

THE INSTITUTIONAL FRAMEWORK AND PRACTICE OF REGULATORY GOVERNANCE FOR THE ENVIRONMENT IN THE PHILIPPINES: THE ROLE OF LOCAL GOVERNMENTS IN PROMOTING CLIMATE JUSTICE

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ABSTRACT

Climate Justice (CJ) is a struggle that considers ‘justice’ as the basis of any solution; a struggle that supports climate solutions found in the practices and knowledge of those already fighting to protect and defend their livelihoods and the environment; and a struggle that insists on a genuine systematic transformation in order to tackle the real causes of climate change”. Accordingly, CJ addresses four key themes: root causes, rights, reparations and participatory democracy.

No less than the 1987 Philippine Constitution mandates the preservation of a healthy environment and ecological balance. Thus, Section 16, Article II on the Declaration of Principles and State Policies of the 1987 Constitution provides that: “Section 16. The State shall protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature.”

Concomitantly, the Local Government Code of 1991 devolves to all local units the administration of five basic services which include environmental protection along with agriculture, health, social welfare and maintenance of public works and highways.

This paper therefore focuses its discussion and analysis on the institutional framework and regulatory governance for the environment in the Philippines. It examines the regulatory mechanisms, strategies and practices for the protection of the environment and the promotion of ecological developments in the country. This paper identifies the salient role of the state and the bureaucracy, particularly the local government units in the promotion of climate justice.