

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 5927



Introduced by **HON. RONALD M. COSALAN**

EXPLANATORY NOTE

The University of the Philippines is grappling with some undesirable effects of Section 5, Par. 3 of Republic Act 9225, otherwise known as "The Citizenship Retention and Re-Acquisition Act of 2003".

Sec. 5(3), RA 9225 prevents the University from retaining or hiring Filipinos with dual citizenship in its faculty. These dual citizens, many of whom have acquired extensive education, learning, training and expertise abroad, are prevented from working because the law requires them, as a condition for their appointment to or continuation in public office, to renounce their oath of allegiance to the country where they were naturalized.

State universities and colleges all over the country, not just UP, should be able to tap and harness this rich human resource. Our country and our educational system need the services of these dual citizens for national development and welfare, and they should be allowed to share and teach their knowledge to our students, especially with the advent of the ASEAN regional integration and globalization.

Recently, the Civil Service Commission (CSC) Resolution No. 1600908 dated August 11, 2016 required all dual citizens to renounce their foreign citizenship as a condition for their appointment or continuation in public office.

Dual citizens are in truth and in fact Filipino citizens who should enjoy full civil and political rights, including the right to exercise their profession to teach and instruct our youth. By virtue of their naturalization in foreign countries, they have acquired extensive learning, education, skill and expertise in different fields and professions that the Government can tap into for national development, welfare and progress.

We believe that this requirement conflicts with Constitutional precepts on the following: (1) Right to equal access to public service (Art. II, Sec. 26); (2) Right to quality education (Art. XIV, Sec. 1); (3) Mandate to establish a system of education relevant to the needs of the people and society (Art. XIV, Sec. 2); (4) Provision for incentives for deserving science students, researchers, scientists, inventors, technologist, and specially gifted citizens (Art. XIV, Sec. 11); and Priority to education, science and technology (Art. II, Sec. 17).

Besides, local state universities tend to lose against neighboring Higher Educational Institutions found in the ASEAN Region on their internationalization programs and international rankings because they are unable to obtain the services of experts and doctorate degree holders with dual citizenship.

This amendment seeks to address this situation. In view of the foregoing, the passing of this bill is urgently sought.



RONALD M. COSALAN

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AN ACT
AMENDING SECTION 5, PARAGRAPH 3 OF REPUBLIC
ACT NO. 9225, OTHERWISE KNOWN AS THE "CITIZENSHIP
RETENTION AND RE-ACQUISITION ACT OF 2003"

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

SECTION 1. Section 5(3) of Republic Act No. 9225, otherwise known as the "Citizenship Retention and Re-acquisition Act of 2003" is hereby amended to read as follows:

"Section 5. Civil and Political Rights and Liabilities. – Those who retain or re-acquire Philippine citizenship under this Act shall enjoy full civil and political rights and be subject to all attendant liabilities and responsibilities under existing laws of the Philippines and the following conditions:

- (1) Those intending to exercise their right of suffrage must meet the requirements under Section 1, Article V of the Constitution, Republic Act No. 9189, otherwise known as "The Overseas Absentee Voting Act of 2003" and other existing laws;
- (2) Those seeking elective public office in the Philippines shall meet the qualifications for holding such public office as required by the Constitution and existing laws and, at the time of the filing of the certificate of candidacy, make a personal and sworn renunciation of any and all foreign citizenship before any public officer authorized to administer an oath;

- (3) Those appointed to any public office shall subscribe and swear to an oath of allegiance to the Republic of the Philippines and its duly constituted authorities prior to their assumption of office: *Provided*, That they renounce their oath of allegiance to the country where they took that oath, EXCEPT APPOINTEES TO THE UNIVERSITY OF THE PHILIPPINES AND OTHER STATE UNIVERSITIES AND COLLEGES;"

SECTION 3. This Act shall take effect immediately upon approval.

Approved,