

PHILIPPINE EMBASSY - BERNE, SWITZERLAND
PHILIPPINE CONSULATE GENERAL - GENEVA, SWITZERLAND

Judicial Recognition of Foreign Divorce

There is no divorce in the Philippines. In cases where a Filipino citizen contracts marriage with a foreigner, a divorce validly obtained thereafter in a foreign court by the foreigner spouse must be judicially recognized by a Philippine court before the Filipino spouse can remarry under Philippine laws.

The judicial recognition of said divorce shall be the basis for the annotation of the relevant civil registry documents - that would enable the Filipino spouse to re-marry or the female (Filipino) spouse to revert to her maiden name.

The following guidelines shall be followed:

1. Have the original Divorce Decree - issued by the pertinent Swiss Court - legalized at the State Chancery of the Canton of the issuing court.

Also have the Divorce Decree translated into English, duly notarized and legalized.

2. Submit the legalized Divorce Decree, together with its English translation, to the Philippine Embassy in Berne or the Philippine Consulate General in Geneva, for Authentication.
3. Submit the authenticated Divorce Decree document (with translation) to the Authentication Division of the Office of Consular Affairs (OCA) of the Department of Foreign Affairs (DFA), Manila for authentication.
4. Submit the Divorce Decree authenticated by the DFA, to the Regional Trial Court (RTC) for civil action and judicial recognition to prove its validity.
5. Submit the RTC judgment/ decision, for registration, to the Local Civil Registry Office (LCRO) of the city/ municipality, where the said RTC functions and the affected civil registry documents are affected.

If the marriage was registered overseas, the registered document shall be submitted to the City Civil Registry Office at the Manila City Hall (CCRO Manila).

6. After the registration of the RTC judgment/ decision at the LCRO or CCRO, the latter, on the basis of the RTC judgment/ decision, will annotate the civil registry documents (CRDs). In this regard, the following are the requirements in annotating the CRDs:
 - a. Original/ certified true copy of the foreign judgment duly registered at the City Civil Registry Office (CCRO) in Manila, where all foreign court orders/ legal instruments are to be registered;
 - b. Original/ certified true copy of the Certificate of finality of the RTC judgment/ decision; and
 - c. Certificate of Registration of the RTC judgment/ decision at the LCRO.

7. After annotation, the annotated CRDs, together with the above requirements must be submitted to the office of the Civil Registrar General (OCRG) in Manila and the National Statistics Office (NSO).
8. More information about the legal procedures or hiring the services of a lawyer in the Philippines may be obtained from the Integrated Bar of the Philippines (IBP) or the Public Attorneys' Office (PAO) in Manila.

INTEGRATED BAR OF THE PHILIPPINES (IBP)

IBP Building

No. 15 Julia Vargas Avenue

Ortigas Center, Pasig City

Metro Manila, Philippines.

Tel: (+63-2) 631-3014 or 631-3018

Email: ibp_national@NOSPAMyahoo.com or tech@NOSPAMibp.ph

Website: www.ibp.ph

PUBLIC ATTORNEY'S OFFICE (PAO)

4th and 5th Floors

DOJ Agencies Building

NIA Road corner East Avenue

Diliman, Quezon City

Metro Manila, Philippines.

Tel: (+63-2) 929-9436

Email: pao_executive@NOSPAMyahoo.com

Website: www.pao.gov.ph