as an instrument of national policy, adopts the generally accepted principles of international law as part of the law of the land and adheres to the policy of peace, equality, justice, freedom, cooperation, and amity with all nations.*"

It is for this reason that we have enacted laws, the latest of which is Republic Act 7157, otherwise known as the Philippine Foreign Service Act of 1991, which created the Career Foreign Service Corps, in order to ensure that the crafting of our foreign policies and its diplomatic projections are handled by a select group of cognizant, professional and technically proficient ambassadors/chiefs of missions who represent our country abroad. Section 17 of the said Law provides: "*In order to strengthen the Career Foreign Service Corps and to enable it to respond to challenges in the field of international relations, the President shall be guided, as much as possible, by the principle that a majority of diplomatic and permanent missions shall be headed by career ambassadors.*" (Underscoring Supplied). The rationale of this specific section is to ensure that relationships with other countries are in the capable hands of career ambassadors. However, the provision has apparently been diluted in view of the practice by Presidents in appointing non-career individuals as ambassadors. Per record, during the three previous administrations covering the period 1992-2010, there were 102 career as against 88 non-career ambassadors. This practice could result in the appointment of individuals with professional limitations because of lack of academic preparation, training and experience attendant to the position to which they have been appointed. It could also expose the Philippines to diplomatic embarrassments with its consequent adverse effects to our standing before the community of nations. Amending this

Section by specifying “two-thirds (2/3)”, instead of “majority”, could preclude this situation and further enhance professionalism in the career foreign service

Another provision of RA 7157 which should be looked into is Section 21 which requires Philippine citizenship for appointments in the career foreign service. In view of the significance and sensitivity of said positions wherein the country’s national security is at stake, it would be more appropriate to limit said appointments to natural-born citizens of the Philippines in order to preclude a situation wherein an appointee’s allegiance and loyalty to the Philippines could be questioned because of familial relationships occasioned by relatives who are citizens of or owe allegiance to another country, especially if he is only one degree removed by relationship from them.

The amendments proposed in this bill will enhance professionalism in the career foreign service as it would ensure that the country’s foreign relations are in the hands of natural-born career ambassadors/chiefs of missions who had been honed by academic preparation, training and experience in the intricacies of diplomatic practices.

In view of the foregoing, the enactment of this measure is earnestly sought.


RODOLFO G. BIAZON
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Lone District, Muntinlupa City

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AN ACT
AMENDING REPUBLIC ACT NO. 7157, OTHERWISE KNOWN AS THE
PHILIPPINE FOREIGN SERVICE ACT OF 1991, AND FOR OTHER PURPOSES.

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

SECTION ONE. Section 17 of Republic Act No. 7157, otherwise known as the Philippine Foreign Service Act of 1991, is hereby amended to read as follows:

“Sec. 17. *Heads of Diplomatic and Permanent Missions:* In order to **ENSURE PROFESSIONALISM AND** strengthen the Career Foreign Service Corps [and] to enable it to **COGNIZANTLY AND EFFECTIVELY** respond to **THE CONTINUOUSLY EVOLVING** challenges in the field of international relations, the President shall be guided, as much as possible, by the principle that [a majority] **TWO-THIRDS (2/3)** of diplomatic and permanent missions shall be headed by career ambassadors.”

Sec.2 . Sec. 21 of the same Act is hereby amended to read as follows:

“Sec. 21. *Philippine Citizenship and Permanent Residency.* – No person shall be eligible for appointment to a permanent item in the career service to whatever rank or class who is not a **NATURAL-BORN** citizen and permanent resident of the Philippines at the time of his appointment and, thereafter, for the entire duration of his tenure in the Department: Provided, That those who have secured permanent residence status in a foreign country cannot be appointed to a permanent item in the career service unless they have given up said status for at least one (1) year and established permanent residence in the Philippines for at least the same period.”

Sec. 3. *Repealing Clause.* - All laws, executive orders and regulations inconsistent with or contrary to this Act are hereby considered repealed and/or amended accordingly.

Sec. 4. *Separability Clause.* - If any section or provision of this Act is declared unconstitutional or invalid, the other sections or provisions not affected thereby shall remain in full force and effect.

Sec. 5. *Effectivity Clause.* - This Act shall take effect after fifteen days after its publication in the Official Gazette or in at least two (2) newspapers of national circulation.

Approved,