

Republic Act No. 9710
Magna Carta of Women
August 9, 2009

Implementing Rules and Regulations of the Magna Carta of Women
June 25, 2010

The policy orders to promote, propagate, develop further and implement the practice of organic agriculture in the Philippines that will cumulatively condition and enrich the fertility of the soil, increase farm productivity, reduce pollution and destruction of the environment, prevent the depletion of natural resources, further protect the health of farmers, consumers, and the general public, and save on imported farm inputs. Towards this end, a comprehensive program for the promotion of community-based organic agriculture systems which include, among others, farmer-produced purely organic fertilizers such as compost, pesticides, and other farm inputs, together with a nationwide educational and promotional campaign for their use and processing as well as adoption of organic agriculture system as a viable alternative shall be undertaken.

Salient Extension Provisions

REPUBLIC ACT No. 9710

CHAPTER V
RIGHTS AND EMPOWERMENT OF MARGINALIZED SECTORS

Women in marginalized sectors are hereby guaranteed all civil, political, social, and economic rights recognized, promoted, and protected under existing laws including, but not limited to, the Indigenous Peoples Rights Act, the Urban Development and Housing Act, the Comprehensive Agrarian Reform Law, the Fisheries Code, the Labor Code, the Migrant Workers Act, the Solo Parents Welfare Act, and the Social Reform and Poverty Alleviation Act.

Section 20. Food Security and Productive Resources. - The State recognizes the contribution of women to food production and shall ensure its sustainability and sufficiency with the active participation of women. Towards this end, the State shall guarantee, at all times, the availability in the market of safe and health-giving food to satisfy the dietary needs of the population, giving particular attention to the specific needs of poor girl-children and marginalized women, especially pregnant and lactating mothers and their young children. To further address this, the State shall ensure:

(a) Right to Food. - The State shall guarantee the availability of food in quantity and quality sufficient to satisfy the dietary needs of individuals, the physical and economic accessibility for everyone to adequate food that is culturally acceptable and free from unsafe substances and culturally accepted, and the accurate and substantial information to the availability of food, including the right to full, accurate, and truthful information about safe and health-giving foods and how to produce and have regular and easy access to them;

(b) Right to Resources for Food Production. - The State shall guarantee women a vital role in food production by giving priority to their rights to land, credit, and infrastructure support, technical training, and technological and marketing assistance. The State shall promote women-friendly technology as a high priority activity in agriculture and shall promote the right to adequate food by proactively engaging in activities intended to strengthen access to, utilization of, and receipt of accurate and substantial information on resources and means to ensure women's livelihood, including food security:

(1) Equal status shall be given to women and men, whether married or not, in the titling of the land and issuance of stewardship contracts and patents;

(2) Equal treatment shall be given to women and men beneficiaries of the agrarian reform program, wherein the vested right of a woman agrarian reform beneficiary is defined by a woman's relationship to tillage, *i.e.*, her direct and indirect contribution to the development of the land;

(3) Customary rights of women to the land, including access to and control of the fruits and benefits, shall be recognized in circumstances where private ownership is not possible, such as ancestral domain claims:

- (4) Information and assistance in claiming rights to the land shall be made available to women at all times;
- (5) Equal rights to women to the enjoyment, use, and management of land, water, and other natural resources within their communities or ancestral domains;
- (6) Equal access to the use and management of fisheries and aquatic resources, and all the rights and benefits accruing to stakeholders in the fishing industry;
- (7) Equal status shall be given to women and men in the issuance of stewardship or lease agreements and other fishery rights that may be granted for the use and management of coastal and aquatic resources. In the same manner, women's organizations shall be given equal treatment as with other marginalized fishers organizations in the issuance of stewardship or lease agreements or other fishery rights for the use and management of such coastal and aquatic resources which may include providing support to women-engaged coastal resources;
- (8) There shall be no discrimination against women in the deputization of fish wardens;
- (9) Women-friendly and sustainable agriculture technology shall be designed based on accessibility and viability in consultation with women's organizations;
- (10) Access to small farmer-based and controlled seeds production and distribution shall be ensured and protected;
- (11) Indigenous practices of women in seed storage and cultivation shall be recognized, encouraged, and protected;
- (12) Equal rights shall be given to women to be members of farmers' organizations to ensure wider access to and control of the means of production;
- (13) Provide opportunities for empowering women fishers to be involved in the control and management, not only of the catch and production of aquamarine resources but also, to engage in entrepreneurial activities which will add value to production and marketing ventures; and
- (14) Provide economic opportunities for indigenous women, particularly access to the market for their produce.

In the enforcement of the foregoing, the requirements of law shall be observed at all times.

IMPLEMENTING RULES AND REGULATIONS OF REPUBLIC ACT NO. 9710 OTHERWISE KNOWN AS THE "MAGNA CARTA OF WOMEN."

RULE V

RIGHTS AND EMPOWERMENT OF MARGINALIZED SECTORS

Section 23. Food Security and Productive Resources – The State recognizes the contribution of women to food production and shall ensure its sustainability and sufficiency, including in the context of climate change, with the active participation of women. Towards this end, the State shall guarantee, at all times, the availability in the market of safe and health-giving food to satisfy the dietary needs of the population, giving particular attention to the specific needs of poor girl-children and marginalized women, especially pregnant and lactating mothers and their young children.

The Department of Agriculture (DA), in coordination with other concerned departments, LGUs, and stakeholders shall: (a) undertake programs and projects on food security that are gender-responsive; (b) recognize women as farmers and fisherfolk and give them equal opportunities to participate in programs and projects; (c) ensure the active and direct participation of rural women's groups, other than Rural Improvement Clubs, in policy and program formulation, planning and designing, implementation, monitoring and evaluation of DA programs at the local levels including, but not limited to, the rice master plan; (d) ensure that girl-children and women benefit from all DA programs; (e) ensure food safety by strengthening food management, control and regulatory systems, including provision of necessary facilities; and (f) promote community-based seed banking initiated and operated by women and barangay level sustainable resource management.

LGUs shall formulate and implement a community-based food security plan that shall respect religious and cultural practices. The plan shall be integrated into the development plans of the LGUs to ensure that it is funded and implemented. Women's groups shall actively participate in planning and designing, implementing, monitoring and evaluating the plan.

A. Right to Food

1. The DA shall:

- a) In coordination with other agencies, involve women in food production, processing, and marketing programs;
- b) In coordination with the Department of Science and Technology (DOST) – Industrial Technology Development Institute (ITDI), provide updated, useful information and gender-sensitive technologies for production, processing, and marketing of food products;
- c) In coordination with the LGUs, strengthen the capacities of women by designing and implementing appropriate training programs for food security;
- d) Involve women in food security program development, implementation, monitoring and evaluation; and e. Promote the use of organic fertilizer in food production.

2. The DTI and Food and Drug Administration (FDA), in coordination with other concerned agencies, shall provide timely and accurate information on food safety such as, but not limited to, labeling and traceability.

3. The DOST, Department of Energy (DOE), DA and other concerned agencies shall encourage the use of alternative or renewable energy in food production.

B. Right to Resources for Food Production

1. Equal status shall be given to women and men, whether married or not, in the titling of the land and issuance of stewardship contracts and patents. Further:

- a. The Department of Agrarian Reform (DAR) shall issue the Emancipation Patent (EP) and Certificate of Land Ownership Award (CLOA), to all qualified beneficiaries regardless of sex, civil status, or physical condition. In order to protect the rights of legally married spouses where properties form part of the conjugal partnership of gains or absolute community property, the names of both shall appear in the EP and CLOA preceded by the word "spouses." In unions where parties are not legally married, the names of both parties shall likewise appear in EP and CLOA with the conjunctive word "and" between their names;
- b. DAR shall screen bonafide agrarian reform beneficiaries (ARBs). As such, either spouse or party in a relationship who individually possess qualifications shall have the right to identification, screening, and selection of ARBs;
- c. In no case shall a woman be excluded either in the titling of the land or issuance of stewardship contracts and patents on the account of sex, being married, or being in a union without marriage to an agrarian reform beneficiary;
- d. The Department of Environment and Natural Resources (DENR) shall issue Certificate of Stewardships in the name of both spouses who shall then be co-stewards of the land;
- e. The DENR shall ensure that women, regardless of civil status, shall enjoy equal rights as men in the filing, acceptance, processing, and approval of public land applications;
- f. All concerned agencies shall review and revise their judicial and administrative forms, harmonize their database, and generate sex-disaggregated information; and
- g. The Land Registration Authority (LRA) shall comply with the provisions of the Act and these Rules and Regulations.

2. Equal treatment shall be given to women and men beneficiaries of the agrarian reform program, wherein the vested right of a woman agrarian reform beneficiary is defined by a woman's relationship to tillage, i.e., her direct and indirect contribution to the development of the land. Further:

- a. The DAR, in coordination with other concerned agencies, shall develop guidelines that will recognize women's paid and unpaid work as bases for her direct and indirect contribution in the development of the land; and
- b. Both spouses and parties shall be accorded equal rights and access in availing of support services as provided for in agrarian reform laws, without discrimination of sex. It shall be the joint

and mutual obligation and responsibility of both spouses and parties that the support services extended to them by DAR, DA, and other concerned agencies be fully and exclusively utilized for the intended purpose.

3. Customary rights of women to the land, including access to and control of the fruits and benefits, shall be recognized in circumstances where private ownership is not possible, such as ancestral domain claims. Further:
 - a. Property rights under customary laws shall be respected as long as they are not discriminatory to women;
 - b. The management and utilization of forest resources shall provide equal opportunities for men and women to participate and share in attendant responsibilities and benefits;
 - c. In developing Comprehensive Development and Management Plans (CDMP), Industrial Forest Management Agreement (IFMA) holders shall integrate gender concerns including the equitable participation of women in implementing the CDMP and enjoying the fruits thereof; and
 - d. The DA, in coordination with NCIP and other concerned agencies, shall promote the application of indigenous knowledge and practices on food production and preservation.
4. Information and assistance in claiming rights to the land shall be made available to women at all times. All concerned agencies with land management programs shall develop programs to provide information, education and communication, and assistance in claiming rights.
5. Equal rights of women to the enjoyment, use, and management of land, water, and other natural resources within their communities or ancestral domains shall be guaranteed. Further:
 - a. Women shall participate in the management of protected areas;
 - b. The Department of Tourism (DOT) shall promote community-managed, eco-tourism projects participated by women stakeholders from the community; and
 - c. Government agencies in-charge of irrigation and watershed management shall provide access to small irrigation and rainwater harvesting facilities as well as programs on the rehabilitation of watershed areas to small women farmers.
6. Equal access to the use and management of fisheries and aquatic resources, and all the rights and benefits accruing to stakeholders in the fishing industry shall be guaranteed. Further:
 - a. The DA, through the Bureau of Fisheries and Aquatic Resources (BFAR), in coordination with National Fisheries and Aquatic Resources Management Council (NFARMC), shall assist the LGUs in developing a standard registration form for municipal fisherfolk, fishing vessels, and gears as stated in Section 19 of the Philippine Fisheries Code of 1998. The Registry of Municipal Fisherfolk shall serve as a basis for the identification of priority municipal fisherfolk who shall be allowed to fish within the municipal waters;
 - b. LGUs shall maintain an updated database of women fisherfolk that may be accessed by BFAR, PCW and other interested institutions for program development and policy-making; and
 - c. Women fisherfolk shall be entitled to benefits and privileges accorded to other workers under the Labor Code, Social Security System (SSS) and other laws.
7. Equal status shall be given to women and men in the issuance of stewardship or lease agreements and other fishery rights that may be granted for the use and management of coastal and aquatic resources. In the same manner, women's organizations shall be given equal treatment as with other marginalized fishers organizations in the issuance of stewardship or lease agreements or other fishery rights for the use and management of such coastal and aquatic resources which may include providing support to women engaged coastal resources.

The LGUs and BFAR shall ensure the full participation of women in the planning and designing, implementation, monitoring, and evaluation of coastal resource management programs; and designate coastal areas to be managed by women

8. There shall be no discrimination against women in the deputization of fish wardens. Towards this end, the LGUs shall:
 - a. Deputize women who are already functioning as fish wardens within six (6) months upon adoption of these Rules and Regulations;
 - b. Provide venues where women's roles as effective fish wardens will be recognized;
 - c. Provide capacity development training for women fish wardens; and

- d. Provide social and legal protection for all deputized fish wardens
9. Women-friendly and sustainable agriculture technology shall be designed based on accessibility and viability in consultation with women's organizations. Further:
 - a. All concerned agencies involved in research and development, including SUCs and higher education institutions (HEIs), shall allocate budget for basic and applied research to develop and promote women-friendly technologies;
 - b. The DA-Bureau of Post-Harvest Research and Extension (BPRE) shall design and promote the commercial use of improved post-harvest processing facilities and equipment of selected commercial crops among women and men, farmer-groups, processors and small-holder entrepreneurs to reduce post-harvest losses and increase income derived from value-added processing operations;
 - c. The BFAR and Philippine Fisheries Development Authority (PFDA) shall design and promote the use of women-friendly fishing gears and post-harvest facilities and equipment;
 - d. The National Dairy Authority (NDA) shall design and promote women-friendly dairy technologies;
 - e. The DOST shall promote appropriate women-friendly technologies and support women, inventors and scientists;
 - f. The DA-Agricultural Training Institute (ATI) shall include sustainable agriculture practices and technologies, including varietal selection and community seed banking in its training programs; and
 - g. DA and LGUs shall ensure participation of rural women by tapping existing peoples' organizations, NGOs and rural women groups in their training on food production with an emphasis on sustainable agriculture and fisheries such as but not limited to production of organic inputs and fertilizers, natural farming and vermicomposting, and other technologies.
 10. Access to small farmer-based and controlled seeds production and distribution shall be ensured and protected. Towards this end, the DA shall:
 - a. Provide access to seeds production, including both traditional and locally adapted varieties, planting materials, fingerlings, and broodstocks for women small farmers and fisherfolks;
 - b. Include all women's organizations in its indigenous vegetables production projects;
 - c. Ensure access of small farmers and fisherfolk in seeds production and distribution as well as the improved breed of animals;
 - d. Provide access to seed technology updates; and
 - e. Together with LGUs, develop and implement community seed banking and farmer-to-farmer seed exchange.
 11. Indigenous practices of women in seed storage and cultivation shall be recognized, encouraged, and protected. Towards this end, the NCIP and concerned agencies shall:
 - a. Provide information on indigenous farming and fishing practices; and
 - b. Promote and improve indigenous knowledge and practices.
 12. Equal rights shall be given to women to be members of farmers' organizations to ensure wider access to and control of the means of production. Further:
 - a. DA, DTI, and other concerned agencies shall provide support for marketing, credit, technologies, and training for women; and
 - b. Ensure membership of marginalized women in councils for sustainable development that are created pursuant to existing laws.
 13. Provide opportunities for empowering women fishers to be involved in the control and management, not only of the catch and production of aquamarine resources but also, to engage in entrepreneurial activities which will add value to production and marketing ventures. For this purpose, the DA shall undertake the following:
 - a. Provide a capability-building program to promote greater bankability and worthiness of municipal and small scale women commercial fishers. Such program shall include organizing activities, technology transfer, and skills training related to commercial fishing as well as credit management. Groups and cooperatives organized under the program shall have priority access over credit and other funds for women fisherfolk;
 - b. Conduct information campaigns to promote the capability-building and credit programs to women fisherfolk; and
 - c. Open special credit windows in existing government financing institutions for women fisherfolk.
 14. Provide economic opportunities for the indigenous and rural women particularly access to the market for their produce. In the enforcement of the foregoing, the requirements of the law, such as free and prior informed consent, shall be observed at all times. Further:

- a. DA, Department of Public Works and Highways (DPWH), DAR, and LGUs shall ensure access and links of production areas to markets and stimulate economic activities in the communities as well as provide better access to social services by constructing farm-to-market roads in the rural areas; and
- b. DA, DTI, TESDA, NCIP, DENR, and SUCs/HEIs shall provide training on the marketing of agricultural and forestry products to ensure delivery of produce. These include market opportunity awareness, technology transfer on processing, labeling, and packaging.

Sources:

Retrieved from https://www.lawphil.net/statutes/repacts/ra2009/ra_9710_2009.html and https://www.coa.gov.ph/gad/resources/downloads/RA_Circular/RA_9710_with_IRR.pdf