

DOJ indicts Garin, 19 others for homicide over Dengvaxia mess

MANILA -- Prosecutors have found probable cause to indict various former and current health officials, led by former Health Secretary Janette Garin, for reckless imprudence resulting to homicide in the deaths of eight children who were administered the Dengvaxia anti-dengue vaccine without the necessary precautions.

Justice Undersecretary and spokesman Markk L. Perete announced Friday that aside from the DOH officials, likewise named in the 127-page resolution recommending the indictment were officials of the Food and Drug Administration (FDA), Research Institute for Tropical Medicine (RITM) and international pharmaceutical giant Sanofi Pasteur Inc.

Aside from Garin, recommended for indictment for eight counts of reckless imprudence resulting to homicide were DOH doctors Vicente Belizario Jr., Kenneth Hartigan-Go, Gerardo Bayugo, Lyndon Lee Suy, Irma L. Asuncion, Julius A. Lecciones, Maria Joyce U. Ducusin, Rosalind Vianzon and Mario S. Baquilon.

Likewise charged were Maria Lourdes Santiago and Melody Zamudio of the Food and Drug Administration (FDA), Dr. Socorro Lupisan and Dr. Maria Rosario Capeding of RITM and Sanofi Pasteur's Carlito Realuyo, Stanislas Camart, Jean Louis Grunwald, Jean Francois Vacherand, Conchita Santos and Jazel Anne Calvo.

The DOJ, on the other hand, ordered the dismissal of the same charges against Health Secretary Francisco T. Duque III, former officer-in-charge Dr. Herminigildo Valle, Sanofi Pasteur Inc.'s Pearl Grace G. Cabali and Maria Ester Vangaurdia-De Antoni.

Likewise, cleared from the charges were officers and directors of Zuellig Pharma Corporation, namely Kasigod V. Jamias, Michael Becker, Ricardo J. Romulo, Imran Babar Chugtai, Raymund T. Azurin, Nilo P. Badiola, John Stokes Davison, Marc Franck, Ashley Gerard S.

Antonio, Ana Liza A. Peralta, Rosa Maria M. Chua, Danilo J. Cahoy, Manuel J. Concio III, Roland Goco and Ma. Visitacion I. Barreiro.

"The Department of Justice (DOJ) clarifies that the finding of neglect against those who administered the immunization program using Dengvaxia should not, in any way, be used to stoke public fear of vaccination," the DOJ said in a statement adding that the decision "reiterated the high degree of accountability and caution demanded of those who adopt and implement policies and programs involving public health,"

"Holding to account those who neglect to discharge their duties to the public with utmost caution and competence is the best deterrent against the repetition in the future of the criminal neglect exhibited by respondents," the DOJ said adding that "it is likewise the best assurance that all government health programs -- immunization drives included -- will confirm to the highest standards of safety and efficacy," the DOJ added.

The prosecution panel found inexcusable lack of precaution and foresight by the respondents when they facilitated with undue haste, the registration and purchase of Dengvaxia citing evidence that Garin and the other respondents circumvented various regulations in the purchase of PHP3.5 billion worth of Dengvaxia vaccine which constituted proof of their reckless imprudence.

The DOJ prosecution panel is composed of Senior Assistant State Prosecutor Ma. Emilia L. Victorio, Assistant State Prosecutors Christine T. Perolino, Susan B. Azarcon and Alejandro C. Daguiso and Associate Prosecution Attorneys Joan Carla V. Guevarra-Garcia and Jerome I. Coronel. The resolution was approved by Prosecutor General Richard Anthony D. Fadullon.

The resolution also faulted Sanofi officials for failing to actively monitor and conduct close surveillance of Dengvaxia recipients.

It also found that Sanofi

did not extend any medical assistance to the victims or their families even after reports of serious adverse reactions surfaced.

The DOJ cited a "dangerous recklessness and lack of care or foresight as to the outcome of their actions," adding that respondents "totally disregarded the identified risks and adverse effects of the vaccine,"

At the time of purchase, the Dengvaxia vaccine was not listed in the so-called Philippine National Drug Formulary (PNDF). A purchase request for the vaccine was made as early as January 2016. Actual purchase was made in March 2016.

Republic Act 9502 otherwise known as the Universally Accessible Cheaper and Quality Medicines Act of 2008 prohibits the government from procuring drugs and medicines which are not included in the PNDP.

Meanwhile, Executive Order 49 s. 1993 requires PNFD listing before drug purchases by the government can be made, the DOJ noted. (PNA)

Syrian with fake Kiribati passport nabbed at NAIA

MANILA — Immigration officers at the Ninoy Aquino International Airport (NAIA) arrested a 19-year-old Syrian national who attempted to enter the country using a bogus Kiribati passport.

In a statement Friday, Bureau of Immigration (BI) port operations chief Grifton Medina identified the apprehended foreigner as Al Naasan Ibrahim, who arrived at the NAIA Terminal 1 aboard a Malaysian Airlines flight from Kuala Lumpur last February 22.

"He initially presented a Kiribati passport which drew the suspicion of the immigration officer, who then referred the passenger for secondary inspection," Medina said in his report to BI Commissioner Jaime Morente.

During the interview, the foreigner allegedly con-

US vows defense aid to PH: Palace

MANILA -- US Secretary of State Michael R. Pompeo assured President Rodrigo R. Duterte of his country's commitment to protect and help the Philippines in its defense in case an attack happens on its territories in their Thursday night meeting, Malacañang said Friday.

"First, according to them, if there is an attack on us then they will be protecting us or helping us in our defense. Number two, they will be providing us with arms -- but not free. We're going to buy it from them," Presidential Spokesperson Salvador Panelo said in a briefing.

"In fact, the President related to the Secretary of State how he was disappointed when we were trying to buy rifles from them, but some senators opposed it until we were not able to buy. That's why we have to run to other countries. And in fact, (Foreign Affairs) Secretary (Teodoro) Locsin (Jr.) commented - after in the courtesy call - he can't even understand why we're supposed to be allies of the US, and the US has been giving arms for free to other countries and yet, we, the strongest ally of the US

cannot even purchase rifles from them," he added.

Panelo said Duterte cited the need for stronger ties between the two countries to preserve peace in disputed territories and fight terrorism.

"The President highlighted prospects of stronger and more meaningful ties with the United States, particularly on defense and security, peace and order, regional stability, as well as the rule of law in the conduct of activities in the West Philippine Sea to prevent escalation of tensions among countries involved. PRRD thereafter discussed ways to further strengthen cooperation between the two countries in countering terrorism and violent extremism," Panelo said in a statement.

Duterte also thanked Pompeo for the return of the Balangiga bells in the Philippines, Panelo said.

"The President then reaffirmed the strength of Philippines-US alliance. In response, US Secretary of State Michael R. Pompeo expressed confidence in the strength of Philippines-US alliance," he said.

Panelo said Pompeo

"reaffirmed their country's commitment to strengthen cooperation and deepen engagement with the Philippines on matters of mutual interest and common concern at the regional and global arena, including the rule of law and need for a rules-based regime in the West Philippine Sea."

Aside from the President, Executive Secretary Salvador Medialdea, Defense Secretary Delfin Lorenzana, Foreign Affairs Secretary Teodoro Locsin Jr., and Philippine Ambassador to the US Jose Manuel Romualdez were also in the meeting.

Pompeo arrived in Manila on Thursday for a two-day visit in the Philippines.

He traveled to Manila from Hanoi, Vietnam, where he participated in President Donald Trump's summit with North Korean leader Kim Jong-un, as well as bilateral meetings with Vietnamese leaders. (PNA)

now detained at the BI Detention facility in Bicutan, Taguig City pending his prosecution for violating the country's immigration act.

According to BI-NAIA 1 travel control and enforcement chief Glenn Ford Comia, the Syrian revealed that he bought the fraudulent Kiribati passport for USD5,000 from a syndicate in Siem Reap, Cambodia.

The travel document was allegedly sold to him by a Jordanian named Mohammed whom he met via the internet. Also in his possession is a Kiribati national identity card and certificate of nationality which the syndicate also gave him. (PNA)

Court junks 8 PCG men plea in Taiwanese fisherman's death

MANILA -- A Manila court has denied the plea by defense lawyers questioning the homicide charges filed against Philippine Coast Guard (PCG) personnel who opened fire on a fishing vessel and killed a Taiwanese fisherman off Balintang Channel in Batanes six years ago.

In an order dated February 26, Manila Regional Trial Court (RTC) Branch 15 Judge Eduardo Ramon Reyes dismissed the motion for reconsideration filed by the defense panel on an earlier order by the court dated Oct. 26, 2018 de-

nying their demurrer to evidence.

"This court is of the opinion that such assertions constitute matters of defense which should be passed upon only after a full-blown trial of the merits," the judge said, even as State Prosecutor Juan Pedro Navera accused defense lawyers of delaying the proceedings.

"Based on the foregoing, there are pieces of evidence which prove that the accused fired upon the Taiwanese Vessel GDX No.28. That in furtherance of the prosecution's theory of conspiracy all

of the accused may be held liable for the crime charged, unless they sufficiently proved the contrary," Reyes said in his order.

In 2014, state prosecutors charged eight PCG officials and personnel in connection with the death on May 9, 2013 of Taiwanese fisherman, Hong Shi Cheng.

Cheng was aboard the fishing vessel Guang Da Xing No. 28 when it was fired upon by members of the PCG on board the MCS-3001, a patrol boat belonging to the Bureau of Fisheries and Aquatic Resources (BFAR).