

9 SEP 22 P1:04

SENATE
P. S. Res. No 1370

Introduced by Senator Biazon

RESOLUTION

EXPRESSING THE SENSE OF THE SENATE THAT US TROOPS PARTICIPATING IN JOINT MILITARY EXERCISES WITH THE ARMED FORCES OF THE PHILIPPINES BE REMOVED FROM CONFLICT OR COMBAT-PRONE AREAS AND THAT THESE JOINT MILITARY EXERCISES BE CONDUCTED IN SAFE AREAS THAT ARE FAR FROM CONFLICT OR COMBAT-PRONE AREAS.

Whereas, in the evening of 14 September 2009, a bomb exploded within the vicinity of Jolo Wharf while U.S. troops assigned with the Joint Operations Task Force-Philippines were unloading supplies from their watercraft;

Whereas, according to reports, the explosion prompted the U.S. troops to fire their firearms causing damage to some establishments;

Whereas, initial investigation disclosed that no one was killed nor injured during the incident; that the explosive was a grenade; that the identities of the perpetrators could not be ascertained; and that the motive behind the incident could not be established;

Whereas, the aforementioned U.S. troops were part of the U.S. Contingent participating in an RP – US Balikatan Exercise pursuant to the Military Defense Treaty and Visiting Forces Agreement between the Republic of Philippines and the United States;

Whereas, the Philippine Constitution does not allow foreign military bases, troops, or facilities in the Philippines, except under a treaty duly concurred in by the Senate and, when the Congress so requires, ratified by a majority of votes cast by the people in a national referendum held for the purpose, and recognized as a treaty by the other contracting State;

Whereas, although the aforementioned treaty and agreement and their implementing guidelines provide the general legal basis for the presence of U.S. troops in the Philippines, however, they strictly delimit the number and the range and scope of their activities such that it should not directly or indirectly violate the express provision of the Constitution and pertinent laws of the Philippines;

Whereas, the roles of U.S. troops in the Philippines are generally confined to humanitarian, training and intelligence assistance activities but they are expressly prohibited from participating in combat operations nor detailed with AFP combat units involved in internal security operations;

Whereas, the presence of U.S. troops in conflict-affected areas is apparently not in accordance with the implementing guidelines relative to where and how they should conduct their activities and unduly exposes them to attacks, incursions and firefights that could result in casualties on their side as well as to Filipinos, which is precisely the situation that the guidelines seek to prevent;

Whereas, this situation, if allowed to continue, could escalate and result in more active roles by U.S. forces in internal security operations which is in violation of the prohibitions and limitations of the bilateral agreements and their implementing guidelines

Whereas, the recurrence of this incident could be prevented if the activities and roles of U.S. troops are limited and confined in appropriate and safe training areas which do not place them in harm's way wherein their lives are endangered and threatened by insurgent, secessionist and terrorist groups;

Whereas, despite the aforementioned bilateral agreements, the presence of U.S. troops in the Philippines has been a constant source of allegations that it violates the Philippine Constitution and militant calls for its reexamination, if not abrogation; ***Now, Therefore, Be It Resolved As It Is Hereby Resolved,***

By The Senate, To Express Its Sense That US Troops Participating In Joint Military Exercises With The Armed Forces Of The Philippines Be Removed From Conflict Or Combat-Prone Areas And That These Joint Military Exercises Be Conducted In Safe Areas That Are Far From Conflict Or Combat-Prone Areas

Adopted.


RODOLFO G. BIAZON
Senator