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The right to food under the Arroyo administration



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SONA Promises

IN JULY 2001, President Gloria Macapagal-Arroyo laid down in her first State of the Nation Address (SONA) four elements in combating poverty. One of them is “a modernized agricultural sector founded on social equity.” Her top priority, she declared, would be “*murang bigas at masaganang magsasaka*” (affordable rice and productive farmers). The new president promised a million jobs in agriculture and fisheries and P20 billion yearly for the AFMA (Agriculture and Fisheries Modernization Act). Her administration, she said, intends to distribute under the Comprehensive Agrarian Reform Program 100,000 hectares of private agricultural lands and 100,000 hectares of public agricultural lands.

During her 2nd SONA, the President introduced the ‘Strong Republic.’ “*Ang malakas na Republika ay para sa mahihina, para sa mahirap, para sa walang trabaho, para sa nagugutom...*” (A Strong Republic for the weak, the poor, those without employment, the hungry). The Strong Republic was able to distribute 250,000 hectares of land under CARP; sold rice at P14/kilo in 1,000 rolling stores; allocated P24 billion for agriculture and created emergency employment for 30,000 out-of-school youth.

In 2003, President Arroyo was boasting that she focused on her priorities (jobs, food on every table, housing, education and peace) and this has resulted in stable prices of sardines at P8.50; cooking oil, P11; white sugar, P28/kilo; pork, P115/kilo and chicken, P90/



kilo. More than 500,000 hectares of land were distributed under the agrarian reform program and 360,000 hectares of ancestral lands strengthened, the President reported. Her nautical highways had substantially reduced the cost of transporting goods from Mindanao to Manila.

After declaring victory in a very controversial election in 2004, the Chief Executive proclaimed “*ang aking adyenda para sa maralita ay hanapbuhay, reporma sa lupa, tubig, gamot at kuryente.*” (My anti-poverty agenda include employment, agrarian reform, water, medicines and electricity.) For the 4th time, she called on Congress to enact a bill on farmland collateral.

In 2005, after the “Hello Garci” scandal and her “I’m Sorry” speech, President Arroyo delivered her shortest SONA. She called for charter change so that a federal form of government may be established to replace the current political system that “has become a hindrance to our national progress.”

The concept of the Six Super Regions was introduced in the 2006 SONA. The North Luzon Quadrangle and Mindanao were to be transformed into agribusiness hubs that would supply “plentiful and affordable” food. She likewise declared her administration’s plan to make the country’s labor cost globally competitive. The President said P200 million a month would be allotted for small irrigation projects and P200 million/month for farm-to-market roads.

“We must reform agrarian reform so it can transform beneficiaries into agri-businessmen and agri-businesswomen,” she declared in 2007. Mariculture parks or “*palaisdaan sa dagat*” would also be prioritized. The President ordered the Departments of Agriculture, Agrarian Reform and Environment to allocate 30% of the program budgets to Mindanao.

In 2008, PGMA openly stated that her priorities are: CARP with Reforms, food self-sufficiency, social safety nets from the Value-Added Tax (school feeding, cash transfer, etc.), the enactment of a Consumer Bill of Rights and Farmland as Collateral Bill, and clean water for the people.

The Reality

This year, President Gloria Arroyo will deliver her 9th (and hopefully her last) SONA. Since her first SONA in 2001, what has happened to the Filipinos' human right to food, a right guaranteed in the International Covenant on Economic, Social and Cultural Rights? Are there less hungry citizens today? Do tenants, farm workers, indigenous people and fisherfolks have greater access to productive resources such as land and municipal waters to adequately feed themselves? Is the Filipinos' right to safe, affordable and nutritious food being fulfilled by government programs?

Hunger and malnutrition

One of the fundamental rights of human beings is to be free from hunger as stipulated in Article 11 of the International Covenant on Economic, Social and Cultural Rights (ICESCR). As a signatory to this international treaty, the Philippine State has the obligation to implement programs to eliminate hunger.

Since President Arroyo assumed power, surveys and studies done by government and private institutions show an increasing number of hungry Filipinos. The National Statistical Coordination Board (NSCB) reported in 2006 that the number of food-poor individuals (those living below the subsistence level) in 2000 was 12.2 million. The figure dropped to 10.8 million in 2003, but increased to 12.22 million in 2006. Bear in mind that in 2006 the price of rice had not yet jumped to P42/kilo, as what happened in March 2008. Definitely, the number of food-poor individuals will pass the 12 million level when the NSCB issues its next poverty and subsistence incidence report.¹

The Bureau of Agricultural Statistics (BAS) conducted a Survey of Hunger Incidence in the Philippines (SHIP) in August 2006. The survey covered more than 13,000 households in 80 provinces. It showed that 18.6% were suffering from hunger.²

Surveys conducted by the Social Weather Station (SWS), a private social research institution, reveal that since June 2004, the hunger



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incidence under the Arroyo administration has been in double digits. The highest was in December 2008 when it reached 23.7% or about 4.3 million households.³ This tapered down to 15.5% or 2.9 million families in the 1st quarter of 2009.⁴

Government data showed that in 2005 there were 3.7 million underweight (24.6% of total) and 3.9 million under height (26.3% of total) children in the 0-5 years old bracket. The regions with the biggest number of underweight pre-school children were the Autonomous Region of Muslim Mindanao (ARMM), 38%; MIMAROPA (Mindoro, Marinduque, Romblon, Palawan), 35.8%; Zamboanga Peninsula, 33.9% and Eastern Visayas, 32%.⁵ While government data reveal that the percentage of underweight pre-school children has declined from 30.6% in 2001 to 24.6% in 2005, the average yearly reduction has only been 1.2%. It will take at least 20 years to wipe out the 24.6% malnutrition rate (assuming it will not increase, which is unlikely). Among pregnant women, the nutritionally at risk has increased from 26.6% in 2003 to 28.4% in 2005. These undernourished pregnant women will most likely deliver babies who are vulnerable to under-nutrition and delayed psychological development. The percentage of underweight lactating mothers also jumped from 11.7% to 13.9% between 2003 to 2005.⁶

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The Food and Agriculture Organization (FAO) reported that between 2003-2005, the malnutrition rate of the country was 16%, compared to 21% between 1990-92 and 18% between 1995-97. However, in terms of absolute number, the 13 million malnourished children in 2003-2005 is the same as the number in 1990-92.⁷

Limited access to productive resources and employment

Providing people with access to productive resources (such as land, municipal waters, livestock, seeds) and employment are the most effective ways to ensure that persons can feed themselves and their families with dignity. In General Comment #12 (The Right to Adequate Food, 1999), the UN Committee on ESC Rights explained that one of the obligations of a State is the obligation to fulfill, which “means that the State must pro-actively engage in

activities intended to strengthen people's access to and utilization of resources and means of livelihood.”

FAO urged States to “respect and protect the rights of individuals to resources such as land, water, forests, fisheries and livestock without any discrimination ... Where necessary and appropriate, States should carry out land reforms and other policy reforms consistent with their human rights obligations.”⁸

In her 2008 SONA, the President claimed that 854,000 hectares of private farmlands and 797,000 hectares of public lands were distributed under CARP in the last 7 years. It must be pointed out, however, that most of the private lands that have been covered under CARP were through the Voluntary Offer to Sell (VOS) and Voluntary Land Transfer (VLT) schemes, and not through Compulsory Acquisition (CA). According to the accomplishment report of the Department of Agrarian Reform as of June 2008, only 279,651 hectares (7%) of private agricultural lands were distributed through the CA scheme; compare this to lands under VOS, 589,363 hectares (15%) and VLT, 668,643 hectares (17%). Private lands distributed under the VLT scheme should be reviewed as it has been often used by landowners to evade CARP. Under the VLT, landowners usually choose as beneficiaries their relatives or dummies who pretend that the land has been sold to them by the landowner. In reality, the landlord retains ownership of the land.

The big challenge today is the distribution of the remaining 1,173,786 hectares of private agricultural lands, mostly sugar lands and coconut lands owned by big landowners and influential government officials. The following is a breakdown of the private lands that must be targeted for distribution: 761,524 hectares of private lands owned by 75,297 owners in the 5-24 hectares category; 127,963 hectares owned by 3,841 owners in the 24-50 hectares category and 284,219 hectares owned by 2,403 owners in the above-50 hectares category.⁹

Will President Arroyo have the courage to confront the more than 81,000 landowners and cover their lands under CARP considering that these include the First Gentleman's family, her political allies





in the House of Representatives and local government units and big businessmen (like Danding Cojuangco, the Floirendos, the Alcantaras)? While she has declared that CARP must be reformed and extended, the president does not seem to be putting too much pressure on her allies in the House of Representatives and Senate to enact a law. Instead, the Congressmen and Senators passed two joint resolutions extending CARP when it expired last June 2008. In their last resolutions, they excluded Compulsory Acquisition as a means of acquiring land between January 2009 – June 2009. The President is probably more concerned in having a Constituent Assembly that would establish a parliamentary form of government where she can be the future Prime Minister. House Speaker Prospero Nograles, Congressmen Ignacio Arroyo (the president's brother-in-law), Luis Villafuerte and Pablo Garcia have been introducing amendments to exempt sugar lands and coconut lands from the new agrarian law, promote corporate farming and allow foreigners to own land.

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A sector that has been neglected by the government and not even mentioned in past SONAs is the small fisherfolks. Their right to have access to the 15-kilometer municipal water as provided in Republic Act 8550 has not been adequately protected by the government. Commercial fishing vessels continue to enter municipal waters, depriving municipal fisherfolks of fish catch. A small fisherfolk from Navotas said they cannot compete with commercial boats that fish in the municipal waters of Navotas who use nets (popularly called '*hulbot-hulbot*' or 'zipper') that enable them to catch fish in large quantities. This fishing method is destructive because even young fish are caught in the nets.¹⁰

In Batangas, the Provincial Fisheries Officer, Ms. Rosario del Mundo, claimed that commercial fishers who go to municipal waters can further deplete the resources, especially since commercial fishing is destructive in nature.¹¹ The Bohol Environmental Management Office (BEMO), on the other hand, urged local governments in Bohol to actively drive away commercial boats from Mindanao and other Visayas provinces who enter their municipal waters.¹²



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PEPE FRIAS



Access to employment, especially for the rural poor, is another effective means of realizing the right to food as it gives the people the income to procure food. FAO's Voluntary Guidelines encourages States to "adopt policies that create conditions that encourage stable employment, especially in rural areas, including off-farm jobs."¹³ However, the limited number of industries, the influx of imported products, the closure of many manufacturing establishments, the inadequate government support for local manufacturers, poor infrastructure and corruption have all contributed to a high unemployment and underemployment rate. Without a regular job, many informal settlers, farm workers, fisherfolks and indigenous people cannot buy enough nutritious food. Between 2001-2008, the percentage of people employed by the industry sector declined from 15.6% in 2001 to 14.7% in 2008. The agricultural sector's share of employment has declined very slightly from 37.4% in 2001 to 35.7% in 2008. What has grown is the services sector which employs 49.6% of the labor force in 2008 compared to only 47% in 2001.¹⁴

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Improper, wasteful use of and inadequate agriculture budget

"To the maximum of its available resources" is one of the principles laid down in Article 2 of ICESCR that should guide States in their goal of achieving progressively the citizens' economic, social and cultural rights, including the right to food. According to President Arroyo, her administration has been allotting P24 billion yearly for the Agriculture and Fisheries Modernization Program to build irrigation systems and farm-to-market roads, increase rice, corn and vegetable production and make food plentiful and affordable.

A special study made by the Commission on Audit, however, shows that from 2001-2005, the Agriculture and Fisheries Modernization Program received P81.73 billion only or P16.34 billion a year. Compare this to the budget for the Defense Department (P244.85 billion) and the Department of Interior and Local Government (P212.07 billion).¹⁵ The inability of the Philippines to feed its growing population can be attributed mainly to the neglect of the agricultural sector, especially the small agricultural producers planting basic

food crops. Irrigation, for instance, would substantially help in boosting rice production. But due to inadequate funds, the irrigated land of the country is only 1.5 million hectares as of June 2008 or only 45.8% of the 3.13 million hectares of irrigable area.¹⁶

Not only is the fund for agriculture insufficient. It is also improperly used and wasted. Again, a study of the Commission on Audit illustrates this. In 2005-2006, P1.13 billion was given to non-government organizations (such as Masaganang Ani Para sa Magsasaka, Philippine Social Development Foundation, Ikaw at Ako Foundation) but the amount remained un-liquidated as of December 2006; 17 farm-to-market roads amounting to P13.5 million in Region 2 were built within the town/barangay proper; out of the P1.13 billion allocation for the GMA Rice Program for agricultural supplies (like seeds), only P532 million was used for that purpose while P466 million paid for incidental expenses such as office equipment, repairs, travelling; irrigation projects worth P1.91 billion were built by NIA but were not being operated or were only partially operated.¹⁷

Food safety nets

Food for Work, Food for School, Tindahan Natin Outlets and the Pantawid Pamilyang Pilipino Program (cash transfer program) are just some of the food safety net programs the Arroyo government has implemented. In her 2008 SONA, the President said that more than 6 million children have benefitted from the Food for School program. The 9,934 Tindahan Natin Outlets have served 2.5M families between 2006-2008 while 270,000 families in Metro Manila have been given Family Access Cards to enable them to buy subsidized rice (sold at P18.25/kilo) from the National Food Authority (NFA).¹⁸ The Pantawid Pamilyang Pilipino Program (or 4Ps) aims to provide P500/month per family for nutrition and health expenses and P300/month per child (maximum of 3 children per family) within 5 years, targetting some 321,000 families.¹⁹

Food and other social safety net projects can be viewed and used as a populist measure to prop up the government's sagging image and to buy the political loyalty of the basic masses (like what the



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Arroyo administration is doing) or it can be seriously implemented as part of the government's obligation to fulfill. As early as 1999, the UN Committee on ESC Rights pointed out that "whenever an individual or group is unable, for reasons beyond their control, to enjoy the right to adequate food by the means at their disposal, States have the obligation to fulfill (provide) that right directly. This obligation also applies for persons who are victims of natural or other disasters."²⁰ After 5 years, FAO urged States to consider "to the extent that resources permit, establishing and maintaining social safety and food safety nets to protect those who are unable to provide for themselves."²¹

How were the above food safety net projects implemented by the Arroyo government? The Food for Work program was implemented for one month only instead of 6 months in selected provinces. The Food for School was implemented initially in selected areas and, later on, nationwide. However, as we pointed out in the Parallel Report on the Right to Food which we submitted in 2008 to the UN Committee on ESC Rights, there are more beneficiaries in the National Capital Region (NCR) than other poorer regions such as the Autonomous Region of Muslim Mindanao, CARAGA, Zamboanga Peninsula.

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Regarding the Tindahan Natin Outlets which are supposed to sell the P18.25/kilo rice and other basic commodities, the usual complaint of consumers is the availability of the NFA rice for only a short period of time. Consumers in Navotas City that this writer talked with suspect that owners of Tindahan Natin stores divert a bigger portion of their NFA rice and sell it at a higher price to other rice traders. The NFA and local governments should exert more efforts in ensuring that the low-priced rice are sold to poor families.

One of the positive things about the implementation of the 4Ps is that the Department of Social Welfare and Development has been transparent regarding the beneficiaries by posting their names and residences in its website. Non-government organizations can therefore easily verify if the beneficiaries are real. Another positive thing we saw was in the selection of beneficiaries. The mayors of the towns/cities were not the ones who chose the beneficiaries

whose usual criteria in selecting beneficiaries is political loyalty. The cash transfer program, however, must not be used as a reason for the Arroyo government or by succeeding administrations not to implement asset reforms (agrarian, ancestral, urban land and fisheries reforms), provide basic social services and embark on an industrialization program which are the long-term solutions to eliminate social-economic inequalities, joblessness, hunger and poverty.

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