

When South Meets South: A Case of African-Philippines Treaty Relations

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ABSTRACT

The African-Philippines Relations connected through the manifestation of bilateral agreements with the respective African States with Egypt obtaining the most of it. The World Bank (2023) established the Small States Forum (SSF) mostly composed of the African States. The Philippines and specific African States share surprising similarities that qualify them as Small States under the World Bank (2023) definition. Sadly, the Philippines did not give enough attention to increase its African diplomatic base. The study mainly aims to analyze the depth of Philippine Relations with these African Small States and what diplomatic instruments these two states connect. The study found that Small States in Africa namely Gabon (4) and The Gambia (3) obtained the most bilateral agreements with the Philippines. Twenty-five (25) agreements are in the forms of Memorandum of Agreement (MOA) or Treaty. With these findings in mind, the researcher concludes that the Philippine Foreign Policy Realities should be revisited to also include Africa as one of its increased establishment of diplomatic networks as in Middle Eastern States like Saudi Arabia.. Despite that, these African States only began their diplomatic approach with the Philippines with non-binding instruments (MOUs) and no follow-up documents to upgrade their ties. Having seen their similar nature and issues, it is only imperative that the Philippine Foreign Policy should give more focus on the continent of Africa as a whole as a Small State to assert its good relations with the family of nations.

Keywords: Small-Small States Cooperation, Philippine Foreign Relations, Africa, Diplomacy, Treaties

INTRODUCTION

With 6, 842 miles away, the Philippines shared good diplomatic relations with African States. It established six embassies (Cairo, Nairobi, Tripoli, Rabat, Abuja, and Pretoria) 23 honorary consulates in Africa, and one embassy (Lisbon) in Europe supporting Philippine Interests in Africa. The Department of Foreign Affairs of the Philippines stated that there were 30, 891 Filipinos in the African Continent as of May 25, 2021¹.

¹ Philippine Department of Foreign Affairs, "Republic of the Philippines Joins the African Union in Celebration of Africa", Facebook, May 25, 2021, https://web.facebook.com/dfaphl/posts/the-republic-of-the-philippines-joins-the-african-union-in-celebration-of-africa/1964192433735581/?_rdc=1&_rdr.

The Philippines' right of legation obtained its ripeness through the establishment of diplomatic relations with other states as a member of the community of nations. Out of 54 independent states, 3 dependencies, and one disputed territory, the World Bank (2023) declared some of these African States belonging to the Small States Forum.

According to the World Bank (2023), the Small States Forum (SSF) is an important platform for high-level dialogue on how the Bank Group is helping to address Small States' special development needs. The SSF comprises 50 members, including 42 countries classified as Small States according to the Bank Group definition (i.e., those with a population of 1.5 million or less) and eight other Small States Forum members with a population greater than 1.5 million that share similar challenges. The current Chair of the SSF is Mr. Lyonpo Namgay Tshering, Minister of Finance of Bhutan.

Although not considered a Small State, the Philippines shared a similar case with some African Small States with the following World Bank (2023) criteria of Small States Forum Membership Requirements namely:

As to its demographics, the population size ranges from 12 thousand people in Tuvalu to 2.99 million people in Jamaica. Many SSF members are microstates (i.e., with a population of less than 200,000 people). In its geography, SSF countries are distributed across all regions, and about two-thirds are island states. The remaining one-third includes five land-locked countries (Bhutan, Botswana, Eswatini, Lesotho, and San Marino). In the level of remoteness, several SSF countries, particularly islands, are among the most remote in terms of distance to the nearest international markets (e.g., Pacific islands). World Bank (2023) adds the land area factor as well. Several island states have a very small land area (e.g., Nauru has 20 square kilometers), while non-island states such as Namibia and Botswana have 4.5 and 3.1 times the area of all small island states combined, respectively.

Furthermore, World Bank (2023) increases the criteria to include Fragmentation and Dispersion. Some countries are archipelagos dispersed over a broad ocean area (e.g., Kiribati has an area of 810 square kilometers distributed in 35 atolls/islands spread over 3.6 million square kilometers of ocean). Another vital factor is the importance of the vulnerability to natural disasters and climate change. Many SSF countries are disproportionately vulnerable to a range of natural disasters, particularly those located in disaster-prone areas. About one-third of Small States are highly vulnerable to climate change, including rising sea levels and droughts, while others are less vulnerable. The next essential criterion is the Debt Burden. Significant growth volatility is often associated with the impact of natural disasters and other exogenous shocks and, in some cases, weak fiscal management has contributed to substantial debt accumulation in many SSF countries. Public debt to GDP ratios for Small States are on average higher than for other developing countries, but they vary significantly across countries from single digits (Tuvalu and Timor-Leste) to over 100 percent (Antigua and Barbuda, The Bahamas, Barbados,

Belize, Bhutan, Cabo Verde, Dominica, Mauritius, and Suriname) as of end 2021, and lastly, vulnerability to Global Crises. The economic fallout from the COVID-19 pandemic has been more severe in Small States than in other developing countries. In 2020, GDP contracted more sharply in this group of countries and most are likely to restore pre-pandemic levels only this year, and some not till next year. The pandemic exacerbated already high fiscal imbalances and debt vulnerabilities in many Small States, although outcomes vary across countries. Relative to 2019, debt-to-GDP ratios increased by 10 percentage points or more in around one-third of Small States. In addition, higher fuel and food prices in the wake of the Russian invasion of Ukraine have further undermined the sluggish post-COVID-19 recovery of Small States' economies. High Inflation has also resulted in higher international borrowing costs disproportionately affecting highly indebted Small States.²

Aside from the population requirement, the Philippines fits with the other criteria of a Small State Forum Membership particularly: geography (the Philippines being an archipelagic state); fragmentation, and dispersion (some Philippine Islands are far away compared to the rest of the main Islands like in Babuyan Group of Islands, Siargao Islands, Jolo Islands, etc.), vulnerability to natural disasters and climate changes (based on PAG-ASA Data More tropical cyclone (TCs) are entering the Philippine Area of Responsibility (PAR) than anywhere else in the world. With an average of 20 TCs in this region per year, with about 8 or 9 of them crossing the Philippines. The peak of the typhoon season is July through October when nearly 70% of all typhoons develop), and Debt Burden (Department of Treasury Press Release reported that ₱13.86-T Debt increased by March 2023) and the Philippines was very vulnerable to global crises as reported by the Philippine Information Agency (2022). The Philippine economy continues to recover from the negative impact of the Covid-19 pandemic even after the country's inflation rate accelerated to 8 percent in November, according to President Ferdinand R. Marcos Jr.

Also in the aspect of its external behaviors, Wong (2019) argued that the Philippines displayed foreign relations of a small state. For one, a small state will tend to project weak behavior if it has significant policy adjustments between consecutive leaderships. This is typically brought about by their differing personalities and perceptions, which tends to reduce the stability and credibility of the country's international position. Secondly, a small state is likely to demonstrate weak behavior if its government is less institutionalized, which exposes a less strategic, inconsistent, and fragmented foreign policy process. Thirdly, a small state is inclined to manifest weak behavior if it is constrained by the heavy weight of advancing national interests, which generates high domestic pressure from its constituency. On some occasions, these national interests can be used by other small states as leverage against them during bilateral disputes. Lastly, a small state may be predisposed to reflect weak behavior when it is inhibited by the limited

2 Small States Forum duly describe at the World Bank Website at <https://www.worldbank.org/en/country/smallstates/overview#1>.

power capabilities it possesses; and impaired by its political and economic dependence on other small states.

Although the Philippine Government showed its strong stance against China in the West Philippines Sea Issue, only the political leadership manifested the conviction of protecting the Philippines' Sovereignty against Chinese incursions which is already an asymmetrical relation. But for the same small states like Taiwan and Indonesia, Wong (2019) analyzed that with the backing of public opinion, the Philippines created a strong notice to these countries regarding the deportation cases against the Taiwanese Government and the Veloso Case respectively by using symbolic and diplomatic actions to ease and later on normalize bilateral relations on those incidents.

Lim (2014, pp.1-2) admits the infancy level of Philippine-African diplomatic ties except with the big African States and its causes but the said article does not explain how it is still in its beginning stages until now but does not specify the Small African States having similarities with the Philippines.

As a rare topic indeed to discuss in research, the author wanted to study this topic to analyze the African-Philippine Treaty Relations. Specifically, this study determined the following problems:

- a. The Philippine-African States' depths of diplomatic relations through their Bilateral Agreements (as of 2021);
- b. The African States' stage of their establishment of diplomatic relations with the Philippines (as of 2021); and
- c. African Micro-state's treaty relations with the Philippines share a similar nature.

Research Questions

To shed more light on this study, the author streamlined the following research objectives:

1. Determine the extent and depth of the African-Philippine Relations through international agreements specifically:
 - 1.1 Types of International Agreements Utilized to describe bilateral relations;
 - 1.2 Analyze the respective African State's intentions of establishing diplomatic ties with the Philippines through international agreements; and
2. Examine African-Philippine Diplomatic Relations under the Small-Small Cooperation Perspective.

Framework of the Study

This study anchored on the preference of micro-states in their diplomatic relations. Small States according to the Bank Group definition (i.e., those with a population of 1.5 million or less). However, the Small States Forum (SSF) included other Small States Forum members with a population greater than 1.5 million who share similar challenges.

Figure 1
Small States Forum (SSF) Membership

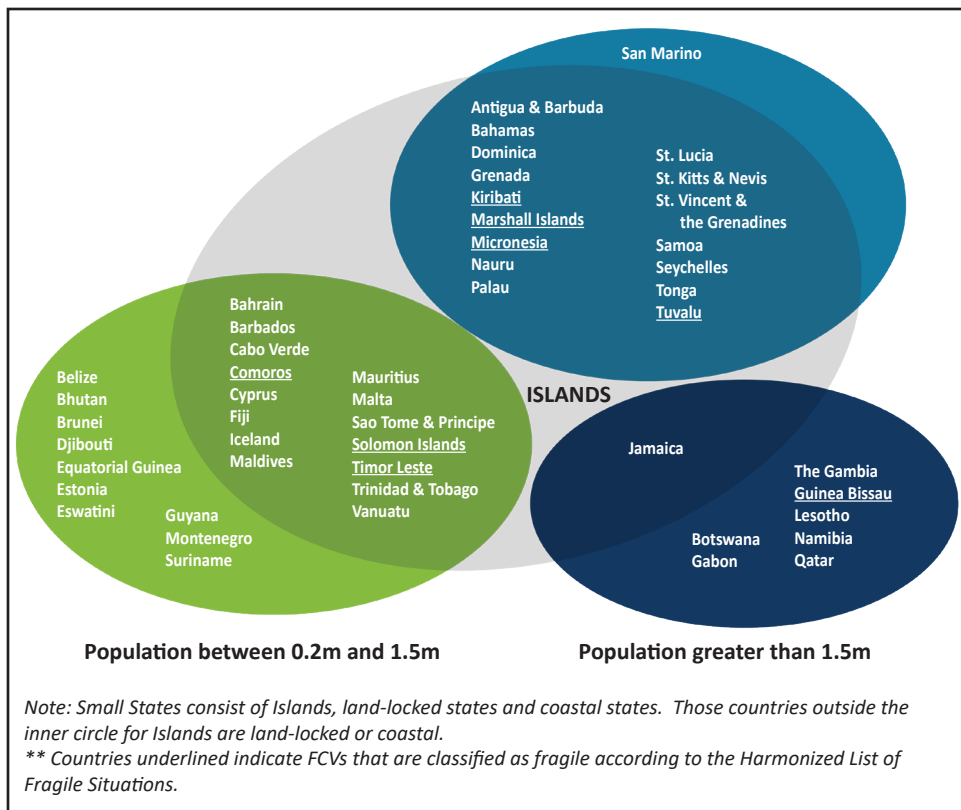


Figure 1 shows the members of the Small States Forum (SSF) according to the World Bank (2023). The African States belonging to the Small States Forum (SSF) include Island-States like Seychelles, Comoros, Cape Verde, Mauritius, Sao Tome and Principe and landlock countries like Botswana, Gabon, The Gambia, Guinea-Bissau, Lesotho and Namibia. The latter countries obtained a population greater than 1.5 Million People.

On the other hand, SSF is also comprised of African Countries with populations between 0.2 Million to 1.5 Million People like Djibouti, Equatorial Guinea, and Eswatini

(Swaziland). While World Bank (2023) further noted that the underlined states were classified as fragile states namely: Comoros and Guinea-Bissau.

It has been argued by Watson, East (1973), and Plischke (1977), as cited by Mohamed (2002, pp.18-19) that the external relations of micro-states are characterized primarily by their selectivity in establishing diplomatic missions abroad. The bilateral relations of these states tend to focus on the former colonial power, their neighbors, and major world powers.

Mohamed (2002) argued that the micro-states of Africa have followed a slightly different pattern in their diplomatic representation. Unlike the Caribbean and Pacific states, the African states give more importance to their region. Out of the 109 missions they maintain around the world, 39 percent, or 42 missions, are in Africa. However, similar to the other regions, they also attach a high value to their relations with the former colonial powers. Thirty-three percent of their overseas missions are in Europe: Brussels (seven), Paris (six), and London (four) are the most important capitals. Perhaps suggesting the continuing legacy of the Cold War, African micro-states are the only country-group that maintain embassies in Russia. Moscow hosts four embassies from this country group.

In dealing with other states, African States as well as the other states focused on their foreign policy behaviors (foreign policy outputs) on their determinants through their foreign policy inputs.

FOREIGN POLICY INPUTS AND OUTPUTS

Does foreign policy mean general objectives, specific agreements, critical decisions, and even candid presidential proclamations, or all of these combined? Bahgat Korany and Ali E. Hillal Dessouki (2008, p.27) define foreign policy output or outcome as the product of a two-dimensional role on the world stage namely:

- a. Role Conception (State`s general objectives, orientation, or strategy); and
- b. Role Enactment (State`s specific foreign policy behavior like executing treaties).

Role conceptions are the state`s plans and objectives as they shall be realized through the Role Enactment by stating the Foreign Policy Realities and Pillars or even through actual agreements and treaties.

On the other hand, foreign policy inputs or determinants consist of the following scheme: domestic environment like geography, population and social structure, economic and military capabilities, political structures, and other measurements of state power **(Figure 2)**.

In this study, foreign policy inputs are the constant variables of the state as it performs diplomatic relations with other states. These determinants show a state's strengths and weaknesses and the *raison d'être* of a state's pursuit of international agreements with other states.

According to the Foreign Policy Role Theory of Bahgat Korany and Ali E. Hillal Dessouki (2008, pp.27-41) and a State-Centric Approach from Realism, it viewed the Philippines' foreign policy behaviors as the exact result of the Foreign Policy Output. State-centric approach mandates that foreign policies are viewed under the parlance of states in a holistic and unitary form.

Figure 2
Foreign Policy as a Role

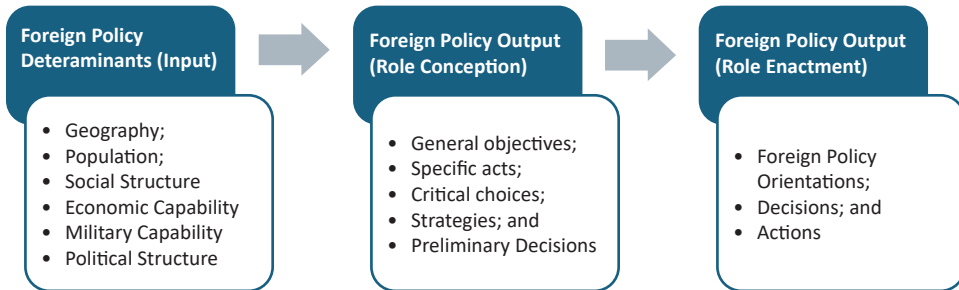


Figure 2 highlights the Role Theory of Foreign Policy. Bahgat Korany and Ali E. Hillal Dessouki (2008, pp.27-41) stated that Foreign Policies of a State that are official statements (Foreign Policy Output) mirrored the results of the planning, strategies, and general objectives (Foreign Policy Inputs) directed by the Foreign Policy Bodies of the government. It should be emphasized that the Foreign Policy Inputs were traced back from the State's strengths and weaknesses being called Foreign Policy Determinants.

The Philippines' main Foreign Policy Objectives and Directives were the Three Pillars of the Philippine Foreign Policy Pillars and the current Eight Foreign Policy Realities which shaped the country's geopolitical landscape.

SMALL-SMALL COOPERATION

South-South cooperation (SSC) is a term historically used by policymakers and academics to describe the exchange of resources, technology, and knowledge between developing countries. Acharya (2016, p. 354) emphasized that it all started as early as the Bandung Conference in 1955, or what they called the "African-Asian Conference". It was an inter-regional endeavor comprising representatives of Asia, Africa, and the Middle East, well before the European Union developed its policy of inter-regionalism.

Bandung demonstrated the contrived and constructed nature of regions—a subject of considerable importance in contemporary studies of comparative regionalism, a key foundation of Global IR. At Bandung, which reveal that there was no separation between South-East Asia and South Asia, as the five sponsors—the Conference of South-East Asian Prime Ministers—included Pakistan, Ceylon, and India, which are now part of South Asia. Similarly, there was no conception of the ‘Middle East’—an imperial British concoction. The very fact that the conference was called the Asian-African Conference signifies that the Arab countries—Iran and Turkey—were simply regarded as part of Asia, with Egypt straddling Asia and Africa.

The Bandung conference was sponsored by Burma, Ceylon, India, Indonesia, and Pakistan, and was attended by these 29 independent countries: Afghanistan, Burma, Cambodia, Ceylon, China, Egypt, Ethiopia, Gold Coast, India, Indonesia, Iran, Iraq, Japan, Jordan, Laos, Lebanon, Liberia, Libya, Nepal, Pakistan, the Philippines, Saudi Arabia, Sudan, Syria, Thailand, Turkey, the Democratic Republic of Vietnam, the State of Vietnam, and the Kingdom of Yemen. Each country supported the continuation of decolonization efforts happening in both Africa and Asia at the time. Although many countries disagreed on some issues, the Bandung Conference “provided the first major instance of the post-colonial countries’ collective resistance to Western Dominance in International relations.” Acharya (2016, pp.342–357).

According to the United Nations Department of Economic and Social Affairs Website (2019), South-South cooperation refers to the technical cooperation among developing countries in the Global South. It is a tool used by the states, international organizations, academics, civil society, and the private sector to collaborate and share knowledge, skills, and successful initiatives in specific areas such as agricultural development, human rights, urbanization, health, climate change, etc.

The States gathered in Buenos Aires for a UN Conference in March 2019. The Conference marked the 40th anniversary of the United Nations Conference on Technical Cooperation Among Developing Countries, which was also held in Buenos Aires. “Innovative forms of knowledge exchange, technology transfer, emergency response, and recovery of livelihoods led by the South are transforming lives,” said the UN Secretary-General António Guterres in November 2018, during the inauguration of the 10th South-South Development Expo at UN Headquarters in New York.

“The facts speak for themselves”, Guterres said. The countries of the South have contributed to more than half of the world’s growth in recent years; intra-south trade is higher than ever, accounting for more than a quarter of all world trade; the outflows of foreign direct investment from the South represent a third of the global flows; and remittances from migrant workers to low and middle-income countries reached 466 billion dollars last year, which helped lift millions of families out of poverty.

The UN chief believed that the ambitious and transformational 2030 Agenda for Sustainable Development could not be achieved without the ideas, energy, and tremendous ingenuity of the countries of the Global South.

PHILIPPINES FOREIGN POLICY LEGAL FRAMEWORK

Article II, Section 7 of the 1987 Philippine Constitution became our constitutional foreign policy backbone, especially regarding our treaty relations with other states. The country needs to be amiable with other states but it should adhere,... to pursue an independent foreign policy with paramount consideration given to national sovereignty, territorial integrity, national interest, and right to self-determination.

However, Malaya (2011, p.562) further explained that the Philippine Foreign Policy does not only emanate from the 1987 Philippine Constitution and laws, it is also derived from intangible sources as espoused by former University of the Philippines Law Dean Vicente Sinco that the powers of the President over foreign affairs came from:

...not only from specific provisions of the Constitution but also from customs and positive rules followed by independent states in accordance with international law and practice. It would be a serious impairment of its right to external sovereignty and independence, if the government of the Philippines was fettered by specific provisions of the Constitution, whether express or implied, in its dealings with other states. Such limitations, if recognized, would place the country in a position not of legal equality with the other members of the international community but of inferiority with respect to them...

Furthermore, Malaya (2011, p.577) analyzed that for a healthy Philippine Foreign Policy to be formulated both the Executive and Legislative Branches must share both responsibilities following their constitutional functions. The constitutional prerogative to implement foreign policy decisions lies solely with the President being the Chief Diplomat as it implements the Philippine Foreign Policy Pillars and eight foreign policy realities.

President Gloria Macapagal-Arroyo's DFA Secretary Alberto Romulo in his September 19, 2004 Speech at Diplomatic Night of the Manila Overseas Press Club, Westin Philippine Plaza Hotel, uttered the importance of the Eight Foreign Policy Realities³ and published at the Philippine Star.

3 DFA Secretary Alberto Romulo's Speech duly published at the Philippine Star duly accessible at <https://www.philstar.com/headlines/2004/09/19/265183/145the-eight-realities-rp-foreign-policy146>.

The Foreign Policy Chief said that:

“In clear and specific terms, the President has spelled out the following realities of our foreign relations:

First reality: China, Japan, and the United States have a determining influence on the security situation and economic evolution of East Asia.

Second reality: More and more Philippine foreign policy decisions have to be made in the context of the ASEAN.

Third reality: The International Islamic Community will become more and more important to the Philippines.

Fourth reality: The coming years will see the redefinition of the role of multilateral and inter-regional organizations in promoting common interest.

Fifth reality: The defense of the nation’s sovereignty, the protection of its environment, and natural resources can be carried out only to the extent that we get others to respect our rights over our maritime territory.

Sixth reality: The country’s economic growth will continue to require direct foreign investment — and relations with the EU, the largest source of portfolio investments — will remain important.

Seventh reality: A country like the Philippines can benefit most quickly from international tourism.

Eighth reality: Filipino overseas will continue to play a critical role in the country’s economic and social stability.

These realities simply remind us that the era of living “in splendid isolation” is forever gone.

“There is nothing more dangerous,” Anthony Eden said, “than a foreign policy based on unreality.”

In a world where reality and perception meet at the nexus of electronic and information highways, this admonition is even truer today.”

STATUS OF PHILIPPINE-AFRICAN RELATIONS

As of the article’s writing in 2014, Lim (2014, pp.1-2) states that the Philippines has only five permanent embassies in an African Continent of 54 states. A Commercial/ Trade Office was established in Johannesburg, South Africa but closed down in 2002. Such function was only transferred to the commercial attache in the United Arab Emirates (U.A.E.) that handles trade relations with the whole continent today.

According to the DFA Website, the Philippines (upon accessing the website in April 2024) has Honorary Consular Offices with these African States instead of the

actual Embassies (currently has only five) namely the following: BENIN, CÔTE D'IVOIRE, ETHIOPIA, GAMBIA, GHANA, GUINEA, LIBERIA, MAURITANIA, MAURITIUS, MOROCCO, MOZAMBIQUE, NIGERIA, RWANDA, SENEGAL, SEYCHELLES, SIERRA LEONE, SOUTH AFRICA, SUDAN, TUNISIA, and UGANDA.

Being a Foreign Affairs Research Specialist with the Center for International Relations and Strategic Studies of the Foreign Service Institute himself, Lim (2014,p. 2) confirmed that indeed the Philippines and African States' strategic and core interests rarely interacted with its three Philippine Foreign Policy Pillars to the nine Philippine foreign policy realities. With the main problem of distance, the cost of establishing economic relations outweighs the benefits. Being emphasized by the Philippine Foreign Service Act of 1991 (Republic Act No. 7157), the law's Sec. 12 (Establishment of Foreign Service Post) enumerates that the national interest and security shall be the paramount consideration in the establishment of embassies, missions, consulates general and other foreign service establishments maintained by the Department and the priority areas shall be in the countries where the following exist:

- a. Extending diplomatic, financial, material, and humanitarian support and other expressions of solidarity;
- b. Favorable trade relations and investments currently exist or prospects for trade and investments are favorable;
- c. A considerable number of Filipino citizens; and
- d. Adherence to the principle of reciprocity and where such is extended to us.

The number of Overseas Filipino Workers (OFWs) is a major factor in the non-importance of establishing full diplomatic relations with the rest of the African States. According to the latest Philippine Statistic Authority (PSA) 2022 Survey on Overseas Filipinos (Final Result) which was released on October 11, 2023, out of the total 1.96 Million OFWs around the world, Africa only receives 1% percent of the 1.986 Million OFWs or 19,600 Filipinos employed in the said continent.

Lim (2014, p.2) analyzed that there must be reciprocal policy changes in the Philippines' approach to Africa and vice-versa to exchange more technological and socio-cultural gains between these two estranged nation-states. Like the restructuring of the DFA's Office for Middle Eastern and African Affairs (OMEAA), DFA is pushed towards the upgrade of the said diplomatic relations.

As to regionalism, the Philippines, being a member of the Association of Southeast Asian Nations (ASEAN), has already laid the foundation for the cooperation between ASEAN and the African Union as early as the 1955 Bandung Conference and followed by the 2003 first Asian-African Sub-Regional Organizations Conferences (AASROC), New Asia Africa Strategic Partnership (NAASP), May 2017 World Bank South-South Exchange Visit, 2017 Africa-ASEAN Business Expo.

Diaz (2017, p.2) emphasized that the opportunities for cooperation between Southeast Asians and Africans are copious, and this can only be maximized if the knowledge bridge between their regions is built with strong resolve. In an era of rapidly changing global politics, it is nothing short of good for ASEAN and the AU to look beyond the horizon of traditional partners. These two regional organizations need not wait for another 50 years to revive the spirit of Bandung. They should start now. The countries in Africa are bright destinations for new and varying opportunities, and ASEAN must harness them while proactively espousing its anniversary theme of being a true partner for change by engaging the world.

Furthermore, Diaz (2017, p.2) highlighted the anemic ASEAN knowledge of everything that is Africa not only its major states like South Africa, Egypt, and Kenya. More think tanks` information dissemination toward the continent of Africa including research and other informative outputs like this study. Specifically, the Philippines has not focused well enough on this continent, unlike its other famous partners like America, Japan, China, and other major European States.

INTERNATIONAL AGREEMENTS UTILIZED

Constitutionally enshrined, presidents can negotiate with different states and international organizations using different forms of international agreements, either as a treaty or Memorandum of Agreement (MOA), Executive Agreement, or Memorandum of Understanding. Memorandum of Agreement (MOA) and Treaties are binding and executable because they are concurred by the Philippine Senate and ratified by the Chief Executive.

Malaya and Mendoza-Oblena (2010, p.4) state that a Memorandum of Understanding (MOU) is not binding to the Philippines but is still executable in a particular office or Department. MOU essentially contains general principles of cooperation, broad goals, and plans the parties share. It may list the obligations of both sides, but performance and compliance are on a best-effort basis. In essence, the parties` objective in an MOU is to record their mutual understanding of how they conducted themselves rather than to create international legal rights and obligations.

Nonetheless, both treaty/MOA and MOU are binding, following the principle of *pacta sunt servanda*, with the qualification that concerning an MOU, the latter is neither legally binding nor legally enforceable. In case of a breach, the aggrieved party may not compel under international law the other party to carry out the provisions of an MOU.

The MOU format is helpful in certain situations. MOU is preferred for confidentiality and the ease and convenience of concluding them. It is also often used when dealing with sensitive defense and national security matters or to protect delicate commercial information, such as those accompanying air services agreements.

Since MOUs are non-legally binding, there is no international requirement to publish them. MOUs also usually come into force and effect upon signature.

Lastly, Executive Agreements are *sui generis* agreements. They are similar to treaties but do not require a Senate concurrence.

The following categories of agreements have been treated as executive agreements: air services agreement, cultural agreement, defense cooperation agreement, mutual logistics support agreement, scientific and technological cooperation agreement, economic cooperation agreement, agreement on gainful employment of spouses of members of diplomatic and consular missions; tourism cooperation agreement, investment promotion, and protection agreement, labor promotion and protection agreement, maritime agreement, waiver of visa requirement agreement, and trade cooperation/facilitation agreements, such as those among ASEAN countries, as noted by Malaya and Mendoza-Oblena (2010, p.8).

In its applicability, Treaties and Memorandum of Agreement (MOA) would involve political issues or changes in national policies⁴ prompting them to be concurred by the Philippine Senate and ratified by the President. The most serious national defense and foreign policy issues and concerns must be formatted into treaties or MOAs as they need the support of the entire Philippine Government for logistical and political approval.

On the other hand, MOUs are needed for a quick implementation of a certain program or project. For this study, MOUs are used as the first step for the establishment of both states diplomatic relations. It is of exploratory stage of the ties that both states need first to assess the national interests of their counterparts like the MOU on the Establishment of Bilateral Consultations between the DFA of the Philippines and the Ministry of Foreign Affairs of the Arab Republic of Egypt, MOU on Bilateral Consultations between the Philippines and the Ministry of Foreign Affairs of Djibouti, and Undertaking concerning the recognition of training and certification of seafarers for service on Eritrean flagged vessels bet by the Dept of Maritime Transport of the Ministry of Transport and communication of the state of Eritrea and maritime training council of the Philippines.

Malaya and Mendoza-Oblena (2010, p.6) explain that joint communiqués and statements are in the form of MOUs which do not need presidential ratification and senate concurrence. A Department Head or its authorized representative may sign these documents.

4 Commissioner of Customs v. Eastern Sea Trading, G.R. No. 14279, October 31, 1961

RESEARCH METHODOLOGY

This study is a descriptive-narrative type of research. The 52 total African-Philippines bilateral agreements are taken on the book of Malaya and Dampil-Mandigma (2021, pp.1-186) named Philippine Treaties in Forces 2020 and the Supreme Court E-Library only until the book's publication and Supreme Court's E-Library in May 2021.

There are only 21 African States included in this study that have bilateral agreements with the Philippines. While the types of agreements indicated are only Agreements (Treaties), Memorandum of Understanding, and Joint communiques, the rest of the genus of agreements are only named others in **Figure 1**.

RESULTS AND DISCUSSION

Based on the compilation of international agreements still in effect in the Philippines, Malaya, and Dampil-Mandigma (2021, pp.1-186) titled "Philippine Treaties in Forces 2020" and the Supreme Court E-Library⁵ the Philippine-African States bilateral agreements comprised of 21 African States which is stated in Table 1 or the effective Philippine-African States Bilateral Agreements (as of May 2021) with their entries into force.

Types of International Agreements: Distinguished

Malaya III and Mendoza-Oblena (2011, pp. 510-515) state the intention of the contracting parties to be legally binding or otherwise by its provisions makes it a treaty or a Memorandum of Agreement (MOA). As it is 'legally binding', one contracting party may compel the other parties to follow the terms of the said agreement in case of a breach including a possible recourse to a third-party compliance mechanism (i.e. good offices, adjudication, or mediation).

The author looked at the entry into force part of the agreement including the senate concurrence of the agreement for it to be considered as a MOA/Treaty. The 1987 Philippine Constitution mandates that the Senate must have a 2/3 vote from all its members for an agreement to be part of the law of the land and make it 'legally binding'.

Subjects of MOAs and Treaties are mostly of political and national defense concerns. Others may prefer a Memorandum of Understanding (MOU) or Executive Agreements (EAs) for other non-political and security agreements as they are quickly executable and usually come into force and effect upon signature of the Department

5 Electronic Philippine Supreme Court Library duly archived both bilateral and multilateral agreements of the Philippines which is duly accessible at website <https://elibrary.judiciary.gov.ph/thebookshelf/35>.

Secretary (i.e. Defense Secretary for Defense Agreements or Labor Secretary for Labor Agreements) and other unit heads even without the President's signature.

First, a treaty is defined under Article 2 (1) of the Vienna Convention on the Laws of Treaties as "an international agreement concluded between States in written form and governed by international law, whether embodied in a single instrument or in two or more related instrument and whatever its particular designation."

As defined by law, MOAs can also be a treaty because they follow the same process in the treaty-making process namely: a) Presidential Ratification of the agreement (signing the document after the verification of the Office of Legal Affairs-Department of Foreign Affairs); and b) Senate Concurrence (2/3 Senate Vote).

Even with the international law principle of "*pacta sunt servanda*", other agreements like MOUs are nonetheless non-binding nor non-legally enforceable as the contracting party concerned may not compel the other party to carry out the provisions of an MOU.

As to the content of the agreement, MOUs are mostly for sensitive defense and national security matters or to protect delicate commercial information. It is oftentimes utilized for reasons of confidentiality and convenience in concluding them. MOUs are advisable where the Philippines have to be flexible in implementation.

Hence, the Philippines may still have the option to upgrade it to a more stable one in the form of an MOA or Treaty or terminate its effectivity as it lacks more details in its preliminary content (i.e. MOUs are only in joint declarations of principles but lacks a more substantial ones for implementation.).

But even with these matters in mind, if the framers of the agreement wanted these tools to be legally bound, such would require presidential ratification. These documents only requiring presidential ratification can also be called executive agreements which are only binding within the executive branch of government.

Joint communiques which are the most common in the Philippine-African bilateral agreements in this study are like MOUs which do not require ratification by the President to be entered into force.

Table 1

Philippine-African States Bilateral Agreements (as of May 2021)

| African States | Form of International Agreements | Entry to Force |
|----------------|--|--|
| Angola | Joint Communique on the Establishment of Diplomatic Relations between the Philippines and Angola | Sept 14, 2001 |
| Burkina Faso | Agreement on Cultural Cooperation between Philippines and Burkina Faso Joint Communique on the Establishment of Diplomatic Relations between the Philippines and Burkina Faso Agreement between Philippines and Burkina Faso on the Waiver of Visa Requirements for Holders of Diplomatic, Official, and Service Passports | Sept 5, 2018 October 10, 2002 July 7, 2018 |
| Burundi | Joint Communique on Establishment of Diplomatic Relations between the Philippines and Burundi | June 30, 2017 |
| Cape Verde | Joint Communique on the Establishment of Diplomatic Relations between Cape Verde and the Philippines | Not Entered into force |
| Congo | Joint Communique on the Establishment of Diplomatic Relations between the Philippines and Congo | January 19, 2000 |
| Cote D` Ivoire | Joint Communique on the Establishment of Diplomatic Relations between the Philippines and Cote D` Ivoire | March 22, 1995 |
| Eritrea | Undertaking concerning the recognition of training and certification of seafarers for service on Eritrean flagged vessels bet the Dept of Maritime Transport of the Ministry of Transport and communication of the state of Eritrea and maritime training council of the Philippines. | July 14, 2006 |
| Djibouti | MOU on Bilateral Consultations between the Philippines and the Ministry of Foreign Affairs of Djibouti | Ratified by President on August 10, 2017 |

| African States | Form of International Agreements | Entry to Force |
|----------------------|--|---|
| Egypt | Air Transport Agreement between the Government of the Republic of the Philippines and the United Arab Republic MOU on the Establishment of Bilateral Consultations between the DFA of the Philippines and the Ministry of Foreign Affairs of the Arab Republic of Egypt Cultural Agreement between the Philippines and the UAR of Egypt Treaty of Friendship between the Republic of the Philippines and Egypt Agreement on the Exchange of Information between the Philippines and the Republic of Egypt Protocol between the UAR and the Philippines Concerning Scientific and Technical Cooperation in the Field of Agriculture MOU on Tourism Cooperation between the Philippines and the Arab Republic of Egypt Trade Agreement between the Philippines and the Arab Republic of Egypt Agreement between the Philippines and the Arab Republic of Egypt on the Waiver of VISA for Holders of Diplomatic Passports | August 11, 1971 August 8, 2000 November 29, 1963 January 11, 1956 March 13, 1975 February 27, 1970 November 28, 2014 April 10, 2006 January 9, 2015 |
| Eswatini (Swaziland) | MOA on the establishment of a bilateral consultative mechanism bet the DFA and Ministry of Foreign Affairs and trade of kingdom of Swaziland Economic, Technical, and cultural cooperation agreement between the Philippines and the Kingdom of Swaziland | August 21, 2009 September 8, 2008 |

| African States | Form of International Agreements | Entry to Force |
|----------------|--|---|
| Gabon | Accord on cultural cooperation between the Philippines and Gabon | September 17, 1981 |
| | Economic and technical cooperation between the Philippines and Gabon | April 20, 1981 |
| | General Accord of Cooperation between the Philippines and the Gabonese Republic | March 30, 1981 |
| | Trade agreement between the Philippines and Gabon | March 28, 1981 |
| Gambia | MOU on the Establishment of a Bilateral Consultative Mechanism for Bilateral Cooperation Between Philippines and Gambia | July 26, 2005 (ratified by the president) |
| | Joint communique on the establishment of diplomatic relations between the Philippines and Gambia | June 26, 1996 |
| | Agreement between Philippines and Gambia on scientific and technical cooperation | September 11, 1996 |
| Kenya | Agreement for the Establishment of a Joint Commission on Bilateral Cooperation between the Philippines and Kenya | December 15, 2010 |
| Lesotho | Joint Press Statement on the establishment of diplomatic relations | N/A |
| Libya | MOU on Air Services | N/A |
| | MOU on the Establishment of Bilateral Consultations between the DFA and the General People`s Committee for Liason and International Cooperation of Libya | October 20, 2004 |
| | Cultural Agreement between the Republic of the Philippines and the Libyan Arab Republic | February 16, 1977 |
| | Agreement on Economic, Scientific, and Technical Cooperation between the Philippines and the Libyan Arab Republic | February 16, 1977 |
| | MOU between the Philippines and the Great Socialist People`s Libyan Arab Jamahiriya on Labor Cooperation | Ratified by President On October 19, 2006 |

| African States | Form of International Agreements | Entry to Force |
|----------------|---|---|
| Malawi | Joint Communiqué on the Establishment of Diplomatic Relations Between the Philippines and Malawi | May 3, 2001 |
| Mozambique | Joint Communiqué on the establishment of diplomatic relations | N/A |
| Namibia | Joint Communiqué between the Philippines and Namibia on the establishment of diplomatic relations | May 17, 1996 |
| Nigeria | <p>Agreement on the Joint Committee Meeting Economic and technical cooperation agreement between the Philippines and Nigeria</p> <p>Agreement between the Philippines and Nigeria for the avoidance of double taxation and the prevention of fiscal evasion concerning taxes on income and capital gains.</p> | <p>N/A</p> <p>May 16, 1981</p> <p>January 1, 2014</p> |
| Sao Tome | Joint Communiqué on the establishment of diplomatic relations between the Philippines and Sao Tome and Principe | November 8, 2000 |
| Senegal | <p>MOU on cooperation in the field of agricultural science and technology between the Philippines and Senegal</p> <p>MOU between Philippines and Senegal on trade cooperation</p> | <p>June 4, 1990</p> <p>June 4, 1990</p> |
| Seychelles | <p>MOU on establishment of bilateral consultations between DFA of the Philippines and the Ministry of Foreign Affairs and transport of the Seychelles</p> <p>Joint communiqué establishing diplomatic relations</p> | <p>October 23, 2017</p> <p>N/A</p> |

| African States | Form of International Agreements | Entry to Force |
|----------------|--|--|
| South Africa | MOA between the Philippines and the government of South Africa on the establishment of a bilateral consultative forum. | March 14, 2013 |
| | Memorandum of Cooperations between the Supreme Court of the Philippines and the Constitutional Court of South Africa. | January 29, 2008 |
| | An Undertaking concerning the recognition of seafarers between the Maritime Training Council and the South African Safety Authority. | Ratified by President on July 14, 2006 |
| | Trade Agreement between the Republic of the Philippines and the Republic of South Africa | October 5, 2002 |
| Togo | Joint Communique on the establishment of diplomatic relations between the Philippines and Togo | N/A |
| Tunisia | Agreement for the reciprocal abolition of non-immigrant passport | January 30, 1963 |

Cutting through the African Small States Forum`s (SSF) Members, the Philippines established treaty relations with the countries of Cape Verde, Gabon, Sao Tome, Gambia, and Eswatini (Swaziland). In these SSF Members, Gabon has four bilateral agreements with the Philippines including the establishment of diplomatic relations with the Philippines. The Gambia has three bilateral agreements, Eswatini (Swaziland) obtained two agreements while both Sao Tome and Cape Verde have one bilateral agreement with the Philippines.

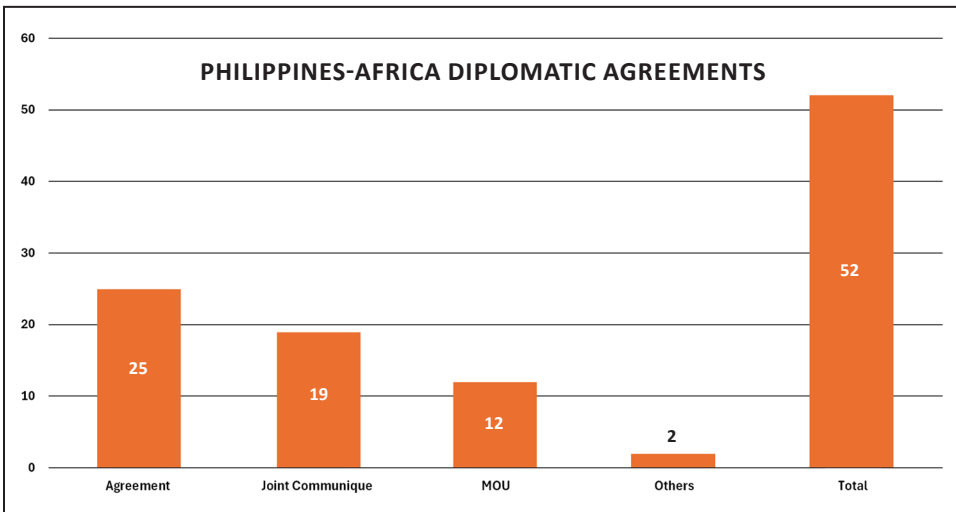
In Table 1, South Africa obtained four bilateral agreements with the Philippines. While Egypt established nine bilateral agreements and Libya has five agreements with the Philippines. But it was noteworthy to state that SSF Members like Gabon (4), The Gambia (3), and Eswatini (Swaziland) have 2 bilateral agreements- a striking difference compared to the theory of Watson, East (1973) and Plischke (1977), as cited by Mohamed (2002, pp.18-19). This reveal that the external relations of micro-states are characterized primarily by their selectivity in establishing diplomatic missions abroad. The bilateral relations of these states tend to focus on the former colonial power, their neighbors, and major world powers.

It is a good sign of diplomacy as the African States reached out to other states for diplomatic relations despite the traditional interests of colonial ties, African

neighborhoods, or being a world power. The Philippines, on the other hand, established substantial diplomatic ties with the African States, evidently through its diplomatic and consular missions to the continent of Africa.

Also, 10 of these African States only started their diplomatic relations with the Philippines by executing a Joint Communique on the establishment of diplomatic relations between the Philippines with Cape Verde's Joint Communique not yet entered into force as of May 2021. There were no subsequent agreements reached between both states at least in this list of Malaya, J.E. and Dampil-Mandigma, C.G. (2020) titled "Philippine Treaties in Forces 2020" and the Supreme Court E-Library.

Figure 3
Philippines-Africa Diplomatic Agreements



As to the forms of agreements, 25 of these agreements are of the nature of Memorandum of Agreements/Treaty and binding to the entire Philippine Government and the respective African States. The rest are the nature of a Memorandum of Understanding (MOU) and one is a Joint Press Statement on Joint Press Statement on the establishment of diplomatic relations by Lesotho.

Agreements stated in Figure 3 are either ratified by the President and entered into force or entered into force only signifying that it is either an Executive Agreement that is only binding within the Executive Department of the Government or as an MOU especially if it has not been ratified by the President. As there are only four (4) agreements that are ratified by the President and the rest of the Agreements have no Executive Ratification.

In Figure 3, it is evident that both parties diplomatically engage with a more binding and long-lasting tool using either a Memorandum of Agreement, Accord, Protocol,

Treaty even as an Executive Agreement as the term “Agreement” refers to either of the enumerated words. Almost all of the “Agreements” are only using joint communique—an evident first step for establishing diplomatic relations between the respective states. Except for the Gambia (2005) and Seychelles (2017) which upgraded their ties with the Philippines by executing an MOU for bilateral consultations to establish permanent diplomatic relations between each of these countries, these African States remained in that status until 2020 (Malaya, J.E. & Dampil-Mandigma, 2020).

Meanwhile, 12 of these African states engaged with the Philippines via MOUs either by establishing bilateral consultations for establishing diplomatic ties or dealing with specialized matters like fishing, trade cooperations, maritime affairs, and others. On the other hand, these other agreements are the Joint Press Statement from Lesotho and the Philippines and the Memorandum of Cooperations between the Philippine Supreme Court and the Constitutional Court of South Africa.

Corrolary to Figure 3, the Philippines engaged with these African States by initiating Honorary Consulates for the civilian affairs of the Filipinos within the surrounding areas of Africa. But Honorary Consuls can only deal with so much unlike a full Philippine Ambassador have powers to deal with politics, military, economic and socio-cultural matters in behalf of the country.

Legally speaking, the Philippine Government and the quarter of the respective African States are indeed in the preliminary stages of the establishment of permanent diplomatic relations with each other as their usage of diplomatic tools for engaging each other is non-binding and needs to stabilize their connection by executing a more binding and long-term tool through a treaty or a memorandum of agreement. Both countries should engage more in informative discussions and marketing with one another as both of them have similar problems and issues as small states defined by the World Bank (2023).

Africa: The Next Frontier

As stated in The Philippine Foreign Service Act of 1991 (Section 12, Republic Act No. 7157), there are only four considerations wherein the Philippine foreign service missions are established namely:

- a. Extending diplomatic, financial, material, humanitarian support and other expressions of solidarity;
- b. Favorable trade relations and investments currently exist or prospects for trade and investments are favorable;
- c. A considerable number of Filipino citizens; and
- d. Adherence to the principle of reciprocity and where such is extended to us (Philippines).

These African States mentioned as subjects in this study are discussed in length based on these paramount considerations in Section 12 of the Philippine Foreign Service Act of 1991.

African-Philippines Economic Relations

As stated in its Second Foreign Policy Pillar, the Philippines explores these African States with big economic and trade investment potentials through bilateral agreements.

In Table 2, these African States are categorized in terms of Gross Domestic Products (G.D.P.), and per capita (statista.com) with their respective agreements with the Philippines. However, it is noteworthy to state that eight (8) out of the fifteen (15) Top African States with G.D.P. (per capita), have only started their diplomatic relations with the Philippines with Joint Communiqués for the Establishment of Diplomatic Relations. It goes to show that the pursuit of diplomatic intercourse with states should be for the states with high G.D.P.

Moreover, Egypt has nine (9) agreements with the Philippines but it is only the ninth top African State in terms of GDP per capita (US \$ 3,727.66). Seychelles is the top African State with GDP per capita but has only two (2) agreements with the Philippines. Hence, it does not follow that diplomatic relations are established because of potential economic and trade investments.

Table 2

African States With G.D.P. per capita with Number of Agreements

| African States | Gross Domestic Product (G.D.P.) in US Billion Dollars (2023) | Number of Agreements |
|----------------------|---|-------------------------|
| Angola | 2,565.91 | 1 |
| Burkina Faso | 870.83 | 3 |
| Burundi | 324.9 | 1 |
| Cape Verde | 4,368.07 | 1 |
| Congo | 673.03 | 1 |
| Cote D` Ivoire | 2,572.14 | 1 |
| Eritrea | (no 2023 data) | 1 |
| Djibouti | 3,906.67 | 1 |
| Egypt | 3,727.66 | 9 |
| Eswatini (Swaziland) | 4,184.27 | 2 |
| Gabon | 9,289.89 | 4 |
| Gambia | 893.22 | 3 |
| Kenya | 2,113.41 | 1 |

| African States | Gross Domestic Product (G.D.P.) in US Billion Dollars (2023) | Number of Agreements |
|----------------|--|----------------------|
| Lesotho | 1,052.12 | 1 |
| Libya | 6,576.04 | 5 |
| Malawi | 577.54 | 1 |
| Mozambique | 629.92 | 1 |
| Namibia | 4,664.71 | 1 |
| Nigeria | 1,687.57 | 3 |
| Sao Tome | 2,827.81 | 1 |
| Senegal | 1,729.27 | 2 |
| Seychelles | 21,575.32 | 2 |
| South Africa | 6,138.25 | 4 |
| Togo | 998.24 | 1 |
| Tunisia | 4,191.62 | 1 |

Also, in **Table 2**, the top fifteen (15) African States with high G.D.P. per capita, eight (8) of these top richer African States (Namibia, Cape Verde, Tunisia, Djibouti, Sao Tome, Cote d`Ivoire, Angola, and Kenya) have just started their diplomatic ties with these joint communiques for the establishment of diplomatic relations.

It is also noteworthy to state that these Philippine Embassies in Africa (Libya, South Africa, Egypt, Kenya, and Nigeria, Morocco⁶) are not the top African States` G.D.P. per capita as stated in Table 2. Libya and South Africa are the top three and four African States with G.D.P. While Egypt (9th), Kenya (13th) and Nigeria (15th) being at the middle range despite of establishing Philippine Mission in these countries.

OFWs Profile In Africa

Being the third pillar of the Foreign Service Pillars, Overseas Foreign Workers (OFWs) are considered the new heroes in this modern society because of their sacrifices in exchange for remittances to their families.

According to Khan (2007, pp. 1-2), the Harris-Todaro Hypothesis provides a good explanation of why well-paid rural workers leave their jobs for potentially higher pay in the urban areas even though the latter carries with it a non-zero probability of urban unemployment. Indeed monetary benefit is the primary motivation driving migration. But

6 Philippine Embassy in Morocco has just been reopened in December 2019 from its closure in March 1986. But Morocco has its embassy here in the Philippines. (Rocamora, 2022)

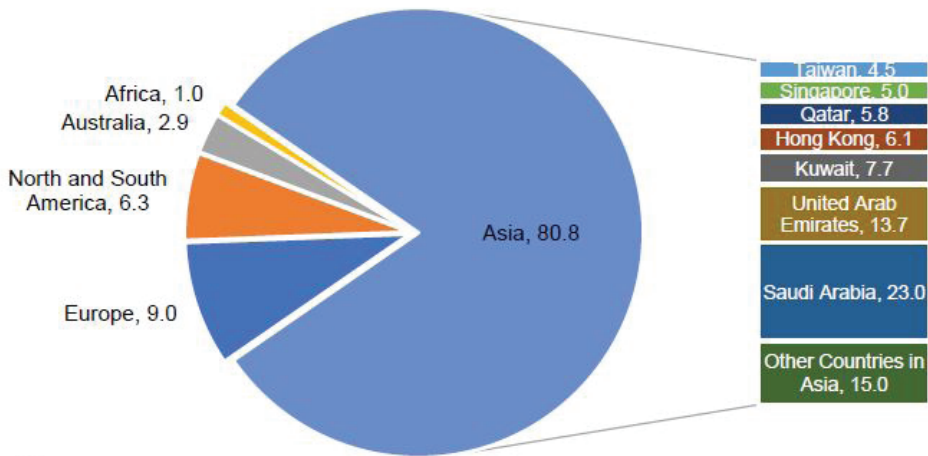
such migration is dependent upon these country's labor wages and standards applied to foreign workers including OFWs. Tan (2000, pp. 2-3) states that migration takes a life of its own and creates a migration chain with great opportunities. These first migration flows provide information and experiences for the later emigration and so heightens those who are left behind.

This data indicates the Neoclassical Migration Theory (Harris-Todaro Theory) is affirmed as the Filipinos aimed to work in destinations with higher pay and opportunities compared to other places. It goes to show that Africa is the least popular working destination for Filipinos.

In **Figure 4**, the Philippine Statistics Authority (PSA) data in 2022 shows that Africa is only one (1) percent of the total number of OFW destinations in the world where Asian countries like Saudi Arabia, Taiwan, Hong Kong, and other Middle Eastern States dominate the pie chart with 80.8%.

Figure 4

Percent Distribution of Overseas Filipino by Age Group and Place of Work: 2022



Notes:

1. The estimates cover overseas Filipinos whose departure occurred within the last five years and who are working or had worked abroad during the past six months (April to September) of the survey period.
2. Sum of details may not add up to 100% due to rounding.

Source: Philippine Statistic Authority, 2022 Survey on Overseas Filipinos

But these Filipinos do not only include workers, it includes Filipinos searching for good educational training outside of the Philippines. For the statistics regarding Filipinos staying abroad for education, there is no publicly available data on the internet especially if these are classified according to continent or counties. However, according to Business World (2023), 53,000 Filipino students are enrolled in the United Kingdom, Australia, New Zealand, and Ireland as affirmed by Maria Cecilia Mundo, IDP Philippines. However, Africa is another option for a credible source of the best education asie from America, Europe, or Asia.

Africa in the Field of Education

Indeed, Africa is the host of some of the world’s best Universities. Educational ties between Africa and the Philippines should be also reconsidered for an upgrade of their bilateral relations. The following are the best schools according to Times Higher Education (2024).

Table 3
Africa's Best Universities⁷

| Africa Rank 2024 | World University Rank 2024 | World University Rank 2023 | University | country |
|------------------|----------------------------|----------------------------|---|--------------|
| 1 | 167 | 160 | University of Cape Town | South Africa |
| =2 | 301–350 | 251–300 | Stellenbosch University | South Africa |
| =2 | 301–350 | 251–300 | University of the Witwatersrand | South Africa |
| 4 | 401–500 | 601–800 | University of Johannesburg | South Africa |
| =5 | 501–600 | 401–500 | University of KwaZulu-Natal | South Africa |
| =5 | 501–600 | 801–1000 | University of Pretoria | South Africa |
| =7 | 601–800 | 351–400 | University of Cape Coast | Ghana |
| =7 | 601–800 | NR | Egypt-Japan University of Science and Technology (E-JUST) | Egypt |

These Universities are ranked by international educational networks and think tanks like Times Higher Education, QS World University Rankings, and AS Scientific Index based on their overall programs and flagship courses and activities the same as in other Universities around the world. The Ateneo de Manila University (401-500)⁸ is comparatively lower than these South African Universities (University of Cape Town, Stellenbosch University, University of the Witwatersrand, and University of Johannesburg).

⁷ Retrieved at <https://www.timeshighereducation.com/student/best-universities/best-universities-africa>

⁸ Parungao, A. (2024). Ateneo tops in Times Higher Education ranking for PH universities in 2024. Inquirer. <https://globalnation.inquirer.net/234076/ateneo-tops-in-times-higher-education-ranking-for-ph-universities-in-2024#ixzz8guFf5g4T>

The rest of the top Philippine Universities are far from the above-mentioned African Universities like De la Salle University (501-600), University of the Philippines (500-600), Mapua University (601+), and University of Santo Tomas (601+).

Hence, it is imperative to acknowledge that African Universities are good options for some foreign Universities abroad and a comparatively at par with Philippine Universities. This is another reason to increase African-Philippine Relations in the field of education through bilateral educational agreements (i.e. scholarships, student exchange programs, and others).

Philippine Relations With Small States

Out of the Small States Forum Membership (Figure 1), Cape Verde, Djibouti, Swaziland, Gabon, Gambia, Lesotho, Namibia, Sao Tome, and Togo have agreements with the Philippines. Gabon has the most agreements (4) with the Philippines while Mauritius, Equatorial Guinea, and Botswana all have no agreements with the Philippines.

Small-small cooperation in practice has just been started between the Philippines and these Small States as Swaziland, Gabon, and The Gambia upgraded their entanglements with the Philippines with other agreements while the rest of them remain with the Joint Communiques only with no establishment of diplomatic relations through a more stable agreement.

Even though with these limited interactions with these African States, the Department of Foreign Affairs (D.F.A.) Secretary Eduardo Manalo affirmed its cooperation with the entire African Continent.

In his message on Africa Day, Foreign Affairs Secretary Enrique Manalo acknowledged the vast opportunities for building stronger ties with the individual states of Africa.

Despite the geographical distance, the Philippines shares common values and aspirations with Africa, including a firm belief in democracy, human rights, and sustainable development.

Acknowledging the vastness of the opportunities that Africa represents, the Department has renewed its focus on building stronger ties with individual African nations.

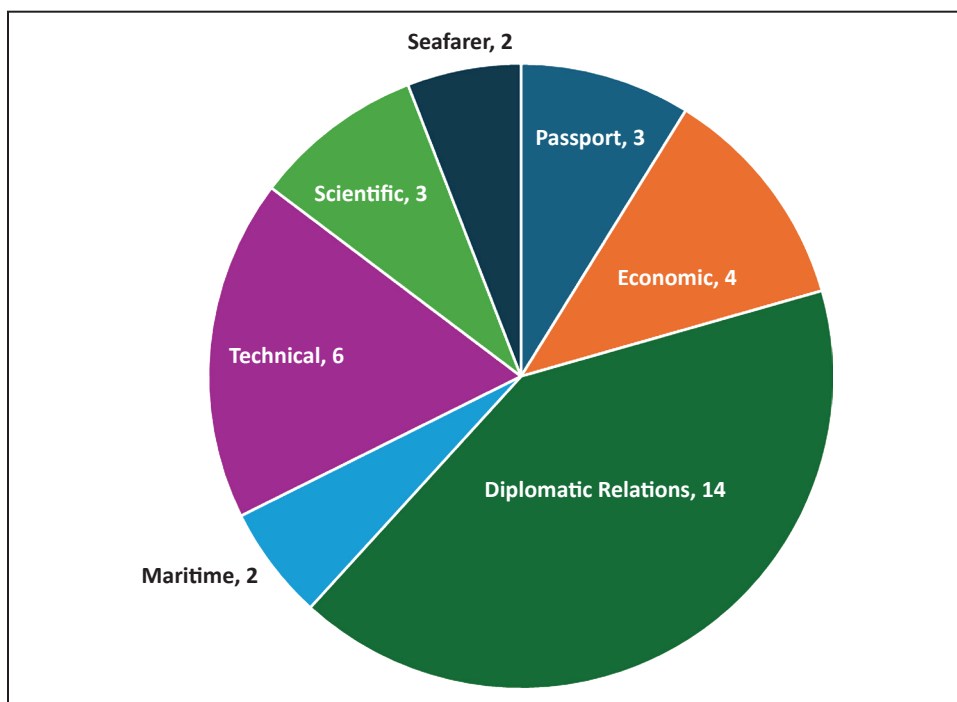
Again disregarding the population and the territorial sizes, the Philippines has a similar situation with Africa, especially in its Small States. It should upgrade its ties with more agreements as these state interests mirror back to its Foreign Policy Inputs and are realized through their Foreign Policy Outputs namely with international agreements.

FOREIGN POLICY OUTPUT AS INTERNATIONAL AGREEMENTS

The Philippines exhibited its weaknesses and strengths out of its determinants as it filled them up in these agreements as Foreign Policy Outputs. It serves as a reflection of the entire Philippine Foreign Policy Pillars and Realities as Africa was not emphasized in these Foreign Policy Frameworks.

Figure 5 shows the different subjects of these agreements. These subjects of the agreements may or may not be all in one document (i.e. economic, scientific, and technical agreements, etc.).

Figure 5
Subjects of Agreements



Both these African States and the Philippines executed 14 Diplomatic Relations Agreements through Joint Communiques and Memorandum of Understanding (MOU) where 15 of these African States only started their ties with the Philippines with plain Establishment of Diplomatic Relations Agreement without any subsequent measures.

The rest of the subjects mirror the needs and wants of these states by executing subsequent technical (6), maritime (2), scientific (3), seafaring (2), passports (3), and economic (4) agreements.

Therefore, the bilateral interests of these African States and the Philippines are mainly on the establishment of diplomatic relations as these states are just in their exploratory stage. On the other hand, the rest of them need their essential non-diplomatic interests (i.e. economic, technical, etc..) which are reflected in the Philippine Foreign Policy Pillars.

As to the Foreign Policy Realities, the results show that the Philippines should explore more on the African Continent as more of these states are a rich sources of trade investments being high in their Gross Domestic Product (G.D.P.) although most of these states are only tied with the Philippines on a preliminary joint communique of establishment of diplomatic relations.

CONCLUSION

Even being thousands of miles away, Africa has established diplomatic ties with some of its states that developed deep relations with the Philippines. The World Bank (2023) defined Small States mainly in the African Continent, these Small States namely Gabon, The Gambia, Cape Verde, Djibouti, Guinea-Bisseau, Sao Tome, Botswana, Equatorial Guinea, and Swaziland engaged diplomatically with the Philippines as established by these diplomatic agreements.

These Small States of Africa did not stick to the traditional interests or foreign policy determinants of colonial powers, world powers, or being African Country as well. But Foreign Policy Outputs through the manifestation of a bilateral agreement went as far as the Philippines despite the absence of the three national interests mentioned by Watson, East (1973), and Plischke (1977), as cited by Mohamed (2002, pp.18-19).

But there were still other African States (10 countries) which are in the infancy of their diplomatic relations with the Philippines by only engaging through a Joint Communique to establish diplomatic relations with the country. The researcher recommended that these African Foreign Ministries further their diplomatic ties with the Philippines by engaging more in socio-political agreements.

As the Philippines relates its civil relations with its OFWs in several African States which do not have Philippine embassies or Consulates, it is only imperative to study the possibilities of establishing full fledge diplomatic missions in these areas of Africa as the number of OFWs increases in these areas and to explore areas of cooperation between them.

Although financial constraints are indeed holding back the Philippines to establish more diplomatic missions across the world and having only 1 percent of the latest 2022 PSA OFWs Distribution Surveys, the country should study how to also involve Africa in its main foreign policy thrust as powerful countries like America, China, and Russia are

gradually investing in Africa for its natural resources and socio-cultural exchanges. This can also be done by marketing its universities to Africa.

Realistically, any state including the Philippines, as evident in its Foreign Policy Pillars prioritizes countries that can provide it with defense, economic, and socio-cultural needs. But it is noteworthy to think that the Small States in Africa can also provide these needs as the Philippines can also provide in its capacity to these states as well in reciprocal means.

Having similar situations as small states, the Philippines and these respective African states need also to explore their options not only in South Africa and other big African States. In a digitally connected world, physical distance is no longer a problem in terms of communications, the SMALL-SMALL Connections of these two different worlds but seemingly similar in several degrees should be put within the Philippine Foreign Policy Realities as these states share related problems in majority problem areas (poverty, crime rate, corruptions, and others) and analyze the best solutions to these problems in joint consultations and dialogues between these two brothers in different hemispheres.

As the Philippine Embassy in Morocco reopened in 2022, Philippine-African Relations should be more open and diverse not only for Filipino Workers as it only comprises one (1) percent of the total number of OFWs in 2022. It should also include educational opportunities in Africa with its best Universities and more trade alliances.

Just like with the rest of the world wherein OFWs are present, these African States must execute Bilateral Labor Agreements (B.L.A.s) as part of the Philippine Diplomatic Mission in Africa to also further protect Filipino workers with sufficient labor standards.

Also, with the several Joint Communiques being issued by both countries, the Philippines should upgrade this preliminary diplomatic tool into a more stable one (i.e. MOU, MOA/Treaties) including trade agreements, socio-cultural ones (educational, cultural artifact protection, more seafarer protection and cooperation, and others) and even exploring inter-organizational agreements (ASEAN-African Union Agreements).

Clearly, in Figure 2, the list of agreements are listed as Agreements, Joint Communiques, MOUs, or others only. As the details are shown in Malaya, J.E., and Dampil-Mandigma (2020), other agreements throughout the entire book are described as neither entered into force only, entered into force but ratified by the President or entered into force, ratified by the President and concurred by the Senate. Hence, it cannot be discerned that these Agreements are considered MOA/Treaties as these may be ratified by the President only and entered into force.

Moreover, the eight Philippine Foreign Policy Realities should also be extended to explore more in the African Continent as one of the next destinations for Filipinos in employment, trade and investments, education, and socio-cultural concerns.

With regard to agreements, the author suggests solidifying these partnerships by going not only to the Association of Southeast Asian Nations (ASEAN) but also to the Non-Aligned Movements (NAMs) and Group of 77 Movements which several African States and the Philippines are co-members.

Also, the Philippines may explore the idea and follow the example of India having to join the BRICS (Brazil, Russia, India, China, and South Africa) aside from establishing strong ties with America. Other non-G7 countries have also signified their willingness to join BRICS. Such a move may also balance the power dynamics in the West Philippine Sea Conflict as China being a member of BRICS may be balanced within its alliance as other members of BRICS like India and Russia have similar territorial issues with China.

There must be more research regarding Philippine-African Relations, especially on matters of international agreements as these topics are rarely discussed in the academic communities of both sides of the globe. These preconceived ideas between each other must be eliminated as two nations having similar problems and issues as small states can gain mutual understanding and benefits from each other.

The Philippine Foreign Policy Realities should develop a good framework about the continent of Africa and not only these powerful states as African states share similar concerns and issues with the Philippines such as poverty, corruption, health issues, and problems with superpowers (China and others). As it is clear that Africa was not seen in any of these realities, DFA should consider the realization that Africa is a rich source of trade and investment as well as employment and educational opportunities.

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