



Food and Agriculture  
Organization of the  
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**The International Treaty**  
ON PLANT GENETIC RESOURCES  
FOR FOOD AND AGRICULTURE

**Views, Experiences and Best Practices as an example of possible options for  
the national implementation of Article 9 of the International Treaty**

*Note by the Secretary*

*At its [second meeting](#) of the Ad hoc Technical Expert Group on Farmers' Rights (AHTEG), the Expert Group agreed on a revised version of the [template](#) for collecting information on examples of national measures, best practices and lessons learned from the realization of Farmers' Rights*

*This document presents the updated information on best practices and measures of implementing Article 9 of the International Treaty submitted by Southeast Asia Regional Initiatives for Community Empowerment (SEARICE) on 1 August 2019.*

*The submission is presented in the form and language in which it was received.*



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## Basic information

- Title of measure/practice

*Farmer-codeveloped ordinance on Agriculture (Sustainable Agriculture Code of the Municipality of Arakan, North Cotabato, Philippines)*

- Date of submission

July 31, 2019

- Name(s) of country/countries in which the measure/practice is taking place

Philippines

- Responsible institution/organization (name, address, website (if applicable), e-mail address, telephone number(s) and contact person)

Municipal Agriculture Office (MAO) of Arakan, North Cotabato, Philippines  
James Dulay, Municipal Agriculture Officer

- Type of institution/organization (categories)

Local Government - Municipal level

- Collaborating/supporting institutions/organizations/actors, if applicable (name, address, website (if applicable), e-mail address, telephone number(s))

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URL: [www.searice.org.ph](http://www.searice.org.ph)  
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## Description of the examples

### Mandatory information:<sup>1</sup>

- Short summary to be put in the inventory (max. 200 words) including:
  - Implementing entity and partners
  - Start year
  - Objective(s)

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<sup>1</sup> This mandatory information is required in order for the measure/practice to be included in the Inventory.



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- Summary of core components
- Key outcomes
- Lessons learned (if applicable)

In 2013, Southeast Asia Regional Initiatives for Community Empowerment (SEARICE) facilitated the development of the Agriculture Code of Arakan, North Cotabato. The code compiled all existing local ordinances on agriculture and added new provisions that would reflect the desire of the communities for a sustainable agricultural system. To develop the agricultural code, SEARICE and the Municipality of Arakan co-organized an ordinance-writing workshop for farmer leaders (women and men) of the municipality, led by a lawyer working with SEARICE. The Draft Code was then submitted for consideration and adoption. Provisions include (1) management, utilization, exchange and development of PGRFA, including protection of local seed systems and institutionalization of community seed banks; (2) municipal guaranteed protection of farmer-bred varieties, including institutionalization of a seed registry and protection against appropriation; (3) free access to seed for all farmers; (4) a ban on genetically modified organisms (GMO); (4) facilitating and monitoring access and benefit-sharing, including through the Arakan Farmers' Trust Fund; (5) protection and promotion of Farmers' Rights; (6) provision of incentives for farmer-breeders of traditional and indigenous varieties; (7) development of a loan assistance program; and (8) commitment to make an annual Farmers' Day a permanent part of the Municipal Foundation Anniversary.

- Brief history (including starting year), as appropriate

This measure started with a vision of then Municipal Agriculture Officer of Arakan, North Cotabato, to transform the destructive agricultural practices in the municipality into sustainable agriculture. This was just a part of his bigger dream to have sustainable livelihood and food security; empower farmers; protect the natural resources; improve watershed and wildlife habitat; and improve the land tenure arrangement in Arakan. His vision is in harmony with the empowerment agenda of SEARICE hence the collaboration between the two institutions was sealed in 2011. In 2012, the collaborative started to lobby for Arakan Municipality to adopt an Ordinance that would support the vision of the Municipal Agriculture Office. A workshop to draft the Ordinance was conducted in 2013 and the final Draft was completed in August 2013. However, the Ordinance was approved and adopted only in 2017 due to political rivalries among the members of the Municipal Council. Finally, in January 2019, the Implementing Rules and Regulations (IRR) was drafted and was approved immediately in March 2019.

- Core components of the measure/practice (max 200 words)

The core components of the measure include the participatory development of the agriculture code by key stakeholders including the farmers, and its subsequent submission for the municipality for consideration and adoption. The farmers' active participation in the process is reflective of a key outcome of SEARICE's engagement with the farmers—farmer empowerment—which enable them to speak out about their issues, make informed decisions, and lobby for the adoption of supportive policies.

The salient points of the agricultural code include a.) management, utilization, exchange and development of plant genetic resources for food, agriculture and health, including protection and promotion of traditional seed systems and institutionalization of community seed banks; b.) municipal guarantee and protection of farmer-bred seed varieties including institutionalization of community seed registry; c.) free access to seeds of all farmers from Arakan; d.) ban on GMO; e.) protection against biopiracy; f.) benefit sharing through



Arakan Farmers’ Trust Fund; g.) facilitation and monitoring of Access and Benefit Sharing; h.) protection and promotion of farmers’ rights; i.) commitment to make Farmers Day a permanent part of the Municipal Foundation Anniversary every 27th August; j.) development of loan assistance program; k.) provision of incentives for farmer-breeders of traditional and indigenous varieties

- Description of the context and the history of the measure/practice is taking place (political, legal and economic framework conditions for the measure/practice) (max 200 words)

This ordinance is one of the very few local legislations on agriculture in the Philippines that support farmers’ rights to PGR and most likely the only one that went through a participatory process involving smallholder farmers. This ordinance is seen by Arakan farmers as a huge support to their efforts to completely transition to sustainable food production systems.

Arakan used to have a rich and diverse agricultural biodiversity. However, at the height of the “MASAGANA 99” or the modernization of agriculture program of the country’s Department of Agriculture and local government units (which involved the promotion of a package of technology of seeds, fertilizer, and pesticides), crop diversity was significantly eroded due to the introduction of new varieties that were oftentimes not adaptable to the local environment.

Seed savings and exchanges between and among farmers traditionally existed in the community. Introduction of new and package technology particularly on seeds is one of the main reasons of ecological imbalance that resulted in the emergence of different and new strain of pests and diseases. Farmers became dependent from the different private companies and public research institutions for seed supply.

- To which provision(s) of Article 9 of the International Treaty does this measure relate

- Art. 9.1
- Art. 9.2a
- Art. 9.2b
- Art. 9.2c
- Art. 9.3

**Other information, if applicable**

- Please indicate which category of the Inventory is most relevant for the proposed measure, and which other categories are also relevant (if any):

No.	Category	Most relevant <sup>2</sup>	Also relevant <sup>3</sup>
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<sup>2</sup> Please select only one category that is most relevant, under which the measure will be listed.

<sup>3</sup> Please select one or several categories that may also be relevant (if applicable).



1	Recognition of local and indigenous communities', farmers' contributions to conservation and sustainable use of PGRFA, such as awards and recognition of custodian/guardian farmers		
2	Financial contributions to support farmers conservation and sustainable use of PGRFA such as contributions to benefit-sharing funds		
3	Approaches to encourage income-generating activities to support farmers' conservation and sustainable use of PGRFA		
4	Catalogues, registries and other forms of documentation of PGRFA and protection of traditional knowledge		
5	In-situ/on-farm conservation and management of PGRFA, such as social and cultural measures, community biodiversity management and conservation sites		
6	Facilitation of farmers' access to a diversity of PGRFA through community seed banks <sup>4</sup> , seed networks and other measures improving farmers' choices of a wider diversity of PGRFA.		
7	Participatory approaches to research on PGRFA, including characterization and evaluation, participatory plant breeding and variety selection		
8	Farmers' participation in decision-making at local, national and sub-regional, regional and international levels		
9	Training, capacity development and public awareness creation		
10	Legal measures for the implementation of Farmers' Rights, such as legislative measures related to PGRFA.		
11	Other measures / practices		

- In case you selected 'other measures', would you like to suggest a description of this measure, e.g. as a possible new category? \_\_\_\_\_
- Objective(s)
  - a) to develop an agricultural code for the municipality of Arakan that embodies the aspirations of men and women farmers in the municipality to have an agricultural system that protect and sustain the natural resources and promote farmers' welfare.
  - b) to ensure that the necessary government support is provided for the implementation of the agricultural code through a Municipal Ordinance

<sup>4</sup> Including seed houses.



- Target group(s) and numbers of involved and affected farmers<sup>5</sup>

All farmers in the entire Municipality is affected by the ordinance. Farmer leaders of Arakan, North Cotabato in partnership with the municipal agriculture office (MAO) and the Agriculture Committee of the Municipal Office were directly involved in drafting the Ordinance.

- Location(s) and geographical outreach

Arakan, North Cotabato, Philippines

- Resources used for implementation of the measure/practice

The main resources used in this measure are the time and energy used by the farmers and ally government officials in lobbying for the adoption of the Ordinance. Minimal costs were invested on the travel costs and time of the lawyer from SEARICE who facilitated the workshops for both the Ordinance and the IRR drafting.

- How has the measure/practice affected the conservation and sustainable use of plant genetic resources for food and agriculture?

The agricultural code of Arakan, from its development to its subsequent adoption empowers the farmer leaders on realizing their role, capacities and potential in affecting policies for their development. The code recognizes the critical role of small farmers in the conservation of PGRFA through the protection and promotion of traditional seed systems, farmer-bred varieties through the institutionalization of community seed banks, benefit sharing among many others.

The adoption of the municipal ordinance is monumental step, a legal measure that concretizes the centuries of work of our small farmers and a stepping stone for future generations of farmers. Arakan has since strengthened its campaign, and moved towards sustainable, organic farming. Within the municipality they have established model farms that serve as an encouragement to other farmers, convincing them that a sustainable farming is possible. It plans to influence its neighbouring communities and provinces to adopt the same measure.

- Please describe the achievements of the measure/ practice so far (including quantification) (max 200 words)

The development of the agricultural code is indicative of the deep commitment of the municipality to promote and protect farmers rights. It puts to task the local government leaders to ensure the protection of farmers. The ordinance ensures that budget will be allocated by the government to implement the law. As of this writing Php 1 million was already allocated for the implementation of the ordinance. This clearly demonstrates Article 9.2(c) of the ITPGRFA. Its subsequent adoption serves as an example for other local government units to follow through with concrete ways to protect and support their farmers. Ultimately, the farmer leaders who participated in the process realized that they have a voice in advancing their welfare and that they can and should raise their voice.

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<sup>5</sup> Any classification, e.g. of the types of farmer addressed, may be country-specific.



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- Other national level instruments that are linked to the measure/practice
  - a) Indigenous Peoples Rights Act
  - b) Magna Carta for Smallholder Farmers
- Are you aware of any other international agreements or programs that are relevant for this measure/practice?
  - a) ITPGRFA
  - b) Convention on Biological Diversity
  - c) Nagoya Protocol
  - d) Cartagena Protocol
- Other issues you wish to address, that have not yet been covered, to describe the measure/practice

### **Lessons learned**

- Describe lessons learned which may be relevant for others who wish to do the same or similar measures/practices (max 250 words).

Collaborative multi-stakeholder policy development ensures that the voice of the most important stakeholder—the farmer—is duly heard. The draft ordinance contains provisions from the farmers' personal and collective experiences and learning from their years of managing their land.

Involving the farmers in the development of policies on agriculture was an empowering exercise. Not only did the exercise ensure that their voices were heard, it also informed the farmers that they do have a voice and that they can use it to speak up and advance their issues and concerns.

- What challenges encountered along the way (if applicable) (max 200 words)

Law making processes in the country has slowed down the adoption of the code. But with the persistent lobbying of our champions within the local government unit, the law has been adopted. With the lessons learned from the Ordinance development, the IRR development and subsequent approval went through an easier and faster process.

- What would you consider conditions for success, if others should seek to carry out such a measure or organize such an activity? (max 100 words)

Involvement of the municipal agriculture office and openness of the local government to truly consider the voices of the farmers in their community. Identifying champions within the local government can greatly facilitate the process and ensure adoption. Representation of all relevant sectors, particularly women farmers and indigenous communities, in the whole process is crucial for the collective ownership and eventually, effective implementation of the law.

### **Further information**

For more information on the initiatives related to this practice, you may visit:



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[searice.org.ph](http://searice.org.ph)

[searice.org.ph/demystifying-the-law](http://searice.org.ph/demystifying-the-law)

[searice.org.ph/ph-municipality-adopts-agricode](http://searice.org.ph/ph-municipality-adopts-agricode)