

PRESIDENTIAL COMMUNICATIONS OPERATIONS OFFICE
News and Information Bureau

INTERVIEW WITH PRESIDENTIAL SPOKESPERSON HARRY ROQUE
BY KAREN DAVILA – HOT COPY/ANC
MAY 27, 2021

DAVILA: Secretary Roque, good morning to you, sir.

SEC. ROQUE: Good morning, Karen. And good morning, Philippines.

DAVILA: All right. Coming from the President's address last night, let's start with his stern warning that was issued to barangay chairmen. Warning them na kayo ang unang huhulihin. How will you be implementing this? Can this be implemented on the ground given that the DOJ itself in an interview with Mike Naballos just before Headstart has said that clearly it would mean to take a judge to issue an arrest warrant to arrest, for example a barangay chairman proven that there is a probable cause that they did commit a crime? Let's start with that. How will this be implemented in real life?

SEC. ROQUE: Well, the President did say that the crime for which the barangay captains to be held liable is dereliction of duty. Under our rules of court, there are instances when warrantless arrest could be performed by law enforcement agents and the only ground in fact, is when the law enforcement person is personally witnessing a crime. So if there is for instance a super-spreader event ongoing such as what happened to that swimming pool, and the barangay captain is in the area and knows about it, then that in fact is an indication that he personally knew about the breach being committed and did nothing to prevent it. That would be sufficient for a warrantless arrest on the basis of dereliction of duty.

DAVILA: Okay, so you said something that's more detailed. "The barangay chairman would have to know about it and taking it further, he would have to be at the scene itself."

SEC. ROQUE: Yes, that's correct.

DAVILA: Pero may kasabihan tayo sa Tagalog, 'di ba, Secretary, iyong "natutulog sa pansitan". Paano po kung wala sa scene pero wala lang, hinayaan lang ng barangay captain, hindi po niya alam? Pabaya po siya?

SEC. ROQUE: Well, in which case, the normal procedure would have to be followed. It would have to be a formal complaint to be filed before the prosecutor's office. The barangay captain will be given an opportunity to be heard and if there is probable cause. Then it will be filed in court, at which time, the court can issue then a warrant of arrest.

DAVILA: Okay, so if the barangay captain is at the scene and law enforcement officers have a reason to arrest the barangay captain, will it also go for other persons at the scene at a super-spreader event? I'm curious. Like the owner hypothetically of a resort or the guest themselves, the manager?

SEC. ROQUE: Well, the guest themselves would be liable. Because they are committing the breach of health protocols, which in turn would be a violation of an existing ordinances! The owners of course will also be complicit, would also be liable on the basis of conspiracy because he allowed the offenses to happen. So, it's just to stress that although we still have to come up with the national law on quarantine, we do have existing ordinances and we do have specific provisions of the Revised Penal Code which will be sufficient.

Now, am I happy with the reckless imprudence, well I think there should be a higher penalty to be imposed on individuals who will be responsible for super-spreader events. Because as you know, kapag ang kaso ay reckless imprudence, there is hardly any imprisonment and which is subject to, in fact, settlement. So I would like to see or prefer to see that Congress specifically enact a national quarantine law similar to what other countries have that would spell out stiffer penalties for those in breach of quarantine protocols.

DAVILA: And at this particular moment in the absence of a law Secretary, would law enforcement authorities, would they have the jurisdiction as is, to arrest?

SEC. ROQUE: Well, let me clarify, as the President said, there is already a legal basis 'no, and of course I concur with Secretary Panelo. What I said was perhaps the penalty for reckless imprudence is not stiff enough to serve an example to others to comply with quarantine regulations. But, because there are existing laws right now, we can use the existing laws and that would be reckless imprudence as well as the breach of existing ordinances that would be legal basis pursuant to the nullum crime sine lege, nulla poena sine lege.

DAVILA: But in the absence of a quarantine law, Secretary Roque, would law enforcers have enough [authority] to arrest every civilian for example in a super-spreader event without breaking their civil liberties – arrest them, detain them?

SEC. ROQUE: Yes, because as the President said, this is reckless imprudence. So that's sufficient basis, but I would like to see stiffer penalty, so I am just emphasizing. There are existing laws which you can apply for now, but I want more effective laws that would provide for more stringent penalties so that there would be more compliance for quarantine classifications.

DAVILA: Okay are you planning to come out within the absence of a law, at least a guideline or protocol on how the new directive coming from the President will be implemented to make sure there are no abuses coming from police enforcers?

SEC. ROQUE: There are already existing limitations, one of which is the Bill of Rights, another one is the Rules of Court provisions on warrantless arrest and then of course there is this administrative rule that the police can only apply proportionate force to the prevailing circumstances that they are encountering. And that is what the President meant if they resist for instance arrest, then you can apply proportionate force. But the President did warn our policemen yesterday that he will back them up if they are on the right and that if they are in violation of law or if they are using excessive force, then they will be left to defend themselves.

DAVILA: All right. Moving now to the use of new terms from herd immunity there was herd containment and now, it is population protection. Okay, herd immunity is a scientific term. So let us talk this we've learned about NCR Plus, we've moved to that. But what is population protection exactly?

SEC. ROQUE: Well, I understand that herd immunity is a very technical term which also will require attaining a certain R Naught. What we want now is population protection, what we want is to see what is happening in places like Israel, the UK and the US where we have seen that after they have inoculated, 40 to 50% of their population there has been a dramatic decrease in the number of cases. It's not exactly herd immunity yet, because the cases continue to exist and therefore, there is no herd immunity yet but the number of cases have gone down dramatically resulting to almost negligible deaths and almost negligible serious or critical cases of COVID-19. So that is what we are aiming for right now, knowing that unless the cases actually go down to zero, there will be no herd immunity. So the better term now is population protection.

DAVILA: Okay, actually herd immunity is defined as 70% of the population is vaccinated. But population protection was defined as targeting individuals at higher risk of contracting COVID-19, am I correct, Secretary? That is how you were referring yesterday?

SEC. ROQUE: That is also correct and that is why, we are giving priority to Metro Manila Plus where the cases are highest. And of course, even without being a scientist, we know that if we concentrate on areas with most of the cases then chances are, we are giving immunity to the most affected areas and as a result the cases would go down if many of the individuals in Metro Manila are in fact inoculated.

DAVILA: Okay, so one would think isn't this a PR term because I wanted to ask you, because population protection based on the definition of the DOH yesterday, that it will target individuals at higher risk of contracting COVID-19, developing severe symptoms, A1 to A3, you are already doing that, right now, right? So, presently that is what the government is doing.

SEC. ROQUE: I guess there is a distinction between giving protection to the most vulnerable and actually trying to control the spread of the coronavirus in areas with the highest incidence of the disease. So we need to distinguish between the fact that in terms of urgency, it is most urgent to give protection to those who are most vulnerable physically because of their age or their comorbidities as against achieving some kind of population [protection] in areas where the cases are highest.

So, actually, it's a very technical term. It's not just a PR term but it is, I guess, a more accurate description of what we seek to happen.

Yesterday, Secretary Galvez had that graphs indicating the status of COVID cases in Israel and the UK and the US, and that exactly what we want to achieve. The cases will still be there, in other words, there is still no immunity in the sense that there will still be COVID cases, but at a very reduced rates and very manageable rates.

DAVILA: Yeah. I wanted to ask you because Israel as an example, I watched the briefing last night, Secretary Roque. Wouldn't Israel be an inaccurate analogy to the Philippines and many countries in the world because Israel, I mean most of the population has been vaccinated?

SEC. ROQUE: Well, that's what we're aiming. As soon as they reached 50% of the population being inoculated, we saw the dramatic decline of cases. Actually, it started when they vaccinated 30% 'no. So the prevalent scientific view now is after 30%, we should see an appreciable decrease in the number of cases.

But I would agree that somehow, perhaps not comparing apples to apples because Israel, in the first place, has a population of I think under five million or something. But if we are to compare for instance with Manila or Metro Manila, perhaps not 'no. But we are dealing with the fact that if we are successful in population protection in Metro Manila, we still have to deal with other islands in an archipelago.

DAVILA: Okay. Now, last night, Secretary Galvez also said, what's most challenging is to actually convince seniors to have themselves vaccinated. And they would fall in the A1 to A3 category, and you already have mayors that want to open A4, right? Some have said that you can put open it to A4 and have A1 to A3 on a green lane. So this would be a policy-shift in strategy. What can we expect then because that would change essentially how many people would get vaccinated, workers who believe, "Oh, I can go to work and be vaccinated."? Where are we going with this?

SEC. ROQUE: I wouldn't say it's a dramatic change in strategy because we gave priority to those who are most vulnerable. However, we can't of course allot all the vaccines to those who are most vulnerable after we've given them enough time to avail the privilege or benefit.

But you know, I'm really concerned about the seniors, because I'm taking care of an aunt and an uncle who are both seniors. And in their instance, they are both bedridden so I have had to arranged actually for inoculation at home 'no for the two of them. And I wonder how many seniors, in fact, can't actually leave their homes because they are actually bedridden. I'm taking care of the people who literally are in bed 'no. So I think I'm going to suggest that the LGUs actually somehow exert effort to determine if the seniors who are not being inoculated is because they are physically unable to leave their rooms, and that in which case we should come up with the system now.

There is a system 'no, in Quezon City, there is a system, of course you show medical records and of course they eventually relented and went to where my senior citizens were, and they saw that they were in no position to leave because they're literally bedridden. So I guess in those instances, I'm just concerned that with my personal experience, I'd like to know how many more seniors are unable to leave their homes.

DAVILA: Yes, that would be an addition to strategy, and I've also heard one expert say that the problem with many seniors, possibly in the lower income areas and even, frankly speaking, even in a higher social strata, is they wouldn't know how to register online, right? I mean, I wouldn't

know how to use, they wouldn't know how to register themselves online. So the question has always been, when it came to seniors, shouldn't it be a house to house vaccination?

SEC. ROQUE: Well, I guess from my experience in Quezon City, what they did was they actually went to the barangay. They did not wait for the seniors to come to the vaccination centers. And in our case, they use our Viber group, our village Viber group to encourage the seniors 'no. So they set a date at the parish, and the vaccination was actually conducted for seniors in the parish for those who could physically move. And then they actually went to the homes of those who were physically debilitated.

DAVILA: All right, okay. So that's one, okay, you will suggest. You said it, you will recommend a possible house to house—

SEC. ROQUE: Oo, as far as starting with A4 and A5, well, I think we've given sufficient time really to those with priorities. And because we are racing against time with the arrival of the new variants, it only makes sense now that we start with A4 and A5.

Now, I hasten to add that with A5, we have an obligation, a contractual obligation with COVAX to use the donated vaccines for the indigents which unfortunately jives with the promise of the President that the poor will be given priority. Now, as far as the A4 is concerned, we will use our purchased vaccines 'no. And of course, although—because COVAX has nothing to do with the purchase of vaccines, then we can implement our national vaccination policy as far as the A4 is concerned.

DAVILA: Okay. Very quick question, Secretary Roque, just quickly. Given that only Pfizer and Moderna have been allowed by the US FDA and I think even the WHO to be used for students, for teenagers, they were suggestions in the Philippines to set aside Pfizer for teenagers since we don't have enough stock so that they can go back to school. Is that possible in the Philippines?

SEC. ROQUE: Well, that would make sense but again, I hasten to add that we will have more Pfizer vaccines. And we're hoping that by the time they Pfizer vaccines arrive that we would have inoculated already a substantial percentage of our population so much so, that since teenagers are not yet in the list of population to be inoculated, by the time we get to the teenagers, there's a possibility that there were really be supply of Pfizer to begin with 'no.

And if there's none, we're hoping that because the US is aiming to achieve liberation from COVID-19 by July 4th that they would be sufficient supply unlike what has happened in the past 'no, where the supply was really tight that we could not get them even if we wanted to buy them.

DAVILA: Quickly: Now, Presidential Adviser for Entrepreneurship Joey Concepcion was asking if AstraZeneca can be used solely for economic frontliners? Is that a possibility, too?

SEC. ROQUE: Well, again, it's only matter of supply. And if we were to allow that to economic frontliners, it goes against what we're saying and what is the reality on the ground that all vaccines authorized by the FDA and by other countries, including the WHO Emergency Use List, are all the same. So they are contradictory if we are to allow that.

DAVILA: Okay. I apologized, I don't mean to interrupt you, it's just that I have so many questions that I am racing against time here. There are also fears coming from some LGUs that when the vaccines arrive, that vaccine distribution might be politicized, that there might be preference to allies of the administration instead of those perceived to be the opposition or those perceived to be running against the administration in 2022. Now, that's an interesting question because it's obviously, vaccination is going to be part of the elections just like the West Philippine Sea in 2022. How do you distribute vaccines and how do you assure that politics won't be a part of the distribution, Secretary?

SEC. ROQUE: Well, to begin with, we're not like other administrations. I think President Duterte has proven that in his administration, when he became President, he ceased to be a candidate and he is a president of all Filipinos.

Now, scientifically, you can't discriminate because you're defeating the purpose of a mass vaccination. No one is safe until we are all safe, and it does not make sense if you give priority to areas just because they are political supporters there and ignore other areas because the nature of the virus is it does not discriminate against or for political allies or opponents. So scientifically, it does not make sense; and the track record of the President is he does not consider politics in his administration 'no, and that's a [garbled]

DAVILA: Okay, all right. And in terms of travel, will the Philippines be taking steps on recommendation right now that the United States and the European Union might allow only travelling who have been fully vaccinated by certain vaccines, right? We've heard that they don't recognize vaccines coming from China and even vaccines coming from Russia. And I know, you've just said that vaccines are all alike. But clearly for the US and the EU, they're not one and the same. So what steps will the Philippines be taking and will we be acting on it because it might affect our Overseas Filipino Workers who were inoculated with Sinovac, for example, or even Filipino travelers who were inoculated with Sinovac but can afford to travel to Europe or need to go to the US?

SEC. ROQUE: Well, I think if a vaccine makes it to the WHO emergency use list, then we should not discriminate against or in favor of any of these vaccines in that list. And that's why I think direction we're headed for is to come up with an international agreement recognizing all those in the WHO EU list as vaccines which would be sufficient to allow international travel. Otherwise, they would be some kind of—

DAVILA: A bias.

SEC. ROQUE: For lack of a better term, vaccine apartheid again 'no. And we can't actually detach economic motivations behind the preference for vaccines. If the WHO says they're all equally effective and safe, and yet you insist on specific brands, it must be because your country is manufacturing those brands and you're marketing your brand. See, and that's why it's important to have an international agreement otherwise we have apartheid all over again.

DAVILA: Oo. So clearly, the Philippines will speak out against this?

SEC. ROQUE: I think so, and of course China will also retaliate. China is only the most populous country on Earth, it is actually second largest economy but soon to be the largest economy on the Earth, and I think the Europeans and the Americans would think twice about not allowing their citizens into China since everyone is targeting the China market.

DAVILA: Okay. Now, Secretary Duque last night also cited increasing cases in Visayas and Mindanao. Would there be a possibility after last night's presentation of limiting travel to the Visayas? I mean clearly, you have the Department of Tourism wanting to encourage travel, again reopening businesses. But with the increasing cases, is that a possibility, Secretary?

SEC. ROQUE: Well, we always have established criteria on quarantine classifications 'no. And even without the request of the local government unit, we are monitoring the situation all over the Philippines. And recently 'no, we have upgraded quarantine classifications at least twice 'no in the north and in the Visayas, in Iloilo City 'no, indicating that we are applying the scientific formula of looking at the two-week average daily attack rate—the daily attack rate, as well as the healthcare capacity 'no.

So if it warrants it, then of course quarantine classifications will be increased; and if as a consequence of that increase, interzonal travel would be prohibited, then so be it.

DAVILA: All right. Secretary Berna Puyat made a recommendation if the IATF can allow fully vaccinated Fil-Americans or Filipinos coming back to the country to have less quarantine time of—I think was she asking for seven days, or 7 or 10 days instead of the 14 days.

SEC. ROQUE: Well, precisely, IATF—

DAVILA: Fully vaccinated 'to, Secretary ha, fully vaccinated.

SEC. ROQUE: Yes, oo. We have, in fact, created in the IATF a subcommittee to come up with the recommendations on the protocols for fully vaccinated individuals 'no. Some countries are no longer requiring in fact quarantine for those with evidence of full vaccination 'no. So let's await for the recommendations and the decision of the IATF. But what is definite is, the IATF is now studying and recognizing that protocols perhaps should be different for those who have been fully vaccinated.

DAVILA: All right. When it comes to the West Philippine Sea, very quickly, I know that you had said the President gave strict instructions that it was only yourself and Foreign Affairs Secretary Locsin who can discuss the West Philippine Sea in public coming from the administration? Am I correct? Did I understand correctly?

SEC. ROQUE: That's correct, that was the instruction of the President.

DAVILA: That was the instruction of the President. So I wanted to ask you, Secretary Sal Panelo was on ANC last night and apparently he confused the West Philippine Sea with the South China Sea and the interests of claimant countries. Can you explain that then, if the instructions are clear? Did you get to watch that interview, Secretary?

SEC. ROQUE: No, but I'd rather not speak for Secretary Sal Panelo because I can only have authority to speak for the President.

DAVILA: Okay, all right. So moving forward since you won't speak about that and I'm—he's a colleague of yours and another Cabinet secretary, as well. In the press briefing, a reporter asked you kung anong puwede gawin ng Pilipinas and I want to quote what you said. You said, "Ang usapan po, walang bagong reclamasyon, walang bagong teritoryo na aagawin sa atin and they're holding as far as that promise is concerned." But you said in effect, "Anong gusto mong gawin?" And it seemed to some observers that the Philippines cannot do anything when it comes to the militarization in the West Philippine Sea or the encroachment of China. Is the administration going to move forward in terms of speaking with its allies or just bilateral negotiations or having at least a different kind of tact with the West Philippine Sea, Secretary?

SEC. ROQUE: Yeah. Again, Karen 'no, the problem in international law is we don't have an international police or international sheriff to enforce tribunal decisions – so we're stuck. The only way we could enforce it, through the use of force is through Chapter 7 when authorized by the Security Council and we can't look forward to that because China has [garbled] powers in the Security Council.

Now as far as advancing our interest are concerned, the policy is, let's set it aside and move forward on matters that we could such as trade and investment. But having said that, the President spoke in the UN arguing that the decision of the tribunal is now part of international law and asking countries to support the decision which is in support of the multilateral approach. And at the same time, we are having constant dialogues with China – in fact regular bilateral talks concerning the West Philippine Sea which is bilateral talks.

So in diplomatic parlance, we are pursuing both multilateral and bilateral approaches in coming up with a peaceful solution to the West Philippine Sea which is not tantamount to not doing anything as claimed by our critics.

DAVILA: Okay. But, Secretary, would bilateral talks at this point still prove to be fruitful?

SEC. ROQUE: Number one, our fishermen are able to fish in Scarborough again. When during the past administration where we rejected bilateral talks, we were in fact forcibly removed from the area 'no. Secondly—

DAVILA: But didn't China just recently unilaterally order a fishing ban?

SEC. ROQUE: Well, they did but the fishermen are still fishing 'no because they can only enforce the regulations in areas that they have sovereignty or sovereign rights 'no. But I think the Chinese have recognized, even if they refused to recognize the arbitral award, that there is a traditional fishing rights in Scarborough Shoal that's why our fishermen are still engaged in their traditional livelihood in that area.

DAVILA: Okay. But then—okay, right now we are still patrolling the West Philippine Sea, we are continuing law enforcement patrols. But has this administration made a decision, for

example, in conducting joint patrols with our allies like the United States or even Australia to strengthen our position when it comes to the West Philippine Sea?

SEC. ROQUE: Well, you know, if these countries engage in what is known as freedom of navigation voyages, then that redounds to the benefit of everyone even without our participation. We have limited vessels, Karen, and right now we are devoting whatever vessels we have into protecting our national territory and areas where we have sovereign rights.

Of course, we have treaty obligations to undertake joint military exercises with the United States which we in fact just did recently. But beyond that, even if we wanted to, there's not much resources that we can share. And meanwhile, the fact that we are not physically participating in this freedom of navigation voyages does not mean that we're not cooperating because that redounds to the benefit of everyone because it proves that there is freedom of navigation in the West Philippine Sea.

DAVILA: All right. My last question, Secretary. Secretary Sal Panelo said also on ANC last night in Christian's show, he said and I quote, "You must remember that the particular one million vaccines that were given to us were a very significant contribution by China. We had no vaccines coming in from our friends in America." Does this statement in any way, this was in the context of the West Philippine Sea discussion? So, some might interpret this as foreign policy or the reason why the administration is soft when it comes to China. But do you agree with that statement first?

SEC. ROQUE: I would have to agree because we were in dire straits in the beginning. We wanted to start our vaccination and we simply had no vaccines because, as described by the UN Secretary General, it was really vaccine apartheid where only the rich countries were able to able of the brands 'no that many preferred. So it's a statement of fact that this is a manifestation of our friendship with China, but at the same time, our China policy under the Duterte administration has been implemented since day one of the administration. We have not waived; we have not changed; we have been consistent despite and in spite of what the critics may have said against it.

DAVILA: All right. But the vaccine diplomacy, is it right to say that it does affect how we deal with China when it comes to the West Philippine Sea?

SEC. ROQUE: Certainly not because the policy has been consistent 'no. The policy of setting aside those that we can't agree in our lifetime, as I said, has been a policy since day one even before COVID-19 came about.

DAVILA: All right, on that note, Secretary Harry Roque, I want to thank you for your time this morning, sir, appreciated. Thank you.

SEC. ROQUE: Thank you very much and good morning, Karen. Good morning to everyone.

##

--

News and Information Bureau-Data Processing Center