



Cebu blinks, follows IATF health rules

Garcia softens stance on testing, quarantine protocols after Duterte warning



By Dale G. Israel
and Nestle Semilla
@InqNational

CEBU CITY—Cebu Gov. Gwendolyn Garcia has softened her stance after President Duterte publicly expressed his disgust over the province's continued defiance of the policy set by the national pandemic task force.

Garcia announced on Tuesday that Cebu would follow the health protocols set by the Inter-Agency Task Force for the Management of Emerging Infectious Diseases (IATF). But in a bid to meet the IATF halfway, the governor said the swab-upon-arrival policy of the province stays for Filipinos returning from trips abroad, including overseas Filipino workers (OFWs), but only to determine who among them are infected with COVID-19.

Even if they test negative, they will still be quarantined in a hotel for 10 days and will be swabbed on the seventh day, in compliance with IATF guidelines.

Both swab tests would be done at no cost to returning Filipinos, Garcia said.

She said the 10-day hotel stay for returning Filipinos will be implemented, scrapping the home quarantine previously imposed in Cebu.

Garcia thanked President Duterte for announcing that the hotel stay will be shouldered by the government and no longer be a burden to returning residents.

The governor also set aside her Executive Order No. 23 issued on Monday that warned agencies



President Duterte
—MALACAÑANG PHOTO

of criminal charges should they violate the provincial ordinance that allowed returning Filipinos to go home after two days in a quarantine hotel if tested negative on their arrival at Mactan Cebu International Airport (MCIA).

'Ruckus'

Garcia's announcement came after President Duterte on Monday night sternly warned Cebu against its continuing defiance of the IATF protocols.

President Duterte stood by the IATF's quarantine policy, and warned trial courts that any order to stop the IATF policy could result in a "ruckus" between the judicial branch and the executive branch.

The President said he would not obey any court order against the government's pandemic response, after two lawyers in Cebu challenged the IATF's mandatory quarantine protocols meant to prevent the spread of the Delta variant which could cause a surge of COVID-19 cases in the country.

"I'm a lawyer, I respect the judiciary and I can assure them that we will follow the orders. But at this time of a national emergency, I would just like to inform the courts that I will not follow them. I will insist on what is necessary



Gwendolyn Garcia
—INQUIRER PHOTO

to protect the people," Mr. Duterte said during his regular public address.

"I will just say that I am here to protect the people. And for as long as I'm guided by reason, that's factual, backed up by studies, then I will follow what the medical science would tell me. That is my answer," he said.

Cebuano lawyers Clarence Paul Oaminal and Valentino Bacalso Jr. on Monday filed a petition in court to declare the IATF's protocols for returning Filipinos from abroad as "ineffective and inapplicable" in Cebu.

Settling legal issue

The IATF wanted arriving Filipinos from abroad, including OFWs, to undergo quarantine for 14 days with a COVID-19 swab test to be conducted on the seventh day from arrival.

Garcia and the provincial board, on the other hand, earlier required them to undergo a swab test upon arrival at MCIA and to go on hotel quarantine for only two to three days.

Justice Secretary Menardo Guevarra on Tuesday said the petition filed by the Cebuano lawyers was an opportunity for the court to settle a legal issue involving the guidelines being

imposed by the IATF to contain the pandemic.

He said the resolutions approved by the IATF had the authority of President Duterte.

"But let me say now that IATF resolutions acquire legally binding force because they are adopted by the President through an enabling executive order," Guevarra said in a Viber message.

The IATF, he said, was a "qualified political agency" of the government and that its actions were considered the decisions of the Chief Executive since it was established by Mr. Duterte's own order.

"As such, these IATF resolutions apply with equal force in every nook and cranny of our country," Guevarra said.

"Therefore, all local government officials, who are constitutionally under the supervision of the President, must align their policies, resolutions and ordinances in accordance with the directives of the Chief Executive. Otherwise, there will be chaos and disorder in our society," he said.

Presidential spokesperson Harry Roque said the President's message is that during a public emergency, the state's the inherent police power to safeguard public health must be recognized.

According to Mr. Duterte, Garcia had come to see him to explain the province's protocols.

While he sees the wisdom in her view, the national government disagrees with this, he said.

"But, I said, the overwhelming notion among us in government and the medical doctors, simply do not agree with her," he said.

He was leaving Garcia's fate to the Department of the Interior and Local Government. —WITH REPORTS FROM LEILA B. SALAVERRIA AND MARLON RAMOS INQ