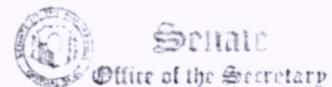


EIGHTEENTH CONGRESS OF THE  
REPUBLIC OF THE PHILIPPINES  
*First Regular Session*)



19 JUL -2 A10 :44

SENATE  
S. B. No. 138

RECEIVED BY *J*

Introduced by Senator SONNY ANGARA

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**AN ACT  
ENSURING THE AVAILABILITY, ADEQUACY, ACCESSIBILITY AND SAFETY  
OF FOOD TO EVERY FILIPINO**

**EXPLANATORY NOTE**

The Commission on Population and Development (POPCOM) projected that the number of Filipinos would balloon to nearly 109 million by the end of 2019—reaching 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. Consider that our workforce will balloon to 70 million by the end of 2019.

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 70<sup>th</sup> out of 130 countries in the 2018 Global Food Security Index by the Economist Intelligence Unit (EIU). Such ranking is an improvement from the 2017 index, where the country ranked 79<sup>th</sup> out of 113. However, this still puts us 34<sup>th</sup> out of 57 middle income countries surveyed. Out of 23 Asia-Pacific countries included, we ranked 14<sup>th</sup>, only ahead of Myanmar (19<sup>th</sup>), Cambodia (21<sup>st</sup>) and Laos (23<sup>rd</sup>) in the ASEAN.

Specifically, we ranked 74<sup>th</sup> for food affordability, 63rd for food availability, 69th for quality and safety and 101<sup>st</sup> in terms of natural resources and resilience. Among the sub-categories, the Philippines again ranked first in only one, nutritional standards—pointing perhaps to our perennial problem with being excellent in law-making, but extremely poor in implementation.

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 Filipinos' 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 Filipinos' 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.



SONNY ANGARA

EIGHTEENTH CONGRESS OF THE  
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**AN ACT  
ENSURING THE AVAILABILITY, ADEQUACY, ACCESSIBILITY AND SAFETY  
OF FOOD TO EVERY FILIPINO**

*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 the  
4 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. The  
11 State shall provide for a framework to address and eliminate hunger in an organized  
12 manner.

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

- 14       a) *Food* refers to solid, liquid and semi-liquid nourishment, as well as drinking  
15 water, and when taken into the body serves to nourish, build and repair  
16 tissues, supply energy, or regulate body processes;
- 17       b) *Food blockade* refers to an act of cutting off food supplies from a particular  
18 area by force, either in part or totally;

- 1       c) *Food emergency* refers to a situation in which access to food is endangered,  
2           as that caused by natural events like drought, floods, storms, earthquakes, or  
3           crop failures resulting from pests or diseases; or by human agency such as  
4           internal or international armed conflict;
- 5       d) *Hunger* refers to a condition in which people do not get enough food to eat to  
6           provide the necessary nutrients for fully productive, active and healthy living  
7           due to the unavailability and inaccessibility of food. It can be acute, such as  
8           during a major disaster when food supply channels are cut, or chronic, when  
9           people are regularly not getting enough food to conduct an active life for a  
10          long time;

11           It is also a condition of starvation, which is not having enough food of  
12          any sort to eat, or undernourishment, which is having enough food to eat, but  
13          of inadequate quality.

- 14       e) *Right to adequate food* refers to the right to have regular, permanent and  
15           unrestricted access, either directly or by means of financial purchases, to  
16           quantitatively and qualitatively adequate, sufficient and safe food,  
17           corresponding to the cultural traditions of the people to which a consumer  
18           belongs, and which ensure physical and mental, individual and collective,  
19           fulfilling and dignified life, free of fear;
- 20       f) *Vulnerable groups* refer to those who are particularly disadvantaged. These  
21          include indigenous peoples, ethnic, linguistic or religious minorities, persons  
22          with disabilities, persons living with Human Immunodeficiency Virus (HIV) or  
23          Acquired Immune Deficiency Syndrome (AIDS), refugees and internally  
24          displaced people, elderly, women, including pregnant and lactating mothers  
25          and children, particularly those from zero to twenty-three (23) months of age.

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

- 1 hunger, even in times of natural or other disasters. The right to be free from hunger  
2 ensures a minimum daily nutritional intake and the bare survival of a person. The  
3 right to adequate food goes beyond freedom from hunger. Central to the realization  
4 of the right to adequate food is an adequacy standard in terms of quality, quantity  
5 and cultural acceptability, sustainability of food availability and access.
- 6 a) The *concept of adequacy* is particularly significant since it underlines a number  
7 of factors which must be taken into account in determining whether particular  
8 foods or diets that are accessible can be considered the most appropriate under  
9 given circumstances. The notion of sustainability is intrinsically linked to the  
10 notion of adequate food or food security, implying that food must be accessible  
11 to both present and future generations. The precise meaning of adequacy is to  
12 a large extent determined by prevailing social, economic, cultural, climatic,  
13 ecological and other conditions, while sustainability incorporates the notion of  
14 long-term availability and accessibility.
- 15 b) The *core content of the right to adequate food* implies:
- 16     1. the availability of food in a quantity and quality sufficient to satisfy the  
17         dietary needs of individuals, free from adverse substances, and acceptable  
18         within a given culture;
- 19     2. the accessibility of such food in ways that are sustainable, and do not  
20         interfere with the enjoyment of other human rights.
- 21 c) *Dietary needs* refer to the diet as a whole that contains a mix of nutrients for  
22 physical and mental growth, development and maintenance, and physical  
23 activity, that are in compliance with human physiological needs at all stages  
24 throughout the life cycle, and according to gender and occupation. Measures  
25 therefore need to be taken to maintain, adapt or strengthen dietary diversity  
26 and appropriate consumption and feeding patterns, including optimal breast-  
27 feeding, as well as to ensure that changes in availability and access to food  
28 supply as a minimum do not negatively affect dietary composition and intake.
- 29 d) *Freedom from adverse substances* refers to the requirements for food safety  
30 and for a range of protective measures by both public and private means to  
31 prevent contamination of foodstuff through adulteration, or through bad  
32 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.

e) *Cultural or consumer acceptability* refers to the need 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.

f) *The concept of 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.

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

1. *Economic accessibility* means 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. Economic accessibility applies to any acquisition pattern or entitlement through which people procure their food, and is a measure of the extent to which it is satisfactory for the enjoyment of the right to adequate food. Socially vulnerable groups such as landless persons and other particularly impoverished segments of the population may need attention through special programs.

2. *Physical accessibility* means 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. Victims of natural disasters, people living in disaster-prone areas and other specially disadvantaged groups need special attention and priority consideration with respect to accessibility of food. A particular vulnerability is that of many indigenous peoples groups whose access to their ancestral lands is threatened.

1        Sec. 5. *Conditions for the Exercise of the Right to Adequate Food.* – Every  
2 person has the right to live in conditions that will enable the person:  
3        a) to feed directly from productive land or other natural resources; or rely on well-  
4                  functioning food distribution, processing and market systems, or both;  
5        b) to financially acquire a sufficient quantity and quality of food and to satisfy  
6                  other basic needs;  
7        c) to be safe from the risk of losing access to food, as a consequence of sudden  
8                  shocks, like an economic or climatic crisis, or one that is brought about by  
9                  internal displacements of people, or cyclical events, such as seasonal food  
10                 insecurity;  
11       d) to have the opportunity of good food utilization through access to adequate  
12                 diet, clean water, sanitation and health care and to reach a state of nutritional  
13                 well-being, where all physiological needs are met; and  
14       e) to access food or diet that is the most appropriate under given circumstances,  
15                 in terms of their nutritional value and cultural acceptability.

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

18       Every woman has a right to adequate food and adequate nutrition during  
19 pregnancy and lactation.

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

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

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

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

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

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

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

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

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

1           d. *Transparency* – The public should be given free and open access to  
2 timely and reliable information on the decisions and performance of public  
3 authorities. Holders of public office are as open as possible about all their decisions  
4 and actions that may affect the free exercise of the right to adequate food. Applying  
5 the principle of transparency within the context of this Act means that people are  
6 provided with essential information about the decision-making process and those  
7 accountable and responsible for it. The people also have the power to demand  
8 information on the processes that feed into the achievement of the particular  
9 entitlement, which provide an easy and low-cost corrective check to malfeasance.

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

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

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

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

3           a.     *Respect* – the State has the obligation not to interfere with or impair  
4 the enjoyment of the right to adequate food. No public authority may deprive any  
5 person of food or means for its procurement, apply laws and regulations, or pursue  
6 a policy or practice, in a way that could result in preventing the enjoyment of or  
7 infringing the human right to adequate food, or repeal formally or suspend  
8 legislation necessary for the continued enjoyment of the right to adequate food.

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

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

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

1 (25%): *Provided, finally,* That in ten (10) years there shall be a zero incidence of  
2 hunger.

3 The State shall ensure that the following indicators will considerably and  
4 steadily increase:

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

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

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

30 Sec. 11. *Institutional Responsibilities.* – The following agencies of the  
31 government are required to fulfill their respective mandates in a manner that will  
32 ensure full implementation of the primary objectives of this Act:

- 1      a. Department of Agriculture (DA);
- 2      b. Department of Agrarian Reform (DAR);
- 3      c. Department of Education (DepEd);
- 4      d. Department of Environment and Natural Resources (DENR);
- 5      e. Department of Health (DOH);
- 6      f. Department of Interior and Local Government (DILG);
- 7      g. Department of Justice (DOJ);
- 8      h. Department of Labor and Employment (DOLE);
- 9      i. Department of Public Works and Highways (DPWH);
- 10     j. Department of Social Welfare and Development (DSWD);
- 11     k. Department of Science and Technology (DOST);
- 12     l. Department of Trade and Industry (DTI);
- 13     m. Department of Budget and Management (DBM);
- 14     n. Department of Transportation (DOTr);
- 15     o. Department of Information and Communications Technology (DICT);
- 16     p. Commission on Human Rights (CHR);
- 17     q. Food and Nutrition Research Institute (FNRI);
- 18     r. National Anti-Poverty Commission (NAPC);
- 19     s. National Economic Development Authority (NEDA);
- 20     t. National Food Authority (NFA);
- 21     u. National Nutrition Council (NNC);
- 22     v. Technical Education and Skills Development Authority (TESDA); and
- 23     w. Other agencies and instrumentalities of the government whose functions are  
24        necessary for the efficient and effective implementation of the right to  
25        adequate food.

26        In addition, the development of a fully-integrated whole of government  
27        approach to implement the national policy governing the right to adequate food and  
28        the use of a human-rights based approach for the establishment and implementation  
29        of the national policy must be institutionalized.

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

1       The Commission shall be the primary policy-making and coordinating body to  
2 guaranteee the implementation and full exercise of the right to adequate food. It  
3 shall exercise monitoring and oversight functions, apply human rights principles,  
4 conduct objective impact assessment on all government policies, programs and  
5 projects prior to adoption and implementation, work in close cooperation with civil  
6 society organizations and use all available resources of the government and private  
7 bodies or organizations for the efficient and effective implementation of this Act. It  
8 shall formulate a national food policy and implement programs of action to eradicate  
9 hunger, in coordination with relevant government agencies and in consultations with  
10 civil society organizations and the private sector.

11       The Commission on the Right to Adequate Food will have the following  
12 powers:

- 13       a. Establish a National Food Policy and a continuing program of research,  
14           education and information to enhance respect for the primacy of the right to  
15           adequate food;
- 16       b. Adopt operational guidelines and rules of procedure, in relation to the National  
17           Food Policy
- 18       c. Recommend to Congress effective measures to promote the right to adequate  
19           food, to harmonize existing laws affecting the right to adequate food, to ensure  
20           their complementation, and the availability of remedies for violations and  
21           compensation to victims of violations of the right to adequate food;
- 22       d. Provide appropriate legal measures for the protection of the right to adequate  
23           food of all persons within the Philippines, as well as Philippine citizens residing  
24           abroad, and provide for preventive measures and legal aid services to the  
25           under-privileged whose right to adequate food has been violated or needs  
26           protection;
- 27       e. Receive complaints of violations of the right to adequate food from individuals  
28           and groups; and cite for contempt for their violation, in accordance with the  
29           Rules of Court.
- 30       f. Investigate, *motu proprio*, or upon complaint by any party, all forms of  
31           violations of the right to adequate food;

- 1       g. Monitor the Government's compliance with its obligations in regard to the right  
2           to adequate food;  
3       h. Request the assistance of any department, bureau, office or agency in the  
4           performance of its functions;  
5       i. Appoint officers and employees in accordance with law; and  
6       j. Perform such other duties and functions as may be provided by law.

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

12          The Chairperson and the Members of the Commission shall not, during their  
13 tenure, hold any other office or employment. Neither shall they engage in the  
14 practice of any profession, or in the active management or control of any business  
15 which, in any way, may be affected by the functions of their office, nor shall they be  
16 financially interested, directly or indirectly, in any contract with, or in any franchise  
17 or privilege granted by the government, any of its subdivisions, agencies, or  
18 instrumentalities, including government-owned or controlled corporations or their  
19 subsidiaries.

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

28          The Chairperson and the Members of the Commission shall receive the same  
29 salary, benefits, privileges and emoluments of a Undersecretary and Assistant  
30 Secretary, respectively.

31          Sec. 13. *Standards on the Amount of Food.* – The DSWD, in coordination  
32 with the local government units (LGUS) concerned, shall ensure regular, reliable and

1 timely delivery of a minimum amount of food to any person who is suffering or is at  
2 risk from hunger or under nutrition. In consultations with the DSWD, DILG, NNC and  
3 the DOH, the Commission shall specify the scope of the minimum amount of food  
4 entitlement for each individual, determine the exact quantity of calories, proteins  
5 and micronutrients to which the minimum amount of food will correspond according  
6 to the age, sex, health status and occupation of a person. In addition, the  
7 Commission shall formulate a simple and accessible application or certification  
8 procedure for the minimum amount of food entitlement and transparent, fair and  
9 non-discriminatory eligibility or certification criteria.

10 There shall likewise be established fair, independent and accessible recourse  
11 procedures to the Commission for complaints and appropriate remedies in case of a  
12 determined violation of the right to adequate food. For its part, the DSWD shall  
13 establish an appropriate monitoring and evaluation mechanism and report to the  
14 Commission on the right to food on a regular basis. The annual national  
15 appropriations law shall include a specific item allocating resources necessary for the  
16 implementation of the right to adequate food.

17 Specific support measures, particularly needed by (a) physiologically  
18 vulnerable persons, such as persons suffering from HIV/AIDS and their families,  
19 children, pregnant women and lactating mothers, disabled persons, persons  
20 suffering from sickness or elderly; (b) geographically disadvantaged persons, such as  
21 persons living in remote and isolated, very poor or underdeveloped areas, and (c)  
22 economically vulnerable persons, such as landless people, street children, urban  
23 poor or unemployed persons, and indigenous peoples who are also identified as  
24 vulnerable groups, will be designed and adopted to prevent or compensate for  
25 disadvantages that they suffer from, in regard to the enjoyment of their right to  
26 adequate food. The Commission shall review such proposed specific support  
27 measures and, where necessary, give further guidance to ensure that all identified  
28 vulnerable groups are covered appropriately. The Commission shall adopt and  
29 develop specific support measures that are in accordance with right to food  
30 standards and human rights principles.

1        Sec. 14. *Emergencies.* – The Commission on the Right to Adequate Food, in  
2 coordination with the National Disaster Risk Reduction and Management Council  
3 (NDRRMC) will have the duty to ensure that:

- 4        a. Food emergency responses sufficiently cover both early warning responses and  
5 disaster preparedness in case of a crisis; and food responses are organized and  
6 managed efficiently and effectively, and are compliant with the right to  
7 adequate food and relevant international standards;
- 8        b. Food supply responses are compatible with the right to adequate food and  
9 international standards regulating emergencies; and,
- 10      c. Requests for international assistance are initiated in case of necessity and  
11 distribution of food to intended recipients is properly supervised and  
12 coordinated.

13        Sec. 15. *Information Dissemination.* – All government agencies, under the  
14 direction of the Commission on the Right to Adequate Food, in coordination with the  
15 Philippine News Agency (PNA) and Philippine Information Agency (PIA), are  
16 mandated to:

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

25        Sec. 16. *Education and Awareness Program.* – The Commission on the Right  
26 to Adequate Food, in coordination with the DepEd, Commission on Higher Education  
27 (CHED) and TESDA, shall ensure that:

- 28      a. The school curriculum includes material related to food and nutrition education,  
29 the right to adequate food and human rights principles; and,
- 30      b. Relevant adult education and training programs shall include materials related  
31 to food and nutrition, the right to adequate food and human rights principles.

1        Sec. 17. *International Cooperation.* – The Commission on the Right to  
2 Adequate Food, in coordination with the CHR and the Department of Foreign Affairs  
3 (DFA), shall:

- 4        a. Ensure that activities undertaken in other countries, including those by private  
5 actors, do not infringe on the enjoyment of the right to adequate food by  
6 people in the concerned countries, in coordination with DA, DTI, DOH and  
7 NEDA and other relevant agencies;
- 8        b. Promote international cooperation and provide assistance to ensure the  
9 realization of the right to adequate food in other countries, if in a position to do  
10 so; and,
- 11        c. Ensure that international and other agreements which the Philippine  
12 Government enters into, take into account the guarantee on the right to food.

13        Sec. 18. *Monitoring and Evaluation System.* – There shall be an integrated  
14 monitoring system that shall ensure that all government agencies at all levels, under  
15 the supervision of the Commission on the Right to Adequate Food, shall:

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

24        Sec. 19. *Representation and Participation of People's Organizations and Civil  
25 Society.* – To guarantee public participation, the Commission on the Right to  
26 Adequate Food shall ensure that:

- 27        a. All persons can freely and meaningfully participate in all forms of public  
28 discourse, as well as access information and exercise freedom of association, in  
29 relation to the formulation and implementation of policies pertaining to the right  
30 to adequate food;
- 31        b. Civil society and other stakeholders actively participate in the institutions that  
32 oversee the realization of the right to adequate food, as well as in formulating

1 capacity building mechanisms and special measures for disadvantaged groups;  
2 and,

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

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

- 11 a. blockade;
- 12 b. refusal to implement a food-related program;
- 13 c. discrimination in implementing a food-related program;
- 14 d. negligence in implementing food-related programs, resulting in death;
- 15 e. obstructing access to food in time of calamity or war;
- 16 f. theft, corruption or black marketeering of food being given as humanitarian aid,  
17 in times of calamity or war;
- 18 g. distribution of expired, or unsafe food at a school feeding program or other  
19 feeding program, in times of calamity or war;
- 20 h. contamination of food or water sources, through mining activities, aerial  
21 spraying of plantations, or any other similar means; and,
- 22 i. other analogous acts.

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

29 Sec. 21. *Civil and Administrative Liabilities.* – Any public officer or employee  
30 who directly or indirectly obstructs, defeats, violates or in any manner impedes or  
31 impairs any of a person's rights guaranteed under this Act, will be liable for

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

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

8 Sec. 22. *Appropriations*. – There will be an allocation in the annual budget  
9 specifically for the purposes of the implementation of the right to adequate food, in  
10 accordance with priorities set by the Commission on the Right to Adequate Food.  
11 The allocation will be aimed at the progressive realization of the right to adequate  
12 food over the long term.

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

20 Sec. 24. *Rationalization of Policies*. – All existing policies, laws, decrees,  
21 executive orders, memorandum orders, memorandum circulars, administrative  
22 orders, and ordinances shall be rationalized and interpreted in a way that will  
23 guarantee the realization of the right to adequate food as provided for by this Act.

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

29 Sec. 25. *Separability Clause*. – If any part or provision of this Act is declared  
30 unconstitutional, the remainder of this Act or any provisions not affected thereby  
31 shall remain in full force and effect.

1        Sec. 26. *Repealing Clause.* – All laws, decrees, executive orders,  
2 memorandum orders, memorandum circulars, administrative orders, ordinances, or  
3 parts thereof, which are inconsistent with the right to adequate food and the  
4 provisions of this Act, are hereby deemed repealed or modified accordingly.

5        Sec. 27. *Effectivity.* – This Act shall take effect fifteen (15) days after its  
6 publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,