



**National Food Coalition**

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Hon. Jose Christopher Y. Belmonte  
Member  
Committee on Appropriations  
House of Representatives  
Batasan Complex, Quezon City

Dear Cong. Belmonte,

We respectfully submit to the Committee on Appropriations our response to the Department of Budget and Management's unfavorable recommendation on the Right to Adequate Food (RTAF) Framework Bill. The decision by the DBM was stated in a letter by Sec. Florencio Abad dated Dec. 14, 2015, to Hon. Guillermo A. Romarate Jr., Chairman of the Committee on Human Rights, which has approved HB 3795.

We urge the Committee on Appropriation to also pass HB 3795, or the Zero Hunger Bill, for the following reasons:

- a. HB 3795 is a timely and comprehensive response to hunger and poverty, which are among the oldest and cruelest forms of human rights violations which a great number of our people have been suffering from. These have also been fertile grounds for other violations of the Filipinos' civil, political, economic, social, and cultural rights.
- b. HB 3795 makes justiciable the significant provision on the right to adequate food in the International Covenant on Economic, Social and Cultural Rights (ICESCR) which our country has signed and ratified.

It is our view that the proposed legislation is novel and is different from the programs already set up by the government based on the following grounds:

**First**, current government programs are aimed more at mitigating, not eradicating, hunger in the country. The RTAF Bill directly addresses the problem of hunger. It is not merely a stop-gap feeding measure for Filipinos. The bill ensures that dependency does not arise as the DBM fears. The DBM's views are hemmed in by the belief that food is only a

resource, not a right, that can be dispensed and thus may be limited and subject to the budgetary state of government. Rights are no such thing. Rights exist even if food is scarce or absent. And contrary to concerns of the DBM, a government that guarantees its citizens the right to food will win their support in many of its other undertakings, including raising the productivity of the entire economy. It makes available, adequate, good quality food every single day, especially in times of calamity.

Several countries have already enshrined the right to food in their constitutions – South Africa, Brazil, Ecuador and Nepal. Brazil and Ecuador, along with Nicaragua and Guatemala, have also passed laws to advance the right to adequate food.

The DBM cites the Pantawid Pamilyang Pilipino Program (4Ps) and similar programs. However, we see their inadequacies and inherent weaknesses:

- (a) these programs are narrow in their scope whereas the Zero Hunger bill is a comprehensive measure;
- (b) the 4Ps in principle and by its operation benefits only a special section of the population. 4Ps and similar programs depend on whoever may be in the administration, whereas the Zero Hunger Bill, once passed into law, is effective regardless of who may be in power.

The targets to reduce hunger set under Section 10 of the HB 3795 are intended to ensure that the national framework law is effective. It is not the same as executive targets because such are based on the programs of whoever is running the current administration. HB 3795 would guarantee the right to adequate food of all Filipinos stands as a centerpiece of the government.

No other bill has recognized the right to adequate food. The Bill makes food a legal right, not an object of charity that can be dispensed out of the goodness of the heart of whoever has the resources or the political power. It makes RTAF a priority of the government. It provides a whole-of-government approach to address the problem of hunger.

**Second**, the application and certification requirements the DBM says would be needed to avail of any government social service is exactly the reason poverty-stricken Filipinos are discouraged from enrolling in such programs. According to the DBM, certification procedures are required for food entitlement in order to properly monitor the implementation of the programs, but it admits this will be difficult and financially impractical. It says ensuring food for everyone would mean the government assuming the duty of responsible family members to provide food for their households. That is not the intention of the bill at all, and such statement reveals the lack of understanding of the right to food. Food is a right, not just a resource – that is the crux of the matter. We know that bureaucratic certification requirements are a burden and denies the most vulnerable in society the enjoyment of their right to adequate food. In practical terms, the poorest may not have birth certificates or would be unable to obtain an official copy as a means to identify themselves precisely because their abject poverty prevents them from shelling out extra amounts from their meager resources for such.

However, since the DBM is concerned with monitoring of the program, guidelines shall be formulated and implemented by the Commission on the Right to Adequate Food (CRAF) to address this process.

**Third**, the RTAF Bill is not a disincentive to those in the workforce. Rather, together with other government measures, the workforce will see the bill as government's determined and systematic action to develop and realize an all-inclusive though diverse productive and self-reliant productive forces. Such an action will also be seen as contributing to a healthy population that is essential to nation building.

**Fourth**, the RTAF Bill ensures a whole-of-government approach through the establishment of a Commission on the Right to Adequate Food under the Office of the President (OP). It is imperative that this Commission, as in other important endeavors – like the recovery of plundered wealth spearheaded by the Presidential Commission on Good Government – is established to perform a special task. So much is at stake in our people's health, dignity, quality of life and their future in obtaining adequate food that a body dedicated to this purpose must be put up under the office of the Chief Executive.

**Fifth**, the CHR mandate is limited only to civil and political rights under the Constitution. The RTAF is an economic and social right, therefore the functions of the proposed CRAF would not be redundant to that of the CHR's. Even if a new CHR mandate is obtained through the passage of a new CHR Charter, to include ESC rights, that would only enhance rather than duplicate the implementation and monitoring of the RTAF.

We respectfully submit that it is the Congress, in passing the RTAF Bill into law, that gives life to Article 13, Section 1 of the Constitution which states that: "The Congress shall give highest priority to the enactment of measures that protect and enhance the right of all the people to human dignity, reduce social, economic, and political inequalities, and remove cultural inequities by equitably diffusing wealth and political power for the common good." This is primarily a legislative task, hence the need for the RTAF Bill to be enacted. Other government agencies and the CRAF shall be called to participate in its implementation.

**Sixth**, since the CRAF does not overlap or duplicate functions of the CHR, it would not be inconsistent with Executive Order 18. Implementing the RTAF Bill as a national framework law would fulfill the declared policy of EO 18 to enhance institutional capacity to deliver public goods and services in a more economical, efficient, ethical, effective, and accountable manner. The proposed law mandates the government to deliver food also in the same manner. Furthermore, it makes responsible officers accountable criminally, civilly, and administratively when the right to adequate food is violated or hampered.

**Seventh**, the Bill is so important that the government should back it up with the necessary financial and other resources, including those needed to create the CRAF and allow it to function effectively. This is literally investing in the primary well-being of our people. Civil society shall also assist to diligently monitor the expenditures of appropriated funds.

FAO has stated in its guide for legislating the RTAF that the State budget should include a specific line allocating resources necessary for the implementation of this fundamental right to adequate food. The FAO said that the progressive implementation of State obligations under the right to food as defined by the proposed framework law and its monitoring will require adequate financial resources.

**Lastly**, the United Nations Special Rapporteur on the Right to Food, Professor Hilal Elver, on her official visit to the Philippines last year, made the approval of this bill her principal recommendation to the Philippines.

The Senate Committee on Justice and Human Rights and the Senate Committee on Finance have jointly approved their counterpart bill, Senate Bill No. 2137, which is now up for Second Reading.

It would be a legislative legacy of this Congress to the Filipino people to embed into our legal system once and for all the long-ignored fundamental human right – the right to adequate food.

By the National Food Coalition\*

\* The National Food Coalition is a broad organization composed of more than 80 NGOs and POs with more than 10,700 members who are predominantly farmers, indigenous peoples, urban poor, women, youth, and elderly.