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REPUBLIC OF THE PHILIPPINES)
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'22 JUL -7 P2 :27

SENATE
S. B. No. 98

RECEIVED BY: _____

Introduced by Senator SONNY ANGARA

AN ACT
ESTABLISHING THE LEGAL FRAMEWORK FOR ENSURING THE
AVAILABILITY, ADEQUACY, ACCESSIBILITY, AND SAFETY OF FOOD FOR
ALL FILIPINOS

EXPLANATORY NOTE

The Commission on Population and Development (POPCOM) projected that the number of Filipinos would reach 142 million by 2045. This huge and fast-growing population is often cited as a main factor driving the country's global competitiveness and improving attractiveness to investment.

But while these demographics open up great opportunities, such situation also poses some very serious challenges. Will we be able to meaningfully provide adequate food and nutrition to present and future generations of Filipinos?

The Philippines ranked 64th out of 113 countries in the 2021 Global Food Security Index by the Economist Intelligence Unit (EIU). Such ranking represents a significant improvement from the year before, where the country ranked. Out of 23 Asia-Pacific countries included, this puts us 12th in the region, ahead of Indonesia (13th), Myanmar (15th), Cambodia (20th) and Laos (23rd).

Specifically, we ranked 57th for food affordability, 67th for food availability, 68th for quality and safety and 88th in terms of natural resources and resilience. Among the sub-categories, the Philippines scored the highest score of 100 in only one, nutritional standards—pointing perhaps to our perennial problem with being excellent in law-making, but extremely poor in implementation.

Our problems with food security were brought into stark relief throughout the COVID-19 pandemic, when health protocols and curbs to movement led to job losses and supply chain disruptions, which in turn caused many families to go hungry. In fact, even as the pandemic appears to be in its final chapters, food security remains tenuous as high inflation has made basic commodities including those for proper nutrition inaccessible to many.

Reversing these numbers, and hence improving food security, remains among the country's most urgent concerns. Several laws may already be in place to deal with the issues of food production and agricultural productivity. The urgency of protecting every Filipino's right to food however makes it imperative that a broader legal framework is established to harmonize all of the country's policies towards ensuring the availability, accessibility, and adequacy of food for all.

Among its many provisions, the foregoing measure explicitly lists down governmental obligations of the State to respect, protect, and fulfill every Filipino's right to adequate food. It also lays out specific percentage targets on the reduction of hunger, ultimately aiming for the zero incidence of forced hunger within a ten-year period.

The measure also clarifies institutional responsibilities of the different line agencies towards addressing the following areas of concern: 1) food availability, stability and adequacy; 2) food quality and safety; 3) the determination of standards on the minimum amount of food to be given to any person suffering from hunger or under nutrition; 4) physical and economic access to food; and, 5) well-functioning distribution, processing and market systems. To oversee and orchestrate the implementation of this measure, a Commission on the Right to Adequate Food will be created, under the Office of the President.

For the sake of every Filipino, those who are already here and have yet to come, the swift passage and enactment of this measure is earnestly sought.



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Be it enacted by the Senate and the House of Representatives of the Philippines in Congress assembled:

1 **Section 1. Short Title.** – This Act shall be known as the "*Right to Adequate*
2 *Food Framework Act.*"

3 **Sec. 2. Declaration of Policy.** – Consistent with the principles enshrined in
4 the Constitution as well as the provisions of the International Covenant on Economic,
5 Social and Cultural Rights, Convention on the Rights of the Child, and the
6 Convention on the Elimination of All Forms of Discrimination Against Women, to
7 which the Philippines is a State Party, it is hereby declared the policy of the State to
8 guarantee the right to adequate food.

9 Adequate food is not a matter of charity, but a legal entitlement. Hunger is
10 inconsistent with human dignity and human rights, and must be eliminated. Hence,
11 the State shall provide for a framework to address and eliminate hunger in an
12 organized, coherent, accountable, transparent, and progressive manner, with the
13 active participation of the population and without any form of discrimination.

14 **Sec. 3. Definition of Terms.** – As used in this Act:

15 a) *Food* refers to solid, liquid and semi-liquid nourishment, as well as drinking
16 water, and when taken into the body serves to nourish, build and repair
17 tissues, supply energy, or regulate body processes;

- 1 b) *Food blockade* refers to an act of cutting off food supplies from a particular
2 area by force, either in part or totally;
- 3 c) *Food emergency* refers to a situation in which access to food is endangered,
4 as that caused by natural events like drought, floods, storms, earthquakes, or
5 crop failures resulting from pests or diseases; or by human agency such as
6 internal or international armed conflict;
- 7 d) *Hunger* refers to a condition in which people do not get enough food to eat to
8 provide the necessary nutrients for fully productive, active and healthy living
9 due to the unavailability and inaccessibility of food. It can be acute, such as
10 during a major disaster when food supply channels are cut, or chronic, when
11 people are regularly not getting enough food to conduct an active life for a
12 long time. It shall also refer to a condition of starvation, which is not having
13 enough food of any sort to eat, or undernourishment, which is having enough
14 food to eat, but of inadequate quality.
- 15 e) *Right to adequate food* refers to the right to have regular, permanent, and
16 unrestricted access, either directly or by means of financial purchases, to
17 quantitatively and qualitatively adequate, sufficient, and safe food,
18 corresponding to the cultural traditions of the people to which a consumer
19 belongs, and which ensure a person's physical and mental well-being, as well
20 as an individual and collective, fulfilling and dignified life, free of fear;
- 21 f) *Vulnerable groups* refer to those who are particularly disadvantaged. These
22 include indigenous peoples, ethnic, linguistic or religious minorities, persons
23 with disabilities, persons living with Human Immunodeficiency Virus (HIV) or
24 Acquired Immune Deficiency Syndrome (AIDS), refugees and internally
25 displaced people, elderly, women, including pregnant and lactating mothers
26 and children, particularly those from zero to twenty-three (23) months of age.

27 **Sec. 4. Normative Content.** – The right to adequate food is realized when
28 every man, woman and child, alone or in community with others, have physical and
29 economic access at all times to adequate food, or means for its procurement.
30 The right to adequate food must not be interpreted in a narrow or restrictive sense,
31 which equates it with a minimum package of calories, proteins and other specific
32 nutrients. The right to adequate food must be realized progressively. However,

1 States have the core obligation to take the necessary action to mitigate and alleviate
2 hunger, even in times of natural or other disasters. The right to be free from hunger
3 ensures a minimum daily nutritional intake and the bare survival of a person. The
4 right to adequate food goes beyond freedom from hunger. Central to the realization
5 of the right to adequate food is an adequacy standard in terms of quality, quantity
6 and cultural acceptability, sustainability of food availability and access.

7 a) The *concept of adequacy* is particularly significant since it underlines a number
8 of factors which must be taken into account in determining whether particular
9 foods or diets that are accessible can be considered the most appropriate under
10 given circumstances. The notion of sustainability is intrinsically linked to the
11 notion of adequate food or food security, implying that food must be accessible
12 to both present and future generations. The precise meaning of adequacy is to
13 a large extent determined by prevailing social, economic, cultural, climatic,
14 ecological and other conditions, while sustainability incorporates the notion of
15 long-term availability and accessibility.

16 b) The *core content of the right to adequate food* implies:

- 17 1. the availability of food in a quantity and quality sufficient to satisfy the
18 dietary needs of individuals, free from adverse substances, and acceptable
19 within a given culture; and,
- 20 2. the accessibility of such food in ways that are sustainable, and do not
21 interfere with the enjoyment of other human rights.

22 c) *Dietary needs* refer to the diet as a whole that contains a mix of nutrients for
23 physical and mental growth, development and maintenance, and physical
24 activity, that are in compliance with human physiological needs at all stages
25 throughout the life cycle, and according to gender and occupation. Measures
26 therefore need to be taken to maintain, adapt, or strengthen dietary diversity
27 and appropriate consumption and feeding patterns, including optimal breast-
28 feeding, as well as to ensure that changes in availability and access to food
29 supply as a minimum do not negatively affect dietary composition and intake.

30 d) *Freedom from adverse substances* refers to the requirements for food safety
31 and for a range of protective measures by both public and private means to
32 prevent contamination of foodstuff through adulteration, or through bad

1 environmental hygiene, or inappropriate handling at different stages throughout
2 the food chain. Care must also be taken to identify and avoid or destroy
3 naturally occurring toxins.

4 e) *Cultural or consumer acceptability* refers to the need to take into account, as
5 far as possible, perceived non nutrient-based values attached to food and food
6 consumption and informed consumer concerns regarding the nature of
7 accessible food supplies.

8 f) *The concept of availability* refers to the possibilities either for feeding oneself
9 directly from productive land or other natural resources, or for well-functioning
10 distribution, processing and market systems that can move food from the site
11 of production to where it is needed in accordance with demand.

12 g) *Accessibility* refers to economic and physical accessibility:

13 1. *Economic accessibility* means personal or household financial costs
14 associated with the acquisition of food for an adequate diet should be at a
15 level such that the attainment and satisfaction of other basic needs are
16 not threatened, or compromised. Economic accessibility applies to any
17 acquisition pattern or entitlement through which people procure their
18 food, and is a measure of the extent to which it is satisfactory for the
19 enjoyment of the right to adequate food. Socially vulnerable groups such
20 as landless persons and other particularly impoverished segments of the
21 population may need attention through special programs.

22 2. *Physical accessibility* means that adequate food must be accessible to
23 everyone, including physically vulnerable individuals, such as infants and
24 young children, elderly people, those belonging to the informal sector, the
25 physically disabled, the terminally ill and persons with persistent medical
26 problems, including the mentally ill. Victims of natural disasters, people
27 living in disaster-prone areas and other specially disadvantaged groups
28 need special attention and priority consideration with respect to
29 accessibility of food. A particular vulnerability is that of many indigenous
30 peoples groups whose access to their ancestral lands is threatened.

31 **Sec. 5. *Conditions for the Exercise of the Right to Adequate Food.* –**

32 Every person has the right to live in conditions that will enable them to:

- 1 a) Feed directly from productive land or other natural resources; or rely on well-
2 functioning food distribution, processing and market systems, or both;
- 3 b) Acquire via financial means a sufficient quantity and quality of food and to
4 satisfy other basic needs;
- 5 c) Be safe from the risk of losing access to food, as a consequence of sudden
6 shocks, like an economic or climatic crisis, or one that is brought about by a
7 national health emergency, or one that caused the internal displacement of
8 people, or cyclical events, such as seasonal food insecurity;
- 9 d) Have the opportunity of good food utilization through access to adequate diet,
10 clean water, sanitation and health care and to reach a state of nutritional well-
11 being, where all physiological needs are met; and,
- 12 e) Access food or diet that is the most appropriate under given circumstances, in
13 terms of their nutritional value and cultural acceptability.

14 Every infant, girl and boy has a right to adequate food and to optimal health,
15 development and nutrition adequate for their age, growth and development.

16 Every woman has a right to adequate food and adequate nutrition during
17 pregnancy and lactation.

18 No limitation on the right to adequate food may be allowed, unless it is
19 provided by law, is necessary for the purpose of a compelling public interest, and is
20 compatible with the nature of the right to adequate food.

21 **Sec. 6. Freedom from Hunger.** – Every person has a right to be free from
22 hunger. Every person suffering from hunger or under nutrition, or at risk of suffering
23 from hunger or under nutrition is entitled to a minimum amount of food according to
24 one’s age, sex, health status, and occupation, as provided for in Section 13 of this
25 Act.

26 **Sec. 7. Non-discrimination.** – Any distinction, exclusion, or restriction
27 made on the basis of race, color, sex, age, language, religion, political or other
28 opinion, national or social origin, property, birth or other status, which has the effect
29 or purpose of impairing or limiting the capacity of an individual to exercise the right
30 to adequate food, is unlawful and will be sanctioned in accordance with law.

31 All forms of discrimination against women with regard to the guaranteed right
32 to adequate food, including less favorable treatment of women for reasons of

1 pregnancy and maternity, shall be eliminated and prevented. The equality of
2 opportunities between men and women shall be promoted.

3 The prohibition of discrimination will not include government action to remedy
4 past effects of discrimination against particular individuals or groups and to promote
5 equality of opportunities with regard to the right to adequate food.

6 **Sec. 8. Principles.** – The principles upon which the provisions of this Act are
7 founded are:

8 a. *Participation* – People should be able to determine their own well-being
9 and participate in the planning, design, monitoring and evaluation of decisions
10 affecting them. Individuals are able to take part in the conduct of public affairs,
11 including the adoption and implementation of State policies. Such participation is
12 active, free and meaningful, whether it is exercised directly or through intermediary
13 organizations representing specific interests. It is supported by capacity-building and
14 appropriate integrative mechanisms where necessary.

15 b. *Accountability* – Public officials are answerable to their superiors and to
16 the people they serve. Application of the principle of accountability in the context of
17 the right to adequate food framework under this Act requires clear assignment of
18 responsibilities and functions to public authorities for the implementation and
19 compliance with the framework and any subsequent measures to be taken. In
20 addition, the expected results are spelled out clearly and appropriate procedures are
21 established.

22 c. *Non-discrimination* – The protection for human rights must be
23 objectively and reasonably be the same for everybody, irrespective of sex, age, race,
24 color, religion or any other ground. In addition to specifically prohibiting
25 discrimination on any ground, this principle requires specific measures aimed at
26 correcting *de facto* discrimination or eliminating conditions that cause or help to
27 perpetuate discrimination, as well as measures promoting equality. In the context of
28 this Act, it means paying particular attention to those groups that cannot enjoy their
29 rights as fully as others.

30 d. *Transparency* – The public should be given free and open access to
31 timely and reliable information on the decisions and performance of public
32 authorities. Holders of public office are as open as possible about all their decisions

1 and actions that may affect the free exercise of the right to adequate food. Applying
2 the principle of transparency within the context of this Act means that people are
3 provided with essential information about the decision-making process and those
4 accountable and responsible for it. The people also have the power to demand
5 information on the processes that feed into the achievement of the particular
6 entitlement, which provide an easy and low-cost corrective check to malfeasance.

7 e. *Human dignity* –Persons have absolute and inherent worth, simply
8 because they are humans, and not by virtue of any social status or a particular
9 power. This Act recognizes in an unequivocal form that every person has a right to
10 adequate food. To comply with this principle in the implementation of this Act, the
11 State, through its public officials, must treat persons equally and respect their
12 human worth and dignity.

13 f. *Empowerment* – The people have the power, capacity, capability and
14 access means to improve their own lives, including the power to seek from the State
15 remedies for violations of their human rights. This principle is the logical
16 consequence of all the preceding principles. In the context of this Act, empowerment
17 entails specific provisions for awareness-raising, capacity-building and education on
18 the right to adequate food.

19 g. *Rule of law* – Government authority is legitimately exercised only in
20 accordance with written, publicly disclosed and accessible laws adopted and
21 enforced in conformity with established procedures. The principle is intended as a
22 safeguard against arbitrary use of State authority and lawless acts of both
23 organizations and individuals. Rules and regulations to be adopted for ensuring the
24 implementation of this Act shall be clear, fair and accessible. The rule of law also
25 means that no person or body can breach the law with impunity. There is access to
26 justice including the right to an effective remedy for anyone whose rights are
27 violated, as well as the guarantee of due process in all legal proceedings.

28 **Sec. 9. Governmental Obligations.** – The State has the duty to respect,
29 protect and fulfill the right to adequate food.

30 a. *Respect* – the State has the obligation not to interfere with or impair
31 the enjoyment of the right to adequate food. No public authority may deprive any
32 person of food or means for its procurement, apply laws and regulations, or pursue

1 a policy or practice, in a way that could result in preventing the enjoyment of or
2 infringing the human right to adequate food, or repeal formally or suspend
3 legislation necessary for the continued enjoyment of the right to adequate food.

4 b. *Protect* – the State has the duty to provide guarantees against threats
5 and risks stemming from private actors or societal forces that are controllable by
6 State action. It is bound to take preventive measures necessary to protect persons
7 whose capacities to access sufficient and adequate food or means for its
8 procurement are endangered by the acts of others. It also must review the relevant
9 administrative and legislative framework ensuring that activities within their
10 competence undertaken by private actors do not infringe on the right to adequate
11 food of others.

12 c. *Fulfill* – the State has the power to facilitate the enjoyment of the right
13 to adequate food by adopting or pursuing appropriate policies and measures that
14 promote the human right to adequate food and to create and maintain conditions
15 under which every person can freely and regularly enjoy the right to adequate food.
16 It is equally the duty of the State to provide for right to adequate food, by adopting
17 and putting in place measures to provide food, or means for its procurement, to
18 persons who cannot take care of their own needs due to reasons beyond their
19 control, in particular for children whose parents die, disappear or otherwise no
20 longer take care of them.

21 **Sec. 10. Targets.** – The State shall ensure that in two and a half years after
22 the effectivity of this Act the incidence of hunger will be reduced by twenty-five
23 percent (25%), from the level recorded at the time of the passage of this Act:
24 *Provided*, That five (5) years after the effectivity of this Act such incidence of hunger
25 will be further reduced by twenty-five percent (25%): *Provided, further*, That in
26 seven and a half (7 ½) years, it will be further reduced by twenty-five percent
27 (25%): *Provided, finally*, That in ten (10) years there shall be a zero incidence of
28 hunger.

29 The State shall ensure that the following indicators will considerably and
30 steadily increase:

- 31 a. Percentage of development of ancestral lands;
32 b. Percentage of rural population with access to productive resources;

- 1 c. Share of budget spent on programs aimed at creating access to productive
- 2 resources;
- 3 d. Percentage of budget spent on agri-research, agri-extension, irrigation,
- 4 training, technology, credits and rural development;
- 5 e. Percentage of rural female-headed households, or rural women, with legal title
- 6 to agriculture lands;
- 7 f. Percentage of public budget allocation for social transfer programs to those
- 8 unable to feed themselves;
- 9 g. Coverage of marginalized and disadvantaged population taking part in social
- 10 transfer programs;
- 11 h. Percentage of marginalized and disadvantaged population covered by a public
- 12 nutrition supplement program;
- 13 i. Percentage of population aware of available food and nutrition programs; and
- 14 j. Coverage of school feeding programs.

15 The percentages of the foregoing indicators shall also be stipulated in the
16 implementing rules and regulations of this Act.

17 Periodic reviews will be undertaken to ensure compliance with set targets. In
18 the implementation of this Act, priority will be given to identify areas with chronically
19 malnourished population. In measuring the incidence of hunger, the key primary
20 data sources will include national nutrition surveys, household surveys of the
21 Philippine Statistics Authority (PSA), namely the Family Income and Expenditure
22 Survey and the Annual Poverty Indicators Survey, and global hunger indices as
23 benchmarks.

24 **Sec. 11. *Whole-of-Government Approach for Eradicating Hunger.* –**

25 To eliminate hunger within ten (10) years after the effectivity of this Act, the State
26 adopts a comprehensive whole-of-government approach to policy planning,
27 development, and implementation, including program management and service
28 delivery. All Departments and their attached agencies and bureaus shall work
29 together across portfolio boundaries to achieve an integrated government response
30 to eliminate hunger. In particular, all departments and their attached agencies shall:

- 31 a) Plan, program and budget in conjunction with each other;

- 1 b) Collaborate in the review, design and delivery of policy, programs and
- 2 services;
- 3 c) Coordinate and communicate through formal and informal channels
- 4 toward more timely and effective implementation of policy decisions;
- 5 d) Implement policies in an integrated manner;
- 6 e) Share information and data and cooperate in knowledge management;
- 7 f) Effectively align policies, programs, activities and projects;
- 8 g) Share reporting duties; and
- 9 h) Engage with civil society organizations, business and the private sector,
- 10 and ensure their active participation in policy, plan and program design
- 11 and implementation.

12 **Sec. 12. Commission on the Right to Adequate Food.** – There is hereby
13 created a Commission on the Right to Adequate Food, hereinafter referred to as the
14 Commission, which shall be attached to the Office of the President.

15 The Commission shall be the primary policy-making and coordinating body to
16 guarantee the full exercise and realization of the right to adequate food. It shall
17 exercise monitoring and oversight functions, apply human rights principles, conduct
18 objective impact assessment on all government policies, programs and projects prior
19 to adoption and implementation, work in close cooperation and coordination with
20 relevant government agencies as well as civil society organizations and use all
21 available public and private resources for the efficient and effective implementation
22 of this Act.

23 The Commission shall also formulate a national food policy (NFP) and
24 implement programs of action to eradicate hunger, achieve food security, improve
25 nutrition, and promote sustainable agriculture, in coordination and consultation with
26 relevant government agencies, civil society organizations, and the private sector.

27 The Commission on the Right to Adequate Food will have the following
28 powers:

- 29 a. Receive complaints of violations of the right to adequate food from individuals
- 30 and groups;
- 31 b. Investigate, *motu proprio*, or upon complaint by any party, all forms of
- 32 violations of the right to adequate food;

- 1 c. Adopt operational guidelines and rules of procedure, and cite for contempt for
- 2 their violation, in accordance with the Rules of Court;
- 3 d. Provide appropriate legal measures for the protection of the right to adequate
- 4 food of all persons within the Philippines, as well as Philippine citizens residing
- 5 abroad, and provide for preventive measures and legal aid services to the
- 6 under-privileged whose right to adequate food has been violated or needs
- 7 protection;
- 8 e. Establish a continuing program of research, education, and information
- 9 dissemination for enhancing respect for the primacy of the right to adequate
- 10 food;
- 11 f. Recommend to Congress effective measures to promote the right to adequate
- 12 food, to harmonize existing laws affecting the right to adequate food, to ensure
- 13 their complementation, and the availability of remedies for violations and
- 14 compensation to victims of violations of the right to adequate food;
- 15 g. Monitor the Government's compliance with its obligations in regard to the right
- 16 to adequate food;
- 17 h. Request the assistance of any department, bureau, office or agency in the
- 18 performance of its functions;
- 19 i. Appoint officers and employees in accordance with law; and
- 20 j. Perform such other duties and functions as may be provided by law.

21 The Commission shall be composed of a Chairperson and two (2) Members
22 who must be natural-born citizens of the Philippines and, at the time of their
23 appointment, at least thirty-five (35) years of age, and must not have been
24 candidates for any elective position in the elections immediately preceding their
25 appointment. At least one (1) of them must be a member of the Philippine Bar.

26 The Chairperson and the Members of the Commission shall not, during their
27 tenure, hold any other office or employment. Neither shall they engage in the
28 practice of any profession, or in the active management or control of any business
29 which, in any way, may be affected by the functions of their office, nor shall they be
30 financially interested, directly or indirectly, in any contract with, or in any franchise
31 or privilege granted by the government, any of its subdivisions, agencies, or

1 instrumentalities, including government-owned or controlled corporations or their
2 subsidiaries.

3 The Chairperson and the Members of the Commission shall be appointed by
4 the President and shall not be reappointed to another term. From among the
5 Members, one shall serve as the Chairperson and shall hold office for ten (10) years,
6 another Member shall be appointed as Commissioner for seven (7) years, and
7 another shall be appointed Commissioner and shall serve for five (5) years, without
8 reappointment. A Member who shall be appointed to fill a vacancy shall serve only
9 the unexpired portion of the term of the predecessor. In no case will any Member be
10 appointed or designated in a temporary or acting capacity.

11 The Chairperson and the Members of the Commission shall receive the same
12 salary, benefits, privileges and emoluments of a Undersecretary and Assistant
13 Secretary, respectively.

14 **Sec. 13. Representation and Participation of People's Organizations,**
15 **Civil Society, Business and Private Sector.** — The whole-of-government
16 approach requires genuine and meaningful participation of people's organizations,
17 civil society, business and the private sector. To this end, all departments and their
18 attached agencies and bureaus shall involve civil society and other stakeholders in
19 the review, reform, formulation and implementation of policies, plans, programs,
20 activities and projects to end hunger by 2030.

21 To guarantee public participation, the Commission on the Right to Adequate
22 Food shall ensure that:

- 23 a) All persons can freely and meaningfully participate in all forms of public
24 discourse, as well as access information and exercise freedom of
25 association, in relation to the formulation and implementation of
26 policies pertaining to the right to adequate food;
- 27 b) Civil society and other stakeholders actively participate in the
28 institutions that oversee the realization of the right to adequate food,
29 as well as in formulating capacity building mechanisms and special
30 measures for disadvantaged groups;

1 National public hearings are conducted every two (2) years, at which the
2 Government is required to report on the progress made with the implementation of
3 this Act, and the progressive realization of the right to adequate food in the country.

4 **Sec. 14. Priority Attention.** — Priority attention shall be given to the
5 following individuals, groups and communities, who are particularly vulnerable to
6 hunger and starvation:

- 7 a) Physiologically and clinically vulnerable persons, such as those afflicted
8 with COVID-19 and others with co-morbidities; children, particularly
9 those from zero to twenty-three (23) months of age; pregnant women
10 and lactating mothers; persons with disabilities; chronically-ill persons
11 and older persons (senior citizens);
- 12 b) Geographically disadvantaged persons such as persons living in remote
13 and isolated, very poor or underdeveloped areas; and
- 14 c) Economically vulnerable persons, such as landless people, street
15 children, urban poor, unemployed persons, indigenous peoples, ethnic,
16 linguistic or religious minorities, and internally displaced persons.

17 **Sec. 15. Planning, Programming and Budgeting.** — Policies, laws, rules,
18 regulations, plans, programs, activities and projects shall be directed towards
19 achieving four objectives: (a) guarantee stable and sustainable food supply for
20 current and future generations; (b) ensure affordable food; (c) secure adequate
21 nutrition; and (d) assure food safety and consumer protection. The National
22 Economic and Development Authority (NEDA) shall develop and issue Planning
23 Guidelines that incorporate the whole-of-government approach and focus on
24 achieving these objectives. When issuing annual budget calls, the Department of
25 Budget and Management (DBM) shall incorporate the whole-of-government
26 approach to achieve these objectives and eradicate hunger within ten (10) years
27 after the effectivity of this Act.

28 **Sec. 15. Review and Rationalization of Existing Policies, Laws, Rules,**
29 **Regulations, Plans, Programs, Activities, and Projects.** — Policies, laws, rules,
30 regulations, plans, programs, activities and projects relevant to the eradication of
31 hunger shall be reviewed and rationalized to comply with the integrated policy and
32 planning objectives;

1 a) To guarantee stable and sustainable food supply for current and future
2 generations, the following Departments and agencies, with the
3 participation of civil society organizations, business and the private
4 sector, shall jointly review, and if necessary, jointly rationalize all
5 policies, laws, rules, regulations, programs, activities and projects
6 related, but not limited, to (i) agricultural and fisheries production, (ii)
7 trade in agricultural and food products, (iii) drought, crop failure and
8 disaster management, (iv) market system including small-scale local and
9 regional markets, particularly marketing, storage, transportation,
10 communications and distribution system, (v) watershed management,
11 control of deforestation and enhancement of national forest cover, (vi)
12 sustainability of productive resources and natural assets for food
13 generation or production, (vii) weather variability and climate change,
14 (viii) monitoring of food stocks for food storage and distribution,
15 including measures against spoilage, food leakage and corruption, (ix)
16 security of land tenure, including mechanisms for adequate resettlement,
17 compensation and rehabilitation for persons, families, groups or
18 communities forcibly evicted, (x) farmers' rights to save, reuse,
19 exchange and sell seeds and plant genetic resources, including
20 safeguards for domestic seeds and plant varieties against importation
21 and use of terminator seeds, seed pricing standards, seed data banking,
22 (xi) agricultural research, training and technology, (xii) investments in
23 agriculture and public spending on agriculture, fisheries, agrarian reform,
24 and environmental protection (xiii) agrarian reform, land demarcation
25 and land distribution, (xiv) environmental protection, and (xv) domestic
26 and international food aid and disaster relief:

- 27 1. Department of Agriculture (DA)
- 28 2. Department of Agrarian Reform (DAR)
- 29 3. Department of Environment and Natural Resources (DENR)
- 30 4. Department of Trade and Industry (DTI)
- 31 5. Department of Public Works and Highways (DPWH)
- 32 6. Department of Transportation and Communication (DOTC)

- 1 7. Department of Energy (DOE)
- 2 8. Department of Finance (DOF)
- 3 9. Department of Foreign Affairs (DFA)
- 4 10. Department of Social Work and Development (DSWD)
- 5 11. Department of the Interior and Local Government (DILG)
- 6 12. Department of Budget and Management (DBM)
- 7 13. Department of Science and Technology (DOST)
- 8 14. Department of National Defense (DND)
- 9 15. National Economic and Development Agency (NEDA)
- 10 16. National Commission on Indigenous Peoples (NCIP)
- 11 17. Philippine Commission on Women (PCW)
- 12 18. National Youth Commission (NYC)
- 13 19. Climate Change Commission (CCC)
- 14 20. National Disaster Risk Reduction Management Council (NDRRMC)

15 b) To ensure the affordability of food, the following Departments and
16 agencies, with the participation of civil society organizations, business
17 and the private sector, shall jointly review, and if necessary, jointly
18 rationalize all policies, laws, rules, regulations, programs, activities and
19 projects related, but not limited, to (i) regulation and monitoring of
20 volatility/stability of food prices, (ii) chronic food poverty, (iii)
21 mobilization of domestic public and private savings, (iv) unfair
22 competition/ uncompetitive practices in the market, (v) adequate
23 consumer protection against fraudulent market practices, misinformation
24 and unsafe food, (vi) climate change adaptation and mitigation, (vii)
25 transportation costs, traffic, ports and highways, (viii) oil price
26 monitoring, (ix) food supply monitoring, (x) taxes on consumption, (xi)
27 protection of labor and access to labor, including standards for living
28 wage and decent standard of living, (xii) social transfer scheme,
29 subsidies, or food safety nets, and (xiii) public feeding programs:

- 30 1. Department of Agriculture (DA)
- 31 2. Department of Agrarian Reform (DAR)
- 32 3. Department of Environment and Natural Resources (DENR)

- 1 4. Department of Trade and Industry (DTI)
- 2 5. Department of Energy (DOE)
- 3 6. Department Of Finance (DOF)
- 4 7. Bangko Sentral ng Pilipinas (BSP)
- 5 8. Department of Public Works and Highways (DPWH)
- 6 9. Department of Transportation and Communication (DOTC)
- 7 10. Department of Health (DOH)
- 8 11. National Nutrition Council (NNC)
- 9 12. Department of the Interior and Local Government (DILG)
- 10 13. Department of Social Work and Development (DSWD)
- 11 14. Department of Education (DEPED)
- 12 15. Department of Labor and Employment (DOLE)
- 13 16. National Economic and Development Agency (NEDA)
- 14 17. National Commission on Indigenous Peoples (NCIP)
- 15 18. Philippine Commission on Women (PCW)
- 16 19. National Youth Commission (NYC)
- 17 20. Climate Change Commission (CCC)
- 18 21. Philippine Information Agency (PIA)
- 19 22. Philippine News Agency (PNA)
- 20 c) To secure nutrition adequacy, the following Departments and agencies,
- 21 with the participation of civil society organizations, business and the
- 22 private sector, shall jointly review, and if necessary, jointly rationalize all
- 23 policies, laws, rules, regulations, programs, activities and projects
- 24 related, but not limited, to (i) the minimum amount of food entitlement
- 25 for each individual, including exact quantity of calories, proteins and
- 26 micronutrients according to age, sex, health status and occupation of a
- 27 person, (ii) breastfeeding and breast milk substitutes, (iii) hidden hunger
- 28 (undernutrition and malnutrition) and chronic food poverty, (iv) nutrition
- 29 education and awareness, (v) public nutrition programs, (vi) public
- 30 nutrition supplement programs, (vii) food labeling, (viii) food
- 31 fortification, (ix) genetically modified organisms or genetically
- 32 engineered food products, (x) climate change adaptation and mitigation,

1 and (xi) food cultural acceptability programs (including, among others,
2 labeling, distribution programs for indigenous peoples and ethnic,
3 linguistic or religious minorities):

- 4 1. Department of Health (DOH)
- 5 2. National Nutrition Council (NNC)
- 6 3. Food Nutrition and Research Institute-Department of Science and
7 Technology (FNRI-DOST)
- 8 4. Department of Science and Technology (DOST)
- 9 5. Department of Education (DEPED)
- 10 6. Department of the Interior and Local Government (DILG)
- 11 7. Department of Social Work and Development (DSWD)
- 12 8. Department of National Defense (DND)
- 13 9. Department of Energy (DOE)
- 14 10. National Economic and Development Agency (NEDA)
- 15 11. Climate Change Commission (CCC)
- 16 12. National Disaster Risk Reduction Management Council (NDRRMC)
- 17 13. National Commission on Indigenous Peoples (NCIP)
- 18 14. Philippine Commission on Women (PCW)
- 19 15. National Youth Commission (NYC)
- 20 16. Philippine Information Agency (PIA)
- 21 17. Philippine News Agency (PNA)

22 d) To assure food safety and consumer protection, the following
23 Departments and agencies, with the participation of civil society
24 organizations, business and the private sector, shall jointly review, and if
25 necessary, jointly rationalize all policies, laws, rules, regulations,
26 programs, activities and projects related, but not limited, to (i) measures
27 against contamination or adulteration of food, (ii) control of
28 contamination from agricultural, industrial or other pollutants in the
29 production of food, (iii) safety standards for food production, processing,
30 storage, distribution and preparation, (iv) monitoring and regulation of
31 food processing and food handling technologies, (v) monitoring and
32 control of emerging food-borne pathogens or microorganisms, (vi)

1 monitoring of misuse and abuse of pesticides and herbicides, (vii)
2 monitoring and surveillance of food and water-borne diseases, (viii)
3 regulation and monitoring of preparation and serving of street-vended
4 food, (ix) monitoring, regulation and standards for water quality for
5 irrigation and ingestion (drinking), (x) food regulatory powers, (xi) food
6 safety and consumer protection advocacy, education, research and
7 implementation of related laws and regulations (xii) effective and
8 integrated food control system including complementary measures for
9 agriculture and fisheries (fresh produce), the food industry including
10 food manufacturers and establishments, food distribution and retail
11 outlets, and the food service sector including restaurants, caterers,
12 street vendors and consumers, (xiii) monitoring, supervision and
13 regulation of genetically modified organisms or genetically engineered
14 food production, storage, distribution and marketing and impact on
15 health, environment (including potential for genetic contamination or
16 genetic pollution of plant species), soil, and issues arising from
17 intellectual property ownership associated with creating new crops and
18 food, labeling, and pre-market testing, (xiv) hidden hunger
19 (undernutrition and malnutrition) and chronic food poverty, (xv) climate
20 change adaptation and mitigation, and (xvi) justiciability and
21 accountability measures, including measures to address smuggling,
22 cartels, price manipulation, corruption, food poisoning, contamination or
23 adulteration of food products, contamination of productive resources and
24 natural assets, land conflicts, conflicts over productive resources and
25 natural assets:

- 26 1. Department of Agriculture (DA)
- 27 2. Department of Agrarian Reform (DAR)
- 28 3. Department of Environment and Natural Resources (DENR)
- 29 4. Department of Trade and Industry (DTI)
- 30 5. Department of Energy (DOE)
- 31 6. Department of Foreign Affairs (DFA)
- 32 7. Department of Social Work and Development (DSWD)

- 1 8. Department of Health (DOH)
- 2 9. Department of Justice (DOJ)
- 3 10. Department of Education (DEPED)
- 4 11. Department of Labor and Employment (DOLE)
- 5 12. Department of the Interior and Local Government (DILG)
- 6 13. Department of Budget and Management (DBM)
- 7 14. Department of Science and Technology (DOST)
- 8 15. Department of National Defense (DND)
- 9 16. Department of Transportation and Communication (DOTC)
- 10 17. Department of Tourism (DOT)
- 11 18. Food Safety Regulatory Coordination Board and Food Safety
- 12 Regulatory Agencies of the Department of Agriculture (DA),
- 13 Department of Health (DOH), and Department of the Interior and
- 14 Local Government (DILG)
- 15 19. National Economic and Development Agency (NEDA)
- 16 20. Food and Drug Administration (FDA)
- 17 21. National Commission on Indigenous Peoples (NCIP)
- 18 22. Climate Change Commission (CCC)
- 19 23. National Disaster Risk Reduction Management Council (NDRRMC)
- 20 24. National Commission on Indigenous Peoples (NCIP)
- 21 25. Philippine Commission on Women (PCW)
- 22 26. National Youth Commission (NYC)
- 23 27. Philippine Information Agency (PIA)
- 24 28. Philippine News Agency (PNA)
- 25 29. Local Water Utilities Administration (LWUA)

26 **Sec. 16. *Targets and Indicators.*** — The State shall also ensure that within
27 ten (10) years of effectivity of this Act, land devoted to food production will be
28 increased to fifty percent (50%) of all prime agricultural land in every region, and,
29 within the same period, the State shall ensure that the following indicators will
30 considerably and steadily increase:

- 31 a) Percentage of developed ancestral lands;
- 32 b) Percentage of rural population with access to productive resources;

- 1 c) Share of budget spent on programs aimed at creating access to
- 2 productive resources;
- 3 d) Percentage of budget spent on agri research, agri extension, irrigation,
- 4 training, technology, credits and rural development;
- 5 e) Percentage of rural female-headed households, or rural women, with
- 6 legal title to agriculture lands;
- 7 f) Percentage of public budget allocation for social transfer programs to
- 8 those unable to feed themselves;
- 9 g) Coverage of marginalized and disadvantaged population taking part in
- 10 social transfer programs;
- 11 h) Percentage of marginalized and disadvantaged population covered by a
- 12 public nutrition supplement program;
- 13 i) Percentage of population aware of available food and nutrition
- 14 programs; and
- 15 j) Coverage of school feeding programs.

16 **Sec. 17. Standards on the Minimum Amount of Food.** – Within one (1)

17 year from the effectivity of this Act, the Commission, in consultations with the

18 DSWD, NNC, the DOH, and Local Government Units (LGUs) concerned, shall issue

19 guidelines on the minimum amount of food for persons who are suffering from

20 hunger or undernourishment, or are at risk from suffering from hunger or

21 undernourishment, but who cannot take care of their own needs due to reasons

22 beyond their control, such as with a national health emergency like the effect and

23 impact of the COVID 19 pandemic, including but not limited to children whose

24 parents die due to the pandemic or disappear or otherwise, no longer able to take

25 care of them, the elderly, and persons with disabilities. The guidelines shall include:

- 26 a) The exact quantity of calories, proteins and micronutrients, to which the
- 27 minimum amount of food will correspond, according, to the age, sex,
- 28 health status and occupation of person;
- 29 b) A simple and accessible application or certification procedure for the
- 30 minimum amount of food entitlement with transparent, fair and non-
- 31 discriminatory eligibility, or certification criteria; and,

1 c) A relief mechanism to ensure that such individuals are provided with their
2 minimum food requirement.

3 Specific support measures will be designed and adopted to prevent or
4 compensate for disadvantages that identified vulnerable persons or groups suffer
5 from, with regard to the enjoyment of their right to food.

6 In addition, the Commission shall formulate a simple and accessible
7 application or certification procedure for the minimum amount of food entitlement
8 and transparent, fair and non-discriminatory eligibility or certification criteria.

9 There shall likewise be established fair, independent and accessible recourse
10 procedures to the Commission for complaints and appropriate remedies in case of a
11 determined violation of the right to adequate food.

12 **Sec. 18. Food Emergencies.** – Whenever a situation arises in which access
13 to food is endangered, such as those caused by natural events like drought, floods,
14 storms, earthquakes, or crop failures resulting from pests or diseases, or by human
15 agency such as internal or international armed conflict, or a national health
16 emergency such as the COVID-19 pandemic, the Commission on the Right to
17 Adequate Food, in coordination with the National Disaster Risk Reduction and
18 Management Council (NDRRMC) and other appropriate government agencies, will
19 have the duty to ensure that:

- 20 a. Information on potential or brewing food emergencies is shared speedily
21 among all Departments and agencies, and with the general public;
22 b. Food emergency responses sufficiently cover both early warning responses and
23 disaster preparedness in case of a crisis; and food responses are organized and
24 managed efficiently and effectively, and are compliant with the right to
25 adequate food and relevant international standards;
26 c. Food supply responses or food aid is free from spoilage, leakage and are
27 protected against theft and corruption; and,
28 d. Requests for international assistance are initiated in case of necessity and
29 distribution of food to intended recipients is properly supervised and
30 coordinated.

31 **Sec. 19. Information Dissemination.** – All government agencies, under
32 the direction of the Commission on the Right to Adequate Food, in coordination with

1 the Philippine News Agency (PNA) and Philippine Information Agency (PIA), are
2 mandated to:

- 3 a. Inform the population about the rights established in this Act and the
4 implementing rules and regulations adopted upon its entry into force, as well as
5 about any other measure taken for the purpose of facilitating and promoting
6 the realization of the right to adequate food; and,
- 7 b. Use the most appropriate ways and methods of disseminating information by
8 providing information through all media forms, and in local languages, notably
9 in the most marginalized areas and among populations with a high rate of
10 illiteracy.

11 **Sec. 20. *Education and Awareness Program.*** – The Commission on the
12 Right to Adequate Food, in coordination with the DepEd, Commission on Higher
13 Education (CHED) and TESDA, shall ensure that:

- 14 a. The school curriculum includes material related to food and nutrition education,
15 the right to adequate food and human rights principles; and,
- 16 b. Relevant adult education and training programs shall include materials related
17 to food and nutrition, the right to adequate food and human rights principles.

18 **Sec. 21. *International Cooperation.*** – The Commission on the Right to
19 Adequate Food, in coordination with the CHR and the Department of Foreign Affairs
20 (DFA), shall:

- 21 a. Ensure that activities undertaken in other countries, including those by private
22 actors, do not infringe on the enjoyment of the right to adequate food by
23 people in the concerned countries, in coordination with DA, DTI, DOH and
24 NEDA and other relevant agencies;
- 25 b. Promote international cooperation and provide assistance to ensure the
26 realization of the right to adequate food in other countries, if in a position to do
27 so; and,
- 28 c. Ensure that international and other agreements which the Philippine
29 Government enters into, take into account the guarantee on the right to food.

30 **Sec. 22. *Periodic Review and Public Reporting.*** — Periodic reviews shall
31 be undertaken to ensure compliance with set targets. In the implementation of this
32 Act, priority will be given to identify areas with chronically malnourished population.

1 In measuring the incidence of hunger, the key primary data sources will include
2 national nutrition surveys, household surveys of the Philippine Statistics Authority
3 (PSA), namely the Family Income and Expenditure Survey and the Annual Poverty
4 Indicators Survey, with global hunger indices as benchmarks.

5 **Sec. 23. *Monitoring and Evaluation System.*** – There shall be an
6 integrated monitoring system that shall ensure that all government agencies at all
7 levels, under the supervision of the Commission on the Right to Adequate Food,
8 shall:

- 9 a. Collect data related to food and nutrition security, using monitoring
10 methodologies and processes consistent with human rights principles as
11 established by this Act;
- 12 b. Disaggregate collected data by age, sex, income, bracket, civil status and
13 ethnicity;
- 14 c. Monitor progress achieved in the realization of the right to adequate food; and,
- 15 d. Establish or identify an early warning mechanism for food supply shortages and
16 emergencies.

17 **Sec. 24. *Penal Provisions.*** – The penalty of *prision correccional* shall be
18 imposed on any public or private actor who causes the starvation or denial of the
19 access to food of any particular individual or group, as through the Commission of
20 any of the following acts:

- 21 a. blockade;
- 22 b. refusal to implement a food-related program;
- 23 c. discrimination in implementing a food-related program;
- 24 d. negligence in implementing food-related programs, resulting in death;
- 25 e. obstructing access to food in time of calamity or war;
- 26 f. theft, corruption or black marketeering of food being given as humanitarian aid,
27 in times of calamity or war;
- 28 g. distribution of expired, or unsafe food at a school feeding program or other
29 feeding program, in times of calamity or war;
- 30 h. contamination of food or water sources, through mining activities, aerial
31 spraying of plantations, or any other similar means; and,
- 32 i. other analogous acts.

1 *Provided That*, the penalty is imposable without prejudice to any other
2 criminal, civil or administrative liability under Philippine law; *Provided Further*, That if
3 the act committed is food blockade during armed conflict, the penalty imposable
4 shall be without prejudice to the application of Republic Act No. 9851, or the
5 "Philippine Act on Crimes against International Humanitarian Law, Genocide and
6 Other Crimes against Humanity," and other relevant laws.

7 **Sec. 25. *Civil and Administrative Liabilities.*** – Any public officer or
8 employee who directly or indirectly obstructs, defeats, violates or in any manner
9 impedes or impairs any of a person's rights guaranteed under this Act, will be liable
10 for damages. Any violation of a provision of this Act, whether committed by public or
11 private actors, will similarly give rise to liability for damages.

12 It is hereby declared a ministerial duty on the part of the Government to
13 ensure the enjoyment of the rights guaranteed in this Act and to perform the duties
14 provided for in this Act. Appropriate cases may be filed before the courts to compel
15 compliance with the provisions of this Act. These cases shall be without prejudice to
16 liability for damages, as well as administrative liability that may be incurred.

17 **Sec. 26. *Appropriations.*** – There will be an allocation in the annual budget
18 specifically for the purposes of the implementation of the right to adequate food, in
19 accordance with priorities set by the Commission on the Right to Adequate Food.
20 The allocation will be aimed at the progressive realization of the right to adequate
21 food over the long term.

22 **Sec. 27. *Implementing Rules and Regulations.*** – The Commission on
23 the Right to Adequate Food shall issue the necessary rules and regulations to
24 implement the provisions of this Act within sixty (60) days from its effectivity. In the
25 formulation of these rules and regulations, the Commission shall take the lead and
26 shall coordinate with the CHR, DA, DAR, DSWD, DOH, DTI, DPWH, NEDA, NNC and
27 NAPC, and with the active participation of people's organizations and human rights
28 nongovernmental organizations.

29 **Sec. 28. *Rationalization of Policies.*** – All existing policies, laws, decrees,
30 executive orders, memorandum orders, memorandum circulars, administrative
31 orders, and ordinances shall be rationalized and interpreted in a way that will
32 guarantee the realization of the right to adequate food as provided for by this Act.

1 Concerned cabinet secretaries and other executive authorities will report on a
2 regular basis to the Commission on the Right to Adequate Food on legislative and
3 regulatory measures that have been formulated and adopted, and the time frames
4 within which they are envisaged to achieve their objectives in order to achieve zero
5 hunger.

6 **Sec. 29. Separability Clause.** – If any part or provision of this Act is
7 declared unconstitutional, the remainder of this Act or any provisions not affected
8 thereby shall remain in full force and effect.

9 **Sec. 30. Repealing Clause.** – All laws, decrees, executive orders,
10 memorandum orders, memorandum circulars, administrative orders, ordinances, or
11 parts thereof, which are inconsistent with the right to adequate food and the
12 provisions of this Act, are hereby deemed repealed or modified accordingly.

13 **Sec. 31. Effectivity.** – This Act shall take effect fifteen (15) days after its
14 publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,