The Philippines: Background and U.S. Relations

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The United States and the Republic of the Philippines have a deep relationship that includes a bilateral security alliance, extensive military cooperation, close people-to-people ties, and many shared strategic and economic interests. The Philippines, situated east of the South China Sea and south of Taiwan, has long played an important role in U.S. Asia policy as a close security and counterterrorism partner. The Philippines is a democratic state where popular support for the bilateral relationship and the alliance is strong.

President Rodrigo Duterte, whose term ends June 2022, has received high approval ratings despite some controversial actions and policies, including carrying out a violent anti-illegal-drug campaign, harassing journalists critical of his government, threatening to terminate the Philippines-U.S. Visiting Forces Agreement (VFA) before reversing course and recommitting to it, and seeking a rapprochement with China, a potentially large source of foreign investment. U.S. policymakers have sought to preserve the long-standing bilateral relationship, despite some of Duterte’s policy stances that appeared to strain U.S.-Philippine bonds.

The Philippines is the largest country recipient of U.S. military assistance in the East Asia-Pacific region, including Foreign Military Financing and assistance under the Department of Defense’s Indo-Pacific Maritime Security Initiative. U.S. military personnel and the Armed Forces of the Philippines (AFP) hold regular bilateral military exercises and maritime patrols, collaborate on counterterrorism efforts, and conduct joint humanitarian activities. The U.S.-Philippines Enhanced Defense Cooperation Agreement, signed in 2014, allows for the increased rotational presence of U.S. military forces, ships, and aircraft in the Philippines, although President Duterte had expressed skepticism about expanding the U.S. presence in the Philippines. Duterte’s threat to terminate the VFA raised doubts about bilateral military ties, as the agreement 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. On July 30, 2021, Philippine Defense Secretary Delfin Lorenzana announced the Philippines would recommit to the agreement and Defense Secretary Lloyd Austin III reaffirmed the U.S. commitment to the bilateral Mutual Defense Treaty.

The Philippines has long battled Muslim armed separatist and terrorist groups in the south of the country. ISIS–East Asia (ISIS-EA), a loose collection of groups that have pledged allegiance to the Islamic State, has around 300-500 mostly Filipino and some foreign fighters who have carried out sporadic attacks in Mindanao and Sulu. The U.S. military has provided advisory and intelligence gathering support to the AFP in counterterrorism operations.

Since 2016, Duterte’s “War on Drugs” has resulted in thousands of extrajudicial killings. Estimates of drug war-related deaths range from Philippine government figures of roughly 6,000 to counts by human rights organizations of over 27,000. According to human rights groups, virtually all of the killings, which have been carried out by police and armed vigilantes, occurred without due process, and the vast majority of victims have been unarmed, poor, low-level offenders. In response, the U.S. government has suspended counternarcotics assistance to Philippine National Police units since 2016.

The Philippines and the People’s Republic of China (PRC) have long-standing disputes over waters and land features in the South China Sea. In 2016, a tribunal convened under the Permanent Court of Arbitration in The Hague concluded that China’s “Nine Dash Line” territorial claims have no legal basis under the United Nations Convention on the Law of the Sea (UNCLOS). Since 2019, flotillas of PRC vessels have regularly massed around Philippine-occupied land features, and in 2019, a PRC vessel sank a Philippine fishing boat in disputed waters. The Duterte government has not focused on the tribunal ruling in its diplomatic efforts with China to address the territorial disputes. However, the Philippines recently has intensified its efforts to protest Chinese incursions into disputed areas of the South China Sea that Manila considers to be part of its Exclusive Economic Zone.

The Philippine Constitution limits the president to one six-year term. Preparations for the next presidential election, scheduled for May 2022, have begun. A wide range of presidential candidates have filed for the election, including Ferdinand “Bongbong” Marcos Jr., son of the longtime Philippines President Ferdinand Marcos, and current Vice President Leni Robredo, a vocal Duterte critic. President Duterte announced plans to run for the Senate before reversing course and withdrawing.
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Overview

The United States and the Republic of the Philippines have maintained a deep relationship that includes a bilateral security alliance, extensive military cooperation, close people-to-people ties, and many shared strategic and economic interests.¹ U.S. past administration of the Philippines as a colonial territory (1898-1946) also has shaped the relationship, by both forging bonds, on the one hand, and, among some Filipinos,² creating a wariness of drawing too close to the United States, on the other. Filipino-Americans constitute the third-largest Asian-American group in the United States, numbering over 4.2 million people, and comprise the most numerous foreign-born group in the U.S. Armed Forces.³

During Rodrigo Duterte’s term as president of the Philippines, which began in 2016, U.S. policymakers have sought to preserve the long-standing bilateral relationship, despite some of Duterte’s policy stances that have appeared to strain U.S.-Philippine bonds. Many Philippine diplomatic and military officials have been eager to maintain or strengthen cooperation with the United States; however, Duterte’s documented distrust of the United States,⁴ eagerness for greater cooperation with the People’s Republic of China (PRC), and antipathy toward U.S. criticism of human rights issues in the Philippines have complicated those efforts.⁵

The Philippines has long played an important role in U.S. Asia policy, and it figures prominently in the Biden Administration’s Indo-Pacific strategy as one of five regional treaty allies with which the United States has a deepening relationship.⁶ The Philippines has been a treaty ally since 1951 and a major non-NATO ally since 2003. It is the largest recipient of U.S. military assistance, equipment, and training in the region. The country holds strategic importance as a part of what some experts refer to as the “first island chain” in the Pacific,⁷ and its maritime territorial disputes with China are a potential flashpoint in the South

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¹ This report does not cover congressional issues related to WWII Filipino veterans who fought under U.S. military command during World War II.
² “Filipino” (male), “Filipina” (female), and “Filipinos” (plural, all genders) refer to citizens of the Philippines.
⁷ The so-called first island chain includes southern Japan, Taiwan, and the Philippines, enclosing the sea areas closest to China. The second island chain also starts in Japan, but extends further out into the Pacific, enclosing the Philippine Sea that separates the Philippines from Guam. In discussions of China’s military capabilities and foreign policy goals for the Western Pacific, some security and foreign policy experts refer to the first and second island chains as areas that China is perceived as wanting to influence or eventually dominate, and conversely as geographic features that the United States and its allies and partners potentially can use to counter or contain Chinese military actions. See, for example, Andrew S. Erickson and Joel Wuthnow, “Why Islands Still Matter in Asia: The Enduring Significance of the
The Philippines also serves as an important U.S. counterterrorism partner in Southeast Asia. Since the 1986 “People Power” movement that deposed former authoritarian President Ferdinand Marcos, the country has also been one of the region’s most vibrant democracies, although corruption and serious human rights problems continue to fester.8

**Figure 1. Philippines at a Glance**

<table>
<thead>
<tr>
<th>Geography</th>
<th>Archipelago. Land area—298,000 square kilometers (Slightly larger than Arizona).</th>
</tr>
</thead>
<tbody>
<tr>
<td>People</td>
<td>Population: 110 million (2021)</td>
</tr>
<tr>
<td>Ethnic Groups</td>
<td>Predominantly Malay (95%); other ethnic groups include Chinese and mixed race (Filipino-Spanish, Filipino-Chinese, and Filipino-American).</td>
</tr>
<tr>
<td>Religious Affiliation</td>
<td>Roman Catholic (81%); other Christian (9%); Muslim (5%); other (5%).</td>
</tr>
<tr>
<td>Per Capita GDP</td>
<td>$8,900 (purchasing power parity, 2019).</td>
</tr>
<tr>
<td>GDP Composition by Sector</td>
<td>Agriculture (9%); Industry (31%); Services (60%) (2019).</td>
</tr>
</tbody>
</table>


**Congressional Interests**

Congress has shown interest in the Philippines in several key policy areas over which it has provided oversight, policy direction, and funding. It has also occasionally placed restrictions on foreign assistance in order to pressure the Philippine government to improve human rights conditions.

**Strategic Interests**

The Philippines holds strategic importance for the United States as part of what some experts refer to as the “first island chain” in the Pacific, as it is located less than 800 miles south of Taiwan and 900 miles southeast of China’s Hainan province, an island with a major naval base.9 U.S. Indo-Pacific Command (INDOPACOM) reportedly aims to broaden the U.S. force posture in East Asia, deploying and rotating military assets to Southeast Asia and the southern Pacific. Experts contend that the Philippines could play a key role in a contingency with China in the

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region. The National Defense Authorization Act (NDAA) for 2022 calls on the Secretary of Defense to strengthen U.S. ties with security partners in the Indo-Pacific region, including with U.S. allies the Philippines and Thailand, and increases funding for the Pacific Deterrence Initiative, which involves the Philippines, Japan, and other allies.

**Regional Counterterrorism Efforts**

The Philippines, which is home to not only indigenous extremist groups but also at times to foreign terrorist fighters, has “enjoyed close counterterrorism cooperation with the United States,” according to the State Department. The Philippines was designated a major non-NATO ally in 2003 as part of the George W. Bush Administration’s Global War on Terror. Philippine counterterrorism efforts have included the Joint Special Operations Task Force–Philippines (2002-2014) and Operation Pacific Eagle-Philippines (2017-2020). In 2019, the two countries signed an agreement to establish a new regional counterterrorism facility in the Philippines.

**South China Sea Disputes**

The United States has aimed to partner with the Philippines in carrying out strategies to counter Chinese military assertiveness in the South China Sea and to build “support for rules-based approaches to the maritime domain, including in the South China Sea and the East China Sea.” The Philippines is the only country with territorial disputes with China that has challenged China’s maritime territorial claims under the United Nations Convention on the Law of the Sea (UNCLOS). Through the Department of Defense’s Indo-Pacific Maritime Security Initiative (MSI), which Congress extended in 2021, the United States has sought to improve the ability

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19 The NDAA, 2022 (P.L. 117-81, Section 1241) extended the MSI through 2027.
of the Philippines, Vietnam, and other Southeast and South Asian countries to maintain maritime domain awareness and patrol their Exclusive Economic Zones (EEZs).

**Human Rights Concerns**

The Philippines long has attracted congressional concern related to its human rights violations, particularly extra-judicial killings. At various times during the past decade and a half, Congress has restricted military and other security assistance to the Philippines in order to encourage improvements in human rights practices of the Philippine military, police, and government. The Asia Reassurance Initiative Act of 2018 (ARIA, P.L. 115-409) supports a multipronged U.S. strategy for advancing a “Free and Open Indo-Pacific,” including the promotion of human rights in the Indo-Pacific region. ARIA and other legislation restrict counternarcotics assistance to the Philippine National Police (PNP) due to human rights violations related to the drug war.

**Philippine Politics**

The Economist Intelligence Unit (EIU) ranks the Philippines 54th out of 167 countries in terms of its level of democracy, placing it in the “flawed democracy” category and ranking it the second-most democratic country in Southeast Asia after Malaysia. Although the EIU gives the Philippines relatively high scores on electoral process and pluralism, political participation, and civil liberties, the country receives relatively low scores on the functioning of government and political culture.

Many aspects of institutional democracy are practiced to the fullest in the Philippines. Philippine citizens generally can exercise political and civil rights with few restrictions, openly criticize national leaders, and enjoy academic freedom and religious liberties. The country has a robust civil society and a lively press. International and national observers considered national midterm elections held in 2019 “generally free and fair.” Some aspects of Philippine politics, however, long have undermined democratic institutions and government effectiveness and led to human rights abuses. These include the existence of corruption; concentrations of power among socioeconomic elites and local clans; the lack of democratic control over the security forces; and a weak judicial system and culture of impunity.

During the democratic era that began in 1986, the legislative branch and Supreme Court have not served as strong checks on presidential power. Political parties and groupings tend to be fluid and shifting, driven more by individual personalities, interests, and loyalties than by unifying ideologies, policy platforms, and goals. Some experts argue that the Supreme Court has become less independent over the course of the past three administrations. The court generally has not

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20 See also the Consolidated Appropriations Act, FY2021 (P.L. 116-260, Section 7043(g)).
21 Economist Intelligence Unit, “Democracy Index 2021,” February 10, 2022. By comparison, the United States ranks 26th, also in the “flawed democracy” category.
25 Edcel John A. Ibarra, “The Philippine Supreme Court Under Duterte: Reshaped, Unwilling to Annul, and Unable to
attempted to restrain the actions of President Duterte, who has appointed 12 of the Supreme Court’s 15 Justices.26

Duterte’s Legacy and the 2022 Elections

The Philippines is scheduled to hold presidential, congressional, and local elections on May 9, 2022, with a new president and legislature slated to take office on July 1, 2022. President Duterte is not seeking reelection, as the Philippine Constitution limits the president to one six-year term without the possibility of reelection. Some observers view the polls as a referendum on President Duterte’s policies and actions, including what some refer to as an erosion of democracy under his rule.27

Duterte remains popular domestically, according to opinion polls, despite an economic downturn caused by the Coronavirus Disease 2019 (COVID-19) pandemic, his violent antidrug campaign, and his controversial foreign policy stances. In one poll conducted in March 2021, Duterte had an approval rating of 65%.28

Prominent candidates for the presidency include Ferdinand “Bongbong” Marcos Jr., son of the longtime Philippines President Ferdinand Marcos; Vice President Maria Leonor “Leni” Robredo, a prominent Duterte critic; and Senator Emmanuel “Manny” Pacquiao, a prominent boxing champion. Duterte’s daughter, Sara Duterte-Carpio, formerly mayor of Davao, is running for vice president, allied with Marcos. (The Philippines president and vice president are elected separately, and frequently come from competing political factions, as is true of President Duterte and Vice President Robredo.)

Many political observers see the 2022 polls as an important test of the Philippines’ democratic institutions, which some experts argue have weakened under Duterte. Analysts point to the Philippines as an example of growing authoritarian tendencies in countries that still practice electoral democracy. Such trends include the increasing use of police and military in all levels of governance; attacks against the political opposition, judiciary, and media; and disinformation campaigns that have lessened the public’s ability to influence decisionmaking.29

U.S.-Philippines Relations

In contrast to his predecessor, Benigno Aquino III, who steered the Philippines strategically towards the United States, President Duterte sought to strengthen ties with China, which he viewed as a potentially large source of foreign investment.30 According to some analysts, Duterte attempted to institute a policy of “equi-balancing” between the United States, its principal

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26 Philippine Supreme Court Justices are required to retire at 70 years of age. “Duterte Appoints New Supreme Court Justice,” BusinessWorld, November 16, 2021; David G. Timberman, “Philippines Politics Under Duterte: A Midterm Assessment.”
diplomatic and security partner, and China, its largest trading partner. The Philippines under Duterte also expanded its sources of military assistance, including from U.S. allies and strategic partners Australia, Japan, South Korea, and India, as well as from China and Russia. Between 2016 and 2019, Duterte made annual trips to China, including two in 2019, as well as two trips to Russia and three to Japan, the Philippines’ largest foreign aid donor, as part of his policy of reducing the Philippines’ reliance on the United States. President Duterte met with then-U.S. President Donald Trump at the Association of Southeast Asian Nations (ASEAN) summit in Manila in November 2017, but he has not visited the United States as president.

In some respects, the U.S.-Philippines relationship hit a low point in February 2020, when the Duterte government notified the United States of its intent to terminate the Philippines-U.S. Visiting Forces Agreement (VFA), which serves as the legal foundation for bilateral military cooperation in the Philippines’ territory. As tensions between the Philippines and China over disputed territory in the South China Sea continued to fester, however, the Philippines sought closer security cooperation with the United States. In July 2021, the Philippine government renewed its adherence to the VFA. (See “Visiting Forces Agreement,” below.)

Among Filipinos, popular support for the U.S.-Philippines relationship is strong. According to a July 2020 survey conducted by Philippines-based Social Weather Stations, net trust in the United States was +42 (60% much trust, 18% little trust), compared to +67 in December 2019. By contrast, net trust in China fell from -27 in December 2019 to -36 in July 2020 (22% much trust, 58% little trust). A January 2020 Pew poll found that Filipinos had the highest favorable opinion of the United States (80%) of 31 countries surveyed. In a June 2021 survey, 47% of respondents indicated that the “government is not doing enough to assert the country’s rights in the West PH [South China] Sea” while 24% disagreed and 29% were undecided. Some analysts argue, however, that South China Sea issues are not a primary factor determining the way Filipinos vote in national elections.

36 Among 31 countries, Filipinos had the highest confidence in U.S. President Trump (77%); they also had the highest confidence in Russian President Vladimir Putin (61%) and third highest in Chinese leader Xi Jinping (58%) “to do the right thing regarding world affairs.” “Trump Ratings Remain Low Around Globe, While Views of U.S. Stay Mostly Favorable,” Pew Research Center, January 19, 2020.
In November 2021, during a period of renewed commitment to the relationship, the United States and the Philippines held the ninth Bilateral Strategic Dialogue. The two sides pledged to engage in cooperative efforts in various areas including responding to the COVID-19 pandemic, upholding the “rules-based maritime order” in the South China Sea, strengthening interoperability of the U.S. and Philippine armed forces, and fostering respect for human rights. Secretary of Defense Lloyd Austin III and Philippines Secretary of National Defense Delfin Lorenzana spoke on the phone on November 19, 2021, to discuss recent events in the South China Sea and “welcomed recent bilateral efforts to continue strengthening the U.S.-Philippines alliance.” Secretary Austin reaffirmed the “strong U.S. commitment” to the Philippines under the Mutual Defense Treaty.

U.S. Foreign Assistance

U.S. assistance to the Philippines, totaling an estimated $154.9 million in FY2021, includes U.S. Agency for International Development (USAID) and Department of State-funded development and security assistance. (See Table 1.) Development assistance includes programs aimed at promoting inclusive socio-economic development, the rule of law, and human rights, and improving family health, basic education, and environmental management. In addition, USAID committed $63.6 million for humanitarian and recovery efforts in Marawi, a city destroyed during a battle between Filipino and foreign Islamist insurgents and government forces in 2017.

Table 1. Department of State Assistance to the Philippines, FY2017-FY2021

<table>
<thead>
<tr>
<th>Account</th>
<th>FY2017</th>
<th>FY2018</th>
<th>FY2019</th>
<th>FY2020</th>
<th>FY2021</th>
</tr>
</thead>
<tbody>
<tr>
<td>Development Assistance</td>
<td>51,889</td>
<td>70,000</td>
<td>70,000</td>
<td>70,000</td>
<td>70,000</td>
</tr>
<tr>
<td>Foreign Military Financing (FMF)</td>
<td>40,000</td>
<td>40,000</td>
<td>40,000</td>
<td>40,000</td>
<td>40,000</td>
</tr>
<tr>
<td>Global Health Programs–USAID</td>
<td>33,000</td>
<td>28,500</td>
<td>26,000</td>
<td>27,500</td>
<td>30,000</td>
</tr>
<tr>
<td>Global Health Programs–State</td>
<td>—</td>
<td>—</td>
<td>—</td>
<td>—</td>
<td>5,305</td>
</tr>
<tr>
<td>International Military Education and Training (IMET)</td>
<td>1.981</td>
<td>2,000</td>
<td>1,900</td>
<td>2,147</td>
<td>2,000</td>
</tr>
<tr>
<td>International Narcotics Control and Law Enforcement (INCLE)</td>
<td>7,000</td>
<td>6,500</td>
<td>7,000</td>
<td>7,000</td>
<td>7,000</td>
</tr>
<tr>
<td>Non-proliferation, Anti-terrorism, De-mining and Related Programs</td>
<td>6,090</td>
<td>5,800</td>
<td>5,800</td>
<td>5,940</td>
<td>5,940</td>
</tr>
<tr>
<td>TOTAL</td>
<td>139,960</td>
<td>152,906</td>
<td>150,700</td>
<td>157,892</td>
<td>154,940</td>
</tr>
</tbody>
</table>

Source: State and USAID Congressional Budget Justification for Foreign Operations.

Note: FMF and IMET are implemented by the Defense Department through the Defense Security Cooperation Agency (DSCA). The U.S. government has suspended INCLE assistance to the PNP for counternarcotics activities, while assistance for other activities continues.

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41 Department of State, Congressional Budget Justification, Foreign Operations, Appendix 2, FY2022.
As of February 2, 2022, USAID had provided $21 million in humanitarian assistance to help communities affected by Typhoon Odette. Also known as Rai, the cyclone struck the Visayas region in central Philippines and parts of Mindanao island beginning on December 16, 2021. Odette’s destruction affected nearly 5 million people, and the Philippine government reported over 400 deaths and 580,000 people displaced due to the super typhoon.

The Philippines is a “priority recipient” in East Asia for security assistance and the largest recipient of U.S. Foreign Military Financing (FMF) in the region. FMF primarily has supported maritime security, disaster response, military professionalization, and the procurement of equipment for counterterrorism operations. Antiterrorism programs provide training and equipment grants for the Philippine National Police. The Philippines also receives counterterrorism support through the Department of State East Asia and Pacific Regional program and the Counterterrorism Partnerships Fund.

### Coronavirus Disease 2019 (COVID-19) in the Philippines

The Philippines, with the second-highest numbers of both COVID-19 infections and deaths in Southeast Asia, after Indonesia, was among the last in the region to provide mass vaccinations. As of February 2022, the World Health Organization reported approximately 3.6 million confirmed COVID-19 cases in the Philippines, and roughly 54,200 deaths. About 60% of the population was fully vaccinated as of February 2022. The U.S. government has provided $39 million in pandemic response assistance to the Philippines to facilitate testing, crucial care, communication campaigns, protection and training of health workers, vaccine deployment, and essential equipment and supplies. China and the United States have been the largest suppliers of vaccines, including those both purchased and donated. The United States, the largest contributor to the COVID-19 Vaccines Global Access (COVAX) program, has facilitated the delivery of over 65 million vaccine doses to the Philippines as of January 10, 2022, including nearly 25 million doses provided by the United States.

Since 2016, the U.S. government has suspended International Narcotics Control and Law Enforcement (INCLE) assistance to PNP units for counternarcotics activities, although it has

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46 The Department of State provides antiterrorism assistance through the Nonproliferation, Anti-Terrorism, Demining and Related Programs (NADR) account.

47 Department of State, Congressional Budget Justification, Foreign Operations, Appendix 2, FY2022.


50 Center for Strategic and International Studies, “Southeast Asia Covid-19 Tracker.”


53 U.S. Embassy in the Philippines, “U.S. Provides 2.7 Million More Pfizer COVID-19 Vaccines to the Philippines.”
increased assistance for maritime law enforcement, drug demand reduction programs, and transnational interdiction efforts. Other legislative measures mandate reporting on Philippine security forces related to human rights violations. (See “Selected Legislation,” below.)

The Millennium Challenge Corporation (MCC) rewards countries that have demonstrated good governance, investment in health and education, and sound economic policies. In 2010, the MCC approved a five-year, $507 million compact with the Philippine government. The agreement aimed to help modernize the Bureau of Internal Revenue to increase revenue collection and reduce tax evasion; expand a community-driven, poverty-reduction program; and promote economic growth through investment in infrastructure. In December 2015, the MCC awarded the Philippines a second compact. In 2016, the MCC indicated that it would reevaluate its decision in light of human rights concerns. In December 2017, the Philippine government withdrew from the process, stating that it wanted to focus resources on rebuilding Marawi rather than committing money to the counterpart funding required with MCC projects. The government denied that the decision to withdraw from the program was made in response to human rights criticism.

U.S.-Philippines Defense Ties

The U.S.-Philippines defense relationship is deeply rooted in a history of shared security interests and priorities that dates back to the 1951 Mutual Defense Treaty and has continuously evolved to address new and developing threats. Since 2015, the Philippines has received over $1 billion in U.S. military assistance, making it the largest recipient of U.S. military equipment and training in the Indo-Pacific. U.S. security cooperation activities in the Philippines have included counterterrorism assistance, maritime domain awareness, joint military exercises, and transfers of U.S. military equipment. Security cooperation programs also have enhanced the capacity of the Philippine Armed Forces (AFP) to provide humanitarian assistance and to engage in disaster response operations. The Philippines was designated a major non-NATO ally in 2003, which allows the country certain defense trade and security cooperation privileges.

Security Cooperation

As a security partner in the Pacific, the Philippines has received military assistance through the Defense Security Cooperation Agency’s (DSCA) Section 333 Building Partner Capacity program


and the Indo-Pacific Maritime Security Initiative. Section 333 activities have focused on the development and enhancement of critical AFP capabilities including intelligence, maritime and border security operations, counterterrorism, and counter-improvised explosive device. Equipment deliveries under Section 333 have included precision guided munitions and tactical equipment. MSI activities in the Philippines have aimed to improve the AFP’s maritime ISR capabilities and support the Philippines’ participation in multilateral engagements and other trainings, such as visit, board, search and seizure.

The Philippines participates in U.S. defense institution capacity-building programs that have included defense strategy courses and policy workshops that aim to improve security sector governance, resource management, and legal capacity building. In addition, the Philippines is partnered with the Guam and Hawaii National Guards through the State Partnership Program, which is a unique civil-military program that the National Guard says aims to cultivate personal relationships through a series of tailored engagements.

U.S.-Philippines bilateral exercises aim to strengthen interoperability through subject matter exchanges and training events. In 2015-2020, the United States and the Philippines engaged in 1,321 bilateral military exercises. Both sides curtailed security cooperation in 2020 due to the uncertainty over possible termination of the VFA and to the COVID-19 pandemic. In October 2021, the two governments announced plans to return to full-scale military drills in 2022, and stated that they would likely invite military observers from Australian, Japan, and the United Kingdom. In 2022, approximately 3,800 AFP and 5,100 U.S. soldiers participated in Balikatan (“Shoulder-to-Shoulder”), the premier annual bilateral exercise, across Luzon, the largest Philippine island. The 2022 exercise, described as the “largest ever” by military officials, focused on improving interoperability and joint defense capabilities and engaged in humanitarian and civic assistance projects.

Other notable exercises include Maritime Training Activity “Sama Sama” (“Together”), which was held in October 2021, and Kamandag (“Cooperation of Warriors of the Sea”), which was

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61 Data from ForeignAssistance.gov, November 7, 2021; U.S. Embassy in the Philippines, “U.S. Military Security Assistance in the Philippines,” press release, at U.S. Military Security Assistance in the Philippines REV29 (usembassy.gov). Note: DOD security cooperation program details are not made publicly available in a consistent or comprehensive manner; such activities provided in this report are not meant to be an exhaustive list.


conducted in September 2021. Exercises also have included the Philippine Navy, which participated in the first joint sail through the South China Sea in 2019 with the United States, Japan, and India. In addition, between April and June of 2021, the U.S. 5th Security Force Assistance Brigade conducted their first bilateral training events with various Philippine Army units.

**Counterterrorism Efforts**

The U.S. military and the AFP have conducted bilateral counterterrorism operations since at least 2001. In 2017, following the reassertion of control over Marawi by Philippine military forces—with assistance from U.S. special operations forces (SOF) advisors—the Department of Defense (DOD) and Indo-Pacific Command (INDOPACOM) initiated Operation Pacific Eagle-Philippines (OPE-P) to help the AFP overcome counterterrorism capability gaps identified by U.S. advisors during operations in Marawi. U.S. SOF also provided logistical support, intelligence sharing, and operational planning, including the integration of airborne intelligence, surveillance, and reconnaissance (ISR) for intelligence gathering. In 2020, the last year of OPE-P efforts, DOD committed $85.4 million for OPE-P, in which approximately 200 U.S. military personnel served in advisory roles.

Although the OPE-P overseas contingency operation designation has been removed, INDOPACOM continues both security cooperation under DOD authorities as well as “advise and assist” operations with Philippine security forces. Whereas OPE-P primarily focused on counterterrorism operations, “by, with, and through” Philippine partners, the scope of continued bilateral security cooperation programs in the Philippines is to be “significantly larger than the relatively narrow counterterrorism effort.”

**U.S. Defense Equipment Transfers**

In addition to receiving military equipment through the U.S. FMF program, the Philippines is eligible to purchase U.S. defense articles at discounted rates through the Excess Defense Articles grant program. In some cases, the Philippines supplements U.S. grant assistance with its  

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72 Ibid.


74 Ibid.

national funds. In 2020 and 2021, the State Department notified Congress of six potential Foreign Military Sales (FMS) cases for the Philippines with a combined total over $4.5 billion. These items include missiles, F-16 aircraft, missiles, light military boats and attack helicopters. Some Members of Congress opposed the proposed FMS cases and other military assistance for human rights reasons, and sponsored legislation that would suspend security assistance to the Philippines. (See “Selected Legislation,” below.) The Philippines also purchases U.S. defense articles and services through the Direct Commercial Sales (DCS) program.

**Mutual Defense Treaty**

Under the 1951 Mutual Defense Treaty (MDT), the United States and the Philippines committed to help defend each other against external armed attack. Some analysts note that the MDT does not explicitly obligate the United States to defend maritime areas that are disputed by the Philippines and other nations, and U.S. officials have not confirmed whether the Treaty applies to disputed features in the South China Sea. Article IV of the Treaty states: “Each Party recognizes an armed attack in the Pacific Area on either of the Parties would be dangerous to its own peace and safety and declares that it would act to meet the common dangers in accordance with its constitutional processes.” Article V refers to an armed attack on the “metropolitan territory of either of the Parties,” the “island territories under its jurisdiction in the Pacific Ocean,” or its “armed forces, public vessels, or aircraft in the Pacific.”

Some analysts contend that U.S. assurances have been getting stronger, particularly regarding the defense of Philippine forces and military equipment in disputed areas. In March 2019, then-Secretary of State Mike Pompeo stated, “As the South China Sea is part of the Pacific, any armed attack on Philippine forces, aircraft or public vessels in the South China Sea would trigger mutual defense obligations under Article IV of our Mutual Defense Treaty.” In a January 27, 2021, phone conversation between Secretary of State Antony Blinken and Philippine Secretary of Foreign Affairs Teodoro Locsin, Jr., Blinken stressed the importance of the MDT and “its clear

Aerial System to Philippine Air Force”; U.S. Embassy in the Philippines, “U.S. Delivers Php48.5 Million in Weapons and Munitions to AFP.”


78 Details about proposed DCS are confidential; however, executive communications to the appropriate congressional committees are periodically published in the Federal Register. For example, see, Department of State, “Bureau of Political-Military Affairs, Directorate of Defense Trade Controls: Notifications to the Congress of Proposed Commercial Export Licenses,” 84 Federal Register, November 27, 2019, at https://www.federalregister.gov/d/2019-25491/p-427.


80 The MDT can be found at http://www.chanrobles.com/mutualdefensetreaty.htm.

application to armed attacks against the Philippine armed forces, public vessels, or aircraft in the Pacific, which includes the South China Sea.”

**Visiting Forces Agreement**

The Visiting Forces Agreement governs the legal status of U.S. military forces operating in the Philippines. It creates rules by which U.S. troops, vessels, and aircraft may enter the country and establishes criminal jurisdiction over U.S. military personnel. 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.

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. On February 11, 2020, presidential spokesperson Salvador Panelo quoted President Duterte as saying “It’s about time we rely on ourselves. We will strengthen our own defenses and not rely on any other country.” Some analysts believe that Duterte may have initiated the termination as a response to U.S. actions barring entry into the United States of a Duterte political ally involved in human rights abuses; others say that he intended to leverage the VFA to negotiate better terms in the bilateral security relationship or that the action was part of an effort to orient the Philippines strategically away from the United States. Many in the Philippines, particularly in the defense and foreign policy establishments, however, opposed the move. The Philippine government suspended the termination three times (for six months each), in June 2020, November 2020, and June 2021. On July 30, 2021, Philippine Secretary of National Defense Delfin Lorenzana announced that the Philippines had agreed to recommit to the VFA.

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82 Department of State, “Secretary Blinken’s Call with Philippine Secretary of Foreign Affairs Locsin,” readout, January 27, 2021.
U.S.-Philippines Enhanced Defense Cooperation Agreement

In 2014, the U.S. and Philippine governments signed the U.S.-Philippines Enhanced Defense Cooperation Agreement (EDCA). The agreement 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, including the ability to store U.S. defense materials and equipment. Under EDCA, U.S. military personnel in the Philippines are deployed on a rotational or non-permanent basis. Philippine bases, including U.S.-built facilities and improvements, are to be utilized rent-free by the Americans but owned by the Philippines. In addition, EDCA “facilitate[s] humanitarian assistance and disaster relief in the Philippines and the region; improve[s] opportunities for bilateral training; and support[s] the long-term modernization of the [AFP] as it works to establish a minimum credible defense.”

In 2016, President Duterte called for reassessing EDCA and reducing the number of U.S. troops and joint military exercises in the Philippines. The Philippines eventually allowed EDCA to proceed, but limited its mission and delayed facilities construction until 2018, when a humanitarian assistance and disaster relief storage facility was built at Basa Air Base. Other projects were delayed in 2019, and the uncertainties over the VFA and COVID-19 restrictions further delayed EDCA’s progress. In October 2021, following the Philippines’ recommitment to the VFA and other improvements in the bilateral relationship, the AFP announced that construction work related to EDCA would “intensify.”

Philippines-China Relations

The Duterte government initially focused on finding ways to cooperate with China in the South China Sea, including through joint energy exploration that would shelve questions of sovereignty, and sought PRC development loans, investment, and assistance with large infrastructure projects in the Philippines. The two sides, however, did not come to agreement on how to resolve their territorial disputes or on joint resource exploration, and relations between the Philippines and China worsened during the second half of Duterte’s term.

Duterte eagerly sought PRC financing for infrastructure projects throughout the country as part of his “Build, Build, Build” program. In 2016, China pledged $6 billion in official development assistance and $3 billion in loans to the Philippines. China also pledged $24 billion in investments. However, local observers report that only a small fraction of that financing and

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investment materialized.\textsuperscript{99} Major proposed projects with Chinese funding, technical, and construction assistance include the $940 million Subic-Clark freight railway and the $241 million Kaliwa dam project.\textsuperscript{100} In June 2021, the Philippines House of Representatives halted construction of the dam pending an investigation into alleged corruption in securing government permits.\textsuperscript{101} Plans reportedly are underway for a bridge to be funded by China and built by a Chinese company that would connect Samal Island to Davao in Mindanao, where Duterte once served as mayor.\textsuperscript{102}

PRC military assistance remains limited in terms of funding and scope, especially compared to U.S. and Australian military assistance.\textsuperscript{103} Cooperation in sensitive areas, such as intelligence sharing and joint drills, are in their early stages.\textsuperscript{104} Territorial disputes and the lack of trust and familiarity between the two sides creates further obstacles to greater military cooperation.\textsuperscript{105}

\textbf{The Philippines’ Maritime Disputes with China}

The Philippines and China have long-standing disputes over waters and land features in the South China Sea, which the Philippines calls the West Philippine Sea.\textsuperscript{106} Tensions have risen since 2012, as China has enlarged and placed new military assets on several disputed features in the Spratly archipelago, and increasingly interfered with Philippine commercial and military activities in what the Philippines, citing UNCLOS, considers its Exclusive Economic Zone. DOD’s 2020 report on PRC military and security developments stated that the PRC’s Spratly Island outposts “allow China to maintain a more flexible and persistent military and paramilitary presence in the area,” which “improves China’s ability to detect and challenge activities by rival claimants or third parties and widens the range of response options available to China.”\textsuperscript{107}

The previous Aquino government sought arbitration under UNCLOS against aspects of China’s maritime claims and behavior in the South China Sea. In 2016, an UNCLOS tribunal concluded that China’s “Nine Dash Line” claims to areas overlapping the Philippines EEZ have no legal


\textsuperscript{101} Barbara Fraser, “Philippine Bishops Welcome Halt to Mega-Dam Construction Project,” \textit{Catholic News Service}, June 14, 2021.


\textsuperscript{106} For further information, see CRS Report R42784, \textit{U.S.-China Strategic Competition in South and East China Seas: Background and Issues for Congress}, by Ronald O’Rourke, and CRS In Focus IF10607, \textit{China Primer: South China Sea Disputes}, by Ben Dolven, Susan V. Lawrence, and Ronald O’Rourke.

The tribunal also found that China violated its UNCLOS obligations by blocking Philippine access to Scarborough Shoal, interfering with Philippine oil and gas exploration at Reed Bank, and damaging the marine environment by reclaiming land. The United States has urged China, which declared the verdict “null and void,” to abide by the ruling, and the Philippines to try to enforce it.109 (See Figure 2.)

Figure 2. Contested Boundaries in the South China Sea

Source: Created by CRS. Exclusive Economic Zones from Flanders Marine Institute (2020). Duterte has downplayed the UNCLOS ruling while engaging in bilateral discussions with China on maritime disputes.110 The Philippines suspended U.S.-Philippines joint maritime patrols in 2016, a move many analysts said was aimed at stabilizing relations with China, although the joint patrols were resumed two years later. More recently, however, in the wake of multiple instances

of PRC vessels interfering with Philippine commercial and coast guard vessels and massing near Philippine-occupied landmasses, the Duterte government has objected more vocally to Chinese actions. For example, in November 2021, Philippine Foreign Secretary Locsin condemned “in the strongest terms” actions by PRC vessels to block Philippine Coast Guard vessels attempting to resupply a Philippine military garrison at Second Thomas Shoal.\(^{111}\)

**Violent Extremism in the Philippines**

The Philippines has battled Muslim armed separatist and terrorist movements on the southern islands of Mindanao and the Sulu archipelago for over 30 years. The Abu Sayyaf Group (ASG), which the United States designated as a foreign terrorist organization in 1997, has carried out hostage-takings for ransom, killings, and bombings since the early 1990s. In 2002, DOD established the Joint Special Operations Task Force–Philippines (JSOTF-P) as part of Operation Enduring Freedom to support “the comprehensive approach of the Armed Forces of the Philippines in their fight against terrorism,”\(^{112}\) including a large humanitarian component. Philippine military efforts, supported by U.S. assistance, reduced the size of the ASG from 1,000-2,000 militants in the mid-1990s to an estimated 400 members in the mid-2010s.\(^{113}\) The U.S. government deactivated JSOTF-P in 2015, citing the diminishing strength of the ASG, but launched OPE-P in 2017 in response to the rise of Islamic State (IS) affiliates in the Philippines.\(^{114}\)

The Marawi Siege

In May 2017, a coalition of Filipino Islamist extremist groups that had pledged allegiance to the Islamic State, along with dozens of foreign fighters, laid siege to Marawi, a provincial capital in Mindanao.\(^{115}\) With U.S. and other foreign assistance, the AFP retook the city in October 2017. U.S. military personnel provided technical support, including ISR training, aerial surveillance, and communications assistance.\(^{116}\) The conflict reportedly resulted in the deaths of over 900 militants, over 165 Philippine troops, and roughly 50 civilians, as well as the destruction of much of the city.\(^{117}\)

\(^{111}\) “Philippines Tells China to ‘Back Off’ After South China Sea Standoff,” Reuters, November 18, 2022.


Bangsamoro Autonomous Region of Muslim Mindanao

For two decades, Manila and the Moro Islamic Liberation Front, an armed separatist group, engaged in on-again, off-again negotiations on a settlement and political arrangement that would provide substantial autonomy to Muslims in Mindanao and put an end to the decades-old military conflict. In 2018, the Duterte government and the Moro Islamic Liberation Front reached an agreement that formed a new, Muslim-majority administrative area in Mindanao and the Sulu Archipelago, called the Bangsamoro Autonomous Region of Muslim Mindanao (BARMM). The BARMM, which encompasses five provinces and 4 million people in Western Mindanao and Sulu, was approved by voters in the region and established in 2019.

Previous peace agreements have successfully reduced the number of separatists engaged in armed conflict with the central government, and some observers expect the new political arrangement similarly to result in the disarmament of militants, fewer attacks, and the growth of investment in the historically poor region. However, the COVID-19 pandemic has led to delays in the creation of new government institutions, demobilization and disarmament of Moro fighters, and provision of socioeconomic benefits to former militants. According to experts, the slow transition could strengthen armed extremist groups, such as the Bangsamoro Islamic Freedom Fighters, and undermine the upcoming BARMM elections to be held in 2022.

Islamic State of Iraq and Syria (ISIS)-East Asia

In 2018, the Department of State added ISIS-Philippines (ISIS-P), a loose collection of groups who had pledged allegiance to the Islamic State, to its list of Foreign Terrorist Organizations. Although weakened in the AFP counteroffensive in Marawi, the Abu Sayyaf Group and other IS-affiliated groups have continued to carry out sporadic attacks in Mindanao and Sulu. In April 2020, ISIS-EA ambushed AFP forces on the island of Jolo, killing 12 soldiers. Some U.S. officials and analysts argue that “efforts to reduce extremism in the Philippines do not appear to have made a substantial difference since the launch of OPE-P.” Force rotations, uncertainty over the VFA, and COVID-19 restrictions appear to have also have hindered U.S. assistance. According to U.S. Special Operations Command-Pacific (SOCPAC), despite progress in executing large-scale counterterrorism operations in difficult terrains since 2017, the AFP as of 2020 had not demonstrated the capacity to sustain gains by further degrading terrorist groups or preventing them from reconstituting.

121 Department of State, Bureau of Counterterrorism, “Foreign Terrorist Organizations,” at https://www.state.gov/foreign-terrorist-organizations/.
Other Security Threats: Communist Party of the Philippines

The Communist Party of the Philippines (CPP), which the government long has viewed as its principal security threat, has waged an insurgency since the late 1960s. Over 100,000 combatants and civilians have died in fighting related to the insurgency since 1969. The CPP’s military arm, the New People’s Army (NPA), reached over 25,000 fighters in the early 1980s, but declined after President Ferdinand Marcos fell from power and democracy was restored in 1986. It now has an estimated 4,000 fighters and remains active throughout the Philippines.128 The U.S. government placed the CPP and the NPA on its list of terrorist organizations in 2002 under Executive Order 13224 (to block terrorist financing), but does not provide direct military support to the Philippine military in its war against the NPA. The AFP has continued to battle communist insurgents, and the NPA has continued attacks on security forces, property, and civilians.129 In 2017, peace talks held in Norway between the Philippine government and the National Democratic Front, which represents the CPP, broke down, and President Duterte signed a proclamation declaring the CPP and NPA as terrorist organizations.130

Human Rights Issues

The Drug War

Since President Rodrigo Duterte’s election in 2016, human rights groups have criticized the Philippine government for extrajudicial killings related to its “War on Drugs,” as well as for other human rights violations.131 Drug war-related deaths range from Philippine Drug Enforcement Agency numbers of approximately 6,000 to estimates by human rights organizations of nearly 30,000.132 At the height of the drug war in 2016-2017, human rights groups reported that virtually all of the killings were carried out by police or by armed vigilantes and occurred without due process, and that the vast majority of victims were unarmed, poor, low-level offenders. They further alleged that police collaborated with vigilantes, planted evidence at the scenes of killings, fabricated reports, and held suspected drug offenders for ransom.133 Impunity from prosecution that generally protects government and government-backed perpetrators of violence has long been a problem in the Philippines. Of police officers involved in killings in the antidrug war since 2016, only three have been convicted of murder.134

Report to the United States Congress, July 1, 2020-September 30, 2020.”

131 See, for example, Human Right Watch, “Philippines: Events of 2021.”
134 Karen Lema, “Relatives of Philippine Drug War Victims Alarmed by Duterte’s Talk of Staying On,” Reuters,
In March 2018, President Duterte announced that the Philippines would withdraw from the International Criminal Court (ICC) after the tribunal launched a preliminary investigation into possible “crimes against humanity” related to the antidrug campaign. In June 2020, the United Nations Human Rights Council released a report on the human rights situation in the Philippines, with a focus on the drug war. The report stated, “Persistent impunity for human rights violations is stark and the practical obstacles to accessing justice are almost insurmountable.” In December 2020, the ICC found a “reasonable basis to believe” that crimes against humanity were committed under the antidrug campaign.

Other Human Rights Issues

Some experts argue that the space for voices critical of the government narrowed under Duterte. In 2017, Philippine authorities arrested Senator Leila De Lima, a critic of Duterte’s drug war, on charges that she had accepted money from drug lords while she was Justice Secretary. In June 2020, journalist Maria Ressa, founder of the online news site Rappler, which has reported critically on the antidrug campaign, was found guilty of “cyber libel.” Some observers view both cases as politically motivated. Ressa, who is free on bail as she appeals her verdict, was awarded the 2021 Nobel Peace Prize for her efforts to safeguard freedom of expression.

The State Department’s Country Reports on Human Rights Practices for 2020 cited “serious restrictions on free expression and the press, including violence, threats of violence, and unjustified arrests or prosecutions of journalists, censorship, and the use of criminal libel laws to punish journalists.” The Philippines was the seventh most dangerous country for journalists in 2020, according to the Committee to Project Journalists, and ranks 138 out of 180 countries on Reporters Without Borders’ World Press Freedom Index. The Philippines enacted a new Anti-Terrorism Law in 2020 that analysts say contains broad and vague provisions that the government and security forces can use arbitrarily to target political opponents and silence dissent, and that weakens legal protections for the accused.


144 Nick Aspinwall, “After Signing Anti-Terrorism Law, Duterte Names His Targets,” Foreign Policy, July 10, 2020;
In 2018, the Securities and Exchange Commission of the Philippines revoked the license of online news site Rappler due to an issue related to alleged foreign control, which Rappler has disputed; the media company was allowed to continue operations pending a final decision by the SEC and the Court of Appeals. Critics decried the license revocation as a violation of press freedom, particularly since Rappler had published reports on the drug war. In July 2020, the Philippines House of Representatives voted to reject the renewal of the broadcast license of ABS-CBN, the country’s largest broadcasting network, which had aired an opposition political advertisement in 2016 that reportedly offended Duterte. The network also was a major source of critical reporting on the drug war.

In 2019 and 2020, extrajudicial killings of leftist and human rights activists increased, reportedly often carried out by unidentified assailants linked to security forces and government-backed militias. Many of the victims were targeted as alleged members of, or linked to, communist or terrorist organizations. Between 2015 and 2020, there were over 200 such killings, according to the U.S.-based NGO Human Rights Watch.

Economics and Trade

The Philippines, one of the fastest growing economies in Southeast Asia prior to the COVID-19 pandemic, recorded annual economic expansion averaging 6.6% annually between 2016 and 2019. GDP contracted by 9% in 2020, largely due to the economic effects of the pandemic, but rebounded to 4.5% in 2021.

Philippines trade with the United States, its third-largest trading partner and second largest export market, totaled $16.3 billion in 2020, including $9.7 billion in exports and $6.6 billion in imports. Major Philippine export items to the United States include electrical machinery, equipment, and parts; other machinery and appliances; leather goods and handbags; agricultural goods; medical devices; and apparel. The largest U.S. exports to the Philippines are electrical machinery, equipment, and parts and agricultural goods. Under the Aquino administration, the Philippines had expressed strong interest in joining the (then) Trans-Pacific Partnership (TPP) in order to gain greater access to U.S. markets and investment opportunities. The Philippines recently has expressed interest in joining the Comprehensive and Progressive Agreement for Trans-Pacific Partnership, which evolved from the TPP without U.S. participation.

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150 World Bank, “GDP Growth (Annual %)—Philippines.”
152 Trade Data Monitor.
The Philippines is home to the largest business process outsourcing sector in the world, generating over $26 billion annually. Filipino workers continue to emigrate for jobs abroad despite economic growth at home. Remittances from over 10 million overseas Filipino workers (OFWs) rose to a high of nearly $33.5 billion in 2019, the biggest share coming from the United States at 40.9%. Over 600,000 OFWs returned to the Philippines in 2020-2021 due to the COVID-19 pandemic.

Considerations for Congress

- Given the significance of the Philippines to U.S. strategic interests in the region, Congress may consider how best to support the defense relationship, including how to help the Armed Forces of the Philippines address its most critical capability gaps and capacity shortfalls. Congress may consider how to apportion U.S. security assistance among the areas of responding to external threats and counterterrorism. Congress may consider what combination of military and development or humanitarian assistance might best counter extremist movements in the southern Philippines.

- As the United States and the Philippines have common interests in maintaining a “free and open Indo-Pacific,” Congress may consider how the United States might provide support to the Philippines in its efforts to protect its sovereignty and interests in its maritime domain. Policy tools include U.S. official statements of support for the 2016 UNCLOS tribunal decision declaring China’s territorial claims to have no legal basis; cultivating multilateral support, including from ASEAN, for countering PRC assertiveness in the South China Sea; and providing greater security assistance to the Philippines. Congress may also consider the possible consequences for U.S. interests of ratifying UNCLOS.

- As the problems of extrajudicial killings and a culture of impunity have continued in the Philippines, Congress may consider how the United States might assist the Philippine government in strengthening its oversight of its police and military forces and enhancing the efficacy of its judicial system. Previous U.S. assistance efforts, for example, have included strengthening the rule of law and improving judicial processes. Given past, present, and proposed congressional restrictions on U.S. security assistance to the Philippines due to human rights concerns, Congress may consider their impact, if any, on human rights conditions in the Philippines and on U.S.-Philippines relations, and adjust accordingly.

- Given China’s economic engagement and influence in the region and Philippine interest in strengthening economic ties with the United States, Congress may consider how best to promote closer U.S.-Philippines economic ties and provide

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157 In the 117th Congress, H.Res. 361 and S.Res. 220 would call on the United States Senate to give its advice and consent to the ratification of UNCLOS.
alternatives to Chinese infrastructure financing, whether through bilateral trade arrangements, the U.S. International Development Finance Corporation or other financial entities, a second Millennium Challenge Corporation compact, or the Indo-Pacific Strategy’s proposed Indo-Pacific economic framework.

**Selected Legislation**

- The Consolidated Appropriations Act, FY2021 (P.L. 116-260, Section 7043(g)) states, “None of the funds appropriated by this Act may be made available for counternarcotics assistance for the Philippines, except for drug demand reduction, maritime law enforcement, or transnational interdiction.” In addition, P.L. 116-260 mandated that the Administration submit a report describing steps taken by the Government of the Philippines to prosecute armed forces personnel who have been involved in extrajudicial killings, strengthen judicial institutions, and ensure that the armed forces and paramilitary groups are not engaging in acts of intimidation or violence against journalists, human rights and other social activists. The act also barred entry “to foreign government officials involved in threatening, wrongfully imprisoning, or otherwise depriving of liberty independent journalists who speak out or publish about official corruption or other abuses, including Maria Ressa in the Philippines.”

- The Asia Reassurance Initiative Act of 2018 (ARIA, P.L. 115-409) restricts counternarcotics assistance to the PNP, with the exception of drug demand reduction, maritime, and interdiction programs, unless the Philippines has adopted and is implementing a counternarcotics strategy that is consistent with international human rights standards.

- H.R. 3884 (introduced 6/14/21, 117th Congress), the Philippine Human Right Act, would suspend U.S. security assistance to the Philippines until the Government the Philippines has met certain conditions related to the protection of human rights and prosecution of members of the police and military who have violated human rights, among other provisions.

- S. 1657 (introduced 5/17/21, 117th Congress), the South China Sea and East China Sea Sanctions Act of 2021, would impose sanctions on Chinese persons and entities that participate in certain activities related to China’s territorial disputes in the South China Sea and the East China Sea and addresses other related issues.

- H.Res. 724 (introduced 10/19/21, 117th Congress) and S.Res. 432 (introduced 10/28/21, 117th Congress) would recognize the month of October 2021 as Filipino American History Month and celebrate the history and culture of Filipino Americans and their immense contributions to the United States.

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159 See Joint Explanatory Statement to the Consolidated Appropriations Act, FY2021, Division K (Department of State, Foreign Operations, and Related Programs Act, 2021) and S.Rept. 116-126. Between 2008 and 2013, the U.S. Congress placed conditions upon a portion of Foreign Military Financing (FMF) to the Philippines (withholding $2 million-$3 million annually) in order to encourage human rights improvements related to extra-judicial killings by members of the AFP. These restrictions applied only to the Army.

160 The main provisions of this bill have been incorporated into H.R. 4521, the America COMPETES Act of 2022 (Sec. 30229A).
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