



Senate
Office of the Secretary

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

'16 JUL 20 P 4:50

RECEIVED BY: *[Signature]*

SENATE
S.B. No. 712

Introduced by: Senator Paolo Benigno "Bam" A. Aquino IV

AN ACT PROVIDING A FRAMEWORK FOR THE RIGHT TO ADEQUATE FOOD

EXPLANATORY NOTE

In this day and age of technology, economic development, and social consciousness, it is inexcusable to allow our countrymen to grow hungry.

It is our duty to enhance the welfare of our citizens and ensure that every Filipino is given regular, permanent, and unrestricted access to sufficient food and nutrition.

The Adequate Food Framework Bill holds at its center this duty and responsibility, targeting the eradication of hunger across the Philippine islands in the next ten years.

In order to achieve this in a sustainable manner, this legislation will ensure that land devoted to food production shall be increased to 50% of all prime agricultural land in every region.

This measure also increases the coverage of school feeding programs, the public budget allocation for the marginalized and disadvantaged Filipinos who are unable to feed themselves, as well as research on agriculture, irrigation, and rural development.

To exercise due diligence, this measure proposes periodic reviews of compliance of set targets as well as the establishment of the Commission on the Right to Adequate Food, attached to the Commission on Human Rights, to ensure the proactive and efficient implementation of plans to achieve zero-hunger in the Philippines.

The least we can do for our poor countrymen is to actively pursue the eradication of hunger in the Philippines. I urge my colleagues to vote for the passing of this measure.

In view of the foregoing, the approval of this bill is earnestly sought.

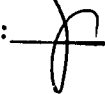
[Signature of Bam Aquino]
Senator Paolo Benigno "Bam" A. Aquino IV



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

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

3 **SEC. 2. Declaration of Policy.** — It is hereby declared the policy of the State to
4 guarantee the right to adequate food.

5 Adequate food is not a matter of charity, but of legal entitlement. Hunger is
6 inconsistent with human dignity and human rights, and must be eliminated. The aim of this
7 Act is to provide a framework within which hunger will be addressed in an organized way,
8 and through which hunger may be ended.

9 **SEC. 3. Definition of Terms.** — As used in this Act, the following terms shall mean:

10 (a) *Food* — nourishment that includes solid, liquid and semi-liquid nourishment, as
11 well as drinking water.

12 (b) *Hunger* — a spectrum of situations, from starvation, which is not having enough
13 food to eat, to undernourishment, which is having enough food to eat, but of
14 inadequate quality.

15 (c) *Right to adequate food* — the right to have regular, permanent and unrestricted
16 access, either directly or by means of financial purchases, to quantitatively and
17 qualitatively adequate and sufficient food, corresponding to the cultural
18 traditions of the people, to which he or she belongs, and which ensures a
19 physically and mentally, individually and collectively, fulfilling and dignified life,
20 free of fear.

21 (d) *Vulnerable groups* — those who are particularly disadvantaged. These include
22 indigenous peoples, ethnic, linguistic or religious minorities, persons with

1 disabilities, individuals living with HIV/AIDS, refugees and internally displaced
2 people, women and children.

3 **SEC. 4. Normative Content.** — The right to adequate food is realized when every
4 man, woman and child, alone or in community with others, has physical and economic
5 access at all times to adequate food, or means for its procurement. The right to adequate
6 food will therefore not be interpreted in a narrow or restrictive sense, which equates it with
7 a minimum package of calories, proteins and other specific nutrients. The right to adequate
8 food will have to be realized progressively. However, the core obligation is to take the
9 necessary action to mitigate and alleviate hunger, even in times of natural or other
10 disasters. Central to the realization of the right to adequate food is adequacy and
11 sustainability of food availability and access.

12 (a) The concept of adequacy is particularly significant in relation to the right to
13 adequate food since it serves to underline a number of factors which must be
14 taken into account in determining whether particular foods or diets that are
15 accessible, can be considered the most appropriate under given circumstances.
16 The notion of sustainability is intrinsically linked to the notion of adequate food
17 or food security, implying food being accessible for both present and future
18 generations. The precise meaning of adequacy is to a large extent determined by
19 the prevailing social, economic, cultural, climatic, ecological and other
20 conditions, while sustainability incorporates the notion of long-term availability
21 and accessibility. The core content of the right to adequate food implies:

22 (i) The availability of food in a quantity sufficient to satisfy the dietary needs
23 of individuals, free from adverse substances, and acceptable within the
24 given culture; and

25 (ii) The accessibility of such food in ways that are sustainable, and that do
26 not interfere with the enjoyment of other human rights.

27 (b) Dietary needs imply that the diet as a whole contains a mix of nutrients for
28 physical and mental growth, development and maintenance, and physical
29 activity, that are in compliance with human physiological needs at all stages
30 throughout the life cycle, and according to gender and occupation. Measures
31 therefore need to be taken to maintain, adapt or strengthen dietary diversity and
32 appropriate consumption and feeding patterns, including breast-feeding, while
33 ensuring that changes in availability and access to food supply as a minimum do
34 not negatively affect dietary composition and intake.

35 (c) Freedom from adverse substances sets requirements for food safety and for a
36 range of protective measures by both public and private means to prevent
37 contamination of foodstuffs through adulteration, or through bad environmental
38 hygiene, or inappropriate handling at different stages throughout the food chain.
39 Care must also be taken to identify and avoid or destroy naturally occurring
40 toxins.

- 1 (d) Cultural or consumer acceptability implies the need also to take into account, as
2 far as possible, perceived non-nutrient-based values attached to food and food
3 consumption and informed consumer concerns regarding the nature of
4 accessible food supplies.
- 5 (e) Availability refers to the possibilities either for feeding oneself directly from
6 productive land or other natural resources, or for well-functioning distribution,
7 to where it is needed in accordance with demand.
- 8 (f) Accessibility encompasses both economic and physical accessibility:
- 9 (i) Economic accessibility implies that personal or household financial costs
10 associated with the acquisition of food for an adequate diet should be at
11 a level such that the attainment and satisfaction of other basic needs are
12 not threatened, nor compromised. Economy accessibility applies to any
13 acquisition pattern or entitlement through which people procure their
14 food, and is a measure of the extent to which it is a satisfactory for the
15 enjoyment of the right to adequate food. Socially vulnerable groups such
16 as landless persons and other particularly impoverished segments of the
17 population need attention through special programs.
- 18 (ii) Physical accessibility implies that adequate food must be accessible to
19 everyone, including physically vulnerable individuals, such as infants and
20 young children, elderly people, those belonging to the informal sector,
21 the physically disabled, the terminally ill and persons with persistent
22 medical problems, including the mentally ill. Victims of natural disasters,
23 people living in disaster-prone areas, and other specially disadvantaged
24 groups, need special attention, and sometimes priority consideration with
25 respect to accessibility of food. A particular vulnerability is that of many
26 indigenous population groups whose access to their ancestral land is
27 threatened.

28 **SEC. 5. Conditions for the Exercise of the Right to Adequate Food.** – Every person
29 has the right to live in conditions that enable her or him to:

- 30 (a) either feed herself or himself directly from productive land or other natural
31 resources, or rely on well-functioning distribution, processing and market
32 systems, or both;
- 33 (b) be financially able, not only to acquire a sufficient quantity and quality of food,
34 but also to satisfy her or his other basic needs;
- 35 (c) be safe from the risk of losing access to food, as a consequence of sudden
36 shocks, like an economic or climate crisis, or cyclical events, such as seasonal
37 food insecurity;

1 (d) have the opportunity for good food utilization, through access to adequate diet,
2 clean water, sanitation and health care, to reach a state of nutritional well-being,
3 where all physiological needs are met; and

4 (e) access foods or diets that are the most appropriate under given circumstances, in
5 terms of their nutritional value and cultural acceptability.

6 Every girl and boy has a right to adequate food and nutrition adequate for her or his
7 age, allowing her or him to grow and develop. Every woman has a right to adequate food
8 and adequate nutrition during pregnancy and lactation. No limitation on the right to
9 adequate food may be allowed, unless it is provided by law, is necessary for the purpose of
10 a compelling public interest, and is compatible with the nature of the right to adequate
11 food.

12 **SEC. 6. Freedom from Hunger.** — Every person has a right to be free from hunger.
13 Every person suffering from hunger or undernourishment, or at risk of suffering from
14 hunger or undernourishment, is entitled to a minimum amount of food according to his or
15 her age, sex, health status and occupation, as provided for in Section 15 of this Act.

16 **SEC. 7. Non-discrimination.** — Any distinction, exclusion or restriction made on the
17 basis of race, color, sex, age, language, religion, political or other opinion, national or social
18 origin, property, birth or other status, which has the effect or purpose of impairing or
19 limiting the capacity of an individual to exercise his or her right to adequate food, is
20 unlawful and will be sanctioned in accordance with the law.

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

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

28 **SEC. 8. Principles.** — The principles upon which the provisions of this Act are founded,
29 and which must be observed in the process of realizing the right to adequate food, are:

30 (a) *Participation:* People are able to determine their own well-being and participate
31 in the planning, design, monitoring and evaluation of decisions affecting them.
32 Individuals are able to take part in the conduct of public affairs, including the
33 adoption and implementation of State policies. Such participation is active, free
34 and meaningful, whether it is exercised directly or through intermediary
35 organizations representing specific interests. It is supported by capacity building
36 where necessary.

37 (b) *Accountability:* Public officials are answerable to their superiors, and to the
38 people they serve, for their actions. Application of the principle of accountability
39 in the context of the framework law requires clear assignment of responsibilities

1 and functions to the public authorities for implementation of the framework law
2 and any subsequent measures to be taken. In addition, the expected results are
3 spelled out clearly and appropriate procedures are established.

4 (c) *Non-discrimination*: It is a level of protection of human rights objectively and
5 reasonably the same for everybody, regardless of sex, age, race, color, religion or
6 any other ground. In addition to specifically prohibiting discrimination on any
7 ground, this principle requires specific measures aimed at correcting *de facto*
8 discrimination or eliminating conditions that cause or help to perpetuate
9 discrimination, as well as measures promoting equality. In the context of this Act,
10 it means paying particular attention to those groups that cannot enjoy their
11 rights as fully as others.

12 (d) *Transparency*: It is open access by the public to timely and reliable information
13 on the decisions and performance of public authorities. Holders of public office
14 are as open as possible about all their decisions and actions that may affect the
15 free exercise of the right to adequate food. Applying the principle of
16 transparency within the context of the framework law means that right-holders
17 are provided with essential information about the decision-making process and
18 those accountable and responsible for it. Right-holders also have the power to
19 demand information on the processes that feed into the achievement of the
20 particular entitlement, with an easy and low-cost corrective check to
21 maladministration.

22 (e) *Human dignity*: It is the absolute and inherent worth that persons have, simply
23 because they are human, not by virtue of any social status or particular powers.
24 The framework law recognizes in an unequivocal form that every person has a
25 right to adequate food. To comply with this principle in the implementation of
26 the Act, the State, through its public officials, treats persons equally and respects
27 their human worth and dignity.

28 (f) *Empowerment*: People have the power, capacities, capabilities and access
29 needed to change their own lives, including the power to seek from the State
30 remedies for violations of their human rights. This principle is the logical
31 consequence of all the preceding principles. In the context of this Act, the
32 empowerment principle entails the inclusion of specific provisions on awareness-
33 raising, capacity-building and the right to adequate food education.

34 (g) *Rule of law*: It means that governmental authority is legitimately exercised only
35 in accordance with written, publicly disclosed and accessible laws, adopted and
36 enforced in conformity with established procedures. The principle is intended as
37 a safeguard against arbitrary use of State authority and lawless acts of both
38 organizations and individuals. Any implementing rules and regulations to be
39 adopted for ensuring the implementation of the framework act will be clear, fair
40 and accessible. The rule of law also means that no person or body can breach the
41 law with impunity. There is access to justice including the right to an effective

1 remedy for anyone whose rights are violated, as well as the guarantee of due
2 process in all legal proceedings.

3 **SEC. 9. Governmental Obligations.** – The State has the duty to respect, protect and
4 fulfil the right to adequate food.

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

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

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

28 **SEC. 10. Targets.** – The government will ensure that in two and a half (2.5) years, the
29 incidence of hunger will be reduced, from the level current at the time of the passage of this
30 Act, by twenty-five percent (25%); in five (5) years, it will be further reduced by twenty-five
31 percent (25%); in seven and a half (7.5) years, it will be further reduced by twenty-five
32 percent (25%); and in ten (10) years, zero (0) hunger will be achieved.

33 The government will also ensure that in ten (10) years, land devoted to food
34 production will be increased to fifty percent (50%) of all prime agricultural land in every
35 region, and that the following indicators will considerably and steadily increase over the
36 same ten (10) years, together with other structural and process indicators, as may be
37 determined in the implementing rules and regulations of this Act:

38 (a) percentage of development of ancestral lands;

39 (b) percentage of rural population with access to productive resources;

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

15 Periodic reviews will be undertaken to ensure compliance with set targets. In the
16 implementation of this Act, priority will be given to identified areas with chronically
17 malnourished individuals. In measuring the incidence of hunger, the key primary data
18 sources will include the National Nutrition Surveys (NNS); the Survey of Hunger Incidence in
19 the Philippines (SHIP); the self-rated hunger indicators of the Social Weather Stations (SWS);
20 and household surveys of the National Statistics Office (NSO), namely the Family Income
21 and Expenditure Survey (FIES) and the Annual Poverty Indicators Survey (APIS). There shall
22 be authorized to be appropriated such amounts as necessary to carry out the provisions of
23 this Act, to be included in the annual budget of the Commission on Human Rights in the
24 General Appropriations Act.

25 **SEC. 11. *Impact Assessment.*** – All proposed government actions, plans and projects,
26 including any development plan, will take into account the right to adequate food, and will
27 undergo an objective impact assessment include:

- 28 (a) *Screening*: identifying proposals subject to impact and assessment, and their
29 level of detail.
- 30 (b) *Scoping*: identifying the issues and impacts that are likely to be significant for the
31 effective enjoyment of the right to adequate food.
- 32 (c) *Examination of alternatives*: determining other options for achieving the same
33 objectives as those of the proposal.
- 34 (d) *Impact analysis*: identifying and predicting the likely social, economic,
35 environmental, and other related effects of the proposal.

- 1 (e) *Mitigation and impact management*: establishing measures necessary to avoid or
2 minimize predicted adverse impacts, and to incorporate these into the proposal
3 implementation plan.
- 4 (f) *Impact statement or report*: assessment of significant outcomes including a
5 simplified summary for public debate.
- 6 (g) *Public consultation*: seeking the public's input on matters affecting them.
- 7 (h) *Review of the impact assessment report*: determining whether the report
8 identifies all relevant information on the possible impacts on the enjoyment of
9 economic, environmental and other effects of the proposal, and contains
10 concerns and comments of the potentially affected population, and all the
11 information necessary for decision-making.
- 12 (i) *Decision-making*: approving or rejecting the proposal, and establishing the terms
13 and conditions for its implementation.
- 14 (j) *Evaluation and monitoring*: systematic determination of merit, worth and
15 significance.
- 16 (k) Any strategic intervention aimed at ensuring the enjoyment of the right to
17 adequate food will similarly undergo an objective impact assessment prior to its
18 adoption and implementation.

19 **SEC. 12. Commission on the Right to Adequate Food.** – The Commission on the Right
20 to Adequate Food is hereby established.

- 21 (a) It will be composed of a Chairperson and two (2) members, who must be citizens
22 of the Philippines and, at the time of their appointment, must not have been
23 candidates for any elective position in the elections immediately preceding their
24 appointment. At least one of them will be a member of the Philippine Bar. This
25 Commission will be an agency attached to the Commission on Human Rights of
26 the Philippines.

27
28 The Chairperson and the Members of the Commission will not, during their
29 tenure, hold any other office or employment. Neither shall they engage in the
30 practice of any profession, nor in the active management or control of any
31 business, which in any way may be affected by the functions of their office, nor
32 shall they be financially interested, directly or indirectly, in any contract with, or
33 in any franchise or privilege granted by the government, any of its sub-divisions,
34 agencies, or instrumentalities, including government-owned or controlled
35 corporations or their subsidiaries.

36
37 The Chairperson and the Members will be appointed by the President for a term
38 of seven years without reappointment. Appointment to any vacancy will be only
39 for the unexpired term of the predecessor. Of those first appointed, the

1 Chairperson will hold office for seven years, a Commissioner for five years, and
2 other Commissioner for three years, without reappointment. Appointment to
3 any vacancy shall be only for the unexpired term of the predecessor. In no case
4 will any Member be appointed or designated in a temporary or acting capacity.
5

6 The Chairperson and the Members of the Commission on the Right to Adequate
7 Food will receive the same salary and benefits as the Chairperson and Members,
8 respectively, of the Constitutional Commissions, which shall not be decreased
9 during their term of office.

10 (b) The Commission on the Right to Adequate Food will have the following powers:

- 11 (i) Receive complaints of violations of the right to adequate food from the
12 individuals and groups.
- 13 (ii) Investigate, *motu proprio* or on complaint by any party, all forms of
14 violations of the right to adequate food;
- 15 (iii) Adopt operational guidelines and rules of procedure, and cite for
16 contempt for their violation, in accordance with the Rules of the Court.
17
- 18 (iv) Provide appropriate legal measures for the protection of the right to
19 adequate food of all persons within the Philippines, as well as Philippine
20 citizens residing abroad, and provide for preventive measures and legal
21 aid services to the under-privileged whose right to adequate food has
22 been violated or needs protection;
- 23 (v) Establish a continuing program of research, education and information to
24 enhance respect for the primacy of the right to adequate food;
- 25 (vi) Recommend to Congress effective measures to promote the right to
26 adequate food, to harmonize existing laws affecting the right to adequate
27 food, to ensure their complementation, and the availability of remedies
28 for violations and compensation to victims of violations of the right to
29 adequate food;
- 30 (vii) Monitor the Philippine Government's compliance with its obligation in
31 regard to the right to adequate food;
- 32 (viii) Request the assistance of any department, bureau, office or agency in the
33 performance of its functions;
- 34 (ix) Appoint officers and employees in accordance with law; and
- 35 (x) Perform such other duties and functions as may be provided by law.

1 (c) In exercising its powers and duties, the Commission on the Right to Adequate
2 Food will:

3 (i) Apply the human rights principles established by this Act.

4 (ii) Work in close cooperation with representatives of civil society and take
5 their views into consideration.

6 (iii) Use, to the fullest possible extent, the services, facilitates and
7 information, including statistical information, of the relevant public and
8 private bodies and organizations, to prevent duplication of efforts and
9 expenses.

10 **SEC. 13. Institutional Responsibilities.** – In implementing the right to adequate food,
11 the Commission on the Right to Adequate Food may call out other agencies to ensure the
12 right to adequate food. In the implementation of the right to adequate food, the
13 Department of Agriculture (DA) will have the primary duty to ensure food availability,
14 stability and adequacy; the Department of Health (DOH) will have the primary duty to
15 ensure food quality and safety; the Department of Trade and Industry (DTI) will have the
16 primary duty to ensure physical and economic access to food; and the Department of Public
17 Works and Highways (DPWH) will have the primary duty to ensure well-functioning
18 distribution, processing and market systems.

19 **SEC. 14. Minimum Amount of Food.** – The Commission on the Right to Adequate
20 Food, in coordination with the Department of Social Welfare and Development (DSWD), will
21 ensure regular, reliable and timely delivery of a minimum amount of food, or the means for
22 its procurement, to persons who are suffering from hunger or undernourishment, or are at
23 risk from suffering from hunger or undernourishment, but who cannot take care of their
24 own needs, due to reasons beyond their control, including, but not limited, to children
25 whose parents die or disappear, or otherwise no longer take care of them, elderly, and
26 persons with disabilities.

27 Implementing rules and regulations will be adopted on the minimum amount of
28 food. These implementing rules and regulations will determine the exact quantity of
29 calories, proteins and micronutrients, to which the minimum amount of food will
30 correspond, according to the age, sex, health status and occupation of a person. There will
31 be a simple and accessible application or certification procedure for the minimum amount
32 of food entitlement, as provided for in the implementing rules and regulations. There will be
33 transparent, fair and non-discriminatory eligibility or certification criteria.

34 Fair, independent and accessible recourse procedures to the Commission of the
35 Right Adequate Food for complaints and appropriate remedies in case of a determined
36 violation of the right to adequate food, will be established. There will also be an appropriate
37 monitoring and evaluation mechanism in which the DSWD will report to the Commission on
38 the Right to Adequate Food on a regular basis. The national budget will include a specific
39 item allocating resources necessary for the implementation of this fundamental right.
40 Specific support measures will be designated and adopted to prevent or compensate for
41 disadvantages that identified vulnerable persons or groups suffer from, in regard to the

1 enjoyment of their right to adequate food. The Commission on the Right to Adequate Food
2 will review proposed support measures and, where necessary, will give further guidance, so
3 as to ensure that all groups are covered appropriately.

4 **SEC. 15. Emergencies.** – The Commission on the Right to Adequate Food, in
5 coordination with the National Disaster and Risk Reduction Management Council
6 (NDRRMC), will have the duty to ensure that:

7 (a) Food emergencies cover both early warning and preparedness for a crisis, as well
8 as organizing and managing food response in the case of a crisis, and comply with
9 the right to adequate food and the relevant international standards.

10 (b) Emergency food responses be compatible with the right to adequate food and
11 international standards regulating emergencies.

12 (c) Requests for international assistance be initiated in case of necessity, alongside
13 supervising and coordinating distribution of food response received.

14 **SEC. 16. Information.** – All government agencies, under the direction of the
15 Commission on the Right to Adequate Food, in coordination with the Philippine News
16 Agency (PNA) and Philippine Information Agency (PIA), have a duty to:

17 (a) Inform the population about the rights established in this Act and about the
18 implementing rules and regulations adopted upon its entry into force, as well as
19 about any other measures taken for the purpose of facilitating and promoting
20 the realization of the right to adequate food.

21 (b) Use the most appropriate ways and methods of disseminating information,
22 including by providing information in oral ways, such as rural radio, and in local
23 languages, notably in the most marginalized areas and among populations with a
24 high rate of illiteracy.

25 **SEC. 17. Education and Awareness Raising.** – The Commission on the Right to
26 Adequate Food, in coordination with the Department of Education (DepEd), Commission on
27 Higher Education (CHED) and Technical Education and Skills Development Authority
28 (TESDA), will have the duty to ensure that:

29 (a) The school curriculum includes material related to food and nutrition education,
30 the right to adequate food, and human rights principles.

31 (b) Adult education and training programs, when relevant, include material related
32 to food and nutrition, the right to adequate food, and human rights principles.

33 **SEC. 18. International Cooperation.** – The Commission on the Right to Adequate
34 Food, in coordination with the Commission on Human Rights (CHR) and the Department of
35 Foreign Affairs (DFA), will have the duty to:

1 (a) Ensure that activities undertaken in other countries, including those by private
2 actors, do not infringe on the enjoyment of the right to adequate food by people
3 in the concerned countries; and

4 (b) Promote international cooperation and provide assistance to ensure the
5 realization of the right to adequate food in other countries, if in a position to do
6 so.

7 **SEC. 19. Monitoring System.** – There will be an integrated monitoring system in
8 which all government agencies at all levels, under the supervision of the Commission on the
9 Right to Adequate Food, will:

10 (a) Collect data related to food and nutrition security, using monitoring
11 methodologies and processes consistent with the human rights principles as
12 established by this act.

13 (b) Disaggregate collected data by age, sex, status and group.

14 (c) Monitor progress achieved in the realization of the right to adequate food.

15 (d) Establish or identify an early warning mechanism.

16 **SEC. 20. Representation and Participation of People's Organizations and Civil**
17 **Society.** – To guarantee public participation, the Commission on the Right to Adequate Food
18 has the duty to ensure:

19 (a) Free and meaningful participation, including freedom of information and
20 freedom of association.

21 (b) Consultations on specific areas of implementation of this Framework Act.

22 (c) National public hearings every two years, at which the Government is required to
23 report on progress made with the implementation of this Framework Act, and
24 the progressive realization of the right to adequate food in the country.

25 **SEC. 21. Penal Provisions.** – The penalty of *prison mayor* will be imposed on any
26 public or private actor, who deliberately starves or denies access to food to any particular
27 individual or group, as through the commission of any of the following acts:

28 (a) food blockade;

29 (b) refusal to implement a food-related program;

30 (c) discrimination in implementing a food-related program;

31 (d) negligence in implementing food-related programs, resulting in death;

32 (e) obstructing access to food in time of calamity or war;

- 1 (f) theft, corruption or black marketeering of food being given as humanitarian aid,
2 in time of calamity or war;
- 3 (g) distribution of expired, or unsafe food at a school feeding program or other
4 feeding program, in time of calamity or war;
- 5 (h) contamination of food or water sources, through mining activities, aerial spraying
6 of plantations, or any other similar means;
- 7 (i) other analogous acts.

8 A food blockade is any knowingly and willful effort to cut off food supplies from a
9 particular area by force either in part or totally.

10 The penalty will be imposed without prejudice to any other criminal, civil or
11 administrative liability under Philippine laws.

12 **SEC. 22. *Civil and Administrative Liabilities.*** – Any public officer or employee who
13 directly or indirectly obstructs, defeats, violates or in any manner impedes or impairs any of
14 a person’s rights guaranteed in this Act will be liable to this person for damages. Any
15 violation of a provision of this Act, whether committed by public or private actors, will
16 similarly give rise to liability for damages.

17 It is hereby declared a ministerial duty on the part of the Government to ensure the
18 enjoyment of the rights guaranteed in this Act, and to perform the duties embodied in it.
19 Appropriate cases may be filed before the courts to compel compliance with the provisions
20 of this Act. These cases will be without prejudice to liability that may be incurred.

21 **SEC. 23. *Implementing Rules and Regulations.*** – Within sixty (60) days from the
22 effectivity of this Act, the Commission on Human Rights (CHR) in coordination with the
23 Department of Agriculture (DA), Department of Agrarian Reform (DAR), Department of
24 Social Welfare and Development (DSWD), Department of Health (DOH), Department of
25 Trade and Industry (DTI), Department of Public Works and Highways (DWPB), National
26 Economic and Development Authority (NEDA), and National Anti-Poverty Commission
27 (NAPC), and with active participation of people’s organization and human rights
28 nongovernmental organizations and other relevant government agencies, shall promulgate
29 the necessary rules and regulations for the effective implementation of this Act.

30 **SEC. 24. *Appropriations.*** – The funds needed to implement this Act shall be
31 included in the Annual General Appropriations Act.

32 **SEC. 25. *Rationalization of Policies.*** – All existing policies, laws, decrees, executive
33 orders, memorandum orders, memorandum circulars, administrative orders, and
34 ordinances will be rationalized in accordance with the right to adequate food, as provided
35 for by this Act.

36 Laws affecting the realization of the right to adequate food will be interpreted in a
37 way compatible with the right to adequate food and this Act.

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

5 **SEC. 26. *Separability Clause.*** — Should any provision herein be declared
6 unconstitutional, the same shall not affect the validity of the other provisions of this Act.

7 **SEC. 27. *Repealing Clause.*** — All laws, decrees, orders, rules, and regulations or
8 other issuances or parts inconsistent with the provisions of this Act are hereby repealed or
9 modified accordingly.

10 **SEC. 28. *Effectivity.*** — This Act shall take effect fifteen (15) days after its publication
11 in the Official Gazette or in any two (2) newspapers of general circulation in the Philippines.

12 *Approved,*