

The Climate Change Act of 2009: Philippines' Response to World's Changing Condition¹

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INTRODUCTION

Climate change is the most serious and most pervasive threat facing humanity today³. The Intergovernmental Panel on Climate Change, the highest scientific body responsible for evaluating the risk of climate change, reported that warming of the earth's surface is unequivocal. If left uncontrolled, impacts of climate change to human and nature are unprecedented and will continuously affect lives of future generations.

Section 16 of the 1987 Philippine Constitution declared that the State shall protect and advance the right of the people to a balance and healthful ecology in accord with the rhythm and harmony of nature. It is in this statement where the creation of the Republic Act (R.A.) No. 9729 otherwise known as the Climate Change Act of 2009 was built upon. The law which was enacted on July 27, 2009 was primarily conceived as the country's response to the worldwide phenomenon on climate change. Towards the attainment of this goal, R.A. No. 9729 allowed mainstreaming of climate change into government formulation of programs and projects, plans and strategies, and policies, creation of Climate Change Commission, and establishment of Framework Strategy and Program for climate change.

Mainstreaming of Climate Change into Government Policy Formulation. R.A. 9729 calls for the State to integrate the concept of climate change in various phases of policy formulation, development plans, poverty reduction strategies, and other government development tools and techniques. This is to ensure that government plans and actions are founded upon sound environmental considerations and sustainable development principles. Aside from that, the government shall take into consideration gender-sensitive, pro-children, and pro-poor perspective as an input to its climate change efforts, plans, and programs. Likewise, the

¹ A short policy paper submitted to the Food and Fertilizer Technology Center (FFTC) for the project titled "Asia-Pacific Information Platform in Agricultural Policy". Short policy papers, as corollary outputs of the project, describe pertinent Philippine laws and regulations on agriculture, aquatic and natural resources.

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³ Discussions are lifted on the preface of National Framework Strategy on Climate Change 2010 – 2022.

government shall encourage the participation of the national and local government, businesses, non-government organizations (NGOs), and local communities and public to mitigate the adverse effects of climate change. This is to align initiatives on climate change into a collective approach (e.g. the disaster and risk reduction measures integrated to climate change programs and initiatives).

Creation of Climate Change Commission. The Climate Change Commission (CCC), an attached agency to the Office of the President, was created as the lead policy making body on concerns related to climate change. The CCC is tasked to coordinate, formulate, and monitor and evaluate programs and actions on climate change.

Ultimately, the CCC's primary goal is to formulate the National Framework Strategy on Climate Change which shall serve as basis in formulating and developing programs on climate change planning, research and development (R&D), and monitoring of activities. Further, the CCC supports capacity building activities of and provides technical and financial assistance extension to agencies and institutions. It also recommends key development investment areas on climate-sensitive sectors such as water resources, agriculture, and forestry.

The Commission is composed of 27⁴ government agencies, local government units and representatives from the academe, business sector, and NGOs which formed part of the Advisory Board. It is chaired by the President of the Philippines together with three (3) Commissioners, one being the Vice-Chairperson. The CCC also constituted a panel of technical experts consisting of practitioners of climate change-related disciplines. The panel of technical experts primarily provides technical advices on climate science, technologies, and best practices for risk assessment and management to the Commission.

Formulation of Framework Strategy and Program on Climate Change⁵. The National Framework Strategy on Climate Change (NFSCC) was established to serve as the roadmap for national programs and plans towards more climate risk-resilient Philippines. Its main goal is to build the adaptive capacity of communities, increase the resilience of natural ecosystems to climate change, and optimize mitigation opportunities towards sustainable development. As a principle, NFSCC serves as the framework for the formulation of climate change action plans both at the national and local level.

⁴ In July 2011, the Climate Change Act of 2009 was amended by RA 10174 entitled "An Act Establishing the People's Survival Fund to Provide Long-term Finance Streams to Enable the Government to Effectively Address the Problem of Climate Change. The law amended the 23 members that initially composed the CCC advisory board. From 23, four more advisory board members were added namely the Secretaries of Department of Budget and Management and Department of Finance, the Chairperson of the National Youth Commission, and the President of the Sangguniang Kabataan National Federation.

⁵ Discussions are lifted from National Framework Strategy on Climate Change 2010 – 2022

In 2010, NFSCC identified key result areas (KRAs) or climate-sensitive sectors that would be greatly affected by the phenomenon. The sectors include among others agriculture, biodiversity, infrastructure, energy, and population, health and demography. From these climate-sensitive sectors, objectives and strategies were laid down either in the form of mitigation or adaptation.

Mitigation strategies aimed to facilitate the transition of the country towards low greenhouse gas emissions for sustainable development in the long run. Targets include enhancement of clean energy source; realization of full potential of country's renewable energy capacity; improvement in efficiency of the transport sector through increased uptake of alternative fuels and expansion of mass transport system; reduction of carbon footprints through energy-efficient design and materials for public infrastructure and settlements; reduction of emissions from deforestation and forest degradation; and full implementation of proper waste management.

Adaptation strategies on the other hand, aimed to build the adaptive capacity of communities and to increase the resilience of natural ecosystems to climate change in the long run. Objectives in each KRA include enhancement of the availability and quality of vulnerability and adaptation assessment; strengthen the Integrated Ecosystem-based Management in the Philippines through management of watershed ecosystem and multi-polar environments through river basin management approach, improvement of coastal and marine ecosystems and communities' resilience to climate change, and mainstreaming biodiversity adaptation strategies to climate change in government plans and actions; reduction of water sector vulnerability to climate change through participative water governance, resource management and sectoral policy reforms; protection and enhancement of ecosystem and ecosystem services to secure food and water resource and livelihood opportunities; management of health risks brought about by climate change; and reduction of disaster risk from climate change-induced natural hazards.

In order to achieve the objectives in each KRA, cross-cutting strategies are likewise given. These include capacity building, knowledge management and information, education and communication (IEC), R&D, and technology transfer. Implementation on the other hand, is carried out through coordination, financing and partnership among national and local government agencies and other stakeholders.

Development of the National Climate Change Action Plan (NCCAP). In order to detail the proposed strategy under the NFSCC, the NCCAP was developed. Streaming down to the local units, NCCAP served as the guide of the municipal and city governments in drafting their corresponding Local Climate Change Action Plans (LCCAP). In all levels of plans and actions, integration of climate change concept and encouragement of participation and involvement of concerned agencies and units are promoted.

Under the NCCAP, priority programs and activities for the government were developed. Seven priority areas were identified which include: (1) food security; (2) water sufficiency; (3) ecosystem and environmental stability; (4) human security; (5) climate-smart industries and services; (6) sustainable energy; and (7) knowledge and capacity development. On the other hand, the LCCAP vary in each local government and are drafted consistently with the NCCAP. The Barangays, the smallest unit of government in the Philippines, are expected to support the municipal and city government in implementing the climate change-related activities indicated under the LCCAP.

Establishment of People’s Survival Fund (PSF). In July 2011, the Climate Change Act of 2009 was amended to create the PSF. The law creating the PSF is embodied in RA 10174 otherwise known as the “Act Establishing the People’s Survival Fund to Provide Long-term Finance Streams to Enable the Government to Effectively Address the Problem of Climate Change”. The fund is established to finance adaptation programs and projects planned under the NFSCC. An appropriation of one billion pesos (Ph₱ 1,000,000,000) under the General Appropriation Acts served as its opening balance which can be augmented by donations, endowments, grants and contributions. The said fund is being managed by PSF Board lodged under the Commission. The CCC, on the other hand, evaluates and reviews project proposals for funding and recommends approval of the proposal to the PSF Board.

The fund is used to support adaptation activities of local governments and communities. Fund allocation are prioritized based on projects that has, but not limited to the following: (a) level of risk and vulnerability to climate change, (b) participation from the affected communities in the design of the project, (3) poverty reduction potential, (4) cost effectiveness and sustainability, (5) responsiveness to gender-differentiated vulnerabilities, and (6) availability of climate change action plan.

CONCLUSION

The Climate Change Act was enacted to protect the right of the people to a balance and healthful ecology. The law serves as an action plan that lays out the strategies, initiatives, and activities to prepare the country to the inevitable effects of climate change. Both the identified mitigation and adaptation strategies aimed to build a more climate-risk resilient Philippines. In the end, achieving the goals of the plans as stipulated in R.A. 9729 is deemed attainable with the support and assistance of all stakeholders to include among others the national and local government units, the private sector, the NGOs, and the local communities.

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