



PERMANENT MISSION OF THE REPUBLIC OF THE PHILIPPINES  
TO THE UNITED NATIONS AND OTHER INTERNATIONAL  
ORGANIZATIONS, GENEVA

**NV-EPG-312-2022**

The Permanent Mission of the Republic of the Philippines to the United Nations and Other International Organizations in Geneva presents its compliments to the Office of the United Nations High Commissioner for Human Rights – The Special Procedures Branch and, with reference to the letter dated 26 May 2022 on the request for inputs of Mr. Ian Fry, Special Rapporteur on the Promotion and Protection of Human Rights in the Context of Climate Change, has the honor to provide the Philippines' inputs to the latter's thematic report on "The promotion and protection of human rights in the context of mitigation, adaptation, and financial actions to address climate change, with particular emphasis on loss and damage", to be presented at the 77<sup>th</sup> UN General Assembly in New York.

The Permanent Mission of the Republic of the Philippines to the United Nations and Other International Organizations in Geneva avails itself of this opportunity to renew to the Office of the United Nations High Commissioner for Human Rights the assurances of its highest consideration.

Geneva, 15 July 2022



**OFFICE OF THE UNITED NATIONS HIGH COMMISSIONER FOR HUMAN RIGHTS**

Palais Wilson

52 Rue des Paquis

CH-1201 Geneva

Email : [hrc-sr-climatechange@un.org](mailto:hrc-sr-climatechange@un.org)

**Attention : The Special Procedures Branch**

14-16 Allée David-Morse, 1202 Geneva, Switzerland  
Tel. No.: (+41) 22-7161930 | Fax: (+41) 22-7161932  
email: geneva.pm@dfa.gov.ph | www.genevapm.dfa.gov.ph

**INPUTS OF THE PHILIPPINES TO THE SPECIAL RAPPOREUR'S  
THEMATIC REPORT ON THE PROMOTION AND PROTECTION OF HUMAN  
RIGHTS IN THE CONTEXT OF MITIGATION, ADAPTATION, AND FINANCIAL  
ACTIONS TO ADDRESS CLIMATE CHANGE, WITH PARTICULAR EMPHASIS ON  
LOSS AND DAMAGE**

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

The Philippines is considered as one of the top five countries most vulnerable to climate change (2020 Climate Risk Index) in terms of tropical cyclones that reach an average number of 19-20 tropical cyclones per year. From the observations of the Philippine Atmospheric, Geophysical and Astronomical Services Administration (PAGASA), while there has been no significant trends in terms of numbers of tropical cyclones (19-20 TCs annually), there has been, however, an increase in the number of strong tropical cyclones with maximum wind speeds of greater than 170km/h in recent years. Moreover, Southwest Monsoon (Habagat) is part of natural variability but the occurrence of the Enhanced Southwest monsoon is seen to be active phase/frequent in the recent years.

With the recurrence of super typhoons and intense rainfalls for more than a decade ago which have become more intensified and severe in the recent years, many of the country's climate vulnerable provinces (usually located along the coastal areas and landslide-prone areas) have been severely devastated in terms of loss of lives, damage to ecosystems and biodiversity, thereby resulting to loss of livelihoods and agricultural crop production (food insecurity), damage to settlements and infrastructure leading to massive disruption in the provision of water, power, communication, transportation, health services and other basic utilities.

**2. What legislation, policies and practices do you think are necessary to provide redress for 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?**

The Philippines calls for assistance to developing countries in having transparent and evidence-based delivery of loss and damage-related technical assistance and other means of implementation, such as climate finance, capacity building and technology transfer from the developed countries under the Paris Agreement. It is likewise important to establish an MRV (measurement, reporting and verification) system that would keep track of the progress made, including support received, in addressing losses and damages.

Further, the country reiterates the call for developed countries to support in addressing the increasing and evolving exposure and vulnerabilities through adequate risk management approaches and systems, including capacity-building and risk assessments, subject to the support modalities and approaches, such as through the Santiago Network which shall provide technical assistance related to loss and damage. The Santiago Network (for averting, minimizing, and addressing loss and damage associated with the adverse effects of climate change) must have the following functions:

- Identifying and communicating relevant technical assistance needs and priorities;
- Connecting those seeking technical assistance with best-suited organizations, bodies, networks, and experts; and
- Sourcing and accessing technical assistance available, including from such organizations, bodies, networks, and experts.

**3. Please provide examples of policies and practices (including legal remedies) and concepts of how States, business enterprises, civil society and intergovernmental organisations 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.**

There is a need to support the development and implementation of risk transfer mechanisms for climate vulnerable countries, such as but not limited to catastrophe bonds, parametric insurance, and forecast-based financing, including capacity-building for low-income subnational units, subject to the support modalities and approaches, such as through the Santiago Network.

Further, the need to establish a financing facility for loss and damage is crucial to facilitate provision and easy access to climate finance, especially to developing countries given the urgency to scale up action to avert, minimize, and address losses and damages.

**4. 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?**

The United Nations Framework Convention on Climate Change (UNFCCC) being itself one of the international agreements addressing the goals of sustainable development provides for intergenerational justice and protection from the adverse impacts of climate justice. This has been further strengthened by the Paris Agreement which provides for intergenerational equity for humankind and respect, promotion and consideration of human rights including the rights to health, the rights of indigenous peoples, local communities, migrants, children, persons with disabilities and people in vulnerable situations, in addressing climate change.

**5. In 2021 at 26th session of the UN Climate Change Conference (COP26), some Parties and civil society organisations proposed a new financial facility to support loss and damage. 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 and how this 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 proposed loss and damage financing facility shall mainly focus on providing the means to address loss and damage particularly, in helping affected people to recover from the impacts of climate change which have already infringed on their capacity to adapt. The facility specifically intends to facilitate the provision of climate finance. As such, the operation of the facility should be largely anchored on the concept of climate justice. Expected to have an effective and efficient system, the facility should also be guided by the principles of being new and additional, accessibility, predictability, sustainability, transparency and accountability, measurability, demand- or country-

driven, expeditious, needs-based, and blended approach of grants, investments, and subsidies.

**6. What actions are necessary to enhance actions by States, business enterprises, civil society and intergovernmental organisations 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?**

The role of multilateralism and partnerships with and collaboration among the private/business sector organizations, the academic/research institutions, the local government units, and the civil society organizations/NGOs is key to catalyzing urgent actions on climate change adaptation and mitigation and to facilitate formulation of appropriate and enabling policies and regulations to protect human rights and promote intergenerational equity.

**7. What actions are necessary to enhance actions by States, business enterprises, civil society and intergovernmental organisation 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?**

There is a need for enhanced support for adaptation, particularly climate finance, public-private green investments, subsidies addressing the needs of vulnerable communities, research and technology development, among others, to assist developing countries in improving enabling environments, policy frameworks, institutions and national public financial management systems, and assessment methodologies for reviewing effectiveness of adaptation and support.

There is also a need to have international or domestic legal frameworks support migrants displaced by environmental degradation. Concrete mobilization procedures and actions for the protection of people affected by issues of climate-related migration, displacement and resettlement should also be addressed by international policy.