Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

Eighteenth Congress
1st Regular Session

HOUSE RESOLUTION NO. 692

Introduced by Representative JOHNNY T. PIMENTEL

A RESOLUTION
URGING PRESIDENT RODRIGO DUTERTE TO ALLOW FOR THE REVIEW OF
THE VISITING FORCES AGREEMENT WITH THE UNITED STATES OF
AMERICA BEFORE ITS TERMINATION

WHEREAS, in 1947, the Philippines and the United States entered into a
Military Bases Agreement through the Treaty of General Relations. This was
subsequently concurred by the Senate. Such agreement allowed the presence and
operation of 23 US bases for 99 years of until 2046. This was later reduced to 44
years under the Ramon-Rusk Agreement of 1966 or until 1991;

WHEREAS, in 1951, a Mutual Defense Treaty was also entered into between
the Philippines and the United States premised on recognition that an armed attack
on either party would constitute as an armed attack on either party. The main
features of the treaty: i) allowed for mutual assistance in maintaining and developing
individual and collective capacities to resist an armed attack; and ii) provided for
mutual self-defense in the event of an armed attack against the territory of either
party;

WHEREAS, in 1991, in view of the impending expiration of the PH – US
Military Bases agreement in 1991, negotiations were made for the renewal. On
September of 1991, the Senate rejected the Treaty of Friendship, Cooperation and
Security set to extend US bases presence in the Philippines. Notwithstanding the end
of the Bases Agreement, Mutual Defense Treaty subsisted;

WHEREAS, in 1998, the Visiting Forces Agreement (VFA) between the
Philippines and the United States was executed to complement strategic interest of
the US and the Philippines in the Asia-Pacific Region. The Senate concurred the first
VFA on May 1999. VFA laid down certain provisions on: i) entry and departure of
American personnel in the Philippines; ii) regulatory mechanisms for the treatment
of American military and civilian personnel visiting the country; iii) criminal and
disciplinary jurisdiction of American personnel; iv) importation and exportation of
equipment, materials and supplies owned by the American government; and v)
movement of American military vehicles, vessels, supplies, and aircraft into and
within the country;
WHEREAS, in 2014, an agreement between the United States and the Philippines was made for US military forces to have access and to conduct activities within certain “Agreed Locations” in the Philippines. Its effectiveness is good for 10 years and shall continue in force unless terminated by either of the US and the Philippines by giving one year’s written notice. EDCA hands over all operational control of “Agreed Locations” to the US and allows US forces to preposition and store defense materiel, equipment, and supplies (yet expressly prohibits the introduction of nuclear weapons. In 2019, the US and the Philippines officially completed the first major project under the EDCA which is the Basa Air Base in Pampanga;

WHEREAS, in January of 2020, President Duterte pronounced that the revocation of the Visiting Forces Agreement should be commenced following the cancellation by the United States of the visa of Senator Ronald dela Rosa and some other circumstances involving disrespectful acts against Philippine national integrity and sovereignty;

WHEREAS, basic principle of international law provides that the President, as the head of state, serve as the primary architect of Philippine foreign relations;

WHEREAS, while recognizing and considering fully the wisdom and judgment of the President as the Chief Executive and with no intention to undermine the province of authority held by the executive as a co-equal branch, it is sought that Congress through the Joint Congressional Oversight Committee on the Visiting Forces Agreement should be given the opportunity to conduct a review on the Philippines’ withdrawal from the Visiting Forces Agreement and its corresponding implications to both national security and the immediate Asia Pacific region;

WHEREAS, a careful study and a deliberation should be taken on this matter of foreign policy before culminating on a decision as regards to this exceptionally important treaty that affects, not only the Philippines, but also the stability of the Asia Pacific region.

NOW, THEREFORE, BE IT RESOLVED, BY THE HOUSE OF REPRESENTATIVES TO URGE PRESIDENT RODRIGO DUTERTE TO ALLOW FOR THE REVIEW OF THE VISITING FORCES AGREEMENT (VFA) WITH THE UNITED STATES OF AMERICA BEFORE ITS TERMINATION.

Adopted,

REP. JOHNNY T. PIMENTEL