

**Inputs to the Questionnaire in relation to the Report of the UN Special Rapporteur on the right to adequate housing to the 52nd session of the Human Rights Council**

**31 August 2022**

The following inputs from the Commission on Human Rights of the Philippines (hereinafter the “Commission”)[[1]](#footnote-0) took into consideration local and international reports from government, civil society, the media, and international non-governmental organizations. This submission also utilized the Commission’s own documentation of independent monitoring activities and statements.

***a.Impact of climate change on the right to adequate housing***

*In real life*

In your country, what have been the main effects of the climate crisis, on the enjoyment of the right to adequate housing? Please specify whether there have been any climate-induced impacts on the security of tenure, availability, affordability, accessibility, habitability, location and cultural adequacy of housing, including climate crisis related displacement.[[2]](#footnote-1)

1. Climate change is driving internal displacement and homelessness in the Philippines despite laws and international treaty bodies recognizing the right to adequate housing.[[3]](#footnote-2) In 2021 alone, 5.6 million people were displaced in the Philippines due to natural disasters, a number nine times higher than the previous year.[[4]](#footnote-3) A huge part of the number constitutes displacements caused by typhoons, such as Typhoon Odette and Typhoon Auring. Climate change has exacerbated the occurrence and effects of extreme weather events in the Philippines. Typhoons and storm surges displace up to millions every year. Millions of homes were damaged or completely destroyed, and many Internally Displaced Persons (IDPs) live temporarily in evacuation centers or transitory sites, or become home-based IDPs (staying with friends or family).

2. As seen in the aftermath of Typhoon Haiyan, and other typhoons that hit the Philippines, affected persons were forced to stay at evacuation centers for prolonged periods, with some needing to stay in tents and other temporary structures for months.[[5]](#footnote-4) The Philippine Commission on Women emphasizes women’s and girls’ specific needs in evacuation centers.[[6]](#footnote-5) Women and girls’ increased vulnerability to gender-based violence post-disaster and in evacuation centers should be recognized and addressed; of equal importance is taking into consideration women's reproductive health and needs (i.e, pregnancy, hygiene, menstruation) and the prevalent social and gendered norms that significantly affect women and girls’ ability to survive.[[7]](#footnote-6)

4. After the 2021 Typhoon Odette/Rai, many coastal areas were declared as “No-Build Zones (NBZ)”[[8]](#footnote-7) or danger zones by the environmental department, for safety purposes. This affected in particular many fishing communities who are now waiting to be relocated, although the relocation process is not being implemented with full consultation with those to be relocated, and may also mean that many fisherfolks will lose their livelihoods as relocation sites are far from fishing areas.[[9]](#footnote-8)

5. The (IPCC) has likewise stated that climate change, particularly sea level rise and storm surges, will directly impact coastal settlements and low-lying island States.[[10]](#footnote-9) As illustrated in the National Inquiry on Climate Change Report:

6. In Marinduque, sea level rise and soil erosion have displaced coastal communities. With the ocean eating up the coast, residents in these communities felt unsafe, leading many to relocate.[[11]](#footnote-10) In the Verde Island Passage, islets that served as natural barriers have been slowly submerging, increasing the coast’s vulnerability to storm surges[[12]](#footnote-11)

**b. Are there differences how the climate crisis affects the right to adequate housing in urban and rural areas? If yes, is there an interrelationship between the two?**

7. Yes, the International Fund for Agricultural Development (IFAD) reports, revealed that more than half of the Philippine population live in rural areas and more than a third of them are poor. Agriculture is the primary source of income for poor rural people, and this is the major source for many of the poorest households.[[13]](#footnote-12) The Special Rapporteur on the right to food has outlined how climate change impacts food availability, accessibility, adequacy and sustainability.[[14]](#footnote-13)

8. Poverty and inequality are considered as risk drivers of disaster. In documenting the experiences of women in rural poverty conditions and the after effects of typhoons, Barrameda[[15]](#footnote-14) found that typhoons further aggravate poor households’ situation and that women have gender-specific concerns which are often overlooked resulting in gender-blind programs that assume common needs and circumstances.[[16]](#footnote-15) The NICC Report[[17]](#footnote-16) finds that women from rural areas are more severely affected by climate impacts because:

(i) women have fewer assets to fall back on in case of crop failure due to extreme weather events;

(ii) women are tasked with managing household expenses and often fall into chronic indebtedness to bridge resource gaps; and

(iii) women prioritize the food needs of male household members and children during food shortages. This often pushes women to migrate overseas to supplement the family income, making them more vulnerable to trafficking, sexual exploitation, and other abuses.[[18]](#footnote-17)

9.In both urban and rural areas, the lack of access to and control over land aggravates the vulnerability of men and women. But there are also contextual dimensions, social and traditional contexts, and gender-differentiated norms that must be taken into consideration. In rural areas, this is more apparent where in rural communities and households’ livelihood and food security is dependent on their land. The lack of secure access to land is also closely linked to poverty in rural Philippines.[[19]](#footnote-18) In urban communities with high population densities, increasing poverty, and escalation of land prices, the “critical shortage of affordable land for housing have led to threats of eviction in unauthorized settlements.”[[20]](#footnote-19) People living in informal urban settlements, which account for 45 percent of the Philippines’ urban population, are “particularly vulnerable to floods due to less secure infrastructure, reduced access to clean water, and lack of health insurance.”[[21]](#footnote-20)

**c. Are there groups distinctly affected in the enjoyment of their right to adequate housing as a result of the climate crisis? Please describe in what way.**

11. Internally Displaced Persons (IDPs), particularly those who are in protracted (long-term) displacement, are one of the groups whose right to adequate housing is heavily affected. In these cases, disasters have destroyed their homes to the point that they cannot return to their places of origin and must often depend on the government to be relocated. Transitory sites as well as permanent shelters can still be unsafe, putting affected IDPs at further risk during extreme weather events.

12. Filipino women are adversely impacted in several significant areas such as agriculture production, climate-induced migration, and post-disaster gender-based violence[[22]](#footnote-21). Gender-based discrimination such as women’s insecure land and tenure rights and lack of access to control of economic and natural resources are also aggravated by climate change.

13. Climate change “is one of the biggest threats to children’s health and exacerbates health disparities.”[[23]](#footnote-22) Children not only face mortal dangers due to extreme weather events; their right to access basic necessities like water, food and shelter is also disproportionately jeopardized by extreme weather events.[[24]](#footnote-23)

14. Fisherfolk are one of the most adversely affected. As more typhoons hit the Philippines, their houses near shores are washed away and their implements and fishing boats damaged.[[25]](#footnote-24) Other factors such as “marginalization, insecure housing, limited assets, high costs of fishing equipment, and reliance on uncertain production systems all contribute to the poverty of fisherfolk.”[[26]](#footnote-25) Climate change also has led to a decline in marine capture and consequently a decrease in their income.[[27]](#footnote-26)

15.Environmental degradation affects indigenous peoples and indigenous cultural communities in a number of ways because the “environment is a natural extension of their livelihood, survival, and cultural identity.”[[28]](#footnote-27)

16.Older persons are also among the most vulnerable during extreme weather events, “particularly when separated from their families and caregivers.”[[29]](#footnote-28) Older persons’ “immobility, difficulty crossing terrain, pre-existing conditions, and declining health often lead to inadequate access to food, water, safe housing, and healthcare.”

**d. How is the right to adequate housing ensured for persons that have been internally or internationally displaced by the climate crisis? How and under what conditions is their right to voluntarily return ensured?**

17. Government agencies have processes to give assistance to IDPs whose homes and properties have been partially damaged, including provision of funds for materials to repair their homes. However, this is often insufficient, and houses will still often be inadequate (shelters made of boards or lightweight materials). Those whose houses have been completely destroyed and/or they cannot return to their place of origin often stay in transitory sites while awaiting relocation by the government. The government will then build permanent units to relocate IDPs, although this is usually insufficient or inadequate, and the process often takes years, during which IDPs continue to live in subpar conditions. In many instances, they do not receive adequate information about their relocation or on assistance they may avail of.[[30]](#footnote-29) The government may also facilitate the process of building homes initiated by other humanitarian organizations.

18. Some IDPs do not return to their places of origin for fear of future disasters, in which case they will give up their properties and would stay elsewhere while awaiting durable solutions. If they wish to return, what usually limits them is funds for rebuilding their damaged or destroyed homes. Recently, many IDPs have found themselves unable to return to their places of origin as these have been declared as “No-Build Zones”. If they wish to return temporarily for reasons of livelihood (ex. fishing), they are made to sign a waiver that they will not stay long-term.[[31]](#footnote-30)

**e. When housing has been damaged or lost due to climate-induced events, what has been the related impact on the lives, health and livelihoods of the affected populations?**

19.The Commission echoes the Office of the High Commissioner for Human Rights and their findings that climate change directly and indirectly impacts the whole gamut of human rights under international law[[32]](#footnote-31). Customary international law also accepts the interrelatedness, interdependence, and indivisibility of human rights, which means that one cannot consider civil and political rights (CPR) separately from economic, social, and cultural rights (ESCR).[[33]](#footnote-32) One of the findings of the National Inquiry on Climate Change is that climate change is a grave and urgent human rights concern and that it “negatively affects a host of, if not all, human rights.”[[34]](#footnote-33)

1. Climate change, through sudden onset events, poses a direct threat to human lives and safety, and, through gradual forms of environmental degradation, undermines critical resources that support human life;
2. The impact of climate change on the right to life of the Filipino people is “most pronounced in the death toll and trauma left by extreme weather events. The deadliest in recent history, Super Typhoon Haiyan (local: Yolanda) in 2013 resulted in 6,300 individuals dead, 28,688 injured and 1,062 missing in one swoop;”[[35]](#footnote-34) and
3. The World Health Organization (WHO) also reported that there have been 166,000 deaths from brutal heat waves from 1998 to 2007; the number of deaths is estimated to exponentially increase in the coming decades and projected to be at 250,000 between 2030 and 2050 due to increase in malnutrition, malaria, dengue, diarrhea, and heat stress.[[36]](#footnote-35) “Filipinos carry the brunt of anthropogenic climate change by paying with their lives.” [[37]](#footnote-36)

20. Climate change and typhoons have overwhelmed the Philippines’ public health systems, especially in the provision of mental health services. Survivors of extreme weather events suffer from psychological distress and trauma.[[38]](#footnote-37) In Southern Mindanao, mental health services were exhausted after typhoons and provinces had to ask help from external organizations to respond to the demand.[[39]](#footnote-38)

21. These effects are also systemic and widespread. Further, the National Inquiry on Climate Change Report explains:

1. “Filipinos suffer from illnesses resulting from severe temperature increase, extreme weather conditions, air pollution, food and water shortage, and population displacement. Water and food-borne diseases and vector-borne and rodent-borne diseases have also increased. Heavy rainfall during the wet season, combined with the shortened incubation period of viruses due to elevated ambient air temperatures during droughts, has multiplied the incidence of dengue in the Philippines”.[[40]](#footnote-39)
2. . IDPs often find their lives completely upturned. They lose access to their homes, belongings, and sometimes documentation (which limits their access to government services). Evacuation centers, transitory sites, and sometimes permanent shelters often do not have adequate WASH facilities or water connection, sometimes have no electricity, and are usually cramped with poor partitions for privacy, which increases risks for Gender-Based Violence (GBV). Food aid is also insufficient or lacking in nutritional content, and there have been many children that have been reported to be malnourished. IDPs also have little access to healthcare, and livelihood assistance or programs are usually limited. There is also the issue in which many IDPs, particularly children, may need psychosocial assistance to deal with the trauma of the disasters and displacement.
3. Climate change also robs individuals and communities of their ability to make a living and “places a heavy burden on workers across industries who face job insecurity, lower income, poor working conditions, and increased poverty.”[[41]](#footnote-40) Specific to the experience of Mangyans, an indigenous group that relies on fruit farming for their livelihood, “extreme heat made them unable to produce and sell their usual agricultural products - bananas and coconuts. Often, banana trees wilt and die or produce fruits that are too thin to sell while coconut trees bear fruits with no coconut meat.”[[42]](#footnote-41)

22. Displacement also disrupts their practice of livelihoods, and many may lose their sources of income altogether, making them highly reliant on government assistance all while living in subpar conditions. While adults will lose livelihoods, children often find their schooling interrupted and may need to stop schooling to save up on family expenses. IDPs are then also at higher risks of human trafficking, recruitment to armed forces, or turning to negative coping mechanisms, such as begging.[[43]](#footnote-42) [[44]](#footnote-43)

**f. How have people been able to access redress and compensation for damages to or loss of their housing as a result of the climate crisis and extreme weather events? What are the main obstacles to accessing timely redress and compensation, and what could be effective solutions?**

23. There are available government channels that the public may seek assistance or report their concerns in case the mandated housing agencies are not responsive: .

(i) [The Presidential Complaint Center (PCC)](https://op-proper.gov.ph/presidential-action-center/), a front line desk in the Office of the President, serves as a liaison unit with various departments and agencies of the Government and private institutions/companies on all requests for assistance, and information, as well as complaints and grievances of the general public. The services of the Center are available in various social media platforms and also using regular mail;

(ii) The Department of Justice (DOJ) has established the procedure for handling 8888 and DOJ hotline complaints and concerns. The procedure herein provided shall be applicable to all queries, concerns and complaints received through the 8888 Citizen’s Complaints Center (CCC) portal of the Office of Cabinet Secretary (OCS).[[45]](#footnote-44)

24. The National Disaster Risk Reduction & Management Council (NDRRMC)[[46]](#footnote-45) is the highest organized and authorized body for Disaster Risk Reduction and Management (DRRM) in the Philippines. Established by virtue of Republic Act 10121[[47]](#footnote-46) in 2010, the NDRRMC is composed of various government, non-government, civil sector and private sector organizations. The NDRRMC is vested with the overall policy-making, coordination, integration, supervision, monitoring and evaluation functions focusing on DRRM. One of its functions is to grant no interest loans by government financing or lending institutions to the most affected section of the population during a disaster which includes extreme weather events.

25. The Commission on Human Rights has available online channels that the public can access using the “Public Assistance and Complaint Desk” and for legal assistance, the “Tanggol Karapatan Online E-Lawyering”[[48]](#footnote-47).

**g. Please indicate any key rulings of national courts and tribunals protecting tenants and homeowners from the impact of the climate crisis or on their right to adequate housing or related to climate induced displacement? Please also describe their outcome and impact?**

26. On Dec. 18, 2008, the Supreme Court issued SC Mandamus on Manila Bay (G.R. 171947-48)[[49]](#footnote-48) directing 13 government agencies to clean up, rehabilitate, and preserve Manila Bay, and restore and maintain its waters to SB level[[50]](#footnote-49) to make them fit for swimming, skin-diving, and other forms of contact recreation. Included in the phases of its implementation[[51]](#footnote-50) includes the resettlements of the informals settlers in the vicinity of manila bay

**h. Please explain how natural disaster preparedness, response and recovery/reconstruction strategies and plans ensure non-discrimination?**

27. The CHRP shares the opinion that in implementing adaptation strategies, States should comply with the tenets of climate justice. Climate justice “demands fairness and equity in the way people are treated, linking development and human rights to achieve a rights-based approach in addressing climate change.”[[52]](#footnote-51)

28. Republic Act No. 10121 or the Philippine Disaster Risk Reduction and Management of 2010 aims to develop and strengthen the capacities of vulnerable and marginalized groups (e.g., women, children, elderly, persons with disabilities, and ethnic minorities) in disaster mitigation, preparation, response, and recovery.[[53]](#footnote-52) This law further mandates the establishment of a Barangay Disaster Risk Reduction and Management Committee (BDRRMC) in every barangay, the smallest administrative unit in the Philippines. The BDRRMC requires the membership of two (2) representatives from civil society organizations to ensure the involvement and participation of the vulnerable and marginalized sectors. Further, the National Disaster Risk Reduction and Management Plan 2011-2028 laid down the road map on how “DRRM shall contribute to gender-responsive and rights-based sustainable development.”[[54]](#footnote-53)

**i. How does the housing sector in rural and urban areas contribute to climate change? It may be helpful to think in terms of:**  energy consumption for heating, cooling, cooking, lighting of housing; urban sprawl and related climate impacts (soil sealing, commuter traffic etc.); increase of average per capita living space; water use; emission of pollutants; climate impact of construction and used construction materials; and deforestation, desertification and loss of biodiversity caused by housing development projects

No Available Data

**j. Please provide as well any statistical information on the climate impact of the housing sector compared to other sectors in your country.**

29. Based on the available data from the National Housing Authority (NHA),[[55]](#footnote-54) funding is very essential to ensure that timely and appropriate interventions are made available and accessible to the affected population and communities. Below are the updates on the programs of the NHA:

(i) Housing Program for Families Affected by the 6.5 Magnitude Earthquake in Leyte: Implemented in 2018 to respond to the housing need of low and marginal–income and/or informal settler families affected by the 6.5 magnitude earthquake in Leyte last July 6, 2017;

(ii) Housing Program for Families Affected by Typhoon Usman: Implemented in 2020 to respond to the housing need of low and marginal–income and/or informal settler families affected by Typhoon Usman last December 2018 in the provinces of Albay and Camarines Sur;

(iii) Mindanao Earthquake Permanent Housing: Ongoing construction of housing units in Davao del Sur and Cotabato, with a total program target of 8,270 units. The project is undergoing procurement for remaining housing target;

(iv) Housing Assistance Program for Indigenous Peoples (HAPIP): A program pursued under the framework of RAP-LGU. This is housing assistance to Indigenous Peoples in coordination with NCIP and concerned LGUs;

(v) Build Back Better (Typhoon Quinta, Rolly, and Ulysses): On November 18, 2020, President Rodrigo Roa Duterte issued Executive Order no. 120 to strengthen rehabilitation and recovery efforts in typhoon-hit areas through the creation of the Build Back Better Task Force;

(vi) Balik Probinsya, Bagong Pag-Asa (BP2) Program The BP2, pursuant to EO No. 114, series of 2020, was institutionalized as a pillar of balanced regional development to foster socially cohesive, resilient, and sustainable rural communities;

(vii) Emergency Housing Assistance Program (EHAP) Previously the Housing Materials Assistance Program (HOMA), the EHAP was introduced based on the need to simplify requirements, provide flexibility in the implementation of the program, and enable a faster and quicker response to identified families whose houses are totally or partially damaged by disasters, both natural or man-made. Assistance is either in the form of cash or housing construction materials, in case of the scarce supply of housing materials during large-scale disasters;

(viii) Housing Program for Families Affected by Naga, Cebu Landslide Implemented to respond to the housing needs of low and marginal–income and/or informal settler families affected by the landslide in Brgy. Tinaan, Naga, Cebu last September 20, 2018;

(ix) Housing Program for Families Affected by Taal Volcano Eruption Implemented to respond to the housing needs of low and marginal–income and/or informal settler families affected by the eruption of Taal Volcano last January 2020.

**k. What measures are being implemented in rural and urban areas to reduce and eliminate the adverse impacts of the housing sector on the climate? How successful have been these programmes?**

30. Based on Memorandum Circular No. 2021-095 prescribing the guidelines for implementing halfway houses for the communities in vulnerable areas facing the Pacific Ocean, starting from Cagayan to Northern Mindanao. Another guideline was issued, directing NHA to build houses that are susceptible to the effect of typhoons. These halfway houses shall be calamity-resilient, multi-story buildings designed to withstand super hurricanes, the impact of storm surges, and floods. The are also other measures that NHA is currently implementing to cover both rural and urban areas[[56]](#footnote-55):

(i) The NHA-Memorandum Circular No. 2019-028, renamed the Housing Materials Assistance Program (HOMA) to Emergency Housing Assistance Program (EHAP). This program was introduced based on the need to simplify requirements, provide flexibility in the implementation of the program, and enable a faster and quicker response to identified families whose houses are totally or partially damaged by disasters, both natural or man-made;

(ii) Memorandum Circular No. 2020-007 authorizes NHA to grant a minimum of Five Thousand Pesos (Php 5,000) up to Thirty Thousand Pesos (Php 30,000) per family beneficiary; and

(iii)Memorandum Circular No. 2022- 0045 provides for the procurement of construction materials as an alternative option to cash assistance under a state of calamity.

**l. What specific legislation, policies, or programmes have been adopted to put in place and finance a just transition to a rights-compliant, climate-resilient and carbon-neutral housing for all, without discrimination?**

31. The [Department of Human Settlements and Urban Development or DHSUD](https://dhsud.gov.ph/who-we-are/) is the primary government agency responsible for the management of housing, human settlement and urban development. It was created on February 14, 2019 by virtue of Republic Act 11201.The Department is the sole and main planning and policy-making, regulatory, program coordination, and performance monitoring entity for all housing, human settlement and urban development concerns, primarily focusing on the access to and affordability of basic human needs. The following are policy issuances that serve as guide in ensuring that housing programs/services are without discrimination:

(i)Revised Review and Approval Process of Comprehensive Land Use Plans and Zoning Ordinances of Highly Urbanized Cities (HUCs), Independent Component Cities (ICCs), Component Cities and Municipalities (CCMs), and Metro Manila Cities and Municipalities (MMCMs)[[57]](#footnote-56);

(ii)Authorizing the Use of Video Conferencing Technology and Other Online or Electronic Means in the Conduct of Public Hearings and Consultations on the Draft Comprehensive Land Use Plan and Zoning Ordinance (ZO)[[58]](#footnote-57); and

(iii) Guidelines for the BALAI Filipino Communities Rental Housing Program.[[59]](#footnote-58)

32. The Philippine Development Plan[[60]](#footnote-59) defines human security as the state where the rights of the Filipino family and individuals, especially the poor and vulnerable, are protected and promoted through access to education, health, housing, and social protection, while ensuring environmental sustainability. Security concerns associated with climate change include the potential for conflict over natural resources, population displacement and migration as the result of sea-level rise or other large-scale biophysical, ecological or social disruptions, and the prospect of increasingly frequent humanitarian disasters as the result of extreme climate events. The notion of human security amidst climate change risks, therefore, considers a state or condition where individuals and communities have the options necessary to end, mitigate or adapt to threats to their human, environmental and social rights; have the capacity and freedom to exercise these options, and actively participate in pursuing these options.[[61]](#footnote-60)

**m. What measures have been taken to ensure that the costs of green transition in the**

**housing sector are fairly shared between public authorities, taxpayers, homeowners, and**

**tenants/renters or other affected interest groups, and to ensure the continued**

**affordability of housing?**

33. The long term goal of the National Climate Change Action Plan[[62]](#footnote-61) is the sustainable transition towards green growth by developing climate-smart industries and services. Priorities will focus on promoting climatesmart industries in partnership with the private sector, creating green jobs and sustainable livelihoods especially in the rural areas and the most vulnerable men and women in these communities, and promoting climate resilient and sustainable cities and municipalities.

34. The National Disaster Risk Reduction and Management Plan: 2020-2023,[[63]](#footnote-62) outlines the activities under the comprehensive housing program covering shelter assistance for transitional and permanent housing:

(i) Identify through risk assessments, develop and provide safe and suitable land for housing development;

(ii) Construct safe transitional housing;

(iii) Provide financial assistance or housing rental subsidies to encourage self-recovery;

(iv) Integrate provision of risk-informed and responsive social services, including essential infrastructure and utilities, and livelihoods in building new resettlement communities; and

(v) Capacitate or enhance skills of communities in adopting safe housing construction designs in building houses.

35. There is also the need to localize National Disaster Risk Reduction and Management (DRRM Plan) and what they mean at the local level, to wit:

(i) Increased structural integrity of housing, building and critical infrastructure: Ensure suitable land for different urban needs (residential, commercial, industrial, recreational, etc.) and adequate housing (in terms of size, quality and location);

(i) Increased institutional capacities of National and Local DRRM Councils and Offices and Strengthened partnership and coordination among all key actors and stakeholders: Support the work of community-based organizations and local NGOs (e.g. from work on housing and water and sanitation to specific emergency response);

(iii) Increased structural integrity of housing, building and critical infrastructure; and

(iv) Affected families and individuals have access to: (a) affordable disaster-resilient housing that are located in safe zones where social services and public facilities are available; or (b) financing assistance to rebuild their houses in areas that are declared as safe zones.[[64]](#footnote-63)

**n. What adaptation strategies are needed to ensure the continued habitability of housing in the face of the climate crisis? (protection from e.g. heat, flooding, extreme weather, etc.)**

36. The National Climate Change Action Plan (NCCAP), in its outputs, indicated specific measures in relation to housing adaptation strategies, to ensure Climate change-resilient, eco-efficient and environment-friendly industries and services, and sustainable towns and cities promoted, developed, and sustained. as follows:[[65]](#footnote-64)

(i) Climate Change (CC) adaptive housing and land use development implemented;

(ii) Development of CC-adaptive housing and land use;

(iii) Adopt mixed-use, medium-to-high density, climate-proof housing for poor and working families built around mass transit and green workforce development; and

(iv) Transit-oriented, climate-proof housing development for poor and working families adopted.

37. Another guide is the National Disaster Risk Reduction and Management Plan: 2020-2023[[66]](#footnote-65), which provides for particular strategies in terms of the housing provisions for climate crisis, which includes the following:

(a)Under the International Health Regulation (IHR), 2005, is an agreement between 196 countries that comprise all Member States of the World Health Organization (WHO). It aims to ensure and promote global health security. Under the IHR, nations agreed to strengthen their capacities to detect, in situations of disasters including protection of rights related to (i) protection of life, security and physical integrity, and the protection of family ties in the context of evacuations, (ii) the provision of food, health, shelter, and education, (iii) housing, land and property; and livelihoods, and (iv) documentation, free movement in the context of durable solutions for internally displaced persons, re-establishment of family ties, expression and opinion, and elections. These are accompanied by activities that aim to (i) prevent or stop harm; (ii) ensure that affected persons have access to relevant goods, services and opportunities; (iii) ensure that affected persons can claim their rights; and (iv) avoid or combat discrimination;

(a) Address current and reduce future risks of communities and government through mainstreaming integrated risk management into science, policy and practice. As an outcome- the increased structural integrity of housing, building, and critical infrastructure;

(b) Give priority to increasing the structural integrity of housing, building and critical infrastructure to reduce damage, disruption to essential services, and save lives;

(c) Focus on resilient resettlement interventions for families in high-risk areas. It aligns to the 1987 Constitution provision on making available decent housing and basic services in resettlement areas;

(d) Resilient Communities, construct disaster-resilient housing units;

(e) The Disaster Rehabilitation and Recovery aspect covers recovery efforts related to employment and livelihoods, infrastructure and lifeline facilities, and housing and resettlement to bring the affected area back to normal as quickly as possible; and

(f) Speed up recovery from disaster losses through rehabilitation and recovery programs that are aligned to sustainable development and the “build back better” principle: Affected families or individuals have access to: (i) affordable disaster-resilient housing that are located in safe zones where social services and public facilities are available; or, (ii) financial assistance to rebuild houses in areas that are declared safe zones.

**o. How are different interest groups, including marginalized communities, homeowners**

**and tenants, being consulted, and able to participate in the design, implementation,**

**monitoring and evaluation of: legislation, policies, or programmes been adopted that**

**provide for specific measures to ensure the realization of the right to adequate housing**

**in the face of the climate crisis; natural disaster preparedness, response and**

**reconstruction, as well as in mitigation and adaptation efforts; measures to reduce and**

**eliminate the adverse impacts of the housing sector on climate.**

38. The national climate change framework strategy has recently been translated into a National Climate Change Action Plan (NCCAP), which prioritizes food security, water sufficiency, ecological and environmental stability, human security, climate-smart industries and services, sustainable energy, and knowledge and capacity development as the strategic direction for 2011 to 2028. This document assesses the current situation of the country with regard to climate change risk and outlines the NCCAP’s strategic direction for 2011 to 2028 as a response to the current situation and projected impact.[[67]](#footnote-66) The development of this framework, put premium on the participation of various sectors and the marginalized groups, as discussed in the following:[[68]](#footnote-67)

(i) The Framework recognizes the value of forming multi-stakeholder participation and partnerships in climate change initiatives, including partnerships with civil society, the private sector and local governments, and especially with indigenous peoples and other marginalized groups most vulnerable to climate change impacts;

(ii) The NCCAP comprehensively addresses the challenges of climate change. Public financing will prioritize adaptation to reduce vulnerability and risks of communities particularly the marginalized poor. At the same time, this plan will provide a policy environment that will encourage the participation of the private sector to optimize mitigation opportunities towards sustainable development.;

(iii) Build public-private and civil society organization partnerships in the following areas: a. Development of social protection and risk transfer mechanisms; b. Assistance to small and medium enterprises in becoming climate-smart and resilient; c. Creation of jobs in the rural areas; d. Development of an accreditation system for green building assessors; and e. Implementation of a system of payment for ecosystem services; and

(iv) Increase the private sector and community participation in energy efficiency and conservation programs. Strengthening knowledge base, awareness, and public participation.

**p. What are the role of international cooperation, technology transfer, and development assistance of States and multilateral agencies to ensure a just transition?**

39. The Philippines, as a State Party to the United Nations Framework Convention on Climate Change (UNFCCC), is committed to its core principle of common but differentiated responsibilities and respective capabilities;[[69]](#footnote-68)

40. Transfer of cleaner production technology and practices through stronger bilateral, regional and international cooperation. The Manila Declaration are the adoption of the Green Growth Strategy integrated in the Green Growth Initiative of the UNESCAP, which harmonizes economic growth with sustainable development; (Manila Declaration on Green Industry 2009);[[70]](#footnote-69)

41. Capacity Development is defined by the UN as “the process by which individuals, organizations, institutions and societies develop abilities (individually and collectively) to perform functions, solve problems and set and achieve objectives” (UNDP 1997). It is about leadership and human resources, institutional arrangements, knowledge access and learning, and state-society accountability mechanisms that push for and lead to greater human development.[[71]](#footnote-70)

**q. What are the main barriers to achieving such a just transition?**

42. Lack of Capacity,[[72]](#footnote-71) although there are a number of legislations, Executive Orders and Department Administrative Orders relating to technology transfer, policy implementation remains weak. A large part of the problem lies in the lack of institutional resources and human capacity to execute these policies. There is therefore the need to build the capacities of these executing agencies; and

43. Lack of financing.[[73]](#footnote-72) Development and transfer of technologies is heavily dependent on financing. Various mechanisms are needed to enable the development and deployment of technology along the technology innovation pathway. In developing countries, public finance mechanisms (PFM) have mostly been used to support technologies that are in the later stages of innovation but are still facing significant market barriers that inhibit their deployment. If well managed, PFMs can bring down market barriers, bridge gaps, and share risks with the private sector (Maclean, et al. 2008).

1. As the National Human Rights Institution (NHRI) of the Philippines, the Commission on Human Rights has the mandate vested by the 1987 Philippine Constitution and the Paris Principles to promote and protect the full range of human rights including civil and political rights, and economic, social and cultural rights. It has the responsibility to regularly report and monitor human rights situations and violations, and recommend steps in advancing the realization of human rights and dignity of all. The Commission has “A”-status accreditation from the Sub-Committee for Accreditation of the Global Alliance of National Human Rights Institutions (GANHRI). [↑](#footnote-ref-0)
2. Under international law, the right to adequate housing is more than having four walls and a roof. It is essentially the right to live in a place in peace, security and dignity. Housing adequacy covers the following seven essential elements: legal security of tenure; availability of services, materials, facilities and infrastructure; affordability; habitability; accessibility; location; and cultural adequacy. For organizations and stakeholders that may not be as familiar with the right to adequate housing in international human rights law, please consult General Comment No. 4 of the UN Committee on Economic, Social and Cultural Rights, available [here](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2fCESCR%2fGEC%2f4759&Lang=en) [↑](#footnote-ref-1)
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