



PERU AND THE COP 20

ENVIRONMENTAL "PAQUETAZOS" AND THE GOVERNMENT'S INCOHERENCE

BRIEF DESCRIPTION OF THE NATIONAL CONTEXT

- Peru is a developing economy that historically has relied on the exploitation of natural resources.
- During the past decade, Peru benefited substantially from the boom in commodity prices: the value of exports grew by 600 per cent since 2002, and domestic product almost tripled.
- Extractive industries, particularly mining, were the leaders of this boom, and collected considerable economic and political power from it.
- This boom came with significant advances in social terms: the percentage of Peruvians living in conditions of monetary poverty was reduced by half in less than ten years.
- Mass media systematically praised the economic model driven by raw mineral export. Media complemented this with an ideological framework linked to orthodox policies that had dominated public policies since the 90s.
- However, extensive sectors of the population felt disenfranchised with this political and economic system that prioritized profit-making by large and powerful companies.
- Mining areas have increasingly become the host of controversy and conflicts, and communities protesting against pollution and rights violations perceive state interventions as permissive and condescending.
- Consequently, in 2011, Peru's political conditions were ripe for change.

PRESIDENT HUMALA'S GOVERNMENT, 2011 TO PRESENT

- In 2011, Ollanta Humala - until then a political outsider - won the presidential elections backed by a progressive coalition and against strong opposition from the main private sector association, the *Confederación Nacional de Instituciones Empresariales Privadas* (CONFIEP), mass media and conservative political parties.
- Initially, Humala pursued a reform agenda, including measures to improve and sharpen environmental regulations and governance.
- However, this "environmental spring" was not to last. Gradually, the government shifted its approach and rationale, intimidated by a relentless political and media campaign from the right.
- At present, Humala's regime has fully embraced the primary export model, providing absolute priority to large investments of the extractive Industries.
- Progressive elements inside the government have been either removed, or are cornered and isolated. Such is the case of the Ministry of Environment, among others.

2014, THE YEAR OF COP20 IN PERU

- Peru is suffering a significant economic slowdown related to a decrease in commodity prices. The Government's response has been to reactivate the economy with "reforms" aimed to promote large private investments.
- Environmental and social regulations are portrayed as "barriers" against private investments and economic growth.
- Consequently, there is a profound incoherence between the government's official discourse as host of the COP 20, and its regressive environmental policies.

THREE WORRYING ENVIRONMENTAL ISSUES

1. SACRIFICING ENVIRONMENTAL STANDARDS FOR THE SAKE OF ENSURING LARGE INVESTMENTS

- In June 2014, the government issued Law 30230: an extensive series of decrees aimed to promote investments. This Law includes regressive measures that affect social and environmental governance, including:
 - Stripping the Ministry of Environment of its faculty to directly create areas for the conservation of biodiversity and natural landscapes.
 - Reduction of the time awarded to review environmental impact assessments (EIAs) to just 45 days, imposing sanctions on public officers who fail to meet this deadline.
 - The state agency in charge of environmental regulations (OEFA) is no longer allowed to apply fines in the case of environmental transgressions. Rather, it is summoned to indicate corrective measures; only in the case of in compliance with those corrective measures it may issue fines.
- The level of fines in case of in compliance with environmental regulations is reduced by 50%, except for extreme cases or recurrent faults.
- Any future environmental standards and modification of maximum acceptable limits, proposed by the Ministry of Environment, will require explicit consideration of the economic impact on the industry sector concerned. It will also require previous approval from the corresponding sector ministry, concretely the Ministry of Energy and Mining, which has the mandate to promote the expansion of its sector.

WHAT WE ARE ASKING FOR?:

THE DEROGATION OF LAW 30230 AND REAFFIRMATION OF ENVIRONMENTAL STANDARDS AND GOVERNANCE.

2. ABANDONMENT OF ENVIRONMENTAL DEFENDERS IN THE AMAZONAS

- Peru's Amazonia region is under siege: Approximately 1 hectare of primary forest disappears every 3 minutes.
- The culprits are illegal logging and mining, slash-and-burn agriculture, large agribusiness projects (palm oil and others), but mostly a Peruvian state that has been extremely permissive with actors devoted to deforestation.
- The state has also failed to protect environmental defenders, who are facing attacks from criminal groups and mafias linked to illegal extractive activities.
- According to Global Witness, Peru is the fourth most dangerous country for environmental defenders: at least 57 environmental defenders were killed since 2002.
- Last September, Edwin Chota and three other indigenous leaders from the Saweto community were murdered by illegal loggers; this is the most recent occurrence in a tragic history of environmental defenders killed for defending Amazonian forests.

WHAT WE ARE ASKING FOR?:

- **JUSTICE IN THE SAWETO CASE.**
- **PROTECTION FOR ENVIRONMENTAL DEFENDERS.**
- **COLLECTIVE LAND TITLING FOR INDIGENOUS TERRITORIES**

3. A COP 20 HOST THAT DOES NOT HAVE A CLIMATE CHANGE LAW

- To date, the Peruvian Government has been unable to enact a Law on Climate Change. The current proposal being discussed by Congress has glaring omissions regarding environmental governance and specific objectives, among other critical issues.
- There is a real risk that the Peruvian Government will rubber stamp a Climate Change Law that is toothless.

OUR POSITION: WE NEED AN IMPACTFUL LAW ON CLIMATE CHANGE THAT ADDRESSES:

- **REINFORCEMENT OF THE MINISTRY OF ENVIRONMENT AS THE LEADER ON POLICIES RELATED TO ENVIRONMENT AND CLIMATE POLICIES.**
- **SAFEGUARDS TO AVOID THAT CLIMATE CHANGE POLICY BECOME UNDERCUT BY SECTOR-SPECIFIC REGULATIONS.**
- **CLEAR AND SPECIFIC OBJECTIVES WITH REGARD TO MITIGATION AND ADAPTATION.**
- **ENSURED FINANCIAL RESOURCES FOR CLIMATE CHANGE PROGRAMS, PARTICULARLY ON ADAPTATION AND RESILIENCE BUILDING**