

## U.S. welcomes VFA review but gives no hint it will seek Senate concurrence

Written by Special to the Filipino Reporter  
Sunday, 28 November 2010 12:24

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### Protesters against the Visiting Forces Agreement in an undated photo.

MANILA — The United States has welcomed the review of its Visiting Forces Agreement (VFA) with the Philippines but has not given an indication that it would submit the new treaty to its Senate for concurrence.

U.S. Ambassador Harry Thomas Jr. noted that the U.S. and the Philippines already have a defense treaty.

“We already have a defense treaty. We have a treaty and that’s our defense treaty. Sometimes people confuse the treaty with the VFA which is an instrument,” he said in a chance interview last Sunday at the Smokey Mountain Little League baseball tournament in Tondo, Manila.

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The Legislative Oversight Committee on the Visiting Forces Agreement (LOVFA) convenes at the Senate to determine the points that will be covered by the series of public hearings on the VFA.

Sen. Loren Legarda, co-chair of the panel, said some of the issues raised are the guidelines on the custody of U.S. military personnel who commit an offense, and the length and scope of the tour of duty of U.S. military personnel in the country.

The Department of Foreign Affairs (DFA) said Senate concurrence would only be required if the U.S. agrees to it.

“It would be too early to say whether any revised VFA will or will not require Senate concurrence. It would depend upon what will eventually be proposed, negotiated on and agreed upon by the other contracting party,” said DFA spokesman Eduardo Malaya.

But sources from the Presidential Oversight Commission on the VFA (VFACOM) said a revised VFA will require Senate concurrence because it is a new treaty after amendments to any of its provisions.

Pursuant to President Benigno Aquino III’s desire to see “refinements” on the current provisions of the agreement, Malaya said a comprehensive study is being undertaken by appropriate agencies under the supervision of the executive secretary.

Thomas said the U.S. Government does not oppose the review of the VFA but required consultation once legal opinion on the treaty is reached.

Thomas said the U.S. Embassy was not immediately notified by the Philippine Government of any review.

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Malaya said, however, that the U.S. has to be notified of the review only after the study is completed and recommendations have been approved by the President.

“The proper time to officially notify the U.S. side of Philippines’ desire to review and update the agreement would be after the study is completed and its recommendations submitted and approved by the President,” Malaya added.

Mr. Aquino has ordered a study of the VFA to determine which provisions need to be amended.