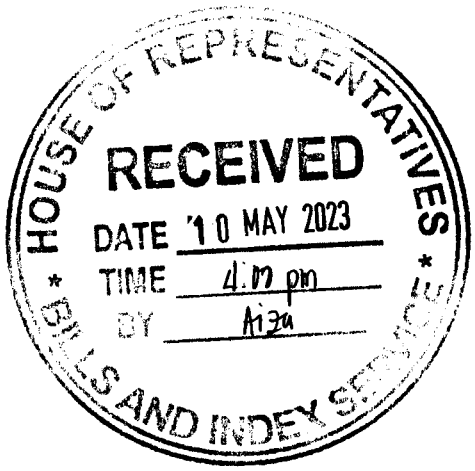

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

NINETEENTH CONGRESS
First Regular Session

House Bill No. 8046

Introduced by Representative Midy N. Cua
Lone District, Quirino

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

EXPLANATORY NOTE

A study by the World Food Programme revealed that one out of ten households in the Philippines are food insecure. To cope with this food insecurity, many households borrow money for food, purchase food on credit, and spend their savings[1]. Another older study by the Food and Agriculture Organization of the United Nations (FAO) previously revealed that from 2019 to 2021, 5.7 million Filipinos were undernourished, or unable to acquire enough food to meet the daily minimum dietary energy requirements over a period of one year. The same study revealed that the Philippines remained among the 63 countries that have the largest number of undernourished people[2].

In consideration of these, this bill aims to provide a comprehensive framework embodying the people's rights to adequate food. Provisions of the 1987 Philippine Constitution, particularly in Article II (Declaration of Principles and State Policies) which state:

> "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."

make it a State policy, and gives the State the corresponding obligation, to guarantee the fulfillment of the peoples' right to adequate food. Additionally, the Philippines is a signatory to several international

[1] World Food Programme. 2022. "Food Security Monitoring - October 2022." Wfp.org. December 12, 2022. https://www.wfp.org/publications/wfp-philippines-food-security-monitoring-october-2022#:~:text=According%20to%20October%20survey%20results,poorest%20regions%20in%20the%20Philippines.

[2] Baclig, Cristina Eloisa. 2019. "World Food Day 2022: Rising Costs Keep Millions in PH Away from Healthy Diets." Philippine Institute for Development Studies. 2019. https://www.pids.gov.ph/details/news/in-the-news/world-food-day-2022-rising-costs-keep-millions-in-ph-away-from-healthy-diets.

instruments such as 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. Other notable policies such as Republic Act No. 9700 (Comprehensive Agrarian Reform Program Extension with Reforms which adopted the policies in Republic Act No. 6657), Republic Act No. 8435 (Agriculture and Fisheries Modernization Act), Republic Act No. 8550 (Philippine Fisheries Code), Republic Act No. 7607 (Magna Carta for Small Farmers), Republic Act No. 7884 (National Dairy Act), Republic Act No. 7900 (High Value Crops Act), Republic Act No. 8178 (Agricultural Tariffication Act), Republic Act No. 7308 (Seed Industry Development Act), Republic Act No. 9168 (Plant Variety Protection Act), Republic Act No. 7581 (Price Act), Republic Act No. 71 (Price Tag Law), Executive Order No. 51 (Milk Code), and Republic Act No. 8976 (Philippine Food Fortification Act of 2000), have the over-all, arching objective of guaranteeing the right of Filipino citizens to adequate food.

To address existing issues, and to complement existing policies, this bill seeks to make it a State obligation to ensure access to food, its availability and adequacy, and provide a comprehensive legal framework to harmonize Philippine laws on the right to adequate food, clarify standards, and prohibit violations against it. The bill proposes to create the Commission on the Right to Adequate Food in charge of administering and overseeing the implementation of the said measure. It sets percentage targets on the reduction of hunger and aims for a zero incidence of hunger, obligating the country to act on the promise of reducing hunger. This bill also does not forgive lightly those who deliberately starve or deny access to food to anyone or any group by providing for penalties.

This measure previously passed the third reading in the 18th Congress. It was proposed by Representatives Cheryl P. Deloso-Montalla, Jericho Jonas B. Nograles, Luis Raymund "Lray" F. Villafuerte, Jr., Jose Christopher Y. Belmonte, Jesus "Bong" C. Suntay, Adriano A. Ebcas, Sol Aragones, Angelina "Helen" D.L. Tan, M.D., Rico B. Geron, Amihilda J. Sangcopan, Ria Christina G. Fariñas, Xavier Jesus D. Romualdo, Leo Rafael M. Cueva, Jorge Antonio P. Bustos, Way Kurat Zamora, Strike B. Revilla, Ruffy B. Biazon, Roman T. Romulo, Leonardo L. Babasa, Jr., Manuel Jose "Manmix" M. Dalipe, Deogracias Victor "DV" B. Savellano, Loren Legarda, John Marvin "Yul Servo" C. Nieto, Dan S. Fernandez, Alfred C. Delos Santos, Cesar "Jawo" I. Jimenez, Jr., Ferdinand L. Hernandez, Marlyn "Len" B. Alonte, Eric G. Yap, Rose Marie "Baby" J. Arenas, Argel Joseph T. Cabatbat, Joy Myra Salvador-Tambunting, "Kuya" Jose Antonio R. Sy-Alvarado, Pablo John F. Garcia, Elenita Milagros "Eileen" Ermita-Buhain, Joey Sarte Salceda, Junie E. Cua, Jose "Ping-Ping" I. Tejada, Micaela S. Violago, Greg G. Gasataya, Romeo M. Jalosjos, Jr., Horacio P. Suansing, Jr., Francisco Jose "Bingo" F. Matugas, CPA, CESO, LLB, Jose Enrique "Joet" S. Garcia, III, Ruwel Peter S. Gonzaga, Teodorico T. Haresco, Jr., Luisa Lloren Cuaresma, Juliette T. Uy, Paul Ruiz Daza, Jocelyn Sy Limkaichong, Manuel F. Zubiri, Manuel T. Sagarbarria, Lorna P. Bautista-Bandigan, Peter John D. Calderon, Luis N. Campos, Jr., David "Jay-Jay" C. Suarez, Sandro L. Gonzalez, Romeo S. Momo, Vincent Franco "Duke" D. Frasco, Yasser Alonto Balindong, Angeo Marcos Barba, Joseph Sto. Niño B. Bernos, Narciso R. Bravo, Jr., Alfel M. Bascug, Wilfredo "Willy" S. Caminero, Carl Nicolas C. Cai, Maximo Y. Dalog, Jr., Abdullah D. Dimaporo, Jumel Anthony I. Espino, Jocelyn F. Fortuno, Ann K. Hofer, Glona G. Labadlabad, Mario Vittoro "Marvey" A. Mariño, Maricel G. Natividad-Nagaño, MD, Na. Lucille L. Nava, MD, Pablo C. Ortega, Emmarie "Lolypop" Ouano-Dizon, Eddiebong G. Plaza, Geraldine B. Roman, Hector S. Sanchez, Lorna C. Silverio, Kristine Singson-Meehan, John Reynald M. Tiangco, Kristine Alexie B. Tutor, Diego "Nonoy" C. Ty, Rosanna "Ria" Vergara, Elizaldy S. Co, Sergio C. Dagooc, Godofredo N. Guya, Stella Luz A. Quimbo, Lawrence "Law" H. Fortun, Manuel D. Cabochan, III, Wilfrido Mark M. Enverga, Wes Gatchalian, Raymund Democrito C. Mendoza, Josephine Ramirez-Sato, Rufus B. Rodriguez, Edgar S. Sarmiento as principal authors thereof.

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

MIDY N. CUA
Representative
Lone District, Quirino

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

NINETEENTH CONGRESS
First Regular Session

House Bill No. 8046

Introduced by Representative Midy N. Cua
Lone District, Quirino

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:

SECTION 1. *Short Title.* – This Act shall be known as the *"Right to Adequate Food Act."*

SEC 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.

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. Towards this end, the State shall provide for framework to address and eliminate hunger in an organized manner, and protect the right of the people to adequate food.

SEC. 3. *Definitions.* – 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 that 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 Coronavirus 19 disease (COVID-19);

e. *Food sovereignty* refers to the right of people to healthy and culturally appropriate food produced through ecologically sound and sustainable methods, and their right to define their own food and agriculture systems, putting the aspirations and needs of those who produce, distribute and consume food at the heart of food systems and policies rather than the demands of markets and corporations;

f. *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 (a) acute, such as during a major disaster when food supply channels are cut, (b) chronic, when people are regularly not getting enough food to conduct an active life for a long time, or (c) a condition of starvation, which is not having enough food of any sort to eat, or (d) undernourishment, which is having enough food to eat, but of inadequate quality; and

g. *Vulnerable groups* refer to those who are particularly disadvantaged such as indigenous peoples, ethnic, linguistic or religious minorities, persons with disabilities, persons living with Human Immunodeficiency Virus (HIV) or Acquired Immune Deficiency Syndrome (AIDS), refugees and internally displaced people, elderly, women, including pregnant and lactating mothers and children, particularly those from zero to twenty-three (23) months of age.

SEC. 4. *Progressive Realization of the Right to Adequate Food.* – Every person has 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 physical and mental, individual and collective, fulfilling and dignified life, free of fear.

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

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

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

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

The concept of adequacy to a large extent is determined by prevailing social, economic, cultural, climatic, ecological and other conditions, while sustainability incorporates long-term availability and accessibility.

SEC. 7. *Availability Standard.* – Food must be available for feeding oneself directly from productive land or other natural resources, or for well-functioning distribution, processing and market systems that can move food from the site of production to where it is needed in accordance with demand.

SEC. 8. *Accessibility Standard.* – Food accessibility is both economic, which refers to the acquisition pattern or entitlement which through people procure their food, and physical, where food must be accessible to everyone.

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

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

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

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

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

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

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

a. Acquire food directly from productive land or other natural resources; or rely on well-functioning food distribution, processing and market systems, or both;

b. Acquire food directly from productive land or other natural resources; or rely on well-functioning food distribution, processing and market systems, or both;

c. Be safe from the risk of losing access to food, as a consequence of sudden shocks, like an economic or climatic crisis, or one that is brought about by internal displacements of people, or cyclical events, such as seasonal food insecurity;

d. 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. Access food or diet that is the most appropriate under given circumstances, in terms of their nutritional value and cultural acceptability.

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

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

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

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

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

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

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

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

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

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

a. *Respect* – the State has the obligation not to interfere with or impair the enjoyment of the right to adequate food. No public authority may deprive any person of food or means for its procurement, apply laws and regulations, or pursue a policy or practice, in a way that may result in preventing the enjoyment of or infringing the human right to adequate food,

or repeal formally or suspend legislation necessary for the continued enjoyment of the right to adequate food.

b. *Protect* – the State has the duty to provide guarantees against threats and risks stemming from private actors or societal forces that are controllable by State action. It shall take preventive measures necessary to protect persons whose capacities to access sufficient and adequate food or means for its 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* – the State shall 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.

SEC. 15. *Targets.* – The State shall ensure that in two and half years (2 ½) after the effectivity of this Act, the incidence of hunger is 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, the incidence of hunger will be further reduced by twenty-five percent (25%): *Provided, finally*, That in ten (10) years, there shall be zero hunger incidence.

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

a. Percentage of development of ancestral lands;

b. Percentage of rural population with access to productive resources;

c. Share of budget spent on programs aimed at creating access to productive resources;

d. Percentage of budget spent on agri-research, agri-extension, irrigation, training, technology, credits and rural development;

e. Percentage of rural female-headed households, or rural women, with legal title to agriculture lands;

f. Percentage of public budget allocation for social transfer programs to those unable to feed themselves;

g. Coverage of marginalized and disadvantaged population taking part in social transfer programs;

h. Percentage of marginalized and disadvantaged population covered by a 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 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 matter 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 of 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);

o. Commission on Higher Education (CHED);

p. National Anti-Poverty Commission (NAPC);

q. National Economic and Development Authority (NEDA);

r. National Food Authority (NFA);

s. National Nutrition Council (NNC);

t. Technical Education and Skills Development Authority (TESDA); and

u. other agencies and instrumentalities of the government whose functions are necessary for the efficient and effective implementation of the right to adequate food.

In addition, the development of a fully integrated whole-of-government approach to implement the national policy governing the right to adequate food and the use of a human rights-based approach for the establishment and implementation of the national policy must be institutionalized.

SEC. 17. *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 for the efficient and effective implementation of this Act.

It shall formulate a national food policy consistent with the policy formulated by the Inter-Agency Task Force on Zero Hunger. The Commission shall implement programs of action to eradicate hunger, achieve food security, improve nutrition, and promote sustainable agriculture.

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

a. Receive complaints of violations of the right to adequate food from individuals and groups;

b. Investigate, motu propio, 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 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. Monitor the Government's compliance with its obligations in 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 of any profession, or in the active management or control of any business which, in any way, may affect 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 members of the Commission shall be appointed by the President and shall not be reappointed to another term. From among the members, one (1) 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 members of the Commission shall receive the same salary, benefits, privileges and emoluments of a cabinet secretary and undersecretary, respectively.

SEC. 19. *Standards on the Amount of Food.* – Within one (1) year from the effectivity of this Act, the Commission shall. in consultations with the DSWD, DILG, NNC and the DOH, 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, including children whose parents die or disappear, or otherwise no longer take care of them, elderly, and persons with disabilities. The guidelines include:

1) 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 a person;

2) 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

3) Relief mechanisms to ensure that such individuals are provided with their minimum food requirement.

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

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

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

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

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

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

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

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

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

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

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

SEC. 23. *International Cooperation.* – The Commission, 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, DOH and NEDA and other relevant agencies;

b. Promote international cooperation and help 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, consider the guarantee on the right to food.

SEC. 24. *Monitoring and Evaluation System.* – There shall be an integrated monitoring that system shall ensure that all government agencies at all levels, under the supervision of the Commission on 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;

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.

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

a. All persons can freely and meaningfully participate in all forms of public discourse, 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; and

c. 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.

SEC. 26. *Penal Provisions.* – The penalty of imprisonment of six (6) months and one (1) day to six (6) years, or a fine of not less than One hundred thousand pesos (P100,000.00) but not more than Five hundred thousand pesos (P500,000.00), or both, at the discretion of the court, shall be imposed on any person who causes the starvation or denial of the access to food of any particular individual or group, 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 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 program, 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 existing laws. 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.

SEC. 27. *Civil and Administrative Liabilities.* – The government shall ensure the enjoyment of the rights guaranteed in this Act and perform the duties provided for in this Act. Appropriate cases may be filed before the courts to compel compliance with the provisions of this Act. These cases shall be without prejudice to liability for damages and administrative liability that may be incurred.

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

SEC. 28. *Appropriations.* – There shall be an allocation in the annual budget 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.

SEC. 29. *Implementing Rules and Regulations.* – Within sixty (60) days from the effectivity this of Act, the Chairperson of the Commission shall, in coordination with the CHR, DA, DAR, DSWD, DOH, DTI, DPWH, NEDA, NNC and NAPC, and people's organizations and human rights nongovernmental organizations, promulgate the necessary rules and regulations for the effective implementation of this Act.

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

Cabinet secretaries and other executive authorities involved in the implementation of the right to adequate food 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.

SEC. 31. *Separability Clause.* – If any provision of this Act is held unconstitutional or invalid, all other provisions not affected thereby shall remain valid.

SEC. 32. *Repealing Clause.* – All laws, decrees, executive orders, rules and regulations or parts thereof, which are inconsistent with this Act, are hereby repealed, amended or modified accordingly.

SEC. 33. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,