

FARMERS GET A SEAT AT THE TABLE

*The Birth of the
Arakan Sustainable
Agriculture Code*

A CASE STUDY



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SEARICE is grateful to the local government leaders of the Municipality of Arakan, North Cotabato and the women and men farmers who helped us to tell their story of partnership, perseverance, and determination that led to the crafting of their Sustainable Agriculture Code and its implementing rules and regulations.

We also thank other non-government organizations that shared their insights about the state of Arakan prior to its progressive rise.

FOREWORD

The story of the Arakan Sustainable Agriculture Code, from conceptualization to local legislative action to enactment, tells of a decade-long quest for a healthy environment and people.

The Code is a major step towards concretizing plant genetic resources conservation, protection of landrace cultivars, recognizing farmers' rights, and promoting the participation of stakeholders in making relevant policies. The Code went through difficult and complicated challenges but a strong political will and lobbying efforts earned for myself, as the principal author, distinction as a good influencer in advancing the interests of our constituents in Arakan Municipality. The Code established a system and mechanism for clear principles and development pathway for the local government in achieving a sustainable agricultural development through a highly participatory process. The unique experience yielded so many positive results, the most significant of which was the active involvement of farmers in the implementation. Their participation from the beginning has led to crafting a law that responds to the real needs of the community and to strengthening of the people's ownership of the initiative.

Hon. Edgardo B. Abuen

Principal Author

Municipal Councilor

Chairman, Committee on Agriculture

“Government should be sensitive to the perspectives and sentiments of farmers so that it will not be difficult to seek their help in implementing (programs and policies that are) actually in their best interests.”

James Dulay

Municipal Agriculture Officer
Arakan Municipality, North Cotabato



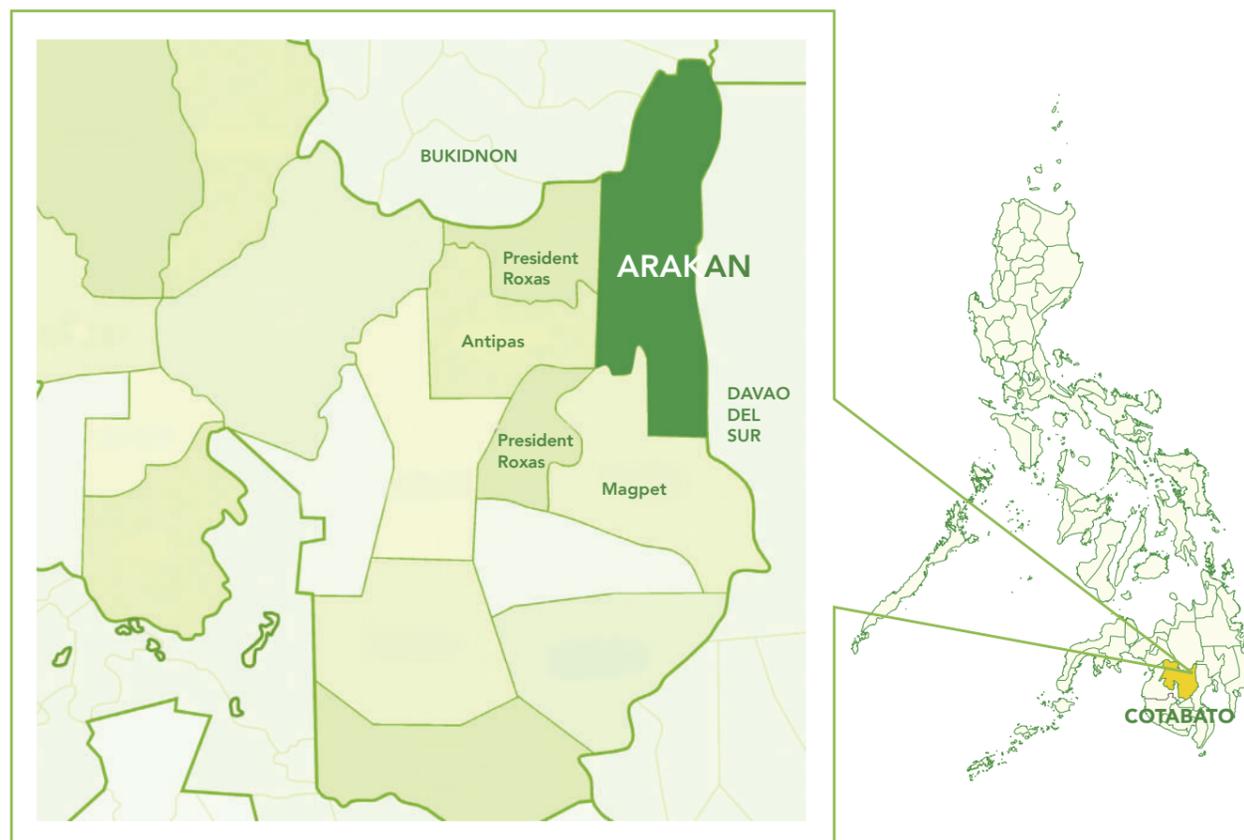
In 2013, several men and women, mostly farmer leaders, made history by drafting one of the most important decrees that would define the Municipality of Arakan’s commitment to advancing the welfare of its farmers. At the training house of the Arakan Office of the Municipal Agriculturist (OMA), located in a remote barangay at the foot of a mountain, the participants put together existing local ordinances on agriculture and laid down new provisions that would reflect the desire of the communities for a sustainable agriculture code that would benefit them and future generations of farmers.

The Municipality of Arakan

Arakan is a landlocked municipality, strategically located at the northeastern tip of Cotabato Province. It is bounded on the east by Davao City, particularly Marilog District, on the south, by Magpet, on the southwest and west, by the the Municipalities of Antipas and President Roxas, respectively, and on the north by the Municipality of Kitaotao in Bukidnon Province.

Arakan used to be part of the Municipality of Magpet. It was among the poorest villages not only in Magpet but in the entire Province of Cotabato. From its highest point, the view of the denuded forests stood out. Its soils suffered from degradation and the waters were contaminated due to the massive use of chemicals in the farms. Agro-chemical companies formerly had a strong presence in the area. A farmer-leader recalls that farmers had difficulty in their production: the more inputs they used, the greater the debt they incurred.

Because of its geographical isolation from the seat of the local government in Magpet, the then Vice Mayor of Arakan lobbied for its separation and establishment as a municipality. The campaign began in the early 1970s, but efforts stalled due to the political turmoil



Detailed map of Arakan Valley Complex

during that period, particularly due to the declaration of Martial Law in 1972. Nevertheless, on the ground initiatives to develop Arakan and other villages nearest to it were carried out with the support of non-government organizations (NGOs). One of these was the Don Bosco Foundation, which began its organizing and conservation work on seeds and forests in Arakan in the mid-1980s.

On August 30, 1991, by virtue of Republic Act No. 7152, Arakan became a municipality. It has a land area of 69,322 hectares which comprise 7.69 percent of Cotabato's total area.¹ It has 28 villages, with a number of ethnolinguistic groups, predominantly the Manobo-Kulamanon and Manobo-Tinananon tribes.

It has become a first class municipality,² with its economy being driven mainly by rubber (4,000 hectares) and banana plantations (100 hectares).

¹ From <https://www.philAtlas.com/mindanao/r12/cotabato/arakan.html>

² From <https://cmci.dti.gov.ph/lgu-profile.php?lgu=Arakan>

Other major crops grown there are rice, corn, coconut, and fruit trees. Arakan has also expanded to strawberry-growing, with the farms becoming among its tourist attractions.

Arakan is the original home of the *Dinorado* rice, an upland variety grown by the Manobos.³ *Dinorado* has high market value due to its qualities — aromatic, good eating quality, soft, resistant to common upland rice diseases such as sheath blight and rice smut and pests like the grain bug. It can also grow in a paddy environment, making it adaptable in lowland communities.

Local leaders and farmers share a common vision to make Arakan the supplier of quality *Dinorado* (either seeds or grains) not only in Mindanao but in the entire country. To realize this vision, the local government continues its campaign to expand areas planted to *Dinorado* and other upland and traditional rice varieties, including *Hinumay*, *Palawenyo* and *Azucena*.⁴ Currently, Arakan has 40 hectares of organic rice farms which have been certified under the Organic Culture Certification Program of the Organic Agriculture Code of the Philippines.

³ Juliet P. Candog-Bangi, Mary Ann Robelle Polido and Vermando M. Aquino, 2019. Agro-morphological Characteristics of Local Upland Rice in Arakan Valley, Cotabato, Philippines, *International Journal of Humanities and Social Sciences*, Vol. 11 No. 2 (2019), pp. 21-32, © IJHSS, <https://doi.org/10.26803/ijhss.11.2.2>

⁴ SEARICE, "Development of a Community Seed Bank in Arakan, Cotabato, Philippines" (unpublished manuscript, 2014).



THE IMPETUS BEHIND THE SUSTAINABLE AGRICULTURE CODE

The Arakan Sustainable Agriculture Code, henceforth referred to as the Code, traces its origins from another ordinance, the Land Utilization Program for Sustainable Livelihood of Arakeños or LUPA.⁵ Adopted in 2006 as Municipal Ordinance No. 06-309, the LUPA Ordinance was the brainchild of the late Edgar Araña, the former Municipal Agriculture Officer (MAO), who was a staunch advocate of sustainable agriculture.

LUPA was intended to address several issues in the municipality at the time: high rate of poverty incidence; periodic cycle of food insecurity resulting to high rate of malnutrition; inappropriate farming system which resulted in massive degradation of land and other resources on which the rural poor were dependent for their livelihood; poor security on land tenure arrangements which further hastened resource degradation; lack of financing facility or investment which prioritized smallholders for perennial crops; lack of policy interventions to promote the shift toward sustainable agricultural development and to strengthen it henceforth; and lack of infrastructure facilities that could help the farmer link directly to the markets.⁶

⁵ In the Visayan language, LUPA stands for *Luwason kag Malambuon Umahan kag Kinaiyahan Panginabuhian para sa Arakeños*. In Filipino, it means land

⁶ LUPA Program Brief. 2006. Arakan Municipal Agricultural Office

But while LUPA contained a unique ecosystem-based approach to land management and recovery, and focused on plant breeding and community seed development, it lacked critical mandates in favor of farmers. It contained no measures on conservation of seeds; did not directly promote organic agriculture and prohibit the use of chemicals; did not ban genetically modified organisms (GMOs); did not stipulate penalties; and had no provision for acknowledging farmers' rights.

A study conducted by the current MAO, James Dulay,⁷ has shown that farmers have encountered major problems during the implementation of the LUPA ordinance. These included inadequate planting materials; inadequacy of funds/budget; lack of monitoring system; lack of technical assistance; lack of manpower/personnel for the program implementation; and lack of quality seeds. The implementers likewise reported several constraints, namely, inadequacy of funds/budget; lack of monitoring system; inadequate farm inputs; lack of manpower/personnel in the LUPA program implementation; and meager infrastructure support.

⁷ Dulay, James V. 2010. Effectiveness of the Strategies Adopted by Land Utilization Program for Sustainable Livelihood of Arakeños (LUPA) in Arakan, Cotabato. Master's Thesis, Graduate School, University of Southern Mindanao, Kabacan, Cotabato





Another critical element absent from LUPA was the protection of seeds against misappropriation. Due to its diverse collection of rice varieties, Arakan became a favorite collection site among plant breeding institutions and agricultural colleges. Those collectors freely obtained the seeds but failed to properly acknowledge the farmers who developed and/or selected the seeds through many cropping seasons. Among the specific cases recalled by farmers and local officials were the “*lakbay-ara*” (educational trip) conducted by the Philippine Rice Research Institute (PhilRice), visits from the International Rice Research Institute (IRRI) and PhilRice during Farmers’ Field Days, and a project of the University of Southern Mindanao (USM) with PhilRice. When researchers from these organizations requested seeds, officials of the OMA did not know how to handle the requests and thus frequently disapproved them. But there was one case where PhilRice went directly to the farmers and were able to obtain seeds which they used in their research work. However, PhilRice did not acknowledge the farmers as sources of the parent materials and named the developed varieties after the institution.

Such instances prompted the local government to find ways to deal with similar situations in the future.

IN SEARCH OF PROTECTION FOR FARMERS’ SEEDS

In 2010, SEARICE was invited to a Farmers’ Field Day to share its work on seed conservation and development in Bohol Province.

The following year and through the same event, SEARICE introduced the community seed registry used by farmers also in Bohol province. A community seed registry does not establish ownership nor does it put plant varieties under a strict and monopolistic property right.

Rather, it recognizes that the origin and developers of the varieties are farmers, who practice breeding and selection processes in their communities. It does not limit the use of the varieties within the community where it is registered; it does, however, uphold the principle that seeds should be freely and widely accessed and exchanged, and should not be protected under a single and exclusive ownership.





In short, the community seed registry is a mechanism put in place by farmers and the local government to protect farmers' varieties and the knowledge associated with them from misappropriation.

In late 2011, staff from the OMA went to Bohol to learn more about the community seed registry. Facilitated by SEARICE Bohol staff, they met with farmers from the town of Carmen whose local government had passed a resolution that established a community seed registry. The visit gave the OMA a clear idea of how to protect their farmers from outsiders who freely avail of seeds and use these for their own interests without compensating or giving credit to the sources.

In 2012, Edgar Araña sought assistance from the Kinaiyahan Foundation (an NGO that focuses on environmental education and advocacy), the Don Bosco Foundation, and SEARICE in developing the municipality's agriculture program. At this time, SEARICE had begun implementing its strategy for empowerment, which combines training on technical knowledge and skills and policy advocacy and campaigning. The technical interventions were hands-on experiments on seed conservation, selection and breeding conducted through the farmer field school (FFS) approach⁸ while policy advocacy and campaigning involved awareness-raising among farmers and the local government on the rights of farmers.

⁸ The FFS approach is an innovative, participatory and interactive learning method that emphasizes problem solving and discovery-based learning. It aims to build farmers' capacity to analyze their production systems, identify problems, test possible solutions, and eventually encourage the participants to adopt the practices most suitable to their farming systems. <http://www.fao.org/3/i2561e/i2561e01.pdf>

By 2013, the Arakan local government was ready to develop a policy that would protect their seeds and pave the way for the transformation of their destructive and inefficient farming systems into sustainable agriculture. Based on their initial discussions, the local government and SEARICE decided that drafting a totally new policy was unnecessary because policies that could be codified were already in place. SEARICE then reviewed these policies to determine which of them needed improvement and how seed conservation and other measures could be incorporated in the proposed ordinance.



However, convincing local government officials to formulate a more comprehensive policy took some time. SEARICE proposed the participatory process of conducting a workshop with the stakeholders — local officials and farmers the local government — so that they could put together a comprehensive legislation, and one that incorporates the protection and advancement of farmers' rights.

Finally in July 2013, a four-day workshop was held with farmers fully represented by their leaders. During the first few sessions, the farmers were relatively quiet and barely asked questions or gave their opinions. The facilitator's impression was that most of the participants believed that they were not capable of drafting an ordinance, thinking that it was a task reserved for those they have elected in office or for lawyers (like the SEARICE



facilitator)s.⁹ The latter emphasized that the farmers were critical in the process as they were expected to share their realities and set the standards and norms for how agricultural activities must be conducted, and which actions should be regulated or prohibited. In the end, the farmers and local officials were able to put together a draft containing existing as well as new provisions. Among the salient provisions drafted were on organic agriculture as the basis of agricultural production; community seed registry; community-seed bank; access and benefit sharing; management of livestock, agro-forestry, aquaculture; farmer' rights; and regulated and prohibited activities.

The proposed ordinance was presented during the annual celebration of the Farmers' Day, which is held every 27th of August. Farmers' Day is a local holiday declared by the municipal government in recognition of the important role of farmers in its agricultural development.

⁹Maderazo, Mario. Demystifying the Law. 2013. SEARICE. Available at www.searice.org.ph



THE JOURNEY THROUGH THE LEGISLATIVE MILL

The Sustainable Agriculture Code was filed during the 8th Session (2014-2016) of the *Sangguniang Bayan* (SB), the legislative body at the municipal level.

However, the Code was not taken up during that Session of the SB. According to the heads of the Committee on Agriculture and Committee on Rules, the Code needed polishing because it lacked clear definition of specific terms and provisions, and the *SB* had other priorities at the time. It was rumored however that the real reason was strong lobbying against the Code from traders promoting chemical fertilizers and genetically modified (GM) crops in the municipality.

Determined to push for its passing, the OMA launched campaigns to help convince the local lawmakers. Starting off the campaign was a public hearing held in August 2014 and which was attended by farmers and various groups who subsequently declared support for the legislative measure. In 2015, the OMA lobbied the Municipal Agriculture and Fisheries Council (MAFC), a multi-sectoral body attached to the Department of Agriculture (DA), to endorse the Code. The efforts of the OMA paid off with the MAFC holding a series of consultations and ensuring the support of the local officials for the Code in 2016.

In the 9th Session of the SB, the Committee on Agriculture, which was headed by a newly elected official, Edgardo Abuen Jr., acted on the Code.





Abuen was already familiar with the Sustainable Agriculture Code. He had previously worked with MAO Dulay as an Extension Worker at the Arakan Office of the Municipal Agriculturist (OMA) and, prior to that, with the Don Bosco Foundation. To help members of the *SB* understand the details of the Sustainable Agriculture Ordinance, Abuen organized an exposure trip cum training on the JADAM Integrated Nature Farm (JADAM)¹⁰ farming system.

As part of its *in situ* conservation, seed banking, and demonstration program, the local government of Arakan maintains a learning farm which it named after this farming system

Seeing firsthand the benefits of sustainable agriculture, the *SB* members were convinced of the importance of passing the Code. It also helped that the Provincial Organic Agriculture Code was passed around that time by the Province of Cotabato.

The only obstacle left was the uncertainty of funding. A review of the municipality's Economic Development Fund showed that its 20 percent

¹⁰ Available at <https://en.jadam.kr/com/com-1.html>

allocation from the Internal Revenue Allotment (IRA)¹¹ was not enough to meet the financial requirements of implementing the Code. There was, however, a two-million peso (USD 40,000) allocation in LUPA. Since the Sustainable Agriculture Code is a logical extension of the principles of LUPA, the OMA agreed to earmark a portion of the LUPA funds for implementation.

Municipal Ordinance No. 371, Series of 2017, entitled An Ordinance Enacting the Sustainable Agriculture Code of the Municipality of Arakan, North Cotabato was finally passed on October 9, 2017. It features several salient chapters such as the promotion, adaptation and development of sustainable agriculture; management, utilization, exchange and development of plant genetic resources for food, agriculture and health; constitutional benefits of farmers and farming practices; and advancement and protection of farmers' rights. Work on the approval of the budget took almost the entire 2018. In January 2019, another workshop was conducted to formulate implementing rules and regulations (IRRs) of the Code. Similarly to the drafting of the Code, the formulation of its IRRs was a collaborative effort among farmers, women-farmers' groups and local government officials. Remarkably, in the history of Arakan, the Sustainable Agriculture Code is the first and, so far, only local legislation that has IRRs.

The IRRs took effect in March 2019, with one million pesos (USD 20,000) allocated for implementation. Among the critical elements covered are protection and promotion of the traditional seed system;

institutionalization of the creation of community seed banks and municipal-wide seed registry; implementation of benefit-sharing for the support of the capacity-building and livelihood projects of local communities;



¹¹ The IRA is a local government's share of revenues from the national internal revenue taxes. From <https://www.dbm.gov.ph/index.php/programs-projects/internal-revenue-allotment-ira>

prohibition of use of genetically-modified crops; protection of farmer-bred varieties and access to seeds; provision of incentives for farmer-breeders of traditional and indigenous varieties; and conduct of impact assessment on farmers' rights prior to implementation of projects by the National Government or private sector. During the initial years, the OMA focused on making the trading post operational, intensification of vermicompost production, establishment of a municipal seed registry, provision of support for animal health care, and promotion of farm tourism.

According to the Vice-Mayor, Jenefier Pangilinan, the Sustainable Agriculture Code complements the tourism ordinance with the “Our Natural Home” branding, which highlights the natural endowments of the Municipality. The two ordinances also go hand-in-hand with local ordinances which regulate bioprospecting and the declaration of Mt. Sinaka, Mt. Mahuson, Matigol River (Motihoo), Lake Molingling, and Timanan River (Luho-Iton) as part of the Natural and Cultural Heritage of the Municipality of Arakan. The SB also planned to work on other legislative measures, particularly the Solid Waste Management Ordinance and the Market Enterprise Code to further strengthen the Sustainable Agriculture Code.

Jenefier Pangilinan (standing), vice mayor of Arakan, at the writeshop of the Code's implementing rules and regulations.



FACING CHALLENGES IN IMPLEMENTATION

A 10-year plan was developed for the full implementation of the Code. But the initial year was a big challenge and MAO Dulay felt like they were up against a wall since they did not have any reference or basis for how to implement the program.

At the time, no other local government unit (LGU) had a program on sustainable agriculture. But they faced a greater challenge still – that of convincing farmers to transform their farming systems from using chemicals to going organic and converting farm wastes into farm resources. Farmlands in Arakan are largely planted with high-value crops such as rubber and banana, where the use of synthetic inputs is extensive. The local government also had to contend with smallholder farmers who use



chemicals and those who practice burning of farm wastes which contributes to air pollution.

Thus, the OMA embarked on a massive information and education campaign starting in July 2019 as its initial step towards the implementation of the Code. The campaign covered all the villages to ensure that all households were made aware of and understood the need for this legislation and for the program that is intended to better their livelihoods.

MAO Dulay believes that farmers need to see results before they believe the stated intent.

He adds, “It feels good to know that what you have crafted is felt by the farmers and that it extends to their basic needs. As long as it responds to their needs, it will have a long-lasting impact.”



AN INHERITANCE FOR FUTURE STAKEHOLDERS

The Sustainable Agriculture Code of Arakan is significant in several ways.

1 It is the fulfillment of a vision for a healthier and better environment. Arakan used to be home to several agro-chemical companies and farmers were enslaved to these companies through years of dependence on chemicals. The massive use of the toxic materials greatly affected both soils and waters of the communities, and the health of the farmers.

2 The local government ensured that the process was inclusive by conducting a participatory approach to crafting the Code. The participatory process in crafting of the Code demonstrated the respect of the local government for the rights of farmers, particularly for their right to participate in decision-making regarding matters that involve them. Political will and genuine concern for the people were key factors in this successful exercise in governance.

3 Farmers played a major role in the law-making process, as they exercised their right to participate in decision-making in local governance. As underlined by Rosendo Magsipoc, a farmer-leader, the participation of farmers in the drafting of ordinances that affect their farming practices helps to ensure their willingness to be involved in the implementation.

The local government unit and farmers are co-authors of the Code. What came out of the process was an ordinance that is responsive to the interests and welfare of farmers and of the entire municipality. Together, they have drawn a blueprint for implementation, one that other local governments and farming communities can replicate.

But more than having the Code, the farmers' gaining a seat at the table has become part of the inheritance of future stakeholders.

Southeast Asia Regional Initiatives for Community Empowerment (SEARICE)

SEARICE is a regional non-government organization that promotes sustainable and resilient food systems through ecological agriculture with emphasis on the conservation and development of agricultural biodiversity; and advocates for policies that support, strengthen, and institutionalize community initiatives on sustainable and resilient food systems. It works in partnership with farming communities, local and national government units, civil society organizations, and academic and research institutions in Southeast Asia.

SEARICE is registered with the Philippines' Securities and Exchange Commission (SEC) as a non-stock and non-profit organization.

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