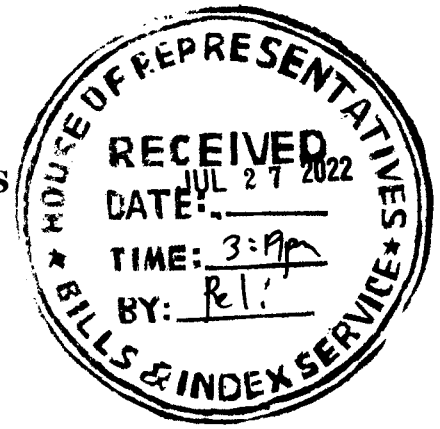


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

NINETEENTH CONGRESS
First Regular Session

House Bill No. **2531**



INTRODUCED BY REPRESENTATIVE MARISSA “DEL MAR” P. MAGSINO

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

EXPLANATORY NOTE

Food on every table. What a beautiful thought to dream of. But it should not remain as an ideal to hope for, because it is the duty of the State to guaranty.

The Philippines is duty-bound to provide this fundamental right to every Filipino, regardless of – and most especially because – financial trials that besiege the country. No less than the Universal Declaration of Human Rights provides that everyone has the right to a standard of living adequate for the health and well-being of himself and his family, “including food”. Moreover, the International Covenant on Economic, Social and Cultural Rights (ICESCR) also makes it mandatory for State Parties to take appropriate steps to ensure the realization of the right to food. Even the Convention on Elimination of All Forms of Discrimination against Women (CEDAW) includes adequate nutrition as among the grants that State Parties must provide. The Convention on the Rights of the Child (CRC) also has provisions on this fundamental right; requiring State Parties to combat malnutrition and mandating them to provide “adequate nutritious foods and clean drinking-water.” The Convention on the Rights of Persons with Disabilities (CRPD) specifically makes mention of the right of persons with disabilities (PWD) to adequate food. It cannot be any clearer than that – food is necessary if we are to provide a standard of living that is acceptable under international law.

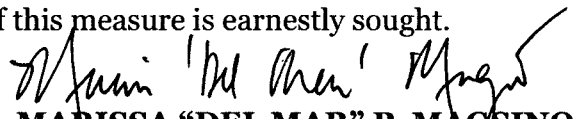
Despite of all these, the Philippines still ranked 68th out of 116 countries in the 2021 Global Hunger Index (GHI). When our very own Department of Science and Technology conducted their Rapid Nutrition Assessment Survey, it was revealed that

six (6) out of ten (10) individuals have reported that they experienced moderate to severe food insecurity.

The effect of hunger on people cannot be overemphasized. Malnutrition causes stunting in young children. Those who go to school on an empty stomach are most likely to fail to follow lessons than those who come to school adequately nourished. The inequality is thus deepened because of the failure by the State to address the issues on this fundamental right.

It calls for more than controlling prices of basic goods and commodities. The State must also ensure that Filipinos are adequately nourished. After all, as stated in the bill itself, adequate food “is not a matter of charity, but a basic human right and a prerequisite for total well-being.”

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


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MAGSINO**

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

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

1 Section 1. *Short Title.* – This Act shall be known as the “Right to Adequate Food
2 Act.”

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

20 Food must be free from adverse substances to ensure food safety. Measures
21 must be taken to maintain, adapt or strengthen dietary diversity and appropriate
22 consumption and feeding patterns, including optimal breast-feeding, to ensure that
23 changes in availability and access to food supply do not negatively affect dietary
24 composition and intake. Care must also be taken to identify and avoid or destroy
25 naturally occurring toxins. Freedom from adverse substances implies that the
26 requirements for food safety and a range of protective measures are implemented to
27 prevent contamination of foodstuff through adulteration, bad environmental hygiene,
28 or inappropriate handling at different stages throughout the food chain.

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

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

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

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

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

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

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

1 Sec. 13. *Non-discrimination.* – Any distinction, exclusion or restriction made
2 on the basis of race, color, sex, age, language, religion, political or other opinion.
3 national or social origin, property, birth, or other status, which has the effect or
4 purpose of impairing or limiting the capacity of an individual to exercise the right to
5 adequate food, is unlawful and shall be sanctioned in accordance with law.

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

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

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

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

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

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

1 within their competence undertaken by private actors do not infringe on the
2 right to adequate food of others.

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

7 Sec. 15. *Targets*. – The State shall ensure that in two and a half (2 ½) years after
8 the effectivity of this Act, the incidence of hunger is reduced by twenty-five percent
9 (25%) from the level recorded at the time of the passage of this Act: *Provided*, That
10 five (5) years after the effectivity of this Act, such incidence of hunger will be further
11 reduced by twenty-five percent (25%): *Provided, further*. That in seven and a half (7
12 ½) years, the incidence of hunger will be further reduced by 14 twenty-five percent
13 (25%): *Provided, finally*. That in ten (10) years, there shall be 15 zero hunger incidence.

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

- 18 a. Percentage of development of ancestral lands;
- 19 b. Percentage of rural population with access to productive resources;
- 20 c. Share of budget spent on programs aimed at creating access to productive
21 resources;
- 22 d. Percentage of budget spent on agri-research, agri-extension, irrigation,
23 training, technology, credits and rural development;
- 24 e. Percentage of rural female-headed households, or rural women, with legal
25 title to agricultural lands;
- 26 f. Percentage of public budget allocation for social transfer programs to those
27 unable to feed themselves;
- 28 g. Coverage of marginalized and disadvantaged population taking part in social
29 transfer programs;
- 30 h. Percentage of marginalized and disadvantaged population covered by a
31 public nutrition supplement program;

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

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

Periodic reviews shall be undertaken to ensure compliance with set targets. In the implementation of this Act, priority shall be given to identify areas with a 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, and global hunger indices as benchmarks.

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

- a. Department of Agriculture (DA);
- b. Department of Agrarian Reform (DAR);
- c. Department of Budget and Management (DBM);
- d. Department of Education (DepEd);
- e. Department of Environment and Natural Resources (DENR);
- f. Department of Health (DOH);
- g. Department of the Interior and Local Government (DILG);
- h. Department of Justice (DOJ);
- i. Department Labor and Employment (DOLE);
- j. Department of Public Works and Highways (DPWH);
- k. Department of Social Welfare and Development (DSWD);
- l. Department of Science and Technology (DOST);
- m. Department of Trade and Industry (DTI);
- n. Commission on Human Rights (CHR);

- 1 o. Commission on Higher Education (CHED);
- 2 p. National Anti-Poverty Commission (NAPC);
- 3 q. National Economic Development Authority (NEDA);
- 4 r. National Food Authority (NFA);
- 5 s. National Nutrition Council (NNC);
- 6 t. Technical Education and Skills Development Authority (TESDA); and
- 7 u. other agencies and instrumentalities of the government whose functions are
- 8 necessary for the efficient and effective implementation of the right to
- 9 adequate food.

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

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

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

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

31 The Commission shall have the following powers:

- a. Receive complaints of violations of the right to adequate food from individuals and groups;
- b. Investigate, motu proprio, or upon complaint by any party, all forms of violations of the right to adequate food;
- c. Adopt operational guidelines and rules of procedure and cite for contempt individuals and groups for their violations 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 underprivileged 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. Monitor the Government's compliance with its obligations with regard to the right to adequate food;
- h. Request the assistance of any department, bureau, office or agency in the performance of its functions;
- i. Appoint officers and employees in accordance with law; and
- j. Perform such other duties and functions as may be provided by law.

Sec. 18. *Composition.* - The Commission is composed of a chairperson and two (2) members who must be natural-born citizens; at least thirty-five (35) years of age at the time of their appointment; 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

1 of any profession, or in the active management or control of any business which, in
2 any way, may affect the functions of their office, nor shall they be financially interested,
3 directly or indirectly, in any subdivisions, agencies, or instrumentalities, including
4 government-owned or controlled corporations or their subsidiaries.

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

13 The Chairperson and members of the Commission shall receive the same salary,
14 benefits, privileges and emoluments of a cabinet secretary and undersecretary,
15 respectively.

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

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

1 Specific support measures shall be designed and adopted to prevent or
2 compensate for disadvantages of the identified vulnerable persons or groups suffering
3 from, with regard to the enjoyment of their right to adequate food.

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

6 a. Provide food emergency responses which sufficiently cover both early
7 warning responses and disaster preparedness in case of a crisis, and
8 organize and manage food responses efficiently and effectively;

9 b. Ensure that food supply responses are compatible with the right to adequate
10 food and international standards regulating emergencies; and

11 c. Initiate requests for international assistance in case of necessity and
12 supervise and coordinate properly the distribution of food to intended
13 recipients.

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

17 a. Inform the population about the rights established in this Act and the
18 implementing rules and regulations adopted upon its passage into law and
19 other measures taken for the purpose of facilitating and promoting the
20 realization of the right to adequate food; and

21 b. Use the most appropriate ways and methods of disseminating information
22 by providing information through all media forms, and in local languages,
23 notably in the most marginalized areas and among populations with a high
24 rate of illiteracy.

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

27 a. School curriculum includes material related to food and nutrition education,
28 the right to adequate food and human rights principles; and

29 b. Relevant adult education and training programs shall include materials
30 related to food and nutrition, the right to adequate food and human rights
31 principles.

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

- 3 a. Ensure that activities undertaken in other countries, including those by
4 private actors, do not infringe on the enjoyment of the right to adequate food
5 by the people in the concerned countries;
- 6 b. Promote international cooperation and help ensure the realization of the
7 right to adequate food in other countries, if in a position to do so; and
- 8 c. Ensure that international and other agreements which the Philippine
9 Government enters into, consider the guarantee on the right to food.

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

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

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

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

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

5 Sec. 26. *Penal Provisions.* – The penalty of imprisonment of six (6) months and
6 one (1) day to six (6) years, or a fine of not less than One Hundred Thousand Pesos
7 (Php 100,000.00) but not more than Five Hundred Thousand Pesos (Php
8 500,000.00), or both, at the discretion of the court, shall be imposed on any person
9 who causes the starvation or denial of the access to food of any particular individual
10 or group, through the commission of any of the following acts:

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

23 *Provided,* That the penalty is imposable without prejudice to any other criminal,
24 civil or administrative liability under existing laws. If the act committed is food
25 blockade during armed conflict, the penalty imposable shall be without prejudice to
26 the application of Republic Act No. 9851, or the “Philippine Act on 20 Crimes against
27 International Humanitarian Law, Genocide and Other Crimes against Humanity,” and
28 other relevant laws.

29 Sec. 27. *Civil and Administrative Liabilities.* – The government shall ensure the
30 enjoyment of the rights guaranteed in this Act and to perform the duties provided for

1 in this Act. Appropriate cases may be filed before the courts to compel compliance with
2 the provisions of this Act. These cases shall be without prejudice to liability for
3 damages and administrative liability that may be incurred.

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

7 Sec. 28. *Appropriations.* – There shall be an allocation in the annual budget
8 specifically for the purposes of the implementation of the right to adequate food, in
9 accordance with priorities set by the Commission on the Right to Adequate Food. The
10 allocation shall be aimed at the progressive realization of the right to adequate food
11 over the long term.

12 Sec. 29. *Implementing Rules and Regulations.* – Within sixty (60) days from
13 the effectivity of this Act, the Chairperson of the Commission shall, in coordination
14 with the CHR, DA, DAR, DSWD, DOH, DTI, DPWH, NEDA, NNC, and NAPC, and
15 people’s organizations and human rights non-governmental organizations,
16 promulgate the necessary rules and regulations for the effective implementation of this
17 Act.

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

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

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

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

Approved,