

Call to Action

Right to Adequate Food Framework Bill

Also Known as the **Zero-Hunger Bill**

Senate Bill No. 2137 and House Bill No. 3795

A. The Hunger Situation

1. A large number of Filipinos still experience hunger. A survey by the Social Weather Stations in the last quarter of 2014 showed that 17.2 percent, or 3.8 million, families in the Philippines experienced involuntary hunger at least once during the period.
2. The National Nutrition Survey 2013 of the Food and Nutrition Research Institute-Department of Science and Technology, reported that stunting (low height-for-age), an indicator of malnutrition, afflicts 30 percent of children age 0-5 years old. The “State of Food Insecurity in the World 2013” reports that 16.2 percent of Filipinos are undernourished.

B. Need for The Zero-Hunger Bill

1. Hunger needs to be addressed urgently. There is no Philippine statute expressly guaranteeing the right to adequate food for all. There is the Magna Carta of Women that guarantees the right to food, but its scope is limited only to women.
2. The foundation for the right to adequate food can be found in the right to life in Article III, Section 1, of the 1987 Philippine Constitution. Furthermore, the International Covenant on Economic, Social and Cultural Rights embodies the right to food. When the Philippine Government ratified this treaty, it established the legal and moral obligation of the government to comply with its provisions in good faith.
3. In Brazil, a similar right to adequate food framework bill was adopted and helped bring about a considerable reduction of the level of hunger in that country.

C. Salient Provisions

1. The bill makes food a matter of legal right, not just of charity. It makes food a priority of the government. It provides for a whole-of-government approach to address the problem of hunger. It targets the elimination of hunger in 10 years.
2. The bill creates a legal framework within which hunger may be addressed and the right to adequate food may be realized. Central to this framework are the human rights

principles of participation, accountability, non-discrimination, transparency, human dignity, empowerment, and rule of law, which are expressly included in the bill.

3. The bill clarifies the normative content of the right to adequate food, in accordance with the General Comment No. 12 of the United Nations Committee on Economic, Social and Cultural Rights, which supervises the implementation of the International Covenant on Economic, Social and Cultural Rights. This normative content includes food adequacy, availability, accessibility, freedom from adverse substances, and cultural or consumer acceptability.

4. The bill creates a Commission on the Right to Adequate Food to supervise its implementation. To enable it to play an active role in promoting and protecting the right to adequate food, this body is to be placed under the Office of the President.

5. The bill creates a duty to harmonize all laws in accordance with the right to adequate food. It also requires an impact assessment to evaluate proposed programs that may affect the enjoyment of the right to adequate food.

6. The bill provides a range of remedies. It imposes criminal penalties for acts amounting to a deliberate and knowing deprivation of food. It creates a legal basis for claiming damages for a violation of the right to adequate food. It declares duties under the law as ministerial duties that may be compelled by *mandamus*. It also recognizes possible administrative liability for failure to abide by the law.

D. Call to Action

1. Given the nature of hunger and the urgent need to address it, the immediate passage of the bill is sought. Leaders of the Senate and House of Representatives should expedite their proceedings in order to pass the Zero-Hunger Bill, Senate Bill No. 2137 and its counterpart House Bill No 3795.

2. The President should certify the bill as urgent. All channels to reach out to the President should be exhausted so that the President may issue such certification.