



DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
KAGAWARAN NG KAPALIGIRAN AT LIKAS YAMAN



MEMORANDUM

FOR : **The Directors**
Biodiversity Management Bureau
Environmental Management Bureau
Ecosystems Research and Development Bureau
Forest Management Bureau
Mines and Geosciences Bureau
Climate Change Service
Legal Affairs Service

FROM : **The Director**
Policy and Planning Studies

SUBJECT : **REQUEST FOR COMMENTS ON THE LATEST TEXT OF THE GREEN ECONOMY UNDER THE ASEAN – CHINA FREE TRADE AGREEMENT (ACFTA) FOLLOWING THE CAUCUS FOR THE 6TH MEETING OF WORKING GROUP ON GREEN ECONOMY (WGGE)**

DATE : 22 MAR 2024

This has reference to the electronic mail dated 20 March 2024 from the Department of Trade and Industry – Bureau of International Trade Relations (DTI-BIRT), requesting further comments on the latest draft text of the Green Economy Chapter, following the ASEAN Caucus held on 18 March 2024.

In preparation for the ASEAN Caucus, please be informed that the DTI-BITR also convened a small group meeting held last 15 March 2024, to discuss the updates on the draft text and seek further comments from the agencies on the same. Below are the key takeaways during the meeting:

1. The DTI informed that the DENR's comments on **climate-resilient development** under the objective as well as the proposed inclusion of **sustainable forest** under the green investment have been considered in the text. The rest of the DENR's inputs will be raised in the next meeting;
2. China proposed not to have a single prescriptive definition of green finance and investment to have more flexibility. DTI to check if ASEAN Member States (AMS) will not submit definition of terms and go along with China's proposal;
3. There was a consensus between AMS not to reflect the Belt and Road Initiative (BRI) and the Global Development Initiative (GDI) under the Basic Principles;
4. As for the discussion of the proposed Environmental Goods and Services, DTI informed that PH may go along with AMS and check the proposal of Singapore. There has been no discussion yet regarding this Article;

5. On Right to Regulate, DTI will suggest in the next meeting to replace the word "**shall**" with "**will**", to make this Article less binding; and
6. Agencies to submit additional comments/inputs to DTI on or before **25 March 2024**.

In this regard, we would like to request your Office to review the attached latest draft text on the Green Economy and **provide further comments/inputs and/or consensus** on the latest text attribution. We would appreciate receiving your responses **on or before 25 March 2024, COB** through these email addresses: psddivision@gmail.com / policy@denr.gov.ph.

For your information and consideration, please.


CHERYL LOISE T. LEAL

Re: Follow-up Actions from the Small Group Meeting on Green Economy, 15 March 2024

message

Cha Gyu Lim <ChaGyuLim@dti.gov.ph> Wed, Mar 20, 2024 at 5:10 PM
To: "Jan Redmond L. Dela Vega" <JanRedmondDelaVega@dti.gov.ph>, "asibucdao@fmb.dentr.gov.ph" <asibucdao@fmb.dentr.gov.ph>, "larcenal@fmb.dentr.gov.ph" <larcenal@fmb.dentr.gov.ph>, "butchmarquez@gmail.com" <butchmarquez@gmail.com>, "conrado.marquez@erdb.dentr.gov.ph" <conrado.marquez@erdb.dentr.gov.ph>, "pjcuadra@erdb.dentr.gov.ph" <pjcuadra@erdb.dentr.gov.ph>, "michael.sinocruz@doe.gov.ph" <michael.sinocruz@doe.gov.ph>, "mikesinocruz@yahoo.com" <mikesinocruz@yahoo.com>, "William G. Quinto" <wquinto@doe.gov.ph>, "williamquinto1211@gmail.com" <williamquinto1211@gmail.com>, "delacruz@doe.gov.ph" <delacruz@doe.gov.ph>, "heryshey_delacruz@yahoo.com" <heryshey_delacruz@yahoo.com>, Clarissa Joyce Villegas <cvillegas@dof.gov.ph>, Al Gerica Rillon <arillon@dof.gov.ph>, Megan Barte <mbarte@dof.gov.ph>, Ferdinand Ortilla <fortilla@dof.gov.ph>, Jenevive Lontok <jlontok@dof.gov.ph>, "Dir. Bianca Pearl Sykimte" <BiancaPearlSykimte@dti.gov.ph>, Rudolph Jay Velasco <RudolphJayVelasco@dti.gov.ph>, "Heizle U. Trasmañas" <HeizleTrasmanas@dti.gov.ph>, "Mary Fatima N. Barrameda" <MaryFatimaBarrameda@dti.gov.ph>, "njmiralles@mail.tariffcommission.gov.ph" <njmiralles@mail.tariffcommission.gov.ph>, "Madonna C. Villeno" <mcvilleno@mail.tariffcommission.gov.ph>, "ntnatural@neda.gov.ph" <ntnatural@neda.gov.ph>, "Rory Jay S.C. Dacumos" <rsdacumos@neda.gov.ph>, "Katrin.mares@da.gov.ph" <katrin.mares@da.gov.ph>, "oaspr@da.gov.ph" <oaspr@da.gov.ph>, Leah Samson <elisesam@yahoo.com>, "psddivision@gmail.com" <psddivision@gmail.com>, "michael.floria@doe.gov.ph" <michael.floria@doe.gov.ph>
Cc: "Marie Sherylyn D. Aquia" <SherylynAquia@dti.gov.ph>, "Denise Cheska C. Enriquez" <DeniseCheskaEnriquez@dti.gov.ph>, "MaMonica M. De Guzman" <MaMonicaDeGuzman@dti.gov.ph>, BITR-RRAD <BITR-RRAD@dti.gov.ph>, DTS-BITR <dts-bitr@dti.gov.ph>

Dear Sirs/Mesdames,

Following the conclusion of the Caucus for the 6th ACFTA WGGE Meeting held last Monday, 18 March 2024, we respectfully seek your feedback and comments on the attached latest draft text of the Green Economy Chapter.

We would greatly appreciate receiving your input by **Monday, 25 March 2024**.

Thank you for your usual support and cooperation.

Best regards,
Cha Gyu

Cha Gyu C. Lim (Mr.)
Trade-Industry Development Specialist
Regional Relations and Arrangements Division (ASEAN Desk)
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Department of Trade and Industry
T: (632) 8465-3300 loc. 434E: ChaGyuLim@dti.gov.ph

From: Jan Redmond L. Dela Vega <JanRedmondDelaVega@dti.gov.ph>
Sent: Sunday, March 17, 2024 3:44 PM
To: asibucdao@fmb.dentr.gov.ph <asibucdao@fmb.dentr.gov.ph>; larcenal@fmb.dentr.gov.ph <larcenal@fmb.dentr.gov.ph>; butchmarquez@gmail.com <butchmarquez@gmail.com>; conrado.marquez@erdb.dentr.gov.ph <conrado.marquez@erdb.dentr.gov.ph>; pjcuadra@erdb.dentr.gov.ph <pjcuadra@erdb.dentr.gov.ph>; Michael Sinocruz <msinocruz@doe.gov.ph>; mikesinocruz@yahoo.com <mikesinocruz@yahoo.com>; William G. Quinto <wquinto@doe.gov.ph>; williamquinto1211@gmail.com <williamquinto1211@gmail.com>; delacruz@doe.gov.ph <delacruz@doe.gov.ph>; heryshey_delacruz@yahoo.com <heryshey_delacruz@yahoo.com>; Clarissa Joyce Villegas <cvillegas@dof.gov.ph>; Al Gerica Rillon <arillon@dof.gov.ph>; Megan Barte <mbarte@dof.gov.ph>; Ferdinand Ortilla <fortilla@dof.gov.ph>; Jenevive Lontok <jlontok@dof.gov.ph>; Dir. Bianca Pearl Sykimte <BiancaPearlSykimte@dti.gov.ph>; Rudolph Jay Velasco <RudolphJayVelasco@dti.gov.ph>; Heizle U. Trasmañas <HeizleTrasmanas@dti.gov.ph>; Mary Fatima N. Barrameda <MaryFatimaBarrameda@dti.gov.ph>; njmiralles@mail.tariffcommission.gov.ph <njmiralles@mail.tariffcommission.gov.ph>; Madonna C. Villeno <mcvilleno@mail.tariffcommission.gov.ph>; ntnatural@neda.gov.ph <ntnatural@neda.gov.ph>; Rory Jay S.C. Dacumos <rsdacumos@neda.gov.ph>; Katrin.mares@da.gov.ph <katrin.mares@da.gov.ph>; oaspr@da.gov.ph <oaspr@da.gov.ph>; Leah Samson <elisesam@yahoo.com>; psddivision@gmail.com <psddivision@gmail.com>; michael.floria@doe.gov.ph <michael.floria@doe.gov.ph>
Cc: Marie Sherylyn D. Aquia <SherylynAquia@dti.gov.ph>; Denise Cheska C. Enriquez <DeniseCheskaEnriquez@dti.gov.ph>

<JanRedmondDelaVega@dti.gov.ph>; BITR-RRAD <BITR-RRAD@dti.gov.ph>; DTS-BITR <dts-bitr@dti.gov.ph>

Subject: Follow-up Actions from the Small Group Meeting on Green Economy, 15 March 2024

Dear Sirs/Mesdames,

We would like to thank you for participating in the Small Group Meeting (SGM) on Green Economy last Friday, 15 March 2024.

As discussed, kindly find attached latest PH position matrix and draft SOD of the 5th ACFTA Working Group on Green Economy (ACFTA WGGE) for your reference and perusal.

Please also see below streaming link and the enclosed document kit for the 6th ACFTA WGGE (ASEAN Caucus) to be held virtually tomorrow, 18 March 2024, 10:00AM - 6:00PM:

Topic: ACAFTA WGGE Caucus Streaming
Time: Mar 18, 2024 09:00 AM Singapore

Join Zoom Meeting
<https://zoom.us/j/92762435242>

Meeting ID: 927 6243 5242

We will recirculate the latest text after tomorrow's meeting. We likewise look forward to receiving your additional inputs by 25 March 2024.

Thank you and best regards,
Jan



JAN REDMOND L. DELA VEGA (Mr.)

Senior Trade-Industry Development Specialist

Regional Relations and Arrangements Division – Bureau of International Trade Relations

DEPARTMENT OF TRADE AND INDUSTRY

4/F DTI International Building, 375 Gil J. Puyat Avenue, Makati City 1200, Philippines

☎ (+632) 8465 3300 loc. 434

Trabaho, Negosyo, Konsyumer

From: Cha Gyu Lim <ChaGyuLim@dti.gov.ph>

Sent: Thursday, March 14, 2024 5:36 PM

To: asibucacao@fmb.dentr.gov.ph <asibucacao@fmb.dentr.gov.ph>; larcenal@fmb.dentr.gov.ph <larcenal@fmb.dentr.gov.ph>; butchmarquez@gmail.com <butchmarquez@gmail.com>; conrado.marquez@erdb.dentr.gov.ph <conrado.marquez@erdb.dentr.gov.ph>; pjcuadra@erdb.dentr.gov.ph <pjcuadra@erdb.dentr.gov.ph>; Michael O. Sinocruz <msinocruz@doe.gov.ph>; mikesinocruz@yahoo.com <mikesinocruz@yahoo.com>; William G. Quinto <wquinto@doe.gov.ph>; williamquinto1211@gmail.com <williamquinto1211@gmail.com>; delacruz@doe.gov.ph <delacruz@doe.gov.ph>; heryshey_delacruz@yahoo.com <heryshey_delacruz@yahoo.com>; Clarissa Joyce Villegas <cvillegas@dof.gov.ph>; arillon@dof.gov.ph <arillon@dof.gov.ph>; mbarte@dof.gov.ph <mbarte@dof.gov.ph>; fortilla@dof.gov.ph <fortilla@dof.gov.ph>; Jenevive Lontok <jlontok@dof.gov.ph>; Dir. Bianca Pearl Sykimte <BiancaPearlSykimte@dti.gov.ph>; Rudolph Jay Velasco <RudolphJayVelasco@dti.gov.ph>; Heizle U. Trasmañas <HeizleTrasmanas@dti.gov.ph>; Mary Fatima N. Barrameda <MaryFatimaBarrameda@dti.gov.ph>; NJMiralles@mail.tariffcommission.gov.ph <njmiralles@mail.tariffcommission.gov.ph>; Madonna C. Villeno <mcvilleno@mail.tariffcommission.gov.ph>; Nieva T. Natural <ntnatural@neda.gov.ph>; Rory Jay S.C. Dacumos <rsdacumos@neda.gov.ph>; Katrin.mares@da.gov.ph <katrin.mares@da.gov.ph>; oaspr@da.gov.ph <oaspr@da.gov.ph>; AMTB-DA Leah Samson <elisesam@yahoo.com>

Cc: Marie Sherylyn D. Aquia <SherylynAquia@dti.gov.ph>; Ma. Regina C. Serafico <MaReginaSerafico@dti.gov.ph>; Denise Cheska C. Enriquez <DeniseCheskaEnriquez@dti.gov.ph>; Ma. Monica M. De Guzman <MaMonicaDeGuzman@dti.gov.ph>; Jan Redmond L. Dela Vega <JanRedmondDelaVega@dti.gov.ph>; BITR-RRAD

Subject: Re: [Advance Copy] Invitation to the Small Group Meeting on Green Economy, 15 March 2024

Dear Sirs/Mesdames:

Transmitting herewith the signed invitation to the Small Group Meeting on Green Economy scheduled tomorrow, 15 March 2024, 02:00 PM – 04:00 PM, which will be held in virtual format via Zoom Videoconference.

The connection details for the Meeting are as follows:

Connection Link:
<https://zoom.us/j/94452123044>

Accreditation Details:
Meeting ID: 944 5212 3044

Thank you.

Best regards,
Cha Gyu

Cha Gyu C. Lim (Mr.)

Trade-Industry Development Specialist
Regional Relations and Arrangements Division (ASEAN Desk)
Bureau of International Trade Relations
Department of Trade and Industry
T: (632) 8465-3300 loc. 434E: ChaGyuLim@dti.gov.ph

From: Cha Gyu Lim

Sent: Tuesday, March 12, 2024 4:18 PM

To: asibucacao@fmb.dentr.gov.ph <asibucacao@fmb.dentr.gov.ph>; larcenal@fmb.dentr.gov.ph <larcenal@fmb.dentr.gov.ph>; butchmarquez@gmail.com <butchmarquez@gmail.com>; conrado.marquez@erdb.dentr.gov.ph <conrado.marquez@erdb.dentr.gov.ph>; pjcuadra@erdb.dentr.gov.ph <pjcuadra@erdb.dentr.gov.ph>; Michael O. Sinocruz <msinocruz@doe.gov.ph>; mikesinocruz@yahoo.com <mikesinocruz@yahoo.com>; William G. Quinto <wquinto@doe.gov.ph>; williamquinto1211@gmail.com <williamquinto1211@gmail.com>; delacruz@doe.gov.ph <delacruz@doe.gov.ph>; heryshey_delacruz@yahoo.com <heryshey_delacruz@yahoo.com>; Clarissa Joyce Villegas <cvillegas@dof.gov.ph>; arillon@dof.gov.ph <arillon@dof.gov.ph>; mbarte@dof.gov.ph <mbarte@dof.gov.ph>; fortilla@dof.gov.ph <fortilla@dof.gov.ph>; Jenevive Lontok <jlontok@dof.gov.ph>; Dir. Bianca Pearl Sykimte <BiancaPearlSykimte@dti.gov.ph>; Rudolph Jay Velasco <RudolphJayVelasco@dti.gov.ph>; Heizle U. Trasmañas <HeizleTrasmanas@dti.gov.ph>; Mary Fatima N. Barrameda <MaryFatimaBarrameda@dti.gov.ph>; NJMiralles@mail.tariffcommission.gov.ph <njmiralles@mail.tariffcommission.gov.ph>; Madonna C. Villeno <mcvilleno@mail.tariffcommission.gov.ph>; Nieva T. Natural <ntnatural@neda.gov.ph>; Rory Jay S.C. Dacumos <rsdacumos@neda.gov.ph>; Katrin.mares@da.gov.ph <katrin.mares@da.gov.ph>; oaspr@da.gov.ph <oaspr@da.gov.ph>; AMTB-DA Leah Samson <elisesam@yahoo.com>
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Subject: [Advance Copy] Invitation to the Small Group Meeting on Green Economy, 15 March 2024

Dear Sirs/Mesdames,

In preparation for the Caucus Meeting of the 6th Working Group on Green Economy (WG-GE) on 18 March 2024, the Bureau will be convening a Small Group Meeting on Green Economy on 15 March 2024, 02:00 PM – 04:00 PM, which will be held in virtual format via Zoom Videoconference.

The Meeting will deliberate on the Philippines' positions on the draft text proposed by China for the Green Economy Chapter, which appears as Annex 01.

For confirmation of attendance, we kindly request agencies to register through this link: <https://forms.office.com/r/3i9yyDKR2e>. The signed invitation, meeting agenda, relevant documents, and the meeting link will be circulated in due course.

For any questions and/or clarifications, please directly coordinate with Mr. Jan Redmond Dela Vega (JanRedmondDelaVega@dti.gov.ph) or Mr. Cha Gyu Lim (ChaGyuLim@dti.gov.ph).

negotiations.

Thank you.

Best regards,
Cha Gyu

Cha Gyu C. Lim (Mr.)

Trade-Industry Development Specialist

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Department of Trade and Industry

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 **PH Consolidated Inputs_Green Economy Chapter_Negotiation text (as of 19 March 2024).docx**
112K

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Note:

- China text proposals are in blue.
- ASEAN text proposals text in purple.
- Clean text agreed by both Parties are in black.

Text	Initial/SGM Comments Proposed PH Position	BITR-MRD Comments as of 29 January 2024	DOF Comments as of 29 January 2024	DENR Comments as of 29 January 2024
<p>Chapter xx: Green Economy [CN: Section I. General Principles and Objectives]</p> <p>[ASEAN to delete: [CN: Article 1. Context</p> <p>1. Recalling the Stockholm Declaration on the Human Environment of 1972, the Rio Declaration on Environment and Development of 1992, Agenda 21 on Environment and Development of 1992, the Johannesburg Plan of</p>			<p>DOF: Does the chapter contain 'soft' commitments or obligations which may be acceptable, even if not adopted in other ASEAN FTAs?</p>	<p>DENR: Considering that this chapter covers Climate change, Sustainable Consumption and Production, Biodiversity, Forest, Digital and Green development, please be informed that this Office supports the title as Green Economy.</p>

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Implementation on Sustainable Development of 2002, the Rio+20 Outcome Document “The Future We Want” of 2012 and the Transforming our world: the 2030 Agenda for Sustainable Development of 2015, the Parties recognize that economic development, social development and environmental protection are interdependent and mutually supportive components of sustainable development, and underline the benefit of their cooperation on environmental issues as part of a global approach to sustainable development.

2. The Parties recall the important documents adopted in recent years, including the ASEAN-China Strategic Partnership Vision 2030, the Joint Statement of the ASEAN-China Special Summit to Commemorate the 30th

DENR: On climate resilient vs low-carbon economy, we suggest clarifying China's

<p>Anniversary of ASEAN-China Dialogue Relations, the ASEAN-China Joint Statement on Cooperation in Support of the ASEAN Comprehensive Recovery Framework (ACRF), and the ASEAN-China Joint Statement on Enhancing Green and Sustainable Development Cooperation. The Parties also recall the statements and visions put forward by ASEAN and China to promote sustainable development in the region, including ASEAN Community Vision 2025, the ASEAN Outlook on the Indo-Pacific (AOIP), Belt and Road Initiative (BRI) and Global Development Initiative (GDI).]</p>	<p>On Article 1, Para. 1: BITR-MRD: delete "low carbon economy" *suggest to replace "low carbon economy climate resilience" to "climate resilience economy"</p> <p>On Article 1, Para. 2: DOF: We suggest the use of other adjectives for "beautiful"</p> <p>SGM Comments: PH to</p>	<p>Article 1, Para 1: Suggestion to delete MRD annotation on "low carbon economy" in para 1. This was not part of the comments submitted</p>	<p>DOF: We propose to seek clarification from other AMS and China on how they understand the terms "green economy", "green trade", "green investment", and "green finance".</p> <p>We note that the terms are not clearly defined in the text, and there is no internationally accepted definition for such terms. Given that future cooperation hinges on these terms, a common understanding/definition from all</p>	<p>intention and what agreement will be covered, if the focus is on mitigation (green economy), while adaptation (climate resilient).</p> <p>We also suggest to check the Glasgow Climate Pact, to which the term use is climate-resilient development¹.</p> <p>On item 2, we prefer low-carbon development. We believed that low carbon and sustainable development should be separated from climate resilience.</p> <p>In terms of sequencing, we suggest the objective be arranged based on the order of preference (i.e. to give importance to green</p>
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Commented [3]: For reference purposes:
Existing/Available definitions for discussion

1. Green Economy (UNEP definition)

Green economy is one that results in improved human well-being and social equity, while significantly reducing environmental risks and ecological scarcities.*

*United Nations Environment Programme, Towards a Green Economy: Pathways to Sustainable Development and Poverty Eradication (Nairobi, 2011)

2. Green financing (UNEP definition)

Green financing is to increase the level of financial flows (from banking, micro-credit, insurance and investment) from the public, private and not-for-profit sectors to sustainable development priorities.*

<https://www.unep.org/regions/asia-and-pacific/regional-initiatives/supporting-resource-efficiency/green-financing>

¹ Report of the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement on its third session, held in Glasgow from 31 October to 13 November 2021, paragraph 54, page 7. Retrieved from: https://unfccc.int/sites/default/files/resource/cma2021_10_add1_adv.pdf.

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<p>[CN: Article 2] [ASEAN: Article 1:] Objectives</p> <p>1. Promote a green and climate resilient economy, cultivate new growth engines such as clean and renewable energy and green industry, innovation, best available techniques, and focus on promoting high-quality development that will contribute towards low carbon, resource efficiency, climate resilient development and sustainable development.</p> <p>2. Intensify cooperation on areas of mutual interests on green economy such as green trade, green investment and green finance to support regional low carbon, climate resilient development and sustainable development to achieve common prosperity.</p>	<p>suggest. "climate resilient economy" under Para 1. DTI to also check if any AMS has sensitivity on low carbon economy.</p> <p>On Article 1, Para. 4: BITR-MRD: delete "and enhance technology sharing in" *suggest the deletion of this article due to possible inconsistencies with local legislations.</p>	<p>BITR may consider supporting "climate resilience." text used in the APEC Bangkok Goals in the BCG Economy. Suggestion to revisit the sentence for grammatical edits.</p>	<p>parties is essential.</p> <p>DOF: 1) agree to delete "low carbon economy" *suggest to replace "climate resilience" to "climate resilient economy"</p> <ol style="list-style-type: none">1. Promote a green and climate resilient economy, cultivate new growth engines... <p>2) "climate-resilient" instead of "climate-resilience"</p> <ol style="list-style-type: none">2. Intensify cooperation on areas of mutual interests on green economy such as green trade, green investment and green finance to support regional low carbon and climate	<p>economy. low carbon economy can either be mentioned in item 3 or 4).</p> <p>On item 4, we suggest clarifying China's objective on technology sharing. We suggest checking the implication of technology sharing in the Philippines and cross reference this item with the Philippine Technology Transfer Act of 2009.</p> <p>In item 4, instead of enhance technology sharing, we suggest to insert the following phrase:</p> <p><i>"... and to establish a mechanism that will facilitate the fast adoption of needed technologies including through financing".</i></p> <p>We suggest including the definition and how the following terms will be used/operationalized in the agreement.</p>
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process. It refers to both primary energy sources and secondary energy sources processed and converted from them.]

Article 3. Basic Principles

~~[ASEAN to delete: [CN:— Staying committed to development as a priority. The Parties commit to prioritize development, strengthen policy coordination, and ensure policy continuity, consistency and sustainability. The Parties strive to foster global development partnerships that are more equal and balanced, forge greater synergy among multilateral development cooperation processes, and speed up the implementation of the UN 2030 Agenda for Sustainable Development.~~

of not allowed, to wit:

“States should cooperate to promote a supportive and open international economic system that would lead to economic growth and sustainable development in all countries, to better address the problems of environmental degradation. Trade policy measures for environmental purposes should not constitute a means of arbitrary or unjustifiable discrimination or a disguised restriction on international trade. Unilateral actions to deal with environmental challenges outside the jurisdiction of the importing country should be avoided. Environmental measures addressing transboundary or global environmental problems should, as far as possible, be

Commented [M1]: 202401 CN: will response after receiving the complete proposal from ASEAN.

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<p>- Staying committed to benefits for all. The Parties should care about the special needs of countries at different stages of development. The Parties may employ various means to support developing countries in developing green and low-carbon energy, with emphasis on addressing unbalanced development of green economy among countries.</p> <p>- Staying committed to innovation-driven development. The Parties commit to seize the opportunities created by the latest round of green technological revolution and green industrial transformation, and foster an open, fair, equitable and non-</p>				<p><i>based on an international consensus</i>³.</p> <p>Cooperation in Sustainable infrastructure mentioned on item 5, can be a red line for the PH, considering that the PH membership on BRI has been pulled out. We suggest BITR to check AMS views as well. PH may propose flexibility insertion such as "as appropriate"</p> <p>The list of Non-Environmentally Acceptable Products and Packaging (NEAPP) can be used as a reference in this item.</p> <p>We suggest revising the term "environmentally-friendly products" to "environment-friendly"</p>
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³ Rio Declaration on Environment and Development. Retrieved from: https://www.un.org/en/development/desa/population/migration/generalassembly/docs/globalcompact/A_CONF.151_26_Vol.I_Declaration.pdf

<p>3. Promote dialogue and sharing of knowledge, best practices, expertise and information on climate action and environmental protection, increase policy communication and experience sharing, as well as explore common plans and strategies for sustainable development.</p> <p>4. Jointly promote a regional energy transition and enhance technology sharing in energy efficiencies, clean and renewable energies.</p>	<p>*If retained, agencies to suggest terms that they deem relevant to be included in this article.</p> <p>SGM Comments: PH to ensure appropriate before agreeing to a common definition. PH to also seek clarification of definitions to be proposed and to consider that it may be better not to come up</p>	<p>Article 1, Para 4; BITR-MRD: Initial comment not fully reflected. May withdraw suggestion of deleting "and enhance technology sharing in" given developments in the text. Defer to implementing agencies on the</p>	<p>resilient sustainable development, to achieve common prosperity.</p> <p>3) "...as well as aligning plans"</p> <p>3. Promote dialogue and sharing of knowledge, best practices, expertise and information on climate action and environmental protection, increase policy communication and experience sharing, as well as aligning plans and strategies for sustainable development.</p>	<ol style="list-style-type: none"> 1. Green Economy² - UNEP provided a definition on Green Economy. 2. New Energy - Clarify with China, how new energy will be operationalized, there should be a mechanism to determine whether this is new or not, in order to use it in the dialogue. 3. New Renewable Energy 4. Green Product and Services (Article 6) 5. Green consumption (Article 6) 6. Ecological environment (Article 5) 7. Ecological agriculture (Article 5) 8. Energy Conservation (Article 5)
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² <https://www.unep.org/regions/asia-and-pacific/regional-initiatives/supporting-resource-efficiency/green-economy>

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<p>[ASEAN: Article 2: Definition and Terminology]</p> <p>[ASEAN: For the purposes of this Chapter, unless otherwise provided in this Chapter:</p> <p>Example: (need to be refined intersessionally)</p> <p><i>[Ch can accept]</i> (a) New energy means energy that is systematically developed and utilized on the basis of new technologies. Its scope will change with technological progress.</p> <p>(b) Clean energy means energy with zero or low emissions of greenhouse gases and pollutants during its [ASEAN: production and] consumption</p>	<p>with specific definitions so as not to be too prescriptive</p> <p>DOF to propose additional definitions</p> <p>[14 March 2024] – On definition and terminology DOF: Monitor progress over the course of negotiations. DOF to provide comments afterwards.</p>	<p>proposed language.</p>		<p>Should the PH push for its initial comment during the Small Group Meeting regarding climate resilient economy, we also suggest providing its definition.</p> <p>The DENR supports the ASEAN suggestion to replace China's proposal to affirm the principles that we have already agreed upon.</p> <p>We suggest checking the Philippine participation in the BRI.</p> <p>On para 4, ASEAN insertion, include sustainable forest management. We also suggest adding "<i>including low and non-greenhouse gas emitting technology</i>" after green technology.</p> <p>We have a reservation in the phrase "<i>not to restrict trade and investment</i>", we suggest checking principle 12 of the RIO declaration</p>
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<p>discriminatory environment for the development of green economy.</p> <p>- Staying committed to harmony between man and nature. The Parties commit to improve regional environmental governance, actively respond to climate change, protect biological diversity and create a community of life for man and nature. The Parties commit to accelerate transition to a green and low-carbon economy and strive to peak carbon dioxide emissions and achieve carbon neutrality.</p> <p>- Staying committed to results-oriented actions. The Parties commit to increase input in development, advance cooperation on climate change and green development, among other areas, and accelerate</p>	<p>SGM Comments: PH to suggest possibility of streamlining the para by referring only to SDGs and the Paris Agreement.</p> <p>DTI to also check among AMS on sensitivity to BRI if included. PH can support inclusion of ASEAN statements and vision.</p>			<p>We suggest checking the definition of green products and services whether it is the same with environment-friendly products and services.</p>
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<p>implementation of the UN 2030 Agenda for Sustainable Development, so as to build a global community of development with a shared future.]</p> <p>[ASEAN:</p> <p>1. The Parties reaffirm commitment to uphold [202401 CN: obligations principles set by the Stockholm Declaration] on the Human Environment of 1972, the Rio Declaration on Environment and Development of 1992, Agenda 21 on Environment and Development of 1992, the Johannesburg Plan of Implementation on Sustainable Development of 2002, the Rio+20 Outcome Document "The Future We Want" of 2012, Transforming</p>	<p>[15Mar2024] <i>BITR: prefers ASEAN proposal to delete BRI and GDI. BRI may fall under bilateral approach. (To limit para on multilateral initiatives)</i></p> <p>[15Mar2024] <i>No objections from agencies. Can go along with proposed PH input.</i></p>			
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our world: the 2030 Agenda for Sustainable Development of 2015, [202401 CN: as well as obligations under] the United Nations Framework Convention on Climate Change (UNFCCC) and [202401 CN: the its] Paris Agreement, and other related Multilateral Environmental Agreements that China and ASEAN are [202401 CN: Party Parties] to.

290124 ASEAN alt. para: *The Parties reaffirm commitment to uphold the Transforming our world: the 2030 Agenda for Sustainable Development of 2015, [202401 CN: as well as obligations under] the United Nations Framework Convention on Climate Change (UNFCCC) and [CN: its]/[ASEAN:the] Paris Agreement,*

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<p>and other related Multilateral Environmental Agreements that China and ASEAN are Parties to.</p> <p>2. <u>[202401 CN: 1 bis. The Parties recall the statements and visions put forward by ASEAN and China to promote sustainable development in the region, including ASEAN Community Vision 2025, the ASEAN Outlook on the Indo-Pacific (AOIP).]</u> [CN to insert/ASEAN to remove: <u>Belt and Road Initiative (BRI) and Global Development Initiative (GDI).</u>] [ASEAN: and ASEAN-China Joint Statement on Strengthening Common and Sustainable Development.]</p> <p>2-3. The Parties recognize the importance of upholding</p>	<p>SGM Comments: PH</p>	<p>Article 5: BITR-MRD: Suggest to seek further clarification with AMS and China on the objective of this Article (i.e.,</p>		
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<p>development as a priority, benefits for all, innovation-driven development, living in harmony with nature, as well as results-oriented actions.</p> <p>3-4. The Parties recognize the sovereign rights of each Party to develop, set, administer enforce and modify laws and policies relevant to trade and environment, and climate change accordingly.</p> <p>4-5. The Parties recognize that it is inappropriate to use environmental standards as a disguised means of trade protectionism. The Parties also recognize that weakening or reducing levels of protection in the environmental standards to</p>	<p>and go along with the article if in the area of collaboration and to support multilateral discussion.</p> <p>[15Mar2024]</p> <p><i>BITR: Can go along with ASEAN consensus on area of collaboration and to support multilateral discussion. To table counterproposal, building on what SG will propose.</i></p> <p>[15Mar2024]</p> <p><i>BITR to revert on the updates/outcomes on the language/ text proposals on</i></p>	<p>will it be for cooperation on sharing of best practices) to ensure that this will not entail commitments.</p>		
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<p>encourage trade or investment is inappropriate.</p> <p><u>5.6</u> The Parties recognize the importance of taking action on climate change and environmental protection in a manner that promotes and not restrict trade and investment, and achieve mutually beneficial outcomes particularly in green supply chains, green standards and conformity assessment procedures, sustainable agriculture, clean energy, green finance, green technology and the circular economy, etc.</p> <p><u>6.7</u> The Parties recognize the importance of cooperation in sustainable infrastructure to support individual and collective</p>	<p>Monday, 18 March 2024.</p> <p>Agencies to revert by Monday, 25 March 2024.</p>			
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				<p>efforts to address climate change and promote environmental sustainability and green growth.</p> <p>The Parties acknowledge the vital role of the ASEAN Taxonomy for Sustainable Finance in promoting transition to low-carbon practices, i.e., climate change mitigation and adaptation ^{China}, as well as importance of advancing comparability and interoperability of taxonomies in supporting more efficient, lower-cost cross-border green capital flows. The Parties and will pursue cooperation among development banks, including the Asian Infrastructure Investment Bank (AIIB), and the financial sector towards this end.]</p> <p>[ASEAN: Article 5: Environmental Goods and Services]</p>
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Commented [PPUZ]: (WG GE 4)
China to provide further additional inputs on the paragraph.

				<p>[Placeholder for collaboration in identifying goods and services relevant to green technology to demonstrate the seriousness and resolve of both sides to mainstream sustainable development and work towards a green economy under the ACFTA. Possible collaboration could be in the areas of study on trade facilitation; harmonization of standards for environmentally-friendly products; promoting the use of more efficient, cleaner or renewable energy sources for the production of manufactured goods; etc.]</p> <p>Article 6: Cooperation and Capacity Building</p>
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<p>1. The Parties are committed to strengthening cooperation in education, joint research, and development projects in priority areas, as well as to fostering demand for green products and services to stimulate innovation, competitiveness, and long-term sustainable development.</p> <p>2. The Parties are committed to working together to build capacity and share knowledge, best practices, expertise, information exchange, technical assistance, and other forms of cooperation to promote a better understanding of the challenges of transitioning to economies, to assist in implementing the agreement and enhancing its benefits, with the</p>			
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				<p>intention of accelerating economic growth towards a green economy.</p>
<p>We suggest being cautious on the possible ambiguity on the term technology transfer and clarify China's intention on technology sharing. Although PH is not against technology sharing, this should be contentious on what terms. Hence on the first paragraph of Section II, after best practices, instead of technology, we suggest inserting the following phrase "... and continuous exchange of know-how on technology development".</p> <p>On the suggestion of DTI replace the word "or" between arbitrary and unjustifiable with "and", we suggest checking principle 12 of the Rio Declaration, to wit:</p> <p><i>"Trade policy measures for environmental</i></p>			<p>On China's insertion under Article 7: BITR-MRD: insert ("SDGs)" after "...Sustainable Development Goals..."</p> <p>BITR-MRD: replace "...promote the just transition of energy..." to "promote the just transition to clean energy."</p>	<p>[CN: Section II, Priority Areas of Cooperation] [ASEAN: Article 7: Co-operation]</p> <p>[CN: Recognizing the importance of green economy in achieving the Sustainable Development Goals, the Parties may strive to strengthen collaboration, including through the sharing of knowledge, best practices and technology, on the following priority areas in order to promote the just transition of energy, upgrading of industrial structures, green and sustainable recovery as well as high-quality development.]</p>

<p><i>purposes should not constitute a means of arbitrary or unjustifiable discrimination</i></p>			<p>[CN: Article 4. Area 1: Green Trade] [ASEAN: (a) Green Trade] 1. The Parties recognize that international trade is an engine for inclusive economic growth and poverty reduction and contributes to the promotion of sustainable development. The Parties further recognize that green trade is central to green economy, which can promote and strengthen the development of green industries, sectors and markets through the delivery of environmental goods and services, and support the transition to sustainable economic growth. On Article 4, Para. 3: BITR-MRD: -generally supports the provision in</p>	<p>2. The Parties recognize the importance to promote the development of international trade in such a way as to contribute to the</p>
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<p>We suggest that the following term should be included in the definition of term: ecological environment, ecological agriculture, and energy conservation.</p> <p>We also suggest including sustainable forestry as part of the areas of cooperation in the green investment.</p> <p>We also suggest to be consistent on the terms used "green products and services".</p> <p>We concur with the suggestion of DTI to use local government instead of city. PH may</p>			<p>replace the word "or" between arbitrary and unjustifiable with "and"</p> <p>3. The Parties agree that the provisions of this Chapter shall not be applied in a manner that would constitute a means of arbitrary or unjustifiable discrimination or as a disguised restriction on trade between the Parties.</p> <p>On Article 4, Para. 4: DOF: we seek clarification on the intention/ rationale of the said inclusion.</p> <p>SGM Comments: PH to suggest to delete China's proposal under Para 4 all.</p> <p>[15Mar2024] PH: maintain PH position on deletion of China insertion</p>	<p>objective of sustainable development and to ensure that this objective is integrated and reflected in the Parties' trade relationship.</p> <p>4. [ASEAN to delete] APCC-members among the Parties reaffirm their commitment to the List of Environmental Goods and Reference</p>
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<p>also suggest sub-nation.</p> <p>Note: suggested for insertion. VN further suggested sustainable forestry management</p>		<p>On Green Investment BITR-MRD: May consider to accept the text since the provisions are not contentious. Defers to BOI's assessment</p>	<p>On Article 4, Para. 5: BITR-MRD: insert "and services" after "green products."</p>	<p>List of Environmental and Environmentally Related Services endorsed by APEC. The Parties commit to, through implementing obligations and schedules of commitment in chapters on Trade in Goods, Trade in Services, SPS and STRACAP, etc., of the Agreement, strive to improve access to environmental goods and services; address tariff and non-tariff measures; and establish a sound policy environment for the development of green trade.]</p> <p>[202401 CN: 4 all. The Parties commit to, through implementing obligations and schedules of commitment in chapters on Trade in Goods, Trade in Services, SPS and STRACAP, etc., of this Agreement, [CN is flexible to remove: strive to improve access to</p>
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<p>We proposed the term green consumption to be defined and elaborated.</p> <p>In item 2.1, we suggest to include <i>Construction of green buildings and infrastructure</i></p> <p>PH may also propose additional areas of cooperation and use as reference the Philippine Action Plan for Sustainable Consumption and Production (PAP4SCP)</p>			<p>[15Mar2024] PH: Can be flexible with "sustainable forest management"</p>	<p>environmental goods and services, address tariff and non-tariff measures, and establish a sound policy environment for the development of green trade.]</p> <p>5. The Parties are encouraged to utilise various promotional activities such as exhibitions, forums, fairs to collaborate and to build platforms for the development of green trade, and promote trade of green products and services.</p> <p>[CN: Article 5, Area 2: Green Investment] (ASEAN: (b) Green Investment)</p>
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<p>Note: proposed</p> <p>on paragraph 1, replace "system for recycling" to "circular system", to be read as "to put in place a circular system for recycling wastes and used materials"</p> <p>[15Mar2024] PH to raise PH input on the next ACFTA-WGGE Caucus on 18 March 2024.</p>		<p>On SCP- BITR-MRD: May consider to accept the text since the provisions are not</p>	<p>On Article 5. Para. 5: DOF: We would like to inquire about the scope of the cooperation, so we could be guided in identifying new cooperation opportunities that can be considered (par. 5). BITR-MRD: -replace "city" to "local government" -replace "ASEAN member state" to "ASEAN Member States"</p>	<p>1. The Parties recognize that investment is a major driver of productivity, inclusive economic growth and job creation, and green investment can play an important role in promoting green economy towards sustainable development.</p> <p>2. The Parties agree to strengthen green investment cooperation (ASEAN to remove/CN to retain; encourage investment] in fields such as energy conservation and environmental protection, ecological environment, ecological agriculture, and green services, and improve the sustainable development [ASEAN to remove:level] of investment cooperation projects.]</p> <p>[ASEAN: 3. The Parties agree to strengthen promotion of investment in low-carbon technologies to contribute</p>
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<p>contentious Defers to NEQA's assessment in line with Philippine Action Plan for Sustainable Consumption and Production (PAP4SCP)</p>	<p>On Article 5, Para. 6: DOF: We may consider a change in wording of the word "contact", in case this carbon technologies and green services to improve the sustainable development of investment cooperation projects and contribute to the Parties efforts to transition to green economies, circular economy and green skills development.]</p>	<p>[15Mar2024] PH: prefers ASEAN inputs. Agencies to revert comments by 25 March 2024.</p>	<p>to Parties' efforts to transition to green economies—circular economy—and green-skills development]</p> <p>ASEAN's alt text: The Parties agree to strengthen green investment cooperation and promotion in fields such as [D: to remove: energy conservation] [D: clean energy] and environmental protection, ecological environment, ecological agriculture, [D: green tourism, green industry.] low carbon technologies and green services to improve the sustainable development of investment cooperation projects and contribute to the Parties efforts to transition to green economies, circular economy and green skills development.]</p> <p>3. The Parties may enhance mutual understanding of green investment</p>
<p>We defer to DOF. PH may also use as reference the Green Financing Roadmap. China is of the view that there should not be a common definition. China suggested AMS to also share.</p> <p>MY proposed to also consider Islamic Banking.</p>		<p>On Article 6, Para. 1: BITR-MRD:</p>	

<p>China does not intend to have one system but cooperation only.</p> <p>There is not only one file.</p> <p>China's response on credit rating</p>		<p>On Circular Economy. May BTR-MRD consider to accept the text since the provisions are not contentious. Defers to DENR's assessment.</p>	<p>Parties recognize... -replace first sentence with "The Parties ensure" after "The goal to recognize the goal to ensure sustainable consumption and production patterns. under as one of the SDGs.12 in of the UN 2030 Agenda for Sustainable Development."</p>	<p>strategies and policies through holding meetings, seminars and forums, among others.</p> <p>4. The Parties may promote green investment [ASEAN to recognize the goal to remove:cooperation]/ASEAN; collaboration) in (ASEAN to remove:the existing national and city level] cooperation projects between [ASEAN: under as one of the SDGs.12 in of the UN the Parties.] [ASEAN to remove/China to remain:China and ASEAN] [ASEAN to remove:member states.]</p> <p>5. The Parties may encourage relevant stakeholders, such as government agencies, local government, industry associations, chambers of commerce, financial institutions and enterprises, to strengthen contact, explore new cooperation opportunities in green investment, and ensure that their</p>
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		On Green Finance BITR-MRD: Delete to DOF	On Article 7, Para 1: BITR-MRD: -delete ".../green circulation." -replace "should" with "shall"	cooperation continues to be improved and more forward-looking. [CN: Article 6. Area 3: Sustainable Consumption and Production] [ASEAN: (C) Sustainable Consumption and Production] [CN: 1. The Parties recognize sustainable consumption and production as one of the SDGs in the 2030 Agenda for Sustainable Development. The Parties should
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<p>Note: China wants to focus on agri products.</p>			<p>On Article 7, Para 2: BITR-MRD: -insert "on best practices" after "The Parties may strengthen experience sharing..." -replace "upgrade" with "upgrading" on Para. 2(2)</p> <p>remove: simple and moderate.] green and low-carbon ways of life, construction of green shopping malls, development of green transportation, promotion of green product sales, and expansion of green product consumption.</p> <p>(1) promotion of [ASEAN to</p>	<p>encourage green consumption and promote green and low-carbon ways of production and life.</p> <p>2. The Parties may strengthen experience sharing, communication and cooperation in the following aspects, including but not limited to,</p> <p>(1) promotion of [ASEAN to remove: simple and moderate.] green and low-carbon ways of life, construction of green shopping malls, development of green transportation, promotion of green product sales, and expansion of green product consumption.</p> <p>(2) promotion of sustainable agricultural production, such as farmland protection and stewardship, improvement of water use efficiency in agriculture, agricultural bioresource</p>
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		<p>referred to in this paragraph.</p> <p>On Article 8, Para 2: DOF: We would like to inquire on the specifics of the pilot zones. (i) What projects will be implemented in these zones? (ii) What are the criteria in the selection of local pilot zones? (iii) What is the end-goal of establishing these zones?</p> <p>[CN: Article 7, Area 4: Circular Economy/Green Circulation] [ASEAN: (d) Circular Economy]</p> <p>[CN: 1. The Parties recognize the important role of circular economy in promoting green circulation in promoting sustainable development. The Parties should encourage conservation and efficient use of resources of all types.</p> <p>[for China's carbon agricultural nonpoint source pollution abatement and control], conservation and rehabilitation of agricultural ecosystems. development of green and low-carbon agricultural value chains, improvement of green technology innovation systems, and [for China's carbon transformation towards green lifestyle in rural areas]</p>	<p>protection, [for China's carbon agricultural nonpoint source pollution abatement and control], conservation and rehabilitation of agricultural ecosystems. development of green and low-carbon agricultural value chains, improvement of green technology innovation systems, and [for China's carbon transformation towards green lifestyle in rural areas]</p> <p>[CN: Article 7, Area 4: Circular Economy/Green Circulation] [ASEAN: (d) Circular Economy]</p> <p>[CN: 1. The Parties recognize the important role of circular economy in promoting green circulation in promoting sustainable development. The Parties should encourage conservation and efficient use of resources of all types.</p>
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On Green
 BITR-MRD:
 Suggest to

		<p>consult with DOST, especially on para 2 which may entail commitment</p>	<p>On Article 8, Para 4: DOF: We would like to note that as of writing, we cannot guarantee our support on this. SGM Comments: DTI to clarify parameters for green financial system, DTI to also request China to provide reference to "China's taxonomies". SGM Comments: PH can be flexible</p>	<p>and endeavor to put in place a system for recycling waste and used materials.</p> <p>2. The Parties may strengthen experience sharing, communication and cooperation in the following aspects, including but not limited to, (1) plastic pollution control, green distribution, green warehousing, and green transformation of express packaging.</p> <p>(2) ASEAN to remove Green and low-carbon transport of agricultural products, rebuilding and upgrade of agricultural wholesale markets, green business models of agricultural e-commerce.]</p>
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<p>On para 2, we suggest DOE to further check if the following can be infer as new renewable energy for new energy products such as new energy batteries, new energy vehicles and related components and parts, encouraging policy coherence and mutual recognition, in order to reduce trade barriers, and promote the development of green trade</p>		<p>On Green Standard: BITR-MRD: Suggest to consult with DA and DTI-BPS. It may be noted that the language is not contentious.</p>	<p>On Article 9, Para. 1 and 2: BITR-MRD: replace "parties" with "Parties"</p>	<p>[CN: Article 8, Area 5: Green Finance] [ASEAN: (e) Green Finance] [CN: 1. The Parties recognize that the establishment and improvement of a green financial system can help bring into play the role of capital market in optimizing resource allocation and serving the real economy, and supporting and promoting sustainable economic development. 2. The Parties may strengthen experience sharing, communication and cooperation in the following aspects, including but not limited to, green credit, green bonds, green insurance, green funds, green trusts, and other multi-level green financial products and market systems, green finance policies and standard systems, transition finance standards, and the</p>
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<p>and investment", in consideration that for low-carbon development, we have to refer mainly on renewable energy sources or products.</p> <p>On paragraph 3, we suggest replacing the word fine with climate resilient to be read as "Climate resilient fine breeds and seeds", subject to DA's vetting.</p> <p>In paragraph 3, we propose further clarification from China regarding improving the green agricultural product standards system which also can refer to biodiversity friendly agricultural products.</p>			<p>On Article 10, Para. 1: BITR-MRD: -MRD's proposed textual revisions in line with the provisions of the WTO Technical Barriers to Trade (TBT)</p>	<p>3. The Parties should promote the convergence of international standards for green finance, two-way opening up of green financial markets in an orderly manner and capacity-building in green finance, leverage green investment in private sector through regional cooperation mechanisms such as China-ASEAN cooperation, and promote regional cooperation in green finance.</p> <p>4. The Parties should encourage credit rating agencies to specifically evaluate the environmental-friendliness of fund-raising and investment projects, the impact of environmental costs on the credit rating of bond issuers and their construction of local pilot zones for green finance reform and innovation, etc.</p> <p>3. The Parties should promote the convergence of international standards for green finance, two-way opening up of green financial markets in an orderly manner and capacity-building in green finance, leverage green investment in private sector through regional cooperation mechanisms such as China-ASEAN cooperation, and promote regional cooperation in green finance.</p> <p>4. The Parties should encourage credit rating agencies to specifically evaluate the environmental-friendliness of fund-raising and investment projects, the impact of environmental costs on the credit rating of bond issuers and their</p>
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<p>On paragraph 4, we suggest inserting "access", to be read as "... investment liberalization and facilitation of access to products and services related to sustainable energy between the Parties.</p> <p>We also suggest deleting the word "from straw", to be read as "..., taking progressive steps to produce biomass fuel and improve energy mix in rural areas...</p> <p>On para j, instead of a low carbon and sustainable economy replace it with a sustainable low-carbon economy.</p> <p>In paragraph 4, for greater flexibility, we suggest that the implementation of these areas should be subject to Parties development priorities and not just on laws</p>			<p>Agreement. For consideration, -replace "parties" with "Parties"</p>	<p>bonds, and separately disclose such information in credit rating reports.]</p> <p>5. [ASEAN: The Parties acknowledge the vital role of the ASEAN Taxonomy for Sustainable Finance and [202401 CN: China's taxonomies for respective Parties sustainable finance taxonomy] in promoting and supporting transition to low-carbon and climate resilient development, i.e., climate change mitigation and adaptation. [202401 CN: as well as the importance of advancing comparably and interoperability of taxonomies in supporting more efficient, lower-cost cross-border green capital flows. The Parties and] will pursue cooperation among [202401 CN: multilateral] development banks, including the Asian Infrastructure Investment Bank (AIIB), and the financial sector towards this end.]</p>
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<p>and regulations.</p>			<p>On Article 10, Para. 2(3): BITR-MRD: For agricultural products/goods, Parties may consider coherence to the standards set by the standard-setting organizations</p>	<p>[CN: Article 9. Area 6: Green Technology] [ASEAN:(f) Green Technology] [CN: 1. The parties recognize that green technology is an engine for [ASEAN: environmental protection, mitigation and adaptation to climate change] [ASEAN to remove:green and low-carbon development and response to climate change.] which can provide important support for the development of green economy.</p>
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		<p>Article 11, para 4 We wish to clarify that MRD's initial comment is to replace [redacted] "photovoltaic" with "solar power"</p>	<p>recognized by the WTO Agreement on the Application of Sanitary and Phytosanitary Measures (the SPS Agreement), namely: ASEAN-China Plan of Action on a Closer Partnership of Science, Technology and Innovation for Future (2021-2025) [CN: and the subsequent Plans of Action], and the launching of the ASEAN-China Science, Technology and Innovation Enhancing Programme, to further enhance exchanges on innovative development of science and technology of both sides (WOAH). SGM Comments: DTI to check with DA</p>	<p>2. The parties are committed to building a closer partnership on science, technology and innovation, including [ASEAN: low-carbon technologies, sustainable and green infrastructure, environmental industry, green industry] through jointly implementing the ASEAN-China Plan of Action on a Closer Partnership of Science, Technology and Innovation for Future (2021-2025) [CN: and the subsequent Plans of Action], and the launching of the ASEAN-China Science, Technology and Innovation Enhancing Programme, to further enhance exchanges on innovative development of science and technology of both sides (WOAH). 3. The Parties may strengthen experience sharing, communication and cooperation in the following</p>
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			<p>SGM Comments: DTI to clarify meaning of "new energy system" PH can be flexible with the rest.</p>	<p>aspects, including but not limited to, innovation and integration of green technology, research and development of green [ASEAN: technology] [ASEAN to remove: agricultural] equipment, development of [ASEAN to remove: agricultural] green technology research institutions, commercialization of green technology research findings, trial and pilot extension of green technology, support [ASEAN to remove: to smallholders] in adopting green technology, and capacity building for green development.]</p> <p>[CN: Article 10, Area 7: Green Standard] [ASEAN: (g) Green Standard]</p> <p>[CN: 1, The parties recognize that standards, technical regulations and conformity assessment procedures increase compatibility and</p>
			<p>On Article 11, Para. 4: BITR-MRD.</p>	

			<p>- MRD is generally supportive of enhanced cooperation on sustainable energy industries. Suggest for RRD to consult on preparation, adoption and application of standards, technical regulations and conformity assessment procedures on green economy are important for international cooperation.</p> <p>2. The Parties may strengthen experience sharing, communication and cooperation in the following aspects, including but not limited to, (1) encouraging, where appropriate, the adoption and development of international standards relating to green economy; exploring the development of standards in areas that</p>	<p>interoperability of systems and processes and reduce barriers to trade which support a well-functioning green economy. The parties also recognize that information exchange and transparency with regard to the preparation, adoption and application of standards, technical regulations and conformity assessment procedures on green economy are important for international cooperation.</p> <p>2. The Parties may strengthen experience sharing, communication and cooperation in the following aspects, including but not limited to, (1) encouraging, where appropriate, the adoption and development of international standards relating to green economy; exploring the development of standards in areas that</p>
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				<p>are of mutual interest to the Parties, including but not limited to international standards.</p> <p>(2) promoting dialogue and cooperation on standards, technical regulations, and conformity assessment procedures, related to green economy, in particular policy alignment on standards, technical regulations, and conformity assessment procedures for new energy products such as new energy batteries, new energy vehicles and related components and parts, encouraging policy coherence and mutual recognition, in order to reduce trade barriers, and promote the development of green trade and investment.</p> <p>(3) Improving the green agricultural product standards system, promoting fine breeds and seeds with better</p>
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			<p>SGM Comments: DTI suggests changing "phivolcaltac" with "rcort" for a broader scope of cooperation under Para 4. For consideration of DOB and SGM.</p>	<p>quality while strengthening brands and standardized production, putting in place a criteria system for evaluating the quality of agricultural products, creating a structure of agricultural brands, and building a criteria system for green agricultural development across the value chain.</p> <p>3. The Parties may strengthen exchanges on mutual recognition of conformity assessment results related to green economy, in order to reduce duplicate evaluations, and promote trade facilitation.</p> <p>4. The Parties may encourage coordination in setting up such international standards as the Codex Alimentarius standards and increase coherence among standards.]</p>
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			<p>"solar" instead of "photovoltaic"</p> <p>Agencies to revert on Monday 25 March 2024.</p>	<p>[CN: Article 11. Area 8: Sustainable Energy] [ASEAN: (h) Sustainable Energy]</p> <p>[CN: 1. The Parties recognize the importance of accelerating the construction of a new energy system, increasing the proportion of clean energy consumption, and promoting the green and low-carbon transition of the energy structure.]</p> <p>[ASEAN to insert/ 202401CN to delete: 2. The Parties recognize the importance for energy transition to consider the timely decommissioning of coal-fired power plants, it can be valuable means of transitioning to more sustainable sources of energy.]</p>
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			<p>BITR to update Agencies on the</p>	<p>[CN: 3. The Parties may promote knowledge sharing in renewable energy technologies and advance energy transition in the region, including through establishing an ASEAN-China Clean Energy Cooperation Center, to contribute to achieve low-carbon economic development as well as green and sustainable growth.</p> <p>4. The Parties agree to strengthen cooperation in the sustainable energy industries in the fields including wind power, hydropower, photovoltaic, hydrogen fuel cells, smart energy solutions, energy storage systems, electric vehicles, etc and promote trade and investment liberalization and facilitation of products and services related to sustainable energy between the Parties</p>
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			<p><i>developments of text negotiations.</i></p>	<p>5. The Parties may strengthen experience sharing, communication and cooperation in the following aspects, including but not limited to, fostering the industries that convert livestock manure into energy sources, taking progressive steps to produce biomass fuel from straw and improve energy mix in rural areas, demonstrating alternative energy sources that help with emission reduction and carbon sequestration, and building more clean energy facilities.]</p> <p>[CN: Article 12, Area 9: Coordinated Transformation for Digital and Green Development</p> <p>1. The Parties recognize the importance of promoting energy</p>
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				<p>efficiency improvement in emerging fields, deep integration of digital technology and green and low-carbon industries, and application of digital energy-saving and carbon reduction technologies.</p> <p>2. The Parties may strengthen experience sharing, communication and cooperation in the following aspects, including but not limited to:</p> <p>(1) promoting green and low-carbon development of digital industries such as data centers and 5G, enabling the green transformation of traditional industries through digital technology, research and development (R&D) and extension of common digital and green technologies, expansion of digital and green integration application scenarios, and formulation of collaborative</p>
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				<p>standards for digital and green development;</p> <p>(2) applying digital, smart and green technology in agricultural production, assembling and integrating green technologies to meet the needs of different crops and regions, bolstering digital development in rural areas including efforts to advance R&D and extension related to digital application scenarios, accelerating the use of big data in agriculture and rural areas, and promoting smart agriculture.]</p> <p>[ASEAN: (f) Other areas of cooperation</p> <p>The Parties agree to strengthen cooperation [202401_CN_in] mutually agreed by both sides that supports low-carbon and sustainable economy</p>
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				<p>including eco products, eco-design, eco-label, ecological conservation, environmental protection, water efficiency and conservation, as they relate to trade. The Parties may also consider development of nature-based solutions and ecosystem-based approach to capitalize on the region's natural capital, and development of market-based solutions to achieve economically efficient emission reductions and enhancing trade and investment.]</p> <p>[ASEAN: 2 Cooperation shall be undertaken through ways and means considered appropriate by the Joint Committee.</p>
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		Defer to DENR's assessment if the		[CN: Section III, Trade and Environment]
				<p>3. All economic cooperation activities under this Chapter are subject to the availability of funds and human and other resources, and to the applicable laws and regulations of the Parties. Where implementation of this Chapter is inhibited by capacity constraints, the Parties may provide cooperation through the [to be identified] to assist ASEAN Member States with such implementation.</p> <p>4. Cooperation is subject to green economy policy-related needs being identified and the availability of resources, having regards to respective Parties' laws and regulations.]</p>

<p>We suggest DTI to request DFA's comments on the entire text of paragraph 2.</p>	<p>language is acceptable especially to paragraphs 2-3 which relates to national policies on environment.</p>	<p>SGM Comments: DTI to suggest amending the use of "shall" to "will" or less binding equivalent. DTI to also ensure to recourse to Dispute Settlement.</p>	<p>[CN: Article 13. Right to Regulate and Levels of Protection</p> <p>1. The Parties reaffirm the sovereign right of each Party to establish its own levels of environmental protection and its own environmental priorities, and to adopt or modify its relevant laws, policies and practices accordingly.</p> <p>2. The Parties shall strive to ensure that its laws, policies and practices provide for and encourage high levels of environmental protection consistent with standards, principles and agreements referred to in paragraph 2 of Article 15 (Multilateral Environmental Agreements and International Environmental Governance) and to paragraph 1 of Article 1 (Context) and to further improve their respective levels</p> <p>On Article 13, Para. 3: BITR-MRD: replace "...the Parties shall</p>
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<p>We observed that the provisions are similar to CPTP and in IPEF, however, "sustained and recurring course of action" was removed in IPEF.</p> <p>To be consistent with the Philippine position, we would like to retain our previous position in the IPEF, to which we express our reservation on the term "effectively" emphasizing that it is up to the Parties on how to determine effectivity of environmental laws</p>			<p>take account of available," with "the Parties shall take into account the available"</p> <p>SGM Comments: DOE suggested to transfer placement of Article 14 to the last para of this section</p>	<p>of protection provided for in those laws, policies and practices:</p> <p>3. When preparing and implementing measures related to the environment that affect trade or investment between them, the Parties shall take account of available scientific, technical and other information, and relevant international guidelines and recommendations.]</p> <p>[CN: Article 14. Upholding Levels of Protection in the Application and Enforcement of Laws and Regulations</p> <p>1. No Party shall fail to effectively enforce its environmental laws and</p>
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<p>In paragraph 3, we suggest rewording the term “corporate and consult” to “corporate and consult through Dialogue as appropriate” in reference to CPTPP. The idea is for the PH not to be bound on MEAs implementation.</p> <p>Clarify China's intention on the term “and related ecosystem”</p> <p>In paragraph 1, we suggest inserting the word “reduce and absorb” before greenhouse gas emissions and insert the word “to halt and reverse” before</p>				<p>regulations through a sustained or recurring course of action or inaction in a manner affecting trade or investment between the Parties.</p> <p>2. No Party shall weaken or reduce the level of environmental protection provided by its laws and regulations, in order to encourage trade or investment</p> <p>3. No Party shall waive or otherwise derogate from, or offer to waive or otherwise derogate from, such laws, regulations and policies in order to encourage trade or investment between the Parties.</p> <p>4. Nothing in this Chapter shall be construed to empower a Party's authorities to undertake environmental</p>
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<p>biodiversity loss, referencing the Global Biodiversity Framework mission for 2030.</p> <p>On paragraph 2d, we suggest to use "Implementation" instead of "use"</p> <p>In paragraph 2e, we suggest deleting the word <i>existing</i> before <i>bilateral arrangement</i>, in order for the agreement to not be exhaustive and to have recourse for future bilateral arrangements. Relatedly, we also suggest to remove the phrase "as encouraged by the Paris Agreement", to be read as:</p> <p>e) cooperate on issues pertaining to conservation and sustainable management of forests, mangroves and peatlands where relevant through existing bilateral arrangements if applicable and in the relevant multilateral fora in which they participate as encouraged by the Paris</p>			<p>On Article 16, Para. 1: BITR-MRD: insert "the", ensuring the conservation"</p>	<p>law enforcement activities in the territory of the other Party.]</p> <p>[CN: Article 15. Multilateral Environmental Agreements and Governance</p> <p>1. The Parties recognize that multilateral environmental agreements (MEAs) play an important role, globally and domestically, in protecting the environment and stress the need to enhance the mutual supportiveness between trade and environmental policies. The Parties further recognize that this Chapter can contribute to realizing the goals of such agreements.</p> <p>2. The Parties reaffirm their commitment to the effective implementation in their laws and</p>
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<p>Agreement</p> <p>We agree with DOF comments to have further refinements on this paragraph. We suggest that the text should also establish the impact of climate change on trade.</p> <p>FH may also clarify China's objective on not having trade reference in this paragraph.</p> <p>FH may also propose other areas of cooperation related to climate change that are not covered in other sections to be included in this paragraph.</p> <p>This paragraph can consider the cooperation provision in the IPEF, which was very general, (e.g. includes trade in carbon intensive goods, evidence-based approach, carbon pricing, etc.)</p>				<p>practices of the multilateral environmental agreements to which they are a party as well as their adherence to environmental principles reflected in the international instruments referred to in Article 1 [Context]</p> <p>3. The Parties strive to consult and cooperate as appropriate with respect to MEAs to which both Parties are party, on trade-related environmental issues of mutual interest.]</p> <p>[CN: Article 16. Sustainable Forest Management and Associated Trade</p> <p>1. The Parties recognize the importance of ensuring conservation and sustainable management of forests and related ecosystems with the objective</p>
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<p>In Paragraph 1, we suggest inserting the word ensuring the conservation, to be consistent.</p> <p>On paragraph 2a, we suggested rewriting it as CITES Appendices instead of <i>Appendices to CITES</i>.</p> <p>on para 2a, we suggest clarifying the word "reasonably", as they might ask for further justification for including something not part of justification that CITES requires.</p> <p>On paragraph 2d, we suggest deleting the word including</p> <p>On paragraph 3, we suggest clarifying China's intention on why it is focused on aquatic organisms and farmland.</p>			<p>On Article 17 and 18: DOF: These articles are referring to international agreements. We would like to suggest either the transfer of these articles to Article 1 (Context); or the enhancement of these articles.</p>	<p>to reduce greenhouse gas emissions and biodiversity loss resulting from deforestation and degradation of forests.</p> <p>2. Accordingly, the Parties commit to:</p> <p>(a) ensure effective forest law enforcement and governance;</p> <p>(b) promote trade in products that derive from sustainably managed forests and related ecosystems;</p> <p>(c) implement measures to combat illegal logging and promote the development and use of timber legally assurance instruments with the aim to ensure that timber and timber products traded between the Parties are legally sourced;</p>
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<p>We also suggest including Conservation in Biological Diversity (CBD) on paragraph 2 and 3 to be consistent with para 1. DENR can generally support the WTO-FSA mentioned in this Article. It is in accordance with GBF on removal of harmful subsidies. We defer to DA comments on paragraph 2</p>				<p>(d) promote the effective use of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) with particular regard to timber species; and</p> <p>(e) cooperate on issues pertaining to conservation and sustainable management of forests, mangroves and peatlands where relevant through existing bilateral arrangements if applicable and in the relevant multilateral fora in which they participate as encouraged by the Paris Agreement.]</p> <p>[CN: Article 17. Trade and Climate Change</p>
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			<p>On Article 18, Para. 3: BITR-MRD: insert "on best practices" after the sentence "The Parties may strengthen experience sharing..."</p> <p>SGM Comments: PH can be flexible to reference to Fisheries Subsidies</p>	<p>The Parties recognize the importance of pursuing and implementing the objectives and principles of the United Nations Framework Convention on Climate Change (UNFCCC) and the Paris Agreement in order to address the urgent threat of climate change.]</p>
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		<p>On Article 19, Para. 1: BITR-MRD: edit paragraph to "The Parties take note of the Agreement on Fisheries Subsidies (FSA) adopted at the 12th World Trade</p>	<p>[CN: Article 18. Trade and Biological Diversity 1. The Parties recognize the importance of the conservation and sustainable use of biological diversity, and the role of trade in pursuing these objectives, consistent with the Convention on Biological Diversity (CBD) and its protocols, CITES, other relevant international instruments to</p>
	<p>On Article 19, suggest to also put a reference on the potential outcomes of the ongoing second wave of fisheries subsidies negotiations as mandated in paragraph 4 of the MC12 Decision which adopted the FSA, to wit:</p>		

	<p>in Geneva Switzerland, as well as the outcomes of the second wave of negotiations on disciplines on overcapacity and overfishing (COCP), including provisions on appropriate and effective special and differential treatment (SDT). Suggest to consult further with DA-BFAR on Article 19. It may be noted that the</p>	<p>Organization, WTO, Ministerial Conference (MC12) on 17 June 2022 in Geneva. Switzerland. The Parties recognize that the FSA is the first SDG to be fully met through a broad and binding multilateral agreement. The Parties also acknowledge the FSA as an important step towards ocean sustainability by prohibiting harmful subsidies.</p>	<p>which they are a party, and the decisions adopted thereunder. 2. To this end, the Parties shall strive to: (a) scientifically and reasonably include animal and plant species in the Appendices to CITES in accordance with Article 2 of CITES, taking into account the actual situation of species resources and rational utilization, and recognize the role of conservation and sustainable use in relation to trade with species included in the Appendices; (b) combat environmental crime throughout the entire value chain; (c) prevent or control the introduction and spread of invasive alien species, in connection with trade activities; and</p>
		<p>On Article 19, Para. 2: 3. BITR-MRD: edit paragraph to "The</p>	

		Parties recognize the importance of ensuring the conservation and sustainable management of living marine resources and 3. The Parties may strengthen experience sharing, communication and cooperation in the following aspects, including but not limited to, 14 and the role of trade creation of ecological corridors on farmland, building of high-quality farmland shelterbelts, restoration of farmland ecosystem for increased biodiversity, and habitat rehabilitation, ex-situ conservation and stock enhancement for the growth of aquatic organisms and effective biodiversity protection.]	Parties recognize the importance of ensuring the conservation and sustainable management of living marine resources and 3. The Parties may strengthen experience sharing, communication and cooperation in the following aspects, including but not limited to, 14 and the role of trade creation of ecological corridors on farmland, building of high-quality farmland shelterbelts, restoration of farmland ecosystem for increased biodiversity, and habitat rehabilitation, ex-situ conservation and stock enhancement for the growth of aquatic organisms and effective biodiversity protection.]	[CN: Article 19, Trade and Sustainable Management of Fisheries and Aquaculture
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language is not
confidential.

				<p>1. The Parties take note of the Agreement on Fisheries Subsidies adopted at the 12th WTO Ministerial Conference on 17 June 2022.</p> <p>2. The Parties recognize the importance of ensuring the conservation and sustainable management of living marine resources and marine ecosystems and the role of trade in pursuing these objectives. They may cooperate in areas of mutual interests concerning trade and sustainable management of fisheries and aquaculture.]</p>
				<p>[CN: Section IV, Implementation Mechanism]</p> <p>Article 20. Contact Points</p>

<p>PH may propose a consultation mechanism, subject to DTI's vetting.</p>			<p>On Article 20, Para. 3: BITR-MRD: replace "or with "in" On Article 21, Para. 1: BITR-MRD: replace "or with "of"</p>	<p>Article 21. Non-Application of Dispute Settlement</p> <p>1. [CN: Each Party] [ASEAN: The Parties] shall designate contact point(s) to facilitate communication between the Parties for the implementation of this Chapter.</p> <p>2. Each Party shall notify the other Party in writing of its designated contact point including information of their contact details no later than 60 days after the date of entry into force of this Agreement.</p> <p>3. A Party shall notify the other Party of any change of its contact point or the details of the relevant officials.</p>
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			<p>SGM Comments: PH can be flexible to CN and ASEAN alt text so long as DS will not apply</p>	<p>1. The Dispute Settlement Mechanism in this Agreement shall not apply to any matter arising under this Chapter.</p> <p>2. Any dispute concerning the interpretation, implementation or application of this Chapter shall be settled amicably by the Parties.</p> <p>[CN: Article 22. Review This Chapter shall be subject to periodic review within the framework of the ACFTA-JC. The Parties shall discuss progress achieved in pursuing the objectives set out in this Chapter and consider relevant international developments in order to identify areas where further action could promote these objectives.]</p> <p>Note from WGGE 3:</p>
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To revisit the article on Review with due consideration to the similar provision in the overall upgraded ACFTA.				
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[ASEAN to remove/CN to insert: Annex. Relevant Cooperation Implementation Mechanisms]

Specific Areas	Implementation Mechanisms
1 Green Trade	China International Import Expo; China Import and Export Fair; China International Fair for Trade in Services; China-ASEAN Expo, etc.
2 Green Investment	International Conference on Trade in Agricultural Services
3 Sustainable Consumption and Production	China International Consumer Products Expo
4 Green Finance	Green Investment Principle (GIP) for the Belt and Road Initiative; Central Banks and Supervisors Network for Greening the Financial System (NGFS);