

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

SEVENTEENTH CONGRESS
First Regular Session

House Bill No. 5657



Introduced by Rep. Christopher V.P. De Venecia

EXPLANATORY NOTE

It is alarming that the average age of a Filipino farmer is 57-59 years old. If this trend continues, it is just a matter of time before our country faces a critical shortage of farmers. Our farmers are getting old and their children are not keen on taking over farming because of their lack of interest, insufficient incentive, or both.

According to the Bureau of Agricultural Statistics (2015), Young farmers aged 39 and below account for only 12.3% of farmers in major commodity sector. Despite being a predominantly agricultural country, there are only about 12 million farmers out of 100 million Filipinos. Even with the increasing population, the available labor in the farm has been diminishing with an average 1.5% per year (Bureau of Agricultural Statistic, 2015).

The recent years saw a massive loss of farm workers. The Bureau of Agricultural Statistics stated that the number of farmers went down to 11.84 million in 2015 from 12.47 million in 2016, losing more than half a million farmers in just a span of a year. One possible factor is the waning interests of young individuals in entering agricultural-related courses. In the University of the Philippines-Los Baños (UPLB), enrolment in agricultural-related courses declined from 51% in 1980 to only 4.7% in 2014.

Enrollment of agricultural-related courses offered primarily in state universities and colleges have steadily declined due to perceived low employment opportunities. This decline leads to the shortage of capable agricultural professionals that may endanger the country's food supply.

Another possible reason for the decline of young farmers is the fact that they are among the poorest sector in the country. In 2014, the country's poverty incidence was at 26.5%, most of which are coming from the farmers and fisher folks comprising 41.4% and 36.7% respectively.

Moreover, the agricultural sector receives the lowest average daily basic wage compared to non-agriculture industries. In figures, the average daily wage of a farmer is approximately Php 240.00 versus the national average of Php400.00. It is on this note that most people tend to perceive farmers as poor, uneducated and stagnant.

To address this crisis, there is a need for an enabling policy framework that will provide a sense of pride for young Filipino farmers so that they will opt to stay in the farms, make a decent living from agriculture and secure the food sufficiency of the country.

This bill aims to promote the social and economic well-being of young farmers; develop their skills and capabilities; and eliminate discrimination against them by recognizing, protecting, fulfilling, and promoting their rights.

It defines and guarantees the human rights, empowerment of young farmers including their political, civil and social rights (right to food security, and productive resources, decent work, livelihood, credit, capital, and technology, education and training, participation and representation, information, social protection, recognition and preservation of cultural identity and integration) and outlines the duties of the State to provide sufficient public funds and incentives, and strengthen young farmers' organizations through government research and extension work, trainings and related capacity building measures.

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



REP. CHRISTOPHER V.P. DE VENECIA

Fourth District, Pangasinan

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AN ACT PROVIDING FOR THE MAGNA CARTA OF YOUNG FARMERS

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

GENERAL PROVISIONS

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

SEC. 2. Declaration of Policy. – The following are hereby declared to be policies of the State:

- (a) The State hereby declares “Young Farmer” as an individual whose primary source of income comes from agriculture, with an age range of 15-35 years old, is owner, worker, tenant or lessee of the land in which they personally cultivate and till;
- (b) The State recognizes Young Farmers as a separate basic sector with its own distinct rights and responsibilities;
- (c) The State recognizes young farmers as supplemental income earners in 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;
- (d) 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;
- (e) The State recognizes the role of young farmers as eco-warriors and staunch advocates of environmental protection; and
- (f) The State recognizes the indispensable contribution of Young Farmers to the overall food security and national economy.

Towards this end, the State shall establish mechanisms for the promotion and protection of young farmers’ rights that would ensure their empowerment, productivity and competitiveness

in the local and international trade.

SEC. 3. Definition of Terms. – Following terms are defined as follows:

- (a) **“Agriculture”** refers to farming in all of its branches and the cultivation and tillage of the soil, dairying, the production, cultivation, growing and harvesting of any agricultural, aquacultural, floricultural or horticultural commodities, the growing and harvesting of forest products upon forest land, the raising of livestock including horses, the keeping of horses as a commercial enterprise, the keeping and raising of poultry, swine, cattle and other domesticated animals used for food purposes and any forestry or lumbering operations, performed by a farmer.
- (b) **“All-around Farm Workers”** refers to all types of work in the farm, performed by an individual or a group of people, which is oftentimes assigned to more laborious tasks such as harvesting, plowing, planting, application of fertilizers and farm supervision.
- (c) **“Discrimination”** refers to any distinction, exclusion or restriction which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by young farmers, irrespective of their age, status of income, on a basis of equality, human rights and fundamental freedoms in the political, economic, social, cultural, civil, or any other field. It includes any act or omission, including by law, policy, administrative measure, or practice, that directly or indirectly excludes or restricts young farmers in the recognition and promotion of their rights and their access to and enjoyment of opportunities, benefits, or privileges. A measure or practice of general application is discrimination against young farmers if it fails to provide for mechanisms to offset or address disadvantages or limitations of young farmers, as a result of which they are denied or restricted in the recognition and protection of their rights and in their access to and enjoyment of opportunities, benefits, or privileges. *Provided, finally,* That discrimination compounded by or intersecting with other grounds, status, or condition, such as ethnicity, age, poverty, or religion shall be considered discrimination against young farmers under this Act.
- (d) **“Eco-warriors”** refers to the staunch advocates of environmental protection and practitioners of sustainable farming.
- (e) **“Food Security”** refers to the condition in which all people, at all times, have physical, social and economic access to sufficient safe and nutritious food that meets their dietary needs and food preferences for an active and healthy life (as defined by the United Nations Committee on World Food Security).
- (f) **“Family Farming”** is a means of organizing agricultural, forestry, fisheries, pastoral and aquaculture production which is managed and operated by a family and predominantly reliant on family labour, including both women’s and men’s.

- (g) **“Lessee”** refers to a person who, by themselves and with the aid available from within his immediate farm household, cultivates the land, belonging to or lawfully possessed by another, with the latter's consent, for purposes of agricultural production, for a price certain in money or in produce or both. The term is distinguished from a civil lessee as understood in the Civil Code of the Philippines.
- (h) **“Organic”** refers to the particular farming and processing system, described in the standards and not in the classical chemical sense. The term "organic" is synonymous in other languages to "biological" or "ecological". It is also a labeling term that denotes products considered organic based on the Philippine National Standards for organic agriculture
- (i) **“Organic Agriculture”** refers to all agricultural systems that promote the ecologically sound, socially acceptable, economically viable and technically feasible production of food and fibers. Organic agricultural dramatically reduces external inputs by refraining from the use of chemical fertilizers, pesticides and pharmaceuticals. It also covers areas such as, but not limited to, soil fertility management, varietal breeding and selection under chemical and pesticide-free conditions, the use of biotechnology and other cultural practices that are consistent with the principles and policies of this Act, and enhance productivity without destroying the soil and harming farmers, consumers and the environment as defined by the International Federation of Organic Agricultural Movement (IFOAM): *Provided*, That the biotechnology herein to shall not include genetically modified organisms or GMOs.
- (j) **“Sustainability”** refers to meeting the needs of the present without compromising the ability of future generations to meet their own needs as defined by the United Nations World Commission on Environment and Development.
- (k) **“Tenant”** refers to a person who, themselves and with the aid available from within their immediate farm household, cultivates the land belonging to, or possessed by, another, with the latter's consent for purposes of production, sharing the produce with the landholder under the share tenancy system, or paying to the landholder a price certain or ascertainable in produce or in money or both, under the leasehold tenancy system.
- (l) **“Young Farmer”** refers to an individual whose primary source of income comes from agriculture, with an age range of 15-35 years old, is owner, tenant, lessee or worker of the land in which they personally cultivate and till.

SEC. 3. State as Primary Duty Bearer. - The State as the Primary duty bearer shall:

- (a) Recognize and promote the rights of young farmers defined and guaranteed under

this Act

- (b) Lead against the discrimination of young farmers;
- (c) Promote and fulfill the rights of young farmers in all aspects including but not limited to their rights to food security, education and training and access to land

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.4. Duties of State Agencies and Instrumentalities. – The abovementioned 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.5. 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 Sector are encouraged to assist in land reform mechanisms, rural development initiatives which includes livelihood strategies, sensitive to the plight of young farmers, as part of their corporate social responsibility duties.

SEC.6. Non-Diminution of the Rights of the Young Farmers. – All other young farmers' rights and programs provided under existing laws shall remain in full force and effect, provided it follows the definition of a young farmers as stated in this Act.

RIGHTS AND EMPOWERMENT

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

7.1. Scholarship. - Any graduate of Technical and Livelihood Education with specialization on Agriculture and Fisheries under the K to12 curriculum shall be entitled scholarship grant incentives to any agricultural and fisheries related courses in any SUC of choice upon compliance of the following conditions:

- (a) Completion of the application requirements of the SUC;
- (b) Meet the minimum rating qualification in the admission level of chosen SUC.

7.2. Agricultural Training Service Extension.- Agricultural State Universities and Colleges shall serve as an extension service provider for practical application, learning seminars, hands-on training and knowledge on technological advancements of young farmers organizations and individuals through the proper facilitation of the

Department of Agriculture (DA).

SEC.8. Access to Technology, Credit and Capital. – The State shall ensure that young farmers are provided the following:

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

SEC.9. Access to Information. – Young farmers access to information regarding policies, programs, projects, subsidies, and funding outlays that affect them, shall be ensured.

SEC.10. Right to Resources for Food Production. – The State shall guarantee young farmers' vital role in the food production and food security by prioritizing their rights to land, technical training and assistance, access to seeds and farm inputs, and assistance for product and market linkage and development.

10.1. 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.

10.2. Land and Farm Planning Management. – DA shall provide full assistance to young farmers, from the national scale down to community levels, as regard to farm planning and management to ensure maximum utilization, production, profitability and sustainability of their farms. The department shall utilize existence of Farmer Field Schools and Agricultural Extension Training Centres as learnings sites to ensure full-scale assistance to young farmers.

10.3. National Young Farmers Roadmap. - DA, 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 of the effectivity of this Act. 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 safe, culturally acceptable, nutritionally adequate diet through a sustainable food system that maximizes

self-reliance and social justice. The plan shall include the following:

- (a) A color-coded map on the national status of the country's food security;
- (b) Baseline data research on young farmers through a *Young Farmers Registry System* which includes young farmers' socio-economic status;
- (c) Community-based Food Security Plan that shall identify viable food security systems particular to the roles of young farmers along the food value-supply chain; and
- (d) Index of programs of identified government agencies as to the development of young farmers.

10.4. Young Farmer Community Seed Banks. – DA shall facilitate the selection, establishment and management of strategic community-based seed banks to ensure sustainable food and agricultural resource for young farmers.

SEC.11. Environmental Protection. – DA in partnership with DENR and DOST shall establish model farms that feature sustainable farming practices such as integrated and diverse organic farming systems, organic urban farming systems, etc. to serve as knowledge transfer and training institutions to young farmers and agricultural workers and provide an avenue for the active participation of young farmers in environmental protection and practice of sustainable farming.

SEC.12. Recognition and preservation of Cultural Identity and Indigenous Farming Traditions. – The State shall respect, preserve and maintain knowledge, innovations and practices of indigenous and local communities of young farmers embodying traditional life-styles relevant for the conservation and sustainable use of biological diversity.

SEC.13. Creation of the National Young Farmers Council. – There is hereby created the National Young Farmers and Fishers Council which shall be attached to the National Agricultural and Fishery Council of DA.

The Council shall have the following powers and functions:

- (1) Act as an advisory, recommendatory and consultative body to ensure the success of the departments' programs and activities pertinent to Young Farmers;
- (2) Perform oversight functions as regards to young farmers' programs and projects of the department including its attached agencies and corporations.

SEC.14. Representation and Participation. – The State shall ensure young farmers' representation in the decision-making and policy-making processes initiated by government and private entities including but not limited to the National and Local Agrarian Reform Councils, National Organic Agricultural Board, National Youth Commission and the National Anti-Poverty Commission to fully realize their roles as agents and partners for development.

SEC.15. Strengthen Young Farmers Organizations. –DA together with DAR, DTI, DOST, NYC, DepEd, CHED and the Cooperative Development Authority (CDA) shall create a training module on organizational management and development specific to the sensitivity and needs of young farmer organizations' within one hundred and twenty (120) days upon the effectivity of this Act to assist and provide young farmer organizations capacity-building, organizational management and development schemes.

SEC.16. Legal Protection on Negotiations and Trade Partnership Agreements. – The State shall ensure provision of safeguard clauses for vulnerable, sensitive and volatile sectors to preserve family farming model of the Philippines.

SEC. 17. Implementing Rules and Regulations. — Within ninety (90) days from the effectivity of this Act, DA, in coordination with National Agriculture Fisheries Council (NAFC), Bureau of Fisheries and Aquatic Resources (BFAR), DAR, DENR, DTI, DOST, DepEd, CHED, NYC and NAPC shall issue the necessary rules and regulations for the implementation of this Act.

SEC. 18. Appropriation of Funds. — The amount necessary for the implementation of this Act shall be charged from the budget allocation of the Department of Agriculture (DA) including its attached agencies and corporations, 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), Commission on Higher Education (CHED) and National Anti-Poverty Commission (NAPC) . Such amounts necessary for the continued implementation of this Act shall be included in the annual General Appropriations Act.

SEC. 19. Separability Clause. — If any provision or part hereof is held invalid or unconstitutional, the remainder of the provisions not otherwise affected shall remain valid and subsisting.

SEC. 20. Repealing Clause. — All laws, decrees, rules and regulations, or parts thereof inconsistent with the provisions this Act are hereby repealed, amended or modified accordingly.

SEC. 21. Effectivity. — This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,