

STATE'S FAILURE TO FULFIL AND DEFEND ITS CITIZENS' RIGHT TO FOOD: The Philippine Experience¹

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Introduction

President Joseph Estrada during his presidential campaign sorties promised that no Filipino will go hungry in his own country (Walang magugutom na Pilipino sa kanyang sariling bayan). He also declared during his Inaugural Address that *“the time has come for the poor ... to have a fairer share of the national wealth they create ... time for the masses to enjoy first priority in the programs of government.”* By promising “pagkaing sagana at abot-kaya” (bountiful food that is affordable), the President not only underscored the importance of food to eradicate hunger but also the importance of access to food. That food should be affordable, especially for the vulnerable groups -- the poor.

Food is a most basic need. Peoples and governments acknowledged the human right to adequate and nutritious food through various international laws, treaties and instruments. And it is the obligation of any state to ensure that there is enough food for all, regardless of ethnicity/race, gender or religion.

When the United Nations adopted the Universal Declaration of Human Rights in 1948, nation-states definitely recognized the unassailable right of everyone to a standard of living adequate for health and well-being, including food (Article 25.1). The rights expressed in Article 25 were further developed in subsequent international covenants and declarations. Both the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR) declare that *“in no case may a people be deprived of its own means of subsistence”* (Article 2). The ICESCR further states the *“right of everyone to an adequate standard of living for himself [herself] and his [her] family, including adequate food, clothing and housing and*

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² This paper is the final product of a consultations participated in by the following organizations: APL, FIAN, KAISAMPALAD, MODE, NCOS, PAHRA, PHILNET-RDI, PHILRIGHTS and PPI.

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to the continuous improvement of living conditions” (Article 11.1). In Article 11.2, the covenant directs signatory states/governments to “recognize the fundamental right of everyone to be free from hunger” and that they should “take, individually and through international cooperation, the measures, including specific programmes, which are needed to improve methods of production, conservation and distribution of food ... tak[e] into account the problems of both food-importing and food-exporting countries, to ensure an equitable distribution of world food supplies in relation to need.”

Despite the international affirmation of the right to food, the poor in the least developed and developing countries especially those in agricultural and fisheries sectors, constantly face the paradox of hunger in the midst of bounty. This situation is aptly illustrated in the case of the Philippines.

During the 1995-rice crisis, the Philippines again witnessed long lines of people queuing for rice. It was not because rice was not available in the local markets. They were queuing for cheap imported rice (P10.75 per kilo) since the price of locally produced rice increased from P12 to P24 a kilo. Thus, **hunger and malnutrition in the country is not primarily because of lack of food but lack of access to food by a large portion of the populace.** Although access to food, especially in the case of rice, the country’s staple, is seriously being affected by pressing problems of food production and market.

In pursuing the right to food, we must emphasize that this right is more than the freedom from hunger. The right to food (or food security) implies that food must be available at all times; that all people must have access to it; that it is nutritious, safe, affordable, adequate and culturally acceptable. This right also entails the responsibility to ensure that food supply is economically and environmentally sustainable (for the sake of future generations). “The human right to adequate food is of crucial importance for the enjoyment of all rights” (General Comment 12). However, the attainment of this right should not in any way compromise the attainment of other rights. Human rights are multidimensional (social, economic, cultural, political) but they are also interdependent and indivisible and must be full entitlements to a person in order to live a life with dignity.

The Broader Context

An archipelago of more than 7,000 islands, the Philippines is an agricultural country with ten million hectares of agricultural land out of a total land area of 30 million hectares. The country’s population has reached more than 75 million (as of July 1998).

Periodic crises and short period of growth and recovery characterized the economic performance of the Philippines. Like many least developed and developing countries, it has been burdened a huge external debt. The debt crisis in early ‘70s and early to mid ‘80s was brought about by internal factors (e.g. the penchant of Marcos to support big industrial and infrastructure projects through huge foreign loans) and external factors (e.g. falling commodity prices at the international market, the 1973-1974 and 1979 oil crisis). To cover its balance-of-payments (BOP) and budget deficits, the country got a

loan from the World Bank and the International Monetary Fund (IMF-WB). As part of the loan package, the Philippines had to implement structural adjustment programs (SAPs) such as the reduction of budget deficits, the liberalization of import restrictions, the deregulation of internal markets and the adoption of an ‘export-led growth’ strategy. Since loans were released in *tranches*, borrower-countries like the Philippines had no choice but to follow these prescribed conditions.

The Philippine situation in the early eighties was characterized by extreme political and economic instability. Politically, there was mass opposition to the Marcos dictatorship, especially after the assassination of former senator Benigno Aquino in 1983. Economically, the country was reeling from the effects of paying billions of dollars to service its loans, the opening up of Philippine economy to international market forces, capital flight (due to political instability), and high inflation.⁴

After the EDSA Revolution, the economy recovered (1986-1990). But as Lim (1998) pointed out,

*“The continued debt overhang and government assumption of the liabilities of the private and government corporate sector implied a quick return to tight fiscal binds. The import liberalization and slow real appreciation of the peso, the higher import needs of a recovering economy and high interest payments outflows, and little infusion of medium and long-term loans made sure that the external constraints again become strongly binding.”*⁵

With the removal of import restrictions and lower tariffs, many imported agricultural products such as fruits (e.g. apples, grapes, oranges) were competitively priced and came out even cheaper compared to locally produced products (e.g. mangoes, watermelons). What was alarming was that the Philippines also imported large quantities of agricultural products that have been traditionally grown in the country (e.g. mung beans).

Again, the economy constricted significantly, from 6.8% in 1988 to 3.1% in 1990. Further stabilization measures (tight monetary and fiscal policies and currency devaluation) were implemented in the early 1990s. There was no economic recovery at this period. Instead, recession set in brought about by internal (coups against the Aquino administration and power outages of ten hours or more) and external factors (Iraq-Kuwait crisis).⁶ The problem of domestic debt also emerged at this point as the Aquino administration resorted to domestic borrowing to service the Philippines’ huge foreign debt.⁷

Lim said that the period 1993-96 ushered the integration of the country into the world economy. It was also during this period that we enjoyed economic growth and low

⁴ Joseph Lim, “The Philippines and the East Asian Economic Turmoil,” *Tigers in Trouble: Financial Governance Liberalization and Crises in East Asia*, 1998, pp. 199-202.

⁵ *Ibid.*, p. 202-204.

⁶ *Ibid.*; IBON Facts and Figures, “1990 and Beyond: Coming to Terms”, 31 March 1991, 6 -7.

⁷ Freedom from Debt Coalition, *The Philippine Deep or How Indebted is the Philippines*, 1999, p. 6.

inflation. More liberal monetary and fiscal policies (e.g. high interest rates, the guarantee of stable exchange rates, liberalization of capital accounts) were instituted to attract investments. High interest rates attracted portfolio investments, which amounted to \$16.4 billion compared to only \$6.5 billion in foreign direct investments from 1992-1996.⁸ With the liberalization of capital accounts⁹ and cut in interest rates, portfolio money shifted from treasury bills to the stock market. Moreover, the process of economic liberalization continued with the formation of the ASEAN Free Trade Area (AFTA), the Asia-Pacific Economic Cooperation (APEC), the conclusion of the General Agreement on Tariffs and Trade Uruguay Round and the establishment of the World Trade Organization (GATT-WTO). The Philippines committed to reduce tariffs of all manufactured goods to 0-5% by year 2004.

Accession to GATT-WTO was supposed to bring accelerated economic growth, the creation of more jobs and access to better and cheaper products. Instead of economic growth, the Philippines is confronted with a chronic and growing trade deficits. At the end of 1995, total foreign trade deficit was \$9.09 billion compared to \$7.85 in 1994. Trade deficit rose to \$11.88 billion in 1996.¹⁰

Currency and financial turmoil, the fall of stock markets and economic recession hit Asia starting the second half of 1997. Both Philippine economic managers and analysts (local and international) emphasize that the country is not as severely affected as compared to its neighbors, Thailand and Indonesia. Most agree, however, that the crisis has tremendous consequences on the economy, in general and the vulnerable sectors, in particular. The economic and social costs of the crisis are wide-ranging. These include more bankruptcies, rising poverty, massive unemployment and underemployment, reduced social services and more social tensions and violence.

(See Box 1 for Fact and Figures on the Philippines)

The Right to Food: The Philippine Case

What are the substantive issues in relation to the right to food? The Committee on Economic, Social and Cultural Rights clarified that the core content of the right to adequate food requires:

“the availability of food in a quantity and quality sufficient to satisfy the dietary needs of individuals, free from adverse substances, and acceptable within a given culture; the accessibility of such food in ways that are sustainable and do not interfere with the enjoyment of other human rights.”¹¹

⁸ Ibid., p. 8.

⁹ Liberalization of capital accounts refers to the removal of restrictions on the amount of dollars that residents can hold and the outflow of capital by residents and non-residents. Both could take their money of out the country at any time they wish to do so.

¹⁰ NSCB, 1998 Philippine Statistical Yearbook, p. 7-3.

¹¹ Committee on Economic, Social and Cultural Rights, Substantive Issues in the Implementation of the International Covenant on Economic, Social and Cultural Rights: General Comment 12 (20th Session, 1999).

In looking at how the Philippines realized or failed to realize the right to food, we would go back again and again into the core content of the right to food.

Box 1. THE PHILIPPINES: FACTS AND FIGURES

TOTAL LAND AREA (in Hectares)	30,000,000
(as of December 1996)	
Alienable and Disposable	14,117,244
Total Forest Land	15,882,756
POPULATION (as of July 1, 1998)	75.2 M
Population growth rate (1990-1995)	2.32%
Population growth rate (1980-1990)	2.35%
ECONOMY	
GNP per capita, 1 st – 3 rd Qrts. 1999	P 29,344 (US\$ 733.6)
GNP growth rate, 3 rd Quarter 1999 at constant 1985 Prices	3.3%
GDP per capita, 1 st – 3 rd Qrts. 1999	P 27,872 (US\$ 696.80)
GDP growth rate, 3 rd Quarter 1999 at constant 1985 Prices	3.1%
CPI, November 1999 (1994=1)	149.9
Balance of Payments, January-September 1999	US\$ 3.356 billion
Interest rate, November 1999	8.6%
Peso per US \$, December 1999	P 40.623
LABOR (October 1999P)	
Total 15 years old and over	48.6 million
Total Labor Force	32 million
Labor Participation Rate	65.8%
Employed	29.003 million
Underemployed	6.415 million
Unemployed	
Unemployment rate	9.4%
Underemployment rate	22.1%
BUDGET	
National Budget (1999)	P579.5 B
Budget Deficit (May '99)	P198 B
GOVERNMENT DEBT	
Total (as of May '99)	P1.59 trillion
Foreign	P684.44 billion
Domestic	P900.6 billion
OTHER STATISTICS	
Crude birth rate (per thousand population), 1999	27.3
Crude death rate (per thousand population), 1999	6.0
Infant mortality rate (per thousand live births), 1999	38.8
Under-five mortality rate (per thousand live births), 1997	41
Maternal mortality rate ((per 100,000 live births), 1990	280
Life Expectancy at birth, 1999	66 (male), 71.3 (female)
Simple literacy rate, 1994	93.9%
Functional literacy rate, 1994	83.8%

Sources of data: NSCB; Philippine Labor Survey; ADB, Key Indicators of Developing Asian and Pacific Countries, 1999; UNDP, Human Development Report 1999

The country's food security and economic growth are very much affected by the performance of the agricultural sector. The underdevelopment of the agricultural sector and the rural areas in general significantly affects the production of food and other agricultural commodities. With very low productivity coupled with depressed prices, the incomes of rural families are kept low while the availability of jobs in the rural areas remains unstable. With limited opportunities and low incomes, rural people migrate to the cities in search for greater economic opportunities. With a low supply of food from the rural areas, food prices in the cities and urban centers rise exerting pressures on wages.

The agricultural sector (agriculture, fishery and forestry) remains an important pillar of Philippine economy in terms of providing food and employment to the majority (about 40 percent) of the labor force as of July 1999. The performance of the agricultural sector, in terms of its contribution to the economy, fell from 23 percent in 1982 to 18.5 percent in 1998 (at constant 1985 prices). In a country with more than 75 million persons to feed, agriculture and food security should have been a priority. But this was not the case, however. Decades of neglect had wrought havoc into the lives of those who are providing the food and other products the country needed.

Key Issues on the Availability¹² of Adequate Food Supplies

Food must be available at the household, local, national and global levels. At the national level, the country's ability to provide sufficient food supply to its population depends on its capacity to produce and/or procure from outside sources. This implies that a country should have sufficient resources to be able to buy the food when needed and that the food is available to be bought at the global level.

However, as food markets have become internationalized, there were deepening concerns about food availability¹³ and more importantly about increased dependency on food imports. Increased dependency on food imports could render a country vulnerable to sudden rise and fall of food prices or to political decisions of foreign governments to sell or not to sell food. In such a situation, national sovereignty is undermined.

Is there enough food in the Philippines? Philippine statistics show that agriculture, in general and the food crop sector, in particular has been unable to grow at a rate equal to the needs of feeding a large and growing population. The population growth rate (2.32% per year) outpaced food production growth of 1.0%.¹⁴ From 1993 to 1995, the daily per capita food supply¹⁵ was declining in terms of three nutrient indicators: per day calorie decreased at an annual rate of 4 percent; per day protein by 4.1 percent and per day fats by 1.2 percent (Table 1).

¹² Availability refers to the possibilities either for feeding oneself directly from productive land or other natural resources, or for well functioning distribution, processing and market systems that can move food from the site of production to where it is needed in accordance with demand.

¹³ During the early 1990s, only 5% of total milled rice production was traded in the world market; wheat at 20% and corn at 12%.

¹⁴ "More people but less land to till," *Farm News and Views*, March-April 1999, p.14.

¹⁵ Daily per capita food supply is measured in terms of weight or in terms of nutrient value.

Table 1: Per Capita Food Supply, 1993-1995

	LEVEL			Average 1993-1995	Annual Growth Rates		
	1993	1994	1995		93-94	94-95	93-95
Per year kilogram	423.2	410.1	407.4	413.6	(3.1)	(0.7)	(1.9)
Per day gram	1,159.4	1,123.7	1,116.3	1,133.1	(3.1)	(0.7)	(1.9)
Per day calorie	2,710.5	2,528.6	2,495.8	2,578.3	(6.7)	(1.3)	(4.0)
Per day protein	73.7	67.6	67.7	69.7	(8.3)	0.2	(4.1)
Per day fats	59.9	55.0	56.6	56.5	(5.1)	2.9	(1.2)

Source: National Statistical Coordination Board

While food production is declining over the years, the available supply for daily consumption compared to the recommended dietary allowance (RDA) was sufficient to meet the food requirements of the population. There was food sufficiency in major food groups except for starchy roots and tubers, milk and milk products and eggs in 1995. (Table 2).

Table 2: Available Supply and Recommended Daily Allowance

COMMODITY	RDA	SUPPLY AVAILABLE			PERCENT SUFFICIENCY		
		1993	1994	1995	1993	1994	1995
Food Groups	1,031	1,159	1,124	1,116	112.5	109.0	108.3
I. Vegetable Origin	773	974	937	927	126.0	121.2	119.9
1. Cereal & Cereal Products	334	400	375	362	119.8	112.1	108.4
2. Starchy Roots & Tubers	73	69	68	67	94.2	93.2	92.0
3. Sugar & Syrups	24	46	50	38	192.6	209.1	158.6
4. Pulses & Nuts	17	35	35	38	204.6	206.0	221.6
5. Vegetables & Fruits	297	312	314	307	105.0	105.7	103.3
6. Fats, Oils & Miscellaneous	28	112	95	115	400.1	339.4	410.7
II. Animal Origin	258	186	187	190	71.9	72.5	73.5
1. Meat & Fish Products	151	170	170	172	112.6	112.8	114.2
2. Milk & Milk Products	82	6	8	8	7.5	9.3	9.8
3. Eggs	25	9	9	9	37.4	36.0	36.3

Source: NSCB, Food Balance Sheet of the Philippines, 1993-1995.

By the mid-1990s, however, the Philippines had turned from a net agricultural exporter to a net importer.¹⁶ In the cereal subsector, the country's self-sufficiency ratio in rice is down, from 89.49 percent in 1996 to 73.16 percent in 1998 (Tables 3). Dependency upon external food markets continued to grow. The country has to import bigger volumes of grains to meet our cereal requirements (Table 4). In fisheries, the average annual growth rate in fishery production achieved from 1993-1998 was only 1.3%. Positive growths were recorded in aquaculture (an average of 4.7%) and in commercial fisheries (2.7%). Municipal fisheries has been declining through the years at an average of -3.2% (Table 5).

¹⁶ Department of Agriculture, *Farms, Food and Foreign Trade: The WTO and Philippine Agriculture*. Paper presented during the National Consultation on Emerging Issues in the Next Round of WTO Negotiations, November 3, 1999, Quezon City.

Table 3: Self-Sufficiency Ratios for Selected Crops/Food, Philippines, 1996-1998

CROP/FOOD	1996	1997	1998
Rice	89.49	91.05	73.16
Corn	91.10	93.37	97.13
Chicken	99.96	99.81	99.51
Pork	99.42	99.05	98.89
Beef	83.12	81.68	85.98
Cassava	100.02	100.02	100.03
Sweet Potato	100.00	100.00	100.00

Source: Bureau of Agricultural Statistics, Indicators of Food Self-Sufficiency for Cereals, selected Livestock and Poultry Products and Rootcrops, 1996-1998

Table 4: Philippine Imports of Grains: Rice, Corn and Wheat ('000 metric tons)

Commodity	1995	1996	1997	1998
Rice	277	768	814	2,187
Corn	515	446	455	175
Wheat	-	1,978	2,157	1,960

Sources: Foreign Agricultural Service, USDA, National Statistics Office

Table 5: Growth Rates of Philippine Fishery Production, 1993-1998

Subsector	93/92	94/93	95/94	96/95	97/96	98/97	Ave. Growth Rate (93-98)
Commercial	5.0	2.1	3.8	-1.9	0.6	6.3	2.7
Municipal	-5.0	-3.8	-2.1	-6.5	1.7	-3.6	-3.2
Aquaculture	4.2	-1.0	17.1	7.1	-2.4	0.2	4.7
TOTAL	1.1	1.0	6.6	0.3	-0.3	1.0	1.3

Source: Bureau of Agricultural Statistics

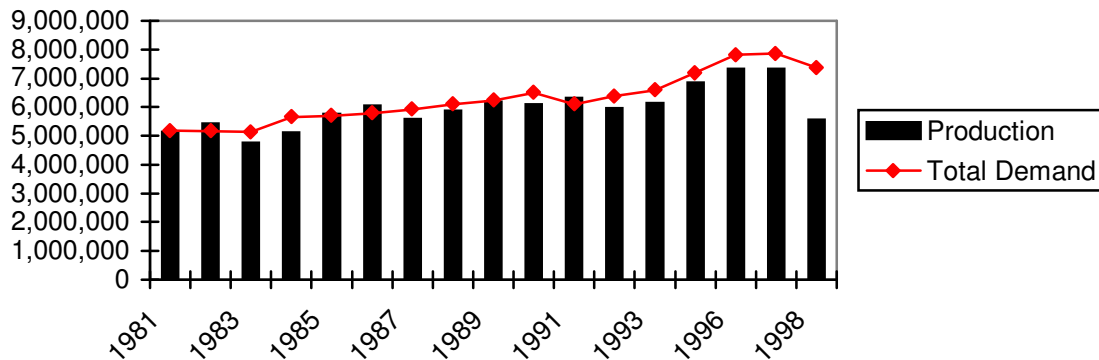
Any discussion on the Philippines' food security will inevitably focus on its ability to produce or purchase rice. Rice is very important to the Philippines' rural economy and society. About 1/3 of its agricultural land is devoted to rice production. Rice is the main staple, accounts for 35% of average Filipino diet and more than half of calorie intake of 80% of Filipinos. Rice is the source of income to 3.2 million rice farmers and their families¹⁷ as well as to thousands of traders, millers and their dependents. Most rice farmers are also rice consumers. Either they do not produce sufficient rice for their own consumption because their land is small or they sell most of their *palay* (unhusked rice) immediately after harvest to pay off their loans or purchase other basic needs. Most often than not, they sell when the price of *palay* is at its lowest and buy rice when the price is at its highest.

The rice industry is characterized by declining production, decreasing area devoted to rice farming and low productivity. Currently, the average rice yield for all ecosystems (irrigated, rainfed, upland) is 2.92 metric tons per hectare. PHILRICE estimated that the

¹⁷ Department of Agriculture, *Rice*. Paper presented during the National Consultation on WTO, November 3, 1999, Quezon City.

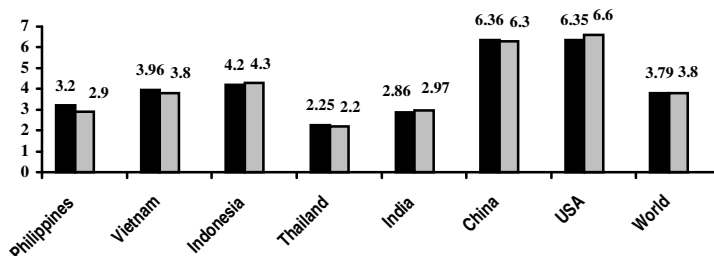
Philippines have to achieve 3.27 metric tons per hectare-yield in all ecosystems (or 5.04 metric tons per hectare in irrigated areas) to be self sufficient in rice (with a population of 71.54 million). With a higher population now, the Philippines would have to target higher yield, or otherwise increases the area devoted to rice production to achieve sufficiency level.

Figure 1:
Rice Production and Demand, 1981-1998



Source: BAS

Figure 2. Paddy Rice: Average Yield in Selected Countries, 1998-99
(in metric tons / hectare)



Source: FAO, 1999

The decline in rice production and productivity (applicable in other crops too) can be attributed to several factors. One is the limited public expenditure to enhance productivity and production. Let us take the case of irrigation, for example. Access to water through irrigation is crucial in increasing rice production and productivity (the current rice technology is highly dependent on ample water). Yet, only 43% (1.3 million hectares) of the total 3 million hectares of irrigable lands are irrigated. Area irrigated during the dry cropping season in 1998 declined compared to the same period in 1997, from 369,677 hectares to only 229,993 hectares.¹⁸ Another factor is the ability of the producer to raise the necessary capital to meet production costs. The devaluation of the peso and the hike

¹⁸ *Farm News and Views*, March-April 1999, p.3; Fermin Adriano and Elvira E. Dumayas, "The Politics of Food: Enough rice on the table is limus test for Estrada," *Philippine Daily Inquirer*, May 30, 1999.

in petroleum products resulted in higher prices of imported inputs such as fertilizers, pesticides and farm machinery. Consequently, farmers are incurring higher production costs. With the ongoing financial crisis, farmers (they are considered high-risk borrowers) are having a harder time accessing funds, especially from the formal financial intermediaries (e.g. banks) and would rely more heavily on informal sources (mostly traders) who would be charging higher interest rates.

Another constraint to increasing production (especially if productivity is stagnant), is the decreasing agricultural hectareage due to land conversions, legal or otherwise. Data from the Center for Land Use Policy, Planning and Implementation (CLUPPI), a special committee under the DAR, reveal that some 3,320 applications for the conversion of 68,240.25 hectares were filed as of June 30, 1997. Of the more than 68,000 hectares, 54,836 hectares were legally converted. Regions where most of the conversions are taking place are Region IV (Southern Tagalog), Region III (Central Luzon), Regions XI, X and VI. The total size of lands which were converted to non-agricultural uses increased tremendously from only 9,388 hectares (1972-1981) to 54,836.59 hectares (1988-1997), more than eight times over the previous period. It has been noted that the rate of conversion is faster in areas very close to the urban centers like Metro Manila, Metro Cebu, General Santos and Davao City. Demand for more housing sped up the conversion of former agricultural lands into subdivisions. As the demand for real estate increase, either real or just speculative, land prices become so high. Many farmers and landowners are tempted by the high land prices being offered, from a low P2-4 million per hectare (P200-400 per sq. m.) to as high as P20 million per hectare (P2,000 per sq. m.). Some landowners used land conversion to circumvent land reform coverage.¹⁹

Food availability is also affected by how well the distribution, processing and market systems that can move food from the site of production to where it is needed in accordance with demand is functioning. In the Philippines, traders dominate the distribution markets of farmers' products. As they are the main source of price information, they determine the price of the farmers' products as well.²⁰ Food marketing costs are extremely high because public investments in market infrastructure are below needed levels. Transport and communication, market information, roads, ports and storage facilities are inadequate.

Food production is also affected by climate. Droughts, typhoons and other climate changes have major impact on food availability. The Philippine Atmospheric, Geophysical and Astronomical Services Administration (PAG-ASA) reported that a total of 215 storms, typhoons and tropical depressions from 1985 to 1995 had caused billions of pesos in agricultural and infrastructure losses. Two supertyphoons, Iliang and Loleng, which hit the country in October 1998, caused damage to agricultural resources

¹⁹ MODE, Case Studies of Land Conversions, 1997, pp. 9-13; 'Land Use Conversion: Wreaking Havoc on Agrarian Reform,' *FARMS Harvest*, Series 7, October 1998, p.2

²⁰ More than 57% of respondents said that they sell their products to traders/middlemen. The government's presence is hardly felt with only 1.5% of the respondents selling their product to the NFA. Almost 49% of respondents says that the traders determine the price of their products. MODE, *The Impact of Agrarian Reform and Market Changes on Philippine Rural Households: Survey Results – Key Indicators*, Quezon City, January 27, 1998.

amounting to almost P2.5 billion. Some 645,046 metric tons of palay (equivalent to 419,280 metric tons of milled rice) were destroyed by the two typhoons.²¹

Key Issues on Access to Food

Central to the food security problem that the Philippines is currently facing is lack of access to food that is still available but steadily declining. One's access to food depends on a host of factors relating to access to production resources, markets and institutions. Amartya K. Sen, the 1998 Nobel Laureate in Economics, stressed that food availability in the market does not automatically give people access to consume this food. He argued that an individual or household (entity) "*can have legitimate command over food and other commodities ... given its endowment of resources and its opportunities to produce and trade.*" This implies that in looking at the problem of food access, it is important to consider the non-market determinants of the ability to command goods on the market: ownership of resources and the terms on which people come to the market and which influence their ability to trade. In the final analysis, as Gershman pointed out the need to change the inequitable ownership of resources or entitlements (economic and political) in favor of the vulnerable and powerless.²² The Committee on Economic, Social and Cultural Rights pointed out in its General Comments on the Right to Food that "*accessibility encompasses both economic and physical accessibility. Economic accessibility implies that personal or household financial costs associated with the acquisition of food for an adequate diet should be at a level such that the attainment and satisfaction of other basic needs are not threatened or compromised. Physical accessibility implies that adequate food must be accessible to everyone.*"

What are the endowments or entitlements available to vulnerable groups in the Philippines?

For farmers and fisherfolks, access to land and boats and fishing grounds are the vital resources that will affect their capacity to access food. As of December 1998, the Department of Agrarian Reform claimed to have distributed 59% of the 8.1 million hectares targeted for distribution in ten years. The period of implementation (ten years) is over but large tracts of private agricultural lands particularly sugar and coconut lands have yet to be distributed. A MODE survey (1996) among potential agrarian reform beneficiaries shows that a big number of farmers are still without access to land and that tenancy relations persist despite its legal abolition.²³ It is even worse for women farmers. The same survey found out that the land titles and other forms of ownership certificates are usually issued to male farmers despite the fact that the CARP declares that CLOAs should be issued in the names of both spouses. Government data show that only 5,145

²¹ "When calamities blow away economic gains," *Business World*, November 17, 1995; Freedom from Debt coalition, "Fourth Quarter Review of the Economy," *FDC Quarterly Economic Reports*, 1998, p. 16.

²² John Gershman, "Beyond Markets and Protectionism: Politically Incorrect Reflections on entitlements, Empowerment and Food Security," Paper presented at the *Conference-Consultation on Food Security*, 30-31 March 1998, Silang, Cavite.

²³ About 51% of the respondents says that they do not own the lands they till, 35.6% said they do and 11% said they are amortizing the land (beneficiaries of land reform). Ricardo Reyes, "CARP Past the Deadline: Where's the Beef?" *MODE Papers on Agrarian Reform*, April 1999, pp. 5 & 31.

women are holders of Certificate of Land Ownership Agreements (CLOAs) compared to 23,310 men farmers.²⁴ For the fisherfolks, many of them only have small, non-motorized fishing boats. Some do not even have boats. PAMALAKAYA claimed that of 1.2 million small fisherfolks, they only have 464,000 small fishing boats.²⁵

Limited access to land and other productive resources affects the capacity of women and men farmers, fisherfolks and indigenous people to command a decent income or adequate purchasing power. In terms of household income, majority of rural respondents (71.7%) earned P50,000 or less.²⁶ There is also great disparity among incomes of different fishers. In 1996, municipal and subsistence fishers earned an average annual income of P37,552.23 compared to earnings of those in aquaculture at P128,490.94 and P432,960.24 in commercial fishing.²⁷

Among the urban poor, contractual and minimum wage earners, their food security situation is even more difficult because they have to buy everything. Farmers and fisherfolks can set aside a portion of their products or catch for food. A case study on food security among the urban poor show that the annual income of these households amount to only P53,249 (Sitio Bagong Tanyag, Tagig).²⁸ The wage level is already low (Table 6), but many workers do not even receive the correct pay. More than 1.22 million minimum wage workers in Metro Manila were deprived of their correct pay but few were indemnified. A January-June 1999 DOLE Survey revealed that one out of 10 firms in Metro Manila do not comply with the minimum wage set by law and one out of three firms were violating general labor standards. The 1999 situation is worse than 1998 since more firms (from 216 to 430 firms) are violating the minimum wage law.²⁹

Table 6: Daily Cost of Living and Minimum Wage Rates (in peso)

	Daily Cost of Living for a Family of Six				Minimum Wage Rates, Purchasing Power of the Peso and Real Wage, 1998		
	1995	1996	1997	1998	Nominal Wage	Purchasing Power /a	Real Wage
Philippines	269.21	299.75	313.42	338.11			
NCR	332.15	365.61	387.58	421.75	198.00	0.70	138.60
Outside NCR							
Agriculture	261.51	293.17	304.87	327.88			
Non-Agriculture	246.27	276.09	287.11	308.78	162.96	0.71	115.70

/a – compared to prices in 1994

Source: IBON Facts and Figures, 30 April 1998

²⁴ NSCB, *Statistical Series on Women and Men in the Philippines*, 15 April 1999 (source: 1990/NSO).

²⁵ 'Fisherfolk complain of dwindling catch,' *IBON Perspectives*, March 1, 1999, p. 23.

²⁶ MODE, *The Impact of Agrarian Reform and Market Changes on Philippine Rural Households: Survey Results – Key Indicators*, Quezon City, January 27, 1998, p. 25.

²⁷ Bureau of Agricultural Statistics and the Asian Development Bank as cited by Allan Vera, *Fisheries Modernization and Liberalization*, SIKAT/NFR, 1999.

²⁸ Eddie Quitariano, *Vulnerable Sectors and Complex Communities: Four Case Studies on Food Security*, MODE, 1999.

²⁹ *Philippine Daily Inquirer*, November 20, 1999.

In a drive to be more competitive and reduce costs, employers have come out with new work arrangements – flexible work arrangements and casualization of labor. Majority of those affected by these new work arrangements are women workers. Instead of regular workers, employers now hire non-regular workers (casual, temporary, piecework or seasonal labor). Other employers resort to job rotation. Many of the workers employed under these arrangements do not receive social security benefits such as maternity and retirement pensions.³⁰

Aside from low wages, workers face the bigger problem of possible unemployment. The National Statistics Office reported that more than one million joined the jobless in April 1998. The number of jobless Filipinos rose from 3.3 million in April 1997 to 4.3 million in April 1998. The statistics agency also noted that most of the regions posted double-digit jobless rate with Metro Manila posting the highest rate at 18.9%.³¹

Among various percentile groups of households in the Philippines, income distribution is becoming more unequal. Table 7 shows decreasing income shares of families from the first to the ninth decile while those in the tenth (the richest families) are getting richer (an increase of 3.8 percentage points in their income share. According to the 1997 Family Income and Expenditure Survey, the average income of the richest 10% of families was P491,658 (more than likely, their income would be higher than this amount) compared to only P20,621 for the poorest 10% of families.

Table 7: Distribution of Families by Income Decile

Income Decile	1991	1994	1997
First	1.8	1.9	1.7
Second	2.9	3.0	2.7
Third	3.7	3.9	3.4
Fourth	4.6	4.9	4.3
Fifth	5.6	6.0	5.3
Sixth	6.9	7.4	6.7
Seventh	8.7	9.1	8.6
Eight	11.3	11.8	11.4
Ninth	16.0	16.4	16.1
Tenth	38.6	35.5	39.7
Average Annual Family Income (in pesos)			
All Families	65,186	83,161	123,881
Poorest 10%	11,937	15,622	20,621
Richest 10%	246,363	295,542	491,658

Source: 1997 FIES, NSO

A big number of Filipinos given their income position have difficulties accessing food given the rising cost of living. IBON estimates that the daily cost of living for a family of six was P313.42 at the national level and P304.87 for agricultural families outside the

³⁰ Amaryllis T. Torres, "Developing Women as Human Resources for Trade Liberalization: The Women's Critique," *Philippine Women Taking on APEC and Globalization*, Philippine Women's Forum on APEC (PWFA), 1998, p. 22.

³¹ "7-Year High: 4.3M Pinoys have no jobs due to crisis," *Philippine Daily Inquirer*, June 17, 1998.

National Capital Region (NCR). By April 1998, IBON estimates that a family needs P338.11 a day in order to live decently. The present wages (P198 before the increase) could hardly meet decent living standards (Table 6).

Another constraint among vulnerable groups is their limited marketable skills and access to education. Surveys on rural households such as the 1990 IASt survey³² of some 8,935 rural households and the 1992 Survey on Rural Welfare³³ found out that most farmers only reached or finished the elementary level.

In the IASt survey, both the respondents and their spouses only completed an average of 6 years of formal education. The same survey also showed interesting results in terms of secondary occupation by farmers. Only 37 percent of the 8,935 respondents, declared that they have secondary occupation. Most of the secondary jobs undertaken by these farmers are construction-related work such as carpentry, painting and plumbing or becoming workers in other farms or non-farms. Only 7 percent was engaged in business or manufacturing. These farming families are sorely lacking in terms of material assets, which they could use as collateral for loans or which can be easily convertible to cash for investments. A scan of their household assets also indicates the paucity of their income. Majority own radios (64%) and cabinets (58%) while only 5 percent having motorized vehicles.

The 1992 Survey on Rural Welfare and the 1996 MODE Survey among heads of rural families showed the same trend: the majority of respondents finished some elementary education. Only a small percentage reached the college level or finished their college education.³⁴

Another key element in food security is that food must be nutritionally adequate in terms of quantity (energy) and quality (provide all essential nutrients). In General Comment 12, the Committee on ESCR defined dietary needs as

the diet as a whole contains a mix of nutrients for physical and mental growth, development and maintenance, and physical activity that are in compliance with human physiological needs at all stages throughout the lifecycle and according to gender and occupation.

The consumption of rice comprises the biggest percentage of total food intake (35.1%) among Filipinos, followed by fish and products and vegetables at 12.3 percent and 13.2 percent respectively (FNRI, 1993). The FNRI survey (1993) also found out that the consumption of meat and poultry, milk and milk products by urban folks is two times greater than that of rural people. Income definitely affected food choices and the ability to provide food for the family. The study found out that managers, large entrepreneurs, overseas contract workers (OCWs) have better and more diverse diets than the

³² UPLB-Institute of Agrarian Studies, *Benchmark Survey of the Comprehensive Agrarian Reform Program (CARP) Terminal Report*, Vol.1, June 1992.

³³ Bureau of Agricultural Statistics, et.al., *Survey on Rural Welfare* (Part 1 of Rural Welfare Monitoring: Focus on Agrarian Reform Beneficiaries), December 1994.

³⁴ MODE, *Rural Household Dynamics in the Philippines: Measuring the impact of Agrarian Reform and Changing Market Forces*, 1996.

disadvantaged households. These households are mainly found in the agricultural sector (share tenants, *kaingeros*, small fishers, farm laborers). The same survey disclosed that only protein met the recommended allowances of the essential nutrients needed for nutritional health. Nutrient deficiency (Iron, Calcium, Thiamin, Riboflavin, Ascorbic acid) ranged from 57.1% to 73.2% percent. Both food and nutrient intake have deteriorated over the years.³⁵

The country's nutrition situation shows the continued existence of protein-energy malnutrition especially among pre-school children aged 0-5 years old. According to the 1996 FNRI nutrition survey, Eight out of 100 are at least moderately underweight; five out of 100 are stunted and less than five out of 100 are wasted.³⁶

The situation seems to be not improving. Latest statistics from FNRI reveal that seven out of 100 children aged 0-5 years are afflicted with acute malnutrition and nine out of 100 are moderately underweight. As many as 757,000 pre-schoolers are "wasted" (losing weight), 568,000 are "stunted" (failing to grow) and 967,000 are underweight. Compared with a similar survey in 1996, the number of underweight and wasting pre-schoolers increased by 0.4% and 1.4% respectively. Stunting decreased by 0.1%.³⁷ Among pregnant women, the Fourth National Nutrition Survey (FNNS) of the DOST found out that 4-5 out of ten pregnant women suffer from iron³⁸ deficiency anemia. Moreover, FNNS showed that five out of 10 infants ages six months to one year are anemic. In general, 3 out of 10 Filipinos are iron deficient.³⁹

Key Issues Affecting Economic and Environmental Sustainability of Food Production

The long term sustainability of food production demands the maintenance and enhancement of the country's resource base and of its biodiversity as well as the equitable distribution of these resources and the benefits derived from them. In the Philippines, however, most of its resources – forests, marine resources – are already depleted. The present exhaustion and degradation of terrestrial ecosystems (deforestation, soil erosion and desertification and degradation of the aquatic environment) in the Philippines are threatening people's livelihood and survival. The country is facing an ecological crisis.

Deforestation. In the 1930s, 57% of the country was covered with forest. Current estimates of remaining forests range from 2.7% 23.3% of the total land area of 30 million hectares. Environmentalists say that the needed forest cover to sustain a growing population and economic activities should be at least 40%. The Philippines already

³⁵ Food and Nutrition Research Institute, DOST Fourth National Nutrition Survey: Philippines, 1993. The survey covered 4,050 households in 15 regions including the National Capital Region.

³⁶ 1996 Updating of Nutritional Status of Filipino Children at the Provincial Level, July 1997, p. 8.

³⁷ "Malnutrition rising among preschoolers," *PDI*, December 5, 1999. FNRI, *1996 Updating of Nutritional Status of Filipino Children at the Provincial Level*, July 1997.

³⁸ Iron is found in meat, liver, eggs, green leafy vegetables and yellow fruits. It makes hemoglobin for red blood cell formation, helps other cells to function well, replaces worn-out cells and build body tissues.

³⁹ Manila Bulletin, May 29, 1999.

reached the threshold in sustainable management. Philippine forests are disappearing at an alarming rate at an average of 3.3% from 1980-1990 and increasing to 3.5% from 1990-1995. The environmental Science for Social Change (ESSC) said that the causes of massive and rapid forest destruction include logging, upland migration and agricultural expansion. The Timber Land Agreement System, which legalized commercial logging, was identified as the main culprit. Fifty percent of Philippine forests were lost to commercial logging during the Marcos regime. Some estimates placed the total degraded area in the country at 5 million hectares or 16.8 percent of total land area. The destruction of the Philippine forests threatens the extinction of many of the country's endemic species as well as a renewable source of food and water.⁴⁰ Forest loss in the Cordilleras is affecting water supply at Chico River, the major source of irrigation for rice lands in Kalinga and Isabela.⁴¹

Soil Erosion/Degradation. Soil erosion/degradation poses a serious threat to the sustainability of agricultural production. Soil erosion means that the soil is already depleted of nutrients and consequently, yield on degraded lands will be low. Current statistics on soil erosion in the Philippines do not bode well for the sustainability of food production. About 70% of total Philippine area are subjected to various forms of soil degradation.⁴² Some 100,000 hectares of land to a depth of one meter are lost to erosion per year in the Philippines. What is alarming is that many of the degraded lands are watershed areas for most irrigation systems of the key grain areas in the country. Many of country's provinces have already lost 50% of their top soil to erosion and that 70% of all croplands are vulnerable to erosion.⁴³ In 1998, DENR listed 22 provinces with distressing soil erosion rates. These include Batangas and Cebu (lost 80-85% of their top soil due to erosion), Mariduque (75-80%), Ilocos Sur and La Union (60-70%), Zamboanga del Sur, Zamboanga del Norte, Bukidnon, North and south Cotabato, the three provinces of Davao, Negros Occidental and Oriental, Iloilo, Aklan, Capiz and Antique (50%).⁴⁴ Large-scale mining has caused irreversible destruction on the country's fragile environment and loss of subsistence among many indigenous peoples.⁴⁵

Depletion of Marine Resources. The Forest Management Bureau (FMB) reported that mangrove areas are dwindling at the rate of 2% per year. Out of the original 450,000 hectares, only 117,700 hectares (26.16%) remained in 1995. Conversion to fishponds had been identified as the main cause of mangrove area reduction. It is estimated that 95% of fishponds were once mangrove areas. Mangrove swamps are vital to marine environment. They serve as sanctuaries and nurseries to different species of aquatic animals and act as buffer zones and prevent siltation or the erosion and transfer of certain soil nutrients from the shorelines to the different bodies of water. On the other hand, the Philippines' coral reef areas (about 44,000 sq. km., of which 27,000 sq. km. are

⁴⁰ UNDP, Human Development Report 1999, p.206; 'Logging Ban: Total or Selective?' *Philippine Daily Inquirer*, January 16, 2000.

⁴¹ 'Forest loss draining Chico Dam water supply,' *Philippine Daily Inquirer*, January 22, 1997.

⁴² '70 percent of Philippine area show degradation signs,' *TODAY*, October 31, 1995.

⁴³ 'The price of deforestation,' *Philippine Daily Inquirer*, January 16, 2000.

⁴⁴ 'RP Environment: Experts warn of ecological disaster,' *Philippine Daily Inquirer*, June 27, 1999.

⁴⁵ 'Rhetoric and Reality: First Year of Estrada Administration,' *Philippine Human Rights Update*, Vol. 13, No. 3-4, 1999, p. 16.

within 10-20 fathoms deep) are extensively damaged. Only 6% remain in excellent condition while 70% were partly or fully damaged. The destruction of the coral reefs is caused by unsustainable/destructive fishing practices such as the use of dynamite and cyanide, the use of trawling nets (that are dragged along the seabed), *muro ami* fishing (herding of fish into giant nets while banging numerous rocks on coral reefs). The country is already experiencing a shortfall in fish supply as many fishing grounds such as the Sulu Sea, Moro Gulf, Batangay, Bay, Lingayen Gulf are already 'fished to the limit'. Many municipal fisherfolks are complaining that their catch are dwindling because many large-scale fishing vessels (150 gross tons or more) are encroaching on fishing grounds reserved for municipal fishing. The TFDP office in Dipolog City, citing a study by the Environment Management Bureau of the DENR, reported that traces of cyanide and mercury have been noted in Murceillagos Bay in Sibutad, Zamboanga del Norte in 1999. The affected residents attributed the fishkills and the decreasing number of fish in the bay to the chemical poisoning of the waters resulting from the operation of PHILEX Mining, touted as the model mining company in the Philippines.

Degradation of Freshwater Resources. The Philippines has 570,000 hectares of freshwater resources (swamplands, rivers, lakes). Massive deforestation, industrial pollution and the use of chemical inputs are destroying (have destroyed) freshwater sources. Soil in all the 14 barangays of La Trinidad, Benguet had been tested acidic due to excessive use of inorganic fertilizers and pesticides. Groundwater has been tested positive of nitrate trace, indicating ground water pollution.⁴⁶ In Pampanga, firms located along the Pampanga River are dumping their toxic wastes into the river causing health hazard to residents. To date, there are already tensions among various users of water (agriculture and industrial-household users) especially during the dry season. For example, demand for irrigation in Central Luzon to irrigate 31,500 hectares is conflicting with the demand for industrial and household water of Metro Manila. In Sibutad, Zamboanga del Norte, TFDP reported that water had to be treated before it could be drinkable. In Leyte, residents of Sitio Guiwan, Barangay Buenavista reported that they had problems finding potable drinking water because of acid rain, which also destroyed crops and animals. The acid rain was attributed to air and water pollution caused by industrial companies (PASAR, PHILPHOS, Lepanto Mining) operating in the area.⁴⁷

Key Issues Affecting Food Safety and Quality

New varieties of foods, beverages and food ingredients are coming out of the markets. Are these foods safe to produce and eat? Issues of nutrition and food safety are issues of interest and concern not only to consumers and producers but also to governments as well. Many people are interested to know about food safety such as the safety of food ingredients and additives, the effectiveness of state regulations on food, the potential effects of new foods on health. For sustained good health of its citizens, a responsible government should put in place appropriate food safety measures not only during production but also throughout the whole food chain (production, harvesting, processing

⁴⁶ 'Benguet vegetable industry eroding soil, water stability,' *Philippine Daily Inquirer*, January 23, 1997.

⁴⁷ 'Leyte folk plagued by acid rain, can't find drinking water,' *TODAY*, March 18, 1996.

distribution, and consumption). This implies that to ensure food safety, governments should establish safety standards, monitor the implementation of these standards, enforce them and regularly track food safety problems.⁴⁸

What is the Philippines' experience? In wet markets in Metro Manila, many vendors use dyes to make the fish look fresh. Some of the fish that are usually given a "fresh look" are tambakol, dalagang bukid, alumahan, tanguigue. These dyes, being nonfood grade, can cause cancer. Some vegetable vendors resort to dipping their products in formalin.

Excessive use of fertilizers and pesticides on grains, fruits and vegetables, the use of antibiotics on poultry and livestock have already been proven to have adverse effects on health, environment and the sustainability of production.

Now, many governments, international organizations like the Food and Agriculture Organization (FAO) and transnational corporations are touting biotechnology as the "most likely solution to the growing demand for food".⁴⁹ Some of the supposed benefits of biotechnology include disease resistance; reduced pesticide use; more nutritious composition of foods; herbicide tolerance; more rapid growth of crops; improvements in taste and quality. How about the downside of using it? Local and international environmental activists accuse biotechnology companies (mostly transnational corporations) of just wanting to earn superprofits at the risk of possible ecological disaster and damaging human health. As of now, the risk to humans eating bio-engineered foods is still unknown. Genetic engineering may have the capacity to produce desired characteristics in crops but it can also create gigantic health hazards. Some of the products already enhanced through biotechnology are corn, soybeans and potatoes that require fewer applications of herbicides/pesticides; genetically enhanced soybeans that are lower in saturated fats, higher in oleic acid and offer better frying stability without further processing. The problem is many of these products are already being marketed or used in food preparations and processing. We might have been consuming them without even knowing about it. For instance, Senator Juan Flavio Velasco said that products like Pringles, Fritos chips, Kikkoman soy sauce contain genetically modified organisms or made from genetically modified agricultural products.⁵⁰ Whether they are "mutant foods or Frankenstein foods" (as described by environmentalists opposed to bio-engineered

⁴⁸ Through testing, review of scientific research and evaluation of consumer needs, government agencies approve, reject, limit or cancel the legal use of chemicals, technologies or practices; establish "tolerances" or safe levels of chemical residues; and set strict regulations for the safe application of a chemical or technology. They test food and food processes on farms (i.e. meat and poultry inspection, pesticide use), during storage (for aflatoxin control), during processing (contamination and chemical residues) and at the retail level. Government officials have the authority to stop international and domestic food shipments, quarantine shipments, reject individual foods or lots, shut down plants, assess penalties and prosecute suspected offenders. They should likewise track, record and analyze reports of illnesses, outbreaks, and deaths attributed to food safety problems.

⁴⁹ Biotechnology is, defined by scientists, as "any technique that uses living organisms to make or modify a product, to improve plants or animals or to develop microorganisms for specific uses." "Biotechnology: Most likely solution to food shortage," *Philippine Daily Inquirer*, September 18, 1999.

⁵⁰ "Some junk food may be dangerous to one's health," *Today*, September 19, 1999.

foods), it might be prudent at this point to observe the precautionary principle of the Biosafety Protocol.⁵¹

Of Obligations, Violations and Violators

When Filipinos talk about human rights, there is the tendency to equate human rights to just civil and political rights. Not many are even aware of the existence of the International Covenant of Economic, Social and Cultural Rights. Even those who have heard about the covenant are not knowledgeable about what those rights are. Some countries including the US do not even consider the ESCR as entitlements but just needs and desires.

Ultimately, however, it is the responsibility of the State to guarantee the realization of all our human rights.

As in civil and political rights, the State has the responsibility to **respect, protect and fulfil** our economic, social and cultural rights, in general and our right to food in particular. *Failure to perform any of these obligations constitutes a violation of such rights.*⁵²

Both the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR) declares that “in no case may a people be deprived of its own means of subsistence.” The Task Force Detainees of the Philippines elucidated on what they think *to be deprived of its own means of existence* (there are no common standards and indicators) mean. To be deprived of its means of subsistence means “the people have no control and ownership of their means of subsistence”.⁵³ This implies that the State should provide guarantees to fair access to assets (land, water, capital), services (credit, education, inputs, information, infrastructure, etc.). The Philippine government, however, failed to meet its obligations *to strengthen people’s access to and utilization of resources and means to ensure their livelihood, including food security.*

The obligation to fulfill requires States to take appropriate legislative, administrative, budgetary, judicial and other measures towards the full realization of such rights. The obligation to fulfil (facilitate) means the State must pro-actively engage in activities intended to strengthen people’s access to and utilization of resources and means to ensure their livelihood, including food security. When an individual or group is unable, for reasons beyond their control, to enjoy the right to adequate food by means at their disposal, States have the obligation to fulfil that right directly. This obligation also applies for persons who are victims of natural and other disasters.

⁵¹ This principle states that when there are threats of serious or irreversible damage to environment or to human health, the lack of scientific certainty on any particular subject should not be used to postpone protection measures.

⁵² “The Maastricht Guidelines on violations of Economic, Social and Cultural Rights,” *SIM Special* 20, p.4.

⁵³ Teodoro Maximiano M. de Mesa, *The People’s Right not to be Deprived of their Means of Subsistence*, TFD, p. 5, no date.

- Big tracts of lands are still owned by a few after ten years of implementation of the Comprehensive Agrarian Reform Law. Most of the private agricultural lands (5 hectares and above) and deferred farms are not yet covered by land reform as of now.
- In asserting their right to land, farmers have been injured and killed. Thirteen years ago today, 13 farmers were massacred in Mendiola (near Malacanang Palace) on 22 January 1987. They were among the more than 10,000 people, mostly landless peasants, who were demanding the former President Aquino to implement genuine agrarian reform. No one have been prosecuted nor punished for their deaths. The families of the victims have filed a class suit but the Supreme Court dismissed the case because the state has immunity from such suits.
- More than 1.22 million minimum wage workers in Metro Manila were deprived of their correct pay but few were indemnified⁵⁴ and people lost their jobs. The National Statistics Office reported that more than one million have joined the jobless in April 1998.
- During the GATT deliberations in 1994, the Ramos Administration promised safety nets measures to cushion the adverse impact of unfair trade on vulnerable groups. A new administration is already in power. However, the Department of Agriculture admitted during the national consultation on the WTO that the safety nets measures (e.g. the Agricultural Enhancement Fund) are not yet in place.

The obligation to respect requires States to refrain from interfering with the enjoyment of economic, social and cultural rights. The reality is:

- Thousands of indigenous people are deprived of their ancestral lands with the enactment of the Mining Act of 1995 which grants ownership and control of mineral mining projects through the Financial or Technical Assistance Agreements. Barely two months in power, the Estrada administration already granted 47 mining permits (17 to foreign companies) which affected 369,300 hectares of ancestral lands. Mining applications awaiting approval may encroach on ancestral lands of indigenous peoples in Northern Luzon, Palawan, Mindoro and Mindanao.⁵⁵
- More than 54,000 hectares of lands are already legally converted lands. The Institute of Strategic Planning and Policy Study (ISPPS) reported the illegal conversion of 172,940 hectares of croplands around regional industrial

⁵⁴ Philippine Daily Inquirer, November 20, 1999.

⁵⁵ TFDP, Largescale Mining Operations, Environmental Destruction and Indigenous Peoples, p. 1, no date of publication.

centers.⁵⁶ Some 320 hectares of fishponds in Pangasinan and La Union were converted into housing and business centers resulting in the loss of 2.14 metric tons of fish supply annually. Aside from the loss of fish supply, the conversion resulted in job losses among caretakers and seasonal laborers.⁵⁷

- Families and communities are dislocated through demolitions without alternative relocation sites and livelihoods. The Task Force Detainees of the Philippines documented some 37 cases of demolition during President Estrada's term from July 1998 to December 1999. The number of houses destroyed totaled 18,549, displacing an equally staggering number of families who lost their dwellings and livelihood. In almost all cases, government authorities used forced and heavy equipment in evicting the urban poor communities. Many were physically hurt and some died in these demolitions. More violent demolitions or forcible evictions are expected as the government intends to clear public and private lands of so-called squatters to build infrastructure projects, commercial and recreational centers.⁵⁸

As a whole, the State has the role to promote and encourage collective action to promote public welfare or public good. Congress (the Legislative) should enact laws and regulations that promote the welfare of the people. The Executive should implement, enforce and formulate pro-people programs and policies and the Judiciary to interpret and redress grievances in a fair manner.

Yet, during the Ramos administration, food security was not on its priority agenda. With the ascendancy into power of a populist president, the vulnerable sectors – mostly farmers, fisherfolks and indigenous people – had hoped that agriculture and food security would be high on the agenda. However policies, programs, legislation and pronouncements are not enough without the political will to transform these into actions to eventually redound to people's benefit. In 1999, the Department of Agriculture was given a budget of only P14 billion compared to the Department of National Defense's budget of P51.6 billion.

The obligation to protect requires States to prevent violations of such rights by third parties. The obligation to protect requires measures by the State to ensure that enterprises or individuals do not deprive individuals of their access to adequate food. In General Comment 12, the Committee on ESCR made clear that while the attainment of the right to adequate food is state's main obligation, everybody should help in its realization. "While only States are parties to the Covenant and are thus ultimately accountable for compliance with it, all members of society – individuals, families, local communities, non-governmental organizations, civil society organizations as well as private business sector – have responsibilities in the realization of the right to adequate food."

⁵⁶ Farm News and Views, May-June 1999.

⁵⁷ Philippine Daily Inquirer, December 9, 1999.

⁵⁸ Task Force Detainees of the Philippines, *Statistics of Human Rights Violations* (July 1998 to December 1999)

- Yet, only few families, the local elite, control Philippine industries and resources. They have interlocking ownership of corporations in vital sectors of the economy.
 - Few families control the distribution of basic services such as telecommunications (Ayalas, Lopezes), electricity (Cojuangcos) and [Metro Manila] water (Lopezes and Ayalas).
 - Landowners of private agricultural lands especially big sugarcane and coconut farms still own and control more than one million hectares depriving many landless farmers of the right to own the lands.⁵⁹
 - Commercial banking is controlled by a few. Metrobank is controlled by the family of George Ty; Bank of Philippine Islands by the Ayala Corp.; Banco de Oro and China Bank by Henry Sy; Allied Bank and Philippine National Bank by Lucio Tan.⁶⁰
 - In food processing and manufacturing, the notable names are the Concepcions (e.g. RFM), Ayalas (Purefoods) and Cojuangcos (San Miguel).
 - Company owners who are not paying decent wages and benefits are not penalized.

- Along with the local elite are the transnational Corporations (TNCs) – The new economic superpowers, the transnational corporations, are controlling us ‘from the cradle to the grave’. They control the world’s food system – land to seeds, crops to chemicals, processing and marketing. Only few food corporations are controlling every part of the food chain - from land to seeds, crops to chemicals and technology, processing and marketing. Only six corporations control “85% of world trade in grains, eight for 55 to 60% of world coffee sales, seven for 90% of the tea consumed in Western countries, three for 83% of world trade in cocoa and three for 80% of trade in bananas.”⁶¹ Monsanto is gaining control over the world’s food supply at the level of plant genetics (germplasm, seeds and genetic engineering). Cargill is the largest trader, processor and distributor of food products in the world. It controls global grain trade. The top 10 agrochemical corporations (the top four include Novartis, Monsanto, Zeneca and Dupont) corner 80% of all agrochemical sales in 1996 and 1997. Nestle (widely known for its infant milk formulas) considers the Philippines one of its biggest markets in the world. World trade in bananas is controlled by three TNCs – Chiquita Brands, Dole Food and Del Monte. The local oil industry is likewise controlled by a cartel – Shell, Caltex, Petron – which can raise the prices of petroleum and other oil products at will. Over the past year, the people have suffered several oil price hikes

⁵⁹ DAR data

⁶⁰ *IBON Facts and Figures*, 15-28 February 1999, pp. 8-9.

⁶¹ FAO, Without waiting ... How the International Community can promote food security,” *DEEP*, September 1995, pp.16-17.

which affected the business and livelihoods of small producers and consumers alike. The world agrochemical industry is controlled by ten TNCs. Some of them are operating in the country and their names are quite familiar – Bayer, BASF, Cyanamid, Monsanto.

- International Organizations, Agreements and Treaties (e.g. GATT-WTO, IMF-WB, aid agencies)
 - GATT-WTO - After five years of implementation, the GATT-UR mostly benefited developed economies like the United States, the European Union, Japan, Australia, and Canada. The agricultural production in developed countries remains highly subsidized. In 1995 alone, the overall subsidy transfers in the US and Europe rose by 5% instead of going down. In 1997, subsidies across developed countries amounted to \$280 billion. Big subsidies in their agricultural sector resulted in overproduction (producing more than they can consume). Surplus stocks are exported in the world market with the help of subsidies, making them cheaper and therefore competitive. In turn, this is causing continued distortions in the international markets for food and other agricultural products.
 - Bilateral and Multilateral Agencies (e.g. IMF-WB, ADB) – The country's foreign debt amounted to \$45.4 billion in 1997. Aside from the non-monetary conditions, the debt service alone exacts a heavy burden on the economy. To amortize our debt, we have to pay \$5.44 billion, representing 6.34% of the Gross National Product (GNP). About 22% of the yearly national budget was for debt servicing alone while health and housing only got 6% and 3% respectively. New IMF conditions included full financial liberalization, more market access by removing import restrictions on key agricultural products, liberalization of retail trade, NFA, NAPOCOR and the oil industry.

The Victims, the Vulnerable Groups

The people whose right to food is being constantly violated are those belonging to vulnerable sectors and groups – usually the impoverished/poor. They are vulnerable because they have little assets like land, money, shelter, clothing, household equipment/appliances. They lack access to basic services like potable water, health care, education, housing, electricity and other infrastructure. For the poorest of the vulnerable groups, they are chronically hungry.

The poor is comprised of indigenous/tribal peoples, upland farmers, landless farmers, coastal and subsistence fisherfolks, landless farm workers, urban poor, contractual workers, minimum/less than minimum wage earners, women, street children, the elderly, the handicapped, the unemployed and underemployed. Most of the poor are found in the

countryside (Table 7). They depend on subsistence farming and fishing for their livelihood. Among the rural poor, the incidence of poverty is higher in the upland areas compared to lowland areas.

Table 7: Rural Poverty Incidence for Upland and Lowland, by Major Islands, Philippines

	Upland		Lowland		Total Rural	
	Number (Million)	Incidence (%)	Number (Million)	Incidence (%)	Number (Million)	Incidence (%)
Philippines	4.8	60.6	11.1	50.3	18.1	53.8
Luzon	2.0	58.0	4.6	45.5	7.9	50.7
Visayas	0.8	52.4	3.3	52.0	4.9	51.7
Mindanao	4.8	60.6	11.1	50.3	18.1	53.8

Source: World Bank, 1997, Table 1.6, p.10.

According to the government, the average Filipino should have an annual income of at least P11,319 (or P31 a day) to meet her/his food and non-food requirements. A person earning below this minimum income will be considered “poor”. With this threshold, the government claims that poverty has declined to only 32.1% of families in 1997 ⁶² (Table 8). Many civil society groups have criticized using the minimum income indicator to measure the incidence of poverty.⁶³ Moreover, the income threshold used by the government was also criticized as too low, not reflective of the real cost of living.

Table 8: Government Estimates of Poverty 1988, 1991, 1994, 1997 (Philippines)

Year	Annual Per Capita Poverty Threshold	Number of Poor Families	Annual Poverty Incidence/a
1988	4,777	4,230,484	40.2
1991	7,302	4,780,865	39.9
1994	8,885	4,531,170	35.5
1997	11,388	4,553,387	32.1

/a based on the magnitude of poor families

Source: NSO

Thus, IBON Foundation came out with its own estimates. The foundation said that the poverty incidence in the Philippines in 1997 was 77.38% based on the number of families whose income is lower than the IBON cost of living standard (P335.21 per day compared to the P146.05 daily poverty threshold for a family of six based on NSO FIES).

⁶² NSO, *Preliminary Findings of the 1997 Family Income and Expenditure Survey*.

⁶³ The United Nations Development Program introduced the human poverty index (HPI) to measure the prevalence of poverty by using a composite index of three essential elements of human life – longevity, knowledge and a decent standard of living (UNDP, *Human Development Report 1998*, p. 25)

Box 2. Profiles of Philippine Vulnerable Groups

Farmers

The agricultural sector employs more than ten million people. Majority are rice, corn and coconut farmers. Their mean educational attainment is Grade 6 (primary education). While farming is their primary occupation, they also work as hired farm or non-farm laborers (e.g. tricycle drivers, construction workers). Majority do not own the lands they till (38%, 1991 IAST survey; 44%, 1996 MODE survey). They are tenants and leaseholders. Of the farmers who own they lands, majority got them through inheritance. Their farm sizes are small, ranging from 1.4 to 1.7 hectares for rice, 1.3 to 2 hectares for corn and 2-3 hectares for coconut. Most of them have incomes of P50,000 and below.

Sources: 1996 MODE Re-Survey, 1991 UPLB-IAST Survey

Fisherfolks

The fishery sector provides direct and indirect employment to over one million people, or about 5 percent of the national labor force. Directly dependent are 675,677 municipal fisherfolks; 258,480 persons in aquaculture and 56,715 persons in commercial fisheries.

Many municipal fisherfolks have only small non-motorized fishing boats and fishing nets so they do not have the capability to venture into the open seas. Industrial projects such as the Batangas and General Santos Cities port constructions, coal-thermal plant in Masinloc, Zambales have destroyed their traditional fishing grounds causing the displacement of many fisherfolks.

Source: BFAR, 1991 Philippine Fisheries Profile, Segovia, A Dictionary of the Crisis in the Philippine Ecosystems, 1995

Workers

Majority of the workers is employed in sectors like manufacturing, construction, wholesale and retail trade and community services/social/personal services. For people working in establishments with less than 10 workers, their average monthly income is only P1,925.25. In companies employing more than 10, the average workers' income is P5,860.45. The rights of those that are working in the informal sector are not respected. Few receive social security benefits like maternity, vacation, sick leaves and other fringe benefits.

Source: NSO 1993 Annual Survey of Establishments as cited by IBON Facts and Figures, 30 April 1998; Torres, 1998

Indigenous Peoples (IPs)

The IPs are about 12-13 million or about 18% of the Philippine population. They live in hinterlands, forests, lowlands and coastal areas and are divided into 110 ethno-linguistic groups. They are among the most disadvantaged social groups. Many IPs are economically and politically marginalized. The Indigenous Peoples Rights Act of 1997 provides the identification, recognition and protection of the rights of IPs to their ancestral lands/domain through the issuance of Certificates of Ancestral Domain Claims (CADCs). DENR claimed to have distributed 75 CADCs covering one million hectares. The main criticism is that CADCs are not full entitlements to the land, but just tenurial instruments.

Many of them have been displaced out of their communities by mining companies like the Lumads of Mindanao, the Cordillera peoples in the north. Many are also displaced because of military operations in their areas like the Higaonons and Manobos of Mindanao.

Sources: Policy Influence: NGO Experiences, Segovia, A Dictionary of the Crisis in the Philippine Ecosystems, 1995, WB, 1999.

Women Filipino Women comprise half of the population. Their labor participation rate was placed at 48.5% compared to men's participation rate of 82.2% as of January 1999. Women's reproductive labor (child-rearing, housekeeping, etc.) remains unrecognized economically. Unemployment rate among women rose from 8.5% in October 1997 to 8.9% in January 1999. Women's jobs tend to be associated with their reproductive roles – selling, community and social service work. In the urban centers, many women are employed in the service sector (trade and finance), in community, social and personal services. In the rural areas, women are employed as agricultural workers or farmers. The growing contractualization of labor is adversely affecting women. More firms are now into sub-contracting. As Torres, et.al. (1998) aptly put, <i>the greater the degree of labor casualization, the higher the proportion of total employment of women and the greater their vulnerability to exploitative conditions</i>. In the garments industry where 76% are women, workers are paid on piecework basis not by the hour. With new forms of work arrangements, employers can get around labor laws protecting workers. <i>Sources: NSCB, Philippine Women Taking on APEC and Globalization, TFDP</i>	Children The children and youth sector (under 1-19 years of age) comprise about 49% of total population in 1995. or about 58,960. The child/youth population, the males slightly outnumber the females. Majority of the children are in the rural areas. While the Philippine Constitution guarantee free education up to the secondary level, many Filipino children do not finish high school because of poverty and inadequate government support. They are deprived of their basic right to education. The quality of public education has also deteriorated over the years. Public education is plagued by chronic shortages of teachers (especially qualified), classrooms and textbooks. Many children are forced to work to augment their family's income. The Department of Labor and Employment reported the steady increase of children (aged 10-14) working. In 1997, 60% (about 12 million of the 20 million children) were reported to be in the labor force. They receive no adequate protection. Only 1.8 million were SSS members. Most child workers (aged 10-14) are in agriculture, sales and services. In 1996, there were 1.5 million street children, mostly in Quezon City and Manila. According to UNICEF, their number is increasing. <i>Sources: NSO, TFDP Report, NSCB 1998 Statistical Yearbook, Manila Bulletin, July 16, 1999</i>
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People's Action to Assert the Right to Food

In asserting the right to food (ensuring food security), people's organizations (grassroots organizations, human rights groups, development NGOs, consumer groups) utilized a variety of strategies and tactics. Some strategies were focused on addressing strategic concerns such as agrarian reform (access to land by the landless), sustainable agriculture. Others were focused on specific, sectoral concerns (e.g. oil price hikes, P53/100/125-wage hike, Campaign Against the Mining Act of 1995).

To illustrate, let us look into some of these initiatives. One of the key struggles to change the existing skewed distribution of economic and political power is the struggle for a comprehensive agrarian reform. In 1987, a coalition of peasant groups belonging to different political persuasions (social democrats, national democrats, socialists, non-aligned peasant organizations) was formed. The Congress for a People's Agrarian Reform (CPAR) campaigned and lobbied Congress for a comprehensive agrarian reform law. Peasant organizations belonging to CPAR were united on what a genuine agrarian

reform law should be.⁶⁴ CPAR undertook three tracks to push for agrarian reform. First, was the Executive track where they tried to get President Aquino to issue an executive order that will contain substantive AR principles and issues. But E.O. 229 was not reflective of what they want. Lobby efforts shifted to Congress. They drafted the proposed bill (H.B. 400). H.B. 400 was sponsored by Cong. Bonifacio Gillego. To pressure Congress and make more people aware and support their cause, CPAR also undertook mass mobilizations and media briefings and conferences. In the end, the landlord-dominated Congress enacted the Comprehensive Agrarian Reform Law (RA 6657), which was generally acknowledged to be full of loopholes. Discontented with CARP, they came out with their own version, the People's Agrarian Reform Code (PARCODE).⁶⁵ CPAR also initiated a campaign on a national land use policy in 1990-91 but it was not able to pursue this because the coalition was disbanded in 1991. Since the issue remains valid up to now, many organizations are still pursuing the enactment of a national land use code (NLUC) in the present Congress. A Technical Working Group was formed to come out with a people's version of NLUC. The group include the Center for Agrarian Reform and Rural Development (CARET), Demokratikong Kilusan ng Magsasaka ng Pilipinas (DKMP), KAISAHAN, PAKISAMA, PPI, PARRDS, KAMMPIL, SALIGAN, PRRM. The outcome is HB 668, authored by Cong. Leonardo Montemayor and HB 2277, authored by Cong. Loretta Ann Rosales. Several hearings had been conducted. Since this was not a priority bill (priority according to the President), its adoption into law is proceeding at a snail's pace.⁶⁶

Other organizations were involved in building public awareness of food security issues. Examples of these were the Kampanya Kontra Gutom (KKG) which was initiated by the Freedom from Debt Coalition and MODE and Campaign on Food Security and the WTO-Agreement on Agriculture initiated by the Philippine NGO Liaison Committee on Food Security. Through national and regional forums, various issues affecting food security were discussed and debated by representatives of people's organizations, local government officials and academe. Recommendations from these public forums were presented in a conference-dialogue between civil society and government.

Some organizations focus on addressing food production-related initiatives and programmes. Bucking convention, scientists and farmers joined hands to undertake and promote sustainable rice farming. They called their partnership, MASIPAG (Magsasaka

⁶⁴ The principles contained in the People's Declaration of Agrarian Reform include: Land to the tiller, the abolition of absentee landlordism, abolition of absentee proprietorship, and access of fisherfolk to water resources; comprehensive coverage of all agricultural lands, regardless of classification, crops planted, existing land tenure relationship or farm size, water and natural resources; terms and conditions of land reform that are not burdensome to beneficiaries; full and genuine participation of agrarian reform beneficiaries in program planning, implementation and monitoring; full provision of adequate, timely and appropriate services for agrarian reform beneficiaries; compensation to landowners based on a selective and progressive payment scheme; preferential option for cooperatives and collective farms in crop production and marketing as well as the provision of credit and the use of local resources for agrarian reform.

⁶⁵ 'Fighting Land Conversion,' *Policy Influence: NGO Experiences*, Ateneo Center for Social Policy and Public Affairs, Institute for development Research, Konrad Adenauer Stiftung, 1997, pp. 30-32; Pi Villanueva, 'The Influence of the Congress for a People's Agrarian Reform (CPAR) on the Legislative Process,' *State and Civil Society in Policy-Making*, Vol. 2, Third World Studies Center, 1997, pp.81-96.

⁶⁶ PPI, 'National Land Use Code Isabatas Na,' *Agri Alert*, Vol. 2, No. 4, October -November 1998, pp. 1-2.

at Siyentipiko para sa Ikaunlad ng Agham Pang-Agrikultura ng Pilipinas). A rice program was undertaken with the following components: Collection, identification, maintenance, multiplication and evaluation of rice varieties; Rice breeding; Alternative pest management (IPM); Diversified Integrated farming; Biofertilizer development, and Project benefit monitoring and evaluation. To date, they have been able to develop and propagate a rice variety suitable to local conditions. MASIPAG rice varieties are now being planted in many rice farms throughout the Philippines. The indigenous people have long practiced sustainable farming. In the Cordilleras, they use organic inputs such as chicken and cow dung in their rice terraces.

Since 1996, the Task Force Detainees of the Philippines (TFDP) had employed various strategies to push for government's fulfillment of its obligations on economic, social and cultural rights using international human rights norms and treaties. These strategies include human rights education, human rights monitoring, documentation of violations and support to organizing work.

TFDP pointed out that one of the obstacles in asserting ESCR is the misconception that ESCR fall within the realm of needs, preferences or desires. ESCRs are not understood as guarantees of certain qualities of and access to resources to which all people are entitled even with limitations in resources. There are misconceptions that there is a hierarchy of rights (civil and political rights as first generation and ESCR as second generation rights); that civil and political rights are immediate rights while ESCRs are progressive rights. These erroneous beliefs have prevented individuals and peoples from asserting/claiming ESCR including the right to food, according to TFDP.

Using the human rights courses they have developed, the organization has been conducting human rights education in schools, parishes, communities to clarify ESCR and has also been involved in the formation of social infrastructures for human rights work at the community level. TFDP has also initiated capability-building through skills training in HR documentation and advocacy. Now aware of their rights, people's organizations are now asserting their rights. Peasants who are members of a Human Rights Committee of MAKABAYAN-TK in Hacienda Aldamiz Pola, Mindoro conducted dialogues and pickets at DAR to assert their right to land and this facilitated for the acquisition of the land titles. Indigenous peoples in Bukidnon, Northern Mindanao are struggling for their right to ancestral domain. Urban poor people's organizations who are members KASAMA-KA (an urban poor alliance in Metro Manila) resisted forced eviction and asserted their right to a relocation site after the demolition of their houses.

TFDP's goal is to build a culture of human rights (enduring respect for human rights). Toward this end, the organization is now focusing on the development of community-based defense and promotion of human rights. TFDP and other networks are trying to develop standards and indicators for ESCR in line with their efforts to develop a monitoring and documentation system for state's compliance (or violations) of such rights.

There are many ongoing initiatives that address food security issues. But there is an absence of synergy or lack of coordination between and among organizations involved in food security issues and human rights in their advocacy.

International Support to Local and National Struggles for ESCR

The issue of how a nation feed itself especially in the era of globalization has become increasingly complex. It challenges us to look at broader development issues and beyond national borders. How can the international community help national struggles for economic, social and cultural rights, in general and the right to food in particular? Some areas of intervention and cooperation to look into are:

1. *Mobilizing long-term and productive investments, especially in agriculture, fisheries and forestry* -- Historically, the Philippine government has under-invested in agriculture in comparison to its ASEAN neighbors.⁶⁷ The government has under-invested in irrigation, agricultural research and extension and rural infrastructure. These are important programs that need to be supported. Equally important as well is the support that should be given to support capacity-building among the vulnerable sectors and implementing redistributive reforms (asset redistribution).
2. *Fairer global trade* -- There is no more doubt that the outcome of the GATT-WTO is skewed in favor of developed economies like the United States and the European Union and to transnational corporations (TNCs) in particular. They have dominance over food and agricultural production and trade. High subsidies continue to distort international markets for food and other agricultural products despite the commitment of nations to reduce domestic support and export subsidies. Given the existing imbalance in international markets, there is a need to pursue a more transparent, democratic, gender-sensitive and equitable international trading system. A democratic international trade organization should have a system of global governance based on equal rights of all member-nations; where poor countries and poor people have a real voice and influence in policy-making (Unlike in WTO where developed countries like the US and European union wield greater influence over decisions. Closed door negotiations in the “Green Room”).
3. *Debt Cancellation/Abrogation* -- The Philippines is one of the many countries which are highly indebted to the IMF-WB, ADB and other creditor institutions. The debt problem is pushing many developing countries deeper into poverty as needed resources are channeled to pay off loan principal and interests. Many of these were fraudulent loans (incurred by the Marcos family and their cronies. Subsequent administrations guaranteed and assumed the repayment of these loans. Presidents Aquino, Ramos and Estrada also incurred

⁶⁷ Cristina David, Towards an Efficient Path to Food Security: The Philippine Case, PIDS, October 1998, pp. 14-17.

additional debts during their administrations.). In this context, it is only proper and right to call for the abrogation/cancellation of these loans. “To break the debt cycle” would need the action and support not only those affected but by the international community as well.

4. *Stricter observance/implementation of international treaties and its national application (Strengthening of the UN System)* – The UN adoption of the Optional Protocol to the ICESCR would strengthen the broader objective of advocating the advancement of ESCRs through the provision of a complaint mechanism against ESCR’s violators. The non -adoption of the protocol makes state violators complacent of their obligations on ESCR. If the protocol is adopted, the community of nations would be better informed about violations of ESCR and can take actions to pressure governments to comply with their obligations.

Human rights organizations, development groups and people’s organizations should collaborate in filing alternative country reports on ESCR at the national, regional and international level using the rights and entitlement framework. These will help establish trends essential in putting forward the gravity of the violations and non-realization of ESCR. International groups who have consultative status with the UN should gather reports from national and regional NGOs to establish trends and gross violations of ESCR.⁶⁸

5. *Cross borders solidarity* -- In the era of globalization, farmers, fisherfolks and workers in developing and least-developed countries are pitted against farmers, fisherfolks and workers in developed countries. Both lose in the process. It is imperative to integrate all efforts at addressing food insecurity, from local to national, national to regional and international.

Concluding Remarks

Fulfilling the right to food is the fundamental responsibility of governments. But as we are living in an imperfect world, we cannot leave our food security to governments alone. As NGOs declared during the World Food Summit in 1996, ‘Food security is a human right which must take precedence over macroeconomic and trade concerns, militarism and the dictates of the marketplace.’ And that achieving food security for all demands the “full engagement of all stakeholders” -- civil society, governments, international organizations and multilateral institutions.

⁶⁸ This is a concrete suggestion from TFDP.