

[EXECUTIVE ORDER NO. 175, November 24, 2014]

RENAMING, REORGANIZING AND EXPANDING THE MANDATE OF THE PRESIDENTIAL COMMISSION ON THE VISITING FORCES AGREEMENT THEREBY AMENDING EXECUTIVE ORDER NO. 199 (S. 2000)

WHEREAS, Executive Order (EO) No. 199 (s. 2000) created the Presidential Commission on the Visiting Forces Agreement (PCVFA) under the Office of the President to monitor compliance with the provisions of the Visiting Forces Agreement (VFA);

WHEREAS, Senate Resolution No. 100 (s. 2012) expressing concurrence to the ratification of the "Agreement between the Government of the Republic of the Philippines and the Government of Australia Concerning the Status of Visiting Forces of Each State in the Territory of the Other State," hereinafter referred to as the SOVFA, urged the President to expand the mandate of the PCVFA so as to include the monitoring and coordination of pertinent activities related to the implementation of the PH-Australia SOVFA;

WHEREAS, the Philippines has Defense Cooperation Agreements and Memoranda of Understanding with other States with whom there are no formal Status of Forces Agreements (SOFAs) but which allow foreign militaries to conduct activities particularly Humanitarian Assistance and Disaster Relief (HADR) operations as well as other related exercises;

WHEREAS, as affirmed by the PH-US Mutual Defense Treaty of 30 August 1951, VFA of 10 February 1998 and the Manila Declaration of 16 November 2011, there is a need to promote common security interests with partner States and to stress the principle of collective defense;

WHEREAS, based on the aforementioned reasons, there is a need to expand the mandate of the PCVFA to include existing and future visiting and status of forces agreements and to rename the Presidential Commission on the Visiting Forces Agreement to reflect this broader mandate;

WHEREAS, Article VII, Section 17 of the Constitution provides that the President shall ensure that the laws shall be faithfully executed;

NOW, THEREFORE I, BENIGNO S. AQUINO III, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. MANDATE. The PCVFA is hereby renamed the Presidential Commission on Visiting Forces, hereinafter referred to as the "Commission," which shall continue to be under the Office of the President. The Commission shall be the lead inter-agency mechanism to provide policy coordination and advice, guidance, and assessment to ensure that all SOFAs serve the national interest.

For purposes of this Order, SOFA shall refer to the VFA, the SOVFA, and future status of forces agreements which may be included in the Commission's mandate by order or directive of the President.

SECTION 2. COMPOSITION. The Commission shall be composed of the following:

Executive Secretary	- Chairman
Secretary of Foreign Affairs	- Vice-Chairman
Secretary of National Defense	- Vice-Chairman
Secretary of Justice	- Member
Secretary of Social Welfare and Development	- Member
Secretary of Interior and Local Government	- Member
VFACOM Executive Director	- Member
One (1) Representative from the Private Sector to be appointed by the President	- Member

SECTION 3. POWERS & FUNCTIONS. The Commission shall have the following powers and functions:

- a) Ensure respect for Philippine laws, state policies, public morals, customs and traditions and strict compliance with the provisions of all SOFAs and the rules and regulations promulgated by the concerned Departments and Agencies;
- b) Coordinate with the concerned departments and agencies for the issuance of the appropriate Implementing Rules and Regulations (IRRs) for all SOFAs the Philippines has entered into by providing clear guidelines on, but not limited to, the following:
 - b.1. the entry, temporary stay and departure of military and civilian personnel;
 - b.2. the entry, movement and departure of military vessels, aircraft and vehicles;
 - b.3. the protection of public health and safety;
 - b.4. the protection and preservation of the environment;
 - b.5. the disposition of military equipment, supplies, materials and other provisions brought into the country by military and civilian personnel; and
 - b.6. the prosecution of offenses that may be committed during activities under a SOFA;
- c) Monitor and evaluate, in coordination with the appropriate government and non-government agencies, the activities of foreign military and civilian personnel for the duration of activities held under any SOFA and HADR;
- d) Organize and oversee local coordinating committees that will assist the Commission in the performance of its functions;
- e) Assess the environmental, social, health and safety impact of activities held under and in relation to a SOFA and come up with appropriate recommendations designed to mitigate the impact of such activities;