

## Letter of Appeal to Philippine Business Owners

Name of Shop: \_\_\_\_\_  
Name of Owner: \_\_\_\_\_

Dear Business Owner,

We hope and pray that this letter finds you well. It is with utmost respect and gratitude that we write you this in response to your recent announcement that only vaccinated individuals are allowed in your business premises. We are writing this letter in hopes to get you to allow your unvaccinated customers to continue to patronize your business. We understand that your greatest concern is the possible transmission of infection within your business establishments. We therefore would like to share the following reasons why you might want to reconsider your stand.

First, the vaccination for Covid-19 is **not mandatory** and recipients can only be encouraged to volunteer to be a part of the vaccination program. Private business establishments who employ individuals are not even permitted to mandate the vaccine on their employees.

Second, these vaccines are made available *only under an EUA (Emergency Use Authorization)* and per FDA explanation this means that "The FDA must ensure that recipients of the vaccine under an EUA are informed, to the extent practicable given the applicable circumstances, the FDA has authorized the emergency use of the vaccine, of the known and potential benefits and risks, **the extent to which such benefits and risks are unknown, that they have the option to accept or refuse the vaccine, and of any available alternatives to the product.**" (please see attached document for reference.)

Third, these vaccines are still in their Clinical Phase III or IV Trials, some of which will not end until 2023 and ongoing data gathering is still actively done for any short, mid and long-term side effects. Please see below for specific [ClinicalTrials.gov](https://ClinicalTrials.gov) Identifiers:

AstraZeneca - ClinicalTrials.gov Identifier: NCT04516746  
Pfizer - ClinicalTrials.gov Identifier: NCT04848584  
Moderna - ClinicalTrials.gov Identifier: NCT04283461; NCT04470427  
Janssen - ClinicalTrials.gov Identifier: NCT04505722  
Sputnik - ClinicalTrials.gov Identifier: NCT04741061  
Sinovac - ClinicalTrials.gov Identifier: NCT04456595; NCT04747821

Fourth, the current data coming out of countries and cities/barangays with high vaccination rates are now showing that *breakthrough cases are still happening in vaccinated individuals.* (please see attached page for sample graphs)

Fifth, as provided for in Section 12 of R.A. 11525, it is stated that vaccinated individuals **are not considered immune from Covid-19.** This is therefore consistent with DOH's announcement that vaccinated individuals must continue to follow health protocols such as wearing masks, social distancing, quarantining and the like.

Lastly, your customer's right to exercise the right to life is recognized by our Constitution. Under Article III, Section 11 and Article III, Section 1 of the 1987 Constitution is the pertinent provision to this. If this is anything that may endanger their life, people are lawfully allowed to protect their life by any means and are allowed by law to sue and claim damages against anybody who may want to cause them harm. Under the equal protection clause of the Constitution of the same provision, the distinction must be germane to the purpose.

If your intention of requiring your customers to be vaccinated is in order to prevent transmission then that purpose is not relevant to the reason for your requirement. **As clearly evidenced at present, both vaccinated and unvaccinated are equally susceptible to infection and transmission.**

We are hoping our local business establishments like your will not stand for **discrimination** and will instead uphold what is right and what is true in our circumstances today. We hope to see your businesses change track on this one before we raise the matter to the LGU's Health Committee as any form of discrimination against unvaccinated individuals at present is clearly unconstitutional and illegal.

We pray that your businesses will continue to flourish in these trying times as you continue to serve without discrimination to age, race, religion, sex, and vaccination status.

Sincerely,  
**Concerned Doctors and Citizens of the Philippines**