



UNITED STATES MARINE CORPS
COMMANDER, U.S. MARINE CORPS FORCES, PACIFIC
CAMP H. M. SMITH, HI 96861-4139

IN REPLY REFER TO:

5800

SJA

JUL 08 2016

**LIBERTY/PASS POLICY FOR ALL U.S. MILITARY PERSONNEL LOCATED OR
OPERATING IN THE REPUBLIC OF THE PHILIPPINES**

From: Commander, U.S. Marine Corps Forces, Pacific
To: Distribution

Subj: LIBERTY/PASS POLICY FOR ALL U.S. MILITARY PERSONNEL LOCATED OR
OPERATING IN THE REPUBLIC OF THE PHILIPPINES

Ref: (a) DoDD 5525.1 dtd 21 Nov 03
(b) SECNAVINST 5820.4G
(c) USPACOMINST 0530.1, Chapter 13
(d) COMPACOM ltr 5000 Ser J00/007 dtd 27 May 15
(e) COMPACOM ltr 5000 Ser J00/002 dtd 8 Jan 16

1. Purpose. This Policy is intended to promote good order and discipline and ensure the safety of service members and civilians within the Republic of the Philippines, in accordance with the references. This Policy is also intended to restrict activities and minimize incidents that may jeopardize or divert attention from the mission. When in the Philippines, service members shall continue to act in accordance with the military's core values by respecting the Philippine people and laws.

2. Background. The Republic of the Philippines is a close and important ally of the United States. Acts of inappropriate or criminal behavior by U.S. military personnel adversely impact our relationship, tarnish the image of the United States military, and harm individuals. Service members must conduct themselves with the proper decorum and in strict accordance with the Uniform Code of Military Justice (UCMJ) as well as Department of Defense (DoD), service and unit policies, regulations, and directives.

3. Authority. In accordance with references (a) and (b) and pursuant to references (c) and (d), Commander, U.S. Marine Corps Forces, Pacific (COMMARFORPAC), was appointed as the Designated Commanding Officer (DCO) for the Republic of the Philippines. The DCO is responsible for foreign criminal jurisdiction matters involving any U.S. military personnel located or operating within the Republic of the Philippines. In addition to DCO responsibilities, COMMARFORPAC was delegated the authority to set liberty/pass policies for all U.S. personnel in the Philippines pursuant to reference (e). This Policy supersedes reference (d), the previous Philippines liberty policy.

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4. Applicability and Scope. Unless otherwise provided herein, this Policy applies to all U.S. military personnel on liberty or pass, including reserve and national guard personnel in a duty status, within the territory of the Republic of the Philippines. This Policy does not apply to personnel on leave. However, leave shall not be granted to personnel for the purpose of avoiding the requirements of this Policy. The Policy also does not apply to personnel assigned to the Philippines under Chief of Mission authority or assigned to U.S. Pacific Command Augmentation Teams, as their liberty is regulated by separate orders. Finally, this Policy is not intended to limit community relations activities or command or morale, welfare, and recreation sponsored events. These activities are encouraged for the edification of service members. Advance coordination with the Naval Criminal Investigation Service (NCIS) Resident Agent in Charge at the U.S. Embassy will enable adequate host nation security support and is highly encouraged.

5. Requirements.

a. Curfew. A curfew of 2400-0500 shall be strictly enforced in all areas of the Philippines. During curfew hours, all personnel must remain within their quarters or lodging facilities. Consumption of alcohol during curfew hours is prohibited.

b. Buddy Rule. All service members are required to be accompanied by at least one other service member, DoD civilian, contractor, spouse or adult family member when on liberty or pass. The execution of liberty or pass with a person not in the above categories may be approved on an individual, case-by-case basis by the unit commander or officer-in-charge.

c. Restricted Areas. COMMARFORPAC works in conjunction with the local U.S. Embassy, NCIS, and other U.S. law enforcement agencies to determine areas of particular risk; establish appropriate liberty zones to ensure the health, safety, and welfare of U.S. service members; and minimize incidents that may affect U.S. relations with the Philippine government. Restricted areas are published and updated periodically via the Foreign Clearance Guide (FCG), available at <https://www.fcg.pentagon.mil/>. All U.S. military personnel within the Philippines must familiarize themselves with the liberty zones designated by the FCG. If the FCG specifies a liberty zone for a Philippine city, within its textual body or via a link to a map, all areas within that city that are not within the designated liberty zone are restricted. Any presence within, including travel through, a restricted area is prohibited, to include shore patrols.

d. Hotel Rooms. For force protection reasons, service members may only have other U.S. personnel or U.S. military contractors in their hotel room and shall only visit hotel rooms of other U.S. personnel or U.S. military contractors. Exceptions to this rule may

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be approved on an individual, case-by-case basis by the unit commander or officer-in-charge.

e. Accompanying Family Members. Arranging for family members to travel to the Philippines and stay in the hotel rooms of U.S. personnel assigned to exercises, planning conferences, site surveys, and other demanding missions is not authorized, as it may create the perception that the service member is not properly focused on the mission. U.S. personnel ordered to the Philippines are not authorized to arrange for non-resident guests, including immediate family members, to join or accompany them in the Philippines without prior written approval of the first O-6 commander in the requestor's chain-of-command. All approvals must be reported to MARFORPAC SJA.

f. Methods of Transport. The use of public buses, trains, jeepneys, motorcycles, scooters, and "trikes" is prohibited. U.S. personnel are also prohibited from driving any motorized or non-motorized vehicle. The use of taxis and hired vehicles, other than those already specified, are authorized.

g. Prostitution. Soliciting or patronizing a prostitute is a crime punishable under Article 134 of the UCMJ as well as Philippine law. Prostitution is incompatible with our core values. It exposes persons on both sides of the transaction and their family members to serious and sometimes deadly medical conditions. Therefore, participation in such acts shall not be ignored or condoned by U.S. personnel.

h. Incident Reporting Requirements. Commanders shall ensure that both the NCIS office at U.S. Embassy Manilla and the MARFORPAC SJA are notified immediately whenever local Philippine authorities are involved in any suspected misconduct involving a U.S. service member. NCIS may be reached at +63-2-301-2120 or +63-2-918-948-6424. MARFORPAC SJA may be reached at (808) 477-8505 or (808) 388-6246.

i. Training. Commanders will ensure every service member reads and fully understands the content of this Policy and is trained on Philippine culture, crime trends, and other law enforcement information provided by NCIS, the Joint U.S. Military Assistance Group (JUSMAG), and the Regional Security Office, prior to arrival in the Philippines. NCIS is designated as the lead agency and will provide the information to commanders.

j. Oversight and Shore Patrols. Commanders of personnel within the Philippines shall gauge compliance and, when practicable, utilize shore patrols. It is vital that personnel assigned to Shore Patrols fully understand the Philippine culture and any potential threats to U.S. service members in the Philippines. Personnel assigned to this duty must be trained with the most current information, and the training must be geared to specific threats.

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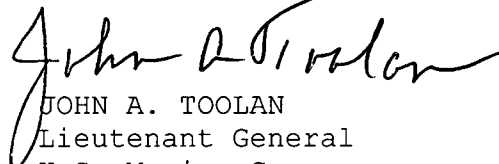
k. Denial of Liberty and Expulsion. When an individual violates this policy, it raises concerns that the individual may lack the tools, resources, or training to understand the consequences of their actions and the profound effect that those actions have upon the bilateral relationship and our mission. Therefore, commanders and officers-in-charge shall recall to duty status and cancel the liberty or pass of any service member suspected of violating this Policy, the UCMJ, or Philippine law until the offense is reviewed and remediation occurs. A remediation plan may include an analysis of contributing factors to the incident, unit training, or increased liberty buddy requirements. When remediation is not possible or unsuccessful, service members will be removed from the Philippines. Nothing in this Policy prevents a commander from immediately removing a service member from the Philippines if Philippine authorities are not involved.

6. Waivers Requiring General Officer Approval. The requirements of paragraphs 5.a., 5.c., and 5.f. may be waived, in writing, by the first Flag or General Officer in the chain-of-command of the requester due to compelling or special circumstances. Concurrence of the MARFORPAC SJA must be obtained by the requesting command prior to approval. This waiver authority may not be further delegated.

7. Enforceability. All units and personnel assigned to or likely to be located within the Philippines shall be provided a copy of this Policy by their commanders. Paragraph 5 of this Policy is punitive for all U.S. military personnel subject to the authority of U.S. Pacific Command, in accordance with reference (e). Personnel subject to the UCMJ may face administrative or legal action for violations of this Policy.

8. Civilian Employees and Other Civilians Accompanying U.S. Military Forces. All civilians serving with, employed by, or otherwise accompanying U.S. military personnel in the Philippines are highly encouraged to comply with this Policy. Failure to comply with this Policy may result in removal from the Philippines and/or administrative action.

9. Effective Date. This Policy is effective upon my signature and will remain in effect until rescinded, waived, or modified.


JOHN A. TOOLAN
Lieutenant General
U.S. Marine Corps

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intranet at: <https://portal.mfp.usmc.mil/G1/FAdj/MARFORPAC%20POLICY%20LETTERS/Forms/AllItems.aspx>.

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