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DU30 WANTS VAX REFUSERS JAILED AMID JAB SCARCITY

STORY BY LEILA B. SALAVERRIA

President Duterte's threat to arrest Filipinos who refuse vaccination was the wrong problem to solve when only 2.2 million of 110 million are fully inoculated and shots are just trickling into the country, opposition senators say. **A**

Amid jab scarcity, Du30 wants vax refusers jailed



FROM A1

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After telling Filipinos not to be choosy about which COVID-19 vaccines to take, President Duterte is now threatening to arrest and jail people who refuse to get inoculated despite the relatively small number of shots that are available in the country.

"Don't get me wrong. There is a crisis being faced in this country. There is a national emergency. If you don't want to be vaccinated, I will have you arrested. And the vaccine will be injected into your butt," he said during his weekly national television address on Monday.

There was no explanation for what triggered the sudden threat, considering that many officials, particularly outside metropolitan Manila, had been appealing for more vaccines and many inoculations had to be stopped due to shortages.

Mr. Duterte's remarks came as the country's vaccine supply was still far from catching up with demand three months since the government rolled out its mass immunization drive against COVID-19.

As of June 20, health authorities

ities had fully vaccinated nearly 2.2 million people, making slow progress toward their target to immunize up to 70 million of the country's 110 million population.

"I am just exasperated by, you know, Filipinos not heeding the government. Us here, we want nothing more but the good of the country," the President said.

He called those who refuse to be vaccinated "jerks," "sons of a whore" and a "nuisance" who can spread the virus.

"Those of you who don't want to be vaccinated, I will give you the vaccine for pigs—ivermectin," he said.

Roque explanation

Presidential spokesperson Harry Roque on Tuesday said Mr. Duterte's warnings were meant to emphasize what the state could do during a public health emergency.

"It is clear from Philippine and American jurisprudence that compulsory vaccination can be implemented. But it must have a legal basis," he said, citing a 1936 Supreme Court ruling that upheld a penalty against a doctor who did not inoculate his twin daughters against smallpox according to the prescribed method at that time.

Both Roque and Justice Secretary Menardo Guevarra said there was still a need for a law that would impose penalties on those who refuse to be vaccinated.

"As a lawyer, [the President] knows that not getting vaccinated is a legal choice," Guevarra

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President Duterte

told reporters, noting that the some of the vaccines were actually still in the trial phase.

"I believe that the President merely used strong words to drive home the need for us to get vaccinated and reach herd immunity as soon as possible," he said.

Guevarra said the refusal to be inoculated was not tantamount to violating public health protocols being implemented by the government.

"Getting vaccinated is not mandatory, but complying with health protocols is mandatory," he pointed out.

Roque cited United States jurisprudence, which the Philippine justice system often relies upon, saying that individual rights "may at times, under the pressure of great dangers, be subjected to such restraint



to be enforced by reasonable regulations as the safety of the general public may demand."

Police power

Using the state's police power to force people to get vaccinated would violate an individual's rights, but this would be done to protect a greater interest, which is public health and public safety, he said.

Several senators criticized the President for making threats instead of encouraging people to get vaccinated and increasing the supply.

According to Sen. Nancy Binay, vaccine hesitancy is not the biggest problem in the vaccine rollout. "Vaccine supply is the biggest problem, so we need to address that," she said in a television interview on Tuesday.

She cited reports that resi-

dents in Manila had lined up at vaccination centers as early as dawn to ensure they get their jabs.

Use of threats

In a Zoom interview with reporters, Sen. Francis Pangilinan said threats of arrest and incarceration are not effective tools to convince people to get vaccinated.

"If every government policy that was carried out through threats proved to be effective, then by now we would be in a better situation," he said.

Sen. Risa Hontiveros said there was no need to terrorize the people into taking the shots "if only the country has a steady and ample supply of vaccine that is safe, effective and appropriate to their condition."

She said the Duterte administration failed to get citizens to trust vaccination as the best antidote against COVID-19.

"We have spent more than a year under a state of national emergency. The administration has been afforded with resources to increase the public's confidence toward a safe, potent and effective vaccine. Sadly, this was not done," Hontiveros said.

Health advocates believe immunization should remain "voluntary" rather than mandatory.

"Coercion as is the case when arrests are to be made should be the absolute last resort when measures that have not yet been exhausted do exist," said health systems expert

Dr. Albert Domingo.

Former government public health adviser Dr. Tony Leachon said the government must instead focus on addressing hesitancy, which is driven by lack of awareness, perceived adverse events after immunization and lack of available vaccines that people prefer.

Confused, undecided

He said "verbal invectives" could offend people who are both confused and undecided about whether to get inoculated or not.

Domingo quoted international health law professor Lawrence Gostin in saying that mandatory vaccination could be "lawful and ethical" but this was in the context of inoculating health-care workers, in which immunization is seen as part of their duty.

He said that while it is within the state's police power to impose measures that would protect public health, "this is [also] the perfect opportunity for the government's pandemic advisers to demonstrate 'solid science' as a solution to vaccine hesitancy."

Others question mandating vaccination at this time because the available shots worldwide had only been granted emergency use authorization, instead of a full license that comes after the completion of all the steps in vaccine development. —WITH REPORTS FROM MARLON RAMOS, MELVIN GASCON, MARICAR CINCO AND INQUIRER RESEARCH INC