

Title:

Republic of the Philippines vs. Helen Bayog-Saito [G.R. No. 239683, January 10, 2022]

Facts:

Helen Bayog-Saito, a Filipino, was married to Toru Saito, a Japanese national, on August 30, 1999, in Pasay City, Philippines. The marriage did not produce children or conjugal property, and eventually soured due to cultural and nationality differences. The couple lived separately for years, and Toru requested Helen to sign divorce notification papers, which she eventually did. Toru processed the divorce in Japan, and it was accepted and recorded, as shown by authenticated documents.

On June 30, 2014, Helen filed a petition for judicial recognition of the foreign divorce decree, arguing her legal capacity to remarry under Article 26 of the Family Code of the Philippines. The local RTC recognized the Japanese divorce decree, but the OSG appealed, rejecting the recognition of the divorce and Helen's subsequent capacity to remarry. The CA denied this appeal, asserting that both factual and legal requirements for the recognition of foreign decrees of divorce had been satisfied.

Issues:

1. Whether the CA erred in affirming the RTC's decision granting the petition for Helen's judicial recognition of foreign divorce and the declaratory relief on her capacity to remarry.
2. Whether a foreign divorce decree, obtained mutually by Filipino and foreign spouse, is recognizable in the Philippines under Paragraph 2, Article 26 of the Family Code.

Court's Decision:

The Supreme Court denied the OSG's petition and affirmed the decisions of both the CA and RTC, agreeing with the stance that the foreign divorce decree should be recognized in the Philippines. The Court stated that Article 26 of the Family Code does not limit its applicability only to divorces initiated solely by the foreigner spouse. The mere fact of obtaining a valid divorce abroad, regardless of who initiated it, is sufficient for recognition in the Philippines, as long as the foreign spouse is capacitated to remarry. The Court found Helen's evidence, which included the Divorce Certificate and Japanese laws on divorce sufficiently proven and therefore declared her capacitated to remarry.

Doctrine:

The Philippine Supreme Court established that Article 26, Paragraph 2 of the Family Code applies not only when the foreign spouse solely initiates the divorce but also when the

Filipino spouse enters into a divorce agreement or even initiates the divorce.

Historical Background:

In the historical context, the Philippines, influenced by the Catholic Church, has upheld the inviolability of marriage and does not recognize absolute divorce for Filipino citizens bound by Philippine law. The exception under Article 26, Paragraph 2 of the Family Code is an attempt to address the legal anomaly where a Filipino is unable to remarry despite a valid foreign divorce decree obtained by or with a foreign spouse. Decisions such as this mark a significant shift towards the recognition of the global nature of marriages and divorces, especially within mixed-nationality marriages.