



# What If the Philippines Ends the Visiting Forces Agreement?

March 17, 2020

On February 10, 2020, the Government of the Philippines submitted to the U.S. Embassy in Manila a “notice of termination” of the [Philippines-U.S. Visiting Forces Agreement](#) (VFA). The VFA governs the legal status of U.S. military forces operating in the Philippines and establishes rules by which U.S. troops, vessels and aircraft may enter the country. The notification started a 180-day review period; the agreement itself will expire at the end of that time. The VFA has been in effect since 1999, eight years after the Philippines rejected a treaty that would have extended the U.S. lease of Clark Air Base and Subic Bay Naval Base and ordered the withdrawal of all U.S. troops from the Philippines.

The move raises uncertainties about the future of U.S.-Philippine military cooperation, an important part of the U.S. security posture in Asia. The Philippines is a U.S. treaty ally, and the termination of the VFA would not change that status. However, broad aspects of U.S.-Philippine cooperation, including military exercises and U.S. access to Philippine military facilities, could be made difficult or impossible without the legal protection of the VFA. This lack of cooperation could hinder U.S. initiatives to utilize the network of U.S. alliances in the region, to address tensions in the South China Sea, where the Philippines has long-standing disputes with China, and to conduct counterterrorism efforts in the southern Philippines. It also could affect U.S. humanitarian assistance and disaster relief missions throughout the region.

The proximate cause of the termination notification, according to many observers, was the U.S. decision to revoke the visa of Senator Ronald dela Rosa, a close ally of President Rodrigo Duterte. Dela Rosa headed the Philippine National Police during 2016-2018 and was regarded as the “chief enforcer” of Duterte’s controversial “[War on Drugs](#),” which has resulted in thousands of extrajudicial killings. The Presidential Palace reportedly also has [referred](#) to a number of U.S. congressional actions as an “assault” on Philippine sovereignty, including U.S. foreign operations appropriations legislation (P.L. 116-94; S.Rept. 116-126) that bars entry of Philippine officials determined to “have been involved in the wrongful imprisonment” of Philippine Senator Leila de Lima, a leading critic of the antidrug campaign. But Duterte long has expressed a more fundamental desire to lessen Philippine dependence on the United States. Reflecting this sentiment, on February 11, 2020, Presidential Spokesperson Salvador Panelo [quoted Duterte](#) as saying “It’s about time we rely on ourselves. We will strengthen our own defenses and not rely on any other country.”

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Since Duterte became president in 2016, U.S. policymakers have sought to preserve the longstanding bilateral relationship despite Duterte's misgivings. While many Philippine officials remain eager to maintain or deepen cooperation with the United States and there is popular support for the relationship, Duterte's dislike of the United States, receptiveness to greater cooperation with China, and frustrations with U.S. outspokenness on human rights abuses have complicated those efforts. The Philippine Constitution limits presidential terms to six years without reelection.

Many in the Philippines, particularly in the defense and foreign policy establishments, would like the VFA to continue. On February 6, 2020, Foreign Secretary Teodoro Locsin, Jr. reportedly [stated](#) in a Philippine Senate hearing that continuing the agreement "is deemed to be more beneficial" to the Philippines than ending it. Some backers are trying to head off President Duterte's action. On February 10, the Philippine Senate adopted a [resolution](#) asking the President to reconsider his intention to abrogate the agreement, and on March 2, it adopted a [resolution](#) asking the Supreme Court to rule on whether the Senate needed to concur in treaty termination, which [policymakers say](#) is unclear. The Presidential Palace indicated that it would heed a Supreme Court ruling on the matter.

## U.S.-Philippine Defense Cooperation

U.S.-Philippine military cooperation has continued under Duterte, despite his skepticism about the bilateral relationship. Joint activities and U.S. assistance include external defense, counterterrorism, humanitarian aid, and disaster response. U.S. and Philippine forces participated in [an estimated 281](#) joint activities in 2019. In May 2019, the Philippine Navy participated in the first joint sail through the South China Sea with the United States, Japan, and India. The two sides continue preparations for Balikatan 2020, the largest regular U.S.-Philippine joint exercise, which is scheduled for May and will involve nearly 11,000 U.S., Philippine, and Australian troops.

The Philippines is the largest recipient of Foreign Military Financing (FMF) in Asia (\$40 million in FY2020) and a principal recipient of assistance under the Department of Defense (DOD) Indo-Pacific Maritime Security Initiative. According to [Philippine officials](#), FMF and procurement of U.S. defense equipment totaled \$267.75 million in 2016-2019. In 2017, DOD launched Operation Pacific Eagle-Philippines (OPE-P), aimed at assisting the Philippine military to combat terrorist groups in the south of the country. DOD plans to spend an estimated [\\$72.3 million](#) on OPE-P, in which 270 U.S. military personnel serve in advisory roles, in 2020.

The U.S.-Philippines [Enhanced Defense Cooperation](#) Agreement (EDCA), signed in 2014 by President Obama and Duterte's predecessor Benigno Aquino, Jr., allows for the increased rotational presence of U.S. military forces, ships, and aircraft in the Philippines and greater U.S. access to Philippine military bases. The agreement helped fulfill an important strategic goal for the Department of Defense, which has sought to expand the U.S. presence beyond the major bases in Japan and South Korea. Further implementation would be difficult without the VFA.

Uncertainty over the future of U.S.-Philippine military cooperation creates challenges for the Trump Administration's Free and Open Indo-Pacific strategy. Adm. Philip S. Davidson, commander of the U.S. Indo-Pacific Command, [stated](#), "But our ability to help the Philippines and their counter-violent extremist fight in the south, our ability to train and operate within the Philippines and with Filipino armed forces would be challenged without that Visiting Forces Agreement."

Some Philippine officials, including Philippine Ambassador to the United States Jose Romualdez, have indicated the possibility of revising the VFA rather than eliminating it altogether. Duterte's spokesperson [stated on March 2](#), however, that such overtures are only "exploratory" in nature and that the President's position "remains unchanged."

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