

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. **2189**



Introduced by Rep. Ray Florence T. Reyes

EXPLANATORY NOTE

The Philippines' tropical climate makes it a prime location for agriculture. Our farmlands are fertile, rich, and best suited for growing staple crops such as rice, vegetables, and fruit.

Despite being an agricultural country, however, a survey done by the Social Weather Stations (SWS) reports that 2.5 million Filipino families have experienced involuntary hunger at the end of 2021.

Article II, Section 11 of the 1987 Constitution states that "*The State values the dignity of every human person and guarantees full respect for human rights.*" Access to nutritious food and clean drinking water is an inalienable human right for all. 2.5 million Filipino families suffering from hunger does not align with policies expressly stated in the Constitution which we uphold.

It is our duty as representatives of the people to address, not just the instances of hunger but, the lack of healthy food available to all — at a fair price point. Vulnerability, underdevelopment and isolation of certain areas, and poverty are key factors which can hinder one's access to food. Not to mention natural disasters, conflicts, pandemics, global recessions and other variables beyond our control can affect food supply as well.

Similar to the measure filed by Sen. Riza Hontiveros in the 18th Congress, this bill seeks to address, not just hunger plaguing millions of Filipino families but, the problems of undernourishment and malnourishment through the creation of a Commission on the Right to Adequate Food. It is also the goal of this bill to address food security and assure its longevity for Filipinos through inter-agency, civil, and sectoral cooperation.

The immediate passage of this bill is earnestly sought.


RAY FLORENCE REYES

Representative, AnaKalusugan Partylist

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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:

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

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

Article II of the 1987 Constitution states:

Section 9. The State shall promote a just and dynamic social order that will ensure the prosperity and independence of the nation and free the people from poverty through policies that provide adequate social services, promote full employment, a rising standard of living, and an improved quality of life for all.
Section 11. The State values the dignity of every human person and guarantees full respect for human rights.
Section 21. The State shall promote comprehensive rural development and agrarian reform.

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

1. The States Parties to the present Covenant recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions. The States Parties will take appropriate steps to ensure

the realization of this right, recognizing to this effect the essential importance of internal cooperation based on free consent.

2. The States Parties to the present Covenant, recognizing the fundamental right of everyone to be free from hunger, shall take, individually and through international co-operation, the measures, including specific programmes, which are needed:
 - (a) To improve methods of production, conservation and distribution of food by making full use of technical and scientific knowledge, by disseminating knowledge of the principles of nutrition and by developing or reforming agrarian systems in such a way as to achieve the most efficient development and utilization of natural resources;
 - (b) Taking into account the problems of both food-importing and food-exporting countries, to ensure an equitable distribution of world food supplies in relation to need.

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

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

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

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

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

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

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

SECTION 3. *Freedom from Hunger.* - Every person has a right to be free from hunger. *Hunger* refers to a condition in which people do not get enough food to eat to provide the necessary nutrients for a fully productive, active and healthy living due to the unavailability and inaccessibility of food. It can be acute, such as during a major disaster when food supply channels are cut, or chronic, when people are regularly not getting enough food to conduct an active life for a long time. It is also a condition of starvation, which is not having enough food of any sort to eat, or undernourishment, which is having food but of inadequate quality. Every person suffering from hunger or

malnutrition or at risk of suffering from hunger or undernutrition is entitled to a minimum amount of food according to one's age, sex, health status and occupation, as provided for in Section 13.

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

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

SECTION 5. *Eradication of Hunger by 2030.* – The State shall ensure that, in two-and-a-half (2 ½) years after the effectivity of this Act, the incidence of hunger will be reduced by twenty-five percent (25%) from the level recorded at the time of the passage of this Act. *Provided, That* five (5) years after the effectivity of this Act, such incidence of hunger will be further reduced by twenty-five percent (25%); *Provided, further, That* in seven-and-a-half (7 ½) years, it will be further reduced by twenty-five percent (25%); *Provided, finally, That* by 2030, there shall be zero incidence of hunger.

SECTION 6. *Fully Integrated Whole of Government Approach to Eradicate Hunger.* – To eliminate hunger by 2030, the State adopts a comprehensive whole-of-government approach to policy and plan development and implementation, program management and service delivery. All Departments and their attached agencies and bureaus shall work together across portfolio boundaries to achieve an integrated government response to eliminate hunger. In particular, all departments and their attached agencies shall:

- a) Plan, program and budget in conjunction with each other;

- b) Collaborate in the review, design and delivery of policy, programs and services;
- c) Coordinate and communicate through formal and informal channels toward more timely and effective implementation of policy decisions;
- d) Implement policies in an integrated manner;
- e) Share information and data and cooperate in knowledge management;
- f) Effectively align policies, programs, activities and projects;
- g) Share reporting duties; and
- h) Engage with civil society organizations, businesses and the private sector, and ensure their active participation in policy, plan and program design and implementation.

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

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

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

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

- a) Receive complaints of violations of the right to adequate food from individuals and groups;
- b) Investigate, *motu proprio*, or upon complaint by any party, all forms of violations of the right to adequate food;
- c) Adopt operational guidelines and rules of procedure, and cite for 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 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 Members of the Commission shall not, during their tenure, hold any other office or employment. Neither shall they engage in the practice of any kind of 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 as the Chairperson and shall hold office for ten (10) years, another Member shall be appointed as Commissioner for seven (7) years, and another shall be appointed Commissioner and shall serve for five (5) years, without reappointment. A Member who shall be appointed to fill a vacancy shall serve only the unexpired portion of the term of the predecessor. In no case shall any Member be appointed or designated in a temporary or acting capacity.

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

SECTION 8. *Representation and Participation of People's Organizations, Civil Society, Business and Private Sector.* – The whole-of-government approach

requires genuine and meaningful participation of people's organizations, civil society, business, and the private sector. To this end, all departments and their attached agencies and bureaus shall involve civil society and other stakeholders in the review, reform, formulation and implementation of policies, plans, programs, activities, and projects to end hunger by 2030.

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

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

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

SECTION 9. *Priority Attention.* – Priority attention shall be given to the following individuals, groups and communities, who are particularly vulnerable to hunger and starvation:

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

SECTION 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 Section 10 of this Act.

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

1. Department of Agriculture (DA)
2. Bureau of Fisheries and Aquatic Resources (BFAR)
3. Department of Agrarian Reform (DAR)
4. Department of Environment and Natural Resources (DENR)
5. Department of Trade and Industry (DTI)
6. Department of Public Works and Highways (DPWH)

7. Department of Transportation (DOTr)
8. Department of Information and Communications Technology (DICT)
9. Department of Energy (DOE)
10. Department of Finance (DOF)
11. Department of Foreign Affairs (DFA)
12. Department of Social Work and Development (DSWD)
13. Department of the Interior and Local Government (DILG)
14. Department of Budget and Management (DBM)
15. Department of Science and Technology (DOST)
16. Department of National Defense (DND)
17. National Economic and Development Authority (NEDA)
18. National Commission on Indigenous Peoples (NCIP)
19. Philippine Commission on Women (PDW)
20. National Youth Commission (NYC)
21. Climate Change Commission (CCC)
22. National Disaster Risk Reduction Management Council (NDRRMC)
23. 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 standards 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 (BFAR)
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 (DOTr)
11. Department of Information and Communications Technology (DICT)
12. Department of Health (DOH)
13. National Nutrition Council – Department of Science and Technology (NNC-DOST)
14. Department of the Interior and Local Government (DILG)
15. Department of Social Work and Development (DSWD)
16. Department of Education (DepEd)
17. Department of Labor and Employment (DOLE)
18. National Economic and Development Authority (NEDA)
19. National Commission on Indigenous Peoples (NICP)
20. Philippine Commission on Women (PCW)
21. National Youth Commission (NYC)
22. Climate Change Commission (CCC)
23. Philippine Information Agency (PIA)
24. Philippine News Agency (PNA)
25. Local Government Units

- c) To secure nutrition adequacy, 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) the minimum amount of food entitlement for each individual, including exact quantity of calories, proteins and micronutrients according to age, sex, health status and occupation of a person, (ii) breastfeeding and breast milk substitutes, (iii) hidden hunger (undernutrition and malnutrition) and chronic food poverty, (iv) nutrition education and awareness, (v) public nutrition programs, (vi) public nutrition supplement programs, (vii) food labelling, (viii) food fortification, (ix) genetically modified organisms or genetically engineered food products, (x) climate change adaptation and mitigation, and (xi) food cultural acceptability programs (including, among

others, labelling, distribution programs for indigenous peoples and ethnic, linguistic or religious minorities):

1. Department of Health (DOH)
 2. National Nutrition Council – Department of Science and Technology (NNC-DOST)
 3. Food Nutrition and Research Institute – Department of Science and Technology (FNRI-DOST)
 4. Department of Science and Technology (DOST)
 5. Department of Education (DepEd)
 6. Department of the Interior and Local Government (DILG)
 7. Department of Social Work and Development (DSWD)
 8. Department of National Defense (DND)
 9. Department of Energy (DOE)
 10. National Economic and Development Authority (NEDA)
 11. Climate Change Commission (CCC)
 12. National Disaster Risk Reduction Management Council (NDRRMC)
 13. National Commission on Indigenous Peoples (NCIP)
 14. Philippine Commission on Women (PCW)
 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 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, labelling, 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 (DOTr)
17. Department of Information and Communications Technology (DICT)
18. Department of Tourism (DOT)

19. 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)
20. National Economic and Development Authority (NEDA)
21. Food and Drug Administration (FDA)
22. National Commission on Indigenous Peoples (NCIP)
23. Climate Change Commission (CCC)
24. National Disaster Risk Reduction Management Council (NDRRMC)
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

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

- a) Percentage of ancestral lands developed for sustainable production of food;
- b) Percentage of rural population with access to productive resources; including municipal waters especially designated for artisanal fisherfolks' food source and livelihood;
- c) Share of budget spent on programs aimed at creating access to productive resources;
- d) Share of budget spent on programs aimed at addressing devastations caused by manmade and natural calamities;
- e) Percentage of budget spent on agri-research, agri-extension, irrigation, training, technology, credits and rural development;
- f) Percentage of rural female-headed households, or rural women, with legal title to agriculture lands;
- g) Percentage of women participating in paid labor;

- h) Percentage of public budget allocation for social transfer programs to those unable to feed themselves;
- i) Coverage of marginalized and disadvantaged population taking part in social transfer programs;
- j) Percentage of marginalized and disadvantaged population covered by a public nutrition supplement program;
- k) Percentage of population aware of available food and nutrition programs; and
- l) Coverage of school feeding programs.

SECTION 13. *Standards on the Minimum Amount of Food.* – Within one (1) year from the effectivity of this Act, the Commission, in consultations with the DSWD, NNC, and the DOH, shall issue guidelines on the minimum amount of food for persons who are suffering from hunger or undernourishment, or are at risk from suffering from hunger or undernourishment, but who cannot take care of their own needs due to reasons beyond their control (like the effect and impact of the COVID-19 pandemic), including but not limited to children whose parents die due to the pandemic or disappear or otherwise, no longer able to take care of them, the elderly, and persons with disabilities. The guidelines shall include:

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

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

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

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

- b) Food emergency responses sufficiently cover both early warning responses and disaster preparedness in case of a crisis; and food responses are organized and managed efficiently and effectively;
- c) Food aid is free from spoilage, leakage and are protected against theft and corruption; and
- d) Requests for international assistance are initiated in case of necessity and distribution of food to intended recipients is properly supervised and coordinated.

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

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

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

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

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

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

- a) Ensure that activities undertaken in other countries, including those by private actors, do not infringe on the enjoyment of the right to adequate food by people

in the concerned countries, in coordination with DA , DTI, DPH and NEDA and other relevant agencies;

- b) Promote international cooperation and provide assistance to ensure the realization of the right to adequate food in other countries, if in a position to do so; and
- c) Ensure that international and other agreements which the Philippine Government enters into, take into account the guarantee on the right to food. The Commission on the Right to Adequate Food, in coordination with the CHR and the Department of Foreign Affairs (DFA) shall ensure that international bilateral and/or multilateral agreements which the Philippine Government may enter into, take into account the State's objective to eliminate hunger by 2030. Before entering into any international agreement, the DFA, with the participation of relevant Departments, civil society, business and the private sector, shall carefully evaluate the proposed agreement to determine its impact on the eradication of hunger, and propose necessary amendments or revisions to align the agreement with the State's objective to eliminate hunger by 2030.

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

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

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

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

- a) Blockade;
- b) Refusal to implement a food-related program;
- c) Discrimination in implementing a food-related program;
- d) Negligence in implementing food-related programs, resulting in death;
- e) Obstructing access to food in time of pandemic, calamity or war;
- f) Theft, corruption or black marketeering of food being given as humanitarian aid, in times of calamity or war;
- g) Distribution of expired, or unsafe food at a school feeding program or other feeding programs, in times of calamity or war;
- h) Contamination of food or water sources, through mining activities, aerial spraying of plantations, or any other similar means; and
- i) Other analogous acts.

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

SECTION 21. *Civil and Administrative Liabilities.* – Any public officer or employee who directly or indirectly obstructs, defeats, violates or in any manner impedes or impairs any of a person's rights guaranteed under sections 5,6,7 and 9 of this Act, shall be liable for damages. Any violation of a provision of this act, whether committed by public or private actors, will similarly give rise to liability for damages.

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

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

SECTION 23. *Implementing Rules and Regulations.* – The Commission on the Right to Adequate Food shall issue the necessary rules and regulations to implement

the provisions of this Act within sixty (6) days from its effectivity. In the formulation of these rules and regulations, the Commission shall take the lead and shall coordinate with the CHR, DOJ, DA, DAR, DSWD, DOH, DTI, DPWH, NEDA, DBM, NNC and NAPC, and representation among LGUs, with the active participation of people's organizations and human rights nongovernmental organizations.

SECTION 24. *Rationalization of Policies and Implementation of Programs.* – All existing policies, laws, decrees, executive orders, memorandum orders, memorandum circulars, administrative orders, and ordinances shall be rationalized and interpreted in a way that shall guarantee the realization of the right to adequate food as provided for by this Act. Concerned Cabinet secretaries and other executive authorities shall report on a regular basis to the Commission on the Right to Adequate Food on legislative and regulatory measures that have been formulated and adopted, and the time frames within which they are envisaged to achieve their objectives in order to achieve zero hunger.

The commission may also conduct separate evaluation of agency, national-local and inter-local programs implemented for the purpose of achieving zero hunger.

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

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

SECTION 25. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,