

Title: “Mary Grace Natividad S. Poe-Llamanzares vs. Commission on Elections and Estrella C. Elamparo”

Facts:

The case involves Mary Grace Natividad S. Poe-Llamanzares (petitioner), a foundling discovered in a church in Iloilo City, Philippines, who later became the adopted daughter of celebrity couple Fernando Poe, Jr. and Susan Roces. Having pursued further studies and settled in the United States, she eventually returned to the Philippines and pursued a career in public service, culminating in her intention to run for the Philippine presidency. Her candidacy was challenged on grounds of citizenship (being a foundling and her subsequent acquisition of American citizenship which she later renounced under RA 9225) and residency requirements as prescribed by law for presidential candidates.

The Commission on Elections (COMELEC) canceled Poe’s candidacy on the grounds that she failed to meet the natural-born citizenship and ten-year residency requirements – she claimed a residency period longer than what was stated in a previous Certificate of Candidacy (COC) for her senate run. Poe contested the COMELEC’s resolutions, asserting errors and grave abuse of discretion on their part.

Issues:

1. Whether or not the COMELEC committed grave abuse of discretion in canceling Poe’s COC based on the grounds of not being a natural-born Filipino citizen and not meeting the ten-year residency requirement.
2. Whether or not foundlings, like Poe, can be considered as natural-born Filipino citizens.
3. Whether or not Poe’s filing of her candidacy for president and her declaration of residency period constituted false material representation.

Court’s Decision:

The Supreme Court GRANTED Poe’s petition, ANNULLING and SETTING ASIDE COMELEC’s resolutions. The Court held that the COMELEC gravely abused its discretion and exceeded its jurisdiction in disqualifying Poe based on her citizenship and residency.

1. On Citizenship - The Court declared that foundlings are presumed to be natural-born citizens of the Philippines, following both the 1935 Constitution (in effect at the time of Poe’s birth) and international law principles.
2. On Residency - The Court found that Poe was able to establish her intent to return and reside permanently in the Philippines as of May 24, 2005. Even the discrepancy in her declared residency in her COC for senator was not enough to misrepresent her qualification

to run for president.

Doctrine:

Foundlings are presumed to be natural-born citizens of the country where they are found, applying the principle of jus soli or law of the soil as a generally accepted principle under international law. This presumption is consistent with the intent of the framers of the 1935 Philippine Constitution and the country's commitment under international covenants to ensure the right of every child to acquire a nationality.

Class Notes:

- **Natural-born citizen**: A person who is a citizen from birth without having to perform any act to acquire or perfect their Philippine citizenship.
- **Residency Requirement**: In election law, it refers to the period a candidate must have resided in the country before the day of the election. The Court clarified that actual physical presence, intent to remain in the country, and intent to abandon the previous domicile are key elements in establishing residency for electoral purposes.
- **Grave Abuse of Discretion**: An arbitrary or despotic manner by which judgment is exercised, which is equivalent to lack of jurisdiction. The COMELEC, in this case, was seen to have exceeded its mandate when it disqualified Poe based on questioned citizenship and residency requirements.

Historical Background:

The case of Mary Grace Natividad S. Poe-Llamanzares vs. Commission on Elections and Estrella C. Elamparo is historically significant as it emphasized the rights of foundlings in the Philippines regarding their citizenship status. It also underscores the nuances of election laws on residency requirements, demonstrating the intersection of law, humanitarian considerations, and the principles of justice and fairness in determining qualification for public office. This decision mirrored the Supreme Court's role in interpreting the constitution and laws as they pertain to complex issues of citizenship and eligibility for public service.