

Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City

**EIGHTEENTH CONGRESS**  
First Regular Session  
**4649**  
**HOUSE BILL NO. \_\_\_\_\_**



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Introduced by **HON. LUIS RAYMUND "LRAY" F. VILLAFUERTE, JR.**

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**EXPLANATORY NOTE**

Food insecurity is measured through a household's experience of anxiety over food sources and hunger<sup>1</sup>. More than 8 million rated themselves as "food poor" on a survey<sup>2</sup> and the country's food insecurity status from 2001 remains high. This has led to the worsening of the malnutrition problem among Filipinos—the Philippine is top among ASEAN countries in the ranking of Child Wasting, or children who have acute malnutrition.

At the last quarter of 2018, some 2.4 million Filipino families experienced involuntary hunger. Despite being rich in agricultural resources, the Philippines remains to be food insecure<sup>3</sup> and the top ASEAN country for undernourishment<sup>4</sup>. Hunger, poverty and food security are closely related—a high incidence of poverty conventionally equates to higher food hunger incidence. Although hunger rates have lowered compared to the past<sup>5</sup>, there is still much to go on for food security in the country. No Filipino deserves to go hungry.

To address this, this legislation seeks to make it a State obligation to ensure access

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<sup>1</sup>FNRI-DOST. Accessed July 15, 2019. <https://pia.gov.ph/features/articles/1020538>

<sup>2</sup> Villanueva, Rhodina. October 17, 2018. Philippine Star. Accessed July 15, 2019. <https://www.philstar.com/headlines/2018/10/17/1860727/make-food-security-priority>

<sup>3</sup> Mercado, Neil Arwin. April 25, 2019. "Philippine hunger rate drops in Q1 2019 – SWS". Inquirer.net. Accessed July 15, 2019. <https://newsinfo.inquirer.net/1110445/philippine-hunger-rate-drops-in-q1-2019-sws>

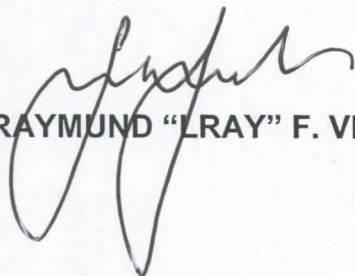
<sup>4</sup> Dy, Rolando. January 28, 2019. "Where is the Philippines in Global Hunger in ASEAN?". Business World. Accessed July 15, 2019. <https://www.bworldonline.com/where-is-the-philippines-in-global-hunger-in-asean/>

<sup>5</sup> Philippine Star. October 17, 2018. Accessed July 15, 2019. <https://www.philstar.com/headlines/2018/10/17/1860952/philippines-moves-global-food-security-index>

to food, its availability and adequacy, and provide a comprehensive legal framework to harmonize Philippine laws on the right to adequate food, clarify standards and prohibit violations against it.

The bill proposes to create the Commission on the Right to Adequate Food in charge of administering and overseeing the implementation of the said measure. It sets percentage targets on the reduction of hunger and aims for a zero incidence of hunger, obligating the country to act on the promise of reducing hunger. This bill also does not forgive lightly those who deliberately starve or deny access to food to anyone or any group by providing for penalties.

The approval of this bill, filed as a counterpart to Senator Poe's version in the Senate, is earnestly sought.



**LUIS RAYMUND "LRAY" F. VILLAFUERTE, JR.**

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AN ACT  
PROVIDING A FRAMEWORK FOR THE RIGHT TO ADEQUATE FOOD

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

CHAPTER I  
GENERAL PROVISIONS

**SECTION 1. *Short Title.*** – This Act shall be known as the "*Right to Adequate Food Act of 2019*".

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

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

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

1. Economic accessibility implies that personal or household financial costs associated with the acquisition of food for an adequate diet should be at a level such that the attainment and satisfaction of other basic needs are not threatened or compromised.
  2. Physical accessibility implies that adequate food must be accessible to everyone, including physically vulnerable individuals, such as infants and young children, elderly people, those belonging to the informal sector, the physically disabled, the terminally ill and persons with persistent medical problems, including the mentally ill.
- b.) *Adequacy* – refers to the presence of food in a quantity and quality sufficient to satisfy the dietary needs of individuals, free from adverse substances, and acceptable within a given culture; and to the accessibility of such food in ways that are sustainable, and which do not interfere with the enjoyment of other human rights:
1. Dietary needs imply that the diet as a whole contains a mix of nutrients for physical and mental growth, development and maintenance, and physical activity, that are in compliance with human physiological needs at all stages throughout the life cycle, and according to gender and occupation.
  2. Cultural or consumer acceptability implies the need also to take into account, as far as possible, perceived non nutrient-based values attached to food and food consumption and informed consumer concerns regarding the nature of accessible food supplies.
  3. Freedom from adverse substances sets requirements for food safety and for a range of protective measures by both public and private means to prevent contamination of foodstuffs through adulteration, or through bad environmental hygiene, or inappropriate handling at different stages throughout the food chain. Care must also be taken to identify and avoid or destroy naturally occurring toxins.

4. Sustainability refers to the availability, adequacy, and accessibility for both present and future generations, in a manner which does not jeopardize the environmental balance.
- c.) *Availability* – refers to the possibilities either for feeding oneself directly from productive land or other natural resources, or for well-functioning distribution, processing and market systems that can move food from the site of production to where it is needed in accordance with demand;
- d.) *Council* – refers to the Inter-Agency Council on the Right to Adequate Food created under this Act;
- e.) *Food* – refers to nourishment that includes solid, liquid and semi-liquid nourishment, as well as drinking water;
- f.) *Food blockade* – refers to a knowing and willful effort to cut off food supplies from a particular area by force either in part or in total.
- g.) *Hunger* – refers to a spectrum of situations, from starvation, which is not having enough food of any sort to eat, to undernourishment, which is having enough food to eat, but of inadequate quality;
- h.) *Right to adequate food* – refers to the right to have regular, permanent and unrestricted access, either directly or by means of financial purchases, to quantitatively and qualitatively adequate and sufficient food, corresponding to the cultural traditions of the people, to which he or she belongs, and which ensure a physical and mental, individual and collective, fulfilling and dignified life, free of fear;
- i.) *Vulnerable groups* – refer to those who are particularly disadvantaged. These include indigenous peoples, ethnic, linguistic or religious minorities, persons with disabilities, individuals living with HIV/AIDS, refugees and internally displaced people, women and children;

## ARTICLE II

### GENERAL PRINCIPLES

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

- a.) *Accountability*. - Public officials are answerable to their superiors, and to the people they serve, for their actions. Application of the principle of accountability in the context of the framework act requires clear assignment of responsibilities and functions to public authorities for implementation of the framework act and any subsequent measures to be taken. In addition, the expected results are spelled out clearly and appropriate procedures are established;
- b.) *Empowerment*. - People have the power, capacities, capabilities and access needed to change their own lives, including the power to seek from the State remedies for violations of their human rights. This principle is the logical consequence of all the preceding principles. In the context of the framework act, the empowerment principle entails the inclusion of specific provisions on awareness-raising, capacity-building and right to adequate food education;
- c.) *Human dignity*. - It is the absolute and inherent worth that persons have, simply because they are human, not by virtue of any social status or particular powers. The framework act recognizes in an unequivocal form that every person has a right to adequate food. To comply with this principle in the implementation of the framework act, the State, through its public officials, treats persons equally and respects their human worth and dignity;
- d.) *Non-discrimination*. - It is a level of protection of human rights objectively and reasonably the same for everybody, irrespective of sex, age, race, color, religion or any other ground. In addition to specifically prohibiting discrimination on any ground, this principle requires specific measures aimed at correcting de facto discrimination or eliminating conditions that cause or help to perpetuate discrimination, as well as measures promoting equality. In the context of this framework act, it means paying particular attention to those groups that cannot enjoy their rights as fully as others;
- e.) *Participation*. - People are able to determine their own well-being and participate in the planning, design, monitoring and evaluation of decisions affecting them. Individuals are able to take part in the conduct of public affairs, including the adoption and implementation of State policies. Such participation is active, free and meaningful, whether it is exercised directly

or through intermediary organizations representing specific interests. It is supported by capacity- building where necessary;

- f.) *Rule of law.* - It means that governmental authority is legitimately exercised only in accordance with written, publicly disclosed and accessible laws, adopted and enforced in conformity with established procedures. The principle is intended as a safeguard against arbitrary use of State authority and lawless acts of both organizations and individuals. Any implementing rules and regulations to be adopted for ensuring the implementation of the framework act will be clear, fair and accessible. The rule of law also means that no person or body can breach the law with impunity. There is access to justice including the right to an effective remedy for anyone whose rights are violated, as well as the guarantee of due process in all legal proceedings; and
- g.) *Transparency.* - It is open access by the public to timely and reliable information on the decisions and performance of public authorities. Holders of public office should be as open as possible about all their decisions and actions that may affect the free exercise of the right to adequate food. Applying the principle of transparency within the context of the framework act means that right-holders are provided with essential information about the decision-making process and those accountable and responsible for it. Right-holders also have the power to demand information on the processes that feed into the achievement of the particular entitlement, with an easy and low-cost corrective check to maladministration;

### **ARTICLE III**

#### **THE RIGHT TO ADEQUATE FOOD**

##### **SECTION 5. *The Right to Adequate Food.* –**

- a.) Every person has a right to be free from hunger. Every person suffering from hunger or undernourishment, or at risk of suffering from hunger or undernourishment, is entitled to a minimum amount of food according to his or her age, sex, health status and occupation;
- b.) Every person has the right to live in conditions that enable her or him to:



1. Feed herself or himself directly from productive land or other natural resources, or rely on well-functioning distribution, processing and market systems, or both;
  2. Be financially able, not only to acquire a sufficient quantity and quality of food, but also to satisfy her or his other basic needs;
  3. Be safe from the risk of losing access to food, as a consequence of sudden shocks, like an economic or climatic crisis, or cyclical events, such as seasonal food insecurity;
  4. Have the opportunity of good food utilization, through access to an adequate diet, clean water, sanitation and health care, to reach a state of nutritional well-being, where all physiological needs are met; and
  5. Access foods or diets that are the most appropriate under given circumstances, in terms of their nutritional value and cultural acceptability.
- c.) Every girl and boy has a right to adequate food and nutrition adequate for her or his age, allowing her or him to grow and develop;
- d.) Every woman has a right to adequate food and adequate nutrition during pregnancy and lactation.

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

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

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



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

**SECTION 7. *Interpretation of the Right to Food.*** – The right to adequate food is realized when every Filipino has equal physical and economic access at all times to adequate food, or means for its procurement. The right to adequate food will therefore not be interpreted in a narrow or restrictive sense, which equates it with a minimum package of calories, proteins and other specific nutrients. The right to food shall be interpreted based on the elements of availability, accessibility, and adequacy as defined in this Act.

**SECTION 8. *Interrelation with Other Rights.*** – The right to adequate food is interrelated with and indivisible from other rights recognized under the Constitution, and domestic and international law. No provision of this Act may be construed as a bar to the exercise of other rights.

## **ARTICLE V**

### **STATE OBLIGATIONS**

**SECTION 9. *The State as Duty Bearer.*** – The State, as the primary duty-bearer of this Act, has the duty to respect, protect and fulfill the right to adequate food. To this end:

- a.) It is the duty of the State not to interfere with or impair the enjoyment of the right to adequate food. No public authority may deprive any person of food or means for its procurement, apply laws and regulations, or pursue a policy or practice, in a way that could result in preventing the enjoyment of or infringing the human right to adequate food, or repeal formally or suspend legislation necessary for the continued enjoyment of the right to adequate food;

- b.) It is the duty of the State to provide guarantees against threats and risks stemming from private actors or societal forces that are controllable by State action. It is bound to take preventive measures necessary to protect persons whose capacity to access sufficient and adequate food or means for its procurement is endangered by the acts of others. It also ought to review the relevant administrative and legislative framework ensuring that activities within their competence undertaken by private actors do not infringe on the right to adequate food of others; *and*
- c.) It is the duty of the State to facilitate the enjoyment of the right to adequate food by adopting or pursuing appropriate policies and measures, in a manner that will foster and promote the human right to adequate food and to create and maintain conditions under which every person can freely and regularly enjoy her or his right to adequate food. It is equally the duty of the State to provide the right to adequate food, by adopting and putting in place measures to provide food, or means for its procurement, to persons who cannot take care of their own needs, due to reasons beyond their control, in particular for children whose parents die or disappear or otherwise no longer take care of them.

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

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

- a.) The Department of Agriculture will have the primary duty to ensure food availability, stability and adequacy;
- b.) The Department of Health will have the primary duty to ensure food quality and safety;

- c.) The Department of Trade and Industry will have the primary duty to ensure physical and economic access to food; *and*
- d.) The Department of Public Works and Highways will have the primary duty to ensure well-functioning distribution, processing and market systems.

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

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

- a.) Percentage of development of ancestral lands;
- b.) Percentage of rural population with access to productive resources;
- c.) Share of budget spent on programs aiming at creating access to productive resources;
- d.) Percentage of budget spent on agri-research, agri-extension, irrigation, training, technology, credits and rural development;
- e.) Percentage of rural female-headed households, or rural women, with legal title to agriculture land;
- f.) Percentage of public budget allocation for social transfer programs to those unable to feed themselves;
- g.) Coverage of marginalized and disadvantaged population taking part in social transfer programs;
- h.) Percentage of marginalized and disadvantaged population covered by a public nutrition supplement program;

- i.) Percentage of population aware of available food and nutrition programs; *and*
- j.) Coverage of school feeding programs.

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

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

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

**SECTION 12. *Impact Assessment.*** – All proposed government actions, plans and projects, including any development plan, will take into account the right to adequate food, and will undergo an objective impact assessment prior to its adoption and implementation. The steps for this objective impact assessment include:

- a.) Identification of proposals subject to impact assessment, and their level of detail;
- b.) Identification of the issues and impacts that are likely to be significant for the effective enjoyment of the right to adequate food;
- c.) Determination of options for achieving the same objectives as those of the proposal;

- d.) Identification and prediction of the likely social, economic, environmental, and other related effects of the proposal;
- e.) Establishment of measures necessary to avoid or minimize predicted adverse impacts, and to incorporate these into the proposal implementation plan;
- f.) Assessment of significant outcomes including a simplified summary for public debate.
- g.) Public consultation;
- h.) Determination of whether the report identifies all relevant information on the possible impacts on the enjoyment of the right to adequate food, takes into consideration all potential social, economic, environmental and other effects of the proposal, and contains concerns and comments of the potentially affected population, and all the information necessary for decision-making;
- i.) Approval or rejection of the proposal, and establishing the terms and conditions for its implementation; *and*
- j.) Systematic determination of merit, worth and significance.

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

## **ARTICLE VII**

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

**SECTION 13. *Inter-Agency Council on the Right to Adequate Food.*** – To facilitate inter-agency cooperation to fulfill the objectives of this Act, there is hereby established an Inter-Agency Council on the Right to Adequate Food, which will be composed of the following agencies and representatives:

- a.) The Commission on Human Rights, as Chairperson;
- b.) Department of Agriculture;
- c.) Department of Agrarian Reform;

- d.) Department of Health;
- e.) Department of Trade and Industry;
- f.) Department of Public Works and Highways;
- g.) Department of Social Welfare and Development;
- h.) National Economic and Development Authority;
- i.) National Anti-Poverty Commission;
- j.) Two representatives of people's organizations;
- k.) Two representatives of non- governmental organizations

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

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

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

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

- a.) Receive complaints of violations of the right to adequate food from individuals and groups;
- b.) Review and refer to the CHR complaints of violations of the right to adequate food;

- c.) Adopt operational guidelines and rules of procedure, and cite for contempt for their violation, in accordance with the Rules of Court;
- d.) Establish a continuing program of research, education and information to enhance respect for the primacy of the right to adequate food;
- e.) Recommend to Congress effective measures to promote the right to adequate food, to harmonize existing laws affecting the right to adequate food, to ensure their complementation, and the availability of remedies for violations and compensation. to victims of violations of the right to adequate food;
- f.) Monitor the Philippine Government's compliance with its obligations in regard to the right to adequate food;
- g.) Appoint officers and employees in accordance with law; *and*
- h.) Perform such other duties and functions as may be provided by law.

In exercising its powers and duties, the Council shall:

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

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

**SECTION 16. *Minimum Amount of Food.*** — Within one (1) year from the effectivity of this Act, Council shall issue guidelines on the minimum amount of food for persons who are suffering from hunger or undernourishment, or are at risk from suffering from hunger or undernourishment, but who cannot take care of their own needs, due to reasons beyond their control, including, but not limited, to children whose parents die



or disappear, or otherwise no longer take care of them, elderly, and persons with disabilities. The guidelines shall include:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

## ARTICLE IX MISCELLANEOUS PROVISIONS

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

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

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

- a.) Food blockade;
- b.) Refusal to implement a food-related program;
- c.) Discrimination in implementing a food-related program;
- d.) Negligence in implementing food-related programs;
- e.) Obstructing access to food in time of calamity or war;
- f.) Theft, corruption or black marketeering of food being given as humanitarian aid, in time of calamity or war;
- g.) Distribution of expired, or unsafe food;
- h.) Contamination of food or water sources, through mining activities, aerial spraying of plantations, or any other similar means; *and*
- i.) Other analogous acts.

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

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

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

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

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

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

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

**SECTION 28. *Implementing Rules and Regulations.*** – The Commission on Human Rights will issue the necessary rules and regulations to implement the provisions of this act within thirty (30) days from its effectivity, in coordination with the Department of Agriculture, Department of Agrarian Reform, Department of Social Welfare and Development, Department of Health, Department of Trade and Industry, Department of Public Works and Highways, National Economic and Development Authority, and National Anti-Poverty Commission, and people's organizations and human rights nongovernmental organizations actively involved in promoting the right to food and its components as defined in this Act.

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

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

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

*Approved,*