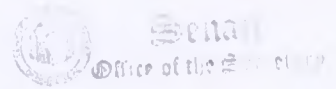


**NINETEENTH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES**
Third Regular Session

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24 JUN 18 P1:49

SENATE

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P. S. Res No. 1053

Introduced by SEN. WIN GATCHALIAN

RESOLUTION

**DIRECTING THE APPROPRIATE SENATE COMMITTEE TO CONDUCT AN
INQUIRY, IN AID OF LEGISLATION, ON THE PROLIFERATION OF FAKE
BIRTH CERTIFICATES AND ABUSE OF THE LATE BIRTH
REGISTRATION SYSTEM, WITH AN END VIEW OF CRAFTING OR
AMENDING LEGISLATION OR POLICY RECOMMENDATION, AS MAY BE
NECESSARY**

1 **WHEREAS**, investigations conducted by the Department of Foreign
2 Affairs (DFA), Bureau of Immigration (BI), and the Philippine Statistics Authority
3 (PSA) have brought to light the alarming proliferation of fake or spurious birth
4 certificates, which have been used even by foreign nationals to secure
5 government identification and evade immigration laws in the Philippines;

6 **WHEREAS**, during the Senate deliberations of the PSA's 2024 budget, the
7 PSA disclosed that at least 308 fake birth certificates were used for Philippine
8 passport applications between the period of January to September 2023. Out of
9 these 308 fake birth certificates, six (6) belonged to foreign nationals who were
10 issued Philippine passports;¹

11 **WHEREAS**, the PSA is currently investigating several cases of proliferation
12 of fake birth certificates, including around 300 incidents involving Filipinos and
13 65 cases involving foreigners. PSA has previously stated that the agency has

¹ "PSA found 308 fake birth certificates used for PH passport application in 2023," GMA News Online. Retrieved from <https://www.gmanetwork.com/news/topstories/nation/888751/psa-found-308-fake-birth-certificates-used-for-ph-passport-application-in-2023/story/>. Accessed on June 07, 2024.

1 investigated and filed cases against some government employees involved in the
2 tampering and/or proliferation of fake birth certificates;²

3 **WHEREAS**, the DFA has disclosed that it has prevented over a hundred
4 attempts of foreigners in applying for Philippine passports using spurious
5 documents, with over 55 active cases referred to law enforcement agencies.³
6 According to the DFA, foreign nationals pose as Filipinos by presenting authentic
7 and genuine PSA-issued birth certificates, along with valid government-issued ID
8 cards;⁴

9 **WHEREAS**, in 2023, the BI expressed alarm over incidents involving
10 overstaying foreigners who misrepresent themselves to secure Philippine
11 documents and evade immigration inspection. Among these incidents was that
12 of a male Chinese national identified as Zhang Hailin who was stopped by
13 immigration officers on January 23, 2023 when he attempted to fly out to Hanoi,
14 Vietnam. Zhang presented a Philippine passport under the name Alex Garcia Tiu,
15 as well as an authentic PSA-issued birth certificate;⁵

16 **WHEREAS**, two cases of fraudulent passport applications discussed
17 during the March 13, 2024 probe of the Senate Committee on Accountability of
18 Public Officers and Investigations involved foreign nationals who submitted to the
19 DFA spurious birth certificates not found in PSA's database. Both instances are
20 delayed registrations of birth;⁶

21 **WHEREAS**, the PSA confirmed during the May 22, 2024 public hearing by
22 the Senate Committee on Women, Children, Family Relations and Gender Equality
23 that they have found several discrepancies in the birth certificate of Bamban
24 Mayor Alice Guo, citing specifically the absence of government records proving

² "Late birth registration common among Filipinos: PSA," ABS-CBN News. Retrieved from <https://news.abs-cbn.com/news/2024/5/27/late-birth-registration-common-among-filipinos-psa-1940>. Accessed on June 07, 2024.

³ "Senators see 'syndicate' in use of fake birth certificates to get PH passports," GMA News Online. Retrieved from <https://www.gmanetwork.com/news/topstories/nation/900424/senators-see-syndicate-in-use-of-fake-birth-certificates-to-get-ph-passports/story/>. Accessed on June 07, 2024.

⁴ "Senate probe bares details of foreigner using 'legit' PH passport," GMA News Online. Retrieved from <https://www.gmanetwork.com/news/topstories/nation/900355/senate-probe-bares-details-of-foreigner-using-legit-ph-passport/story/>. Accessed on July 07, 2024.

⁵ "BI raises alarm over bogus passports used by illegal aliens," Inquirer. Retrieved from <https://newsinfo.inquirer.net/1732147/bi-raises-alarm-over-bogus-passports>. Accessed on June 08, 2024.

⁶ "Senators see 'syndicate' in use of fake birth certificates to get PH passports," GMA News Online. Retrieved from <https://www.gmanetwork.com/news/topstories/nation/900424/senators-see-syndicate-in-use-of-fake-birth-certificates-to-get-ph-passports/story/>. Accessed on June 07, 2024.

1 the existence of Amelia Leal, the named mother in Mayor Guo's birth certificate,
2 and proving the purported marriage between Amelia Leal and Angelito Guo,
3 Mayor Guo's father. The fact-finding investigation conducted by the PSA revealed
4 that Amelia Leal does not have any birth, marriage, or death certificate;⁷

5 **WHEREAS,** despite Mayor Guo's own representation in the same
6 proceedings that her father is Chinese and a Chinese passport holder, the birth
7 certificates of Mayor Guo, as well as her siblings, Seimen Leal Guo and Shiela
8 Leal Guo, indicated Angelito Guo's citizenship as Filipino. All three birth
9 certificates were subject to late registration;

10 **WHEREAS,** according to the PSA, there is an average of 972,830 delayed
11 birth registrations annually from 2013 to 2022. Meanwhile, out of the 111 million
12 Filipinos in 2020, roughly 3.7 million did not have birth certificates or were not
13 registered;⁸

14 **WHEREAS,** PSA's 2022 data shows that 1.3 million births were registered
15 on time and 127,919 births were registered beyond the 30-day period for birth
16 registration mandated under Act No. 3753 or the Law on Registry of Civil Status;⁹

17 **WHEREAS,** the PSA birth certificate is the primary government-issued
18 document necessary for application for other government identifications, such as
19 the Philippine passport, driver's license, and PhilSys ID;

20 **WHEREAS,** Act No. 3753 was enacted more than ninety years ago on
21 November 26, 1930. Under the said law, knowingly making false statements in
22 forms submitted for entry in the civil register is only punishable with
23 imprisonment for a period of one (1) to six (6) months, or with a fine of Php
24 200.00 to Php 500.00, or both, at the discretion of the court.¹⁰ Act No. 3753
25 remains to be the prevailing law on civil registration in the Philippines;

26 **WHEREAS,** the PSA has expressed that it is eyeing to implement a stricter
27 policy on the processing of delayed birth registration, including due diligence on

⁷ "PSA flags irregularities in Bamban Mayor Alice Guo's birth certificate," PhilStar Global. Retrieved from <https://www.philstar.com/headlines/2024/05/22/2357110/psa-flags-irregularities-bamban-mayor-alice-quos-birth-certificate>. Accessed on June 08, 2024.

⁸ Ibid, 2.

⁹ "PSA mulls stricter policy for late birth registration," GMA News Online. Retrieved from <https://www.gmanetwork.com/news/topstories/nation/907808/alice-guo-identity-prompts-psa-to-mull-stricter-policy-for-late-birth-registration/story/>. Accessed on June 08, 2024.

¹⁰ Section 16, Act No. 3753.

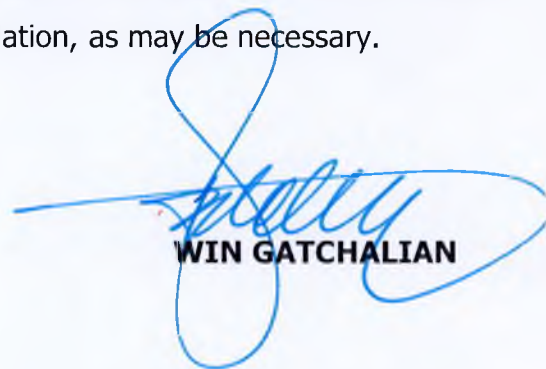
1 the part of local civil registrars to conduct validation of supporting documents.¹¹
2 PSA's investigation on the birth certificate of Mayor Guo revealed that her delayed
3 birth registration did not have any supporting documents other than the PSA
4 Negative Certificate, attesting that Mayor Guo does not have any prior record of
5 her birth;¹²

6 **WHEREAS,** notwithstanding Joint Memorandum Circular No. 2021-01 or
7 the "Revised Guidelines for Delayed Registration of Birth" issued by the PSA and
8 the Department of the Interior and Local Government (DILG) which prescribes
9 that the local civil registrar must evaluate the submitted Certificate of Live Birth
10 for delayed registration, verify affidavits and other supporting documents, and
11 conduct personal interviews or field visits if necessary,¹³ there appears to be
12 leniency in the existing practice of delayed birth registration in the Philippines;

13 **WHEREAS,** syndicates may be behind the proliferation of fake birth
14 certificates, as well as the apparent abuse of the late birth registration system,
15 which allows unscrupulous persons and foreign nationals to secure government-
16 issued IDs, evade existing immigration laws, as well as perpetrate illicit activities
17 including money laundering and human trafficking;

18 **NOW, THEREFORE, BE IT RESOLVED,** as it is hereby resolved by the
19 Senate of the Philippines, to direct the appropriate Senate committee to conduct
20 an inquiry, in aid of legislation, on the proliferation of fake birth certificates and
21 the abuse of the current late birth registration system, with an end view of
22 crafting a legislation or policy recommendation, as may be necessary.

23 *Adopted,*



WIN GATCHALIAN

¹¹ "PSA mulls stricter policy for late birth registration," GMA News Online. Retrieved from <https://www.gmanetwork.com/news/topstories/nation/907808/alice-guo-identity-prompts-psa-to-mull-stricter-policy-for-late-birth-registration/story/>. Accessed on June 08, 2024.

¹² "PSA flags irregularities in Bamban Mayor Alice Guo's birth certificate," PhilStar Global. Retrieved from <https://www.philstar.com/headlines/2024/05/22/2357110/psa-flags-irregularities-bamban-mayor-alice-guos-birth-certificate>. Accessed on June 08, 2024.

¹³ Section 6, PSA-DILG Joint Memorandum Circular No. 2021-01.