

The Unvaxxed in the Philippines Deprived of Rights, Duterte's Policy: "Prevent Them From Leaving the House"

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Like the West, the Philippines is going down the road to discriminating the unvaccinated by disallowing them to go outside due to a [marching order](#) from President Rodrigo R. Duterte to all village chiefs, which is to "restrain" the unvaxxed and detain them in their homes.

COVID-19 has taken another unpredictable turn with the surge of cases all over the world because of the appearance of the Omicron variant. Lockdowns have been imposed in many nations around the globe since 2020 hoping that this could hamper the rise of cases with foreseeable consequences of crippling the economy worldwide and worsening the poverty situation everywhere. Vaccines were seen as panacea to the pandemic, which was proven to be wrong later. Governments all over have been implementing vaccine mandates forcing whole populations into vaccination. This is a grave and clear violation of the freedom of choice by citizens.

The Philippines had been following the lead of Western nations in resolving its own healthcare crisis due to COVID-19. Vaccination is thought of as cure-all to the problem when it should not be but pills and other drug therapies. First, its Inter-Agency Task Force for the Management of Emerging Infectious Diseases (IATF-EID) planned to implement vaccination by prioritizing [risk groups](#) to achieve its inoculation target of 50 million Filipinos. Later, however, it changed its target to 70 million for the year 2021. But the slow pace of vaccination aggravated by the delays in the arrival of the vaccines made the administration to push the attainment of its target to [February](#) this year, 2022. [As of 4 January 2022](#), only 50,627,482 have been fully vaccinated or 46 percent of the total population of 109.6 million, which brings us to the situation now in the Philippines with Duterte depriving the rights of the unvaxxed to move.

On January 4, 2022, in a taped public address, Duterte ordered:

"Barangay captains, you're put on notice and the order for you is to find out the persons who are not compliant with the laws, or their refusal to have the vaccines. You can

actually prevent [them] from leaving the house”.

He was irrationally equating those who haven't been vaccinated with those who are not compliant with the laws, which they were not. What law did the unvaxxed violate? If they insist on going out, Duterte said that they should be shepherded by authorities adding that

“If you force the issue, I said, because the barangay captain is a person of authority, he can place you [the unvaxxed] under arrest and dalhin ka sa istasyon (bring you to the station)”.

If a police is around, then the barangay captain can ask the policeman to bring the unvaxxed to the police station. If there's no police, as a person in authority the barangay captain can use in Duterte's words, “reasonable force” with the unvaxxed.

In the same address, Duterte also said in Tagalog, which revealed that he is a total pro-vax:

“Kung mamamatay ka, bahala ka sa sarili mo (If you die, you're on your own)...Ngayon kung hihingi kayo ng tulong sa akin, sabihin ko hindi ako tulong sayo. Kasi hindi ka nagpabakuna. Kung nagpabakuna ka wala na akong problema at saka wala ka ng problema (Now, if you ask help from me, I will say I will not help you. Because you didn't get vaccinated. If you got vaccinated, I do not have a problem and you do not have a problem).”

And he thinks only vaccine can save the life of a COVID-19-stricken patient, saying

“No offense sa inyo, pero, which is the reality ever present in the situation in the environment, malaki ang tsansa na kapag mahawa ka, talagang mamatay ka (No offense to you... but there is a big chance that if you get infected you will die)”.

Next, the Metro Manila Council passed consistently a resolution asking local government units (LGUs) to enact local ordinances restricting the movements of the unvaxxed. On January 5, some LGUs in Metro Manila like Quezon City etc. [approved ordinances](#) to this effect limiting the entry to establishments of the unvaxxed and providing penalties for the violation. Inbound travelers to Manila or at border checkpoints must now [present vaccination cards](#).

Why should the unvaxxed bear the brunt of the vaccine hesitancy of the Filipino populace when the vaccines themselves are not safe? As of October 17, 2021, there were [1,122 fatal events](#) that were received by Food and Drugs Administration (FDA) of the Philippines' Department of Health (DOH). The report was evasive that the deaths was not caused by the vaccine but pointed to “underlying conditions or pre-existing medical conditions”. Majority or 70.14% (787) of the fatal cases came from ages 60 years and above, 21.21 % (238) from ages 40-59 years, 7.40% (83) from ages 18-39 years and 1.25% from unidentified ages. As of the same date, the same FDA received 68,690 suspected adverse reaction reports and 3,004 suspected serious adverse reaction reports out of 52,303,905 doses administered.

Banning the unvaxxed from going out of their homes infringes on the [bill of rights enshrined in the Philippine constitution](#) particularly the right to due process and the right to travel. What crime did they commit? Is refusal to get vaccinated a crime? Restraining them to stay at home so that they are pressured to get vaccinated is like coercing them, which violates their right to freedom of choice. The right to travel shall not be impaired “except in the

interest of national security, public safety, or public health, as may be provided by law". The [Philippines' Commission on Human Rights \(CHR\)](#), through its spokesperson, rightly and timely intervened saying,

"Presently, there is no law that makes being unvaccinated a crime, nor is there any law that would satisfy the Constitutional provision on curtailing freedom of movement. Any arrest made on these grounds may be illegal; thus, violative of the Constitution and our guaranteed human rights".

Duterte who flaunts of being a good lawyer must know this but must have become rusty through the years. In fact, Duterte's order should be challenged in the Philippine Supreme Court.

The option to get vaccinated or not rests on the choice of each individual citizen. It should not be legislated. Rejecting to be inoculated should not be criminalized. Nor vaccination should only be made available as the solution to the pandemic. Drug therapies to cure COVID-19 should be accessible to the public because the illness is curable or treatable when it is promptly diagnosed and treated.

Restricting the movement of the unvaxxed is only a kneejerk reaction to the uptick of COVID-19 cases in the early days of this month. Mass testing of COVID-19 should be focused on. Instead of vaccination cards as a requirement for all comings and goings to establishments or places since getting vaccinated does not guarantee that one does not get infected, negative PCR tests and rapid lateral flow tests should be obligatory to all those visiting the malls, markets, shops or any other institutions. Those who tested positive should be encouraged to self-isolate and stay at home.

Better for Duterte to jettison this imprudent policy of dragooning the unvaxxed in their homes, center on mass testing the population and use of drug therapies for the cure of COVID-19 instead of mass vaccination, and opening the economy widely rather than lockdown for normalcy to come back the soonest possible time.

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