

THE STRUGGLE AGAINST THE COVID-19 PANDEMIC IN MACAO

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1. Evolution of COVID-19 in Macao

Macao, also called Macao Special Administrative Region of the People's Republic of China, is one of the most densely populated regions in the world. Nonetheless, so far Macao has only registered 45 confirmed cases of COVID-19, much less than other countries and regions,¹ and has no deaths to register.

Macao had two waves of cross-contamination. The first wave registered 10 confirmed cases in 14 days (22/01/2020 to 04/02/2020), mostly derived from travellers coming from the city of Wuhan, the epicentre of the pandemic in the Hubei province.² After 40 days without any registered case of infection, 35 confirmed cases were recorded almost in one month (15/03/2020 to 08/04/2020), all originated from people coming from other countries, including local residents.³ Until now there has been only one serious case existing in Macao. Unlike the tragic scenarios experienced in other regions, Macao keeps the infection controlled given that the Macao government has adopted efficient and suitably targeted measures against the COVID-19 pandemic.

2. Law n. 2/2004

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¹ Information from Worldometer, at <https://www.worldometers.info/coronavirus/> (last visited 11/04/2020).

² Information from the Special webpage against Epidemics of Macao Health Bureau, at <https://www.ssm.gov.mo/apps1/PreventCOVID-19/en.aspx#clg17458> (last visited 11/04/2020).

³ *Ibidem*.

Contrary to other countries where a declaration of the state of emergency is required to take further action, namely, to provide a legal basis to suspend individual rights and guarantees, such a drastic measure was not necessary in Macao. In the aftermath of the SARS epidemic of 2002-2004 Macao, created a proper legal framework to deal with health crisis, Law n. 2/2004 (Law on the Prevention, Control and Treatment of Communicable Disease).⁴

All measures taken to deal with the pandemic come in the form of decisions of the Chief Executive, the highest executive authority in Macao (therefore, they are administrative decisions), and are legally grounded in Law n. 2/2004.

3. The strategy against COVID-19

3.1. Creation of a Coordinating Centre

Due to the increase in the number of confirmed cases in many Chinese cities, especially in Wuhan, the Macao government created the Novel Coronavirus Response and Coordination Centre (Coordinating Centre) on 21 February 2020, based on article 24, n. 3, of the Law n. 2/2004. This is the first entity for pandemic emergencies created since Macao's handover, on 20 December 1999.

The Coordinating Centre, presided by the Chief Executive, can take the special measures expressly regulated in article 25 of the referred law, such as restrictions on events that imply agglomeration of people, restrictions or prohibitions of entering and exiting from certain areas or establishments, total or partial suspension of the operation of public services, among others. Basically, it can take any necessary measure to protect public health.

The Coordinating Centre holds its regular press conference every day to summarize what has happened in the last 24 hours. Local residents can access to the press conference on live for information regarding new confirmed cases, the places where infected people have stayed and the current and future measures of the Macao government. Moreover, some channels (like Facebook page,⁵ Telegram channel⁶ and Special Webpage against Epidemics)⁷ also provide useful information about the current COVID-19 situation in Macao. Both – the Coordinating

⁴ About this Law, at <https://bo.io.gov.mo/bo/i/2004/10/lei02.asp> (last visited 11/04/ 2020).

⁵ About this page, at <https://www.facebook.com/NCV.Macao> (last visited 11/04/ 2020).

⁶ About this channel, at <https://t.me/s/macaogcsEN?before=224> (last visited 11/04/ 2020).

⁷ About this webpage, at <https://www.ssm.gov.mo/apps1/PreventCOVID-19/en.aspx#clg17458> (last visited 11/04/ 2020).

Centre and the mentioned channels – played a crucial role for the public to know early in the pandemic the severity of the situation and the importance of avoiding person-to-person contacts.

3.2. Guaranteed facemask supply

The use of a facemask is a habit deeply rooted in Asian culture for any situation of contagious disease,⁸ seen as a rule of social etiquette and even a civic duty.⁹ Even though the use of facemasks does not protect entirely against the new coronavirus, it is an effective way (among others) to reduce the risk of cross-contamination.¹⁰

The Macao government purchased facemasks before the outbreak of COVID-19 in Macao. This is the reason why local residents still can buy facemasks at a very low price, whereas in other location people have been faced with a lack of facemasks or with expensive prices.

To ensure a constant facemask supply, the Macao government guarantees to each person (both residents and non-residents authorised to work in Macao) 10 masks during a period of 10 days at a symbolic price (more and less 0.09 euros per unit). Stores can sell this product at a higher price under the free market rules, but with this measure locals have guaranteed access to affordable facemasks.

A long queue to buy facemasks in pharmacies was a risky situation that the government encountered at the beginning. To avoid gatherings of people, facemasks have been distributed to Health Centres, contracted pharmacies and some non-profit institutions. The Special Webpage against Epidemics¹¹ shows in real time the stocks in each of them. Hence, local residents who want to buy facemasks can avoid very crowd gatherings in one place.

3.3. Access restriction and suspension of facilities

To avoid a serious outbreak of COVID-19 in the community, as of 27 January 2020 the Chief Executive's Dispatch n. 26/2020, of 26 January 2020, imposed access restrictions to casinos

⁸ <https://www.tandfonline.com/doi/full/10.1080/09581596.2014.923815> (last visited 22/04/2020).

⁹ <https://www.scmp.com/news/china/society/article/3075211/face-masks-and-coronavirus-how-culture-affects-your-decision> (last visited 22/04/2020).

¹⁰ However, the World Health Organization (WHO) recommended not to wear mask if people are not sick or not caring for patients, at <https://edition.cnn.com/2020/03/30/world/coronavirus-who-masks-recommendation-trnd/index.html> (20/04/2020).

¹¹ About the stocks in real time, at <https://www.ssm.gov.mo/apps1/PreventCOVID-19/en.aspx#clg17458> (last visited 11/04/2020).

targeting people who in the 14 days prior to their entry into Macao have visited the Hubei Province.¹² A week later, the government imposed another special measure to suspend many facilities, including casinos, cinemas, theatres, indoor amusement parks, amusement machines and video games rooms, internet cafes, billiard and bowling games rooms, saunas and massage establishments, beauty salons, weight training gyms, health establishments club and karaoke, bars, night clubs, discos, dance halls and cabaret (Chief Executive's Dispatch n. 27/2020, 4 February 2020).¹³

These special measures, especially the imposition of casino suspension, regardless of its efficiency in the fight against COVID-19, hugely affected Macao's economy and generated many other derived problems, such as panic for shopping, workers in leave without pay and higher unemployment rate. One of the singularities of Macao is that its financial structure is almost totally based on the gambling industry and associated activities (hotels, restaurants, shops, money exchange). Therefore, the suspension of such activities clearly had repercussions on the economy and on the society.

3.4. Measures upon arrival

The Macao government has adopted different types of observation and examination measures upon arrival, according to article 10, n. 2, of Law n. 2/2004 (despite the lack of legal basis of the distinction between observation and examination). The first measures in place involved the imposition of a medical check of 6 to 8 hours on the ones who have been in certain countries or regions within the past 14 days prior to their entry into Macao. Later on, the controlling measures become more severe, involving 14 days quarantines at an indicated venue for the ones in the same situation. These measures have effectively avoided cross-contamination in the community of this small but popularly dense territory.

The measures initially adopted were target-oriented mainly to Chinese visitants, especially from the Hubei Province, given that the initial cases of infection were reported there. From 27 January 2020, people from the Hubei Province, or the ones who have been there, had to submit a medical certificate of no infection of COVID-19 prior their entry into Macao. There are,

¹² Chief Executive's Dispatch no. 26/2020, 26 January 2020, at <https://bo.io.gov.mo/bo/i/2020/03/extra/despce.asp#26> (last visited 14/04/2020).

¹³ Chief Executive's Dispatch no. 27/2020, 4 February 2020, at <https://bo.io.gov.mo/bo/i/2020/05/despce.asp> (last visited 14/04/2020).

however, two problems with this imposition. First, even though this imposition can be found in the Special Webpage against Epidemics,¹⁴ we cannot see its legal support, so its legality is doubtful. Secondly, no one could present this kind of certificate in that moment as no medical institutions could provide it. Therefore, the legality of such measure is obviously a matter of debate.

When the pandemic began spreading seriously in other countries, the adopted measures target the ones coming from outside the region. From 18 March 2020, only the residents of Macao, China, Hong Kong and Taiwan, as well as the holders of the non-resident worker identification card based in Macao, could enter into the territory;¹⁵ but from 19 March 2020 the latter were banned from entering into Macao;¹⁶ plus, from 25 March 2020, the residents of China, Hong Kong and Taiwan who had been in other countries in the past 14 days were also prevented from entering.¹⁷

Moreover, the ones that managed to be allowed to enter, including the Macao residents, were submitted to a mandatory 14 days quarantine. Initially residents were admitted to quarantine in their personal domicile, but later they were required to move to places designated by the government, more precisely, hotels made available for this purpose, at zero cost for the residents. At one point, there were 2400 people serving 14 days of mandatory quarantine.¹⁸

A very interesting note is that unlike what happened in many other jurisdictions (China, India, Spain, Italy, Portugal) a general mandatory quarantine was never imposed to the population. In early February 2020, Macao requested to its inhabitants to remain at home, but this was a voluntary quarantine. The mandatory nature of the measure was not necessary because it was always scrupulously complied by everyone.

3.5 Suspension of presential education

¹⁴ About this webpage, at <https://www.ssm.gov.mo/apps1/PreventCOVID-19/en.aspx#clg17458> (last visited 11/04/2020).

¹⁵ Chief Executive's Dispatch no. 72/2020, 17 March 2020, at <https://bo.io.gov.mo/bo/i/2020/11/despce.asp#72> (last visited 17/04/2020).

¹⁶ Chief Executive's Dispatch no. 73/2020, 18 March 2020, at <https://bo.io.gov.mo/bo/i/2020/11/despce.asp#73> (last visited 17/04/2020).

¹⁷ Chief Executive's Dispatch no. 80/2020, 24 March 2020, at <https://bo.io.gov.mo/bo/i/2020/12/despce.asp#80> (last visited 17/04/2020).

¹⁸ <https://www.noticiasaminuto.com/mundo/1444652/mais-de-2400-pessoas-em-quarentena-obrigatoria-em-12-hotéis-de-macau> (last visited 22/04/2020).

An additional measure for preventing an outbreak of COVID-19 in the territory was the suspension of face-to-face education in all school levels, from nurseries to universities, to avoid crowd gathering in schools.

In response to the outbreak and continued development of COVID-19, the Social Welfare Bureau ordered to closure of all subsidized nurseries since 29 January 2020 and appealed the non-government subsidized nurseries to follow this decision.¹⁹ Right now, all levels are suspended, but since the situation in Macao has improved, it was recently announced the phased resumption of classes in May, though only for Senior Secondary and for Junior Secondary.²⁰

Moreover, the pandemic emergency changed the teaching mode in Macao. Many education institutions have adopted mechanism of at-distance education to keep student learning during the period of class suspension. Even though at-distance education cannot replace face-to-face education, it is a way to avoid people gathering, especially having in consideration that many students attending academic institutions in Macao live in mainland China and cross the border every day.²¹

3.6 Personal health declaration

Currently, the access to several public and private places (all Governmental facilities, gyms, some stores and even public parks) require the previous filling of the so-called Personal Health Declaration. It is filled online, through access to the Macao Health Services website by scanning a QR code.²² The declaration has a one-day validity (the date in which it was completed is clearly identified in each declaration), it gets stored on the person's mobile device and a copy of it is sent to the health services. Each declaration holder can add up to three people to his/her own declaration, to allow the inclusion of the ones that do not have smart phones, such as children. It contains information relevant to assess the level of risks of individual (the places

¹⁹ Social Welfare Bureau, Suspension of the operation of all subsidized day care centres, at <http://www.ias.gov.mo/en/archives/gonggaotongzhi/%E5%85%A8%E6%BE%B3%E5%8F%97%E8%B3%87%E5%8A%A9%E6%89%98%E5%85%92%E6%89%80%E6%9A%AB%E5%81%9C%E9%81%8B%E4%BD%9C?list=no&type=gonggaotongzhi> (last visited 01/05/2020).

²⁰ Education and Youth Affairs Bureau, at https://portal.dsej.gov.mo/webdsejspace/addon/allmain/msgfunc/Msg_funclink_page.jsp?msg_id=75777 (last visited 19/04/2020)

²¹ <https://macauhub.com.mo/2020/02/03/pt-governo-de-macau-mantem-servicos-publicos-essenciais-em-funcionamento-apesar-do-coronavirus/> (last visited 22/04/2020).

²² <https://www.gov.mo/en/promotions/personal-health-declaration/> (last visited 22/04/2020).

where he/she has been in the last 14 days and the existence of any symptoms that may indicate atypical pneumonia) and the person's complete identification and contact details.

This measure is supported by Article 17 of Law n. 2/2004, which imposes special duties on 'infected individual' and on the ones 'suspected of having contracted or at risk of contracting a communicable disease'. In a pandemic, the whole community can fit this last definition, since everyone is at risk of contracting the disease, so, the referred norm provides a legal base for the imposition of special duties to everyone.

This mechanism implies the disclosure of personal data, therefore, each time the user fills out the Declaration he/she must agree with the disclosure of personal data, in accordance with the provisions of Law n. 8/2005, the Law on Data Protection Personal Data.²³ The user is informed that Health Services require personal data in order to carry out the functions assigned to them for the purpose of preventing the spread of highly transmissible diseases and that only for this purpose the data can be used.

3.7. Development of a COVID-19 detection system

Meanwhile, while the Macao government tries to confine the virus, the University of Macao has been developing a digital-microfluidic-chip-based system to deal with the epidemic outbreak.²⁴ This system, called 'Virus Hunter', can help to complete the detection process within 30 minutes and can detect viruses in the early stages of COVID-19 infection, contrary to the traditional detection system.²⁵ Even though this system is still in the developing phase, it will certainly play an important role for preventing a second wave of COVID-19, and even prevent future health crisis, not only in Macao but also in the rest of the world.

4. Conclusions

Everyone knows that SARS-CoV-2 is not the last virus humankind will face. There will be several others emerging in the future and governments need to be prepared to cope with these health challenges.

²³ <https://bo.io.gov.mo/bo/i/2005/34/lei08.asp> (last visited 22/04/2020).

²⁴ University of Macao, *UM team steps up development of coronavirus detection system to tackle epidemic outbreak*, at https://www.um.edu.mo/news-centre/news-and-events/news-and-press-releases/detail/49948/#news_title (17/04/2020).

²⁵ *Ibidem*.

In Macao the measures were taken in due time, at the first signs of a risk to public health. This is one of the most relevant differences between the existing scenarios in Macao and in other jurisdictions, even in nearby regions such as Hong Kong: here the measures were timely taken.

Even though the Macao government has been doing a good job protecting public health in this small territory, there are things to be improved, especially the quarantine measures upon arrival and the creation of a clear legal basis for some of the measures imposed on non-residents.

This will be the first economic year with a deficient budget since Macao handover. Public expenditure to combat the epidemic reach astonishing amounts (the Government referred 50 thousand million Patacas, around 5.7 thousand million euros). On the 20th April the Macao Executive announced the Government Lines of Action for 2020, whose main aims are: “Fighting the epidemic, ensuring stability and revitalizing the economy after the epidemic.”²⁶ The economic boost will involve the relaunch of tourism, a huge investment in public infrastructures and the encouragement of private investment. Moreover, residents are receiving vouchers (until Summer around 900 euros per person) to spend in local business as an incentive to consumption.

Right now, local residents are looking forward to starting the recovering phase, particularly the revitalization of the economic situation. At the present moment all business reopened, however, it is not business as usual since tourism – the main resource of Macao – is still extremely low. The shutdown of casinos, the closing of borders and the drastic decrease in visitors, all due to the pandemic, will have alarming effects on the economy of the region. The government will be deprived of much of its revenue, since 80% come from taxes paid by the 41 casinos in the territory.²⁷ Macao, however, is one of the richest regions in the world,²⁸ its people are confident in the future and prepared to endure the clash.

²⁶ Macao SAR Government Portal, <https://www.gov.mo/en/news/124819/> (last visited 1 May 2020).

²⁷ <https://www.reuters.com/article/us-macau-gambling-revenues/macau-casinos-rake-in-37-6-billion-gaming-revenue-in-2018-idUSKCN1OV1BR> (last visited 22/04/2020).

²⁸ <https://www.gfmag.com/global-data/economic-data/richest-countries-in-the-world> (last visited 22/04/2020).