Third Asian Judges Symposium on Law, Policy and Climate Change

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What is justice?
“The day would not be too far when all else would be lost not only for the present generation, but also for those to come—generations which stand to inherit nothing but parched earth incapable of sustaining life.”

- Supreme Court of the Philippines

*Supreme Court En Banc Decision, Oposa vs. Factoran, G.R. No. 101083 July 30, 1993*
Sea level rise threatens to submerge islands
Coral bleaching
Pescador Island, Cebu
Damaged Rice Terraces
Banaue, Ifugao Province
Survive - Thrive - Paris

#1o5C

Over 100 nations and hundreds of civil society groups want to keep warming below 1.5°C

www.1o5C.org
THE PARIS AGREEMENT:
Limit global temperature rise within the century even further to 1.5 degrees Celsius above pre-industrial levels
Bending the global warming curve to 1.5°C is a **moral imperative**.
The Philippines has committed to 70% reduction of GHG emissions by 2030.
SENDAI FRAMEWORK
Scope and Purpose
1 Global Outcome
1 Goal

7 Global Targets
13 Guiding Principles

4 Priorities for Action
4 Levels
Local, National, Regional and Global

Role of Stakeholders
International Cooperation and Global Partnerships
Philippine consumption of coal increased by 27% between 2012 and 2014.
Coal is not cheap.

Coal affects our health, kills biodiversity and the environment, affects our waters, pollutes the air we breathe and increases the risk of climate change.
Before coal can be used in power plants, it must first be mined, washed and transported. This process alone, without a single watt of electricity generated yet, already produces pollution.
Coal is burned to generate electricity and its by-product, in the form of ash, is recycled into cement or construction products, stored, or disposed in dry or wet landfills.
The World Health Organization (WHO) concluded in 2014 that air quality in most cities worldwide “fails to meet WHO guidelines for safe levels, putting people at additional risk of respiratory disease and other health problems.”
The United Nations estimates that 26% of global mercury emissions come from the combustion of coal in power plants.
Two of the major greenhouse gases contributing to climate change are produced by coal combustion—carbon dioxide and nitrous oxide.
Is everything lost?
Renewable Energy Law

Though we may not totally ban coal, we should have a good energy mix where there is a bias for renewables.
HOLD THE BIG POLLUTERS ACCOUNTABLE
World’s largest carbon producers ordered to respond to allegations of human rights abuses from climate change


Manila - Companies responsible for the majority of fossil fuel products that have been manufactured, marketed, and sold since the industrial revolution and have contributed the lion’s share of cumulative global emissions of industrial CO2 and methane, have been ordered to respond to a legal petition that triggered the first-ever national human rights investigation concerning climate change.

The Commission on Human Rights of the Philippines (CHR) today sent copies of the complaint (1) filed by the Petitioners, including disaster survivors, community organisations and Greenpeace Southeast Asia,(2) as well as an official order,(3) to the headquarters of the world's largest investor-owned fossil fuel and cement producers. The order enjoins the companies to submit answers to the Commission within 45 days.
Resolution calling for an inquiry in aid of legislation on the alleged detrimental and health impacts and human rights infringements arising from the operation of coal-fired power plants in the country.

INTRODUCED

P.S. Res. No. 12

Introduced by SENATOR LOREN LEGARDA

RESOLUTION

DIRECTING THE SENATE COMMITTEES ON CLIMATE CHANGE, ENERGY, AND JUSTICE AND HUMAN RIGHTS TO CONDUCT AN INQUIRY IN AID OF LEGISLATION ON THE ALLEGED DETERIMENTAL ENVIRONMENTAL AND HEALTH IMPACTS AND HUMAN RIGHTS INFRINGEMENTS ARISING FROM THE OPERATION OF COAL-FIRED POWER PLANTS, WITH THE END VIEW OF DETERMINING THE VIABILITY OF IMPOSING A MORATORIUM ON THE ISSUANCE OF ENVIRONMENTAL COMPLIANCE CERTIFICATES FOR THE CONSTRUCTION OF ADDITIONAL COAL-FIRED POWER PLANTS, AND THE DEVELOPMENT OF A CLEAR POLICY TOWARDS A LOW CARBON ECONOMY IN LIGHT OF OUR COUNTRY'S COMMITMENTS UNDER THE UN FRAMEWORK CONVENTION ON CLIMATE CHANGE.
Environmental Laws in the Philippines

- Clean Water Act
- Clean Air Act
- Renewable Energy Act
- Ecological Solid Waste Management Act
- Climate Change Act
- Environmental Awareness and Education Act
- People’s Survival Fund Law
- Disaster Risk Reduction and Management Act
“These two measures (Climate Change Act and Philippine National Disaster Risk Reduction and Management Act) are among the world’s best laws on disaster resilience”

- United Nations Office for Disaster Risk Reduction (UNISDR)
Ecological Solid Waste Management Law

Sets guidelines for the reduction of solid waste through community-based measures that include composting, recycling, re-use, and recovery.
ESWM Compliance

only 50% of local government units

-- Department of Environment and Natural Resources (DENR)
Solid Waste Management Law Voluntary Compliance Program

Result of Phase 1 of the program:

417 conducted self-assessment
135 LGUs assessed themselves as satisfactorily compliant
282 LGUs assessed themselves as less satisfactory
15 years have been too long for a grace period. There is no excuse for non-compliance.
Climate Crisis
We seek climate justice now.
For the sake of future generations, we seek a commitment to act now and to implement a holistic solution.
Let us use the power of the law while we still have ecosystems to rehabilitate and species to protect.
The future of humanity and of the Earth depends on what we do now.

Let us make resilience and sustainability our future.