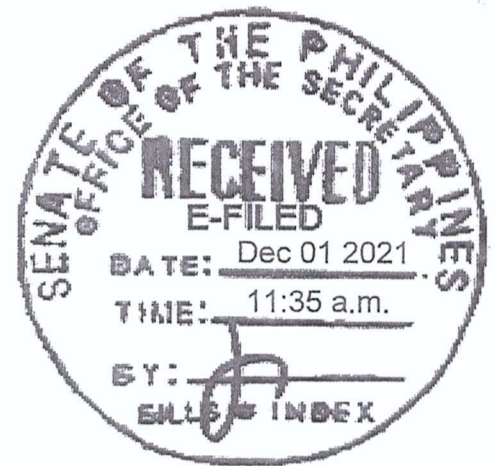


EIGHTEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
*Third Regular Session* )



SENATE  
S. No. 2458

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Introduced by **SENATOR LEILA M. DE LIMA**

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**AN ACT  
PROVIDING A FRAMEWORK TO PROTECT AND PROMOTE THE RIGHT  
TO ADEQUATE FOOD**

**EXPLANATORY NOTE**

The right to adequate food is explicitly enshrined in international laws and treaties.

Article XXV (1) of the Universal Declaration of Human Rights states that “[e]veryone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food...”

Article XI (1) of the International Covenant on Economic, Social and Cultural Rights (ICESCR) provides that “[t]he States Parties to the present Covenant recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food...The States Parties will take appropriate steps to ensure the realization of this right, recognizing to this effect the essential importance of international co-operation based on free consent.”

The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) also provides under Article XII (2) that “[S]tate Parties shall ensure to women appropriate services in connection with pregnancy, confinement and the post-natal period, granting free services where necessary, as well as adequate nutrition during pregnancy and lactation.”

Under Article XXIV (2)(c) of the Convention on the Rights of the Child (CRC), the State Parties are mandated “[t]o combat disease and malnutrition, including within the framework of primary health care, through, inter alia, the application of

readily available technology and through the provision of adequate nutritious foods and clean drinking-water...”

Finally, the Convention on the Rights of Persons with Disabilities (CRPD) provides under Article XXVIII that the “States Parties recognize the right of persons with disabilities to an adequate standard of living for themselves and their families, including adequate food...”

In 2019, close to 750 million – or nearly one in ten people in the world – were exposed to severe levels of food insecurity.<sup>1</sup> In 2020, a preliminary assessment suggested that the COVID-19 pandemic may exacerbate the situation and add between 83 and 132 million people to the total number of undernourished in the world depending on the economic growth scenario.<sup>2</sup>

In the 2021 Global Hunger Index (GHI), the Philippines ranks 68th out of the 116 countries with sufficient data to calculate 2021 GHI scores. From November 3 to December 3, 2021 the Department of Science and Technology conducted the Rapid Nutrition Assessment Survey that “provided snapshots of the nutrition and food security situation of Filipinos during the COVID-19 pandemic.” Of the 5,717 households surveyed composed of 7,240 individuals, 62.1% or six out of 10 reported they experienced moderate to severe food insecurity, while food security is highest in households with children (7 out of 10), and those with pregnant family members (8 out of 10).<sup>3</sup> The survey also noted that food insecurity was highest between April and May 2020, or when the country was placed under enhanced community quarantine.<sup>4</sup>

This bill seeks to address the grave incidences of hunger and food insecurity in the country, consistent with the principles of the 1987 Constitution, specifically the right to life and human dignity, and the enshrined policy of an integrated and comprehensive approach to health development. This measure also breathes life and crafts a local framework to the aforementioned international treaties providing for the right to adequate food of which the Philippines is a state party.

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<sup>1</sup> Food and Agriculture Organization of the United Nations. (2020). *The state of food security and nutrition in the world: Transforming food systems for affordable healthy diets*. Retrieved from <https://www.fao.org/3/ca9692en/ca9692en.pdf>

<sup>2</sup> *Ibid.*

<sup>3</sup> CNN Philippines Staff. (30 April 2021). *62% of households experienced having no food amid the COVID-19 pandemic — survey*. Retrieved 19 November 2021, from <https://cnnphilippines.com/news/2021/4/30/households-experiencing-having-no-food-amid-the-COVID-19-pandemic.html>

<sup>4</sup> *Ibid.*

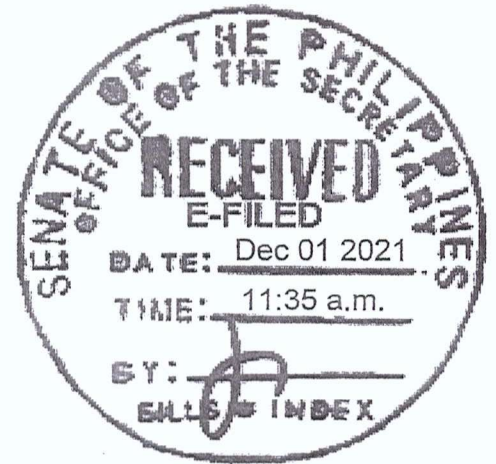
This measure is a counterpart of House Bill No. 8242 which was already approved on third and final reading at the House of Representatives in February 2021.

Early passage of this measure is earnestly sought.

  
LEILA M. DE LIMA



EIGHTEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
Third Regular Session )



SENATE

S. No. 2458

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Introduced by **SENATOR LEILA M. DE LIMA**

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AN ACT  
**PROVIDING A FRAMEWORK TO PROTECT AND PROMOTE THE RIGHT  
TO ADEQUATE FOOD**

*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  
2 Food Act”

3       Sec. 2. *Declaration of Policy.* – Pursuant to 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, the Convention on  
6 the Elimination of All Forms of Discrimination against Women, and the Convention  
7 on the Rights of Persons with Disabilities, to which the Philippines is a State Party, it  
8 is hereby declared the policy of the State to guarantee the right to adequate food.

9       Adequate food is not a matter of charity, but a basic human right and a  
10 prerequisite for total well-being. Towards this end, the State shall provide for a  
11 framework to address and eliminate hunger systematically and protect the right of  
12 the people to adequate food.

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

14       a. *Dietary needs* – refer to a mix of nutrients for physical and mental growth,  
15 development and maintenance, and physical activity, that follow human  
16 physiological needs at all stages throughout the life cycle, and according to  
17 gender and occupation;

- 1 b. *Food* – refers to solid, liquid and semi-solid nourishment as well as  
2 drinking water, and when taken into the body serves to nourish, build and  
3 repair tissues, supply energy, or regulate body processes;
- 4 c. *Food blockade* – refers to an act of cutting off food supplies from a  
5 particular area by force, either in part or totally;
- 6 d. *Food emergency* – refers to a situation in which access to food is  
7 endangered, as that caused by natural events like drought, floods, storms,  
8 earthquakes, or crop failures resulting from pests or diseases; or by human  
9 agency such as internal or international armed conflict; or infectious  
10 disease outbreaks or pandemics, such as Severe Acute Respiratory  
11 Syndrome (SARS) and the COVID-19 virus;
- 12 e. *Food sovereignty* – refers to the right of the people to healthy and  
13 culturally appropriate food produced through ecologically sound and  
14 sustainable methods, and their right to define their own food and  
15 agriculture systems, putting the aspirations and needs of those who  
16 produce, distribute and consume food at the heart of food systems and  
17 policies rather than the demands of markets and corporations;
- 18 f. *Hunger* – refers to a condition in which people do not get sufficient food  
19 to eat to meet the necessary nutrients for fully productive, active and  
20 healthy living due to the unavailability and/or inaccessibility of food,  
21 which may be (a) acute, such as during a major disaster when food supply  
22 channels are cut, (b) chronic, when people are regularly not getting enough  
23 food to conduct an active life for a long time, or (c) a condition of  
24 starvation, which is not having enough food of any sort to eat, or (d)  
25 undernourishment, which is having enough food to eat, but of inadequate  
26 or insufficient quality; and
- 27 g. *Vulnerable groups* – refer to those who are particularly disadvantaged  
28 such as indigenous peoples, ethnic, linguistic or religious minorities,  
29 persons with disabilities, persons living with Human Immunodeficiency  
30 Virus (HIV) or Acquired Immune Deficiency Syndrome (AIDS), refugees  
31 and internally displaced people, elderly, women, including pregnant and  
32 lactating mothers and children, particularly those from zero to twenty-  
33 three (23) months of age.



1       Sec. 4. *Progressive Realization of the Right to Adequate Food*. – Every person  
2 has the right to have regular, permanent and unrestricted access, either directly or by  
3 means of financial purchases, to quantitatively and qualitatively adequate, sufficient  
4 and safe food, corresponding to the cultural traditions of the people to which a  
5 consumer belongs, and which ensure physical and mental, individual and collective,  
6 fulfilling and dignified life, free of fear.

7       The right to adequate food is deemed met when every man, woman and child,  
8 alone or in community with others, have physical and economic access at all times to  
9 adequate food, or means for its procurement. The right to adequate food shall not be  
10 interpreted in a narrow or restrictive sense, which equates it with a minimum  
11 package of calories, proteins and other specific nutrients. The right to adequate food  
12 shall be realized progressively.

13       Sec. 5. *Core Content on the Right to Adequate Food*. – The core content of the  
14 right to adequate food includes the concepts of food availability and accessibility,  
15 which shall be in a quantity and quality sufficient to meet the dietary needs of  
16 individuals, and in ways that are sustainable, and do not interfere with the  
17 enjoyment of other human rights.

18       Sec. 6. *Food Adequacy Standard*. – Central to the realization of the right to  
19 adequate food is the standard of adequacy in terms of quality, quantity and cultural  
20 acceptability, sustainability of food availability and access.

21       The standard of adequacy includes a number of factors which are considered  
22 in determining whether particular foods or diet that are accessible can be considered  
23 the most appropriate under particular circumstances. Sustainability is intrinsically  
24 linked to the concept of adequate food or food security, implying that food must be  
25 accessible to both present and future generations.

26       Sec. 7. *Availability Standard*. – Food is considered available when it can be  
27 secured either directly from productive land or other natural resources, or from a  
28 well-functioning distribution, processing, and market systems that can move food  
29 from the site of production to where it is needed in accordance with demand.

30       Sec. 8. *Accessibility Standard*. – Food accessibility includes both economic  
31 and physical.

1 Economic accessibility means that the personal or household financial cost  
2 associated with the acquisition of food for an adequate diet should be at a level such  
3 that the attainment and satisfaction of other basic needs are not threatened, or  
4 compromised. Economic accessibility applies to any acquisition pattern or  
5 entitlement through which people procure their food, and is a measure of the extent  
6 to which it is satisfactory for the enjoyment of the right to adequate food.

7 Physical accessibility means that adequate food must be accessible to everyone,  
8 including physically vulnerable individuals, such as infants and young children,  
9 elderly people, those belonging to the informal sector, the physically disabled, the  
10 terminally ill and persons with persistent medical problems, including the mentally  
11 ill. Victims of natural disasters, people living in disaster-prone areas and other  
12 specially disadvantaged groups, and many indigenous peoples' groups whose access  
13 to their ancestral lands is threatened, need special attention and priority  
14 consideration with respect to accessibility to food.

15 Socially vulnerable groups such as landless persons and other particularly  
16 impoverished segments of the population shall be assisted through special programs.

17 *Sec. 9. Cultural or Consumer Acceptability.* – In providing food, there is a  
18 need to consider, as far as possible, the perceived non-nutrient based values attached  
19 to food, and the consumer's concerns on the accessible food supplies.

20 Food must be free from adverse substances to ensure food safety. Measures  
21 must be taken to maintain, adapt or strengthen dietary diversity and appropriate  
22 consumption and feeding patterns, including optimal breast-feeding, to ensure that  
23 changes in availability and access to food supply do not negatively affect dietary  
24 composition and intake. Care must also be taken to identify and avoid or destroy  
25 naturally occurring toxins.

26 Freedom from adverse substances implies that the requirements for food  
27 safety and a range of protective measures are implemented to prevent contamination  
28 of foodstuff through adulteration, bad environmental hygiene, or inappropriate  
29 handling at different stages throughout the food chain.

30 *Sec. 10. Conditions for the Exercise of the Right to Adequate Food.* – Every  
31 person has the right to live in conditions that shall enable the person to:



- a. Acquire food directly from productive land or other natural resources; or rely on well-functioning food distribution, processing and market systems, or both;
- b. Financially acquire a sufficient quantity and quality of food and to satisfy other basic needs;
- c. Be safe from the risk of losing access to food, as a consequence of sudden shocks, like an economic or climate crisis, or one that is brought about by internal displacements of people, or cyclical events, such as seasonal food insecurity;
- d. Have the opportunity of good food utilization through access to adequate diet, clean water, sanitation and health care and to reach a state of nutritional well-being, where all physiological needs are met; and
- e. Access food or diet that is the most appropriate under given circumstances, in terms of their nutritional value and cultural acceptability.

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

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

Unless otherwise provided by law, or is necessary for the purpose of a compelling public interest, and is compatible with the nature of the right to adequate food, there is no limitation on the right to adequate food.

Sec. 11. *Freedom from Hunger*. – Every person has a right to be free from hunger. Every person suffering from hunger or under nutrition, or at risk of suffering from hunger or under nutrition is entitled to a minimum amount of food according to one's age, sex, health status and occupation, as provided for in Section 19 of this Act.

Sec. 12. *Principles*. – The provisions of this Act are founded on the rights-based principles of participation, accountability, non-discrimination, transparency, human dignity, empowerment and rule of law, and are consistent with the progressive realization of the right to adequate food.

Sec. 13. *Non-discrimination*. – Any distinction, exclusion or restriction made on the basis of race, color, sex, age, language, religion, political or other opinion,



1 national or social origin, property, birth or other status, which has the effect or  
2 purpose of impairing or limiting the capacity of an individual to exercise the right to  
3 adequate food, is unlawful and shall be sanctioned in accordance with law.

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

8 The prohibition of discrimination shall not include government action to  
9 remedy past effects of discrimination against particular individuals or groups and to  
10 promote equality of opportunities with regard to the right to adequate food.

11 Sec. 14. *Governmental Obligations.* – The State, as the primary duty-bearer,  
12 has the duty to respect, protect and fulfill the right to adequate food and maintain  
13 food sovereignty, in accordance with the conditions provided under Section 10 of this  
14 Act.

15 The State has the core obligation to take the necessary action to mitigate and  
16 alleviate hunger, even in times of natural or other disasters. The right to be free from  
17 hunger ensures a minimum daily nutritional intake and the bare survival of a person.  
18 The right to adequate food goes beyond freedom from hunger.

19 a. *Respect* – the State has the obligation not to interfere with or impair the  
20 enjoyment of the right to adequate food. No public authority may deprive  
21 any person of food or means for its procurement, apply laws and  
22 regulations, or pursue a policy or practice, in a way that may result in  
23 preventing the enjoyment of or infringing the human right to adequate  
24 food, or repeal formally or suspend legislation necessary for the continued  
25 enjoyment of the right to adequate food.

26 b. *Protect* – the State has the duty to provide guarantees against threats and  
27 risks stemming from private actors or societal forces that are controllable  
28 by State action. It shall take preventive measures necessary to protect  
29 persons whose capacities to access sufficient and adequate food or means  
30 for its procurement are endangered by the acts of others. It also must  
31 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.

- c. *Fulfill* – the State shall facilitate the enjoyment of the right to adequate food by adopting or pursuing appropriate policies and measures that promote the human right to adequate food and to create and maintain conditions under which every person can freely and regularly enjoy the right to adequate food.

Sec. 15. *Targets*. – The State shall ensure that in two and a half (2 ½) years after the effectivity of this Act, the incidence of hunger is reduced by twenty-five percent (25%), from the level recorded at the time of the passage of this Act: *Provided*, That five (5) years after the effectivity of this Act, such incidence of hunger will be further reduced by twenty-five percent (25%): *Provided, further*, That in seven and a half (7 ½) years, the incidence of hunger will be further reduced by twenty-five percent (25%): *Provided, finally*, That in ten (10) years, there shall be zero hunger incidence.

The State shall also ensure that within ten (10) years from the effectivity of this Act, land devoted to food production is increased to fifty percent (50%) of all prime agricultural land in every region, and, within the same period, the State shall ensure that the following indicators are considerably and steadily increased:

- a. Percentage of development of ancestral lands;
- b. Percentage of rural population with access to productive resources;
- c. Share of budget spent on programs aimed 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 agricultural lands;
- 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;



- 1 i. Percentage of population aware of available food and nutrition programs;  
2 and  
3 j. Coverage of school feeding programs,

4 The percentage rates used as indicators herein shall also be stipulated in the  
5 rules and regulations issued to implement the provisions of this Act.

6 Periodic reviews shall be undertaken to ensure compliance with set targets. In  
7 the implementation of this Act, priority shall be given to identify areas with a  
8 chronically malnourished population. In measuring the incidence of hunger, the key  
9 primary data sources will include national nutrition surveys, household surveys of  
10 the Philippine Statistics Authority (PSA), namely the Family Income and  
11 Expenditure Survey and the Annual Poverty Indicators Survey, and global hunger  
12 indices as benchmarks.

13 Sec. 16. *Institutional Responsibilities.* – The following agencies of the  
14 government are required to fulfill their respective mandates in a manner that shall  
15 ensure full implementation of the primary objectives of this Act:

- 16 a. Department of Agriculture (DA);  
17 b. Department of Agrarian Reform (DAR);  
18 c. Department of Budget and Management (DBM);  
19 d. Department of Education (DepEd);  
20 e. Department of Environment and Natural Resources (DENR);  
21 f. Department of Health (DOH);  
22 g. Department of the Interior and Local Government (DILG);  
23 h. Department of Justice (DOJ);  
24 i. Department Labor and Employment (DOLE);  
25 j. Department of Public Works and Highways (DPWH);  
26 k. Department of Social Welfare and Development (DSWD);  
27 l. Department of Science and Technology (DOST);  
28 m. Department of Trade and Industry (DTI);  
29 n. Commission on Human Rights (CHR);  
30 o. Commission on Higher Education (CHED);  
31 p. National Anti-Poverty Commission (NAPC);  
32 q. National Economic Development Authority (NEDA);  
33 r. National Food Authority (NFA);

- s. National Nutrition Council (NNC);
- t. Technical Education and Skills Development Authority (TESDA); and
- u. other agencies and instrumentalities of the government whose functions are necessary for the efficient and effective implementation of the right to adequate food.

In addition, the Commission on the Right to Adequate Food as established under this Act shall develop a fully integrated whole-of-government approach to implement the national policy governing the right to adequate food and the use of a human rights-based approach for the establishment and implementation of the national policy.

Sec. 17. *Commission on the Right to Adequate Food.* – There is hereby created a Commission on the Right to Adequate Food, hereinafter referred to as the Commission, which shall be attached to the Office of the President.

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

It shall formulate a national food policy consistent with the policy formulated by the Inter-Agency Task Force (IATF) on Zero Hunger. The IATF on Zero Hunger shall effectively be replaced by the Commission which shall implement programs of action to eradicate hunger, achieve food security, improve nutrition and promote sustainable agriculture.

The Commission shall have the following powers:

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



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

22 Sec. 18. *Composition.* – The Commission is composed of a chairperson and  
23 two (2) members who must be natural-born citizens; at least thirty-five (35) years of  
24 age at the time of their appointment; and must not have been candidates for any  
25 elective position in the elections immediately preceding their appointment. At least  
26 one (1) of them must be a member of the Philippine Bar.

27 The Chairperson and members of the Commission shall not, during their  
28 tenure, hold any other office or employment. Neither shall they engage in the  
29 practice of any profession, or in the active management or control of any business  
30 which, in any way, may affect the functions of their office, nor shall they be  
31 financially interested, directly or indirectly, in any subdivisions, agencies, or  
32 instrumentalities, including government-owned or controlled corporations or their  
33 subsidiaries.

1       The Chairperson and members of the Commission shall be appointed by the  
2 President and shall not be reappointed to another term. From among the members,  
3 one (1) shall serve as the chairperson and shall hold office for ten (10) years, another  
4 member shall be appointed as Commissioner for seven (7) years, and another shall  
5 be appointed Commissioner and shall serve for five (5) years, without reappointment.  
6 A member who shall be appointed to fill a vacancy shall serve only the unexpired  
7 portion of the term of the predecessor. In no case shall any member be appointed or  
8 designated in a temporary or acting capacity.

9       The Chairperson and members of the Commission shall receive the same  
10 salary, benefits, privileges and emoluments of a cabinet secretary and undersecretary,  
11 respectively.

12       Sec. 19. *Standards on the Amount of Food.* – Within one (1) year from the  
13 effectivity of this Act, the Commission shall, in consultations with the DSWD, DILG,  
14 NNC and the DOH, issue guidelines on the minimum amount of food for persons  
15 who are suffering from hunger or undernourishment, or are at risk of suffering from  
16 hunger or undernourishment, but who cannot take care of their own needs, due to  
17 reasons beyond their control, including, children whose parents die or disappear, or  
18 otherwise no longer take care of them, elderly, and persons with disabilities. The  
19 guidelines include:

- 20       a. The exact quantity of calories, proteins and micronutrients, to which the  
21       minimum amount of food will correspond, according to the age, sex, health  
22       status and occupation of a person;
- 23       b. A simple and accessible application or certification procedure for the  
24       minimum amount of food entitlement with transparent, fair and non-  
25       discriminatory eligibility or certification criteria; and
- 26       c. Relief mechanisms to ensure that such individuals are provided with their  
27       minimum food requirement.

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

31       Sec. 20. *Emergencies.* – The Commission, in coordination with the National  
32 Disaster Risk Reduction and Management Council (NDRRMC), shall:



- a. Provide food emergency responses which sufficiently cover both early warning responses and disaster preparedness in case of a crisis; and organize and manage food responses efficiently and effectively;
- b. Ensure that food supply responses are compatible with the right to adequate food and international standards regulating emergencies; and
- c. Initiate requests for international assistance in case of necessity, and supervise and coordinate properly the distribution of food to intended recipients.

Sec. 21. *Information Dissemination.* – All government agencies, under the direction of the Commission, in coordination with the Philippine News Agency (PNA) and Philippine Information Agency (PIA), shall:

- a. Inform the population about the rights established in this Act and the implementing rules and regulations adopted upon its passage into law and other measures 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 by providing information through all media forms, and in local languages, notably in the most marginalized areas and among populations with a high rate of illiteracy.

Sec. 22. *Education and Awareness Program.* – The Commission, in coordination with the DepEd, CHED and TESDA, shall ensure that:

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

Sec. 23. *International Cooperation.* – The Commission, in coordination with the CHR and the Department of Foreign Affairs (DFA), shall:

- 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 the people in the concerned countries;

- b. Promote international cooperation and help ensure the realization of the right to adequate food in other countries, if in a position to do so; and
- c. Ensure that international and other agreements which the Philippine Government enters into, consider the guarantee on the right to food.

Sec. 24. *Monitoring and Evaluation System.* – There shall be an integrated monitoring system that shall ensure that all government agencies at all levels, under the supervision of the Commission on the Right to Adequate Food, shall:

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

Sec. 25. *Representation and Participation of People's Organizations and Civil Society.* – To guarantee public participation, the Commission shall ensure that:

- a. All persons can freely and meaningfully participate in all forms of public discourse, access information and exercise freedom of association, in relation to the formulation and implementation of policies pertaining to the right to adequate food;
- b. Civil society and other stakeholders actively participate in the institutions that oversee the realization of the right to adequate food, as well as in formulating capacity-building mechanisms and special measures for disadvantaged groups;
- c. National public hearings are conducted every two (2) years, at which the government is required to report on the progress made on the implementation of this Act, and the progressive realization of the right to adequate food in the country.

Sec. 26. *Penal Provisions.* – The penalty of imprisonment of six (6) months and one (1) day to six (6) years, or a fine of not less than One hundred thousand pesos (P100,000.00) but not more than Five hundred thousand pesos



(₱500,000.00), or both, at the discretion of the court, shall be imposed on any person who causes the starvation or denial of the access to food of any particular individual or group, through the commission of any of the following acts:

- a. Blockade;
- b. Refusal to implement a food-related program;
- c. Discrimination in implementing a food-related program;
- d. Negligence in implementing food-related programs, resulting in death;
- e. Obstructing access to food in times 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 at a school feeding program or other feeding program, in times of calamity or war;
- h. Contamination of food or water sources, through mining activities, aerial spraying of plantations, or any similar means; and
- i. Other analogous acts.

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

*Sec. 27. Civil and Administrative Liabilities.* – The government shall ensure the enjoyment of the rights guaranteed in this Act and to perform the duties provided for in this Act. Appropriate cases may be filed before the courts to compel compliance with the provisions of this Act. These cases shall be without prejudice to liability for damages and administrative liability that may be incurred.

If the violator is a public official or employee, in addition to the penalty of imprisonment or fine or both, the accessory penalty of perpetual absolute disqualification to hold public office shall be imposed.

*Sec. 28. Appropriations.* – There shall be an allocation in the annual budget specifically for the purposes of the implementation of the right to adequate food, in accordance with priorities set by the Commission on the Right to Adequate Food.

1 The allocation shall be aimed at the progressive realization of the right to adequate  
2 food over the long term.

3       Sec. 29. *Implementing Rules and Regulations.* – Within sixty (60) days from  
4 the effectivity of this Act, the Chairperson of the Commission shall, in coordination  
5 with the CHR, DA, DAR, DSWD, DOH, DTI, DPWH, NEDA, NNC, and NAPC, and  
6 people's organizations and human rights non-governmental organizations,  
7 promulgate the necessary rules and regulations for the effective implementation of  
8 this Act.

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

13       Sec. 31. *Separability Clause.* – If any provision of this Act is declared  
14 unconstitutional or invalid, other parts or provisions hereof not affected shall  
15 continue to be in full force and effect.

16       Sec. 32. *Repealing Clause.* – All laws, decrees, executive orders, memorandum  
17 order, memorandum circulars, administrative orders, ordinances, or parts thereof,  
18 which are inconsistent with the right to adequate food and the provisions of this Act,  
19 are hereby repealed or modified accordingly.

20       Sec. 33. *Effectivity Clause.* – This Act shall take effect fifteen (15) days  
21 following its publication in the Official Gazette or in a newspaper of general  
22 circulation in the Philippines.

Approved,