

Republic of the Philippines
Bangsamoro Autonomous Region in Muslim Mindanao
BANGSAMORO TRANSITION AUTHORITY
Cotabato City

Third Regular Session

BTA Bill No. 130

Bangsamoro Autonomous Region in Muslim Mindanao
Parliament
BILLS AND INDEX DIVISION

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Introduced by **MP AMILBAHAR S. MAWALLIL**
Co-authored by **MPs ATTY. LAISA MASUHUD ALAMIA, ENGR. BANTAN A. AMPATUAN, ENGR. DON MUSTAPHA A. LOONG, ATTY. RASOL Y. MITMUG, JR., ATTY. SUHARTO M. AMBOLODITO, ABRAHAM T. BURAHAN, SITIE SHAHARA "DIMPLE" I. MASTURA**

AN ACT CREATING THE BANGSAMORO NUTRITION COUNCIL IN THE BANGSAMORO AUTONOMOUS REGION, PROVIDING FOR ITS MANDATE, POWERS, AND FUNCTIONS, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES

EXPLANATORY NOTE

“Health is not only the absence of disease but a state of complete mental and physical wellbeing in relation to the productivity and performance of an individual.”

– World Health Organization (WHO)

The relationship between food security, nutrition, and human resource development has long been established. Food security is vital in realizing and sustaining a healthy nutritional wellbeing.¹ **Healthy individuals are better equipped to provide for their and their family’s** needs. Meanwhile, having a workforce that is food secure and is well-nourished is a condition sine qua non to sustainable development.² Conversely, countries that fall behind others in terms of development indices often perform poorly in global food and nutrition rankings. Simply put, **the importance of nutrition in human resource development, and therefore in a state’s** development, could not be overstated.

¹ Food and Agriculture Organization of the United Nations. (n.d.) *CHAPTER 1 – The role of nutrition in social and economic development*. <http://www.fao.org/3/y5343e/y5343e04.htm>

² Ibid.

The recently published 2020 Global Nutrition Report provides insight on substantial inequities within countries, which mostly affects the vulnerable groups, that are concealed by global and national patterns.³ It is undeniable that inequities can lead to malnutrition, however, there is also a reverse causation in the sense that malnutrition can increase inequities because those who are insecure and malnourished are likely to have poorer development outcomes. This results in a vicious cycle that, if left unchecked, will only worsen over time.

It is alarming that the Philippines is among the countries that are not on track to meet even a single of the 2025 global nutrition targets. This contextualization is important because it puts into perspective the situation in the Bangsamoro Autonomous Region in Muslim Mindanao (BARMM) when we consider the following findings in the 8th National Nutrition Survey⁴ that shows the region has: second highest undernutrition prevalence for stunting at 39%, second highest chronic energy deficiency (CED) rate at 13.2%, third highest prevalence of anemia among the elderly at 26.6%, and fifth highest prevalence of adult current smokers at 28%. While these indicators do not capture the overall state of nutrition in the region, they serve as warning signs of the long and arduous path towards attaining the food security and adequate nutrition for the Bangsamoro.

Fortunately, the Philippines has not been idle in trying to tackle the issues. In fact, as early as 1947, the **National Government already took note of the importance of promoting the citizen's** nutrition when it attempted to institutionalize a national nutrition program through the creation of the Philippine Institute of Nutrition. Significant gains were made when the National Nutrition Council (NCC) was created in 1974 through Presidential Decree No. 491, in recognition of the need for coordinated efforts in addressing malnutrition. Reorganization in **the 1980's and, as recent as, 2005 led to the expansion of the NNC's mandate and reaffirmed** the need for inter-agency and multi-sectoral policy-making and planning.

All these institutional arrangements culminated in the development of the Philippine Plan of Action for Nutrition (PPAN) 2017-2022—**the country's roadmap** to curbing malnutrition—and the development of regional and local nutrition action plans consistent with it. For its part, the Bangsamoro Autonomous Region in Muslim Mindanao (BARMM) has crafted its Regional Plan of Action (RPAN) 2020-2022, as a **“strategic and comprehensive plan to respond with (sic) the nutritional problems in the Bangsamoro region”⁵**.

However, despite the institutionalization done from the national down to the local level, there are still gaps that need to be addressed if BARMM intends to meet not just national but global

³ (2020) *2020 Global nutrition report: Action on equity to end malnutrition*. Bristol, UK: Development Initiatives.

⁴ Food and Nutrition Research Institute-Department of Science and Technology. (2014). *8th national nutrition survey*. <http://122.53.86.125/NNS/8thNNS.pdf>

⁵ Bangsamoro Information Office. (2021, February 27). *BARMM Gov't, stakeholders pledge to end malnutrition for healthier community*. <https://bangsamoro.gov.ph/news/latest-news/barmm-govt-stakeholders-pledge-to-end-malnutrition-for-healthier-community/>

nutrition standards. There are also lessons that could be gleaned from the experience of other LGUs in implementing the PPAN. These lessons include, among others, the following: (1) the significance of strengthening capacities across different levels of government, (2) the institutional buy-in and impact of cooperation among public officials, (3) the value of harnessing grassroots efforts for better program outcomes.

Taking stock of the situation, the enactment of the Bangsamoro Organic Law itself provides the region a great opportunity to enhance institutional capacities through the establishment of a mechanism that would adopt a systems approach to solving food insecurity and malnutrition. In addition, a mechanism that promotes collaboration and cooperation, both vertically and horizontally, among stakeholders allows for creative problem-solving. Finally, ensuring participation in all levels fosters alignment of goals, sharing of values, and increased ownership.

Our ongoing experience with the coronavirus disease (COVID-19) pandemic is a stark reminder that as the pandemic rages on, it will only exacerbate existing inequities in the country and the Bangsamoro region, thereby worsening food insecurity and malnutrition. Regrettably, all this disproportionately affects different members of society.

In view of the foregoing, the passage of this bill is earnestly sought.

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BTA Bill No. ____

Introduced by **MP AMILBAHAR S. MAWALLIL**
Co-authored by **MPs ATTY. LAISA MASUHUD ALAMIA, ENGR. BAIN TAN A. AMPATUAN, ENGR. DON MUSTAPHA A. LOONG, ATTY. RASOL Y. MITMUG, JR., ATTY. SUHARTO M. AMBOLOD TO, ABRAHAM T. BURAHAN, SIT TIE SHAHARA “DIMPLE” I. MASTURA**

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Section 1. Title. – This Act shall be known as the “Bangsamoro Nutrition Act of 2021”.

Section 2. Declaration of Policy. – The Bangsamoro Government recognizes the importance of nutritional improvement as a key component in human resource development. It is thus the policy of the Bangsamoro Government to promote and protect access to adequate food and nutrition among all inhabitants in the Bangsamoro Autonomous Region.

Towards this end, the Bangsamoro Government shall establish a mechanism for facilitating collaboration and cooperation among multiple agencies, sectors, and stakeholders in addressing hunger and malnutrition in the region. This shall be carried out through policies, plans, and programs that are responsive to the needs of its constituents, especially vulnerable groups.

Section 3. Creation of the Bangsamoro Nutrition Council. – In order to carry out the declared policy, there is hereby created a Bangsamoro Nutrition Council, hereinafter referred to as the “Council”. The Council shall be attached to the Ministry of Health (MOH) for policy and program coordination.

Section 4. Integration of the Bangsamoro Plan of Action for Nutrition to the National Plan. – Following the principle of subsidiarity, the Bangsamoro Plan of Action for Nutrition (BPAN) approved under this Act shall be the primary framework in addressing hunger and malnutrition in the Bangsamoro. It shall be recognized and integrated in the Philippine Plan of Action for Nutrition.

Section 5. Governing Board. – The authority of the Council shall be vested in the Governing Board, hereinafter referred to as the “Board”. It shall be composed of the following:

- a. Minister of Health, *Chairperson*;
- b. Minister of Agriculture, Fisheries, and Agrarian Reform, *Vice Chairperson*;
- c. Minister of Interior and Local Government, *Vice Chairperson*;
- d. Minister of Finance, Budget, and Management;
- e. Minister of Basic, Higher, and Technical Education;
- f. Minister of Science and Technology;
- g. Minister of Social Services and Development;
- h. Minister of Trade, Investment and Tourism;
- i. Director General of Bangsamoro Planning and Development Authority;
- j. Four (4) Sectoral Representatives from non-Moro indigenous peoples, settler communities, women, and youth, as ex-officio members; and
- k. One (1) representative from the private sector to be appointed by the Chief Minister.

Section 6. Powers and Functions. – The Board shall be the policy-making and coordinating body on all matters related to food, nutrition, and health issues in the Bangsamoro Autonomous Region. To this end, it shall have the following powers and functions:

- a. Formulate regional food, nutrition, and health policies and strategies;
- b. Coordinate the planning, monitoring, and evaluation of the regional food and nutrition programs;
- c. Promote food security and good nutrition through education, training, and public awareness;
- d. Direct the formulation and recommend for approval by the Parliament the Bangsamoro Plan of Action for Nutrition (BPAN);
- e. Represent the Bangsamoro Government in food- and nutrition-related planning, monitoring, and evaluation activities called for or initiated by the National Government;
- f. Direct the conduct of research on the state of food security and nutrition in the Bangsamoro and report its findings to the Bangsamoro Government and the Parliament;
- g. Ensure that all local nutrition action plans of Local Government Units (LGUs) in the Bangsamoro are consistent with the BPAN;
- h. Improve ownership of stakeholders over food and nutrition plans, programs, and strategies by promoting a participative approach throughout the different stages of planning, monitoring, and evaluation;

- i. Serve as the primary agency on all nutrition concerns during natural and man-made calamities;
- j. Call on any ministry, bureau, office, agency, and other instrumentalities of the Bangsamoro Autonomous Region in Muslim Mindanao (BARMM) for assistance as needed; and
- k. Exercise such powers and perform such functions as may be necessary in carrying out the objectives and provisions of this Act.

Section 7. Internal Rules and Procedures. – In its first regular session, the Council shall promulgate and adopt its internal rules and procedures.

Section 8. Secretariat. – There shall be a Secretariat responsible for the general conduct of operations of the Council. It shall be headed by an Executive Director who shall be appointed by the Chief Minister.

In carrying out its mandate as the implementing arm of the Council, the Executive Director shall be supported by the following:

- a. Nutrition Officer III;
- b. Nutrition Officer II;
- c. Five (5) Nutrition Officers for each province;
- d. Administrative Assistant VI (Admin and finance);
- e. Administrative Assistant IV (Driver); and
- f. Administrative Assistant IV (Utility worker).

Section 9. Functions of the Secretariat. – The Secretariat shall have the following functions:

- a. Provide policy and program recommendations to the Board, including how to enhance the implementation of the BPAN;
- b. Initiate the formulation of the BPAN based on the food and nutrition situation in the region and aligned with the PPAN;
- c. Coordinate with government agencies, non-government organizations, and other stakeholders for the implementation of food and nutrition programs;
- d. Gather and analyze food, nutrition, and other related socio-economic data for recurring statement on the food and nutrition situation of the region;
- e. Monitor and evaluate the implementation of the BPAN;
- f. Provide support to LGUs and agencies for the development and implementation of local nutrition plans, programs, and projects;
- g. Craft a comprehensive education, advocacy, and communication strategy for the BPAN; and
- h. Exercise such functions as may be directed by the Board.

Section 10. Technical Committee. – There shall be a Technical Committee, hereinafter referred to as the “Committee,” composed of (a) heads of relevant bureaus, offices, and agencies involved in food, nutrition, and health, as well as (b) experts from academic institutions and appropriate non-government organizations. The Board shall determine the chairperson and members of the Committee.

Section 11. Functions of the Technical Committee. – The Committee shall provide technical assistance to the Board and the Secretariat including, but not limited to, dispensing policy and program recommendations. It shall also facilitate inter-agency and multi-stakeholder coordination and collaboration on food, nutrition, and health policies and programs.

Section 12. Creation of the Position of Nutrition Officer. – There is hereby created the position of Nutrition Officer in every constituent LGU of the Bangsamoro mandated to address food insecurity and malnutrition. The Nutrition Officer must be a licensed Nutritionist-Dietitian pursuant to Republic Act No. 10862, s. 2016.

Section 13. Consultations with Key Stakeholders. – The Council, through its Secretariat and Committee, shall periodically meet with key stakeholders including academic and research institutions, representatives from every province in the region, and all other stakeholders that it may deem relevant.

Section 14. Implementing Rules and Regulations. – The MOH, in consultation with the Ministry of Interior and Local Government, shall promulgate the Implementing Rules and Regulations (IRR) of this Act. Upon the organization of the Council, it may adopt such IRR or amend the same with two-thirds or more of its members voting in favor.

Section 15. Separability. – If any section or part of this Act is held unconstitutional or invalid, all other sections or provisions not otherwise affected shall remain in full force and effect.

Section 16. Repealing Clause. – All ordinances, executive orders, administrative orders, or other rules and regulations contrary to or inconsistent with the provisions of this Act are hereby repealed or amended accordingly.

Section 17. Effectivity. – This Act shall take effect fifteen (15) days after publication.

Adopted,

AUTHOR:



HON. AMILBAHAR S. MAWALLIL

Member of the Parliament

Certified correct:

PROF. RABY B. ANGKAL

Secretary General

Attested by:

HON. PANGALIAN M. BALINDONG

Speaker