Ditching Duterte: Exit the U.S. - Philippine Mutual Defense Treaty

By Jonathan T. Helton

***Resolved: The United States federal government should considerably decrease its military commitments***

The U.S. has a long and sordid history with the Philippines. After they were a colony for decades, the U.S. finally gave them independence. Since then, the relationship between the two countries has been rocky. The current president of the Philippines, Rodrigo Duterte, has likened himself to Hitler, ordered the killing of many thousand drug users and government opponents, and recently worked against the United States by canceling the Visiting Forces Agreement. He has also called for the U.S. to attack China all the while fostering greater bilateral ties with the PRC.

This case finishes what Duterte began when he cancelled the VFA. It withdraws the U.S. from the Mutual Defense Treaty the two countries signed in 1951. The treaty was originally signed to create a hedge against Russia and to make sure Japan did not reasserted itself after World War 2. Today, the U.S. military presence in the Philippines is meant to counter China. However, having such agreements with an unstable leader like Duterte risks war with China over disputed rocks in the South China Sea. Such a war would certainly harm U.S. interests, since the rocks mean little to the Philippines and much less to us. The U.S. has tried leverage on Duterte before, but it went south, so Minor Repairs that hope to influence Duterte to change aren’t the answer. Canceling the US/Philippine alliance is the best option.

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No nations pose a threat to Filipino independence 20

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Ditching Duterte: Exit the U.S.-Philippine Mutual Defense Treaty

In the words of Doug Bandow in 2016:

Doug Bandow 2016 (senior fellow at the Cato Institute; former special assistant to President Reagan; JD from Stanford Univ.) 20 October 2016 “America Should Drop Philippines Alliance: Thank Rodrigo Duterte for Encouraging Divorce” https://www.cato.org/publications/commentary/america-should-drop-philippines-alliance-thank-rodrigo-duterte-encouraging

The U.S. collects allies like most people accumulate Facebook friends. The Philippines is a good example.

END QUOTE. The U.S. commitment to the Philippines is a mistake, and that’s why we’re affirming that: The United States federal government should considerably decrease its military commitments.

OBSERVATION 1. INHERENCY. Two key facts.

FACT 1. U.S.-Philippine Mutual Defense Treaty

Prof. Mark Nevitt 2019 (Distinguished Military Professor of Leadership & Law at the US Naval Academy; previously Sharswood Fellow at the Univ. of Pennsylvania Law School and former commander in the Navy, serving as a tactical jet aviator and attorney in the Judge Advocate General’s Corps for 20 years) 11 March 2019 “The US-Philippines Defense Treaty and the Pompeo Doctrine on South China Sea” <https://www.justsecurity.org/63168/u-s-philippine-relationship-south-china-sea-uncertain-future-mutual-defense-treaty/>

The U.S.-Philippine Mutual Defense Treaty is fairly short (just one page) with eight succinct Articles. It has served as the cornerstone of U.S.-Philippine relations since 1951, facilitating a U.S. military presence in the Philippines throughout the Cold War and beyond while allowing the Philippines to concentrate on internal security matters following its 1946 independence.

FACT 2. Endemic conflict

The Philippines is mired in crime, insurgency and conflict

Prof. Sheena Chestnut Greitens 2017 (nonresident senior fellow with the Center for East Asia Policy Studies; asst. professor of political science at the Univ. of Missouri, and associate in research at the Fairbank Center for Chinese Studies at Harvard) 15 Aug 2017 “Terrorism in the Philippines and U.S.-Philippine security cooperation” https://www.brookings.edu/opinions/terrorism-in-the-philippines-and-u-s-philippine-security-cooperation/

There are two attributes of the U.S.-Philippine security relationship that distinguish it from most American security partnerships in East Asia. First, the Philippines has a complicated security environment, encompassing significant internal challenges. The country is a 7,000-island archipelago, much of it low-lying and especially vulnerable to natural disasters such as typhoons. This places significant demand on the Armed Forces of the Philippines (AFP) to conduct humanitarian assistance and disaster relief (HA/DR) operations. Throughout the Philippines’ history, it has also dealt with domestic challenges related to crime, militancy, piracy, and terrorism—including the world’s longest-running communist insurgency by the New People’s Army (NPA) as well as a decades-long Muslim separatist movement in Mindanao, the southernmost large island in the country with the world’s third-largest Catholic population. The high salience of internal security challenges is relatively unusual among the United States’ treaty allies and partners in Asia.

OBSERVATION 2. The Plan, implemented by Congress and the President

1. The U.S. withdraws from its Mutual Defense Treaty and cancels all military aid, support, and troop presence from the Philippines.

2. Any laws in conflict are amended or superseded

3. Enforcement through the State Department, the Department of Commerce, and any other needed federal agencies

4. Funding from General Federal Revenues and Congress terminates all funding for activities canceled in the plan.

5. Timeline: The day after an Affirmative ballot the U.S. gives 1 year’s notice of intent to withdraw from the Treaty and completes the withdrawal one year later.

6. All Affirmative speeches may clarify.

OBSERVATION 3. ADVANTAGES

ADVANTAGE 1. U.S. moral responsibility.

A. Duterte emulates Hitler

Euan McKirdy 2016 (journalist with CNN; graduated from Aberdeen University in Scotland in 2000, MA in philosophy. Formerly wrote for Time, BBC, Wall Street Journal and Monocle.) 30 September 2016 “Philippines President likens himself to Hitler” https://www.cnn.com/2016/09/30/asia/duterte-hitler-comparison/index.html

Philippines President Rodrigo Duterte on Friday likened himself to the Nazi leader, saying he wants to kill millions of drug addicts, just as Hitler killed Jews during the Holocaust.

B. Human rights oppression: Journalists and lawyers targeted

Dr. Amee Chew 2019 (Ph.D. in American Studies & Ethnicity, and is a Mellon-ACLS Public Fellow.) 8 April 2019 “It’s Time to End U.S. Military Aid to the Philippines” https://fpif.org/its-time-to-end-u-s-military-aid-to-the-philippines/

In addition to the drug war, repression is unfolding on other fronts, as well. Twelve journalists were killed in the first two years under Duterte — the highest number of murdered journalists in the first two years in office of any Philippine president. At least 34 lawyers have been assassinated, including Benjamin Ramos of the National Union of People’s Lawyers, an attorney representing the Sagay 9 — peasants, including women and minors, massacred for trying to claim land they were legally awarded.

C. Impact: The U.S. is morally culpable

Ted Carpenter 2016 (senior fellow in defense and foreign policy studies at the Cato Institute and a contributing editor at the National Interest) 1 October 2016 “It’s Time to Suspend America’s Alliance with the Philippines”
https://www.cato.org/publications/commentary/its-time-suspend-americas-alliance-philippines

Finally, a security relationship makes America at least indirectly culpable for the domestic behavior of the client regime. Throughout the Cold War, Washington embarrassed itself (if not shamed itself) by its close relationships with an assortment of thuggish “allies.” [**END QUOTE**]American officials may have deluded themselves into believing that such relationships were essential for the republic’s security, but in the vast majority of cases, that simply was not true. **[LATER IN THE SAME CONTEXT IT SAYS QUOTE:]** Now in the absence of the kind of existential threat that the Soviet Union posed, the justification for tossing basic moral values overboard is even weaker. The United States needs to take an immediate stand regarding the Philippines. It is absurd for America to be putting its security on the line to defend a country ruled by an individual who is showing his unreliability on foreign policy issues and engages in utterly odious domestic behavior. Washington should suspend the alliance with Manila indefinitely. In the 1980s, the United States suspended its defense commitment to New Zealand through the ANZUS pact because Wellington would not allow U.S. nuclear vessels to operate in its waters. Duterte’s actions are vastly worse than that and at least warrant a similar response.

ADVNATAGE 2. Reduced Corruption

A. Link: U.S. assistance incentivizes corruption in the Philippine military

Prof. Zachary Abuza 2018 (Professor at National War College) 14 June 2018 “WHERE DID THE U.S. GO WRONG IN THE PHILIPPINES? A HARD LOOK AT A ‘SUCCESS’ STORY” https://warontherocks.com/2018/06/where-did-the-u-s-go-wrong-in-the-philippines-a-hard-look-at-a-success-story/

With its open-ended assistance program, the United States in many ways incentivized corruption. What motivation did the AFP have to take the lead against small groups such as the Abu Sayyaf? Not only did the armed forces continue to get funding regardless of the results it produced, many field commanders were in fact getting kickbacks from the group’s hostage-taking. **[END QUOTE**] The number of times the Abu Sayyaf miraculously broke out of encirclements was breathtaking. **[LATER IN THE SAME CONTEXT IT SAYS QUOTE:]** Unlike in Indonesia, where the US and Australia funded a new and elite counter-terrorism police force, the US continued to work with under-resourced and corrupt security forces with egregious human rights records. Corruption within the AFP remains endemic. By 2011, nearly 50 percent of Filipinos polled by Pulse Asia said that the force was corrupt; the worst of any institution in the survey.

B. Impact: Prolongs conflict. Corruption creates incentive for Philippine military to ensure the wars never end

Prof. Zachary Abuza 2018 (Professor at the National War College) 14 June 2018 “WHERE DID THE U.S. GO WRONG IN THE PHILIPPINES? A HARD LOOK AT A ‘SUCCESS’ STORY” https://warontherocks.com/2018/06/where-did-the-u-s-go-wrong-in-the-philippines-a-hard-look-at-a-success-story/

For 17 years, the United States has fallen into the same trap it has created for itself repeatedly since 9/11. It has enabled corruption in host-nation security forces, focused on counter-terrorism instead of counter-insurgency, allowed the government to pursue policies that are inimical to U.S. security interests, turned a blind eye to failures of governance, and focused on tactical successes while losing sight of strategic objectives. First, the failure to root out corruption has created moral hazard: There is simply no incentive for the AFP to ever finish the job. Open-ended commitments ensure that America will be played, and it seems to be repeating this mistake.

ADVANTAGE 3. Reduced risk of conflict with China

A. Link: Multiple issues create risk of conflict between Philippines and China

Isabel Guarco 2019 (intern at FOREIGN POLICY) 18 July 2019 “Is Duterte Really Asking for U.S. Aid Against China?” <https://foreignpolicy.com/2019/07/18/is-duterte-really-asking-for-u-s-aid-against-china/>

Tensions over the South China Sea’s natural-resource-heavy waters have been ongoing for decades between Manila and Beijing.[**END QUOTE]** In 2013, under then-Philippine President Benigno Aquino III, the Philippines filed a case to the Permanent Court of Arbitration in The Hague, challenging China’s claims to territories in the South China Sea under the United Nations Convention on the Law of the Sea. In 2016, the case was ruled in the Philippines’ favor, but China refused to formally recognize the decision. Since the ruling, several territories in the South China Sea have remained legally Philippine but disputed by China. **[LATER IN THE SAME CONTEXT IT SAYS QUOTE:]** In addition to recent events near Reed Bank, this year Beijing ordered a fleet of vessels to put a stop to a Philippine construction project on the Spratly Islands. Such maritime hostilities have caused confusion in Duterte’s generally pro-China views and have prompted a reevaluation of the Philippines’ geopolitical shift away from the United States.

B. Solvency: Backing away from Duterte is good because it reduces the risk of war with China

Doug Bandow 2016 (senior fellow at the Cato Institute, specializing in foreign policy and civil liberties; former special assistant to President Ronald Reagan. JD from Stanford) “Does America Need Rodrigo Duterte?” 24 Oct 20176 NATIONAL INTEREST <https://nationalinterest.org/feature/does-america-need-rodrigo-duterte-18170>

On the other hand, if Manila still wants to challenge the region’s rising power, then Washington should suggest that the former build a military capable of doing so. For America to effectively turn the decision for war with a nuclear-armed power over to an unpredictable, irresponsible and impulsive leader of a marginally armed small state would be more than foolish. The United States should step back, prepared to counter any hostile state seeking to dominate Eurasia, while leaving more mundane disputes, such as that over Scarborough Shoal, to the interested parties.

C. Impact: The most important foreign policy goal is US-China cooperation. We need China to solve every global challenge

US-China Smart Power Commission 2009(chaired by former US Defense Secretary William Cohen and Maurice R. Greenberg), March 2009, "Smart Power in US-China Relations," CENTER FOR STRATEGIC AND INTERNATIONAL STUDIES <http://csis.org/files/media/csis/pubs/090309_mcgiffert_uschinasmartpower_web.pdf>

The evolution of Sino-US relations over the next months, years, and decades has the potential to have a greater impact on global security and prosperity than any other bilateral or multilateral arrangement. In this sense, many analysts consider the US-China diplomatic relationship to be the most influential in the world. Without question, strong and stable US alliances provide the foundation for the protection and promotion of US and global interests. Yet within that broad framework, the trajectory of US-China relations will determine the success, or failure, of efforts to address the toughest global challenges: global financial stability, energy security and climate change, nonproliferation, and terrorism, among other pressing issues. Shepherding that trajectory in the most constructive direction possible must therefore be a priority for Washington and Beijing. Virtually no major global challenge can be met without US-China cooperation.

2A Evidence: U.S.-Philippines Mutual Defense Treaty

NEGATIVE PHILOSOPHY

The Philippines are a net cost to the U.S.

Doug Bandow 2019 (senior fellow at the Cato Institute, specializing in foreign policy and civil liberties; former special assistant to President Ronald Reagan. JD from Stanford Univ.) 7 April 2019 “The Philippines “Mutual” Defense Treaty Isn’t Really Mutual at All” https://www.cato.org/publications/commentary/philippines-mutual-defense-treaty-isnt-really-mutual-all

Washington has too many allies, including the Philippines. The latter is a net cost, committing America to its defense while adding little to America’s security. Washington should clarify—and limit—its ambiguous commitment. Finally, Washington must launch a broader rethink about where and when the United States is prepared to go to war in the Asia‐​Pacific.

DEFINITIONS & BACKGROUND

Text of the US/Philippines Mutual Defense Treaty (print out and bring to the round with you)

Text of the treaty: <https://avalon.law.yale.edu/20th_century/phil001.asp>

Treaty allows withdrawal with 1 year notice

Article VIII of the US/Philippines Mutual Defense Treaty 1951. <https://avalon.law.yale.edu/20th_century/phil001.asp>

This Treaty shall remain in force indefinitely. Either Party may terminate it one year after notice has been given to the other Party.

Specifics of the Mutual Defense Treaty (MDT)

Dr. Eleanor Albert 2016 (Her research interests are in the evolving nature of Chinese power and how it exerts its influence and builds relationships. Prior to her PhD, she worked as the Asia writer for the explanatory journalism arm of the Council on Foreign Relations.) 21 October 2016 “The U.S.-Philippines Defense Alliance” <https://www.cfr.org/backgrounder/us-philippines-defense-alliance>

The 1951 Mutual Defense Treaty supplemented the bases agreement. It emphasizes a mutual commitment to peacefully resolve international disputes, separately or jointly developing capacity to resist attack, and the need for consultation when the territorial integrity, political independence, or security of the United States or the Philippines is under threat of attack in the Pacific. Interpretations of U.S. treaty language have been the subject of long-standing, unresolved differences. The 1951 treaty establishes collective self-defense obligations but specifies that any armed attack includes one on “metropolitan territory” or “island territories” under the jurisdiction of either party in the Pacific. Differences in interpretation arise from the fact that the United States does not explicitly state whether Philippine-claimed disputed territory falls under the provisions of the mutual defense treaty. Some of these territorial claims were made in the 1970s, decades after the treaty was ratified.

U.S. weapons have a significant role in propping up the Philippine military

Dr. Amee Chew 2019 (Ph.D. in American Studies & Ethnicity, and is a Mellon-ACLS Public Fellow.) 8 April 2019 “It’s Time to End U.S. Military Aid to the Philippines” https://fpif.org/its-time-to-end-u-s-military-aid-to-the-philippines/

Although the above aid is tiny compared to the U.S.’s own bloated military budget, this tremendous transfer of weapons and surveillance technology is significant in propping up the Philippine armed forces’ capacity.

Protests in Manila against US intervention and militarization

Dr. Amee Chew 2019 (Ph.D. in American Studies & Ethnicity, and is a Mellon-ACLS Public Fellow.) 8 April 2019 “It’s Time to End U.S. Military Aid to the Philippines” https://fpif.org/its-time-to-end-u-s-military-aid-to-the-philippines/

In 2016, Sandugo, a historic alliance of indigenous and Moro groups from across the Philippines, formed, uniting for self-determination and a just peace. Three thousand delegates met in Manila, and protesters converged on the U.S. embassy, under a banner calling for an end to U.S. intervention and militarization. At the gates of the U.S. embassy, the Philippine police responded by beating people indiscriminately, and a police van ran over the crowd, injuring dozens.

ADVANTAGE 1 – Human Rights / Internal Conflict

New US military program will continue support of Duterte, aiding his crackdown against minorities

Rhonda Ramiro and Azadeh Shahshahani 2018 (Ramiro is the vice chair of BAYAN-USA, an alliance of 20 Filipino organizations in the U.S. Shahshahani is legal and advocacy director at Project South and a past president of the National Lawyers Guild.) 23 February 2018 “America’s Indefensible Alliance With The Philippines” https://www.huffpost.com/entry/opinion-ramiro-duterte-philippines\_n\_5a8f3c57e4b01e9e56b9cae1

In January, the U.S. Defense Department announced it had launched the counterterrorism mission “Pacific Eagle: Philippines,” which is designated as an Overseas Contingency Operation, thereby making it eligible for exemptions from spending limits. The operation will only strengthen the Duterte regime as it continues to crack down on vulnerable minority populations.

Governance, rule of law, and democracy have declined since 2000. US military support isn’t helping

Prof. Zachary Abuza 2018 (Professor at the National War College, and the author of Forging Peace in Southeast Asia) 14 June 2018 “WHERE DID THE U.S. GO WRONG IN THE PHILIPPINES? A HARD LOOK AT A ‘SUCCESS’ STORY” https://warontherocks.com/2018/06/where-did-the-u-s-go-wrong-in-the-philippines-a-hard-look-at-a-success-story/

The test of any counter-insurgency is whether the overall political situation where insurgents operate has improved sufficiently such that people are less willing to take up arms against the state. I have studied several independent data sets from the World Bank, The Economist, Freedom House, Fragile State Index, Global Rule of Law Index, Reporters without Borders, and others. Each data set has its own limitations and methodologies, but taken together they paint a remarkably similar picture: governance, democracy, rule of law, professionalization of security forces, and media freedoms have all declined during 17 years of U.S. assistance. They portend more, not less, political violence, a trend that is only accelerating under the murderous leadership of President Rodrigo Duterte, who has transformed the security forces into an unaccountable extrajudicial killing squad, responsible for over 20,000 deaths.

Duterte = Hitler

Euan McKirdy 2016 (journalist with CNN; graduated from Aberdeen Univ in Scotland in 2000, having completed an MA in philosophy) 30 September 2016 “Philippines President likens himself to Hitler” https://www.cnn.com/2016/09/30/asia/duterte-hitler-comparison/index.html (parentheses in original)

"Hitler massacred 3 million Jews. Now there is 3 million, what is it, 3 million drug addicts (in the Philippines), there are," he said in a speech in his hometown of Davao City. "I'd be happy to slaughter them. At least if Germany had Hitler, the Philippines would have (me). You know my victims, I would like (them) to be all criminals, to finish the problem of my country and save the next generation from perdition."

The drug war has killed thousands - it incentivizes police violence and murder

Vanda Felbab-Brown 2017 (senior fellow in the Center for 21st Century Security and Intelligence in the Foreign Policy program at Brookings; director of the Brookings project, “Improving Global Drug Policy: Comparative Perspectives Beyond UNGASS 2016”) 8 August 2017 “The human rights consequences of the war on drugs in the Philippines” https://www.brookings.edu/testimonies/the-human-rights-consequences-of-the-war-on-drugs-in-the-philippines/

On September 2, 2016 after a bomb went off in Davao where Duterte had been mayor for 22 years, the Philippine president declared a “state of lawlessness” in the country. [**END QUOTE**]That is indeed what he unleashed in the name of fighting crime and drugs since he became the country’s president on June 30, 2016. With his explicit calls for police to kill drug users and dealersand the vigilante purges Duterte ordered of neighborhoods, almost 9000 people accused of drug dealing or drug use were killed in the Philippines in the first year of his government – about one third by police in anti-drug operations. Although portrayed as self-defense shootings, these acknowledged police killings are widely believed to be planned and staged, with security cameras and street lights unplugged, and drugs and guns planted on the victim after the shooting. **[LATER IN THE SAME CONTEXT IT SAYS QUOTE:]** According to the interviews and an unpublished report an intelligence officer shared with Reuters, the police are paid about 10,000 pesos ($200) for each killing of a drug suspect as well as other accused criminals. The monetary awards for each killing are alleged to rise to 20,000 pesos ($400) for a street pusher, 50,000 pesos ($990) for a member of a neighborhood council, one million pesos ($20,000) for distributors, retailers, and wholesalers, and five million ($100,000) for “drug lords.” Under pressure from higher-up authorities and top officials, local police officers and members of neighborhood councils draw up lists of drug suspects. Lacking any kind transparency, accountability, and vetting, these so-called “watch lists” end up as de facto hit lists. A Reuters investigation revealed that police officers were killing some 97 percent of drug suspects during police raids, an extraordinarily high number and one that many times surpasses accountable police practices. That is hardly surprising, as police officers are not paid any cash rewards for merely arresting suspects. Both police officers and members of neighborhood councils are afraid not to participate in the killing policies, fearing that if they fail to comply they will be put on the kill lists themselves.

The police have staged many killings

Vanda Felbab-Brown 2017 (senior fellow in the Center for 21st Century Security and Intelligence in the Foreign Policy program at Brookings; expert on international and internal conflicts and nontraditional security threats, including insurgency, organized crime, urban violence, and illicit economies. Her fieldwork and research have covered, among others, Afghanistan, South Asia, Burma, Indonesia, the Andean region, Mexico, Morocco, Somalia, and eastern Africa.) 8 August 2017 “The human rights consequences of the war on drugs in the Philippines” https://www.brookings.edu/testimonies/the-human-rights-consequences-of-the-war-on-drugs-in-the-philippines/

On September 2, 2016 after a bomb went off in Davao where Duterte had been mayor for 22 years, the Philippine president declared a “state of lawlessness” in the country. That is indeed what he unleashed in the name of fighting crime and drugs since he became the country’s president on June 30, 2016. With his explicit calls for police to kill drug users and dealers and the vigilante purges Duterte ordered of neighborhoods, almost 9000 people accused of drug dealing or drug use were killed in the Philippines in the first year of his government – about one third by police in anti-drug operations. Although portrayed as self-defense shootings, these acknowledged police killings are widely believed to be planned and staged, with security cameras and street lights unplugged, and drugs and guns planted on the victim after the shooting. According to the interviews and an unpublished report an intelligence officer shared with Reuters, the police are paid about 10,000 pesos ($200) for each killing of a drug suspect as well as other accused criminals. **[END QUOTE]**The monetary awards for each killing are alleged to rise to 20,000 pesos ($400) for a street pusher, 50,000 pesos ($990) for a member of a neighborhood council, one million pesos ($20,000) for distributors, retailers, and wholesalers, and five million ($100,000) for “drug lords.” Under pressure from higher-up authorities and top officials, local police officers and members of neighborhood councils draw up lists of drug suspects. Lacking any kind transparency, accountability, and vetting, these so-called “watch lists” end up as de facto hit lists. A Reuters investigation revealed that police officers were killing some 97 percent of drug suspects during police raids, an extraordinarily high number and one that many times surpasses accountable police practices. That is hardly surprising, as police officers are not paid any cash rewards for merely arresting suspects. **[LATER IN THE SAME CONTEXT IT SAYS QUOTE:]** Both police officers and members of neighborhood councils are afraid not to participate in the killing policies, fearing that if they fail to comply they will be put on the kill lists themselves.

Over 9,000 people have been killed in the drug war

Sheila Coronel, Mariel Padilla, and David Mora 2019 (CORONEL is the Director of the Stabile Center for Investigative Journalism at Columbia University. PADILLA is a reporting fellow at The New York Times and a former post-graduate fellow at the Stabile Center for Investigative Journalism at Columbia University. MORA is a New York City-based journalist and a former fellow at the Stabile Center for Investigative Journalism at Columbia University.) 19 August 2019 “The Uncounted Dead of Duterte's Drug War” https://www.theatlantic.com/international/archive/2019/08/philippines-dead-rodrigo-duterte-drug-war/595978/

The police say they have killed some 5,500 drug suspects in stings and other legitimate police operations in the past three years, and that unknown gunmen have killed more than 3,000 other drug suspects, amounting to a tenth of the nearly 30,000 homicides carried out in the Philippines since Duterte’s drug war began. (The police blame the drug-linked killings on narcotics syndicates; human-rights groups say these executions are often the work of off-duty cops or hired guns on the police payroll.) An investigation carried out by the Stabile Center for Investigative Journalism shows, however, that these figures are a gross underestimation of the extent of drug-related killings in the Philippines.

Fewer than 80 drug-related deaths have been prosecuted

Sheila Coronel, Mariel Padilla, and David Mora 2019 (CORONEL is the Director of the Stabile Center for Investigative Journalism at Columbia University. PADILLA is a reporting fellow at The New York Times and a former post-graduate fellow at the Stabile Center for Investigative Journalism at Columbia University. MORA is a New York City-based journalist and a former fellow at the Stabile Center for Investigative Journalism at Columbia University.) 19 August 2019 “The Uncounted Dead of Duterte's Drug War” https://www.theatlantic.com/international/archive/2019/08/philippines-dead-rodrigo-duterte-drug-war/595978/

One reason for the gulf is that some killings are clearly improperly categorized. Borbe’s death, for example, was not listed as drug-linked but as a “homicide under investigation,” a label under which many cases languish for years. Fewer than 80 drug-related killings have been prosecuted by the country’s Department of Justice since Duterte took office. Countless others, including Borbe’s, remain unsolved. Guillermo Eleazar, the top police officer in the Manila region, told us that proper categorization was not important. “We respect the judgment of the investigator assigned to the case,” he said. “For our purposes, it doesn’t matter whether a case is drug-related or not.” Then he added: “We all know that drugs are the root of all crime.”

The “Drug War” made the drug market more violent

Vanda Felbab-Brown 2017 (senior fellow in the Center for 21st Century Security and Intelligence in the Foreign Policy program at Brookings.) 8 August 2017 “The human rights consequences of the war on drugs in the Philippines” https://www.brookings.edu/testimonies/the-human-rights-consequences-of-the-war-on-drugs-in-the-philippines/

Smart policies for addressing drug retail markets look very different than the violence and state-sponsored crime President Duterte has thrust upon the Philippines. Rather than state-sanctioned extrajudicial killings and mass incarceration, policing retail markets should have several objectives: The first, and most important, is to make drug retail markets as non-violent as possible. Duterte’s policy does just the opposite: in slaughtering people, it is making a drug-distribution market that was initially rather peaceful (certainly compared to Latin America, such as in Brazil) very violent – this largely the result of the state actions, extrajudicial killings, and vigilante killings he has ordered. Worse yet, the police and extrajudicial killings hide other murders, as neighbors and neighborhood committees put on the list of drug suspects their rivals and people whose land or property they want to steal; thus, anyone can be killed by anyone and then labeled a pusher.

Up to 52,000 people could be killed

Rhonda Ramiro and Azadeh Shahshahani 2018 (Ramiro is the vice chair of BAYAN-USA, an alliance of 20 Filipino organizations in the U.S. Shahshahani is legal and advocacy director at Project South and a past president of the National Lawyers Guild.) 23 February 2018 “America’s Indefensible Alliance With The Philippines” https://www.huffpost.com/entry/opinion-ramiro-duterte-philippines\_n\_5a8f3c57e4b01e9e56b9cae1

Today, Duterte is well on track to surpass the body count of his self-proclaimed idol. An estimated 13,000 people have been killed in the war on drugs; 113 activists have been killed under the U.S.-designed counterinsurgency program of the Philippine government; and more than 400,000 people have been forcibly displaced due to the Philippine military’s aerial bombing of Marawi City and nearby communities of indigenous people throughout the southern island of Mindanao, under the guise of the war on terrorism. At the rate Duterte is going, this could mean the murder of 52,000 more people over the remainder of his six-year term.

450,000 displaced civilians. Duterte is bombing his own country!

Dr. Amee Chew 2019 (Ph.D. in American Studies & Ethnicity, and is a Mellon-ACLS Public Fellow.) 8 April 2019 “It’s Time to End U.S. Military Aid to the Philippines” https://fpif.org/its-time-to-end-u-s-military-aid-to-the-philippines/

Meanwhile, less known to U.S. audiences, Duterte has repeatedly dropped bombs on Philippine soil, impacting over 368,000 people — and some 450,000 civilians have been displaced by militarization. After scuttling peace talks with the National Democratic Front of the Philippines (NDFP), Duterte has jailed internationally protected peace consultants. And in January, consultant Randy Malayao was murdered in cold blood by armed hit men.

Targeted: Environmental activists

Dr. Amee Chew 2019 (Ph.D. in American Studies & Ethnicity, and is a Mellon-ACLS Public Fellow.) 8 April 2019 “It’s Time to End U.S. Military Aid to the Philippines” https://fpif.org/its-time-to-end-u-s-military-aid-to-the-philippines/

At least 48 environmental campaigners were murdered in 2017 alone, making the Philippines the second most dangerous country for environmentalists, after Brazil. By 2018, 14 massacres, killings mostly of farmers who were fighting for land reform, were perpetrated by police, military, or paramilitaries.

Targeted: Labor leaders

Dr. Amee Chew 2019 (Ph.D. in American Studies & Ethnicity, and is a Mellon-ACLS Public Fellow.) 8 April 2019 “It’s Time to End U.S. Military Aid to the Philippines” https://fpif.org/its-time-to-end-u-s-military-aid-to-the-philippines/

Labor leaders are being slaughtered using tactics similar to those in the drug war. Edilberto Miralles, president of R&E Taxi Transport union, was shot in broad daylight in front of the National Labor Relations Commission in 2016. Linus Cubol, chair of Kilusang Mayo Uno in Caraga, was murdered in November by vigilantes riding in tandem. Police brutally beat peacefully picketing NutriAsia workers on strike and their supporters, wounding scores; then they charged the picketers with assault, planted weapons, and attempted to suppress journalists’ coverage of the dispersal.

Targeted: Human rights defenders

Dr. Amee Chew 2019 (Ph.D. in American Studies & Ethnicity, and is a Mellon-ACLS Public Fellow.) 8 April 2019 “It’s Time to End U.S. Military Aid to the Philippines” https://fpif.org/its-time-to-end-u-s-military-aid-to-the-philippines/

Under Duterte, over 134 human rights defenders have been killed. In just one case, in 2017, Elisa Badayos and Eleuterio Moises were murdered while serving on a fact-finding team investigating human rights violations due to militarization in Negros Oriental.

Targeted: Education

Dr. Amee Chew 2019 (Ph.D. in American Studies & Ethnicity, and is a Mellon-ACLS Public Fellow.) 8 April 2019 “It’s Time to End U.S. Military Aid to the Philippines” https://fpif.org/its-time-to-end-u-s-military-aid-to-the-philippines/

In September 2017, Obello Bay-ao, a student at Salugpongan’s school in Dulyan, Talaingod, was killed by Alamara paramilitaries while walking home from farming. He was shot 24 times in the back. In the same community, another 15-year-old student was gunned down by Alamara in 2016, while a 14-year-old girl reported being gang raped by soldiers in 2015. In May 2018, Beverly Geronimo, a teacher of indigenous children, was gunned down in Trento, Agusan del Sur while buying school supplies. In November 2018, four teachers, Tema Namatidong, Julius Torregosa, Ariel Barluado, and Giovanni Solomon, were abducted by the military in Lanao del Sur. The list of atrocities continues. In June 2018, 72 schools were unable to hold classes because of military harassment. Over 2,000 indigenous students could not attend school because of nearby military encampments.

Human rights abuse preceded Duterte

Vanessa Lucas, Azadeh Shahshahani, and Foreign Policy in Focus 2014 (Lucas is a partner at the law firm of Edelstein & Payne in Raleigh, North Carolina. Her practice focuses on civil rights and employment law. Lucas, who is chair of the National Lawyers Guild Philippines Subcommittee, first visited the Philippines in 2006 as part of a delegation of women human rights lawyers. Shahshahani is legal and advocacy director with Project South and a past president of the National Lawyers Guild. Foreign Policy in Focus (FPIF) is a “Think Tank Without Walls” at the Institute for Policy Studies) 19 February 2014 “How US Aid Fosters Human Rights Violations in the Philippines” https://www.thenation.com/article/how-us-aid-fosters-human-rights-violations-philippines/

Killings of other government critics similarly escalated. Between 2001 and 2007, hundreds of activists with progressive organizations were murdered, including trade union leaders, human rights activists, journalists, church workers, indigenous leaders, civilians, farm workers and peasant leaders. In 2006, the worst year for human rights since the toppling of the right-wing Marcos regime in the 1980s, the Philippine military and its paramilitary death squads killed an average of one activist every thirty-six hours.

Duterte’s predecessor was brutal as well

Vanessa Lucas, Azadeh Shahshahani, and Foreign Policy in Focus 2014 (Lucas is a partner at the law firm of Edelstein & Payne in Raleigh, North Carolina. Her practice focuses on civil rights and employment law. Lucas, who is chair of the National Lawyers Guild Philippines Subcommittee, first visited the Philippines in 2006 as part of a delegation of women human rights lawyers. Shahshahani is legal and advocacy director with Project South and a past president of the National Lawyers Guild. Foreign Policy in Focus (FPIF) is a “Think Tank Without Walls” at the Institute for Policy Studies) 19 February 2014 “How US Aid Fosters Human Rights Violations in the Philippines” https://www.thenation.com/article/how-us-aid-fosters-human-rights-violations-philippines/

The Philippine government continues to commit human rights violations with impunity. According to Karapatan, President Aquino’s implementation of the counterinsurgency program Oplan Bayanihan (Operation Shoulder to Shoulder) has thus far resulted in 152 documented cases of extrajudicial killings, 168 attempted killings, eighteen instances of forced disappearance, eighty cases of torture, 608 cases of illegal arrest and more than 30,000 forced evacuations.

Armed rebellion has been prevalent in the Philippines for over a century. It doesn’t justify worrying about “global jihadist” threats

Dr. A. Trevor Thrall and Erik Goepner 2017 (Thrall is a senior fellow in defense and foreign policy at the Cato Institute and associate professor in the Schar School of Policy and Government at George Mason University. Goepner commanded military units in Afghanistan and Iraq and is a visiting research fellow at the Cato Institute and doctoral candidate at George Mason Univ.) 10 August 2017 “U.S. Drone Strikes in the Philippines Would Be a Massive Mistake” https://www.cato.org/publications/commentary/us-drone-strikes-philippines-would-be-massive-mistake

Nor does the threat from Filipino jihadists justify these sorts of risks. A few months after 9/11, the United States sent military forces into the southern Philippines. At that time, the terrorist groups included the Moro Islamic Liberation Front, Abu Sayyaf Group and Jemaah Islamiyah — organizations generally composed of Muslim separatists demanding autonomy for the Moro population. While the names have changed, terrorism remains a constant. Yet armed rebellion has been a part of life in Mindanao for more than 100 years. The United States first experienced it in 1899 after acquiring the Philippines as a result of the Spanish-American War. The grievances have endured for more than a century and are largely between the Moro citizens of the Philippines and their government. The presence of the Islamic State in Mindanao has much more to do with that problem than it does with any global jihadist objectives.

Communist rebels have been around for over fifty years

Jim Gomez 2019 (Associated Press’ Chief Correspondent in Manila, the Philippines.) 29 March 2019 “Philippine Communist Rebels Mark 50th Year With New Attacks” https://thediplomat.com/2019/03/philippine-communist-rebels-mark-50th-year-with-new-attacks/

The Maoist rebels have negotiated unsuccessfully with five Philippine presidents before current leader Rodrigo Duterte. The rebel force had only about 60 fighters, nine automatic rifles, and 26 single-shot rifles and pistols when it was established in 1969, and gradually grew and expanded across the impoverished nation. Battle setbacks, surrenders, and infighting, however, have weakened the guerrilla group, which is considered a terrorist organization by the United States and remains a major Philippine security threat. The communist rebellion has left about 40,000 combatants and civilians dead. It also has stunted economic development, especially in the countryside, where the military says about 3,500 insurgents are still active.

AVANTAGE 2 - Corruption

High levels of corruption with the police and military

GAN Business Anti-Corruption Portal 2017 (a collection of free anti-corruption compliance and risk management resources, including e-learning training, country risk profiles, and due diligence tools.) October 2017 “The Philippines Corruption Report” https://www.ganintegrity.com/portal/country-profiles/the-philippines/

There is a high-risk of corruption when dealing with the police. The national police force is widely regarded as one of the most corrupt institutions in the country (ABS CBN, Jan. 2017). Reports of the police and military engaging in corruption, extortion, and being involved in local rackets are widespread (FitW 2017). Companies report that they cannot rely on the police services (GCR 2017-2018). More than half of firms pay for private security (ES 2015). Businesses rate the National Police’s commitment to fighting corruption as ‘poor’ (SWS 2016). President Duterte has accused several police generals of being involved in the trafficking of illegal drugs (ABS CBN, Jan. 2017).

US should stop military aid until AFP [Armed Forces of the Philippines] solves corruption from within

Dr. Zachary Abuza 2017 (Professor at the National War College) 6 July 2017 “Why Another Philippines Terrorist Attack Is Coming” https://thediplomat.com/2017/07/why-another-philippines-terrorist-attack-is-coming/

And there are many reforms that the AFP is in dire need of, that, no matter how much U.S. assistance Washington provides, will need to be addressed: the nine to ten month tenure in armed forces chiefs, endemic corruption, and chronic under-investment in their military. Until Duterte comes up with a holistic strategy, the United States should hold back on assistance. Washington is really good at “mowing the lawn” when it comes to jihadist groups around the world. But 16 years into the Global War on Terror, the field is growing, and mowing has proved to be an insufficient strategy, for both the United States and the Philippines.

ADVANTAGE 3 – Tensions with China

Uptick in China-Philippine incidents

Prof. Mark Nevitt 2019 (Military Professor of Leadership & Law at the US Naval Academy; previously Sharswood Fellow at the Univ of Penn. Law School and former commander in the Navy) 11 March 2019 “The US-Philippines Defense Treaty and the Pompeo Doctrine on South China Sea” <https://www.justsecurity.org/63168/u-s-philippine-relationship-south-china-sea-uncertain-future-mutual-defense-treaty/>

In the South China Sea and nearby waters, we have witnessed an uptick in maritime “gray zone tactics” to include dangerous maneuvers by Chinese vessels, use of water cannons by Chinese coastguard vessels, and Chinese harassment of Philippines fishermen near an island controlled by the Philippines that China claims. While these actions are unlikely to rise to the armed attack threshold (however defined), there exists a continual and mounting risk that mistakes could occur or a situation could escalate.

Recent fishing boat crash puts US at risk of intervening in a war between Philippines and China

Isabel Guarco 2019 (intern at FOREIGN POLICY) 18 July 2019 “Is Duterte Really Asking for U.S. Aid Against China?” <https://foreignpolicy.com/2019/07/18/is-duterte-really-asking-for-u-s-aid-against-china/>

While the United States has a legal obligation to support the Philippines in the case of an armed attack in the South China Sea, it is unclear whether or not last month’s crash near Reed Bank qualifies. The term “armed attack” is not explicitly defined in the accord, which leaves the provisions of the agreement subject to differing interpretations under international law. As well, the details of the crash near Reed Bank are still ambiguous, and a joint investigation between the Philippines and China has yet to conclude that the Chinese vessel was associated with the country’s militia. Analysts say China disguises its extensive naval militia as fishing boats, keeping conflicts ambiguous. In the case of gray zone maritime conflicts, whether or not the Philippines is entitled to U.S. assistance under the Mutual Defense Treaty is up in the air.

Duterte calls on US to start a war with China

NEWSWEEK 2019 (journalist David Brennan) 9 July 2019 “'LET'S BOMB EVERYTHING': PHILIPPINES PRESIDENT DUTERTE URGES U.S. TO DECLARE WAR ON CHINA” <https://www.newsweek.com/lets-bomb-everything-philippines-president-rodrigo-duterte-urges-u-s-declare-war-china-1448223> (ellipses in original)

Philippines President Rodrigo Duterte once again demonstrated his unconventional style of global diplomacy on Monday, calling on the U.S. to declare war on China over tensions in the South China Sea. The strongman leader called on Washington to deploy the U.S. 7th Fleet—some 70 to 80 ships and submarines—to the South China Sea to push China out of the contested region.

Duterte urges US to declare war on China

NEWSWEEK 2019 (journalist David Brennan) 9 July 2019 “'LET'S BOMB EVERYTHING': PHILIPPINES PRESIDENT DUTERTE URGES U.S. TO DECLARE WAR ON CHINA” <https://www.newsweek.com/lets-bomb-everything-philippines-president-rodrigo-duterte-urges-u-s-declare-war-china-1448223> (ellipses in original)

The U.S. has repeatedly condemned Chinese expansion in the South China Sea. American commanders regularly send warships and aircraft on "freedom of navigation" and overflight operations designed to keep pressure on Beijing and assert Washington's belief that the area constitutes international waters. But Duterte told reporters Monday that such measures are insufficient, and that if the U.S. wants China out of the South China Sea, he would be willing to help. "I have a proposal," Duterte said, according to Business Insider. "If America wants China to leave, and I can't make them...I want the whole 7th Fleet of the armed forces of the United States of America there." "When they enter the South China Sea, I will enter," he said. "I will ride with the American who goes there first. Then I will tell the Americans, 'Okay, let's bomb everything.'"

US involvement with Philippines makes conflict with China more likely

Doug Bandow 2016 (senior fellow at the Cato Institute, specializing in foreign policy and civil liberties. Former special assistant to President Ronald Reagan. JD from Stanford Univ.) 20 Oct 2016 “America Should Drop Philippines Alliance: Thank Rodrigo Duterte for Encouraging Divorce” https://www.cato.org/publications/commentary/america-should-drop-philippines-alliance-thank-rodrigo-duterte-encouraging

Malcolm Cook of Singapore's Iseas-Yusof Ishak Institute argues that Philippine bases enhance America' ability to inhibit the passage of China's nuclear-missile submarines, but even then Washington could not assume it enjoyed immunity from a nuclear strike. Moreover, U.S. involvement in other nations' disputes, such as the Sino-Philippine squabble over Scarborough Shoal, actually makes a Sino-American war much more likely.

Losing control over a few rocks in the South China Sea is not a national security threat

Doug Bandow 2019 (senior fellow at the Cato Institute; former special assistant to President Ronald Reagan. JD from Stanford Univ.) 7 April 2019 “The Philippines “Mutual” Defense Treaty Isn’t Really Mutual at All” https://www.cato.org/publications/commentary/philippines-mutual-defense-treaty-isnt-really-mutual-all

Why make such a commitment? The secretary denounced the China “threat” and explained: “China’s island‐​building and military activities in the South China Sea threaten your sovereignty, security, and therefore economic livelihood, as well as that of the United States.” His statement is false in almost every way. The PRC’s activities limit Manila’s control over a few rocky formations, not the survival of the Philippine state. Losing a tussle over those territories and surrounding natural resources would be embarrassing but have little impact on the safety or well‐​being of Filipinos. And such an event would have correspondingly less impact on Americans, individually or collectively. Under normal circumstances, Washington would barely notice the event.

Duterte wants US intervention against China

Isabel Guarco 2019 (intern at FOREIGN POLICY) 18 July 2019 “Is Duterte Really Asking for U.S. Aid Against China?” <https://foreignpolicy.com/2019/07/18/is-duterte-really-asking-for-u-s-aid-against-china/>

Duterte’s invocation of the Mutual Defense Treaty isn’t out of character. The president is notorious for making brash, impulsive statements—and has made jingoistic proclamations on China before despite his generally pro-Beijing policies. Several government officials, including presidential spokesman Salvador Panelo, have brushed aside the invocation as “sarcasm” and a way to push back against critics who say Duterte hasn’t taken a hard enough stance against China. That means both American officials and the Philippine public will probably ignore this as another of Duterte’s outbursts—unless, as is moderately likely, another maritime clash ignites feelings to a degree that Duterte can’t ignore.

A/T “Duterte is backing down / agreeing with China” – Not anymore, after public outcry over a fishing boat crash

Isabel Guarco 2019 (intern at FOREIGN POLICY) 18 July 2019 “Is Duterte Really Asking for U.S. Aid Against China?” <https://foreignpolicy.com/2019/07/18/is-duterte-really-asking-for-u-s-aid-against-china/>

Duterte has a history of being soft on China. During his time in office, the president has partnered with China in a number of ways, most notably through trade, finance, and the construction of infrastructure, and shifted away from a previously strong partnership with Washington. Because of Manila’s economic interests in Beijing, Duterte has often been willing to overlook moments of contention, such as maritime disputes in the South China Sea—that is, until now. Duterte’s sudden change in rhetoric about China is likely a reaction to public outcry and threats of impeachment over his Beijing-sympathetic response to last month’s crash.

SOLVENCY / ADVOCACY

Revisit the treaties: They shield U.S. forces from scrutiny and harm the Philippines’ sovereignty

Rhonda Ramiro and Azadeh Shahshahani 2018 (Ramiro is the vice chair of BAYAN-USA, an alliance of 20 Filipino organizations in the U.S. Shahshahani is legal and advocacy director at Project South and a past president of the National Lawyers Guild.) 23 February 2018 “America’s Indefensible Alliance With The Philippines” https://www.huffpost.com/entry/opinion-ramiro-duterte-philippines\_n\_5a8f3c57e4b01e9e56b9cae1

Congress should go a step further and study the effect of such agreements between the U.S. and the Philippines, such as the Mutual Defense Treaty, Visiting Forces Agreement and Enhanced Defense Cooperation Agreement. These provide the basis for continued support to the Philippine military in the first place, even when these same state security forces are implicated in the majority of extrajudicial killings and other human rights violations. Moreover, these agreements have been used to [shield the U.S. military](http://www.humanrightsphilippines.net/campaigns/end-the-visiting-forces-agreement/) and its personnel from accountability for crimes committed in Philippine territory, essentially subordinating Philippine sovereignty to U.S. military interests. Is that really any different from Reagan’s justification for his granting of asylum to a murderous dictator?

The EDCA would also go away

Gregory Poling and Eric Sayers 2019 **(**Poling is director of the Asia Maritime Transparency Initiative and a fellow with the Southeast Asia Program at the Center for Strategic and International Studies in Washington, D.C.Sayers is an Adjunct Senior Fellow at the Center for a New American Security (CNAS). He previously worked as a Professional Staff Member on the Senate Armed Services Committee and as a Special Assistant to the Commander at U.S. Indo-Pacific Command.) 21 January 2019 “TIME TO MAKE GOOD ON THE U.S.-PHILIPPINE ALLIANCE” <https://warontherocks.com/2019/01/time-to-make-good-on-the-u-s-philippine-alliance/>

The one thing that would disappear if the MDT were scrapped would be the Enhanced Defense Cooperation Agreement (EDCA) signed by Manila and Washington in 2014. Under that agreement, the United States is permitted to construct facilities, preposition defense equipment, and rotationally deploy troops and platforms in five agreed-upon Philippine military bases. Unlike the Visiting Forces Agreement, EDCA was not ratified by the Philippine Senate. It was concluded as an executive agreement and the Supreme Court of the Philippines upheld its constitutionality based on Article II of the MDT, which specifies that both parties “by self-help and mutual aid will maintain and develop their individual and collective capacity to resist armed attack.” The [text of EDCA](http://www.gmanetwork.com/news/news/nation/358871/full-text-of-enhanced-defense-cooperation-agreement/story/) makes clear that its primary purposes are to allow the United States to assist the Philippines with maritime security in the South China Sea, disaster relief, and modernization of the Armed Forces of the Philippines. Like the MDT, much of its value rests on whether the United States is willing to come to the aid of Philippine armed forces in the South China Sea.

The Mutual Defense Treaty has outlived its usefulness

Doug Bandow 2019 (senior fellow at the Cato Institute, specializing in foreign policy and civil liberties; former special assistant to President Ronald Reagan. JD from Stanford Univ.) 7 April 2019 “The Philippines “Mutual” Defense Treaty Isn’t Really Mutual at All” https://www.cato.org/publications/commentary/philippines-mutual-defense-treaty-isnt-really-mutual-all

It is the sort of non‐​mutual “mutual defense treaty” characteristic of one made in 1951. That treaty was sixty‐​eight years ago—a different time, with different circumstances, different threats, and a different rationale. The original purpose was mostly to guard against a rearmed Japan, though the Soviet Union constituted a convenient secondary threat. Both of those are now gone.

DISADVANTAGE RESPONSES

A/T “Humanitarian relief” - Philippines terminated the VFA, making it harder to respond to an emergency

**[Analysis: Apparently they don’t want our help very badly. Plus, the plan doesn’t ban US humanitarian aid. Someone else besides the military could send it if US troops aren’t there post-plan.]**

Caroline Baxter 2020 (senior policy analyst at the RAND Corporation, where she focuses on issues related to operational strategy, base resiliency, expeditionary warfare, and military readiness.) 27 February 2020 “f U.S. Forces Have To Leave The Philippines, Then What?” <https://www.fpri.org/article/2020/02/if-u-s-forces-have-to-leave-the-philippines-then-what/>

The Philippines began the process of terminating its [Visiting Forces Agreement (VFA)](https://www.lawphil.net/international/treaties/vfa_1998.html) with the United States in mid-February. In place since 1998, the VFA grants legal status to U.S. forces who are in the Philippines temporarily for exercises, humanitarian assistance and disaster relief, and other contingencies. **[END QUOTE**]This legal status, similar to the Status of Forces Agreements (SOFA) with Japan and South Korea, enables a predictable, dependable, and cooperative relationship between the Philippines and the United States, and also allows for the rapid execution of our responsibilities under the Mutual Defense Treaty (MDT). **[LATER IN THE SAME CONTEXT IT SAYS QUOTE:]** Without the legal protection granted by the VFA, U.S. forces sent to exercise with their Filipino counterparts or respond after a humanitarian emergency would face complicated and time-consuming processes to secure visas for personnel and access to bases and ports for equipment. Indeed, [it was the VFA](https://cnnphilippines.com/news/2020/1/26/albert-del-rosario-vfa-mdt-rodrigo-duterte.html) that enabled U.S. forces to respond faster than other nations after Super typhoon Yolanda in 2013.

 A/T “Leverage” – Duterte cancelled the VFA in response to leverage. It doesn’t work.

Tom Smith 2020 (Principal Lecturer in International Relations for the University of Portsmouth based at the Royal Air Force College Cranwell. He has fieldwork experience in Mindanao in the Philippines and Southern Thailand and is regularly asked by development, conflict and governmental organisations to contribute to research design, project planning and for advice.) 17 February 2020 “Rodrigo Duterte terminated a military agreement with US – why it could push Philippines closer to China” <https://theconversation.com/rodrigo-duterte-terminated-a-military-agreement-with-us-why-it-could-push-philippines-closer-to-china-131812>

The president of the Philippines, Rodrigo Duterte, decided to [terminate a prominent](https://www.theguardian.com/world/2020/feb/11/philippines-to-terminate-troop-agreement-with-us) and unpopular military agreement with the US in early February. The move came as a direct response to Washington’s invocation of the [American Magnitsky Act](https://www.hrw.org/news/2017/09/13/us-global-magnitsky-act), which gives the US government the power to impose visa and financial sanctions on human rights abusers around the world.

A/T “Leverage” – No amount of aid will force the Philippines to change

Professor Zachary Abuza 2018 (Professor at the National War College) 14 June 2018 “WHERE DID THE U.S. GO WRONG IN THE PHILIPPINES? A HARD LOOK AT A ‘SUCCESS’ STORY” https://warontherocks.com/2018/06/where-did-the-u-s-go-wrong-in-the-philippines-a-hard-look-at-a-success-story/

Third, although few insurgencies are ever defeated on the battlefield, the United States was unwilling to use its leverage to push the Philippines into a negotiated settlement when it mattered most. U.S. reticence continued, even as the security situation on the ground worsened and the Philippine government and Congress continued to stall on the peace process. If the host government doesn’t have the political will to solve core grievances, no amount of assistance can help them.

A/T “China gains influence” – Japan will solve

Ralph Jennings 2016 (journalist based in Taiwan) 26 October 2016 “Japan Will Give The Philippines More Aid Than China” https://www.forbes.com/sites/ralphjennings/2016/10/26/japan-will-give-the-philippines-more-aid-than-china-but-not-as-fast/#59d4da956c1e

But can Tokyo match Beijing's aid and economic development offer to the largely impoverished Southeast Asian country? The answer is yes and probably exceed it. Japan already helps economically through a diverse slew of channels, from aquaculture to patrol ships. It shows all signs of continuing to support the Philippines just as it does with much of developing Southeast Asia. That support effectively counters China's efforts to win favor with the same countries through its own brand of economic aid.

A/T “China gains influence” – Japanese aid will be more sustained than China could offer

Ralph Jennings 2016 (journalist based in Taiwan) 26 October 2016 “Japan Will Give The Philippines More Aid Than China” https://www.forbes.com/sites/ralphjennings/2016/10/26/japan-will-give-the-philippines-more-aid-than-china-but-not-as-fast/#59d4da956c1e

"Japan has been a big investor in the Philippines," says Trinh Nguyen, an economist at French investment bank Natixis in Hong Kong. That said, "I doubt that (Duterte) will get the pledges such as the one he got in China, as Japan is more of a long-term investor," she says. "For example, the Asian Development Bank has increased its funding for the Philippines. Also, Japanese firms have been investing in the Philippines. The aid and funding from Japan will be less flashy than the figure from China but likely more sustained."

No nations pose a threat to Filipino independence

Doug Bandow 2016 (senior fellow at the Cato Institute. Former special assistant to President Ronald Reagan. JD from Stanford Univ.) 20 Oct 2016 “America Should Drop Philippines Alliance: Thank Rodrigo Duterte for Encouraging Divorce” https://www.cato.org/publications/commentary/america-should-drop-philippines-alliance-thank-rodrigo-duterte-encouraging

The alliance was negotiated shortly after World War II, when many Asians still feared a Japanese military revival and the U.S. and Soviet Union were locked in a global struggle for dominance. Today no one threatens Philippine independence. And the unlikely conquest of the Philippines, while a humanitarian travesty, would not threaten American security. Washington has no reason to defend the Philippines proper, let alone distant and contested pieces of rock such as Scarborough Shoal.

A/T “U.S. military edge” – U.S. has a major edge on Chinese forces

Ted Carpenter 2016 (senior fellow in defense and foreign policy studies at the Cato Institute) 27 October 2016 “Losing the Philippines Won’t Imperil U.S. Interests in Asia” https://www.cato.org/publications/commentary/losing-philippines-wont-imperil-us-interests-asia

The Philippines constitutes a relatively minor consideration by both measures. Yes, the islands provide a convenient staging area for U.S. air and naval forces to operate in the South China Sea and elsewhere in the Western Pacific. But they are not essential for that purpose. After all, the U.S. military was excluded from the Philippines for two decades beginning in the early 1990s, and that development did not seem catastrophic to the U.S. Navy. Without any involvement by the Philippines, the United States has a major edge on Chinese forces, and although that gap is narrowing, the advantage is likely to persist yet for a decade or more.

A/T “U.S. military edge against China” – The Philippines are too weak to help the US if a war broke out with China

Doug Bandow 2016 (senior fellow at the Cato Institute, specializing in foreign policy and civil liberties. Former special assistant to President Ronald Reagan. JD from Stanford Univ.) 20 Oct 2016 “America Should Drop Philippines Alliance: Thank Rodrigo Duterte for Encouraging Divorce” https://www.cato.org/publications/commentary/america-should-drop-philippines-alliance-thank-rodrigo-duterte-encouraging

If the PRC some day possesses the means to conduct global war against the U.S., Manila's decrepit armed forces won't matter much. The Philippines would be but a speed bump to Chinese ambitions, a weak America-allied outpost vulnerable to attack. Washington has designated the Philippines a major non-NATO ally, but that's obviously just a friendly lie to stroke Manila's ego.

A/T “U.S. military edge vs. China” – Philippines are an unreliable ally for any Sino-U.S. war, and they don’t want to help us battle China

Doug Bandow 2016 (senior fellow at the Cato Institute. Former special assistant to President Ronald Reagan. JD from Stanford Univ.) 20 Oct 2016 “America Should Drop Philippines Alliance: Thank Rodrigo Duterte for Encouraging Divorce” https://www.cato.org/publications/commentary/america-should-drop-philippines-alliance-thank-rodrigo-duterte-encouraging

The main military value of the Philippines is to act as a base for U.S. operations, these days mostly directed against the PRC. Washington officials have come to see domination of the Asia-Pacific as an American birthright. Bases allow U.S. forward deployment of military forces. For this reason, Mira Rapp-Hooper of the Center for a New American Security argues that "over the last eight years, the Philippines has become the linchpin of U.S. diplomatic and national security strategy in Southeast Asia." Actually, Manila is a dubious linchpin of anything. A semi-failed state with an erratic and lawless leader is hardly a reliable partner. Moreover, the Philippines wants American assistance in its defense. Manila most assuredly does not want to help America battle China on behalf of other nations, including the U.S. After all, the alliance with America turns the Philippines into a Chinese target. Walden Bello, who served in the Philippine congress before joining Japan's Center for Southeast Asian Studies, warned that his nation is "on the front lines of a superpower struggle for hegemony in the Asia-Pacific region."

A/T “U.S. military edge vs. China” –Philippines wouldn’t want to help the U.S. in a war with China. Turn: Duterte actually embraces China

Doug Bandow 2019 (senior fellow at the Cato Institute; former special assistant to President Ronald Reagan. JD from Stanford Univ.) 7 April 2019 “The Philippines “Mutual” Defense Treaty Isn’t Really Mutual at All” https://www.cato.org/publications/commentary/philippines-mutual-defense-treaty-isnt-really-mutual-all

But why? Manila is an odd “ally” to whom to make such a commitment. Early in his presidency, Phillippine president Rodrigo Duterte ostentatiously embraced China and insulted the United States. In fact, he declared his government’s “separation” from Washington and suggested sending American troops home. More recently, Filipino Defense Secretary Delfin Lorenzana warned that if Washington did not clarify the alliance’s application to Scarborough Shoal, ending the relationship was “an option.” Even if his country declined to continue accepting America’s defense subsidies, Lorenzana argued that “It is not the lack of reassurance that worries me. It is being involved in a war that we do not seek and do not want.” Indeed, he added, “If the Philippines does not want to be involved in a war, it can opt out on that basis.”

A/T “U.S. military edge vs. China” –Philippines spend less than 1% of GDP on the military, giving them very little capabilities

Doug Bandow 2016 (senior fellow at the Cato Institute, specializing in foreign policy and civil liberties. Former special assistant to President Ronald Reagan. JD from Stanford Univ.) 20 Oct 2016 “America Should Drop Philippines Alliance: Thank Rodrigo Duterte for Encouraging Divorce” https://www.cato.org/publications/commentary/america-should-drop-philippines-alliance-thank-rodrigo-duterte-encouraging

Eight years ago Gen. Alexander B. Yano, Philippine army chief of staff, complained about "deficient" capability and an inability to "really defend all these areas because of a lack of equipment." Yet even today the Philippines devotes less than one percent of its GDP to the armed forces, which is a tiny fraction of what the People's Republic of China spends. The International Institute for Strategic Studies explained that for decades "perennially low defense budgets have thwarted efforts to develop any significant capacity for conventional war fighting or deterrence."

A/T “Terrorism” – Turn: Intervention in the Philippines is likely to make it worse

Doug Bandow 2016 (senior fellow at the Cato Institute, specializing in foreign policy and civil liberties. Former special assistant to President Ronald Reagan. JD from Stanford Univ.) 20 Oct 2016 “America Should Drop Philippines Alliance: Thank Rodrigo Duterte for Encouraging Divorce” https://www.cato.org/publications/commentary/america-should-drop-philippines-alliance-thank-rodrigo-duterte-encouraging

Terrorism is America's most active worry, but it is quite modest in practice and does not endanger the nation's existence. Moreover, persistent intervention in other nations' affairs—such as battling Islamic insurgents in the Philippines—is more likely to create rather than eradicate enemies determined to harm America.

A/T “Terrorism” - Terrorism flourishes despite U.S. assistance. It isn’t working

Professor Zachary Abuza 2018 (Professor at the National War College) 14 June 2018 “WHERE DID THE U.S. GO WRONG IN THE PHILIPPINES? A HARD LOOK AT A ‘SUCCESS’ STORY” https://warontherocks.com/2018/06/where-did-the-u-s-go-wrong-in-the-philippines-a-hard-look-at-a-success-story/

Since the aftermath of the 9/11 attacks, U.S. Special Operations Forces have been involved in training and assisting their Philippine counterparts. This has been hailed as a successful mission, with a small footprint, an acceptable price tag, and few Americans returning home in body bags. And yet, 17 years later, I and other analysts of Philippine security issues are still writing about ungoverned space, the proliferation of radical groups, and endemic corruption within the Armed Forces of the Philippines (AFP). I routinely speak with regional officials who continue to express frustration that the deteriorating security situation is spilling over into other countries. While Islamic State militants have been able to plan and execute attacks in Malaysian and Indonesia, the Philippines is the only place in Southeast Asia where pro-Islamic State militants held territory. If the U.S. special operations effort is going so well, then why are things so bad?

A/T “Terrorism” - AFP incompetent at fighting militants / jihadists

Dr. Zachary Abuza 2017 (Professor at the National War College) 6 July 2017 “Why Another Philippines Terrorist Attack Is Coming” https://thediplomat.com/2017/07/why-another-philippines-terrorist-attack-is-coming/

On June 22 the AFP acknowledged that the Isnilon Hapilon, the Maute brothers, and Mahmud Ahmad, the leading Malaysian militant had all fled the city. This is despite the fact that there are only three roads in and out of Marawi. So while the AFP claims that the militants suffered nearly 300 casualties, the charismatic leadership is able to regroup and plot anew. Leadership matters. Their success, in tying down the AFP for some six weeks, will attract followers and new recruits. They have every reason to be confident. They sieged cities on two occasions. They have proven themselves as committed jihadists, willing to take the fight to the Philippine government. And as will be discussed below, the pool of recruits is large and growing

A/T “Terrorism” - The AFP is incompetent, they can’t fight terrorism

Prof. Zachary Abuza 2018 (Professor at the National War College) 14 June 2018 “WHERE DID THE U.S. GO WRONG IN THE PHILIPPINES? A HARD LOOK AT A ‘SUCCESS’ STORY” https://warontherocks.com/2018/06/where-did-the-u-s-go-wrong-in-the-philippines-a-hard-look-at-a-success-story/

I spent some time with the special forces in the Philippines and have analyzed their operations for 17 years.**[END QUOTE]** In many ways they did everything right: The force was small, never more than 500 to 600 men. They were deployed in small units and embedded with their Philippine counterparts, whom they trained and provided with intelligence. Though U.S. forces had rules of engagement that allowed them to fight back in self-defense, they were not involved in offensive combat operations. They trained the Philippine armed forces to use civic action projects to try to win over a leery local Muslim population who mistrusted the national government and military after years of egregious human rights abuses and institutional prejudice.
**[END QUOTE. He goes on later in the article to say QUOTE:]**
When the task force wound down in early 2015, the United States left a skeletal force of some 200 special operators who remained to provide some intelligence capabilities. The training and logistics support programs largely ended; though larger bilateral trainings, such as Balikatan, continued to be held annually. Despite the rave reviews, the end of the task force coincided with the rapid deterioration of the security situation. The Abu Sayyaf terror group, which the United States had helped pacify in Basilan, returned, actively challenging government forces there and across Sulu. Meanwhile, a botched counter-terrorist operation in January 2015 led to the collapse of peace talks with the largest insurgent group, the Moro Islamic Liberation Front (MILF), all at a time when groups were increasingly jumping on the Islamic State bandwagon. With the Joint Special Operations Task Force — Philippines not standing over them, the AFP was first complacent, then overwhelmed by the magnitude of the threat. In March 2016, the Abu Sayyaf began a maritime kidnapping campaign. Within a year it had taken 70 sailors and fishermen from six countries, briefly shutting down intraregional trade. Since 2016, Abu Sayyaf militants have kidnapped and beheaded foreigners, killing Canadian, German, and Malaysian nationals, and staged abduction raids into Malaysia’s Sabah state. While trilateral maritime patrols with Malaysia and Indonesia have had some success, all three countries have limited resources and capabilities. In April 2017, the Abu Sayyaf attempted their first hostage-taking raid into the comparatively secure Visayan region. Also starting in April 2017, pro-Islamic State militants from the Maute Group and Abu Sayyaf group militants sieged the city of Marawi for five months. That they were able to infiltrate over 600 men and enough arms and ammunition to sustain them was an abject intelligence failure.

A/T “More weapons to fight terrorists” – More arms will not solve the problem

David Lewton 2017 (served 15 years in Army Special Forces and is a retired Special Forces Warrant Officer. He deployed to the Southern Philippines four times between 2002 and 2011) 24 October 2017 “FOR THE PHILIPPINES, MORE MONEY AND ARMS IS NOT THE ANSWER” https://warontherocks.com/2017/10/for-the-philippines-more-money-and-arms-is-not-the-answer/

Many countries seem to think that more money, more arms, and more specialized equipment for the Philippine military is the appropriate response to the conflict in Marawi. The United States, Australia, Singapore, Malaysia, Indonesia, and even China have offered varying levels of support to the Philippines, ranging from assistance in intelligence and technical expertise to rifles and bullets to mini-guns, grenade launchers, drones, and specially equipped surveillance planes. The influx of arms and equipment will certainly increase the lethality of the Philippine military, but on its own it cannot prevent the growth of Islamic State in the Southern Philippines. These resources are singularly focused on one tactical objective — to bring the crisis in Marawi to an end. However, the crisis is not just about recent clashes with Islamic State — it is a by-product of a nearly five-decade political impasse with several Moro (Filipino Muslim) separatist groups. The inability of the various Moro groups to agree on what constitutes self-determination and self-governance continues to plague the Philippines and foster conflict.

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