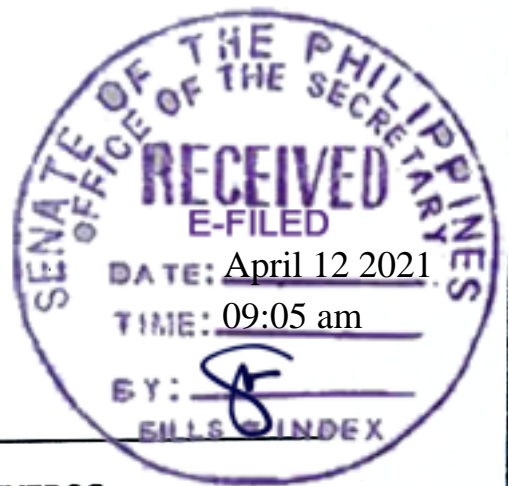


**EIGHTEENTH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES
Second Regular Session**

SENATE

S. B. No. 2126



INTRODUCED BY SENATOR RISA HONTIVEROS

**AN ACT
ENSURING ZERO HUNGER FOR ALL FILIPINOS**

EXPLANATORY NOTE

The government response to the pandemic have had both a positive and a negative impact on the lives of the people, the environment, and on the nation's economy. Health authorities agree that the enhanced community quarantine (ECQ) imposed by the government helped curb the spread of the new coronavirus to more people. The cash assistance under the Bayanihan to Heal as One Act provided much-needed relief especially to households that lost their means of living as a result of the lockdown. However, not all the target beneficiaries of the subsidies have received the aid.

The lockdown, however, had the most serious effect on everyone, and the ecosystems that are critical for food production perhaps would have the most long-lasting impact. By the end of April 2020, the country's unemployment rate ballooned to 17.7% and 7.3 million Filipinos were left jobless. This is the highest unemployment rate in 15 years. However, unemployment is only one aspect of the massive job destruction and earnings losses caused by the quarantine and lockdown. Other labor market impacts include 8 million jobs lost (causing 5 million more unemployed and 3 million more outside the labor force); 1 million new jobs foregone (average annual job creation in last three years); 12 million workers with jobs but did not work due to the ECQ (including no-work-no-pay workers); and 5 million underemployed (worked less than 40 hours) due to the ECQ. Daily wage earners, or those employed under the no-work-no-pay labor policy, are among the hardest hit by the lockdown.

Job destruction spared no sector, subsector, occupation, class of worker, or region. While the ECQ was limited to Luzon, job losses hit all regions roughly in proportion to

their share in employment prior to the ECQ, indicating that government's response rather than Covid-19 itself gutted the labor market. The burden of unemployment disproportionately fell on older workers and workers with less education. The number of unemployed rose five to five-and-a-half times among workers 45 years and older, and tripled among younger workers. It quadrupled among those who did not finish high school and doubled among those who at least finished high school.¹

The country's first quarter GDP contracted by 0.2 percent, the lowest quarterly growth in more than 20 years² after 84 straight quarters of growth.³ Government had previously targeted 6.5% to 7.5% GDP growth for 2020, but this target will clearly not be met. Oxford Economics estimates that, as a result of the lockdown, the country lost roughly PHP 1.13 trillion or 5.8 % of its GDP.⁴

Even worse, millions of workers and their families have lost their sources of income, the food supply chain has been severely disrupted and those who live in poverty have suffered economic dislocation, heightened uncertainty and even panic. Many informal sector workers, who earn based on "no work, no pay" tried to defy the travel ban;⁵ some were arrested and treated poorly.

Based on the business rapid assessment survey for agriculture and fisheries sector conducted by the National Economic Development Authority, php 94.3 million was lost from unsold produce in the country during the 45-day lockdown period in Luzon. The fisheries sector contributed to php 8.78 million direct losses from unsold produce in Luzon, with the biggest chunk coming from CALABARZON at php3.27 million, followed by Central Luzon with php 2.15 million.⁶

For the near future, many fear that what the country will suffer will be worse than what it suffered during the global financial crisis in 2008. The country is falling into

¹ Clarence Pascual, "Labor Market Carnage: 26 Million Workers Lose Jobs, Earnings During ECQ," June 9, 2020.

² Anri Chimura, "PH GDP Declines by 0.2% in First Quarter of 2020, The Lowest Quarterly Growth in More Than 20 Years," May 7, 2020, <https://www.esquiremag.ph/money/industry/ph-q1-2020-decline-a00304-20200507> accessed on May 30, 2020.

³ Ben O. de Vera, "PH output losses due to COVID-19 lockdown highest in Asean-5, says UK think tank," May 7, 2020, <https://business.inquirer.net/296718/ph-output-losses-due-to-covid-19-lockdown-highest-in-asean-5-says-uk-think-tank#ixzz6Nn6Bfssr> accessed on May 29, 2020.

⁴ Ben O. de Vera, "PH output losses due to COVID-19 lockdown highest in Asean-5, says UK think tank," May 7, 2020, <https://business.inquirer.net/296718/ph-output-losses-due-to-covid-19-lockdown-highest-in-asean-5-says-uk-think-tank#ixzz6Nn6Bfssr> accessed on May 29, 2020.

⁵ Manuel M. Dayrit and Ronald U. Mendoza, "COVID-19: Countering the Economic Contagion," March 24, 2020, <https://thediplomat.com/2020/03/covid-19-countering-the-economic-contagion/> accessed on May 31, 2020.

⁶ Inter-Agency Task Force Technical Working Group for Anticipatory and Forward Planning. (2020). We recover as one. National Economic Development Authority.

recession in 2020, with bank and other economists predicting slower GDP growth, rather than labeling it outright as recession. The Asian Development Bank projects the Philippines' GDP to grow at 2.0% in 2020 but expects a strong recovery to 6.5% GDP growth in 2021, assuming that COVID-19 infections in the country is still rising. But ADB warned that economic recovery may lag if its engines—the supply chain, businesses, and their workforce—cannot be jumpstarted as soon as possible. ADB projects that the Philippines may shed over 4 percent of GDP from a domestic COVID-19 outbreak, on top of a smaller less than 2 percent of GDP impact coming from global spillovers. According to the ADB, a less-desirable U-shape recovery is possible if disrupted supply chains are not restored quickly, workers are not rehired immediately, or businesses are slow to restart operations in the Philippines. While 2020 will be a challenge for the Philippine economy, the ADB said the country's expansionary government policies should facilitate an upturn in 2021. In 2021, the ADB sees Philippine GDP growth to settle at the lower end of the government's 6.5 to 7.5 percent target.⁷

Due to the limitations on movement, work and economic activity, life under lockdown has been extremely difficult, especially for those already impoverished, the homeless and daily wage earners. Unable to work, unable to feed their families, those who live in poverty feared more of dying of hunger rather than of COVID-19.⁸ Meals were severely inadequate: one plate of rice doused with soy sauce shared by a family of seven; two meals a day, one consisting of sardines and the other of noodles;⁹ plates of rice with soy sauce and oil;¹⁰ many ate nothing at all.¹¹

⁷ Ben O. de Vera, "COVID-19 impact: PH economic health hinges on return of workers, businesses, supply chain, says ADB," April 3, 2020, <https://business.inquirer.net/294064/covid-19-impact-ph-economic-health-hinges-on-return-of-workers-businesses-supply-chain-says-adb#ixzz6Nye4OILE> accessed on May 31, 2020.

⁸ Jason Gutierrez, The New York times, "Will we die hungry? A teeming Manila slum chafes under lockdown," April 17, 2020, <https://www.nytimes.com/2020/04/15/world/asia/manila-coronavirus-lockdown-slum.html> accessed on May 28, 2020; see Eloisa Lopez, Reuters, "In Philippine slums, heat, hunger take a toll under lockdown," <https://www.reuters.com/article/us-health-coronavirus-philippines-slums/in-philippine-slums-heat-hunger-take-a-toll-under-lockdown-idUSKBN231150> accessed on May 28, 2020; see also Rambo Talabong and Jodesz Gavilan, Rappler, "'Walang-wala na' Poor Filipinos fear death from hunger more than coronavirus," April 2, 2020, <https://www.rappler.com/newsbreak/in-depth/256695-poor-filipinos-fear-death-from-hunger-more-than-coronavirus> accessed on May 28, 2020.

⁹ Eloisa Lopez, Reuters, "In Philippine slums, heat, hunger take a toll under lockdown," <https://www.reuters.com/article/us-health-coronavirus-philippines-slums/in-philippine-slums-heat-hunger-take-a-toll-under-lockdown-idUSKBN231150> accessed on May 28, 2020.

¹⁰ Rambo Talabong and Jodesz Gavilan, Rappler, "'Walang-wala na' Poor Filipinos fear death from hunger more than coronavirus," April 2, 2020, <https://www.rappler.com/newsbreak/in-depth/256695-poor-filipinos-fear-death-from-hunger-more-than-coronavirus> accessed on May 28, 2020.

¹¹ Rambo Talabong and Jodesz Gavilan, Rappler, "'Walang-wala na' Poor Filipinos fear death from hunger more than coronavirus," April 2, 2020, <https://www.rappler.com/newsbreak/in-depth/256695-poor-filipinos-fear-death-from-hunger-more-than-coronavirus> accessed on May 28, 2020.

Hunger drove some Filipinos to the streets. Just 15 days into ECQ, on April 1, 2020, dozens of residents of Sitio San Roque, Quezon City, and members of *Samahan Ng Magkakapitbahayang North Triangle Association* (SAMANA), occupied a section of EDSA in Quezon City, some demanding food assistance from government, while others thought that food aid would be distributed there. Rallies, protest actions, and mass actions, however, are prohibited during the lockdown. Police dispersed the crowd and arrested 21 people and detained them at Camp Karingal, the Quezon City Police District headquarters, where, ironically, they were held without proper physical distancing. They were charged with violating the public assembly law, noncooperation under Republic Act No. 11332, disobedience of a lawful order, spreading of false information and impeding access to roads. They posted bail, largely with the assistance of sympathetic people and were eventually released after spending five days in jail. All those arrested represented those who were hungry and unable to work due to the quarantine.

The real health disaster is still ahead of us. It will not be enough to provide short term solutions. There should be a long-term perspective to strike at the root of the problem to be able to provide a secure future and ensure the right to food of all Filipinos.

Food not only satisfies hunger. More importantly, and this is elementary but still worth repeating, food fortifies the body to enable a person to be a productive member of society and to help fight against any ailment. That is the reason that the right to food is a human right to life.

Under the present condition, food must be one of the highest priorities in fund allocation for national spending to show the national government's commitment in taking the lead toward food self-sufficiency in order to address the weak performance of the agriculture sector that has been attributed to the failures and shortcomings in the policy and institutional environment.

There are glaring gaps in domestic legislation that has to be addressed to ensure freedom from hunger. The Philippines does not have a legal framework governing the right to adequate food (RTAF). There is a lack of national comprehensive policy on hunger and poverty eradication and there is no particular provision in the 1987 constitution on freedom from hunger. There is a need to rationalize all existing laws policies, decrees and issuances relevant to hunger and poverty (conflicting policies cause crises in program planning and implementation). The national budget does not reflect the obligation of the government to eradicate hunger, thus creating issues of poor performance in the implementation of laws related to food as can be seen in the lack of government support

to agriculture, fisheries and agrarian reform and the lack of safeguards to cushion the negative effects of food price volatility.

These all lead to economic and political uncertainties and the multiple risks associated with unclear policies and how this in turn heightens the vulnerability of the poor to hunger and malnutrition directly affected by the impact of the lockdown, including environmental and climate change.

With this as backdrop, this proposed law will set a platform to correct this anomaly in order to pave the way to achieve an inclusive, social, equal and sustainable growth and development to ensure food for all Filipinos.

The immediate passage of this law is earnestly sought.

Risa Hontiveros
RISA HONTIVEROS

EIGHTEENTH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES
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SENATE

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INTRODUCED BY SENATOR RISA HONTIVEROS

**AN ACT
ENSURING ZERO HUNGER FOR ALL FILIPINOS**

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

1 Sec. 1. *Short Title.* – This Act shall be known as “Ensuring Zero Hunger for All
2 Filipinos.”

3 Sec. 2. *Declaration of Policy.* – Consistent with the principles enshrined in the
4 Constitution as well as the provisions of the International Covenant on Economic, Social
5 and Cultural Rights, Convention on the Rights of the Child, and the Convention on the
6 Elimination of All Forms of Discrimination Against Women, to which the Philippines is a
7 State Party, it is hereby declared the policy of the State to guarantee the right to adequate
8 food.

9 Article II of the 1987 Constitution states:

10 Section 9. The State shall promote a just and dynamic social order that will ensure
11 the prosperity and independence of the nation and free the people from poverty
12 through policies that provide adequate social services, promote full employment,
13 a rising standard of living, and an improved quality of life for all.

14 Section 11. The State values the dignity of every human person and guarantees
15 full respect for human rights.

16 Section 21. The State shall promote comprehensive rural development and
17 agrarian reform.

18 Article 11 of the International Covenant on Economic, Social and Cultural Rights provides:

19 1. The States Parties to the present Covenant recognize the right of everyone to
20 an adequate standard of living for himself and his family, including adequate food,
21 clothing and housing, and to the continuous improvement of living conditions. The
22 States Parties will take appropriate steps to ensure the realization of this right,
23 recognizing to this effect the essential importance of international cooperation
24 based on free consent.

1 2. The States Parties to the present Covenant, recognizing the fundamental right
2 of everyone to be free from hunger, shall take, individually and through
3 international co-operation, the measures, including specific programmes, which
4 are needed:

5 (a) To improve methods of production, conservation and distribution of food
6 by making full use of technical and scientific knowledge, by disseminating
7 knowledge of the principles of nutrition and by developing or reforming
8 agrarian systems in such a way as to achieve the most efficient
9 development and utilization of natural resources;

10 (b) Taking into account the problems of both food-importing and food-
11 exporting countries, to ensure an equitable distribution of world food
12 supplies in relation to need.

13 Freedom from hunger is a fundamental entitlement of every Filipino, but it remains a
14 significant challenge in the country, with official statistics showing an increase in the
15 incidence of hunger among Filipinos during the COVID-19 pandemic.

16 Hunger is inconsistent with the principles of equity, social justice and improved quality of
17 life enshrined in the 1987 Constitution and with human dignity and human rights, and
18 must be eliminated.

19 The Philippines has committed itself to end hunger and eradicate poverty by 2030, as
20 part of the Sustainable Development Goals.

21 One of the objectives of the Philippine Development Plan 2017-2022 is to reduce poverty
22 significantly.

23 There is a pressing need to reexamine and calibrate government policy to
24 comprehensively eliminate hunger.

25 The whole of government must take positive steps toward ending hunger progressively
26 in a coherent, accountable, transparent and organized manner, with the active
27 participation of the population and without any form of discrimination.

28 Adequate food is not a matter of charity, but a legal entitlement. Hunger is inconsistent
29 with human dignity and human rights, and must be eliminated. The State shall provide
30 for a framework to address and eliminate hunger in an organized manner.

31 *Sec. 3. Freedom from Hunger.* – Every person has a right to be free from hunger.
32 *Hunger* refers to a condition in which people do not get enough food to eat to provide
33 the necessary nutrients for a fully productive, active and healthy living due to the
34 unavailability and inaccessibility of food. It can be acute, such as during a major disaster
35 when food supply channels are cut, or chronic, when people are regularly not getting
36 enough food to conduct an active life for a long time. It is also a condition of starvation,

1 which is not having enough food of any sort to eat, or undernourishment, which is having
2 food but of inadequate quality. Every person suffering from hunger or malnutrition or at
3 risk of suffering from hunger or undernutrition is entitled to a minimum amount of food
4 according to one's age, sex, health status and occupation, as provided for in Section 13.

5 Sec. 4. *Condition to Remain Free from Hunger.* – For every Filipino to remain free
6 from hunger, s/he must live in conditions that will enable him/her:

- 7 a) To feed directly from productive land or other natural resources, or rely
8 on well functioning food distribution, processing and market systems, or
9 both;
- 10 b) To financially acquire a sufficient quantity and quality of food and to satisfy
11 other basic needs;
- 12 c) To be safe from the risk of losing access to food, as a consequence of
13 sudden shocks, such as an economic or climatic crisis, or one that is
14 brought about by a national health emergency such as the COVID-19
15 pandemic, or one that caused the internal displacement of people, or
16 cyclical events, such as seasonal food scarcity;
- 17 d) To have the opportunity of good food utilization through access to
18 adequate diet, clean water, sanitation and health care and to reach a state
19 of nutritional well being where all physiological needs are met; and
- 20 e) To access food or diet that is the most appropriate under given
21 circumstances, in terms of their nutritional value and cultural acceptability.
- 22 f) All Departments and attached agencies and bureaus shall ensure that their
23 rules and regulations, plans and programs, activities and projects are
24 focused on creating and/or maintaining the above conditions.

25 Sec. 5. *Eradication of Hunger by 2030.* — The State shall ensure that, in two- and-
26 a-half (2-1/2) years after the effectivity of this Act, the incidence of hunger will be reduced
27 by twenty-five percent (25%) from the level recorded at the time of the passage of this
28 Act. *Provided,* That five (5) years after the effectivity of this Act, such incidence of hunger
29 will be further reduced by twenty-five percent (25%): *Provided, further,* That in seven
30 and a half (7 1/2) years, it will be further reduced by twenty-five percent (25%): *Provided,*
31 *finally,* That by 2030, there shall be zero incidence of hunger.

32 Sec. 6. *Fully Integrated Whole of Government Approach to Eradicate Hunger.* — To
33 eliminate hunger by 2030, the State adopts a comprehensive whole-of-government
34 approach to policy and plan development and implementation, program management and
35 service delivery. All Departments and their attached agencies and bureaus shall work

1 together across portfolio boundaries to achieve an integrated government response to
2 eliminate hunger. In particular, all departments and their attached agencies shall:

- 3 a) Plan, program and budget in conjunction with each other;
- 4 b) Collaborate in the review, design and delivery of policy, programs and
5 services;
- 6 c) Coordinate and communicate through formal and informal channels
7 toward more timely and effective implementation of policy decisions;
- 8 d) Implement policies in an integrated manner;
- 9 e) Share information and data and cooperate in knowledge management;
- 10 f) Effectively align policies, programs, activities and projects;
- 11 g) Share reporting duties; and
- 12 h) Engage with civil society organizations, business and the private sector,
13 and ensure their active participation in policy, plan and program design
14 and implementation.

15 *Sec. 7. Commission on the Right to Adequate Food.* – There is hereby created a
16 Commission on the Right to Adequate Food, hereinafter referred to as the Commission,
17 which shall be attached to the Office of the President.

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

26 It shall formulate a National Food Policy (NFP) and implement programs of action to
27 eradicate hunger, achieve food security, improve nutrition and promote sustainable
28 agriculture. [in coordination with relevant government agencies and in consultation with
29 civil society organizations and the private sector.

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

- 31 a) Receive complaints of violations of the right to adequate food from
32 individuals and groups;
- 33 b) Investigate, *motu proprio*, or upon complaint by any party, all forms of
34 violations of the right to adequate food;
- 35 c) Adopt operational guidelines and rules of procedure, and cite for
36 contempt for their violation, in accordance with the Rules of Court.

- d) Provide appropriate legal measures for the protection of the right to adequate food of all persons within the Philippines, as well as Philippine citizens residing abroad, and provide for preventive measures and legal aid services to the under-privileged whose right to adequate food has been violated or needs protection;
- e) Establish a continuing program of research, education and information to enhance respect for the primacy of the right to adequate food;
- f) Recommend to Congress effective measures to promote the right to adequate food, to harmonize existing laws affecting the right to adequate food, to ensure their complementation, and the availability of remedies for violations and compensation to victims of violations of the right to adequate food;
- g) Evaluate key programs of agencies and monitor agency local and national government compliance with obligations in regard to the right to adequate food;
- h) Together with the DBM, lead the conduct of national local- or inter- local convergence planning and budgeting pertaining to programs implementing right to adequate food and food security;
- i) Request the assistance of any Department, bureau, office or agency in the performance of its functions;
- j) Appoint officers and employees in accordance with law; and
- k) Perform such other duties and functions as may be provided by law.

The Commission shall be composed of a Chairperson and two (2) Members who must be natural-born citizens of the Philippines and, at the time of their appointment, at least forty-five (45) years of age, and must not have been candidates for any elective position in the elections immediately preceding their appointment. At least one (1) of them must be a member of the Philippine Bar.

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

The Chairperson and the Members of the Commission shall be appointed by the President and shall not be reappointed to another term. From among the Members, one shall serve

1 as the Chairperson and shall hold office for ten (10) years, another Member shall be
2 appointed as Commissioner for seven (7) years, and another shall be appointed
3 Commissioner and shall serve for five (5) years, without reappointment. A Member who
4 shall be appointed to fill a vacancy shall serve only the unexpired portion of the term of
5 the predecessor. In no case shall any Member be appointed or designated in a temporary
6 or acting capacity.

7 The Chairperson and the Members of the Commission shall receive the same salary,
8 benefits, privileges and emoluments of a Cabinet Secretary and Undersecretary,
9 respectively.

10 *Sec. 8. Representation and Participation of People's Organizations, Civil Society,*
11 *Business and Private Sector.* — The whole-of-government approach requires genuine and
12 meaningful participation of people's organizations, civil society, business, and the private
13 sector. To this end, all departments and their attached agencies and bureaus shall involve
14 civil society and other stakeholders in the review, reform, formulation and implementation
15 of policies, plans, programs, activities, and projects to end hunger by 2030.

16 To guarantee public participation, the Commission on the Right to Adequate Food shall
17 ensure that:

- 18 a) All persons can freely and meaningfully participate in all forms of public
19 discourse, as well as access information and exercise freedom of
20 association, in relation to the formulation and implementation of policies
21 pertaining to the right to adequate food;
- 22 b) Civil society and other stakeholders actively participate in the institutions
23 that oversee the realization of the right to adequate food, as well as in
24 formulating capacity building mechanisms and special measures for
25 disadvantaged groups;

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

29 *Sec. 9. Priority Attention.* — Priority attention shall be given to the following
30 individuals, groups, and communities, who are particularly vulnerable to hunger and
31 starvation:

- 32 a) Physiologically and clinically vulnerable persons, such as those afflicted
33 with COVID-19 and others with co-morbidities; children, particularly
34 those from zero to twenty-three (23) months of age; pregnant women
35 and lactating mothers; persons with disabilities; chronically-ill persons
36 and older persons (senior citizens);

- b) Geographically disadvantaged persons such as persons living in remote and isolated, very poor or underdeveloped areas; and
- c) Economically vulnerable persons, such as small farmers, artisanal fisherfolk, street children, urban poor, people with disabilities, unemployed persons, indigenous peoples, ethnic, linguistic or religious minorities, and internally displaced persons.

Sec. 10. *Planning, Programming and Budgeting.* — Policies, laws, rules, regulations, plans, programs, activities and projects shall be directed towards achieving four objectives: (a) guarantee stable and sustainable food supply for current and future generations; (b) ensure affordable food; (c) secure adequate nutrition; and (d) assure food safety and consumer protection.

The National Economic and Development Authority (NEDA) shall develop and issue Planning Guidelines that incorporate the whole-of-government approach and focus on achieving these objectives. When issuing annual budget calls, the Department of Budget and Management (DBM) shall incorporate the whole-of-government approach to achieve these objectives and eradicate hunger by 2030. Towards this end, NEDA and DBM, together with the Commission shall lead and/or provide platforms for the conduct of national-local and inter- local planning and co-financing budgeting processes.

Local government units shall likewise incorporate in their development programs, programs addressing objectives under Sec. 10 of this act.

Sec. 11. *Review and Rationalization of Existing Policies, Laws, Rules, Regulations, Plans, Programs, Activities and Projects.* — Policies, laws, rules, regulations, plans, programs, activities and projects relevant to the eradication of hunger shall be reviewed and rationalized to comply with the integrated policy and planning objectives;

- a) To guarantee stable and sustainable food supply for current and future generations, the following Departments and agencies, with the participation of civil society organizations, business and the private sector, shall jointly review, and if necessary, jointly rationalize all policies, laws, rules, regulations, programs, activities and projects related, but not limited, to: (i) agricultural and fisheries production, (ii) trade in agricultural and food products, (iii) drought, crop failure and disaster management, (iv) market system including small-scale local and regional markets, particularly marketing, storage, transportation, communications and distribution system, (v) watershed management, control of deforestation and enhancement of national forest cover, (vi) sustainability of productive resources and natural assets for food generation or

1 production, (vii) weather variability and climate change, (viii) monitoring
2 of food stocks for food storage and distribution, including measures
3 against spoilage, food leakage and corruption, (ix) security of land tenure,
4 including mechanisms for adequate resettlement, compensation and
5 rehabilitation for persons, families, groups or communities forcibly evicted,
6 (x) farmers' rights to save, reuse, exchange and sell seeds and plant
7 genetic resources, including safeguards for domestic seeds and plant
8 varieties against importation and use of terminator seeds, seed pricing
9 standards, seed databanking, (xi) agricultural research, training and
10 technology, (xii) investments in agriculture and public spending on
11 agriculture, fisheries, agrarian reform, and environmental protection (xiii)
12 agrarian reform, land demarcation and land distribution, (xiv)
13 environmental protection, and (xv) domestic and international food aid
14 and disaster relief:

- 15 1. Department of Agriculture (DA)
- 16 2. Bureau of Fisheries and Aquatic Resources - BFAR
- 17 3. Department of Agrarian Reform (DAR)
- 18 4. Department of Environment and Natural Resources (DENR)
- 19 5. Department of Trade and Industry (DTI)
- 20 6. Department of Public Works and Highways (DPWH)
- 21 7. Department of Transportation and Communication (DOTC)
- 22 8. Department of Energy (DOE)
- 23 9. Department of Finance (DOF)
- 24 10. Department of Foreign Affairs (DFA)
- 25 11. Department of Social Work and Development (DSWD)
- 26 12. Department of the Interior and Local Government (DILG)
- 27 13. Department of Budget and Management (DBM)
- 28 14. Department of Science and Technology (DOST)
- 29 15. Department of National Defense (DND)
- 30 16. National Economic and Development Agency (NEDA)
- 31 17. National Commission on Indigenous Peoples (NCIP)
- 32 18. Philippine Commission on Women (PCW)
- 33 19. National Youth Commission (NYC)
- 34 20. Climate Change Commission (CCC)
- 35 21. National Disaster Risk Reduction Management Council (NDRRMC)
- 36 22. Local Government Units

b) To ensure affordable food, the following Departments and agencies, with the participation of civil society organizations, business and the private sector, shall jointly review, and if necessary, jointly rationalize all policies, laws, rules, regulations, programs, activities and projects related, but not limited, to (i) regulation and monitoring of volatility/stability of food prices, (ii) chronic food poverty, (iii) mobilization of domestic public and private savings, (iv) unfair competition/ uncompetitive practices in the market, (v) adequate consumer protection against fraudulent market practices, misinformation and unsafe food, (vi) climate change adaptation and mitigation, (vii) transportation costs, traffic, ports and highways, (viii) oil price monitoring, (ix) food supply monitoring, (x) taxes on consumption, (xi) protection of labor and access to labor, including standards for living wage and decent standard of living, (xii) social transfer scheme, subsidies, or food safety nets, and (xiii) public feeding programs:

1. Department of Agriculture (DA)
2. Bureau of Fisheries and Aquatic Resources
3. Department of Agrarian Reform (DAR)
4. Department of Environment and Natural Resources (DENR)
5. Department of Trade and Industry (DTI)
6. Department of Energy (DOE)
7. Department Of Finance (DOF)
8. Bangko Sentral ng Pilipinas (BSP)
9. Department of Public Works and Highways (DPWH)
10. Department of Transportation and Communication (DOTC)
11. Department of Health (DOH)
12. National Nutrition Council-Department of Science and Technology (NNC-DOST)
13. Department of the Interior and Local Government (DILG)
14. Department of Social Work and Development (DSWD)
15. Department of Education (DEPED)
16. Department of Labor and Employment (DOLE)
17. National Economic and Development Agency (NEDA)
18. National Commission on Indigenous Peoples (NCIP)
19. Philippine Commission on Women (PCW)
20. National Youth Commission (NYC)
21. Climate Change Commission (CCC)

1 22. Philippine Information Agency (PIA)

2 23. Philippine News Agency (PNA)

3 24. Local Government Units

4 c) To secure nutrition adequacy, the following Departments and agencies,
5 with the participation of civil society organizations, business and the
6 private sector, shall jointly review, and if necessary, jointly rationalize all
7 policies, laws, rules, regulations, programs, activities and projects related,
8 but not limited, to: (i) the minimum amount of food entitlement for each
9 individual, including exact quantity of calories, proteins and micronutrients
10 according to age, sex, health status and occupation of a person, (ii)
11 breastfeeding and breast milk substitutes, (iii) hidden hunger
12 (undernutrition and malnutrition) and chronic food poverty, (iv) nutrition
13 education and awareness, (v) public nutrition programs, (vi) public
14 nutrition supplement programs, (vii) food labeling, (viii) food fortification,
15 (ix) genetically modified organisms or genetically engineered food
16 products, (x) climate change adaptation and mitigation, and (xi) food
17 cultural acceptability programs (including, among others, labeling,
18 distribution programs for indigenous peoples and ethnic, linguistic or
19 religious minorities):

20 1. Department of Health (DOH)

21 2. National Nutrition Council-Department of Science and Technology
22 (NNC-DOST)

23 3. Food Nutrition and Research Institute-Department of Science and
24 Technology (FNRI-DOST)

25 4. Department of Science and Technology (DOST)

26 5. Department of Education (DEPED)

27 6. Department of the Interior and Local Government (DILG)

28 7. Department of Social Work and Development (DSWD)

29 8. Department of National Defense (DND)

30 9. Department of Energy (DOE)

31 10. National Economic and Development Agency (NEDA)

32 11. Climate Change Commission (CCC)

33 12. National Disaster Risk Reduction Management Council (NDRRMC)

34 13. National Commission on Indigenous Peoples (NCIP)

35 14. Philippine Commission on Women (PCW)

36 15. National Youth Commission (NYC)

16. Philippine Information Agency (PIA)

17. Philippine News Agency (PNA)

18. Local Government Units

- d) To assure food safety and consumer protection, the following Departments and agencies, with the participation of civil society organizations, business and the private sector, shall jointly review, and if necessary, jointly rationalize all policies, laws, rules, regulations, programs, activities and projects related, but not limited, to (i) measures against contamination or adulteration of food, (ii) control of contamination from agricultural, industrial or other pollutants in the production of food, (iii) safety standards for food production, processing, storage, distribution and preparation, (iv) monitoring and regulation of food processing and food handling technologies, (v) monitoring and control of emerging food-borne pathogens or microorganisms, (vi) monitoring of misuse and abuse of pesticides and herbicides, (vii) monitoring and surveillance of food and water-borne diseases, (viii) regulation and monitoring of preparation and serving of street-vended food, (ix) monitoring, regulation and standards for water quality for irrigation and ingestion (drinking), (x) food regulatory powers, (xi) food safety and consumer protection advocacy, education, research and implementation of related laws and regulations (xii) effective and integrated food control system including complementary measures for agriculture and fisheries (fresh produce), the food industry including food manufacturers and establishments, food distribution and retail outlets, and the food service sector including restaurants, caterers, street vendors and consumers, (xiii) monitoring, supervision and regulation of genetically modified organisms or genetically engineered food production, storage, distribution and marketing and impact on health, environment (including potential for genetic contamination or genetic pollution of plant species), soil, and issues arising from intellectual property ownership associated with creating new crops and food, labeling, and pre-market testing, (xiv) hidden hunger (undernutrition and malnutrition) and chronic food poverty, (xv) climate change adaptation and mitigation, and (xvi) justiciability and accountability measures, including measures to address smuggling, cartels, price manipulation, corruption, food poisoning, contamination or adulteration of food products, contamination of productive resources and

natural assets, land conflicts, conflicts over productive resources and natural assets:

1. Department of Agriculture (DA)
2. Department of Agrarian Reform (DAR)
3. Department of Environment and Natural Resources (DENR)
4. Department of Trade and Industry (DTI)
5. Department of Energy (DOE)
6. Department of Foreign Affairs (DFA)
7. Department of Social Work and Development (DSWD)
8. Department of Health (DOH)
9. Department of Justice (DOJ)
10. Department of Education (DEPED)
11. Department of Labor and Employment (DOLE)
12. Department of the Interior and Local Government (DILG)
13. Department of Budget and Management (DBM)
14. Department of Science and Technology (DOST)
15. Department of National Defense (DND)
16. Department of Transportation and Communication (DOTC)
17. Department of Tourism (DOT)
18. Food Safety Regulatory Coordination Board and Food Safety Regulatory Agencies of the Department of Agriculture (DA), Department of Health (DOH), and Department of the Interior and Local Government (DILG)
19. National Economic and Development Agency (NEDA)
20. Food and Drug Administration (FDA)
21. National Commission on Indigenous Peoples (NCIP)
22. Climate Change Commission (CCC)
23. National Disaster Risk Reduction Management Council (NDRRMC)
24. National Commission on Indigenous Peoples (NCIP)
25. Philippine Commission on Women (PCW)
26. National Youth Commission (NYC)
27. Philippine Information Agency (PIA)
28. Philippine News Agency (PNA)
29. Local Water Utilities Administration (LWUA)
30. Local Government Units

1 Sec. 12. *Targets and Indicators.* — By 2030, land devoted to food production will
2 be increased to fifty percent (50%) of all prime agricultural land in every region, and
3 100% of coastal municipalities in covered regions adopts and practice state policy on
4 integrated coastal management to achieve food security, sustainable livelihood, poverty
5 alleviation and reduction of vulnerability to natural hazards; within the same period, the
6 State shall ensure that the following indicators will considerably and steadily increase:

- 7 a) Percentage of ancestral lands developed for sustainable production of
8 food;
- 9 b) Percentage of rural population with access to productive resources;
10 including municipal waters especially designated for artisanal fisherfolks'
11 food source and livelihood;
- 12 c) Share of budget spent on programs aimed at creating access to
13 productive resources;
- 14 d) Share of budget spent on programs aimed at addressing devastations
15 caused by manmade and natural calamities;
- 16 e) Percentage of budget spent on agri - research, agri- extension, irrigation,
17 training, technology, credits and rural development;
- 18 f) Percentage of rural female-headed households, or rural women, with
19 legal title to agriculture lands;
- 20 g) Percentage of women participating in paid labor;
- 21 h) Percentage of public budget allocation for social transfer programs to
22 those unable to feed themselves;
- 23 i) Coverage of marginalized and disadvantaged population taking part in
24 social transfer programs;
- 25 j) Percentage of marginalized and disadvantaged population covered by a
26 public nutrition supplement program;
- 27 k) Percentage of population aware of available food and nutrition programs;
28 and
- 29 l) Coverage of school feeding programs.

30 Sec. 13. *Standards on the Minimum Amount of Food.* — Within one (1) year from
31 the effectivity of this Act, the Commission, in consultations with the DSWD, NNC, and the
32 DOH, shall issue guidelines on the minimum amount of food for persons who are suffering
33 from hunger or undernourishment, or are at risk from suffering from hunger or
34 undernourishment, but who cannot take care of their own needs due to reasons beyond
35 their control (like the effect and impact of the COVID 19 pandemic), including but not
36 limited to children whose parents die due to the pandemic or disappear or otherwise, no

1 longer able to take care of them, the elderly, and persons with disabilities. The guidelines
2 shall include:

3 a) The exact quantity of calories, proteins and micronutrients, to which the
4 minimum amount of food will correspond, according, to the age, sex, health
5 status and occupation of person.

6 b) A simple and accessible application or certification procedure for the
7 minimum amount of food entitlement with transparent, fair and non-
8 discriminatory eligibility, or certification criteria. And

9 c) A relief mechanism to ensure that such individuals are provided with their
10 minimum food requirement.

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

14 *Sec. 14. Food Emergencies.* — Whenever a situation arises in which access to
15 food is endangered, as that caused by natural events like drought, floods, storms,
16 earthquakes, or crop failures resulting from pests or diseases, or by human agency such
17 as internal or international armed conflict, or a national health emergency such as the
18 COVID-19 pandemic, the Commission on the Right to Adequate Food, in coordination
19 with the National Disaster Risk Reduction and Management Council (NDRRMC) shall
20 ensure that:

21 a) Information on potential or brewing food emergencies is shared speedily
22 among all Departments and agencies, and with the general public;

23 b) Food emergency responses sufficiently cover both early warning
24 responses and disaster preparedness in case of a crisis; and food
25 responses are organized and managed efficiently and effectively;

26 c) Food aid is free from spoilage, leakage and are protected against theft
27 and corruption; and

28 d) Requests for international assistance are initiated in case of necessity and
29 distribution of food to intended recipients is properly supervised and
30 coordinated.

31 The Department of National Defense (DND), the Department of Justice (DOJ) and
32 the Department of the Interior and Local Government (DILG) shall ensure strict
33 compliance with Republic Act No. 9851, or the "Philippine Act on Crimes Against
34 International Humanitarian Law, Genocide, and Other Crimes Against Humanity" and
35 other relevant laws, when responding to food emergencies.

1 Sec. 15. *Information Dissemination.* — All government agencies, under the
2 direction of the Commission on the Right to Adequate Food, in coordination with the
3 Philippine News Agency (PNA) and Philippine Information Agency (PIA), are mandated
4 to:

- 5 a) Inform the population about the rights established in this Act and the
6 implementing rules and regulations adopted upon its entry into force, as
7 well as about any other measure taken for the purpose of facilitating and
8 promoting the realization of the right to adequate food.
- 9 b) Use the most appropriate ways and methods of disseminating information
10 by providing information through all media formats, and in local
11 languages, notably in the most marginalized areas and among populations
12 with a high rate of illiteracy.

13 Sec. 16. *Education and Awareness Program.* — The Commission on the Right to
14 Adequate Food, in coordination with the DepEd, Commission on Higher Education (CHED)
15 and TESDA, shall ensure that:

- 16 a) the school curriculum includes material related to food and nutrition
17 education, the right to adequate food and human rights principles.
- 18 b) relevant adult education and training programs shall include materials
19 related to food and nutrition, the right to adequate food and human rights
20 principles.

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

- 23 a) ensure that activities undertaken in other countries, including those by
24 private actors, do not infringe on the enjoyment of the right to adequate
25 food by people in the concerned countries, in coordination with DA, DTI,
26 DOH and NEDA and other relevant agencies;
- 27 b) promote international cooperation and provide assistance to ensure the
28 realization of the right to adequate food in other countries, if in a position
29 to do so; and
- 30 c) ensure that international and other agreements which the Philippine
31 Government enters into, take into account the guarantee on the right to
32 food. The Commission on the Right to Adequate Food, in coordination with
33 the CHR and the Department of Foreign Affairs (DFA) shall ensure that
34 international bilateral and/or multilateral agreements which the Philippine
35 Government may enter into take into account the State's objective to
36 eliminate hunger by 2030. Before entering into any international

1 agreement, the DFA, with the participation of relevant Departments, civil
2 society, business and the private sector, shall carefully evaluate the
3 proposed agreement to determine its impact on the eradication of hunger,
4 and propose necessary amendments or revisions to align the agreement
5 with the State's objective to eliminate hunger by 2030.

6 Sec. 18. *Periodic Review and Public Reporting.* — Periodic reviews shall be
7 undertaken to ensure compliance with set targets. In the implementation of this Act,
8 priority will be given to identify areas with chronically malnourished population. In
9 measuring the incidence of hunger, the key primary data sources will include national
10 nutrition surveys, household surveys of the Philippine Statistics Authority (PSA), namely
11 the Family Income and Expenditure Survey and the Annual Poverty Indicators Survey,
12 with global hunger indices as benchmarks.

13 Sec. 19. *Monitoring and Evaluation System.* —There shall be an integrated
14 monitoring system that shall ensure that all government agencies at all levels, under the
15 supervision of the Commission on the Right to Adequate Food, shall:

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

25 Sec. 20. *Penal Provisions.* — The penalty of *prision correccional* shall be imposed
26 on any public or private actor who causes the starvation or denial of the access to food
27 of any particular individual or group, as through the commission of any of the following
28 acts:

- 29 a) blockade
- 30 b) refusal to implement a food-related program
- 31 c) discrimination in implementing a food-related program;
- 32 d) negligence in implementing food-related programs, resulting in death;
- 33 e) obstructing access to food in time of pandemic, calamity or war;
- 34 f) theft, corruption or black marketeering of food being given as
35 humanitarian aid, in times of calamity or war;

- 1 g) distribution of expired, or unsafe food at a school feeding program or
- 2 other feeding programs, in times of calamity or war;
- 3 h) contamination of food or water sources, through mining activities, aerial
- 4 spraying of plantations, or any other similar means; and
- 5 i) other analogous acts.

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

12 **Sec. 21. *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
14 of a person's rights guaranteed under sections 5, 6, 7 and 9 of this Act, shall be liable for
15 damages. Any violation of a provision of this Act, whether committed by public or private
16 actors, will 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 provided for in
19 this Act, as the primary duty bearer. Appropriate cases may be filed before the courts to
20 compel compliance with the provisions of this Act. These cases shall be without prejudice
21 to liability for damages, as well as administrative liability that may be incurred.

22 **Sec. 22. *Appropriations.*** – There shall be an allocation in the annual national and
23 local budgets specifically for the purposes of the implementation of the right to adequate
24 food, in accordance with priorities set by the Commission on the Right to Adequate Food.
25 The allocation shall be aimed at the progressive realization of the right to adequate food
26 over the long term.

27 **Sec. 23. *Implementing Rules and Regulations.*** – The Commission on the Right to
28 Adequate Food shall issue the necessary rules and regulations to implement the
29 provisions of this Act within sixty (60) days from its effectivity. In the formulation of these
30 rules and regulations, the Commission shall take the lead and shall coordinate with the
31 CHR, DOJ, DA, DAR, DSWD, DOH, DTI, DPWH, NEDA, DBM, NNC and NAPC, and
32 representation among LGUS, with the active participation of people's organizations and
33 human rights nongovernmental organizations.

34 **Sec. 24. *Rationalization of Policies and Implementation of Programs.*** – All existing
35 policies, laws, decrees, executive orders, memorandum orders, memorandum circulars,

1 administrative orders, and ordinances shall be rationalized and interpreted in a way that
2 shall guarantee the realization of the right to adequate food as provided for by this Act.
3 Concerned Cabinet secretaries and other executive authorities shall report on a regular
4 basis to the Commission on the Right to Adequate Food on legislative and regulatory
5 measures that have been formulated and adopted, and the time frames within which they
6 are envisaged to achieve their objectives in order to achieve zero hunger.
7 The commission may also conduct separate evaluation of agency, national -local and inter
8 -local programs implemented for the purpose of achieving zero hunger.

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

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

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

Approved,