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1. **What experiences and examples are you aware of that are being faced by particularly individuals and communities in vulnerable situations (as identified above) that have suffered loss and damage due to the adverse impacts of climate change?**

In 2020, while the Philippines was struggling to contain the COVID-19 pandemic, Typhoon Vamco, known locally as Ulysses, made landfall on the largest island, Luzon, causing flooding and landslides that forced many to flee their homes. Media coverage of the category 4 typhoon and its impacts was more comprehensive in the northern and central part of the island where flashfloods inundated large areas of farms and communities, but the experience of the urban poor in a government resettlement project called Kasiglahan Village was as deadly and devastating. Located in the municipality of Rodriguez in Rizal, a province east of Metro Manila, Kasiglahan Village is home to thousands of families who used to live in different parts of the capital region. Many of them were from easements whom government ordered to be relocated to make way for a major flood control project in Pasig River, the main waterway in Metro Manila, in early 2000s. The relocation site expanded to accommodate other informal settler families (ISFs) from other areas, including those who lost their homes to Typhoon Ketsana in 2009. Because of the lack of supply of affordable housing in Metro Manila and surrounding urban areas, some parts of Kasiglahan Village became home to hundreds of ISFs who did or could not qualify to the housing project of the National Housing Authority (NHA).

Typhoon Vamco caught the community of 8,000 families by surprise. They did not expect it to leave such massive damage and traumatic experience because prior to it was a category 5 typhoon that eventually weakened during landfall. As heavy rains poured, rushing water with large logs from allegedly illegal logging operations and thick mud and rocks from quarry sites and denuded forests in the mountains covered Kasiglahan Village in an instant. The substandard houses were not able to withstand the flashflood. Men, women, children, and elderly had to brave the flashflood to move to already overcrowded schools serving as evacuation centers. Some decided to stay on top of the roofs and waited for the water to subside. After the typhoon, an atmosphere of chaos and helplessness shrouded Kasiglahan Village. Roads were inaccessible. Foul smell from decaying bodies of residents and animals as well as from debris and garbage suffocated those who survived.

It was not the first time that Kasiglahan Village experienced massive flooding. Assessments have shown that the location of the housing project is prone to flooding and is near an active earthquake fault line. During Typhoon Ketsana, Kasiglahan Village was also under water. Despite these risks and the disruption in the lives of families after taking them away from their sources of livelihood in the cities, the government continued expanding Kasiglahan Village to accommodate more ISFs. It has become a joke among residents that the government removed them from “danger zones” but placed them in “death zones”. It was particularly more difficult because of the pandemic.

COM and its partners conducted focus group discussions weeks after the disaster. The results were part of a report submitted to the House Committee on Housing and Urban Development of the House of Representatives. It was hoped that the legislators would use the information about the loss and damages suffered by relocated urban poor families to call for an investigation to determine the responsibilities of the NHA, the local government, and the Department of Environment and Natural Resources (DENR).

No actions on the part of the government took place, except for the Department of Public Works and Highways (DPWH) which inspected a damaged riprap along the Montalban River. COM and its partner community organizations in Kasiglahan Village lobbied for funds to improve protective infrastructures and repair damaged houses. There were also calls for the government to not collect payments from the residents; units in housing projects are sold to ISFs at subsidized rates, but poverty prevents many project beneficiaries from paying their monthly amortizations.

*See this policy brief prepared by COM and its partners for more details about the situation of families in Kasiglahan Village after Typhoon Vamco:*

[*https://drive.google.com/file/d/1ZA5vUev7kS2vAhMqn16X1CoNW0FUrqEp/view*](https://drive.google.com/file/d/1ZA5vUev7kS2vAhMqn16X1CoNW0FUrqEp/view)

1. **What legislation, policies and practices do you think are necessary to provide redress for particularly individuals and communities in vulnerable situations that have suffered and will continue to suffer loss and damage due to the adverse impacts of climate change?**

COM is one of the advocates of the **“people’s planning” approach** in which organized communities are capacitated to design projects for the benefit of their members. Such a participatory and consensus-based approach to building the climate resilience of the poor has proven effective in projects such as the in-city housing project for the members of the Alliance of People's Organization along Manggahan Floodway (APOAMF).

APOAMF, with the help of COM and other NGOs, was able to convince the national government to transfer them to an in-city, multistory housing instead of moving them to distant resettlement projects like Kasiglahan Village. APOAMF members used to occupy the banks of Manggahan Floodway, a manmade flood diversion infrastructure traversing Pasig City and two municipalities in the province of Rizal. They were among the most affected by floods brought by Typhoon Ketsana in 2009 and were targeted by government for immediate relocation even if there were no sites available yet. After years of engaging the government and undergoing several capacity-building seminars to be able to advocate effectively, manage a housing project, and strengthen their organization, APOAMF was allowed to stay in the city in a resettlement project with 15 multistory buildings. To date, 750 families are residing in their new community that is just a stone’s throw away from where they used to live.

APOAMF was able to utilize the bottom-up approach to community development, which can be practiced by other grassroots organizations and adopted by government in providing security of land and housing tenure to informal settlers. Security of tenure, in COM’s view, is key to minimizing the suffering that the urban poor experience due to the adverse impacts of climate change. It is crucial for the urban poor who depends on jobs and livelihoods in the city.

1. **Please provide examples of policies and practices (including legal remedies) and concepts of how states, business enterprises, civil society and intergovernmental organizations can provide redress and remedies for individual and communities in vulnerable situations who have suffered loss and damage to the adverse impacts of climate change.**

* Support for “people’s plans”, i.e., community-led projects such as housing, protective infrastructures, solid waste management, urban gardening for food security and livelihood, disaster preparedness, and emergency/humanitarian response (as stipulated in the Sendai Framework).
* Prioritization of upgrading of informal settlements and in-city resettlement. Keeping the urban poor’s access to their sources of livelihood in cities will help build their resilience.

To cite one example: Portions of Lupang Arenda, a large informal settlement in Rizal province located south of Metro Manila, were declared as a socialized housing site for current occupants. This was after persistent advocacy of organized communities whose members are almost always affected by floods. While waiting for the declaration, the community organizations, with the help of COM and other NGOs, prepared site development plans through the “people’s plan” approach. With their land tenure regularization in process, the site development plan, which includes improving canals and drainages and retrofitting dwelling structures to comply with building safety standards, would be realized and eventually result in reduced flood risk and hazards.

* Institutionalization of a national land use policy. A national land use act would “govern the management and execution of a comprehensive land use system and physical planning mechanism in terms of land protection, production, infrastructure use, and settlement uses” ([The Philippine Greenprint](https://www.greenprint.ph/national-land-use-act)). Bills have been filed in Congress since 1994 but not a single version has reached and signed by the president.

1. **Please provide examples of ways in which States, the business enterprises, civil society and intergovernmental organizations have provided redress and remedies for individuals and communities in vulnerable situations who have suffered loss and damage due to the adverse effects of climate change.**

Many government agencies have “quick response funds” (QRF) or built-in budget allocation “that represent pre-disaster or standby funds for agencies in order to immediately assist areas stricken by disasters and calamities” ([DBM](https://www.officialgazette.gov.ph/2016/05/03/dbm-p842m-quick-response-funds/)). These funds are used for purchasing family food packs, implementing cash- or food-for-work program, providing shelter assistance, and sending additional relief supplies. Agencies may request the Department of Budget and Management (DBM) for augmentation when their QRF gets depleted. The projects and programs funded by the QRF, however, tend to provide temporary assistance to disaster victims.

The NHA has housing assistance programs for calamity victims. This include the “provision of housing materials assistance (HOMA) to families whose homes are partially damaged by calamities in the “safe-zone” but do not require relocation and resettlement” ([NHA](https://nha.gov.ph/programs/housing-assistance-programs-for-calamity-victims/)). In the case of relocated families in Kasiglahan Village whose houses were partially or totally damaged by floods brought by Typhoon Vamco, the NHA, through its Emergency Housing Assistance Program (EHAP), provided each household Php 5,000.[[1]](#footnote-1) Aside from its being not sufficient to rebuild houses, not all families were qualified to receive the assistance.

The People's Survival Fund (PSF) was created by Republic Act 10174 as an annual fund intended for local government units and accredited local/community organizations to implement climate change adaptation projects that will better equip vulnerable communities to deal with the impacts of climate change. Accessing the funds, however, has not been easy for grassroots communities especially if they are not prioritized by their local government officials.

1. **What international, regional and national policies and legal approaches are necessary to protect current and future generations and achieve intergenerational justice for particularly for individuals and communities, from the adverse impacts of climate change?**

At the international level, the following policies and agreements must be upheld: (1) the Paris Agreement, (2) the Sendai Framework; and the (3) Sustainable Development Goals (SDGs). However, from the perspective of developing and vulnerable countries like the Philippines, climate justice must be central to any climate commitment or action. This can come in the form of adequate and sustained assistance of developed nations to those that suffer the effects of their huge carbon emissions.

Local mitigation measures are supported by existing laws on scaling up renewable energy. Transition from coal to other alternatives must be pursued and made known to people. Several cities have banned the use of single-use plastics and alternative packaging has become a common income-generating project in urban poor communities. Adaptation measures such as protective infrastructures must be of good quality to avoid what happened in Kasiglahan Village.

Community resilience is built with the help of NGOs like COM, which, in its partner communities, emphasizes the role of women and youth in climate change mitigation and adaptation as well as in disaster risk reduction and management. The government, through the Climate Change Commission and in the enforcement of climate laws such as Republic Act 10121 or the Disaster Risk Reduction & Management Act, must explore ways to work with grassroots communities and civil society groups that deal with the effects of climate-induced disasters and contribute to delivering humanitarian assistance to disaster victims and survivors.

1. **In 2021 at 26th session of the UN Climate Change Conference (COP26), some Parties and civil society organizations proposed a new financial facility to support loss and damage.** 
   1. **Please provide ideas and concepts on how a new facility would operate and how the funds needed to underwrite this fund would be established and maintained.**

With much of government resources now allocated for managing the pandemic and mitigating its effects, it will indeed be a challenge for the Philippine government to allocate funds for supporting those who suffered loss and damage because of climate change, especially the urban poor. The limited budget allocations to recovery and reconstruction, not to mention the bureaucratic processes, slow down efforts to rebuild the lives of those affected by typhoons and similar disasters. The government, with the help of other sectors, must improve its overall disaster risk financing and insurance (DRFI) program and look for ways to generate resources for emergency response and resilience building.

Investments in building the capacities of communities for resilience-building and scaling up community-led efforts can also be explored. These must also be subjected to proper transparency measures and involve community participation.

* 1. **Please provide ideas and concepts on how a new financial facility for loss and damage could provide redress and remedies for individuals and communities in vulnerable situations who have suffered loss and damage due to the adverse impacts of climate change.**

The following principles may be helpful: rights- and needs-based approach to community development; accountability and transparency; combining of science and indigenous knowledge and practices; gender sensitivity; accessible management structures and mechanisms (i.e., less bureaucracy); participatory and empowering; localized and with recognition of and support for the role of grassroots organizations.

1. **What actions are necessary to enhance actions by States, business enterprises, civil society and intergovernmental organizations to dramatically increase efforts to reduce emissions of greenhouse gases, including through support to developing countries, in particular small island developing States, least developed countries and landlocked developing States, to limit the human rights impacts on particularly individuals and communities in vulnerable situations to the adverse impacts of climate change?**

COM and its partner communities have been participating in advocacies calling for the end of destructive mining and activities such as quarrying and illegal logging (which were identified as culprits in the massive floods that affected Kasiglahan Village [see #1]) as well as the passage of a law that recognizes the rights of nature. Its community organizing work has integrated climate change education, including the promotion of efficient mass transportation and biking. It has partnered with groups engaged in “green architecture” to give the urban poor ideas on how they can contribute to reducing carbon emissions and managing household wastes.

1. **What actions are necessary to enhance actions by States, business enterprises, civil society, and intergovernmental organization to increase efforts to ensure that actions to adapt to the impacts of climate change contribute to reducing, and not exacerbating, the vulnerabilities of individuals and communities in vulnerable situations to the adverse impacts of climate change.**

The government must take the lead in stopping destructive industries by taking its regulatory functions seriously and putting in place a rational land use policy. Protective infrastructures should be prioritized especially for vulnerable communities such as informal settlements. Any interventions must also involve the people.

Through corporate social responsibility projects, businesses can support community-initiated climate change adaptation and mitigation projects. NGOs doing community organizing can help facilitate these so that appropriate attitudes and behaviors are developed. The role of the grassroot organizations in preparedness response, rehabilitation and reconstruction must be recognized by the government and the public in general.

All these must be supported with adequate public funding (e.g., the People Survival Fund) and augmented by private sector resources.

1. USD 1 = PHP 48 in December 2020. [↑](#footnote-ref-1)