

October 12, 1959

MEMORANDUM OF AGREEMENT BETWEEN THE GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES AND THE GOVERNMENT OF THE UNITED STATES OF AMERICA ON THE OPERATIONAL USE OF THE UNITED STATES BASES IN THE PHILIPPINES FOR MILITARY COMBAT OPERATIONS, THE DURATION AND TERMINATION OF THE USE OF MILITARY BASES, AND MUTUAL DEFENSE

Note: The Agreement entered into force, October 12, 1959.

Reference: This Agreement is also published In III DFA TS No. 3 p. 68.

1. In accordance with the understandings reached during our discussions August, September and October 1959, the following is agreed:

(a) Consultations: The operational use of United States bases in the Philippines for military combat operations, other than those conducted in accordance with United States-Philippines Mutual Defense Treaty and Southeast Asian Collective Defense Treaty, will be the subject of prior consultation with the Government of the Philippines.

The establishment by the United States of long range missiles (IRBM, ICBM) on United States bases in the Philippines will be the subject of prior consultation with the Government of the Philippines.

(b) Duration and Termination: Article XXIX of the Military Bases Agreement of 1949 will be amended in order to reduce the duration of the agreement from 99 to 25 years together with a proviso for renewal at the expiration of the 25 year period or earlier termination by mutual agreement of our two governments. The period of 25 years will commence from the date of signature of the formal documents giving effect to the agreements reached.

(c) Mutual Defense: The policy of the United States with regard to armed attack on the Philippines is contained in the Mutual Defense Treaty.

Further the United States reaffirms the policy set forth in the statement of September 7, 1954 of then Secretary of State Dulles which reads as follows:

"Under our Mutual Defense Treaty and related actions, there have resulted air and naval dispositions of the United States in the Philippines, such that an armed attack on the Philippines could not but be also an attack upon the military forces of the United States. As between our nations, it is no legal fiction to say that an attack on one is an attack on both. It is a reality that an attack on the Philippines is an attack also on the United States."

and in the joint communique issued on June 20, 1959 by President Eisenhower and President Garcia the pertinent part of which reads as follows:

"President Eisenhower made clear that, in accordance with these existing alliances and the deployments and dispositions thereunder, any armed