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SENATE

S.B. No. 2745

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INTRODUCED BY SENATOR RISA HONTIVEROS

**AN ACT
PROVIDING FOR THE MAGNA CARTA OF YOUNG FARMERS**

EXPLANATORY NOTE

The agriculture sector is vital in ensuring a country's food security. The Philippines has been experiencing significant challenges to food security; hence, it has been depending on imports to ensure sufficient food to meet the demands of a growing population.¹ Global issues such as the Ukraine-Russia war and COVID-19 have had an impact on prices and export restrictions.² This has only reaffirmed the importance of stimulating local agricultural production to ensure food security.

As farmers are the cornerstone of agricultural production, the country has witnessed worrisome trends: a declining number of farmers, out-migration from the agriculture sector, and an aging farmer population. Since 2012, net employment in agriculture, hunting, and forestry has declined.³ This has culminated in a 25% decline in agricultural workers in 2017 compared to 2010.⁴ A 2019 Policy Note by the National Economic and Development Authority found that 15 out of 17 regions experienced agricultural employment losses.⁵ The Policy Note also confirmed the out-migration from agriculture, most commonly "among the young and educated."⁶ The decreased interest in farming among youth is alarming alongside an aging farmer population with an average age of 57 years old.⁷ These trends undermine the country from attaining food security.

There are multifaceted challenges to the youth's interest and involvement in agriculture. In Philippine society, there remains a negative stigma attached to farming

¹ Nguyen, Trinh. "Why the Philippines is So Vulnerable to Food Inflation." July 13 2022, Carnegie Endowment for International Peace. <https://carnegieendowment.org/2022/07/13/why-philippines-is-so-vulnerable-to-food-inflation-pub-87467>

² Department of Agriculture. "Facing the big challenges in Philippine Agriculture." June 5 2022, <https://www.da.gov.ph/facing-the-big-challenges-in-philippine-agriculture/>

³ National Economic and Development Authority. *Out-Migration in Agriculture*. 2019, https://neda.gov.ph/wp-content/uploads/2019/11/RD-Policy-Note_103019.pdf

⁴ Ocampo, K. (2019, November 7). Where have PH farmers gone? Neda tracks a 7-yr dip in Agriculture. *Inquirer.net*. <https://newsinfo.inquirer.net/1190760/where-have-ph-farmers-gone-neda-tracks-7-yr-dip-in-agri-labor>

⁵ National Economic and Development Authority. *Out-Migration in Agriculture*. 2019, https://neda.gov.ph/wp-content/uploads/2019/11/RD-Policy-Note_103019.pdf

⁶ Ibid.

⁷ Porcalla, Delon. "Dwindling number of farmers threaten food security in Philippines." July 29 2017. <https://www.philstar.com/business/agriculture/2017/07/29/1722709/dwindling-number-farmers-threaten-food-security-philippines>

as a "poor man's job."⁸ Aside from this negative stigma, another obstacle to youth involvement in agriculture is their limited access to land, capital, and credit.⁹ Furthermore, farming is perceived as a low-paying job, especially with weather unpredictability and increased costs of agricultural products.¹⁰ According to a 2021 survey by the Philippine Statistics Authority, farmers have a high poverty incidence rate of 30%.¹¹ These factors hinder the youth's involvement in agriculture.

The Philippines cannot neglect the discrimination and harsh circumstances that young farmers face. No less than Article II, Section 18 of the 1987 Constitution states that the State "shall protect the rights of workers and promote their welfare."¹² The Magna Carta of Young Farmers aims to address the needs of young farmers & safeguard their rights. Through the creation of the Young Farmers Council and the National Young Farmers Roadmap, these initiatives will ensure that young farmers become a primary focus for the formulation and implementation of national policies and programs that empower them. Moreover, the bill reinforces that the State shall guarantee equal access to technology, credit, and capital. This bill prioritizes the land rights of young farmers by guaranteeing improved access to low-cost farmland. Furthermore, this bill seeks to provide them with opportunities to become more competitive through assistance in farm planning and management and access to market spaces. To uphold the rights of young farmers against discrimination and violence, young farmers shall be ensured access to free legal services.

In sum, the Magna Carta of Young Farmers aims to institutionalize mechanisms and policies that address the challenges faced by young farmers. This initiative is crucial to fulfilling our state's commitment to the Article II, Section 18 of the 1987 Constitution and to honor the critical role that farmers play in ensuring food security for the country.

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


RISA HONTIVEROS
Senator

⁸ National Economic and Development Authority. *Out-Migration in Agriculture*. 2019, https://neda.gov.ph/wp-content/uploads/2019/11/RD-Policy-Note_103019.pdf

⁹ Asian Farmers' Association for Sustainable Rural Development. *A Viable Future: Attracting the Youth to Agriculture*. 2015, <https://asianfarmers.org/wp-content/uploads/2015/02/5-Young-Farmers.pdf>

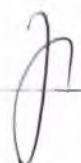
¹⁰ Ibid.

¹¹ Philippine Statistics Authority. "Poverty Incidence Among the Basic Sectors in the Philippines." U.d., <https://psa.gov.ph/sites/default/files/infographics/Poverty%20Incidence%20Infographics%20on%20the%202021%20Official%20Poverty%20Statistics%20Among%20the%20Basic%20Sectors.pdf>

¹² Official Gazette. *The Constitution of the Republic of the Philippines*. 1987, <https://www.officialgazette.gov.ph/constitutions/1987-constitution/>

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INTRODUCED BY SENATOR RISA HONTIVEROS

AN ACT
PROVIDING FOR THE MAGNA CARTA OF YOUNG FARMERS

Be It enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

CHAPTER I
GENERAL PROVISIONS

Section 1. Short Title. – This Act shall be known as “The Magna Carta of Young Farmers”.

Sec. 2. Declaration of Policy. The state recognizes the economic, political, and sociocultural realities affecting young farmers’ current condition and affirms the role of young farmers in nation-building and attaining environmental sustainability and food sufficiency. It shall endeavor to develop plans, policies, programs, measures, and mechanisms to ensure young farmers’ empowerment, productivity, and competitiveness in local and international trade.

The State recognizes young farmers as supplemental income earners on the family farms playing a major role in augmenting their family's proceeds. Doing so entails working odd jobs to sustain the family's source of income most especially in non-harvesting seasons;

The State acknowledges the invaluable role of young farmers who are present in the value chain process starting from production, to processing, to value-adding up to marketing;

1 The State recognizes the role of young farmers as eco-warriors and staunch
2 advocates of environmental protection; and,

3 The State recognizes the indispensable contribution of young farmers to the
4 overall food security and national economy.

5 Towards this end, the State reaffirms the right of young farmers as a separate
6 basic sector with its own distinct rights and responsibilities to participate in policy
7 formulation, planning, organization, implementation, management, monitoring, and
8 evaluation of all programs, projects, and services targeting young farmers as
9 stakeholders. Further, it shall establish mechanisms for the promotion and protection
10 of young farmers' rights.

11 **CHAPTER II**

12 **Definition of Terms**

13 **Sec. 3. Definitions** – For purposes of this Act, the following terms shall mean:

- 14
- 15 a) Agriculture refers to the prudent endeavor of cultivating plants and animals
16 which includes the tillage of the soil, dairy, production, cultivation, growing,
17 and harvesting of any agricultural, aquacultural, floricultural or horticultural
18 commodities, the growing and harvesting of forest products upon forest lands,
19 the raising of livestock including horses, the keeping of horses as a commercial
20 enterprise, the keeping and raising of poultry, swine, cattle and other
21 domesticated animals used for food purposes and any forestry or lumbering
22 operations, performed by a farmer;
- 23 b) Farm work refers to the land cultivation and tillage, dairying, production,
24 growing, harvesting, plowing, planting, application of fertilizers, and farm
25 supervision performed by an individual or a group of people;
- 26 c) Discrimination refers to any distinction, exclusion, or restriction which has the
27 effect or purpose of impairing or nullifying the recognition, enjoyment, or
28 exercise by young farmers, irrespective of their age, status, or income, on a
29 basis of equality, human rights and fundamental freedoms in the political,
30 economic, social, cultural, civil, or any other field. It includes any act or
31 omission, including by law, policy, administrative measure, or practice, that
32

1 directly or indirectly excludes or restricts young farmers in the recognition and
2 promotion of their rights and their access to and enjoyment of opportunities,
3 benefits, or privileges. A measure or practice of general application is
4 discrimination against young farmers if it fails to provide for a mechanism to
5 offset or address the disadvantages or limitations of young farmers, as a result
6 of which they are denied or restricted in the recognition and protection of their
7 rights and in their access to and enjoyment of opportunities, benefits, or
8 privileges: Provided, That discrimination compounded by or intersecting with
9 other grounds, status, or condition, such as ethnicity, age, poverty, or religion
10 shall be considered discrimination against young farmers under this Act;

- 11 d) Eco-warrior refers to the staunch advocates of environmental protection and
12 practitioners of sustainable farming;
- 13 e) Food Security refers to the condition in which all people, at all times, have
14 physical, social and economic access to sufficient safe and nutritious food that
15 meets their dietary needs and food preferences for an active and healthy life
16 (as defined by the United Nations Committee on World Food Security);
- 17 f) Family Farming is a means of organizing agricultural, forestry, fisheries,
18 pastoral, and aquaculture production which is managed and operated by a
19 family and predominantly reliant on family labor, including both women and
20 men;
- 21 g) Lessee refers to a person who, by themselves, or with the aid available from
22 within their immediate farm household, cultivates the land, belonging to or
23 lawfully possessed by another, with the latter's consent, for purposes of
24 agricultural production, for a price certain in money or in produce or both. The
25 term is distinguished from a civil lessee as understood in the Civil Code of the
26 Philippines;
- 27 h) Organic refers to the particular farming and processing system, described in
28 the standards and not in the classical chemical sense. The term "organic" is
29 synonymous in other languages with "biological" or "ecological". It is also a
30 labeling term that denoted products considered organic based on the Philippine
31 National Standards for organic agriculture;

- 1 i) Organic Agriculture refers to all agricultural systems that promote the
2 ecologically sound, socially acceptable, economically viable, and technically
3 feasible production of food and fibers. Organic agriculture dramatically reduces
4 external inputs by refraining from the use of chemical fertilizers, pesticides, and
5 pharmaceuticals. It also covers areas such as, but is not limited to, soil fertility
6 management, varietal breeding and selection under chemical and pesticide-free
7 conditions, the use of biotechnology and other cultural practices that are
8 consistent with the principles and policies of this Act, and enhance productivity
9 without destroying the soil and harming farmers, consumers and the
10 environment as defined by the International Federation of Organic Agricultural
11 Movement (IFOAM): Provided, That the biotechnology herein referred to shall
12 not include genetically modified organisms or GMOs;
- 13 j) Sustainability refers to meeting the needs of the present without compromising
14 the ability of future generations to meet their own needs as defined by the
15 United Nations World Commission on Environment and Development;
- 16 k) Tenant refers to a person who, themselves, or with the aid available from within
17 their immediate farm household, cultivates the land belonging to, or possessed
18 by another, with the latter's consent for purposes of production, sharing the
19 produce with the landholder under the share tenancy system, or paying the
20 landholder a price certain or ascertainable in produce or in money or both,
21 under the leasehold tenancy system;
- 22 l) Young Farmer refers to an individual whose primary source of income comes
23 from agriculture, with an age range of 15-35 years old, is owner, tenant, lessee,
24 or worker of the land in which they personally cultivate and till
- 25 m) Red-tagging refers to the practice of the State of branding or malicious
26 blacklisting of regular individuals or organizations critical or not fully in support
27 of the government— they could be branded as anti-government, insurgents,
28 and members of the leftist groups.

30 CHAPTER III

31 Duties Related to the Rights of Young Farmers

Sec. 4. State as Primary Duty-Bearer. – The State, as the primary duty-bearer shall:

- a) Recognize, promote, and protect the rights of young farmers defined and guaranteed under this Act;
- b) Lead against the discrimination and coercion or violence, be physical, verbal, sexual, emotional, psychological, spiritual, or cultural in nature of young farmers;
- c) Endorse farm products produced by young farmers for economic development nationwide;
- d) Promote and fulfill the rights of young farmers in all aspects including but not limited to their rights to food security, education and training, access to land, social justice, employment, health services, and participation.

The State shall take measures and establish mechanisms to promote the coherent and integrated implementation and enforcement of this Act and related laws, policies, or other measures to effectively recognize young farmers as a distinct basic sector, stop discrimination against young farmers and farming in general, and advance their rights and responsibilities.

Sec. 5. Duties of State Agencies and Instrumentalities. - The above-mentioned duties of the State shall extend to all agencies, offices, and instrumentalities at all levels and government-owned and controlled corporations, subject to the Constitution and pertinent laws, policies, or administrative guidelines that define specific duties of state agencies and entities concerned.

Sec. 6. Duties of Private Sector. - It is the duty of the private sector to support young farmers' agenda through social partnerships between people's organizations and industries. Private sectors are encouraged to assist in reform mechanisms and rural development initiatives which include livelihood strategies sensitive to the plight of young farmers, as part of their corporate social responsibility duties.

Sec. 7. Non-Diminution of die Rights of the Young Farmers. - All other young farmers' rights and programs provided under existing laws shall remain in full force and effect: Provided, That it follows the definition of a young farmer as stated in this Act.

1
2 **CHAPTER IV**

3 **Rights, Productivity, and Empowerment**
4

5 **Sec. 8. Education and Training.** - The State shall ensure equal access to
6 quality education and training of young farmers and encourage partnership and
7 linkage with state universities and colleges (SUCs) on information and technology
8 transfer to young farmer individuals and organizations.

9 a) Curriculum. – To ensure better quality education and training for young farmers
10 and aspiring farmers, the following will be incorporated in curriculums:

- 11 1. K to 12 High Schools offering Technology and Livelihood Education (TLE)
12 Track with specialization in Agriculture-Fisheries Arts shall be required
13 to create laboratories for agricultural science and technology researches.
14 2. Climate Smart and Resilient Agriculture and Agricultural Laws and
15 Farmers Rights shall be incorporated in both K to 12 and Tertiary
16 Education Curriculum.

17 b) Scholarship. – K to 12 students under TLE Track with specialization in
18 Agriculture-Fisheries Arts shall be entitled to scholarship grants and incentives
19 through the Department of Agriculture (DA) upon compliance with the
20 conditions set by the department.

21 c) Agricultural Training Service Extension. - Agricultural SUCs shall serve as an
22 extension service provider for practical application, learning seminars, hands-
23 on training, and knowledge on technological advancements of young farmers'
24 organizations and individuals through the proper facilitation of the Department
25 of Agriculture (DA).

26 **Sec. 9. Right to Resources for Food Production.** — The State shall
27 guarantee young farmers' vital role in food production and food security by prioritizing
28 their rights to access technology, credit, and capital. It shall ensure that young farmers
29 are provided with the following:

- 30 a) Equal access to support for farm inputs and agricultural tools;
31 b) Equal access to farm technologies and mechanization;

- c) Ensure innovation, development, and proliferation of young farmer-friendly technologies and mechanization of agricultural production and processing;
- d) Equal access to formal sources of credit and capital including forms of clean loans and Mortgage, Redemption and Insurance (MRI); and,
- e) Equitable share of the produce of farms and aquatic resources.

Sec. 10. Access to Information. — Young farmers' access to information regarding policies, programs, projects, subsidies, and funding outlays that affect them, shall be ensured.

The DA-Regional Field Offices (RFOs), Provincial Agricultural Offices (PAOs), and Municipal Agricultural Offices (MAOs) shall endeavor the strengthening information dissemination of agricultural projects benefiting young farmers. Moreover, these offices shall offer assistance to farmers to access agricultural services offered whether offline or online.

Sec. 11. Right to farmland. - The land rights of young farmers shall be prioritized. In doing so, the State shall guarantee the following:

- a) Improve access to low-cost farmland. - Create more flexibility within CARP/CARPER to allow land trusts to protect farmland quickly and facilitate a new farmer. The DAR shall also ensure to protect the affordability of conserved lands and ensure that it remains in farming.
- b) Land Transfer Tax Exemptions. - Transactions including, but not limited to, purchase, inheritance, and donation of land, which is one (1) hectare and below, to young farmers, as defined under this Act, are hereby exempt from all taxes of whatever kind: Provided, however, That the beneficiary guarantees that the land will be kept and maintained by him or her for at least five (5) years.
- c) Land and Farm Planning Management. - The Department of Agriculture (DA), together with the LGUs and other related agencies, shall provide full assistance to young farmers, from the national scale down to community levels as regards in farm planning and management to ensure maximum utilization, production, profitability, and sustainability of their farms. The department shall utilize the existence of Farmer Field Schools and Agricultural Extension Training Centres as learning sites to ensure full-scale assistance to young farmers.

Sec. 12. Access to Market Development Services. - The State shall guarantee the young farmers rights for market spaces, farm-to-market roads, and other mechanisms that will ensure that farm produce will reach the family table. In doing so, the state shall provide the following:

- a) Establishment of Farm-to-Market Roads (FMR). - The DA, DPWH, and LGU shall endeavor to hasten the creation of farm-to-market as per the Farm-to- Market Road Network Plan (FMRNP) and Comprehensive FMR National Master Plan 2020 to 2030.
- b) Creation of a Provincial Market. - The DA Regional Office and the Governor's Office shall establish a central market within each province. These markets shall cater to all registered farmers of the different municipalities of the province who wish to sell their farm produce.
- c) Establishment of Municipal Cold Storage and Post-Harvest Facility. The DA through the support of the LGU shall ensure the establishment of cold storage and post-harvest facilities that are accessible to the local farmers.
- d) National Young Farmers Roadmap. - The DA through the National Young Farmers Council, including its attached agencies and corporations, in coordination with the Department of Agrarian Reform (DAR), Department of Environment and Natural Resources (DENR), Department of Trade and Industry (DTI), Department of Science and Technology (DOST), Department of Education (DepEd), National Commission on Indigenous Peoples (NCIP), National Youth Commission (NYC), Philippine Coconut Authority (PCA), Commission on Higher Education (CHED), National Anti-Poverty Commission (NAPC) and all agricultural-related agencies attached under the Office of the President (OP) shall formulate and implement a National Young Farmers Plan within one hundred and twenty (120) days from the creation of the National Young Farmers Council. The roadmap shall serve as the convergence program of government line agencies to ensure the maximum role of young farmers in food security. It shall also present measures that will allocate a safe, culturally acceptable, nutritionally adequate diet through a sustainable food system that maximizes self-reliance and social justice. The plan shall include the following:

- 1 1. A color-coded map on the national status of the country's food security;
2 Baseline data research on young farmers through a Young Farmers
3 Registry System which includes young farmers' socio-economic status;
4 2. Community-based Food Security Plan that shall identify viable food
5 security systems particular to the roles of young farmers along the food
6 value-supply chain; and,
7 3. Index of programs of identified government agencies as to the
8 development of young farmers.

9 e) Young Farmer Community Seed Banks. - DA shall facilitate the selection,
10 establishment, and management of strategic community-based seed banks to
11 ensure sustainable food and agricultural resources for young farmers.

12 **Sec. 13. Environmental Protection.** — DA, in partnership with DENR and
13 DOST shall establish model farms that feature sustainable farming practices such as
14 integrated and diverse organic farming systems, climate-smart and resilient
15 agriculture, organic urban farming systems, and the like to serve as knowledge
16 transfer and training institutions for young farmers and agricultural workers and
17 provide an avenue for the active participation of young farmers in environmental
18 protection and practice of sustainable farming.

19 **Sec. 14. Recognition and Preservation of Cultural Identity and**
20 **Indigenous Farming Traditions.** – The State shall respect, preserve and maintain
21 knowledge, innovations, and practices of indigenous and local communities of young
22 farmers embodying traditional lifestyles relevant to the conservation and sustainable
23 use of biological diversity. These shall be considered in the formulation and
24 implementation of national policies and programs.

25 **Sec 15. Protection from Discrimination, Red-tagging, and Violence.** -
26 The State shall ensure that all young farmers shall be protected from all forms of
27 discrimination, red-tagging, and violence as provided for in existing laws. They shall
28 be ensured access to free legal services from the Public Attorney's Office (PAO).

29 **Sec. 16. Representation and Participation.** - The State shall ensure young
30 farmers' involvement in the planning and design stages of agri-food development
31 projects from conceptualization to implementation. It shall also ensure the
32 participation of young farmers in the decision-making and policy-making processes at

1 regional, national, and international levels initiated by the government and private
2 entities including but not limited to the National and Local Agrarian Reform Councils,
3 National Organic Agricultural Board, National Youth Commission, and the National
4 Anti-Poverty Commission to fully realize their roles as agents and partners for
5 development.

6 **Sec. 17. Strengthen Young Farmer Organizations.** - DA, together with
7 DAR, DTI, DOST, NYC, DepEd, CHED, and CDA shall create a training module on
8 organizational management and development specific to the sensitivity and needs of
9 young farmer organizations within one hundred twenty (120) days upon the effectivity
10 of this Act to assist and provide young farmer organizations capacity-building,
11 organizational management and development schemes.

12 13 **CHAPTER V** 14 **INSTITUTIONAL MECHANISM** 15

16 **Sec. 18. Creation of the National Young Farmers Council.** - There is
17 hereby created the National Young Farmers and Fisherfolk Council which shall be
18 attached to the DA. The Council shall have the following powers and functions:

- 19 a) Formulate, recommend, and implement national policies, plans, programs, and
20 guidelines to ensure young farmers' empowerment, productivity, and
21 competitiveness in local and international trade.
- 22 b) Support and assist the DA and relevant government agencies in building strong
23 and harmonious partnerships with foreign counterparts and relevant agencies,
24 non-government organizations, and civic groups in order to facilitate the
25 implementation of strategies and programs for the protection and promotion of
26 the rights and well-being of young farmers.
- 27 c) Develop an online self-service portal for young farmers to access, apply for,
28 and implement the different DA programs and services
- 29 d) Establish Young Farmer Coordinators in each municipality to direct outreach
30 and help young farmers access information on agricultural and fisheries
31 programs and services.

1 e) Spearhead the drafting and finalization of the National Young Farmer's
2 Roadmap.

3 **Sec. 19. Farm Insurance.** — Young Farmers shall automatically become
4 members of the Philippine Crop Insurance Corporation (PCIC) as protection from
5 losses of non-crop agricultural assets from force majeure.

6 **Sec. 20. Legal Protection on Negotiations and Trade Partnership**
7 **Agreements.** - The State shall ensure the provision of safeguard clauses for
8 vulnerable, sensitive, and volatile sectors to preserve the family farming model of the
9 Philippines.

10 **Sec. 21. Implementing Rules and Regulations.** - Within one-hundred
11 twenty (120) days from the effectivity of this Act, the DA shall, in coordination with
12 Philippine Council for Agriculture and Fisheries (PCAF), Bureau of Fisheries and Aquatic
13 Resources (BFAR), DAR, DENR, DTI, DOST, DepEd, CHED, NYC, and NAPC and with
14 the participation of representatives from non-government organizations (NGO) and
15 civil society groups with a proven track record of involvement and promotion of the
16 rights and welfare of young farmers, issue the necessary rules and regulations for the
17 implementation of this Act.

18 **Sec. 22. Appropriation of Funds.** - The amount necessary for implementing
19 this Act shall be charged from the budget allocation of the DA including its attached
20 agencies and corporations, DAR, DENR, DTI, DOST, DepEd, CHED, and NAPC. Such
21 amounts necessary for the continued implementation of this Act shall be included in
22 the annual General Appropriations Act.

23 **Sec. 23. Separability Clause.** - If any provision or part hereof is held invalid
24 or unconstitutional, the remainder of the law or the provision or part not otherwise
25 affected shall remain valid and subsisting.

26 **Sec. 24. Repealing Clause.** - Any law, presidential decree or issuance,
27 executive order, letter of instruction, administrative order, rule, or regulation contrary
28 to or inconsistent with the provisions of this Act are hereby repealed, modified, or
29 amended accordingly.

30 **Sec. 25. Effectivity.** - This Act shall take effect fifteen (15) days after its
31 publication in the Official Gazette or in a newspaper of general circulation.

Approved,