

# **Response to Queries from RAPPLER on the Right to Adequate Food**

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**Question # 1. What is the current status of the Philippines in terms of nutrition? Are we improving on hunger problems, or do we have a long way to go?**

**Answer:**

Official statistics and information on food poverty, poverty and extreme poverty are dated. The most recent data relates to 2015. Poverty incidence data will be available only in 2019, according to the Philippines Statistics Authority (PSA). Some of these data, however, may come from sources other than the Philippine government.

In the Philippines, poverty is the other face of hunger. Hunger and poverty are two sides of the same coin.

Hunger and Malnutrition. Despite being one of the world's potentially fastest growing economies, hunger and poverty persist in the Philippines today. There are about 13.7 million people (13.5 % of the total population) in the Philippines who are undernourished. Although the Philippines is among the 31 countries that have achieved the UN Millennium Development Goal (MDG) Target 1c to halve the proportion of hungry people, or to bring it under 5% by 2015, a closer look at the indicators reveals a different picture.

According to the updated (2015) anthropometric survey by the Food and Nutrition Research Institute (FNRI), the principal government agency monitoring food and nutrition, 24.7% or almost one in every four Filipino children below five years old are underweight, up from 21.2 in 2013. The target for this specific indicator is 13.5%.

It is worth quoting part of the summary of the findings of the 2015 FNRI report:

“Based on the results of the survey, undernutrition among children less than five years old (0 to 59 months) remains a public health problem. For the past 25 years, annual reduction in prevalence rates of underweight and stunting were recorded at an average of 0.44 and 0.23 percentage point, respectively. Wasting exhibited a 0.9 percentage point increase between 2013 and 2015. Similarly, overweight and obesity increased to almost threefold between 1990 to 2015.

“Significant increase in the prevalence of underweight (21.5%) and under height/stunting (33.4%) was observed in 2015 relative to 2013 baseline (20.0% and 30.3%, respectively), indicating consistently high magnitude and severity. Meanwhile, the current wasting/thinness (7.1%) situation was assessed as poor based on the WHO cut-offs for public health significance,” FNRI said.

There was also a substantial regional disparity in the nutritional well-being of the population. For example, while stunting among children below five was 24.9% (from 22.4% in 2013) in the National Capital Region (NCR – Metro Manila), which is lower than the national average of 33.4% (from 30.3% in 2013), the highest rates were in the Autonomous Region in Muslim Mindanao (45.2% up from 39% in 2013), the Eastern Visayas (41.7%), MIMAROPA (40.9%) and Bicol region (40.2%). Over four decades of armed conflict in Mindanao have resulted in internal displacements and overall deterioration of living standards. The people in the Central Mindanao region are the country's poorest. In 2015, the Social Weather Stations (SWS) found that hunger was more prevalent in Mindanao than in the rest of the country.

Due to poor maternal health, the number of pregnant women who were nutritionally at-risk is still high (24.7%) despite a slight decrease from 24.8% in 2013, with pregnant teenaged girls more likely to be at-risk at 39.7%.

The encouraging economic growth witnessed in recent years has not made a dent on poverty as a significant number of Filipinos still suffer from hunger and cannot meet their basic food needs and are thus malnourished. Due to low rural incomes, lack of access to productive resources and vulnerability of the countryside to various shocks related to climate and diseases, hunger is more prevalent in rural areas. Women and children suffer most from hunger and malnutrition.

In 2015, the country's poverty threshold (the minimum amount needed to meet food and non-food needs) was set at PhP9,064.00 every month for individual Filipinos and PhP21,753.00 per month for a family of five.

According to the PSA, 21,927,009 Filipinos (21.6% of the country's population) fall below the country's poverty threshold. Of these Filipinos living in extreme poverty, one-third (34.3%) are farmers, another one-third (34%) are fisher folk, while one-fourth (25%) are self-employed and unpaid family workers. About one-third (31.3%) of all those living in extreme poverty are children, about one-fifth (19.4%) are youth, and 13.2% are older persons. A little less than one-fourth (22.5%) of Filipinos living in extreme poverty are women.

A recent study looking into poverty and political dynasties in the Philippines found that "political dynasties exacerbate poverty in provinces outside of Luzon." In that study, a political dynasty was defined as "elected politicians who have immediate relatives elected in the present or past government." In 2018, speaking before a Senate public hearing on the proposed anti-dynasty law, the lead author of the study quoted above claimed that political dynasties have increased over the years: by 2016, the lead author claims, 81% of provincial governors are dynastic while 78% of the members of the House of Representatives are dynastic. He said there were two types of political dynasties: "fat" dynasties, or those with at least two family members who occupy government positions at the same time; and "thin" dynasties, or those whose family members succeed each other in political office. He also correlated political dynasties with the poorest provinces of the country and found that while dynasties were found in the poor provinces, "fat" dynasties were found in the poorest provinces of the country. His conclusion was that poverty and

political dynasties are symbiotic: political dynasties breed poverty, and poverty breeds political dynasties.

The government reports that in 2015, Filipinos spent an average of PhP20,144 per person to purchase food. But the proportion of family income spent on food declined to 41.9% (meaning Filipino families spent a little less than half of their total income on food alone). Most food expenditures were devoted to food purchases for consumption at home, with cereals and cereal preparation garnering the highest amount spent (11.57%); meat and fish accounted for 5% each, while fruits and vegetables accounted for only 3.5%.

The Philippine Statistics Authority (PSA) said that in 2015 the country's income gap was 24.6%, which meant that on the average, a poor family of five needed an additional monthly income of PhP2,230 in order to "move out" of poverty.

For that year, the government estimated the country's Gini Coefficient was at 44.39%. However, a study by Laurence Chandy and Brina Seidel of the Brookings Institution found that the country's Gini Coefficient was actually higher, at 60%. Using either estimation, the country's Gini Coefficient indicates a high degree of income inequality among Filipino families.

Of the country's total estimated wealth of US \$ 593 billion in 2017, only 0.1% of the country's total adult population enjoyed wealth of US \$ 1 million and over, while 86.6% of Filipino adults had wealth below US \$ 10,000. Another study measured the country's Gini Coefficient at 83.9% indicating severe inequality in wealth in the country.

The Wealth Report 2018 found that only 320 Filipinos, out of 104 million Filipinos, were ultra-rich, with a net worth of at least US \$ 50 million.

Government estimated the country's poverty gap index (or the total income shortfall of families living below the poverty threshold) at 4.0% in 2015, while the severity index (or the total income shortfall of families living below the poverty threshold divided by total number of families) was estimated at 1.5%.

From 1998 to 2018, SWS reports show the hunger situation has not significantly improved. During these years, the official Philippine population figure rose from 60.7 million in 1990 to 76.51 million in 2000 and 92.34 million in 2010 and 104 million in 2018. So, as our population steadily expanded, so did the number of hungry Filipinos rise while undernourishment declined only slowly. Hunger has been haunting the nation under the various administration since the ouster of Ferdinand Marcos – from Cory Aquino to his son's term and under the Duterte administration.

Thus, the issue of hunger and poverty showed that the Philippines has a long way to go to solve this problem.

**Question # 2. Why is there a need to eradicate hunger and malnutrition? What would the impact be?**

**Answer:**

In the Philippines, there is the irony of growth without development. The Philippine economy has been the second fastest-growing in Asia in recent years, behind only to China. That's the bright side. Hunger and poverty is the other side of the picture. The short explanation for this ironic situation is that economic growth hasn't resulted in the improvement of the lives of majority of our countrymen – the workers, farmers, urban poor, and fishermen.

The government's latest income and expenditure survey, which came out in 2015, said 26.3 percent of Filipinos were considered poor, with 12.1 percent extremely poor. The government said that was an improvement over the 27.9 percent and 13.4 percent, respectively, three years earlier. However, 26 percent is still over a fourth of the population. One of four Filipinos is poor.

A separate survey also during the same period says childhood stunting affected 33.4%, or one-third of all Filipino children under 5 years. Stunting is an indicator of chronic malnutrition. Malnutrition and stunting are largely caused by poverty and these also undermine efforts to reduce poverty and stall economic growth. The food threshold for a family of five in 2015 was PhP 6,365 per month. That means each member of the family has to be provided daily with at least PhP 42.43 worth of food that satisfies the daily nutritional requirement set by the FNRI to ensure that a person remains “economically and socially productive.” But what kind of food can you buy for PhP42 or PhP43 that can sustain you for a day?

Previous administrations have tried to reduce poverty and promote inclusive growth, but, to put it bluntly, they failed to make a dent on poverty and hunger. This failure can be seen in the scarcity of decent employment especially for many of our youth and women. Unemployment and underemployment are degrading the capacity of many Filipinos to meet their own needs in dignity and to enjoy their human rights, including their right to adequate food and nutrition.

It is imperative to eradicate hunger and malnutrition because food is life, upon birth food sustains life. No one can live without food. It is more than just a need, it is life's right. Food, like air and water is a basic human entitlement that no one can live without. It is a personal and human right. A personal right if humanity is to survive. To ensure life while it is starting within the womb, the woman must be fed with food fit to enable the fetus to be viable for life after birth.

Without adequate and nutritious food, our people will be malnourished – underweight, stunted, wasted – without the capacity nor the energy to think and act for themselves or their country resulting to an impoverished and underprivileged nation.

Yet, development goals of the government have considered food more of a need, rather than a right. Such perspective subjected food to the usual technocratic priorities and resource constraints which, in the end, will make it undeliverable in timely and sufficient amounts and where people cannot complain nor hold its state accountable for incidents of hunger and food deprivation. The right to adequate food is no less than the right to life.

In practical terms, hunger that leads malnutrition – manifested in stunting, wasting and being underweight – can have long term effects that will debilitate both the individual and the nation.

Lawmakers who pushed for the national school feeding program have said that children who go to school hungry could not absorb classroom lessons, leading them to drop out of school. The damage caused by malnutrition, especially to children under two years, could be irreversible. Malnutrition damages their physical growth and their brain development and this will undermine their opportunities for becoming productive adults.

There are three important elements of the right to food – food should be adequate, available and accessible.

The state is primarily responsible for ensuring that its people have access to enough nutritious and safe food so that they can enjoy healthy and productive lives. Access entails providing physical facilities and the economic means to obtain food. In the human rights framework in which food is a basic right, the state's duties and obligations make it a duty bearer which implies accountability.

As a national policy, the Philippines should aim at ensuring food security, self-sufficiency and freedom from hunger of all Filipinos.

**Question # 3. The Zero Hunger Bill has been held in Congress for so long. Why do you think this law is taking much time to be passed?**

**Answer:**

The Right to Adequate Framework bill, which is commonly known as the Zero Hunger bill, has been in Congress for quite a while precisely because it was not in the priority agenda of the Aquino administration before nor is it under the Duterte administration now.

This shows that the right to adequate food continues to be violated and is under serious threat in the Philippines. A plethora of issues prevent a serious discourse on hunger and poverty in the Philippines. Hunger levels continue to be unacceptably high. A piecemeal approach to respond to the issue of hunger by the government fails to consider the many aspects of the problem and leads to an absence of durable solutions. As an example of the non-compliance to its obligation to respect, protect and fulfill the right to adequate food of its citizens, the Philippine government is tolerating the Chinese government's virtual blockade on Filipinos seeking to fish freely in the West Philippine Sea, specifically the Panatag (Scarborough) Shoal, which is detrimental to their enjoyment of their right to livelihood and also their right to food.

The actions of the Philippines are inconsistent to its commitment to promote, protect and fulfill the right to adequate food and nutrition of its citizenry as a party to the International Covenant on Economic, Social and Cultural Rights (ICESCR). It has the responsibility to take care of all its citizens and to ensure that their basic rights including their right to food are protected. The right to food has been guaranteed by the ICESCR under Article 11.1 (UNESCR doc. 1999).

**Question #4. What is the importance of having an encompassing bill specifically addressing food insecurity?**

**Answer:**

There is a need for an explicit guarantee of the right to food in Philippine law. A comprehensive framework law is essential to make the right to food meaningful. This law should clarify the scope and content of the right to food, establish standards for compliance, lay down principles to shape the process of realization, and prohibit violations of the right to food.

The National Food Coalition (NFC) calls for the immediate passage of the Zero Hunger bill. The NFC, made up of farmers, indigenous peoples, urban poor folks, women, elderly and youth, considers the bill as central to the effort to end hunger, and to address the problem of poverty. It makes food a matter of legal right, and not just of charity. It addresses the problem of hunger in a comprehensive manner, and is based on human rights principles, which are embodied in the bill.

The passage of the bill by this Congress is still doable. The NFC welcomes steps forward, like the inclusion of the RTAF in the priority agenda on the development of the federal constitution. (Note: The draft Proposed Federal Constitution submitted to the President contains a specific provision on the right to adequate food, under the social and economic rights of the Bill of Rights.)

We urge President Duterte and the Senate to include the Zero Hunger bill on its priority agenda toward ending hunger by 2030.

As mentioned above, the Philippines has no comprehensive law on food, or more specifically a National Food Framework Law. What is most needed in the Philippines is a strong, right-to-adequate-food approach in order to straighten out the current legal framework, which, through inefficient and unproductive measures, undermines the efforts of civil society to claim their rights and monitor state actions. Various civil society organizations (CSOs) nationwide have identified the urgent need to have clear and comprehensive policies that promote the right to adequate food in the Philippines.

**The National Food Coalition – Broad campaign to support the Right to Food and Nutrition (RTFN)**

The NFC has taken crucial steps in creating a nationwide constituency to push for the adoption of a national food policy with the full and active participation of all stakeholders, particularly those who are most vulnerable to hunger. It has prepared the ground for a broad campaign to support the RTFN: research, wide information dissemination, and public interest and discussion around the RTFN and related issues. The rights holders, particularly farmers, indigenous groups and the urban poor, are at the forefront of the campaign and capacity building initiatives. The NFC is building a network of supporters from civil society organizations and also reaching out to allies in local governments in demanding that legislators accept the Bill as a national priority.

The Zero Hunger bill<sup>1</sup> adopts a rights-based approach and is founded upon human rights principles. It provides a comprehensive framework to harmonize provisions of laws related to the RTFN and shall also: (a) clarify the scope and content of the RTFN; (b) establish standards for compliance; (c) cite principles that will guide the process of realizing the right; and (d) penalize violations of the RTFN.

The bill has several salient provisions. Section 3 defines the RTAF while Section 10 targets achieving Zero Hunger in 10 years and increasing the area devoted to food production to 50% of all prime agricultural lands in every region. Section 4 stipulates that the RTAF shall be realized progressively and Section 6 provides for freedom from hunger, whereby every person suffering from hunger or malnutrition, or at risk of suffering from these, would be entitled to a minimum amount of food. There should also be regular, reliable and timely delivery of the minimum amount of food as stipulated in Section 15. All proposed government actions, plans and projects, including any development plan, will take into account the RTAF and will undergo objective impact assessments prior to their adoption and implementation in accordance with Section 11. Section 26 directs the harmonization of existing policies concerning food. The proposed law will create a Commission on the RTAF with an Inter-Agency Council (Sections 13–14). An Integrated Monitoring System in all government agencies at all levels will be established (Section 10). Criminal, civil and administrative penalties will be imposed on violators of the RTAF law (Sections 22–23).

The proper implementation of the proposed Food Framework Law will make a major impact on poverty reduction by directly addressing hunger and extreme poverty in the country.

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<sup>1</sup> For the entire document of the Zero Hunger Bill, see <http://righttoadequatefood.ph/resources/e>.

**Question #5. The SWS has recorded reduced rates of malnutrition during the first quarter of 2018. What factors could have led to this? What is your take on these current results?**

**Answer:**

Hunger haunts. According to the 1<sup>st</sup> quarter 2018 Hunger Survey conducted by the SWS on March 23-27, 2018, the hunger situation in the country improved over the previous quarter.

The survey found that the incidence of involuntary hunger in the past three months fell to 9.9% (representing about 2.3 million Filipino families) from 15.9% in the previous quarter. Likewise, the survey found that the incidence of moderate hunger decreased to 8.6% from 12.2% in the previous quarter. Similarly, the incidence of severe hunger dropped to 1.3% from 3.7% in the previous quarter.

However, as mentioned above, SWS survey reports do not show that the hunger situation has significantly improved over the past two decades. From an average 11% in 1998, hunger was up 12.3% in 2017. There were major drops and spikes in the hunger situation during this period. The 5.1% in the third quarter of 2003 was the lowest decline and the highest surge was 23.8% in the first quarter of 2012. The lowest yearly average was 7.0% in 2003 and highest was 19.9% for two consecutive years (2011 and 2012).

What do these figures indicate? At best they indicate that hunger at certain times were not as widespread, and could be attributed to a better economic situation during those times, but the surveys themselves do not say so. At worst, they mean the persistence of the instability of the financial situation of Filipino households, struggling as they do to make ends meet day to day.

While SWS survey for the first quarter of 2018 appears to present a positive trend in hunger, we should view the SWS hunger survey results from a broader perspective.

One study by Connie Bayudan-Dacuyucuy and Loa Kryz Baje, “Chronic Food Poverty in the Philippines” (Philippine Institute for Development Studies Discussion Paper) analyzed food poverty dynamics from 2003 to 2009 – in the middle of the period covered by the hunger surveys of the SWS.

The study found that rural areas have “substantially higher percentage of always food poor households than urban areas.” Metro Manila had the highest percentage of “never food poor households” and most Luzon and Visayas regions have very high percentage of never food poor households.

Most regions in Mindanao, however, have “high food poverty,” the highest of which is the ARMM.

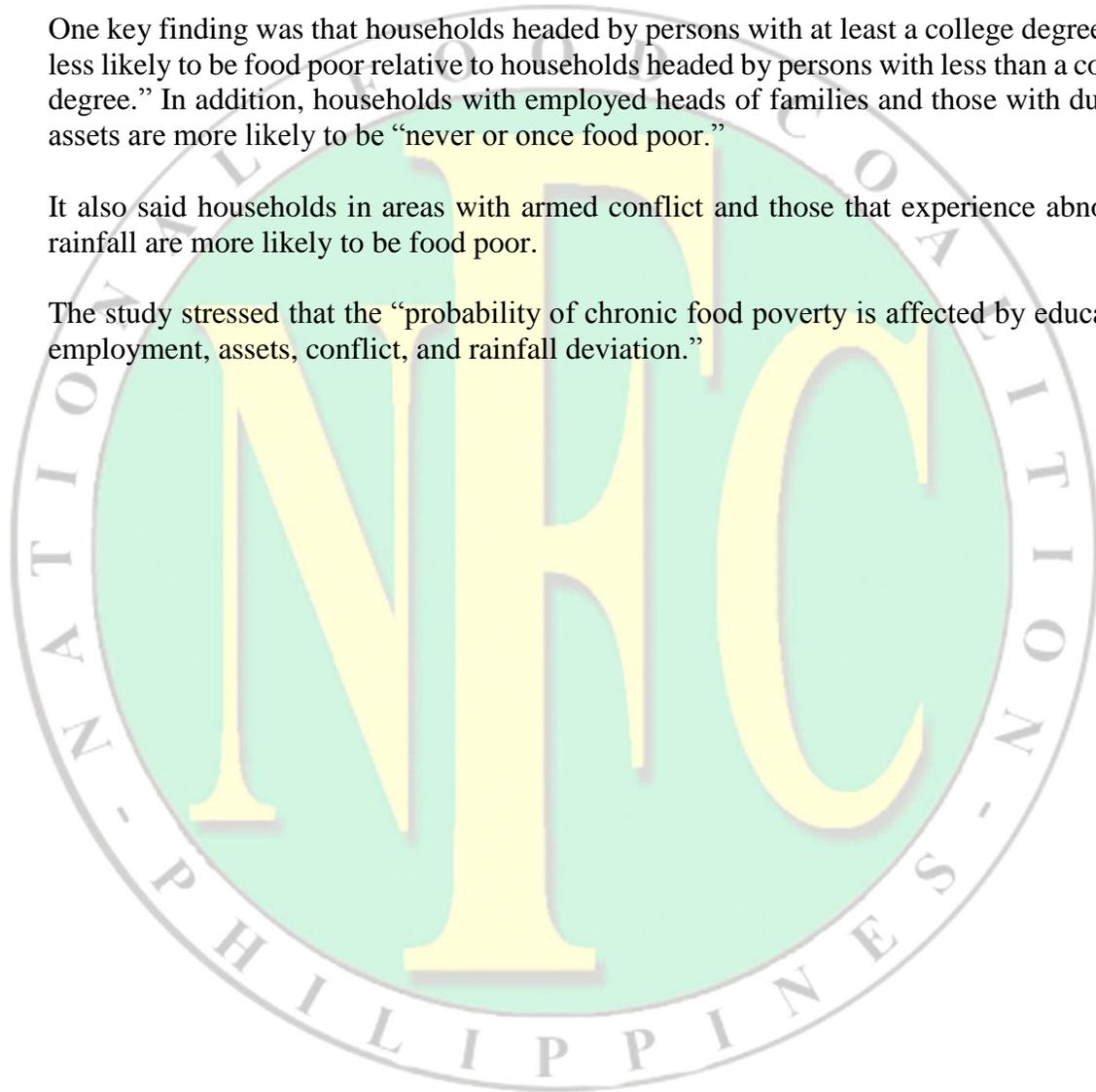
The study found that about 40% of Filipinos are “always food poor” while the rest were either never poor or were “moving in and out of poverty.” It estimated chronic food poverty in rural areas at 46%, 20 percentage points higher than in urban areas.

The percentage of never food poor and always food poor in urban households are relatively similar at 20% and 22%, respectively. “The rest of urban households are moving in and out of food poverty and those that were once food poor have the highest percentage at around 15% and the five times food poor at around 10%,” according to the study.

One key finding was that households headed by persons with at least a college degree “are less likely to be food poor relative to households headed by persons with less than a college degree.” In addition, households with employed heads of families and those with durable assets are more likely to be “never or once food poor.”

It also said households in areas with armed conflict and those that experience abnormal rainfall are more likely to be food poor.

The study stressed that the “probability of chronic food poverty is affected by education, employment, assets, conflict, and rainfall deviation.”



**Question # 6. At this point in time, what is the most concrete, needed solution for hunger and malnutrition? How do we solve it?**

**Answer:**

The situation in relation to the right to adequate food is most dire. While putting a spotlight on hunger and poverty in the Philippines and bringing intimately connected issues out of the shadows, we are pushing the following recommendation:

- A. The government should pass immediately the Right to Adequate Food Framework Bill popularly known as the Zero Hunger bill now pending in Congress.
- B. There are several deficits in the government's efforts, particularly in the degree with which it ensures the right to food. In this regard, the Philippines should heed the recommendation of the Special Rapporteur on the Right to Food to facilitate the passage the Zero-Hunger bill (Right to Adequate Food Framework Bill), and related laws, including agrarian reform, House Bill 4296 and House Bill 2016, and the Land Use Act.
- C. The President should certify these bills as urgent and the House of Representatives and Senate leaders should take steps to ensure their immediate passage.

Ending hunger is not something that can be put off. The different agencies of the executive branch, especially those whose work relates to food, should come together in support of the bill, with a view to urgently ensuring the right to adequate food for all.

While the Commission on RTAF has not yet been established, a Committee on RTAF under the Development Council must be created at every level, ensuring the integral and equitable membership of civil society.

By: AMT