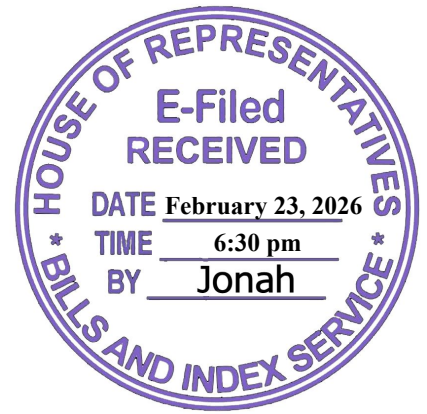


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 8003



Introduced by **Representative AGATHA PAULA “AGAY” A. CRUZ**

EXPLANATORY NOTE

In a country blessed with fertile soil, vast coastlines, and industrious citizens, hunger should be an aberration, but for too many Filipino families, the uncertainty of the next meal is routine.

Involuntary hunger weakens more than the body. It weakens the nation. A malnourished child struggles to learn. An underfed worker cannot perform at full capacity. A community deprived of stable access to food becomes vulnerable to exploitation, instability, and chronic poverty. No serious discourse on development can ignore the foundational truth that food security underpins health, education, productivity, and democratic participation.

The right to adequate food is not a charitable aspiration. It is a recognized human right inherent in every person. It has been authoritatively defined as the right “to have regular, permanent and unrestricted access, either directly or by means of financial purchases, to quantitatively and qualitatively adequate and sufficient food...which ensures a physical and mental, individual and collective fulfilling and dignified life free of fear.”¹ This articulation reminds us that the right to adequate food is not satisfied by subsistence alone. It demands stability, quality, accessibility, and dignity.

Despite this recognition, our domestic legal framework remains fragmented. Programs addressing agriculture, nutrition, social protection, disaster response, and market regulation operate across different agencies without a unified statutory anchor. While constitutional principles on social justice and human dignity provide moral direction, they lack a comprehensive legislative structure that translates those ideals into enforceable standards and coordinated policy.

This bill builds on the previous measures filed since the Sixteenth Congress that sought to establish a framework for the right to adequate food. It refines their core principles, incorporates lessons from past deliberations, and strengthens provisions on

¹ Jean Ziegler, Report by the Special Rapporteur on the Right to Food, E/CN.4/2001/53 (July 2, 2001)

institutional coordination, monitoring, and enforceability. It establishes a clear, rights-based framework defining availability, accessibility, adequacy, sustainability, and safety as core elements of the right to adequate food. It delineates the State's obligations to respect, protect, and fulfill this right.

Crucially, it affirms that recognition without remedy is insufficient. As observed in legal scholarship, "a human right, to be complete and fully realized, must have the capacity to be claimed by right-holders and the capacity to hold duty-bearers accountable."² The absence of remedies for hunger is itself a violation. This measure seeks to transform the right to adequate food from a rhetorical commitment into a legally enforceable guarantee, so that freedom and food, justice and jobs, liberty and prosperity may truly go together.³

A government that protects liberty must also secure the conditions that make liberty meaningful. Freedom is fragile when the stomach is empty. Opportunity is theoretical when nourishment is uncertain. Governance that overlooks hunger cannot claim to have fulfilled its most basic duty.

This measure gives operational substance to the moral conviction that no Filipino should suffer hunger in a land capable of feeding its people.

For these reasons, the passage of this measure is earnestly sought.


AGATHA PAULA "AGAY" AGUILAR CRUZ
Representative, Fifth Legislative District of Bulacan

² Aireen Keith S. Macalalad, *Hunger for Justiciability and Judicial Exigibility: Claiming the Human Right to Adequate Food Before Philippine Courts*, 93 PHIL. L. J. 140 (2020).

³ *Ibid.*

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HOUSE BILL NO. 8003

Introduced by **Representative AGATHA PAULA “AGAY” A. CRUZ**

AN ACT
RECOGNIZING, PROTECTING, AND FULFILLING THE RIGHT TO ADEQUATE
FOOD, ESTABLISHING A NATIONAL FRAMEWORK FOR FOOD SECURITY
AND NUTRITION, PROVIDING MECHANISMS FOR ACCOUNTABILITY AND
REMEDIES, AND FOR OTHER PURPOSES

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

CHAPTER I
GENERAL PROVISIONS

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

Section 2. *Declaration of Policy.* – Consistent with the principles enshrined in the 1987 Constitution as well as the provisions of the International Covenant on Economic, Social and Cultural Rights, Convention on the Rights of the Child, Convention on the Elimination of All Forms of Discrimination Against Women, and the Convention on the Rights of Persons with Disabilities, to which the Philippines is a State Party, it is hereby declared the policy of the State to recognize, protect, and fulfill the right of every person to adequate food as a legally enforceable human right inherent in every person and indispensable to the enjoyment of life, health, dignity, and the full development of the human person.

The State affirms that freedom from hunger is a minimum core obligation and shall be progressively realized consistent with available resources, national development priorities, and the principles of accountability, transparency, participation, non-discrimination, and the rule of law.

Towards this end, the State shall adopt a whole-of-government and whole-of-society approach to food security and nutrition. It shall ensure that food systems are

responsive to present and future needs by integrating agriculture, nutrition, social protection, environmental sustainability, disaster resilience, and equitable economic development into a coherent and enforceable framework.

Section 3. Definition of Terms. – As used in this Act:

- (a) *Dietary needs* refer to a mix of nutrients for physical and mental growth, development and maintenance, and physical activity, that follow human physiological needs at all stages throughout the life cycle, and according to gender and occupation;
- (b) *Food* refers to solid, liquid and semi-liquid nourishment, as well as drinking water, and when taken into the body serves to nourish, build and repair tissues, supply energy, or regulate body processes;
- (c) *Food blockade* refers to an act of cutting off food supplies from a particular area by force, either in part or totally;
- (d) *Food emergency* refers to a situation in which access to food is endangered, as may be caused by natural events 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 infectious disease outbreaks or pandemics, such as Severe Acute Respiratory Syndrome (SARS) and the COVID-19;
- (e) *Hunger* refers to a condition in which people do not get enough food to eat to provide the necessary nutrients for fully productive, active and healthy living due to the unavailability and inaccessibility of food, which may be: (1) acute, such as during a major disaster when food supply channels are cut, (2) chronic, when people are regularly not getting enough food to conduct an active life for a long time, or (3) a condition of starvation, which is not having enough food of any sort to eat, or undernourishment, which is having enough food to eat, but of inadequate quality.
- (f) *Right to adequate food* refers to the right to have regular, permanent, and unrestricted access, either directly or by means of financial purchases, to quantitatively and qualitatively adequate, sufficient, and safe food, corresponding to the cultural traditions of the people to which a consumer belongs, and which ensure a person's physical and mental well-being, as well as an individual and collective, fulfilling and dignified life, free of fear;
- (g) *Vulnerable groups* refer to those who are particularly disadvantaged. These include indigenous peoples; ethnic, linguistic, or religious minorities; persons with disabilities; persons living with Human Immunodeficiency Virus (HIV)

1 or Acquired Immune Deficiency Syndrome (AIDS); refugees; internally
2 displaced people; senior citizens; women, including pregnant and lactating
3 mothers; and children, particularly those from zero (0) to twenty-three (23)
4 months of age.

5 6 CHAPTER II 7 THE RIGHT TO ADEQUATE FOOD 8

9 **Section 4. Normative Content of the Right to Adequate Food.** – Every person has
10 the right to have regular, permanent and unrestricted access, either directly or by means
11 of financial purchases, to quantitatively and qualitatively adequate, sufficient and safe
12 food, corresponding to the cultural traditions of the people to which a consumer belongs,
13 and which ensure physical and mental, individual and collective, fulfilling and dignified
14 life, free of fear.

15
16 The right to adequate food is realized when every man, woman and child, alone
17 or in community with others, have physical and economic access at all times to adequate
18 food, or means for its procurement. It shall encompass availability, accessibility,
19 adequacy, safety, and sustainability. It shall not be interpreted in a narrow or restrictive
20 sense that equates it solely with caloric sufficiency but shall include nutritional quality,
21 cultural appropriateness, and stability of access.

22
23 The right to adequate food shall be realized progressively. However, the core
24 obligation is to take the necessary action to mitigate and alleviate hunger, even in times
25 of natural or other disasters. The right to be free from hunger ensures a minimum daily
26 nutritional intake and the bare survival of a person. The right to adequate food goes
27 beyond freedom from hunger.

28
29 **Section 5. Food Adequacy Standard.** – Central to the realization of the right to
30 adequate food is the standard of adequacy in terms of quality, quantity, cultural
31 acceptability, sustainability of food availability, and access.

32
33 The standard of adequacy includes a number of factors which are considered in
34 determining whether particular foods or diet that are accessible can be considered the
35 most appropriate under particular circumstances. Sustainability is intrinsically linked to
36 the concept of adequate food or food security, implying that food must be accessible to
37 both present and future generations.

38
39 **Section 6. Availability Standard.** – The concept of availability refers to the
40 possibilities either for feeding oneself directly from productive land, or other natural
41 resources, or for well-functioning distribution, processing and market systems that can
42 move food from the site of production to where it is needed in accordance with demand.

43
44 **Section 7. Accessibility Standard.** – The concept of food accessibility includes both

1 economic and physical.

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

9
10 Physical accessibility means that adequate food must be accessible to everyone,
11 including physically vulnerable individuals, such as infants and young children, senior
12 citizens, those belonging to the informal sector, persons with disabilities, persons with
13 chronic or life-threatening illness, and persons with mental health conditions. Victims of
14 natural disasters, people living in disaster-prone areas, and other specially disadvantaged
15 groups, and many indigenous peoples' groups whose access to their ancestral lands is
16 threatened, need special attention and priority consideration with respect to accessibility
17 of food.

18
19 Socially vulnerable groups such as landless persons and other particularly
20 impoverished segments of the population may need attention through special programs.

21
22 **Section 8. *Cultural or Consumer Acceptability.*** – In providing food, there is a need
23 to take into account, as far as possible, perceived non-nutrient-based values attached to
24 food and food consumption and the consumers' concerns on the nature of accessible food
25 supplies.

26
27 Food must be free from adverse substances to ensure food safety. Measures must
28 be taken to maintain, adapt or strengthen dietary diversity and appropriate consumption
29 and feeding patterns, including optimal breast-feeding, to ensure that changes in
30 availability and access to food supply do not negatively affect dietary composition and
31 intake. Care must also be taken to identify and avoid or destroy naturally occurring toxins.

32
33 Freedom from adverse substances implies that the requirements for food safety
34 and a range of protective measures are implemented to prevent contamination of
35 foodstuff through adulteration, bad environmental hygiene, or inappropriate handling at
36 different stages throughout the food chain.

37
38 **Section 9. *Conditions for the Exercise of the Right to Adequate Food.*** – Every
39 person has the right to live in conditions that shall enable them to:

- 40
41 (a) Acquire food directly from productive land or other natural resources, or rely
42 on well-functioning food distribution, processing and market systems, or both;
43
44 (b) Afford sufficient quantity and quality of food and to satisfy other basic needs;

- 1
- 2 (c) Be protected from the risk of losing access to food, as a consequence of sudden
- 3 shocks, like an economic or climatic crisis, or one that is brought about by a
- 4 national health emergency, or one that caused the internal displacement of
- 5 people, or cyclical events, such as seasonal food insecurity;
- 6
- 7 (d) Have the opportunity of good food utilization through access to adequate diet,
- 8 clean water, sanitation and health care and to reach a state of nutritional well-
- 9 being, where all physiological needs are met; and,
- 10
- 11 (e) Access food or diet that is the most appropriate under given circumstances, in
- 12 terms of their nutritional value and cultural acceptability.
- 13

14 Every infant, girl and boy has a right to adequate food and to optimal health,

15 development and nutrition adequate for their age, growth and development.

16

17 Every woman has a right to adequate food and adequate nutrition during

18 pregnancy and lactation.

19

20 No limitation on the right to adequate food may be allowed, unless it is provided

21 by law, is necessary for the purpose of a compelling public interest, and is compatible

22 with the nature of the right to adequate food.

23

24 **Section 10. *Freedom from Hunger.*** – Every person has a right to be free from

25 hunger. Every person suffering from hunger or undernourishment, or at risk of suffering

26 from hunger or undernourishment, is entitled to a minimum amount of food according

27 to one’s age, sex, health status, and occupation, as provided for in this Act.

28

29 **Section 11. *Non-discrimination.*** – Any distinction, exclusion, or restriction made

30 on the basis of race, color, sex, age, language, religion, political or other opinion, national

31 or social origin, property, birth or other status, which has the effect or purpose of

32 impairing or limiting the capacity of an individual to exercise the right to adequate food,

33 is unlawful and shall be sanctioned in accordance with law.

34

35 All forms of discrimination against women with regard to the guaranteed right to

36 adequate food, including less favorable treatment of women for reasons of pregnancy and

37 maternity, shall be eliminated and prevented. The equality of opportunities between men

38 and women shall be promoted.

39

40 The prohibition of discrimination shall not preclude government from adopting

41 measures designed to remedy past effects of discrimination against particular individuals

42 or groups and to promote substantive equality in the enjoyment of the right to adequate

43 food.

44

1 **Section 12. *Rights-based Principles.*** – The provisions of this Act are founded on
2 the rights-based principles of participation, accountability, non-discrimination,
3 transparency, human dignity, empowerment, and rule of law, and are consistent with the
4 progressive realization of the right to adequate food.
5

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

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

23 (c) *Non-discrimination:* The protection for human rights must be objectively and
24 reasonably be the same for everybody, irrespective of sex, age, race, color,
25 religion or any other ground. In addition to specifically prohibiting
26 discrimination on any ground, this principle requires specific measures aimed
27 at correcting de facto discrimination or eliminating conditions that cause or
28 help to perpetuate discrimination, as well as measures promoting equality. In
29 the context of this Act, it means paying particular attention to those groups that
30 cannot enjoy their rights as fully as others.
31

32 (d) *Transparency:* The public should be given free and open access to timely and
33 reliable information on the decisions and performance of public authorities.
34 Holders of public office are as open as possible about all their decisions and
35 actions that may affect the free exercise of the right to adequate food. Applying
36 the principle of transparency within the context of this Act means that people
37 are provided with essential information about the decision-making process
38 and those accountable and responsible for it. The people also have the power
39 to demand information on the processes that feed into the achievement of the
40 particular entitlement, which provide an easy and low-cost corrective check to
41 malfeasance.
42

43 (e) *Human dignity:* Persons have absolute and inherent worth, simply because they
44 are humans, and not by virtue of any social status or a particular power. This

1 Act unequivocally recognizes that every person has a right to adequate food.
2 To comply with this principle in the implementation of this Act, the State,
3 through its public officials, must treat persons equally and respect their human
4 worth and dignity.
5

6 (f) *Empowerment*: People have the power, capacity, capability and access means to
7 improve their own lives, including the power to seek from the State remedies
8 for violations of their human rights. This principle is the logical consequence
9 of all the preceding principles. In the context of this Act, empowerment entails
10 specific provisions for awareness-raising, capacity-building, and right to
11 adequate food education.
12

13 (g) *Rule of law*: Government authority is legitimately exercised only in accordance
14 with written, publicly disclosed and accessible laws, adopted and enforced in
15 conformity with established procedures. The principle is intended as a
16 safeguard against arbitrary use of State authority and lawless acts of both
17 organizations and individuals. Rules and regulations to be adopted for
18 ensuring the implementation of this Act shall be clear, fair and accessible. The
19 rule of law also means that no person or body can breach the law with
20 impunity. There is access to justice including the right to an effective remedy
21 for anyone whose rights are violated, as well as the guarantee of due process
22 in all legal proceedings.
23

24 CHAPTER III 25 STATE OBLIGATIONS 26

27 **Section 13. State Obligations.** –The State, as the primary duty-bearer, has the duty
28 to respect, protect and fulfill the right to adequate food, and maintain food sovereignty. It
29 has the core obligation to take the necessary action to mitigate and alleviate hunger, even
30 in times of natural or other disasters. The right to be free from hunger ensures a minimum
31 daily nutritional intake and the bare survival of a person.
32

33 (a) *Respect*. It is the duty of the State not to interfere with or impair the enjoyment
34 of the right to adequate food. No public authority may deprive any person of
35 food or means for its procurement, apply laws and regulations, or pursue a
36 policy or practice, in a way that could result in preventing the enjoyment of or
37 infringing the human right to adequate food, or repeal formally or suspend
38 legislation necessary for the continued enjoyment of the right to adequate food.
39

40 (b) *Protect*. It is the duty of the State to provide guarantees against threats and risks
41 stemming from private actors or societal forces that are controllable by State
42 action. It is bound to take preventive measures necessary to protect persons
43 whose capacities to access sufficient and adequate food or means for its
44 procurement are endangered by the acts of others. It also must review the

relevant administrative and legislative framework ensuring that activities within their competence undertaken by private actors do not infringe on the right to adequate food of others.

- (c) *Fulfill*. It is the duty of the State to facilitate the enjoyment of the right to adequate food by adopting or pursuing appropriate policies and measures that promote the human right to adequate food and to create and maintain conditions under which every person can freely and regularly enjoy the right to adequate food. It is equally the duty of the State to provide for right to adequate food, by adopting and putting in place measures to provide food, or means for its procurement, to persons who cannot take care of their own needs due to reasons beyond their control, in particular for children whose parents die, disappear or otherwise no longer take care of them.

Section 14. *Progressive Realization and National Targets*. – The State shall pursue the progressive elimination of the incidence of hunger and malnutrition. Within ten (10) years from the effectivity of this Act, the State shall endeavor to achieve zero hunger, subject to periodic review and adjustment based on verified national data, fiscal capacity, and extraordinary circumstances.

In the implementation of this Act, priority shall be given to areas with high prevalence of chronic malnutrition.

In measuring the incidence of hunger, interim benchmarks shall be established in the Implementing Rules and Regulations (IRR), based on harmonized baseline data from the Philippine Statistics Authority (PSA), the National Nutrition Survey, and other recognized indicators.

CHAPTER IV INSTITUTIONAL MECHANISMS AND IMPLEMENTATION

Section 15. *Creation and Nature of the Commission on the Right to Adequate Food (CRAF)*. – There is hereby created a Commission on the Right to Adequate Food (CRAF), which shall be attached to the Office of the President for purposes of policy coordination and administrative supervision.

The CRAF shall serve as the principal national body responsible for advancing the progressive realization of the right to adequate food through a coherent, integrated, and whole-of-government approach. It shall provide strategic direction for national efforts relating to food security, nutrition, and sustainable food systems, consistent with this Act and other applicable laws.

The CRAF shall adopt and promote a human rights-based approach in national food governance and shall ensure that the realization of the right to adequate food is

pursued in accordance with the principles of availability, accessibility, adequacy, sustainability, participation, transparency, accountability, and non-discrimination.

Section 16. Powers and Functions. – The CRAF shall serve as a policy-making, coordinating, advisory, monitoring, and investigative body to promote the full exercise and safeguard the progressive realization of the right to adequate food.

In furtherance of its mandate, the CRAF shall have the following powers and functions:

- (a) Formulate, adopt, and periodically update a National Food Policy (NFP) that provides a coherent, integrated, and whole-of-government framework for the eradication of hunger, achievement of food security, improvement of nutrition, and promotion of sustainable and climate-resilient agriculture;
- (b) Develop national strategies, standards, and performance indicators for the realization of the right to adequate food, including measurable targets and monitoring benchmarks;
- (c) Receive complaints alleging violations of the right to adequate food and investigate, *motu proprio*, or upon complaint, acts or omissions that may constitute violations;
- (d) Adopt operational guidelines and rules of procedure governing its investigations and proceedings, consistent with due process and applicable provisions of the Rules of Court; in the exercise of its investigatory powers, it may cite for contempt persons who willfully refuse to comply with lawful orders issued in connection with proceedings before the Commission, in accordance with law;
- (e) Provide or facilitate appropriate legal measures for the protection of the right to adequate food, including referral of cases to appropriate courts, quasi-judicial bodies, or government agencies, and extend or coordinate legal assistance to underprivileged persons whose right to adequate food has been violated or is under imminent threat;
- (f) Recommend to Congress and the Office of the President legislative, administrative, or budgetary measures to strengthen the protection of the right to adequate food, harmonize existing laws, and ensure the availability of remedies and appropriate compensation to victims of violations;
- (g) Monitor the Government’s compliance with its domestic and international obligations relating to the right to adequate food, and submit to the President and Congress an Annual State of Food Security and Nutrition Report

1 containing its findings and policy recommendations;

- 2
- 3 (h) Conduct policy reviews and objective impact assessments of proposed and
- 4 existing laws, policies, programs, and projects affecting food security and
- 5 nutrition, and issue advisory opinions thereon;
- 6
- 7 (i) Establish and maintain continuing programs of research, education, training,
- 8 and public information to enhance awareness and respect for the primacy of
- 9 the right to adequate food;
- 10
- 11 (j) Request the assistance of any department, bureau, office, agency, or
- 12 instrumentality of the Government in the performance of its functions, and
- 13 such entities shall extend full cooperation subject to existing laws on
- 14 confidentiality and data privacy;
- 15
- 16 (k) Appoint officers and employees in accordance with civil service laws, rules,
- 17 and regulations; and
- 18
- 19 (l) Perform such other duties and functions as may be necessary to carry out the
- 20 purposes of this Act, consistent with its mandate.
- 21

22 In exercising its powers and duties, the CRAF shall:

- 23
- 24 (1) Apply the human rights principles established under this Act, including
- 25 participation, transparency, accountability, non-discrimination, and
- 26 sustainability;
- 27
- 28 (2) Work in close cooperation with civil society organizations, farmers' and
- 29 fisherfolk groups, indigenous peoples, academic institutions, nutrition experts,
- 30 and the private sector, and take their views into consideration in policymaking
- 31 and monitoring activities; and
- 32
- 33 (3) Utilize, to the fullest extent possible, the services, facilities, data, and technical
- 34 expertise of relevant public and private institutions in order to prevent
- 35 duplication of efforts and promote efficient use of resources.
- 36

37 **Section 17. Composition, Qualifications, Appointment and Term of Office.** – The

38 CRAF shall be composed of one (1) Chairperson and two (2) Commissioners who shall

39 serve in a full-time capacity. At least one (1) of the members of the Commission shall be a

40 member of the Philippine Bar in good standing.

41

42 The Chairperson and the Commissioners shall be natural-born citizens of the

43 Philippines, at least thirty-five (35) years of age at the time of appointment, and of proven

44 integrity, independence, and recognized competence in food security, public health and

1 nutrition, agriculture and fisheries, economics and development planning, environmental
2 sustainability, social protection, human rights law, or public administration. They shall
3 not have been candidates for any elective position in the immediately preceding national
4 or local elections.

5
6 The Chairperson and the Commissioners shall not hold any other public office or
7 employment during their tenure. Neither shall they engage in the practice of any
8 profession, or in the active management or control of any business which, in any way,
9 may be affected by the functions of their office, nor shall they be financially interested,
10 directly or indirectly, in any contract with, or in any franchise or privilege granted by the
11 government, any of its subdivisions, agencies, or instrumentalities, including
12 government-owned or controlled corporations or their subsidiaries.

13
14 The Chairperson and the Commissioners shall be appointed by the President of
15 the Philippines and shall serve for a term of seven (7) years without reappointment. Of
16 those first appointed under this Act, the Chairperson shall hold office for seven (7) years,
17 one (1) Commissioner shall hold office for five (5) years, and one (1) shall hold office for
18 three (3) years, as designated in their appointments. Thereafter, all appointments shall be
19 for a full term of seven (7) years without reappointment to preserve institutional
20 continuity and independence.

21
22 Appointment to any vacancy shall be only for the unexpired term of the
23 predecessor. In no case will any Chairperson or Commissioner be appointed or
24 designated in a temporary, acting, or interim capacity.

25
26 The Chairperson and Commissioners may be removed by the President for cause,
27 including but not limited to serious misconduct, gross neglect of duty, conviction of a
28 crime involving moral turpitude, or incapacity to discharge the functions of office, subject
29 to due process.

30
31 The compensation and benefits of the Chairperson and Commissioners shall be
32 comparable to an Undersecretary and Assistant Secretary, respectively, and shall not be
33 diminished during their tenure.

34
35 **Section 18. *Institutional Responsibilities.*** – In implementing this Act, the CRAF
36 may require the submission of reports, convene coordination meetings, and issue policy
37 advisories and recommendations to ensure coherence and complementarity of
38 government measures relating to the right to adequate food.

39
40 For purposes of functional coordination, the Department of Agriculture (DA) shall
41 have primary responsibility for food availability, stability, and adequacy; the Department
42 of Health (DOH) shall have primary responsibility for food quality, safety, and nutrition-
43 related standards in coordination with relevant bodies; the Department of Trade and
44 Industry (DTI) shall have primary responsibility for market-related measures affecting

1 physical and economic access to food; and the Department of Public Works and Highways
2 (DPWH) shall have primary responsibility for infrastructure measures supporting food
3 logistics and distribution. Other government agencies and instrumentalities shall perform
4 their respective mandates in a manner that supports the objectives of this Act.
5

6 **Section 19. Role of LGUs.** – LGUs shall formulate and implement Local Food
7 Security and Nutrition Plans consistent with national policy and shall allocate appropriate
8 funding from their development funds to support food and nutrition programs.
9

10 **Section 20. Whole-of-Government Approach for Eradicating Hunger.** – To pursue
11 the progressive elimination of hunger within ten years after the effectivity of this Act, the
12 State adopts a comprehensive whole-of-government approach to policy planning,
13 development, and implementation, including program management and service delivery.
14 All Departments and their attached agencies and bureaus shall work together across
15 portfolio boundaries to achieve an integrated government response to pursue the
16 elimination of hunger. In particular, all departments and their attached agencies shall:
17

- 18 (a) Plan, program and budget in conjunction with each other;
- 19 (b) Collaborate in the review, design and delivery of policy, programs and
20 services;
- 21 (c) Coordinate and communicate through formal and informal channels toward
22 timely and effective implementation of policy decisions;
- 23 (d) Implement policies in an integrated manner;
- 24 (e) Share information and data and cooperate in knowledge management;
- 25 (f) Effectively align policies, programs, activities and projects;
- 26 (g) Share reporting duties; and
- 27 (h) Engage with civil society organizations, business and the private sector, and
28 ensure their active participation in policy, plan and program design and
29 implementation.
30

31 **Section 21. Representation and Participation of Civil Society Organizations and**
32 **the Private Sector.** – The whole-of-society approach requires genuine and meaningful
33 participation of civil society organizations and the private sector.
34

35 To this end, the CRAF has the duty to ensure that:
36

- 37 (a) All departments and their attached agencies and bureaus shall involve civil
38 society and other stakeholders in review, reform, formulation, and
39 implementation of policies, plans, programs, activities and projects to end
40 hunger;
41
- 42 (b) All persons can freely and meaningfully participate in all forms of public
43 discourse, as well as access information and exercise freedom of association, in
44 relation to the formulation and implementation of policies pertaining to the

1 right to adequate food;

2
3 (c) Civil society and other stakeholders actively participate in the institutions that
4 oversee the realization of the right to adequate food, as well as in formulating
5 capacity building mechanisms and special measures for disadvantaged
6 groups; and
7

8 (d) National public hearings are conducted every two years, at which the
9 Government is required to report on the progress made with the
10 implementation of this Act, and the progressive realization of the right to
11 adequate food in the country.
12

13 **Section 22. *Standards on the Minimum Amount of Food.*** – Within one (1) year
14 from the effectivity of this Act, the CRAF, in consultation with the Department of Social
15 Welfare and Development (DSWD), NNC, DOH, and concerned LGUs, shall issue
16 guidelines on the minimum amount of food for persons who are suffering from hunger
17 or undernourishment, or are at risk from suffering from hunger or undernourishment,
18 but who cannot take care of their own needs due to reasons beyond their control,
19 including, but not limited, to children whose parents die or disappear, or otherwise no
20 longer take care of them, senior citizens, and persons with disabilities. The guidelines shall
21 include:
22

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

32 Specific support measures shall be designed and adopted to prevent or
33 compensate for disadvantages that identified vulnerable persons or groups suffer from,
34 with regard to the enjoyment of their right to food. The CRAF shall review proposed
35 support measures and, where necessary, shall give further guidance, so as to ensure that
36 all groups are covered appropriately.
37

38 There shall likewise be established fair, independent, and accessible recourse
39 procedures to the Commission for complaints and appropriate remedies in case of a
40 determined violation of the right to adequate food. There shall also be an appropriate
41 monitoring and evaluation mechanism in which the DSWD shall report to the CRAF on a
42 regular basis.
43

44 **Section 23. *Food Emergencies.*** – The CRAF, in coordination with the National

1 Disaster Risk Reduction and Management Council (NDRRMC) and other appropriate
2 government agencies, shall ensure that:

- 3
- 4 (a) Information on potential or brewing food emergencies is shared speedily
5 among all Departments and agencies, and with the general public;
6
- 7 (b) Food emergency responses sufficiently cover both early warning responses
8 and disaster preparedness in case of a crisis, and comply with the right to
9 adequate food and relevant international standards regulating emergencies;
10
- 11 (c) Food supply responses or food aid are free from spoilage, leakage, and are
12 protected against theft and corruption; and
13
- 14 (d) Requests for international assistance are initiated in case of necessity and
15 distribution of food to intended recipients is properly supervised and
16 coordinated.
17

18 **Section 24. Information Dissemination.** – All government agencies, under the
19 direction of the CRAF, in coordination with the Philippine News Agency (PNA) and
20 Philippine Information Agency (PIA), are mandated to:

- 21
- 22 (a) Inform the population about the rights established in this Act and the
23 implementing rules and regulations adopted upon its entry into force, as well
24 as about any other measure taken for the purpose of facilitating and promoting
25 the realization of the right to adequate food; and
26
- 27 (b) Use the most appropriate ways and methods of disseminating information by
28 providing information through all media forms, and in local languages,
29 notably in the most marginalized areas and among populations with a high
30 rate of illiteracy.
31

32 **Section 25. Education and Awareness Program.** – The CRAF, in coordination with
33 the Department of Education (DepEd), Commission on Higher Education (CHED) and
34 Technical Education and Skills Development Authority (TESDA), shall ensure that:

- 35
- 36 (a) The school curriculum includes material related to food and nutrition
37 education, the right to adequate food and human rights principles; and
38
- 39 (b) Relevant adult education and training programs shall include materials
40 related to food and nutrition, the right to adequate food and human rights
41 principles.
42

43 **Section 26. International Cooperation.** – The CRAF, in coordination with the CHR
44 and the Department of Foreign Affairs (DFA), shall:

- 1
- 2 (a) Ensure that activities undertaken in other countries, including those by private
- 3 actors, do not infringe on the enjoyment of the right to adequate food by people
- 4 in the concerned countries, in coordination with DA, DTL, DOH and NEDA
- 5 and other relevant agencies;
- 6
- 7 (b) Promote international cooperation and provide assistance to ensure the
- 8 realization of the right to adequate food in other countries, if in a position to do
- 9 so; and
- 10
- 11 (c) Ensure that international and other agreements which the Philippine
- 12 Government enters into, take into account the guarantee on the right to food.
- 13

14 **Section 27. *Monitoring and Evaluation System.*** – There shall be an integrated

15 monitoring system that shall ensure that all government agencies at all levels, under the

16 supervision of the CRAF, shall:

17

- 18 (a) Collect data related to food and nutrition security, using monitoring
- 19 methodologies and processes consistent with human rights principles as
- 20 established by this Act;
- 21 (b) Disaggregate collected data by age, sex, income bracket, civil status and
- 22 ethnicity;
- 23 (c) Monitor progress achieved in the realization of the right to adequate food; and
- 24 (d) Establish or identify an early warning mechanism for food supply shortages
- 25 and emergencies.
- 26

27 **CHAPTER V**

28 **ACCOUNTABILITY, REMEDIES, AND PENALTIES**

29

30 **Section 28. *Remedies and Cause of Action.*** – Any person whose right under this

31 Act is violated or threatened with violation may file the appropriate civil, criminal, or

32 administrative action before the proper court or competent body. In cases involving the

33 non-performance of a clear and specific legal duty, an aggrieved party may seek

34 mandamus under Section 32 of this Act.

35

36 The remedies provided herein are without prejudice to other remedies available

37 under existing laws.

38

39 **Section 29. *Prohibited Acts; Criminal Liability.*** – It shall be unlawful, without

40 lawful justification, for any person, whether public or private, to commit any of the

41 following acts, when such act results in, materially contributes to, or creates a clear and

42 imminent risk of the starvation, severe hunger, or unlawful denial of access to food of any

43 person or group:

44

- 1 (a) *Food Blockade or Obstruction of Aid* – Willfully and unlawfully cutting off, restricting,
2 or blocking the movement, delivery, or distribution of food or water to a
3 community or area, including deliberate obstruction of duly authorized
4 humanitarian or government food relief operations;
5
- 6 (b) *Diversion, Misuse, or Theft of Food Assistance* – Knowingly diverting, converting,
7 misappropriating, stealing, selling, trading, or otherwise misusing food, funds, or
8 goods intended for food assistance, feeding programs, or emergency response,
9 including through corruption, black marketeering, or similar schemes;
10
- 11 (c) *Discriminatory Denial of Access* – Willfully denying, restricting, or conditioning
12 access to any government food, nutrition, feeding, or relief program on the basis
13 of a prohibited ground under this Act, or imposing eligibility criteria that are
14 manifestly arbitrary, non-transparent, or discriminatory;
15
- 16 (d) *Willful or Grossly Negligent Non-Implementation of Mandated Duties* – For a public
17 officer or employee, willfully or through gross neglect of duty, failing or refusing
18 to perform a specific duty expressly required under this Act, its IRR, or a lawful
19 order issued pursuant thereto, after due notice and within a reasonable period,
20 when such failure results in or materially contributes to hunger, starvation, or
21 denial of access to food;
22
- 23 (e) *Hoarding, Profiteering, or Manipulation During Emergencies* – During a declared food
24 emergency, calamity, armed conflict, or comparable crisis, knowingly hoarding,
25 stockpiling, price manipulating, or profiteering in essential food items or drinking
26 water in a manner that causes or aggravates scarcity or renders access to food
27 materially unaffordable, without prejudice to enforcement under existing price
28 and consumer protection laws;
29
- 30 (f) *Distribution of Unsafe or Unfit Food in Public Programs* – Knowingly, or through gross
31 negligence, distributing expired, contaminated, adulterated, or otherwise unsafe
32 food or drinking water in public feeding programs or emergency relief operations,
33 where such distribution causes or creates a clear and imminent risk of serious
34 harm;
35
- 36 (g) *Contamination or Destruction of Food and Water Sources* – Willfully contaminating,
37 poisoning, destroying, or rendering unusable food stocks, agricultural or fisheries
38 production, or potable water sources, including through illegal dumping,
39 unlawful discharge, or other acts that foreseeably impair access to safe food or
40 water.
41

42 Any person found guilty of any prohibited act under this Section shall suffer the
43 penalty of imprisonment of six (6) months and one (1) day to six (6) years, or a fine of not
44 less than One Hundred Thousand Pesos (₱100,000.00) but not more than Five Hundred

1 Thousand Pesos (₱500,000.00), or both, at the discretion of the court, without prejudice to
2 any higher penalty under existing laws.

3
4 If any prohibited act under this section is committed during an armed conflict and
5 constitutes an offense punishable under Republic Act No. 9851, or the "*Philippine Act on*
6 *Crimes against International Humanitarian Law, Genocide and Other Crimes against Humanity*,"
7 or other applicable laws, prosecution under this Act shall be without prejudice to
8 prosecution under such laws, and the higher penalty shall apply.

9
10 For purposes of this section, "lawful justification" refers to actions taken in good
11 faith compliance with a lawful order or regulation, or measures that are strictly necessary
12 to protect public health and safety, provided that such measures are proportionate, non-
13 discriminatory, time-bound, and do not result in arbitrary denial of access to food.

14
15 **Section 30. *Civil and Administrative Liabilities.* –**

- 16
17 (a) *Civil Liability* – Any person who willfully or through gross negligence
18 commits any act or omission in violation of this Act, and thereby causes
19 injury, damage, or unlawful deprivation of the right to adequate food, shall
20 be liable for actual, moral, and, where appropriate, exemplary damages, in
21 accordance with the Civil Code and other applicable laws.

22
23 Civil liability under this Act shall arise only upon proof of:

- 24 (1) the existence of a legal duty under this Act or its IRR;
25 (2) a breach of such duty through willful act or gross negligence; and
26 (3) a causal connection between the breach and the injury suffered.

27
28 Nothing in this Section shall be construed to create strict liability in the
29 absence of fault.

- 30
31 (b) *Administrative Liability of Public Officers* – Any public officer or employee who,
32 in the performance of official duties, willfully, through gross neglect of duty,
33 or in bad faith, obstructs, defeats, violates, or unduly delays the
34 implementation of a specific obligation expressly required under this Act or
35 its IRR shall be subject to appropriate administrative sanctions under existing
36 civil service laws, without prejudice to criminal or civil liability as may be
37 warranted.

38
39 **Section 31. *Liability of Juridical Persons.* –** If the offender is a corporation,
40 partnership, association, or other juridical entity, the officers who authorized, directed, or
41 knowingly tolerated the prohibited act shall be held personally liable, without prejudice
42 to penalties that may be imposed upon the juridical entity under applicable laws.

43
44 **Section 32. *Ministerial Duties; Mandamus.* –** Where this Act or its IRR impose a

1 clear and specific legal duty upon a public authority, and such authority unlawfully
2 neglects or refuses to perform the same after due demand, an aggrieved party may file an
3 action for mandamus to compel performance or other appropriate relief in accordance
4 with the Rules of Court.
5

6 For purposes of this section, a “ministerial duty” refers to a duty that is expressly
7 mandated by law, leaving no room for the exercise of discretion as to the performance of
8 the act required.
9

10 CHAPTER VI 11 FINAL PROVISIONS 12

13 **Section 33. *Rationalization of Policies.*** – All existing policies, laws, decrees,
14 executive orders, memorandum orders, memorandum circulars, administrative orders,
15 and ordinances shall be rationalized and interpreted in a way that will guarantee the
16 realization of the right to adequate food as provided for by this Act.
17

18 Concerned cabinet secretaries and other executive authorities shall report on a
19 regular basis to the CRAF on legislative and regulatory measures that have been
20 formulated and adopted, and the time frames within which they are envisaged to achieve
21 their objectives in order to achieve zero hunger.
22

23 **Section 34. *Implementing Rules and Regulations.*** – Within ninety (90) days from
24 the appointment of the Chairperson and Commissioners, the CRAF, as lead agency, in
25 coordination with the Commission on Human Rights (CHR), DA, Department of
26 Agrarian Reform (DAR), DSWD, DOH, DTI, DPWH, Department of Economy, Planning
27 and Development (DEPDev), National Nutrition Council (NNC), National Anti-Poverty
28 Commission (NAPC), and other relevant government agencies as well as human rights
29 non-governmental organizations and other stakeholders, shall promulgate and issue the
30 necessary rules and regulations to implement the provisions of this Act.
31

32 **Section 35. *Appropriations.*** – The amount necessary to implement this Act shall
33 be included in the annual General Appropriations Act, consistent with the NFP and the
34 objectives of this Act. Appropriations shall be programmed to support the progressive
35 realization of the right to adequate food.
36

37 **Section 36. *Separability Clause.*** – If any part or provision of this Act is held
38 unconstitutional or invalid, the remainder thereof not otherwise affected shall remain in
39 full force and effect.
40

41 **Section 37. *Repealing Clause.*** – All laws, presidential decrees, executive orders,
42 letters of instruction, proclamations, or administrative regulations that are inconsistent
43 with the provisions of this Act are hereby repealed or modified accordingly.
44

1 **Section 38. *Effectivity.*** – This Act shall take effect fifteen (15) days following its
2 publication in the Official Gazette, or in a newspaper of general circulation.

3
4 *Approved,*