

****Title:****

In Re Petition for Habeas Corpus of Willie Yu, Willie Yu, Petitioner, vs. Miriam Defensor-Santiago, et al., Respondents

****Facts:****

On July 4, 1988, Willie Yu filed a petition for habeas corpus seeking his release from detention. The Solicitor General, representing the Commission on Immigration and Deportation (CID), decided not to file a return of the writ. Consequently, the respondent Commissioner, through counsel, filed the return. Oral arguments were heard on July 20, 1988, and parties were allowed to submit exhibits and memoranda. On November 10, 1988, the Supreme Court en banc denied the petition for habeas corpus, addressing the jurisdiction of the CID over a naturalized Filipino citizen and the validity of Yu's warrantless arrest and detention.

Yu filed a motion for reconsideration and a request for a restraining order on November 24, 1988, which the Court denied on November 29, 1988. Subsequently, on December 5, 1988, Yu filed a motion for clarification and another restraining order. The Supreme Court issued a temporary restraining order (TRO) on December 7, 1988. On December 13, 1988, the respondent Commissioner sought to lift the TRO due to a summary judgment of deportation against Yu issued on December 2, 1988. Meanwhile, Yu filed an urgent motion for release from detention on the same day, followed by a supportive memorandum on December 15, 1988.

Reacting to these motions, the Court urged Yu on December 15, 1988, to prove within three days why he should still be considered a Filipino citizen despite possessing and using a Portuguese passport. Yu complied on December 20, 1988, and requested his release on December 22, 1988. The respondents reiterated their motion to lift the TRO, and Yu replied on January 6, 1989. Yu's compliance revealed he had retained and used his Portuguese passport long after acquiring Philippine citizenship, which the Court took as evidence of express renunciation of his Philippine citizenship.

****Issues:****

1. Does the CID have jurisdiction over a naturalized Filipino citizen?
2. Was the warrantless arrest and detention of Willie Yu valid?
3. Did Willie Yu, through his actions, effectively renounce his Philippine citizenship?

****Court's Decision:****

1. **Jurisdiction of CID:**

The Court leaned on the principle that the CID holds jurisdiction over questions of naturalization and citizenship, affirming it can determine whether an individual has forfeited or effectively renounced Philippine citizenship.

2. **Validity of Warrantless Arrest and Detention:**

The Supreme Court affirmed the arrest and detention were justified under the prevailing circumstances, emphasizing the authority given to immigration officials in enforcing immigration and deportation laws.

3. **Express Renunciation of Philippine Citizenship:**

The Court determined Yu had taken substantial steps indicating a renunciation of his Philippine citizenship. His application for and use of a Portuguese passport, long after becoming a naturalized Filipino, and his representation as a Portuguese in commercial dealings, constituted express renunciation. The Court, noting these undisputed facts, denied Yu's motions for reconsideration, clarification, and temporary restraining order, ruling him as having effectively renounced his citizenship.

Doctrine:

- A naturalized Filipino's reacquisition or retention of a foreign passport, and acting under a foreign nationality after naturalization, constitutes an express renunciation of Philippine citizenship.
- Express renouncement means an unequivocal and voluntary declaration of rejection of citizenship, without reliance on inferred actions or implications.

Class Notes:

- **Express Renunciation of Citizenship:** Clear, voluntary, and explicit act of abandoning citizenship, not inferred or implied (Commonwealth Act No. 63).
- **Jurisdiction of CID:** CID holds primary jurisdiction over determinations of loss of nationality (Immigration Act).
- **Warrantless Arrest:** Valid under specific conditions outlined in immigration laws for enforcement purposes.

Historical Background:

The case occurs against the backdrop of stringent immigration and nationality laws intended to safeguard national sovereignty. During this period, the Philippine administration, led by President Corazon Aquino, enforced immigration controls and

reassessed the citizenship statuses post the Martial Law era under Ferdinand Marcos. The case is pivotal as it highlights the principles addressing the naturalization process and how acts inconsistent with pledges made during naturalization (like renunciation of foreign citizenship) are handled.