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## Совет по правам человека

Тридцать первая сессия

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**Поощрение и защита всех прав человека,  
гражданских, политических, экономических,  
социальных и культурных прав,  
включая право на развитие**

## **Доклад Специального докладчика по вопросу о праве на питание о ее миссии на Филиппины**

### **Записка Секретариата**

Секретариат имеет честь препроводить Совету по правам человека доклад Специального докладчика по вопросу о праве на питание о ее миссии на Филиппины с 20 по 27 февраля 2015 года. В докладе рассматриваются общие проблемы, стоящие перед Филиппинами в осуществлении мер по обеспечению реализации права на достаточное питание. Специальный докладчик подчеркивает особые трудности, с которыми сталкиваются наиболее уязвимые из затронутых групп, наряду с проблемами, препятствующими их полному осуществлению права на достаточное питание. Специальный докладчик отмечает, что, несмотря на впечатляющие темпы роста страны в последние годы, экономическое процветание коснулось далеко не всех. В своем докладе она признает важные шаги, уже предпринятые правительством для реализации права на питание, и представляет ряд рекомендаций для рассмотрения всеми заинтересованными сторонами, в частности относительно разработки национального рамочного закона о праве на питание.



## Report of the Special Rapporteur on the right to food on her mission to the Philippines\*

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\* Circulated in the language of submission only.

## I. Introduction

1. The Special Rapporteur on the right to food, Hilal Elver, conducted a visit to the Philippines from 20 to 27 February 2015, at the invitation of the Government. During the visit, she met with various representatives from the Department of Foreign Affairs, the Department of Agriculture, the Department of Agrarian Reform, the Department of Health, the Department of Social Welfare and Development, the National Food Authority and the National Nutrition Council.

2. In addition, the Special Rapporteur met with the Deputy Speaker of the House of Representatives, along with Chairs of the Committees on Food Security, Agrarian Reform, Human Rights, Natural Resources, and Labour and Employment; the Vice-Chair of the Committee on Reforestation; and the Chairs of the Senate Committees on Justice and Human Rights and Food Security. The Special Rapporteur also convened a round-table discussion with representatives from civil society organizations, and met with representatives from trade unions, farmers' associations and academia. In addition, the Special Rapporteur met with the Chair of the Commission for Human Rights, along with staff members, as well as representatives from the United Nations country team, international organizations and development agencies. During the mission, she visited a number of Government-led projects in Nueva Ecija (Luzon) and interacted with typhoon-affected communities in Tacloban (Visayas). She also met with people living in urban poor areas throughout Metro Manila.

3. The Special Rapporteur is very grateful to the Government for facilitating her visit and for its excellent cooperation during her time in the Philippines. She also appreciates the spirit of openness with which she was able to engage in dialogue with the authorities. She is very grateful to the office of the United Nations resident coordinator for its invaluable support, both before and during the visit, and offers her sincere gratitude to everyone who took the time to meet with her, particularly those who shared their personal experiences.

## II. General overview of food security and nutrition

4. In recent years, the Philippines has risen rapidly to become a lower-middle-income country; it now ranks as the thirty-ninth largest economy in the world. Recovery in exports and investment-generated gross domestic product (GDP) led to a growth of 6 per cent in the first half of 2014, which slowed to 5.3 per cent in the first half of 2015. It is predicted that economic growth will stabilize at 5.8 per cent for the rest of 2015, before bouncing back to 6.4 per cent in 2016.<sup>1</sup> Despite the unprecedented growth rates over the past few years, the Philippines ranks twenty-ninth in terms of hunger incidence, with an estimated 3.8 million households having suffered from hunger at least once during the last quarter of 2014.<sup>2</sup> From 2011 to 2013, the population of the Philippines was ranked as the second most undernourished population among developing South-East Asian countries, with an estimated 15.6 million people suffering from a lack of adequate food and nutrition.<sup>3</sup>

5. Out of about 95 million Filipinos, over 70 per cent live on less than \$1.25 a day. Many Filipinos are unable to meet their basic food needs, while accessing adequate and nutritious food continues to be a challenge across most of the country, both in terms of undernutrition and overnutrition, with women and children faring the worst. While there has been a nominal decrease in the number of underweight children (from 20.7 per cent in 2007 to 20.2 per cent in 2011), the prevalence of wasting increased between 2003 and 2011, from 6 per cent to 7.3 per

<sup>1</sup> World Bank (2015). See [www.worldbank.org/en/country/philippines/overview](http://www.worldbank.org/en/country/philippines/overview).

<sup>2</sup> Social Weather Stations survey (2014).

<sup>3</sup> Food and Agriculture Organization of the United Nations (FAO), International Fund for Agricultural Development (IFAD) and World Food Programme (WFP), *The State of Food Insecurity in the World: The Multiple Dimensions of Food Security* (Rome, FAO, 2013).

cent. It is estimated that 7.36 million children in the country are malnourished,<sup>4</sup> with some 4 million suffering from stunted growth, ranking the Philippines ninth in the world in that regard.<sup>5</sup> The regions that are the most affected by hunger and food insecurity are mostly rural and remote. Conflict-affected areas of central Mindanao and disaster-affected communities, mostly in the Visayas region, are particularly vulnerable. These are also areas where poverty incidence is significantly higher than the national average.

6. The devastating impact of typhoon Haiyan, which ripped through the Philippines in 2013, killing some 6,000 people, further exacerbated the country's food poverty, with an estimated 27 per cent of the population in affected areas still food insecure. Although the Eastern Visayas region, which bore the brunt of the typhoon, accounts for only 2.2 per cent of national GDP, the collapse of road infrastructure in the area had an effect on economic activity in other parts of the country, especially the southern island group of Mindanao. Resultant limitations to food supplies drove inflation up to 4.9 per cent in August 2014.

7. While the country has abundant natural resources, environmental assets often remain unavailable to those living in poverty as a result of exclusion, insecure land tenure, lack of access to new technologies or the degrading of existing resources. Indigenous people, fisher-folk, women and the informal sector are impacted the most by social inequities. Indigenous people make up about 15 per cent of the population and occupy an estimated 17 per cent of the total land area. The struggle to secure land or ancestral domains is a leading cause of instability in areas inhabited by indigenous communities.<sup>6</sup> In the 2014 *Human Development Report*, the Philippines scored 0.406 in the Gender Inequality Index, reflecting inequalities in labour market participation, political representation and access to health services.

8. In its medium-term development plan for the period 2004-2010, the Government recognized governance challenges as a major obstacle to sustained economic growth. The plan highlighted various dimensions of poor governance, ranging from corruption to the lack of independence of public institutions, to lack of capacity, to certain aspects of the constitutional structure which hampered efficient and coherent decision-making and policy implementation. The most critical governance challenges included corruption and lack of transparency in public financial management.

### III. Legal and policy framework

#### A. Legal framework

9. As a State party to the International Covenant on Economic, Social and Cultural Rights, the Philippines has a duty to respect, protect and fulfil the right to food.<sup>7</sup> It is also party to three of the nine core international human rights treaties, including the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of the Child and the Convention on the Rights of Persons with Disabilities, all of which contain provisions explicitly related to the right to adequate food.<sup>8</sup>

10. While the Philippines does not currently afford constitutional or legal protection of the right to food, article III, section 1, of the Constitution mentions the right to life, by which the

<sup>4</sup> Eighth national nutrition survey.

<sup>5</sup> "Progress shows that stunting in children can be defeated – UNICEF", 15 April 2013. Available from [www.unicef.org/philippines/media\\_20807.html](http://www.unicef.org/philippines/media_20807.html).

<sup>6</sup> United Nations Development Programme – Philippines. See [www.ph.undp.org/content/philippines/en/home/countryinfo](http://www.ph.undp.org/content/philippines/en/home/countryinfo).

<sup>7</sup> Arts. 2 (1) and 11 (1).

<sup>8</sup> See, in particular, Convention on the Rights of the Child, arts. 24 (2) (c) and (e) and 27 (3); Convention on the Elimination of All Forms of Discrimination against Women, arts. 25 and 28 (1); and Convention on the Rights of Persons with Disabilities, arts. 1, 3, 12 (2) and 14.

right to adequate food is implied. There is only one provision in the Constitution that explicitly mentions the word food, not as a human right per se, but as an obligation of government to “establish and maintain an effective food and drug regulatory system”.<sup>9</sup> Food availability laws relate to agrarian reform, agricultural policy and trade measures as determinants of people’s access to land, agricultural productivity and food supply. In the context of women’s rights, section 20 of Republic Act No. 9710 (the “Magna Carta of Women Act”) provides an explicit guarantee related to the right to adequate food. There are explicit laws for the most vulnerable, such as the Senior Citizens Law, which provides for discounts for elderly people, especially on basic food items. However, the right to food for people with disabilities or people living with HIV and the specific obstacles they face are not legally recognized or subject to particular attention.

11. A study carried out by the Food and Agriculture Organization of the United Nations (FAO) in 2010,<sup>10</sup> in relation to the country’s legal framework governing the right to food, concluded that, while the Philippines has a wide range of well-formulated and well-intended laws, the overall framework is weak and requires improvement to sufficiently incorporate human rights obligations arising from the right to food. While some laws contribute towards hunger alleviation, it is suggested that these are not enforced as vigorously as they should be in conjunction with the rest of the laws, while other laws conflict or overlap.

## B. Policy framework

12. In recent years, the Government has introduced an array of policy initiatives to address the issue of food insecurity, with the overall aim of reducing poverty incidence to 16.6 per cent by 2015 and meeting key Millennium Development Goals. The Philippine Development Plan 2011-2016<sup>11</sup> notes that, by supporting a healthy, educated and energized citizenry, the country’s chances for sustainable development and prosperity are greatly increased. The Plan sets out a number of policies aimed at pursuing rapid and sustainable economic growth and development as a means of empowering the poor and marginalized segments of society through social protection interventions. An integral component of the Plan is tackling malnutrition; this is complemented by the Philippine Plan of Action for Nutrition for 2011-2016. The Plan of Action builds on previous national plans and sets out various strategies to reduce malnutrition and enhance positive nutritional behaviours. It defines priorities for action to reduce child undernutrition; address deficiencies in vitamin A, iron and iodine; and prevent an increase in obesity among children and adults.

13. Other policy initiatives include the Accelerated Hunger Mitigation Program, which was introduced in 2006 to consolidate all efforts to tackle hunger and food insecurity. The Program initially had two main components: the Food for School Program<sup>12</sup> and the Tindahan Natin Program.<sup>13</sup> The Investment Priorities Plan was approved in November 2014 and is aimed at increasing the country’s local industries, particularly manufacturing, agribusiness, fisheries, public service, infrastructure and logistics.

<sup>9</sup> Virgilio de los Reyes and Maria Socorro I. Diokno, “The Filipinos’ right to food: an assessment of the Philippine legal framework governing the right to food”, in FAO, *Right to Food Assessment: Philippines* (2010).

<sup>10</sup> Ibid.

<sup>11</sup> See [www.neda.gov.ph/?p=1128](http://www.neda.gov.ph/?p=1128).

<sup>12</sup> Involves the provision of 1 kg of iron-fortified rice daily for 120 days to families who suffer from severe hunger, through preschool and elementary school children and children in day-care centres.

<sup>13</sup> Ensures the availability of basic commodities (e.g. rice and instant noodles) at lower prices for poor families.

14. During her visit, the Special Rapporteur noted that the Philippines would benefit from a national human-rights-based food strategy, as recommended both by the Committee on Economic, Social and Cultural Rights in 1999 and under the Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security, adopted unanimously by the members of the FAO Council in 2004. The Special Rapporteur was encouraged by the support expressed by both Government representatives and civil society for such a structure. Indeed, steps have already been taken in this regard; a number of bills aimed at reducing hunger are currently pending.

#### IV. Food availability: challenges facing the agriculture sector

15. The Philippines is primarily an agricultural country, with some 70 per cent of the population living in rural areas. Two thirds of this population depends on farming for its livelihood.<sup>14</sup> The country's agriculture sector is made up of four subsectors: farming, fisheries, livestock and forestry. Fisherfolk and farmers remain the poorest among the nine basic sectors in the Philippines, with a poverty incidence of 39.2 per cent and 38.3 per cent, respectively, in 2012.<sup>15</sup> Overall, the agriculture sector contributes 20 per cent of national output and employs about one third of workers, with approximately one in every four families dependent on agriculture for a living.<sup>16</sup> Over the past two decades, there have been significant changes in the structure of the Philippine economy, with the share of agriculture in the country's GDP declining from 21.6 per cent in 1991-1994 to 11.1 per cent in 2012.<sup>17</sup> The share of agriculture in both GDP and total employment has continued to decline, but the transfer of the labour released from this sector to higher-productivity jobs in industry and services has lagged, owing to low skill levels among agricultural workers and distortions in other economic sectors.<sup>18</sup>

16. With the accelerated growth experienced by the country in recent years, land conversion from agricultural to urban use has increased. While the benefits may often be positive, the impact on smallholder farmers is significant. In many cases, land conversion may result in the loss of prime agricultural land, a reduction in agricultural jobs and wasted investment in irrigation infrastructure. As a result, overall agricultural production is affected and food security threatened.

##### A. Rice self-sufficiency

17. The Government has declared a policy of national self-sufficiency in food staples through the Food Staples Sufficiency Program, the aim of which is to produce the national rice requirement while maintaining a buffer stock for use in times of need. Self-sufficiency will be achieved by raising the productivity and competitiveness of Filipino farmers, by providing adequate economic incentives and enabling mechanisms, and by managing food demand, including through the promotion of diversification towards other traditional staples.

18. While in principle the policy of encouraging rice self-sufficiency is commendable, in reality the country does not provide enough food to meet all of its caloric needs. As a result, considerable amounts of rice are imported. Indeed, the Government has imported hundreds of tons of rice – between 200,000 and 660,000 tons in average years – with the 2015/16 marketing

<sup>14</sup> Food and Fertilizer Technology Center for the Asian and Pacific Region, "Agriculture in the Philippines". Available from [www.ffc.agnet.org/view.php?id=20110705103721\\_764767](http://www.ffc.agnet.org/view.php?id=20110705103721_764767).

<sup>15</sup> Philippine Statistics Authority.

<sup>16</sup> Rosemarie G. Edillon, "Social protection to secure the right to food of every Filipino: an assessment of safety nets and social protection policies and programs", in FAO, *Right to Food Assessment: Philippines* (2010), sect. 3.3.

<sup>17</sup> Philippine Statistics Authority. See [www.nscb.gov.ph/beyondthenumbers/2013/04122013\\_jrga\\_agri.asp](http://www.nscb.gov.ph/beyondthenumbers/2013/04122013_jrga_agri.asp).

<sup>18</sup> Philippine Development Plan 2011-2016, chap. 4, p. 102.

year forecast estimating that amount to increase to 2.1 million tons, from 1.8 million tons during the previous year.<sup>19</sup> Given that the majority of the country is mountainous and that it is composed of many small islands, there are limitations to expanding rice production to suitable land without having an impact on wetlands, forests or areas producing other crops. With the Philippines crossing the 100 million population mark in 2014 and an annual population growth rate of around 2 per cent (among the world's highest), population pressure is considerable. In order to keep pace with growing demand, a considerable increase in rice production would be required. The Special Rapporteur was informed that the irrigation infrastructure in some instances is not maintained efficiently or adequately utilized, thus reducing productivity potential. Adequate roads and transport infrastructure are also lacking in more remote areas. In particular, smallholder farmers, who benefit from government programmes, face challenges with regard to limited transport and storage facilities, as well as in the handling and marketing of their produce.

## **B. Landless farmers and agrarian reform**

19. During her visit, the Special Rapporteur heard repeated accounts from a broad range of stakeholders in relation to the Comprehensive Agrarian Reform Program Extension with Reforms (CARPER), which originated in Republic Act No. 6657, or the Comprehensive Agrarian Reform Law of 1988. The initiative is part of a long history of attempts at land reform in the Philippines and is designed to redistribute tracts of land exceeding 5 hectares to landless farmers and the farmworkers who cultivate them. The reform is comprehensive, as it provides for the redistribution of land with appropriate support services to help the beneficiaries survive as independent small farmers, while the coverage extends not only to private land but also to public land classified as agricultural. Essentially, both parties benefit, with farmers owning land while landowners are compensated, providing capital to invest.

20. The legislative objective of CARPER is laudable; however, Republic Act No. 6657 has been pending for some 25 years, with implementation hindered by various roadblocks. According to the Department of Agrarian Reform, at the end of 2011, the official land acquisition and distribution balance was 961,974 hectares belonging to 107,639 landholdings. In February 2014, the Government announced that CARPER, which was due to end in June 2014, was to be extended. A post-2014 "transition plan", through which support services were transferred to the Department of Agriculture and other implementing agencies, was developed by the Department of Agriculture in order to continue with the land distribution programme.

21. Despite these efforts by the Government, the issue of land reform remains extremely controversial, with huge tracts of land lingering in the possession of a few while those farmers and farmworkers who have tilled and worked the land are unable to reap the benefits of their harvest and access adequate food for their families. The Special Rapporteur was also informed of a number of cases involving the ongoing harassment and criminalization of farmers. In many cases, it would seem that the notice of coverage, which under the law provides for land redistribution, is being ignored by large landowners. Not only is the slow pace of implementation directly affecting the livelihoods of individual farmers, but landowners who are yet to be subject to CARPER have also scaled back their investments significantly,<sup>20</sup> thereby contributing to the overall slowdown in investment in the sector. A general lack of integrated and adequate support services is also preventing farmers who have received lands from fully exploiting their productive resources. It is the responsibility of the authorities to ensure that provisions outlined in CARPER are implemented.

<sup>19</sup> See [www.fao.org/gIEWS/countrybrief/country.jsp?code=PHL](http://www.fao.org/gIEWS/countrybrief/country.jsp?code=PHL).

<sup>20</sup> Cielito Habito and Roehlano Briones, "Philippine agriculture over the years: performance, policies and pitfalls", paper presented at the conference on policies to strengthen productivity in the Philippines, held in Makati City, Philippines, on 27 June 2005. Available from <http://siteresources.worldbank.org/INTPHILIPPINES/Resources/Habito-word.pdf>.

### C. Plight of municipal fisherfolk

22. In 2014, fisheries production in the Philippines declined by 0.15 per cent. The subsector accounted for 17.65 per cent of total agricultural output, with gross earnings amounting to 242.0 billion Philippine pesos, or 1.03 per cent lower than 2013. Main fish production in the country is comprised of three main sectors: aquaculture, municipal fishing and commercial fishing. In 2011, the total fish volume produced reached 4.98 million tons. The largest sector was aquaculture (2.61 million tons), followed by municipal fishing (1.33 million tons) and commercial fishing (1.04 million tons).<sup>21</sup>

23. Municipal fisherfolk<sup>22</sup> are among the poorest in Philippine society, with low incomes exacerbated by the expansion of aquaculture, which is having a negative environmental and social impact on coastal communities. Rising sea levels, as well as a particular vulnerability to climate change, which aggravates extreme weather events, and changing ecosystems, are preventing small-scale fisherfolk from fishing local waters. As a result, many fisherfolk are forced to venture beyond the 15-km boundary from the shore in which they are entitled to fish and risk criminalization in order to seek their daily catch. On occasion, large commercial fishing vessels, which can only fish beyond the 15-km zone reserved for small-scale fisherfolk, are reportedly permitted to fish from 10 to 15 km from the shoreline by some local governments, which contributes to further depletion of fishery resources. Efforts to delineate municipal waters and coastal zoning are imperative to ensure the sustainability of natural resources and to protect the livelihoods of small-scale fisherfolk. The Special Rapporteur welcomes reports that efforts are being made to reform the Fisheries Code of 1998 (Republic Act 8550).<sup>23</sup> She encourages the Government to implement the proposed amendments as a matter of priority.

24. The livelihoods of municipal fisherfolk are further at risk from megaprojects in coastal waters, such as deep seaports, power plants, sand mining and the mining of mineral resources. Meanwhile, natural fish habitats like mangroves, coral reefs and sea grasses are being destroyed as a result of the absence of regulatory policies and/or lack of enforcement of fishery laws. The increase in tourist resorts in coastal areas has also forced fisherfolk to move inland and to seek alternative employment, which has a negative impact on their livelihoods and ability to feed their families.

### V. Food accessibility

25. Access to sufficient and nutritious food is limited by poverty and income levels. In the past decade, impressive gains have been made in poverty reduction; however, between 2009 and 2012, the incidence of poverty declined only moderately (from 26.3 per cent to 25.2 per cent) while the magnitude of poverty increased (from 3.81 million to 4.21 million people). This is particularly evident in the eastern and southern parts of the archipelago. As a result of the devastating impact of typhoon Haiyan, a further 1 million people are likely to have been pushed into poverty, with typhoon Hagupit delaying recovery in these areas. In 2013, around 2.8 million people were unemployed and 10.8 million were underemployed. Over 28 million Filipinos are informally employed and have little or no protection from job losses. Remittances remain significant, contributing \$26 billion to the Philippine economy (8.4 per cent of GDP). Low incomes can frequently result in households spending more of their income on food. If a household spends over 65 per cent of its income on food, it can be considered to be highly vulnerable to price shocks. During her visit, the Special Rapporteur visited a number of urban poor neighbourhoods in Manila, where she met with families who survive on only one meal a

<sup>21</sup> World Food Programme and Federal Ministry for Economic Cooperation and Development of Germany, *Philippine Food and Nutrition Security Atlas* (March 2012), chap. 2.

<sup>22</sup> Municipal fisherfolk, according to the definition set by the Bureau of Fisheries and Aquatic Resources, are those who use fishing boats of 3 gross tons or less.

<sup>23</sup> See [www.gov.ph/2015/02/27/republic-act-no-10654](http://www.gov.ph/2015/02/27/republic-act-no-10654).



day. Unable to afford nutritious food, parents are often forced to feed their children with instant noodles and other such food that is lacking in basic nutrients.

26. The Social Weather Stations survey during the fourth quarter of 2013 found that 18.1 per cent of families, or 3.9 million families, had experienced involuntary hunger at least once in a three-month period. Among different island regions in the country, Mindanao had the highest incidence, with 29.2 per cent. The lack of proper food intake is also reflected in stunting rates above the national average for central Mindanao.

27. A recent Food Nutrition Research Institute study on household food insecurity in the regions of Mindanao, using the World Food Programme (WFP) food consumption score tool, revealed that the region had a low variety in the diet, with 38.57 per cent of the surveyed population not having consumed meat, milk, milk products, tubers, roots, legumes, nuts or seeds in the past seven days, while 43.1 per cent of households were severely food insecure and 48.1 per cent of households had coped with food insecurity, with household members having to eat a smaller meal than they felt they needed because there was not enough food.

28. A relatively higher incidence of poverty is evident in certain regions of the country where conflict and insurgencies have contributed to social instability. The impact of conflict is more severe than other external shocks because of the deliberate destruction of livelihoods. Displaced populations have been found to be living under the most difficult forms of socioeconomic exclusion and deprivation. Most of the people in affected areas often struggle to find work, are less likely to work in the post-conflict period and exhibit lower productivity levels than those who stayed behind. The presence of armed groups in the Autonomous Region in Muslim Mindanao, northern Mindanao and the Bicol region has placed these regions at a disadvantage in terms tackling poverty and ensuring that families have access to decent sources of livelihood and other basic services.<sup>24</sup>

## A. Social protection

29. Social protection is an essential means of accessing food for those who are unable to work or to produce their own food. It can include a wide range of services, from food aid, to income support, to health care, to housing allowances, that are aimed at protecting people from the impact of illness, accident, loss of income, inadequate income, parenthood and old age. The Philippines has several laws and statutes promoting social protection, particularly in relation to health and job security. The 1987 Constitution gives priority to the health needs of the underprivileged, the sick, the elderly and the disabled, as well as women and children, and provides for free medical care for the poor. In relation to workers, the Labour Code regulates employer-employee relationships.

30. Overall, less than half of families in the Philippines have health insurance coverage. Among the poor, the proportion is less than one in three. The PhilHealth Indigent Program is part of the National Health Insurance Act of 1995, and is for the underprivileged, the sick, the elderly and the disabled, as well as for women and children. The policy premium for the indigent beneficiary is paid for by other sources. PhilHealth benefits can be accessed only at accredited health facilities, mostly hospitals. Rural health units are also provided assistance to the extent that local government units have sponsored beneficiaries in the programme. The viability of the Program can be improved by promoting the Individual Paying Program, which targets those employed in the informal sector, who presently make up only about 15 per cent of the membership.<sup>25</sup>

<sup>24</sup> Philippine Food and Nutrition Security Atlas, chap. 6.1 and 6.2.

<sup>25</sup> Edillon, "Social protection to secure the right to food of every Filipino", in FAO, *Right to Food Assessment*, sect. 3.3.

31. The social security scheme provides security to its members during times of sickness, disability or retirement, as well as after death, or even when a lump sum of cash is needed. The fund is administered by the Social Security System for private sector members and the General Service Insurance System for government sector members. Computations imply a rate of undercoverage of at least 45 per cent. The number of employers enrolled in the Social Security System is only 780,000, or only 52 per cent of the estimated number of employers. The General Service Insurance System, meanwhile, reports that there were 1.3 million members in 2006 and about 140,000 people availing themselves of the optional life insurance. There were 2,161 non-governmental organizations (NGOs) registered with the Department of Social Welfare and Development as of September 2007. Almost 40 per cent of them provide livelihood assistance. Only 89 of those NGOs provide credit and saving services, and only 3 implement an insurance mechanism. About 1 in every 10 conducts supplementary feeding activities. More than 45 per cent claim that their clientele are the poor and depressed communities.

32. The Cash/Food for Work Project is a short-term intervention to provide temporary employment to distressed or displaced individuals. Projects can be undertaken before, during or after the occurrence of a disaster, whether natural or man-made. These projects are, at times, meant to mitigate risk, but mostly they are aimed at rehabilitating damaged infrastructure. Beneficiaries are paid in food packs or cash, equivalent to 75 per cent of the minimum wage. Recently, however, the value of the food pack has been reduced in order to reach only the most economically disadvantaged individuals. The Cash/Food for Work project is being managed by the social welfare and development offices of local government units, in coordination with field offices of the Department for Social Welfare Development.

33. The Food for School Program is being implemented by the Department of Education in the schools it supervises and by the Department of Social Welfare and Development in the day-care centres it supervises. Previously, the Department of Education conducted supplementary feeding for grade 1 and preschool students, while the Department of Social Welfare and Development did so for 2- to 5-year-old children attending day care. In the Department of Social Welfare and Development component, parents were involved in meal preparation and food service. In 2006, the programme was repackaged to include rice distribution and supplementary feeding. Elementary school students from all grades were beneficiaries of supplementary feeding. Meanwhile, the Department of Social Welfare and Development also provided milk and hot meals to children in day-care centres. In addition, target provinces were also identified. These provinces have the highest incidence of self-rated hunger based on the Survey of Hunger Incidence in the Philippines. In 2007, the supplementary feeding component of the Department of Social Welfare and Development was devolved to local government units, and that Department facilitated rice distribution in the day-care centres. While the programme is commendable and has improved the daily nutrition of children in some provinces, more must be done to ensure that it benefits all children who are unable to access adequate and nutritious food. It is recommended that alternatives to rice also be distributed to increase the nutritional value of school meals.

34. Social protection policies and programmes should be coherent with and complementary to a host of other policies and programmes which cover not only the social and productive sectors but also the financial sector.

## **B. Large-scale development and mining projects**

35. During her visit, the Special Rapporteur met with representatives from indigenous communities affected by large-scale development projects and the expansion of commercial plantations. The loss of ancestral land due to displacement by development projects and extractive industries, including mining and dams, as well as environmental degradation, has undermined the capacity of the indigenous peoples to survive since they are very dependent on their land and resources. Damage to the traditional environment, along with involuntary

displacement, threats to health and disruption of the right to food and shelter, has a particular impact on women and children. The Special Rapporteur heard concerns about the relocation and resettlement of communities for development projects, and the need to find ways to improve dialogue between the Government and affected communities. Reportedly, it is envisaged that an additional 26 coal-fired power plants will be constructed by 2020, as a result of 71 coal-operating contracts awarded by the Government to various contractors between 2007 and 2013.

36. The Special Rapporteur recommends that all levels of Government implement human rights impact assessments as a means of building trust between the authorities in charge of development projects and the affected communities. It is imperative that such a process be conducted in a transparent manner, with the provision of adequate information to affected communities, that it include the full consideration of all alternatives and that it be undertaken prior to the launch of any project, rather than as a means to validate a project that has already commenced.

37. In this regard, the Special Rapporteur stresses the importance of the principle of free, prior and informed consent to any change to the lands and territories of indigenous peoples, as also provided for in the United Nations Declaration on the Rights of Indigenous Peoples. As the Declaration underlines, in its article 32 (2), States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free and informed consent prior to the approval of any project affecting their lands or territories and other resources, particularly in connection with the development, utilization or exploitation of mineral, water or other resources. Similarly, consultations should allow for discussion about alternatives and serve to ensure that, consistent with the right to development, development projects will be aimed “at the constant improvement of the well-being of the entire population and of all individuals on the basis of their active, free and meaningful participation in development and in the fair distribution of the benefits resulting therefrom.”<sup>26</sup>

## VI. Food adequacy

### A. Malnutrition

38. Nutrition continues to be challenge across most of the country, both in terms of undernutrition and overnutrition, and is still largely unaddressed. Since 2003, nutritional indicators for children under the age of 5 have shown only marginal improvement, or even deterioration: the prevalence of underweight decreased from 20.7 per cent in 2003 to 20.2 per cent in 2011, while stunting rates decreased from 33.9 per cent to 33.6 per cent during the same period. Between 2003 and 2011, the prevalence of wasting increased from 6 per cent to 7.3 per cent. The highest wasting rates are found in parts of Western and Central Visayas. The magnitude and severity of the prevalence of underweight were found to be very high in 9 of the 81 provinces: primarily in Eastern Visayas, Zamboanga and Bicol. Chronic malnutrition is considered to be very high in Eastern Visayas, Panay, central Mindanao and the Zamboanga peninsula.

39. In the second quarter of 2014, 16.3 per cent of families experienced hunger and 13.5 per cent of families experienced moderate hunger, while severe hunger afflicted 2.8 per cent of families.<sup>27</sup> Protein deficiency is one of the leading malnutrition problems in the Philippines. Over 3 million children suffer from it, causing them to be severely underweight and to suffer from stunted growth. The effects of undernutrition are irreversible; lack of access to adequate and nutritious food has a detrimental effect on future generations and must be addressed as a matter of urgency. The nutritional status of children and pregnant women varies greatly, with

<sup>26</sup> Declaration on the Right to Development, preamble.

<sup>27</sup> Social Weather Stations survey 2014.

higher-income groups being at an advantage over those living in poverty, revealing major disparities across the country.<sup>28</sup>

40. With the prevalence of malnutrition among children under 5 years of age having changed very little over the past 10 years,<sup>29</sup> a number of policies and strategies have been developed to combat malnutrition, especially in children. The Philippine Plan of Action for Nutrition 2011-2016 (which complements the Philippine Development Plan 2011-2016) provides the framework for improving the nutritional status of Filipinos and outlines a number of challenges to be addressed, including hunger; child undernutrition; maternal undernutrition; deficiencies in iron, iodine and vitamin A; obesity; and overweight. In addition, initiatives such as the “Breastfeeding TSEK” campaign are aimed at promoting complementary feeding, which should start after six months of exclusive breastfeeding. While these efforts are indeed commendable, the Special Rapporteur recommends that a more multisectoral approach be taken to tackle malnutrition, as well as to strengthen the implementation of various Government programmes and services at the grass-roots level.

## B. Obesity

41. The most recent survey by the National Statistics Coordination Board, in 2008, revealed that 26.6 per cent of Filipino adults were overweight, with 5.2 per cent recorded as obese. The number of children aged 5 to 10 years recorded as overweight was 6.6 per cent, compared with 5.8 per cent in 2003. The rise comes despite a reported drop in the food intake of Filipinos to 861 grams per day in 2008 from 803 grams in 1993. Nutritional habits are changing, however, with an increase in the consumption of processed and junk food. There is less consumption of high-fibre and healthier foods such as whole grains, legumes, fruits and vegetables, in favour of meat, dairy and canned and packaged food. Urban-dwellers, because they generally do not grow their own food and live in communities that do not produce food, are vulnerable to food price hikes and spirals, and often opt for less nutritious options given their low price.

## VII. Groups living in vulnerable situations

### A. Women

42. Women suffer disproportionately from poverty in the Philippines, with rural women faring worst (see A/52/38/Rev.1, para. 278). Of the total rural workforce, women comprised 27.3 per cent of the 10.4 million workers employed in the agricultural, hunting and forestry sector in 2004.<sup>30</sup> However, the “invisibility” of women within the food production system has created barriers, preventing them from accessing productive resources. With less than 3 per cent of women who work in the agriculture and fisheries sectors benefiting from support services such as credit, seeds, training and access to technology, it is almost impossible for them to access a sustainable income and livelihood. While there is provision for women to own land,<sup>31</sup> often they are not sufficiently recognized as agrarian reform beneficiaries. Indeed, within the Comprehensive Agrarian Reform Program (1988 to 2008),<sup>32</sup> peasant women comprised less than one third of those who were listed as beneficiaries.<sup>33</sup>

<sup>28</sup> See [www.unicef.org/philippines/health\\_nutrition.html#VInBntKG9KY](http://www.unicef.org/philippines/health_nutrition.html#VInBntKG9KY).

<sup>29</sup> Matikas Santos, “Child malnutrition still high – report”, *Inquirer.net* (24 July 2013).

<sup>30</sup> National Statistics Office (2004).

<sup>31</sup> See Department of Agrarian Reform Administrative Order No. 02-09, on rules and procedures governing the acquisition and distribution of agricultural lands under Republic Act No. 6657, as amended by Republic Act No. 9700.

<sup>32</sup> See Republic Act No. 6657.

<sup>33</sup> See [www.ohchr.org/Documents/HRBodies/CEDAW/RuralWomen/PKKK.pdf](http://www.ohchr.org/Documents/HRBodies/CEDAW/RuralWomen/PKKK.pdf).

43. While women fisherfolk contribute significantly to the work carried out at the different stages within the fishing industry, the role they play is largely undervalued. Many women in coastal areas are directly engaged in capture activities, assisting their husbands in fishing or related activities, such as gathering shells, drying and selling fish and repairing nets, for household food consumption or for selling to the market. Despite their direct contribution to the fishing economy, women are unable to qualify for registration in the municipal list of fisherfolk. As a result, they are unable to access benefits, facilities and services.<sup>34</sup>

44. The fact that women are also considered as the primary caregivers, in both rural and urban settings, adds an extra dimension to their responsibilities within the household. While rural women often shoulder the burden of a heavy workload, in addition to their care duties, urban poor women face different challenges relating to ensuring adequate food and nutrition for their family. The country's legal framework, however, fails to consider gender elements in relation to food production, preparation, purchase, consumption and distribution within the household, as well as the multiple burdens faced by women as the primary caregivers within the family setting. As a result, decision-making and gender division of labour in this regard is not recognized.<sup>35</sup>

## B. Children

45. The Philippines is a State party to the Convention on the Rights of the Child. To this end, the Government has developed laws that are geared towards addressing and improving child nutrition. These include Executive Order No. 51, or the Philippine Milk Code; Republic Act No. 10028, or the Expanded Breastfeeding Promotion Act; and Republic Act No. 7600, or the Rooming-in and Breastfeeding Act of 1992. The Philippines is also the fifty-first country to join the Scaling Up Nutrition movement. The Philippine Coalition of Advocates for Nutrition Security, a coalition of organizations with programmes, projects and interventions on nutrition, pushed for and supported the membership and engagement of the Government of the Philippines in the Scaling Up Nutrition movement.

46. Despite these efforts, in 2009 it was estimated that 16 in every 100 children in the Philippines, or 5.9 million children, lived below the food poverty line,<sup>36</sup> with 82 per cent of the country's extremely poor children living in rural areas. Approximately one quarter of the families of these children did not have the income necessary to meet basic food needs.<sup>37</sup> A general lack of household income to meet basic food needs has resulted in some 3.4 million children living in dire conditions.<sup>38</sup>

47. The eighth national nutrition survey noted that, between 2008 and 2013, a significant percentage of Filipino children were found to be malnourished and underweight, and to have stunted growth. According to the Food and Nutrition Research Institute, one out of five children aged 5 years and younger were considered underweight for their age in 2011. This number has declined by 7.2 points within the past two decades. The country has also demonstrated considerable progress in reducing child mortality since 1990. Child mortality for children under 5 years of age was reduced from 80 per 1,000 live births in 1990 to 30 per 1,000 live births in 2011. Similarly, there was a decrease in infant mortality from 57 to 22 per 1,000 live births, with a marginal improvement in neonatal mortality from 18 in 1993 to 14 per 1,000 live births in 2011.<sup>39</sup>

<sup>34</sup> De los Reyes and Diokno, "The Filipinos' right to food", in FAO, *Right to Food Assessment*, sect. 2.2.

<sup>35</sup> Ibid.

<sup>36</sup> 11,686 Philippine pesos (approximately \$245) per person per year.

<sup>37</sup> Philippine Statistics Authority and United Nations Children's Fund (UNICEF), *Child Poverty in the Philippines* (2015).

<sup>38</sup> Ibid.

<sup>39</sup> Ibid.

48. During her visit, the Special Rapporteur witnessed first-hand the dire conditions in which some children are forced to live. Without access to adequate living conditions, including running water and sanitation facilities, as well as little or no opportunity to benefit from a nutritious diet, these children face a difficult future. As outlined in the Nutrition Barometer,<sup>40</sup> while there is indeed political will and legal commitment<sup>41</sup> to improve the situation of children in the Philippines by ensuring they receive adequate food and nutrition, the financial commitment is “frail.”

49. The prevalence of climate-related disasters in the Philippines may also exacerbate these conditions. Based on data on populations affected by typhoon Haiyan, gathered by the National Nutrition Cluster, which was activated to support the Government’s emergency response, an estimated 2.94 million individuals were at risk of undernutrition, including about 320,000 children under the age of 5 and up to 210,000 pregnant and lactating women.

50. Beyond crises, there are also policy constraints, as various Senate and House bills on nutrition are still pending in Congress, while the Special Rapporteur also learned of proposals to water down the Philippine Milk Code. With nutritional programmes devolved to local government, the functions of the Municipal Nutrition Action Officers and Barangay Nutrition Scholars may not be maximized. In certain cases, appointments made to these positions are reportedly political and based on personal relationships rather than professional merit.

### **C. Persons with disabilities**

51. According to the 2010 census, there are some 1,443,000 persons with disabilities living in the Philippines. Since 2008, the State has been party to the Convention on the Rights of Persons with Disabilities and has enacted legal documents, including the Magna Carta for Disabled Persons,<sup>42</sup> that include such objectives as providing persons with disabilities with standard facilities, as well as opportunities for a comfortable lifestyle.

52. While the Special Rapporteur welcomes the efforts being made by the State to address the rights of persons with disabilities, she is concerned that insufficient measures have been taken to ensure that they have access, on an equal basis with others, to all facilities and services open or provided to the public, both in urban and in rural areas (see art. 9 of the Convention). Additional measures must be taken to ensure that persons with disabilities are able to live independently and participate fully in all aspects of society, including by ensuring equal access to appropriate and affordable public services, in line with article 28 of the Convention.

53. The Special Rapporteur is particularly concerned about the obstacles faced by children with disabilities to enjoying their right to adequate food and nutrition. She reiterates the concerns highlighted by the Committee on the Rights of the Child in relation to the high prevalence of children with disabilities as a result of malnutrition and unsanitary living conditions and who are living in situations of extreme poverty.<sup>43</sup>

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<sup>40</sup> World Vision and Save the Children, “The nutrition barometer: gauging national responses to undernutrition” (2012).

<sup>41</sup> Described in the report as “emerging”.

<sup>42</sup> Republic Act No. 7277.

<sup>43</sup> See CRC/C/PHL/CO/3-4.

## VIII. Emerging challenges

### A. Climate change

54. The Philippines has long been vulnerable to weather risks, a fact exacerbated by climate change. Since the 1980s, the growth in agricultural gross value added has been erratic, partly owing to the impact of severe weather risks and the periodic occurrence of the El Niño and La Niña phenomena. The combination of the country's geography, population density and poverty incidence makes the population vulnerable to floods. While normal flooding is beneficial for agriculture and fisheries, the short-term negative effects of catastrophic floods in the country in the immediate aftermath of floods are strong. In 2011, Tropical Storm Washi (Sendong) caused damage to properties amounting to \$1.38 billion and a record of 1,257 casualties in the Visayas and Mindanao. The Government started to focus its attention on linking flood risk management with poverty reduction and urban and regional planning. Areas identified by the Government as highly susceptible to flooding are the National Capital Region, Central Luzon, the Ilocos Region, the Autonomous Region in Muslim Mindanao and MIMAROPA. Households in these areas are also exposed to extremely high vulnerability. Targeting households in these regions may mitigate future risks of flooding.

55. The Philippines is the third most vulnerable developing country to climate change. As a result, food and nutritional insecurity is likely to increase over the coming decades through a combination of more extreme weather events (especially typhoons, floods and landslides), rising sea levels and shifting rainfall patterns. Climate-related losses continue to be very high for the agricultural sector. Strategies to minimize loss and damage from climate extremes should be identified. In particular, there is a need to intensify crop diversification to address the needs of the vulnerable smallholder farmers that are dependent only on monocropping, i.e. coconut farming. Furthermore, it would be preferable to introduce the policies necessary to control prices as a means of tackling dysfunctional market dynamics during disasters. Efforts should also be made to ensure that warehouses used to store food for emergency situations are adequate and constructed to withstand extreme weather events.

56. The marine ecosystem is also affected by the climate crisis. Rising temperatures add to the acidification of the ocean, which adversely impacts marine life and marine resources. According to a study by the World Bank on the acidification of seas in the South-East Asian region, a 150 per cent acidification rate is most likely to occur by the year 2100, which would devastate food production and security, not just for the Philippines but also for the whole region. Small fishing communities are unable to cope with these conditions, especially with competition from large-scale foreign fishing vessels, also threatening their income. With the poverty that comes about as a consequence of these circumstances, communities may engage in dangerous and destructive fishing practices out of desperation.

### B. Urbanization

57. The Philippines is one of the most quickly urbanizing countries in Asia, with estimates predicting that more than half of Filipinos will reside in urban areas before 2020. While poverty and, correspondingly, food insecurity remain more prevalent in rural areas (three quarters of the country's poor live in rural areas and are engaged in agriculture), this paradigm is shifting. Absolute numbers of informal settlers in urban areas of the Philippines have increased consistently over the past 25 years. In 2009, nearly 41 per cent of them, or 18 million people, lived in substandard conditions. These areas are characterized by low incomes and poor sanitary conditions, and are typically located on marginal lands with high exposure to climatic shocks such as cyclones and flooding.

58. In 2010, the Department of Labor and Employment estimated that 45 per cent of the total number of employed Filipinos belonged to the informal economy. By the assessment of most unions, the percentages are also on the high side because many of the jobs in the so-called formal sector are actually short-term, casual, insecure, unprotected “informalized” ones. According to a computation by the Employers Confederation of the Philippines, the number of informal workers in the Philippines has reached 25 million, or 77 per cent of the total employed population. In contrast, the ranks of formal workers have been progressively decreasing. Informal workers in the cities are particularly vulnerable to constant abuse and harassment. Often, urban informal workers are originally members of the rural poor who try their luck in the cities. Unfortunately, once in the city, they suffer from food insecurity because of their inability to find employment. Without a stable and sufficient income, they do not have access to adequate food, and often they cannot find decent housing. Neither can they afford regular medical care or the attainment of an educational level high enough to enter gainful employment. Social protection measures in the form of contribution-based social security and health insurance schemes usually do not cover the working poor and, if they do, the coverage is irregular, intermittent and unreliable.

59. Food security becomes more critical an issue as the rate of urban poverty rises. In fact, evidence indicates that food security and nutrition are worse among the urban poor than the rural poor. Food production in the city is in many cases a response of urban-dwellers to inadequate, unreliable and irregular access to food, and a lack of purchasing power. The urban poor certainly face a daily struggle to feed their families. Without a stable and sufficient income, these households struggle to provide their children with nutritious and adequate food, often resorting to processed and junk food as an alternative. Unable to produce their own food, they are vulnerable to food price hikes. Any money they have is spent on the little food they can afford, with nothing left over to cover other basic necessities such as access to health care, medication or the cost of basic school materials. During her visit, the Special Rapporteur was impressed by some of the pilot projects that had been introduced by the Government to empower women living in urban poor areas in Metro Manila to earn additional income through waste management. She would encourage the extension of similar projects, including ones involving community gardens and peri-urban agriculture, to all urban areas.

## **IX. Next steps: implementation of a national framework law on the right to food**

60. The Philippines has a vast array of well-formulated and well-intended policies and strategies to realize the right to adequate food. However, legislation does not always translate into reality for many in the country. There are severe implementation gaps in almost all policies related to the right to food, with a lack of coordination among relevant agencies with regard to ensuring implementation. The development of a more concrete framework is therefore paramount to ensure the integration of the plethora of policies, strategies and programmes. This could be achieved through an overarching legal framework on the right to food.

61. Based on the Right to Food Guidelines, and following positive examples from other countries, such a framework law could harmonize the existing coordination mechanisms designed to involve relevant ministries and other stakeholders, as well as ensure the efficiency of policies and programmes designed to respect, protect and fulfil the right to adequate food. Local authorities and civil society organizations should play a key role in the implementation of such a framework law and the right to adequate food.

62. As noted by the Special Rapporteur’s predecessor, a framework law presents the following benefits: (a) institutionalization of a coherent and integrated approach, through the creation of an independent council formed by relevant Government ministries and institutions and members of civil society, associations of food producers and the private sector, which will provide advice to the Government on matters related to food and nutritional security;



(b) grounding of national policies and programmes in a society-wide consensus, increasing their rate of survival in the face of changes in Government; (c) predictability and ring-fencing of resources for food and nutritional programmes, possibly through the establishment of a national fund; (d) strengthened accountability and institutional oversight of food and nutritional security programmes, including with regard to the way information is collected and programmes assessed, increasing transparency and safeguards against the use of political criteria in the targeting of programmes.<sup>44</sup>

63. The Special Rapporteur was encouraged by the support for such a framework expressed both by Government representatives and by civil society, and commends the steps that have already been taken in this regard, with a number of current bills (including the Right to Adequate Food Bill) aimed at reducing hunger. The Special Rapporteur urges the Government to pass that bill as a matter of priority.

## X. Concluding observations and recommendations

64. The Philippines has adopted a wide range of policies and programmes to ensure the effective enjoyment of the right to food, as part of the right to an adequate standard of living. However, as evidenced in the present report, considerable challenges remain, particularly with regard to the increasing income gap between the rich and the poor and a lack of implementation in relation to legislation and right-to-food policies. Moreover, although the emergence of a free market economy has assisted with the impressive growth experienced by the country in recent years, this growth has not benefited all. While some parts of the country are being transformed, poverty remains very high and is becoming entrenched not only in rural areas but also in urban centres as the income gap widens. The situation is particularly difficult for those in remote areas and regions affected by conflict, as well as those living in extreme poverty and the unemployed. Given the significant role played by the agricultural sector, unsustainable export-oriented agro-industry, as well as large land acquisition projects for cash crops, should be avoided in order to protect smallholder farmers and maintain self-sufficiency. As one of the most vulnerable countries in the world to the adverse effects of climate change, the Philippines also faces a significant challenge in ensuring that its food sources are protected.

65. The Special Rapporteur recommends that the Government:

(a) Devise and adopt a national right-to-food framework law based on time-bound benchmarks and effective implementation plans for each region. The framework should also include the budgetary and fiscal measures necessary to ensure sustainability in the long term. Authorities and agencies responsible for implementation should be identified and appropriate monitoring and accountability mechanisms established. The full and active participation of all actors concerned, including those most vulnerable to hunger, should be ensured;

(b) Expedite the Right to Adequate Food Bill and allocate the necessary budgetary and human resources for its effective implementation as a matter of priority;

(c) Ensure that efforts are made to pass the National Land Use and Management Act, the Agrarian Reform Extension Law and all other pending bills relating to the right to adequate food and nutrition;

(d) Ensure implementation of the agrarian reform programme under the Constitution of the Philippines and the Comprehensive Agrarian Reform Program, especially its provision on the right of rural women, as a matter of priority;

<sup>44</sup> A/HRC/25/57/Add.1.

(e) Establish a programme to mitigate hunger and increase household income, for example, sustainable livelihood programmes for food producers such as smallholder agriculture and fisheries in the country within the framework of sustainability;

(f) Develop a clear programme on the development of smallholder agriculture and fisheries within the framework of sustainability. This should be coupled with adequate and appropriate public investment in support services for access to socialized credit, seeds, fertilizer, farm machinery and infrastructure such as farm-to-market roads and post-harvest and irrigation facilities. Access to markets should be guaranteed;

(g) Produce guidelines through the Department of Agriculture to delineate municipal waters to protect the livelihoods of artisanal fisherfolk from commercial trawlers. The space occupied by fish cages in mariculture parks should not exceed what is prescribed by law, and fish cages exceeding the limit should be removed;

(h) Ensure that adequate basic social services, including food and drinking water, are made available to all indigenous peoples in the country to the maximum extent possible, as also recommended by the previous Special Rapporteur on the rights of indigenous peoples;

(i) Ensure women's participation in the development of a food security plan that ensures support for women having access to sustainable agriculture and community-based coastal resource management, and implement laws on women such as the Magna Carta of Women Act, including its section 20, on food security and productive resources;

(j) Implement campaigns to raise awareness among women of their rights to land, particularly in rural areas;

(k) Continue to invest in essential services with the aim of eradicating stunting as part of the national development plan, and consider establishing a specific unit within the national poverty agency to monitor child nutrition, with particular emphasis on child stunting;

(l) Ensure that the State budget reflects a commitment to children's rights by guaranteeing equitable and adequate allocation of resources for the provision of essential services for children, particularly in ensuring their right to healthy and nutritious food;

(m) Ensure that national legislation is in line with the obligations of the Philippines according to the Convention on the Rights of Persons with Disabilities and consider establishing a task force to identify the main principles and standards of the Convention that have yet to be incorporated into national legislation;

(n) Implement legislative provisions to ensure that children with disabilities, particularly those living in rural areas, have access to adequate food and nutrition;

(o) Comply with the duty to protect individuals and communities against human rights abuses in the context of economic activities and ensure access to effective remedy for victims, particularly within the extractive industries. In addition, efforts should be made to ensure development of a range of strategies that enhance the country's ability to conserve and protect its environment and to empower local communities;

(p) Prioritize vulnerability assessments, adaptation and mitigation financing and support for the urban poor, small farmers and coastal communities who are particularly vulnerable to the impact of climate change;

(q) Promote the conservation and management of agricultural biodiversity to ensure genetic diversity in order to sustain the natural resource base for farmer resilience, innovation and adaptation to climate change;

(r) Enforce environmental laws to protect watersheds, forests and rivers, which are the primary sources of food. Mechanisms to prevent soil erosion and flooding and to enrich biodiversity should be implemented;

(s) Implement human rights impact assessments as a means of building trust between the authorities in charge of development projects and the affected communities. Such a process should be conducted in a transparent manner, with the provision of adequate information to affected communities; include the full consideration of all alternatives; and be undertaken prior to the launch of any project, rather than as a means to validate a project that has already commenced;

(t) Consolidate existing social protection schemes, to diminish fragmentation and bureaucratic procedures and ensure that targeting methods are employed with the aim of progressively achieving universal coverage.

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