



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

'18 FEB 26 P 4 :34

RECEIVED BY

SENATE

S.B. No. 1707

Introduced by Senator **SONNY ANGARA**

**AN ACT PROVIDING A FRAMEWORK FOR THE RIGHT TO ADEQUATE FOOD**

**EXPLANATORY NOTE**

The United Nations estimated that as of July 2017, the Philippine population already reached 103 million. Our own Commission on Population (POPCOM) meanwhile projected that the number of Filipinos would balloon to nearly 107 million by the end of 2018—reaching 142 million by 2045.

Such a huge and fast-growing population has often been cited as one of the main factors driving the country's enhanced global competitiveness and improving attractiveness to investment. It also poses a burning question that our leadership will need to urgently address—will the country be able to meaningfully provide adequate food and nutrition to present and future generations of Filipinos?

Unfortunately, the Philippines ranked a dismal 79th out of 113 in the 2017 Global Food Security Index by the Economist Intelligence Unit (EIU), falling behind other poor countries including Guatemala, Honduras, Ghana, and Pakistan. Out of 23 Asia-Pacific countries surveyed, the Philippine was 17th, falling behind Sri Lank and Pakistan.

Specifically, we ranked 77th for food affordability, 80th for food availability, 69th for quality and safety and 101st for resilience. Among the sub-categories, the Philippines 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 improving food security ought to be among the foremost concerns that we as a country should urgently address. Food insecurity is a

complex issue, making it essential that an “all-hands-on-deck” approach is adopted when it comes to solving it.

Several laws may already be in place to deal with the issues of food production and agricultural productivity. The urgency of protecting every Filipino’s right to food however makes it imperative that a broader legal framework is established to harmonize all of the country’s policies towards making “Zero Hunger” a palpable reality.

Among its many provisions, the proposed measure explicitly lists down governmental obligations of the State to respect, protect, and fulfill every Filipino’s right to adequate food. This includes the duty to protect every person’s right to adequate food, and “provide guarantees against threats and risks stemming from private actors or societal forces that are controllable by State action”—for instance, by unlawful or irregular rice trading practices.

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**

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**AN ACT PROVIDING A FRAMEWORK FOR THE RIGHT TO ADEQUATE FOOD**

*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*  
2 *Adequate Food 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  
7 aim of this act is to provide a framework, within which hunger will be addressed in an  
8 organized way, and through which hunger may be ended.

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

- 11       a. *Food* means nourishment that includes solid, liquid and semi-liquid  
12 nourishment, as well as drinking water;
- 13       b. *Hunger* means a spectrum of situations, from starvation, which is not having  
14 enough food of any sort to eat, to undernourishment, which is having enough  
15 food to eat, but of inadequate quality;

- 1 c. *Right to adequate food* means the right to have regular, permanent an  
2 unrestricted access, either directly or by means of financial purchases,  
3 to quantitatively and qualitatively adequate and sufficient food, corresponding  
4 to the cultural traditions of the people, to which he or she belongs, and  
5 which ensure a physical and mental, individual and collective, fulfilling and  
6 dignified life, free of fear; and
- 7 d. *Vulnerable groups* refer to those who are particularly disadvantaged. These  
8 include indigenous peoples, ethnic, linguistic or religious minorities, persons  
9 with disabilities, individuals living with HIV/AIDS, refugees and internally  
10 displaced people, women and children.

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

- 20 a. The concept of adequacy is particularly significant in relation to the right to  
21 adequate food since it serves to underline a number of factors which  
22 must be taken into account in determining whether particular foods or  
23 diets that are accessible, can be considered the most appropriate under given  
24 circumstances.

25 The notion of sustainability is intrinsically linked to the notion of adequate  
26 food or food security, implying food being accessible for both present and  
27 future generations. The precise weaning of adequacy is largely determined by  
28 prevailing social, economic, cultural, climatic, ecological and other conditions,  
29 while sustainability incorporates the notion of long-term availability and  
30 accessibility. The core content of the right to adequate food implies:

- 1 i. The availability of food in a quantity and quality sufficient to satisfy the  
2 dietary needs of individuals, free from adverse substances, and  
3 acceptable within a given culture; and  
4 ii. The accessibility of such food in ways that are sustainable, and that do not  
5 interfere with the enjoyment of other human rights.
- 6 b. Dietary needs imply that the diet as a whole contains a mix of nutrients for  
7 physical and mental growth, development and maintenance, and physical  
8 activity, that comply with human physiological needs at all stages throughout  
9 the life cycle, and according to gender and occupation. Measures therefore  
10 need to be taken to maintain, adapt or strengthen dietary diversity and  
11 appropriate consumption and feeding patterns, including breast-feeding, while  
12 ensuring that changes in availability and access to food supply as a minimum do  
13 not negatively affect dietary composition and intake.
- 14 c. Freedom from adverse substances sets requirements for food safety and for a  
15 range of protective measures by both public and private means to  
16 prevent contamination of foodstuffs through adulteration, or through bad  
17 environmental hygiene, or inappropriate handling at different stages  
18 throughout the food chain. Care must also be taken to identify and avoid or  
19 destroy naturally occurring toxins
- 20 d. Cultural or consumer acceptability implies the need also to take into account,  
21 as far as possible, perceived non nutrient-based values attached to food and  
22 food consumption and informed consumer concerns regarding the nature of  
23 accessible food supplies.
- 24 e. Availability refers to the possibilities either for feeding oneself directly from  
25 productive land or other natural resources, or for well-functioning distribution,  
26 processing and market systems that can move food from the site of  
27 production to where it is needed in accordance with demand.

- 1 f. Accessibility encompasses both economic and physical accessibility:
- 2 i. Economic accessibility implies that personal or household costs
- 3 associated with the acquisition of food for an adequate diet should be
- 4 at a level such that the attainment and satisfaction of other basic needs
- 5 are not threatened, or compromised. Economic accessibility applies to
- 6 any acquisition pattern or entitlement through which people procure their
- 7 food, and is a measure of the extent to which it is satisfactory for the
- 8 enjoyment of the right to adequate food. Socially vulnerable groups
- 9 such as landless persons and other particularly impoverished
- 10 segments of the population need attention through special programs; and
- 11 ii. Physical accessibility implies that adequate food must be accessible
- 12 everyone, including physically vulnerable individuals, such as infants
- 13 and young children, elderly people, those belonging to the informal
- 14 sector, the physically disabled, the terminally ill and persons with
- 15 persistent medical problems, including the mentally ill. Victims of
- 16 natural disasters, people living in disaster-prone areas, and other
- 17 specially disadvantaged groups, need special attention, and sometimes
- 18 priority consideration with respect to accessibility of food. A particular
- 19 vulnerability is that of many indigenous population groups whose access to
- 20 their ancestral lands is threatened.

21 **SEC. 5. *Conditions for the Exercise of the Right to Adequate Food.*** – Every

22 person has the right to live in conditions that enable her or him to:

- 23 a. Either feed herself or himself directly from productive land or other natural
- 24 resources, or rely on well-functioning distribution, processing and market
- 25 systems, or both;
- 26 b. Be financially able, not only to acquire a sufficient quantity and quality of food,
- 27 but also to satisfy her or his other basic needs;
- 28 c. Be safe from the risk of losing access to food, as a consequence of
- 29 sudden shocks, like an economic or climatic crisis, or cyclical events, such as

1 seasonal food insecurity;

2 d. Have the opportunity of good food utilization, through access to an adequate  
3 diet, clean water, sanitation and health care, to reach a state of nutritional  
4 well-being, where all physiological needs are met; and

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

7 Every girl and boy has a right to adequate food and nutrition adequate for her  
8 or his age, allowing her or him to grow and develop.

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

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

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

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

24 All forms of discrimination against women with regard to the guaranteed right to  
25 adequate food, including less favorable treatment of women for reasons of

1 pregnancy and maternity, will be eliminated and prevented. The equality of  
2 opportunities between men and women will be promoted.

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

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

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

16 b. Accountability: Public officials are answerable to their superiors, and to the  
17 people they serve, for their actions. Application of the principle of  
18 accountability in the context of the framework law requires clear assignment  
19 of responsibilities and functions to public authorities for implementation of  
20 the framework law and any subsequent measures to be taken. In addition, the  
21 expected results are spelled out clearly and appropriate procedures are  
22 established.

23 c. Non-discrimination: It is a level of protection of human rights objectively and  
24 reasonably the same for everybody, irrespective of sex, age, race, color,  
25 religion or any other ground. In addition to specifically prohibiting  
26 discrimination on any ground, this principle requires specific measures aimed  
27 at correcting *de facto* discrimination or eliminating conditions that cause or  
28 help to perpetuate discrimination, as well as measures promoting equality. In



- 1 the context of this framework act, it means paying particular attention to  
2 those groups that cannot enjoy their rights as fully as others.
- 3 d. Transparency: It is open access by the public to timely and reliable  
4 information on the decisions and performance of public authorities. Holders of  
5 public office are as open as possible about all their decisions and actions that  
6 may affect the free exercise of the right to adequate food. Applying the  
7 principle of transparency within the context of the framework law means that  
8 right-holders are provided with essential information about the decision-  
9 making process and those accountable and responsible for it. Right-holders  
10 also have the power to demand information on the process that feed into the  
11 achievement of the particular entitlement, with an easy and low-cost  
12 corrective check to maladministration.
- 13 e. Human dignity: It is the absolute and inherent worth that persons have, simply  
14 because they are human, not by virtue of any social status or particular powers.  
15 The framework law recognizes in an unequivocal form that every person has  
16 a right to adequate food. To comply with this principle in the implementation of  
17 the framework act, the State, through its public officials, treats persons  
18 equally and respects their human worth and dignity.
- 19 f. Empowerment: People have the power, capacities, capabilities and access  
20 needed to change their own lives, including the power to seek from the  
21 State remedies for violations of their human rights. This principle is the logical  
22 consequences of all the preceding principles. In the context of the framework  
23 act, the empowerment principle entails the inclusion of specific provisions on  
24 awareness-raising, capacity-building and right to adequate food education.
- 25 g. Rule of law: It means that governmental authority is legitimately exercised  
26 only in accordance with written, publicly disclosed and accessible law,  
27 adopted and enforced in conformity with established procedures. The principle  
28 is intended as a safeguard against arbitrary use of State authority and lawless  
29 acts of both organizations and individuals. Any implementing rules and

1 regulations to be adopted for ensuring the implementation of the framework  
2 act will be clear, fair and accessible. The rule of law also means that no  
3 person or body can breach the law with impunity. There is access to justice  
4 including the right to an effective remedy for anyone whose rights were  
5 violated, as well as the guarantee of due process in all legal proceedings.

6 **SEC. 9. Governmental Obligations.** – The State has the duty to respect, protect  
7 and fulfill the right to adequate food.

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

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

23 c. Fulfill: It is the duty of the State to facilitate the enjoyment of the right to  
24 adequate food by adopting or pursuing appropriate policies and measures, in a  
25 manner to foster and promote the human right to adequate food and to  
26 create and maintain conditions under which every person can freely and  
27 regularly enjoy his or her right to adequate food. It is equally the duty of the  
28 State to provide the right to adequate food, by adopting and putting in place  
29 measures to provide food, or means for its procurement, to persons who

1 cannot take care of their own needs, due to reasons beyond their  
2 control, in particular for children whose parents die or disappear or  
3 otherwise no longer take care of them.

4 **SEC. 10. Targets.** – The Government will ensure that in two and a half years,  
5 the incidence of hunger will be reduced, from the level current at the time of the  
6 passage of the framework act, by 25%; in five years, it will be further reduced by  
7 25%; in seven and a half years, it will be further reduced by 25%; and in 10 years,  
8 zero hunger will be achieved.

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

- 15 a) percentage of development of ancestral lands;
- 16 b) percentage of rural population with access to productive resources;
- 17 c) share of budget spent on programs aiming at creating access to productive  
18 resources;
- 19 d) percentage of budget spent on agri-research, agri-extension, irrigation,  
20 training, technology, credits and rural development;
- 21 e) percentage of rural female-headed households, or rural women, with legal  
22 title to agriculture land;
- 23 f) percentage of public budget allocation for social transfer programs to those  
24 unable to feed themselves;
- 25 g) coverage of marginalized and disadvantaged population taking part in social  
26 transfer programs;
- 27 h) percentage of marginalized and disadvantaged population covered by a  
28 public nutrition supplement program;
- 29 i) percentage of population aware of available food and nutrition programs; and  
30 j) coverage of school feeding programs.

1        Periodic reviews will be undertaken to ensure compliance with set targets. In the  
2 implementation of this framework act, priority will be given to identified areas with  
3 chronically malnourished individuals. In measuring the incidence of hunger, the key  
4 primary data sources will include the National Nutrition Surveys (NNS); the Survey of  
5 Hunger Incidence in the Philippines (SHIP); the self-rated hunger indicator of the  
6 Social Weather Stations (SWS); and household surveys of the Philippine Statistics  
7 Authority (PSA), namely the Family Income and Expenditure Survey (FIES) and the  
8 Annual Poverty Indicators Survey (APIS). There shall be authorized to be  
9 appropriated such amounts as necessary to carry out the provisions of this Act, to  
10 be included in the annual budget of the Department of Tourism in the General  
11 Appropriations Act.

12        **SEC. 11. *Impact Assessment.*** – All proposed government actions, plans and  
13 projects, including any development plan, will take into account the right to adequate  
14 food, and will undergo an objective impact assessment prior to its adoption and  
15 implementation. The steps for this objective impact assessment include:

- 16        a. Screening: identifying proposals subject to impact assessment, and their level  
17        of detail;
- 18        b. Scoping: identifying the issues and impacts that are 'likely to be significant for  
19        the effective enjoyment of the right to adequate food;
- 20        c. Examination of alternatives: determining other options for achieving the same  
21        objectives as those of the proposal;
- 22        d. Impact analysis: identifying and predicting the likely social, economic,  
23        environmental, and other related effects of the proposal;
- 24        e. Mitigation and impact management: establishing measures necessary to  
25        avoid or minimize predicted adverse impacts, and to incorporate these into  
26        the proposal implementation plan;
- 27        f. Impact statement or report: assessment of significant outcomes including a  
28        simplified summary for public debate;
- 29        g. Public consultation: seeking the public's input on matters affecting them;
- 30        h. Review of the impact assessment report: determining whether the report

1 identifies all relevant information on the possible impacts on the enjoyment of  
2 the right to adequate food, takes into consideration all potential social,  
3 economic, environmental and other effects of the proposal, and contains  
4 concerns and comments of the potentially affected population, and all  
5 the information necessary for decision-making;

- 6 i. Decision-making: approving or rejecting the proposal, and establishing the  
7 terms and conditions for its implementation;
- 8 j. Evaluation and monitoring: systematic determination of merit, worth and  
9 significance.

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

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

- 15 a. It will be composed of a Chairperson and two members who must be natural-  
16 born citizens of the Philippines and, at the time of their appointment, at least  
17 thirty-five years of age, and must not have been candidates for any elective  
18 position in the elections immediately preceding their appointment. At least  
19 one of them will be a member of the Philippine Bar. This Commission will be  
20 an agency attached to the Commission on Human Rights of the Philippines.

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

1           The Chairperson and the Members will be appointed by the President for a  
2 term of seven years without reappointment. Appointment to any vacancy will  
3 be only for the unexpired term of the predecessor. Of those first appointed,  
4 the Chairperson will hold office for seven years, a Commissioner for five  
5 years, and another Commissioner for three years, without reappointment.  
6 Appointment to any vacancy shall be only for the unexpired term of the  
7 predecessor. In no case will any Member be appointed or  
8 designated in a temporary or acting capacity.

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

13       b. The Commission on the Right to Adequate Food will have the following  
14 powers:

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

1 violation and compensation to victims of violations of the right to adequate  
2 food;

3 7) Monitor the Philippine Government's compliance with its obligations in  
4 regard to the right to adequate food;

5 8) Request the assistance of any department, bureau, office or agency in the  
6 performance of its functions;

7 9) Appoint officers and employees in accordance with law; and

8 10) Perform such other duties and functions as may be provided by law.

9 c. In exercising its powers and duties, the Commission on the Right to  
10 Adequate Food will:

11 1) Apply the human rights principles established by this act;

12 2) Work in close cooperation with representatives of civil society and take  
13 their views into consideration; and

14 3) Use, to the fullest possible extent, the services, facilities and information,  
15 including Statistical information, of the relevant public and private bodies  
16 and organizations, to prevent duplication of effort and expenses.

17 **SEC. 13. Institutional Responsibilities.** – In implementing the right to adequate  
18 food, the Commission on the Right to Adequate Food may call out other agencies to  
19 ensure the right to adequate food. In the implementation of the right to adequate  
20 food, the Department of Agriculture will have the primary duty to ensure food  
21 availability, stability and adequacy; the Department of Health will have the primary  
22 duty to ensure food quality and safety; the Department of Trade and Industry will  
23 have the primary duty to ensure physical and economic access to food; and the  
24 Department of Public Works and Highways will have the primary duty to ensure  
25 well-functioning distribution, processing and market systems.

26 **SEC. 14. Inter-Agency Council on the Right to Adequate Food.** – To facilitate  
27 inter-agency cooperation, there is hereby established an Inter-Agency Council on the  
28 Right to Adequate Food, which will be headed by the Chairperson of the  
29 Commission on the Right to Adequate Food, and which will be composed additionally

1 of the following agencies and representatives:

- 2 a. Department of Agriculture (DA);
- 3 b. Department of Agrarian Reform (DAR);
- 4 c. Department of Health (DOH);
- 5 d. Department of Trade and Industry (DTI);
- 6 e. Department of Public Works and Highways (DPWH);
- 7 f. Department of Environment and Natural Resources (DENR);
- 8 g. Department of Energy (DOE);
- 9 h. Department of Social Welfare and Development (DSWD);
- 10 i. National Economic and Development Authority (NEDA);
- 11 j. National Anti-Poverty Commission (NAPC);
- 12 k. National Disaster Risk Reduction and Management Council (NDRRMC);
- 13 l. Philippine News Agency (PNA);
- 14 m. Philippine Information Agency (PIA);
- 15 n. Two representatives of people's organizations; and
- 16 o. Two representatives of non-governmental organizations.

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

21 The Council members that are government agencies may designate their duly  
22 authorized representative, who will have a rank not lower than an assistant  
23 secretary or its equivalent. The Council members who are representatives of  
24 people's organizations and non-governmental organizations will be chosen by the  
25 Commission on the Right to Adequate Food from a list of nominees provided by  
26 people's organizations and non-governmental organizations engaged in the  
27 promotion of the right to adequate food. These members will attend Council  
28 meetings, and will receive emoluments as may be determined by the Council, in  
29 accordance with existing budget and accounting rules and regulations.



1       **SEC. 15. *Minimum Amount of Food.*** – The Commission on the Right to  
2 Adequate Food, in coordination with the Department of Social Welfare and  
3 Development, will ensure regular, reliable and timely delivery of a minimum amount  
4 of food, or the means for its procurement, to persons who are suffering from hunger  
5 or undernourishment, or are at risk from suffering from hunger or undernourishment,  
6 but who cannot take care of their own needs, due to reasons beyond their control,  
7 including, but not limited, to children whose parents die or disappear, or otherwise no  
8 longer take care of them, elderly, and persons with disabilities.

9       Implementing rules and regulations will be adopted on the minimum amount of  
10 food. These implementing rules and regulations will determine the exact quantity of  
11 calories, proteins and micronutrients, to which the minimum amount of food will  
12 correspond, according to the age, sex, health status and occupation of a person. There  
13 will be a simple and accessible application or certification procedure for the minimum  
14 amount of food entitlement, as provided for in the implementing rules and regulations.  
15 There will be transparent, fair and non-discriminatory eligibility or certification criteria.

16       Fair, independent and accessible recourse procedures to the Commission on the  
17 Right to Adequate Food for complaints and appropriate remedies in case of a  
18 determined violation of the right to adequate food, will be established. There will  
19 also be an appropriate monitoring and evaluation mechanism in which the DSWD  
20 will report to the Commission on the Right to Adequate Food on a regular basis. The  
21 national budget will include a specific item allocating resources necessary for the  
22 implementation of this fundamental right. Specific support measures will be designed  
23 and adopted to prevent or compensate for disadvantages that identified vulnerable  
24 persons or groups suffer from, in regard to the enjoyment of their right to adequate  
25 food. The Commission on the Right to Adequate Food will review proposed support  
26 measures and, where necessary, will give further guidance, so as to ensure that all  
27 groups are covered appropriately.

28       **SEC. 16. *Emergencies.*** – The Commission on the Right to Adequate Food, in  
29 coordination with the National Disaster Coordinating Council, will have the duty to  
30 ensure that:

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

8 **SEC. 17. *Information.*** – All government agencies, under the direction of the  
9 Commission on the Right to Adequate Food, in coordination with the Philippine News  
10 Agency and Philippine Information Agency, have a duty to:

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

19 **SEC. 18. *Education and Awareness Raising.*** – The Commission on the Right  
20 to Adequate Food, in coordination with the Department of Education, Commission  
21 on Higher Education and Technical Education and Skills Development Authority, will  
22 have the duty to ensure that:

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

1       **SEC. 19. *International Cooperation.*** – The Commission on the Right to  
2 Adequate Food, in coordination with the Commission on Human Rights and the  
3 Department of Foreign Affairs, will have the duty to:

- 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; and  
7       b. Promote international cooperation and provide assistance to ensure the  
8 realization of the right to adequate food in other countries, if in a position to  
9 do so.

10       **SEC. 20. *Monitoring System.*** – There will be an integrated monitoring system  
11 in which all government agencies at all levels, under the supervision of the  
12 Commission on the Right to Adequate Food, will:

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

19       **SEC. 21. *Representation and Participation of People's Organizations and***  
20 ***Civil Society.*** – To guarantee public participation, the Commission on the Right  
21 to Adequate Food has the duty to ensure:

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

1       **SEC. 22. Penal Provisions.** – The penalty of *prison mayor* will be imposed on  
2 any public or private actor, who deliberately starves or denies access to food to any  
3 particular individual or group, as through the commission of any of the following acts:

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

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

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

20       **SEC. 23. Civil and Administrative Liabilities.** – Any public officer or employee  
21 who directly or indirectly obstructs, defeats, violates or in any manner impedes or  
22 impairs any of a person's rights guaranteed in this framework act, will be liable to this  
23 person for damages. Any violation of a provision of this framework act, whether  
24 committed by public or private actors, will similarly give rise to liability for damages.

25       It is hereby declared a ministerial duty on the part of the Government to ensure  
26 the enjoyment of the rights guaranteed in this framework act, and to perform the  
27 duties embodied in it. Appropriate cases may be filed before the courts to compel

1 compliance with the provisions of this act. These cases will be without prejudice to  
2 liability for damages, as well as administrative liability that may be incurred.

3 **SEC. 24. Appropriations.** – There shall be authorized to be appropriated such  
4 amounts as necessary to carry out the provisions of this Act. Afterwards, such sums  
5 as may be necessary for the continued implementation of this act shall be included in  
6 the annual General Appropriations Act. There will be an allocation of specific and  
7 sufficient resources for the purposes of the implementation of the right to adequate  
8 food, in accordance with priorities set by the Commission on the Right to Adequate  
9 Food. The allocation will be aimed at the progressive realization of the right to  
10 adequate food over the long term. Every person's right to be free from hunger can  
11 never be deviated from by temporary or permanent cutbacks.

12 **SEC. 25. Implementing Rules and Regulations.** – The Commission on  
13 Human Rights will issue the necessary rules and regulations to implement the  
14 provisions to of this act within sixty (60) days from its effectivity. In the formulation of  
15 these rules and regulations, the Commission on Human Rights will take the lead and  
16 will coordinate with the DA, DAR, DSWD, DTI, DPWH, NEDA, and NAPC, and with  
17 the active participation of people's organizations and human rights nongovernmental  
18 organizations.

19 **SEC. 26. Rationalization of Policies.** – All existing policies, laws, decrees,  
20 executive orders, memorandum orders, memorandum circulars, administrative  
21 orders, and ordinances will be rationalized in accordance with the right to adequate  
22 food, as provided for by this framework act.

23 Laws affecting the realization of the right to adequate food will be interpreted in a  
24 way compatible with the right to adequate food and this framework act.

25 The cabinet secretaries concerned and other executive authorities will report, at  
26 regular intervals, to the Commission on the Right to Adequate Food, on legislative  
27 and regulatory measures that have been elaborated and adopted, and the  
28 timeframes within which they are envisaged to achieve their objectives.

1       **SEC. 27. Reparability Clause.** – If any provision or part hereof, is held invalid or  
2 unconstitutional, the remainder of the law of the provision not otherwise affected  
3 shall remain valid and subsisting.

4       **SEC. 28. Repealing Clause.** – Any law, presidential decree or issuance,  
5 executive order, letter of instruction, administrative order, rule or regulation contrary,  
6 or inconsistent with; the provisions of this Act is hereby repealed, modified or  
7 amended accordingly.

8       **SEC. 29. Effectivity Clause.** – This Act shall take effect fifteen (15) days after its  
9 publication in at least two (2) newspapers of general circulation.

*Approved,*