

Every Life Matters: An Open Letter to the Filipino People Regarding the Medical, Ethical, Legal and Economic Issues of Mandatory Vaccination

Ever since the start of the pandemic, We, the Concerned Doctors and Citizens of the Philippines (CDC Ph), have been working hard to inform and recommend to policymakers on various levels of the Philippine bureaucracy reasonable and affordable measures to defeat COVID-19 scientifically without the hysteria promoted by self-styled “infectious disease experts.” Most assuredly, none of CDC Ph’s recommendations ever included assaults on our individual liberties or irreparable damage to our livelihoods in particular or the economy in general. We have recommended Focused Protection for the vulnerable, preventive prophylaxis and early treatment protocols. We have also argued against the mandate on face shields, which have since been proven to be nothing more than a farce and made a laughingstock of Filipinos in the world of science.

In these last few weeks, we have been seeing an aggressive push on the part of government to enforce mandatory vaccination on the general population and on our children through IATF Resolution No. 148-B and the various public and private sector directives that have been issued in its wake. On the occasion of International Human Rights Day, We, as doctors, concerned citizens, and decent human beings, feel compelled to speak up on the medical, ethical, legal and economic issues raised by mandatory vaccination, and to remind the Filipino people of our collective duty to protect *everyone’s* human rights even as we strive to end the scourge of COVID-19.

The International Covenant on Civil and Political Rights must be upheld. – The Philippines is a signatory to the International Covenant on Civil and Political Rights (“ICCPR”). The ICCPR provides for, among others, the right to life (Article 6), the right to freely consent to medical experimentation (Article 7), and the right to thought, conscience and religion (Article 18). These rights cannot be derogated from even “in time of public emergency which threatens the life of the nation.” (Article 4) It must not be forgotten that the ICCPR, along with other human rights instruments such as the Universal Declaration of Human Rights, was intended to prevent a repeat of the horrors of the Holocaust and the flagrant human rights violations by Nazi and Fascist countries during World War II, all ostensibly committed in the name of public welfare.

First Do No Harm. – Every doctor must live by the fundamental precept of the Hippocratic Oath to first “do no harm.” All doctors are duty bound to help the sick to the best of their ability and judgment, to abstain from harming or doing wrong to anyone, not to give a lethal drug to anyone if asked, nor to even suggest such an action. Related to this is the precautionary principle which states that the burden of proof for potentially harmful actions rests on the assurance of safety. When there are threats of serious damage or injury, scientific uncertainty must be resolved in favor of prevention. These threats are very real and extremely serious today, as we will demonstrate shortly.

The duty to ensure free and informed consent must be upheld. – Article 7 of the ICCPR provides: “No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. In particular, no one shall be subjected without his free consent to medical or scientific experimentation.” In the context of medicine, free consent must necessarily be *informed consent*. It is a fundamental medical principle that originates from the patient’s right to direct what happens to their body, and is both an ethical and legal obligation of medical practitioners.

For there to be free and informed consent, the following requisites must be present: (1) The health care provider must educate the patient about the risks, benefits, and alternatives of a given procedure or intervention. (2) The patient must have legal capacity to give consent, and must be competent to make a voluntary decision about whether to undergo the procedure or intervention. (3) The patient must be so situated as to be able to exercise free power of choice, without the intervention of any element of force, fraud, deceit, duress, overreaching, or other ulterior form of constraint or coercion. (4) The patient must have sufficient knowledge and comprehension of the subject matter involved as to enable him to make an understanding and enlightened decision. This includes (a) the nature of the procedure, (b) the risks and benefits of the procedure, (c) reasonable alternatives, and (d) risks and benefits of alternatives. Moreover, the health care provider has the duty and responsibility to ensure the quality of the consent of the patient, and to avoid making the patient feel forced to agree with the provider.

Considering the current climate of Big Tech censorship of Social Media, the apparent self-censorship of the Mainstream Media and the reluctance on the part of the DOH and the FDA to broadly disseminate Vaccine Adverse Events data, clearly it cannot be said that the above requisites have been met. (*References: National Center for the Biotechnology Information, National Library of Medicine, U.S. Health Department of Health and Human Services. <https://www.ncbi.nlm.nih.gov/books/NBK430827/>; Nuremberg Code*)

All the COVID-19 vaccines currently available are still experimental. – There is a misconception that the grant of emergency use authorization (EUA) automatically means that the COVID-19 vaccines are safe and effective. This must be clarified. An EUA is

“[A]n authorization issued for unregistered drugs and vaccines in a public health emergency. The EUA is not a Certificate of Product Registration (CPR) or a marketing authorization. The evaluation process of the product may be facilitated by reliance and recognition principles, but stricter conditions on the use and monitoring following authorization shall be imposed.” (*Reference: Philippine Food and Drug Administration (FDA) Circular No. 2020-036*)

Section 34.b.2 of the Universal Health Care Act (R.A. No. 11223) provides that the proper determination of the safety and effectiveness of vaccines requires passing Phase IV Clinical Trial. To date, however, all the COVID-19 vaccines authorized to be used in the Philippines have not yet even passed Phase III Clinical Trial. **All the COVID-19 vaccines currently available in the Philippines are still experimental.** This fact is expressly recognized in R.A. No. 11525 and has been repeatedly confirmed by the Department of Health (DOH). The experimental nature of the COVID-19 vaccines clearly requires greater efforts to ensure free and informed consent, and militates against the implementation of a mandatory vaccination policy.

The COVID-19 vaccines can induce serious adverse effects and even death. – In its *Reports of Suspected Adverse Reaction to COVID-19 Vaccines*, 01 March to 28 November 2021 (“FDA Reports”), the Philippine FDA has admitted 3,995 serious events of adverse reactions to the COVID-19 vaccines. Adverse reactions experienced after vaccination are considered serious when it results in any of the following: (i) In-patient hospitalization/prolongation of existing hospitalization; (ii) Significant disability/incapacity; (iii) Life-threatening (e.g. anaphylaxis) and death; (iv) Birth defect or congenital malformations; and (v) Considered to be medically important event.” (p.7, *FDA Reports*) These serious adverse events include thrombosis-thrombocytopenia syndrome (unusual blood clots with low blood platelets), myocarditis (inflammation of the heart), “Guillain-Barré syndrome” (an autoimmune disorder in which a person’s own immune system damages the nerves, causing muscle weakness and sometimes paralysis), and Bell’s palsy (facial paralysis or weakness on one side of the face). The FDA report also documented 1,538 “fatal events.” (pp. 11-12, *FDA Reports*)

Our Philippine FDA is not alone in confirming this. According to the U.S. FDA Vaccine Adverse Event Report System (VAERS), the COVID-19 vaccines have resulted in the following adverse events in the U.S. as of November 26, 2021:

19,532 deaths
99,943 hospitalizations
102,602 cases requiring urgent care
31,652 people permanently disabled
15,424 incidents of myocarditis/pericarditis
11,636 incidents of Bell’s Palsy
9,746 heart attacks
3,148 miscarriages

(Source: <https://openvaers.com/covid-data>)

The same story is told by data collected by the World Health Organization (WHO). As of this writing, VigiBase, this WHO global database reports at least 2.7 million Adverse Drug Reactions to the COVID-19 vaccines, within just one year of the administration of these vaccines. Never have such numbers been seen in a vaccine since record-keeping began in 1968. (<http://www.vigiaccess.org/>)

Yet under the law, no one can be held responsible for these serious adverse effects. – It is then the height of cruelty and irony that despite these serious risks, the vaccine manufacturers and other persons responsible for implementing the COVID-19 vaccination program are “immune from suit and liability under Philippine laws with respect to all claims arising out of, related to, or resulting from the administration or use of a COVID-19 vaccine.” (Sec. 8, RA 11525) Under WHO ethical standards, vaccination cannot be made mandatory if patients do not have mechanisms for redress in instances of serious adverse effects. To wit: “Even when the vaccine is considered sufficiently safe, mandatory vaccination should be implemented with no-fault compensation schemes to address any vaccine-related harm that might occur. This is important, as it would be unfair to require people who experience vaccine-related harm to seek legal remedy from harm resulting from a mandatory intervention.”

The right to life and due process must be upheld. – In light of the foregoing issues, mandatory vaccination clearly violates the right to life guaranteed under Article 6 of the ICCPR, and the right to due process and equal protection under Article III, Section 1 of the Philippine Constitution. The Filipino people should not be coerced into being injected with experimental drugs that are already known to have resulted in serious health injuries and even death, under duress and threat of ostracism and exclusion from their workplaces, schools, and public spaces, and without accountability from vaccine manufacturers in the event of serious injuries and death. Moreover, there are known cures and protocols for prevention, early treatment, and focused protection of COVID-19 cases that are far safer and more effective than the experimental COVID-19 vaccines. These must be promoted and dispensed rather than attacked and vilified by the DOH and the FDA in their official pronouncements.

We therefore call on the Philippine government to:

- Immediately revoke IATF Resolution No. 148-B for being unreasonable, oppressive, discriminatory, and confiscatory of people’s lives, liberty, and property without due process of law.
- Categorically declare the COVID-19 vaccination to be voluntary, and to order all public and private sector agencies and offices to ensure free and informed choice in the implementation of the vaccination program.
- Ensure free and informed consent in its COVID-19 vaccination drive by publicly disclosing and discussing the true risks and benefits of COVID-19 vaccination.
- Open a genuine dialogue on safe and effective alternatives to the COVID-19 vaccines, including protocols for prevention, early treatment, and focused protection.
- Investigate the true economic costs of the COVID-19 vaccination program, particularly public spending in vaccine procurement and logistical support, and its long-term effects on government borrowings and public debt.

Quoting once again the WHO’s policy brief dated 13 April 2021 (COVID-19 and Mandatory Vaccination: Ethical Considerations and Caveats): “... coercive exposure of populations to a potentially harmful product would violate the ethical obligation to protect the public from unnecessary harm when the harm the product might cause outweighs the degree of harm that might exist without the product.”

Every life matters. Bawat isang buhay ay mahalaga. Let us not sacrifice human lives and human rights at the altar of public health, most especially not the lives of our children.

God bless the Filipino People!

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