



Republic of the Philippines
Supreme Court
Office of the Court Administrator
Manila

OCA CIRCULAR NO. 73-2024

TO : ALL JUDGES OF THE FIRST AND SECOND LEVEL COURTS

SUBJECT : DUTY TO INFORM CONCERNED CONSULATES OF CASES INVOLVING ARREST AND/OR DETENTION OF THEIR FOREIGN NATIONALS AND TO PUT COURT-APPOINTED INTERPRETERS UNDER OATH

As early as 2012 in OCA Circular 84-2012 dated 10 September 2012¹, the Office of the Court Administrator (OCA) had endeavored to, among others, expedite the resolution of cases involving foreign nationals to preserve and protect their rights and interests.

Along this line, per the request of Hon. Jose Lorenzo R. Dela Rosa, Associate Justice of the Court of Appeals, to remind all concerned to abide by the following duty, and in fidelity to the Philippines' commitments under international law, particularly to Article 36, paragraph 1(b) of the 1963 Vienna Convention on Consular Relations (VCCR), thus:

“Article 36

Communication and contact with nationals of the sending State

1. With a view to facilitating the exercise of consular functions relating to nationals of the sending State:

....

(b) if he so requests, the competent authorities of the receiving State shall, without delay, inform the consular post of the sending State if, within its consular district, a national of that State is arrested or committed to prison or to custody pending trial or is detained in any other manner. Any communication addressed to the consular post by the person arrested, in prison, custody or detention shall be forwarded by the said authorities without delay. The said authorities shall inform the person concerned without delay of his rights under this subparagraph[.]” (Underscoring supplied)

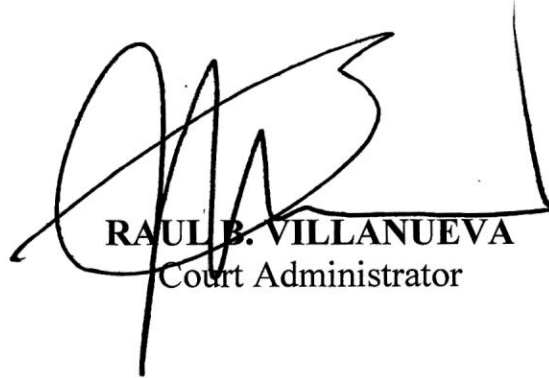
For emphasis, the obligations are to: 1) notify the appropriate consular post if a national of the foreign State is arrested or is committed to prison pending trial; and 2) inform the said foreign national of this right.

¹ REQUEST OF THE BUREAU OF IMMIGRATION TO (A) FURNISH THE BUREAU OF IMMIGRATION DEPORTATION TASK FORCE (BIDTF) WITH COPIES OF ALL NOTICES, ORDERS AND OTHER PROCESSES IN CASES INVOLVING FOREIGN NATIONALS WHO ARE DETAINED AT THE BUREAU OF IMMIGRATION DETENTION CENTER; AND (B) EXPEDITE THE RESOLUTION OF CASES INVOLVING FOREIGN NATIONALS

Lastly, to ensure a truthful, complete, and accurate interpretation of testimonies of foreign nationals, concerned judges are further informed that court-appointed interpreters availed of by foreign nationals should be put under oath.

For attention and compliance.

14 March 2024



RAUL B. VILLANUEVA
Court Administrator