

NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



'22 JUL 12 A10 :37

SENATE
S. No. 337

RECEIVED BY

Introduced by Senator Grace Poe

AN ACT
PROVIDING A FRAMEWORK FOR THE RIGHT TO ADEQUATE FOOD

EXPLANATORY NOTE

According to the Philippine Statistics Authority (PSA), the subsistence incidence among Filipinos was recorded at 9.9% in the first semester of 2021. In tangible terms, this means that 10.94 million Filipinos had monthly incomes below the food threshold of P8,393.00, or roughly P270.00 a day. In addition, the most recent National Nutrition Survey found that 66.7%, or nearly 7 out of 10 families, experienced some form of food insecurity due to insufficient access to food.

The data above points to a grave and wide-ranging violation of a fundamental human right — the right to adequate food. Thus, it could be argued that widespread and chronic hunger is a human rights violation. It is an affront to the principle of human dignity.

That hunger is a violation of human rights has basis. The right to adequate food is an internationally recognized and protected human right. It is enshrined in no less than the Universal Declaration of Human Rights. Article 25 of the Declaration reads:

“Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including *food*, clothing, housing and medical care and necessary social services, and

the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control."

The right to adequate food is also restated in the International Covenant on Economic, Social and Cultural Rights. Article 11, Paragraph 2 of the Convention states that "The States Parties to the present Covenant... *recogniz(e) the fundamental right of everyone to be free from hunger...*" (emphasis supplied).

This proposed measure thus seeks to establish a legal framework for the recognition and protection of the right to adequate food. The proposed framework seeks to establish the parameters of the right to adequate food and its exercise, as well as the obligations of the State to respect, protect, and fulfill it. Towards this end, this proposed measure seeks to mandate the State to reduce the incidence of hunger from the current level by 25%; in five years, it will be further reduced by 25%; in seven and a half years, it will be further reduced by another 25%; and in 10 years, zero hunger should be achieved.

In view of the foregoing, speedy approval of this measure is eagerly sought.




GRACE POE

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

CHAPTER I
GENERAL PROVISIONS

1 Section 1. *Short Title.* – This Act shall be known as the "Right to Adequate
2 Food Act of 2022".

3 Sec. 2. *Declaration of Policy.* – It is hereby declared the policy of the State to
4 guarantee the right to adequate food. Adequate food is not a matter of charity, but
5 of legal entitlement. Hunger is inconsistent with human dignity and human rights,
6 and must be eliminated. The aim of this Act is to provide a framework, within which
7 hunger will be addressed in an organized way, and through which hunger may be
8 ended.

9 Sec. 3. *Definition of Terms.* – As used in this Act, the following terms shall be
10 defined as follows:

11 a. *Accessibility* – refers to the capacity of individuals to produce or procure food,
12 and the removal of barriers which prevent such access. It encompasses
13 economic and physical accessibility:

14 1. Economic accessibility implies that personal or household financial
15 costs associated with the acquisition of food for an adequate diet
16 should be at a level such that the attainment and satisfaction of other
17 basic needs are not threatened or compromised.

- 1 2. Physical accessibility implies that adequate food must be accessible to
2 everyone, including physically vulnerable individuals, such as infants
3 and young children, elderly people, those belonging to the informal
4 sector, the physically disabled, the terminally ill and persons with
5 persistent medical problems, including the mentally ill.
- 6 b. *Adequacy* – refers to the presence of food in a quantity and quality sufficient
7 to satisfy the dietary needs of individuals, free from adverse substances, and
8 acceptable within a given culture; and to the accessibility of such food in ways
9 that are sustainable, and which do not interfere with the enjoyment of other
10 human rights:
- 11 1. Dietary needs imply that the diet as a whole contains a mix of nutrients
12 for physical and mental growth, development and maintenance, and
13 physical activity, that are in compliance with human physiological
14 needs at all stages throughout the life cycle, and according to gender
15 and occupation.
- 16 2. Cultural or consumer acceptability implies the need also to take into
17 account, as far as possible, perceived non nutrient-based values
18 attached to food and food consumption and informed consumer
19 concerns regarding the nature of accessible food supplies.
- 20 3. Freedom from adverse substances sets requirements for food safety
21 and for a range of protective measures by both public and private
22 means to prevent contamination of foodstuffs through adulteration, or
23 through bad environmental hygiene, or inappropriate handling at
24 different stages throughout the food chain. Care must also be taken to
25 identify and avoid or destroy naturally occurring toxins.
- 26 4. Sustainability refers to the availability, adequacy, and accessibility for
27 both present and future generations, in a manner which does not
28 jeopardize the environmental balance.
- 29 c. *Availability* – refers to the possibilities either for feeding oneself directly from
30 productive land or other natural resources, or for well-functioning distribution,
31 processing and market systems that can move food from the site of
32 production to where it is needed in accordance with demand;

- 1 d. *Council* – refers to the Inter-Agency Council on the Right to Adequate Food
2 created under this Act;
- 3 e. *Food* – refers to nourishment that includes solid, liquid and semi-liquid
4 nourishment, as well as drinking water;
- 5 f. *Food blockade* – refers to a knowing and willful effort to cut off food supplies
6 from a particular area by force either in part or in total;
- 7 g. *Hunger* – refers to a spectrum of situations, from starvation, which is not
8 having enough food of any sort to eat, to undernourishment, which is having
9 enough food to eat, but of inadequate quality;
- 10 h. *Right to adequate food* – refers to the right to have regular, permanent and
11 unrestricted access, either directly or by means of financial purchases, to
12 quantitatively and qualitatively adequate and sufficient food, corresponding to
13 the cultural traditions of the people, to which he or she belongs, and which
14 ensure a physical and mental, individual and collective, fulfilling and dignified
15 life, free of fear; and
- 16 i. *Vulnerable groups* – refer to those who are particularly disadvantaged. These
17 include indigenous peoples, ethnic, linguistic or religious minorities, persons
18 with disabilities, individuals living with HIV/AIDS, refugees and internally
19 displaced people, women and children;

20 **CHAPTER II**

21 **GENERAL PRINCIPLES**

22 Sec. 4. *General Principles.* – The principles upon which the provisions of this
23 Act are founded, and which must be observed in the process of realizing the right to
24 adequate food, are:

- 25 a. *Accountability* - Public officials are answerable to their superiors, and to the
26 people they serve, for their actions. Application of the principle of
27 accountability in the context of the framework act requires clear assignment
28 of responsibilities and functions to public authorities for implementation of the
29 framework act and any subsequent measures to be taken. In addition, the
30 expected results are spelled out clearly and appropriate procedures are
31 established;

- 1 b. *Empowerment.* - People have the power, capacities, capabilities and access
2 needed to change their own lives, including the power to seek from the State
3 remedies for violations of their human rights. This principle is the logical
4 consequence of all the preceding principles. In the context of the framework
5 act, the empowerment principle entails the inclusion of specific provisions on
6 awareness-raising, capacity-building and right to adequate food education;
- 7 c. *Human dignity.* - It is the absolute and inherent worth that persons have,
8 simply because they are human, not by virtue of any social status or
9 particular powers. The framework act recognizes in an unequivocal form that
10 every person has a right to adequate food. To comply with this principle in
11 the implementation of the framework act, the State, through its public
12 officials, treats persons equally and respects their human worth and dignity;
- 13 d. *Non-discrimination.* - It is a level of protection of human rights objectively and
14 reasonably the same for everybody, irrespective of sex, age, race, color,
15 religion or any other ground. In addition to specifically prohibiting
16 discrimination on any ground, this principle requires specific measures aimed
17 at correcting de facto discrimination or eliminating conditions that cause or
18 help to perpetuate discrimination, as well as measures promoting equality. In
19 the context of this framework act, it means paying particular attention to
20 those groups that cannot enjoy their rights as fully as others;
- 21 e. *Participation.* - People are able to determine their own well-being and
22 participate in the planning, design, monitoring and evaluation of decisions
23 affecting them. Individuals are able to take part in the conduct of public
24 affairs, including the adoption and implementation of State policies. Such
25 participation is active, free and meaningful, whether it is exercised directly or
26 through intermediary organizations representing specific interests. It is
27 supported by capacity- building where necessary;
- 28 f. *Rule of law.* - It means that governmental authority is legitimately exercised
29 only in accordance with written, publicly disclosed and accessible laws,
30 adopted and enforced in conformity with established procedures. The
31 principle is intended as a safeguard against arbitrary use of State authority
32 and lawless acts of both organizations and individuals. Any implementing

1 rules and regulations to be adopted for ensuring the implementation of the
2 framework act will be clear, fair and accessible. The rule of law also means
3 that no person or body can breach the law with impunity. There is access to
4 justice including the right to an effective remedy for anyone whose rights are
5 violated, as well as the guarantee of due process in all legal proceedings; and
6 g. *Transparency*. - It is open access by the public to timely and reliable
7 information on the decisions and performance of public authorities. Holders of
8 public office should be as open as possible about all their decisions and
9 actions that may affect the free exercise of the right to adequate food.
10 Applying the principle of transparency within the context of the framework act
11 means that right-holders are provided with essential information about the
12 decision-making process and those accountable and responsible for it. Right-
13 holders also have the power to demand information on the processes that
14 feed into the achievement of the particular entitlement, with an easy and low-
15 cost corrective check to maladministration.

16 **CHAPTER III**

17 **THE RIGHT TO ADEQUATE FOOD**

18 *Sec. 5. The Right to Adequate Food. –*

- 19 a. Every person has a right to be free from hunger. Every person suffering from
20 hunger or undernourishment, or at risk of suffering from hunger or
21 undernourishment, is entitled to a minimum amount of food according to his
22 or her age, sex, health status and occupation;
- 23 b. Every person has the right to live in conditions that enable her or him to:
- 24 1. Feed herself or himself directly from productive land or other natural
25 resources, or rely on well-functioning distribution, processing and
26 market systems, or both;
 - 27 2. Be financially able, not only to acquire a sufficient quantity and quality
28 of food, but also to satisfy her or his other basic needs;
 - 29 3. Be safe from the risk of losing access to food, as a consequence of
30 sudden shocks, like an economic or climatic crisis, or cyclical events,
31 such as seasonal food insecurity;

- 1 4. Have the opportunity of good food utilization, through access to an
2 adequate diet, clean water, sanitation and health care, to reach a state
3 of nutritional well- being, where all physiological needs are met; and
4 5. Access foods or diets that are the most appropriate under given
5 circumstances, in terms of their nutritional value and cultural
6 acceptability.
7 c. Every girl and boy has a right to adequate food and nutrition adequate for
8 her or his age, allowing her or him to grow and develop; and
9 d. Every woman has a right to adequate food and adequate nutrition during
10 pregnancy and lactation.

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

14 *Sec. 6. Non-discrimination.* – Any distinction, exclusion or restriction made on
15 the basis of race, color, sex, age, language, religion, political or other opinion,
16 national or social origin, property, birth or other status, which has the effect or
17 purpose of impairing or limiting the capacity of an individual to exercise his or her
18 right to adequate food, is unlawful and will be sanctioned in accordance with the
19 law.

20 All forms of discrimination against women with regard to the guaranteed right
21 to adequate food, including less favorable treatment of women for reasons of
22 pregnancy and maternity, will be eliminated and prevented. The equality of
23 opportunities between men and women will be promoted.

24 The prohibition of discrimination will not be read to include government action
25 to remedy past effects of discrimination against particular individuals or groups and,
26 to promote equality of opportunities with regard to the right to adequate food.

27 *Sec. 7. Interpretation of the Right to Food.* – The right to adequate food is
28 realized when every Filipino has equal physical and economic access at all times to
29 adequate food, or means for its procurement. The right to adequate food will
30 therefore not be interpreted in a narrow or restrictive sense, which equates it with a
31 minimum package of calories, proteins and other specific nutrients. The right to food

1 measures to provide food, or means for its procurement, to persons who
2 cannot take care of their own needs, due to reasons beyond their control, in
3 particular for children whose parents die or disappear or otherwise no longer
4 take care of them.

5 Sec. 10. *Duties of State Agencies and Instrumentalities.* – These duties of the
6 State shall extend to all state agencies, offices, and instrumentalities at all levels and
7 government-owned and controlled corporations, subject to the Constitution and
8 pertinent laws, policies, or administrative guidelines that define specific duties of
9 state agencies and entities concerned.

10 In particular, the following agencies shall the have the following duties and
11 responsibilities, in addition to those existing under the Constitution and pertinent
12 laws, policies, or administrative guidelines:

- 13 a. The Department of Agriculture will have the primary duty to ensure food
14 availability, stability and adequacy;
- 15 b. The Department of Health will have the primary duty to ensure food quality
16 and safety;
- 17 c. The Department of Trade and Industry will have the primary duty to ensure
18 physical and economic access to food; and
- 19 d. The Department of Public Works and Highways will have the primary duty to
20 ensure well-functioning distribution, processing and market systems.

21 Sec. 11. *Targets.* – Towards the achievement of the objectives of this Act, the
22 Government will ensure that in two and a half years, the incidence of hunger will be
23 reduced, from the level current at the time of the passage of the framework act, by
24 25 percent; in five years, it will be further reduced by 25 percent; in seven and a
25 half years, it will be further reduced by 25 percent; and in 10 years, zero hunger will
26 be achieved.

27 The Government will also ensure that in 10 years, land devoted to food
28 production will be increased to 50 percent of all prime agricultural land in every
29 region, and that the following indicators will considerably and steadily increase over
30 the same 10 years, together with other structural and process indicators, as may be
31 determined in the implementing rules and regulations of this framework act:

- 32 a. Percentage of development of ancestral lands;

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

16 Periodic reviews will be undertaken to ensure compliance with set targets. In
17 the implementation of this framework, priority will be given to identified areas with
18 chronically malnourished individuals. In measuring the incidence of hunger, the key
19 primary data sources will include:

- 20 a. The National Nutrition Survey (NNS);
- 21 b. The self-rated hunger indicator of the Social Weather Stations (SWS);
- 22 c. Household surveys of the Philippine Statistics Authority (PSA), namely the
- 23 Family Income and Expenditure Survey (FIES) and the Annual Poverty
- 24 Indicators Survey (APIS); and
- 25 d. Such other reputable indicators and indices as may be created or recognized
- 26 domestically or internationally.

27 There shall be authorized to be appropriated such amounts as necessary to
28 carry out the provisions of this provision Act, to be included in the annual budget of
29 the Food and Nutrition Institute and the Philippine Statistics Authority in the General
30 Appropriations Act.

31 *Sec. 12. Impact Assessment.* – All proposed government actions, plans and
32 projects, including any development plan, will take into account the right to

1 adequate food, and will undergo an objective impact assessment prior to its
2 adoption and implementation. The steps for this objective impact assessment
3 include:

- 4 a. Identification of proposals subject to impact assessment, and their level of
5 detail;
- 6 b. Identification of the issues and impacts that are likely to be significant for the
7 effective enjoyment of the right to adequate food;
- 8 c. Determination of options for achieving the same objectives as those of the
9 proposal;
- 10 d. Identification and prediction of the likely social, economic, environmental, and
11 other related effects of the proposal;
- 12 e. Establishment of measures necessary to avoid or minimize predicted adverse
13 impacts, and to incorporate these into the proposal implementation plan;
- 14 f. Assessment of significant outcomes including a simplified summary for public
15 debate;
- 16 g. Public consultation;
- 17 h. Determination of whether the report identifies all relevant information on the
18 possible impacts on the enjoyment of the right to adequate food, takes into
19 consideration all potential social, economic, environmental and other effects
20 of the proposal, and contains concerns and comments of the potentially
21 affected population, and all the information necessary for decision-making;
- 22 i. Approval or rejection of the proposal, and establishing the terms and
23 conditions for its implementation; and
- 24 j. Systematic determination of merit, worth and significance.

25 Any strategic intervention aimed at ensuring the enjoyment of the right to
26 adequate food will similarly undergo an objective impact assessment prior to its
27 adoption and implementation.

28 **CHAPTER V**

29 **THE INTER-AGENCY COUNCIL ON THE RIGHT TO FOOD**

30 *Sec. 13. Inter-Agency Council on the Right to Adequate Food.* – To facilitate
31 inter-agency cooperation to fulfill the objectives of this Act, there is hereby

1 established an Inter-Agency Council on the Right to Adequate Food, which will be
2 composed of the following agencies and representatives:

- 3 a.) The Commission on Human Rights, as Chairperson;
- 4 b.) Department of Agriculture;
- 5 c.) Department of Agrarian Reform;
- 6 d.) Department of Health;
- 7 e.) Department of Trade and Industry;
- 8 f.) Department of Public Works and Highways;
- 9 g.) Department of Social Welfare and Development;
- 10 h.) National Economic and Development Authority;
- 11 i.) National Anti-Poverty Commission;
- 12 j.) Two representatives of people's organizations; and
- 13 k.) Two representatives of non- governmental organizations

14 The council members who are representatives of people's organizations and
15 non-governmental organizations will be chosen by the Council from a list of
16 nominees provided by people's organizations and non- governmental organizations
17 engaged in the promotion of the right to adequate food.

18 The council members are tasked to formulate programs and projects to
19 provide strategic interventions to respect, protect and fulfill the right to adequate
20 food. The council will also serve as the monitoring body in regard to right to
21 adequate food initiatives.

22 The council members that are government agencies may designate their duly
23 authorized representative, who will have a rank not lower than an assistant secretary
24 or its equivalent. These members will attend council meetings, and will receive
25 emoluments as may be determined by the council, in accordance with existing
26 budget and accounting rules and regulations.

27 *Sec. 14. Powers and Functions of the Council.* – The Council shall have the
28 following powers and functions:

- 29 a. Receive complaints of violations of the right to adequate food from individuals
30 and groups;
- 31 b. Review and refer to the CHR complaints of violations of the right to adequate
32 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. Establish a continuing program of research, education and information to
4 enhance respect for the primacy of the right to adequate food;
- 5 e. Recommend to Congress effective measures to promote the right to adequate
6 food, to harmonize existing laws affecting the right to adequate food, to
7 ensure their complementation, and the availability of remedies for violations
8 and compensation. to victims of violations of the right to adequate food;
- 9 f. Monitor the Philippine Government's compliance with its obligations in regard
10 to the right to adequate food;
- 11 g. Appoint officers and employees in accordance with law; *and*
- 12 h. Perform such other duties and functions as may be provided by law.

13 In exercising its powers and duties, the Council shall:

- 14 a. Apply the human rights principles established by this Act;
- 15 b. Work in close cooperation with representatives of civil society and take their
16 views into consideration; and
- 17 c. Use, to the fullest possible extent, the services, facilities and information,
18 including statistical information, of the relevant public and private bodies and
19 organizations, to prevent duplication of effort and expenses.

20 *Sec. 15. Authority of the Chairperson.* – The Chairperson of the Council may
21 call upon other instrumentalities or entities of the government and nongovernment
22 and civic organizations for assistance in terms of the use of their facilities and
23 resources towards the achievement of the objectives of this Act and its
24 corresponding rules and regulations.

25 *Sec. 16. Minimum Amount of Food.* — Within one (1) year from the effectivity
26 of this Act, Council shall issue guidelines on the minimum amount of food for
27 persons who are suffering from hunger or undernourishment, or are at risk from
28 suffering from hunger or undernourishment, but who cannot take care of their own
29 needs, due to reasons beyond their control, including, but not limited, to children
30 whose parents die or disappear, or otherwise no longer take care of them, elderly,
31 and persons with disabilities. The guidelines shall include:

- 1 1. The exact quantity of calories, proteins and micronutrients, to which the
2 minimum amount of food will correspond, according to the age, sex, health
3 status and occupation of a person;
- 4 2. A simple and accessible application or certification procedure for the minimum
5 amount of food entitlement with transparent, fair and non-discriminatory
6 eligibility or certification criteria; and
- 7 3. A relief mechanism to ensure that such individuals are provided with their
8 minimum food requirement.

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

12 *Sec. 17. Emergencies.* – The Council, in coordination with the National
13 Disaster Risk Reduction and Management Council, will have the duty to ensure that:

- 14 a. Food emergencies cover both early warning and preparedness for a crisis, as
15 well as organizing and managing food response in the case of a crisis, and
16 comply with the right to adequate food and the relevant international
17 standards;
- 18 b. Emergency food responses are compatible with the right to adequate food
19 and international standards regulating emergencies; and
- 20 c. Requests for international assistance are initiated in case of necessity,
21 alongside supervising and coordinating distribution of food response received.

22 *Sec. 18. Information.* – All government agencies, under the direction of the
23 Council, in coordination with the Philippine News Agency and Philippine Information
24 Agency, have a duty to:

- 25 a. Inform the population about the rights established in this framework act and
26 about the implementing rules and regulations adopted upon its entry into
27 force, as well as about any other measure taken for the purpose of facilitating
28 and promoting the realization of the right to adequate food; and
- 29 b. Use the most appropriate ways and methods of disseminating information,
30 including by providing information in oral ways, and in local languages,
31 notably in the most marginalized areas and among populations with a high
32 rate of illiteracy.

1 Sec. 19. *Education and Awareness Raising.* – The Council, in coordination with
2 the Department of Education, Commission on Higher Education and Technical
3 Education and Skills Development Authority, will have the duty to ensure that:

- 4 a. The school curriculum includes material related to food and nutrition
5 education, the right to adequate food, and human rights principles; and
- 6 b. Adult education and training programs, when relevant, include material
7 related to food and nutrition, the right to adequate food, and human rights
8 principles.

9 Sec. 20. *International Cooperation.* – The Council, in coordination with the
10 Department of Foreign Affairs, will have the duty to:

- 11 a. Ensure that activities undertaken in other countries, including those by private
12 actors, do not infringe on the enjoyment of the right to adequate food by
13 people in the concerned countries; and
- 14 b. Promote international cooperation and provide assistance to ensure the
15 realization of the right to adequate food in other countries, if in a position to
16 do so.

17 Sec. 21. *Monitoring System.* – There will be an integrated monitoring system
18 in which all government agencies at all levels, under the supervision of the Council
19 will:

- 20 a. Collect data related to food and nutrition security, using monitoring
21 methodologies and processes consistent with human rights principles as
22 established by this Act;
- 23 b. Disaggregate collected data by age, sex, status and group;
- 24 c. Monitor progress achieved in the realization of the right to adequate food;
25 and
- 26 d. Establish or identify an early warning mechanism.

27 The Commission shall also establish fair, independent and accessible recourse
28 procedures for complaints and appropriate remedies in case of a determined
29 violation of the right to adequate food.

30 Sec. 22. *Representation and Participation of People's Organizations and Civil*
31 *Society.* – To guarantee public participation, the Council shall ensure the following:

- 1 a. Free and meaningful participation, including freedom of information and
- 2 freedom of association;
- 3 b. Consultations on specific areas of implementation of this framework act; and
- 4 c. National public hearings every two years, at which the Government is
- 5 required to report on progress made with the implementation of this
- 6 framework act, and the progressive realization of the right to adequate food
- 7 in the country.

8 CHAPTER VI

9 MISCELLANEOUS PROVISIONS

10 Sec. 23. *Rationalization of Policies.* – All existing policies, laws, decrees,
11 executive orders, memorandum orders, memorandum circulars, administrative
12 orders, and ordinances will be rationalized in accordance with the right to adequate
13 food, as provided for by this framework act. Laws affecting the realization of the
14 right to adequate food will be interpreted in a way compatible with the right to
15 adequate food and this framework act.

16 The cabinet secretaries concerned and other executive authorities will report,
17 at regular intervals, to the Council, on legislative and regulatory measures that have
18 been elaborated and adopted, and the time frames within which they are envisaged
19 to achieve their objectives.

20 Sec. 24. *Penal Provisions.* – The penalty of *prision mayor* will be imposed on
21 any public or private actor, who deliberately starves or denies access to food to any
22 particular individual or group, through the commission of any of the following acts:

- 23 a. Food blockade;
- 24 b. Refusal to implement a food-related program;
- 25 c. Discrimination in implementing a food-related program;
- 26 d. Negligence in implementing food-related programs;
- 27 e. Obstructing access to food in time of calamity or war;
- 28 f. Theft, corruption or black marketeering of food being given as humanitarian
- 29 aid, in time of calamity or war;
- 30 g. Distribution of expired, or unsafe food;
- 31 h. Contamination of food or water sources, through mining activities, aerial
- 32 spraying of plantations, or any other similar means; and

1 i. Other analogous acts.

2 The penalty is imposable without prejudice to any other criminal, civil or
3 administrative liability under Philippine law.

4 Sec. 25. *Civil and Administrative Liabilities.* – Any public officer or employee
5 who directly or indirectly obstructs, defeats, violates or in any manner impedes or
6 impairs any of a person’s rights guaranteed in this framework act, will be liable to
7 this person for damages.

8 Any violation of a provision of this framework act, whether committed by
9 public or private actors, will similarly give rise to liability for damages.

10 It is hereby declared a ministerial duty on the part of the Government to
11 ensure the enjoyment of the rights guaranteed in this framework act. Appropriate
12 cases may be filed before the courts to compel compliance with the provisions of this
13 act. These cases will be without prejudice to liability for damages, as well as
14 administrative liability that may be incurred.

15 Sec. 26. *Appropriations.* – There shall be authorized to be appropriated such
16 amounts as necessary to carry out the provisions of this Act. Afterwards, such sums
17 as may be necessary for the continued implementation of this act shall be included
18 in the annual General Appropriations Act.

19 There will be an allocation of specific and sufficient resources for the purposes
20 of the implementation of the right to adequate food, in accordance with priorities set
21 by The Commission. The allocation will be aimed at the progressive realization of the
22 right to adequate food over the long term. Every person’s right to be free from
23 hunger can never be deviated from by temporary or permanent cutbacks.

24 Sec. 27. *Reportorial Requirements.* – The Council shall submit quarterly and
25 annually reports to the Office of the President, the Senate of the Philippines, the
26 House of Representatives, on the status implementation of this Act and the
27 achievements thereof.

28 Sec. 28. *Implementing Rules and Regulations.* – The Commission on Human
29 Rights will issue the necessary rules and regulations to implement the provisions of
30 this act within thirty (30) days from its effectivity, in coordination with the
31 Department of Agriculture, Department of Agrarian Reform, Department of Social
32 Welfare and Development, Department of Health, Department of Trade and

1 Industry, Department of Public Works and Highways, National Economic and
2 Development Authority, and National Anti-Poverty Commission, and people's
3 organizations and human rights nongovernmental organizations actively involved in
4 promoting the right to food and its components as defined in this Act.

5 Sec. 29. *Separability Clause.* – If any provision or part hereof, is held invalid
6 or unconstitutional, the remainder of the law of the provision not otherwise affected
7 shall remain valid and subsisting.

8 Sec. 30. *Repealing Clause.* – Any law, presidential decree or issuance,
9 executive order, letter of instruction, administrative order, rule or regulation contrary
10 to, or inconsistent with, the provisions of this Act is hereby repealed, modified or
11 amended accordingly.

12 Sec. 31. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after
13 its publication in at least two (2) newspapers of general circulation.

Approved,