

United States-Peru Environmental Cooperation 2011-2014 Work Program

The Environmental Cooperation Commission (ECC), established pursuant to Article III of the Environmental Cooperation Agreement (ECA) between the Governments of the United States and Peru (the Parties), hereby defines a Work Program through 2014 that establishes specific goals, objectives and activities that reflect national priorities for each Party.

Background

On July 24, 2006, the Governments of the United States and Peru signed an ECA, which entered into force August 23, 2009. In so doing, the Parties recognized that cooperation is the principal means for ensuring that trade and environmental policies are mutually supportive and promote the optimal use of resources in accordance with the objective of sustainable development. The objective of the ECA is to establish a framework for enhancing bilateral and/or regional environmental cooperation between the Parties. The ECA establishes an ECC and obligates the ECC to define a Work Program.

In the Annex on Forest Sector Governance (the Annex) to the Environment Chapter of the U.S.-Peru Trade Promotion Agreement (TPA), the Parties committed to work cooperatively, in accordance with the ECA, to promote the sustainable management of Peru's forest resources. They identified several possible activities, including: (a) strengthening the legal, policy, and institutional framework governing the forest estate and the international trade in forest products; (b) building institutional capacity for forest law enforcement and the international trade in forest products; (c) improving the performance of the forest concession system in meeting economic, social, and ecological objectives; and (d) increasing public participation and improving transparency in forest resource planning and management decision-making.

Long-Term Work Program Goals

Through implementation of this Work Program, the ECC is striving to achieve the following long-term goals:

- Effective implementation of the TPA Environment Chapter, including the Annex, in particular with respect to obligations to: (1) strive to ensure that Parties' environmental laws and policies provide for and encourage high levels of environmental protection; (2) effectively enforce Parties' environmental laws; (3) ensure that judicial, quasi-judicial, or administrative proceedings are available to sanction or remedy violations of environmental laws; (4) combat trade associated with illegal logging and illegal trade in wildlife; and (5) enhance forest governance and promote legal trade in timber products;
- Improved protection and conservation of the environment, including natural resources;
- Increased transparency and public participation in environmental decision-making; and
- Promotion of a culture of environmental protection and compliance with environmental laws through, among other things, the promotion of economic opportunities, voluntary measures to enhance environmental performance, and job creation.

Work Program Themes and Objectives to Achieve Long-Term Goals

1. Institutional and Policy Strengthening for Effective Implementation and Enforcement of Environmental Laws, including Biodiversity Conservation and Other Natural Resource-Related Laws

Objectives: To work with national, regional, and local governments in Peru to: (1) strengthen their ability to effectively enforce their environmental laws; (2) support the adoption and implementation of necessary environmental laws, decrees, regulations and other measures, including commitments in multilateral environmental agreements (e.g., Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)); (3) exchange information and experiences on legal, policy, regulatory, enforcement and compliance regimes for, and approaches to, environmental protection and natural resource management; (4) promote and encourage the conservation and sustainable use¹ of biological diversity and all of its components, including plants, animals, and habitats; and (5) improve management of forests, protected areas and other ecologically important ecosystems.

2. Transparency and Public Participation in Environmental Decision-making and Enforcement

Objectives: To (1) share experiences on involving the public in decision-making on environment and trade matters; (2) enhance transparency in regulatory and program implementation; (3) establish a Secretariat to receive submissions on environmental matters pursuant to Articles 18.8 and 18.9 of the TPA; and (4) exchange knowledge and experiences on environmental education strategies and programs, with a principal focus on basic and community-level education.

3. Community and Market-based Activities

Objectives: To work with communities in Peru, including indigenous communities, to: (1) improve environmental protection and natural resource management at the local level; (2) reap the benefits of traditional knowledge and practices that contribute to the conservation and sustainable use of natural resources and biodiversity; and (3) develop markets for goods or services produced or provided sustainably, e.g., sustainable tourism and sustainably mined artisanal gold, agricultural products, and forest products.

4. Improved Environmental Performance in the Productive Sector

Objectives: To encourage existing enterprises in the productive sector in Peru (including operators of forest concessions) to develop and adopt sound environmental and natural resource management practices and technologies, and demonstrate that it can be done in a manner consistent with maintaining international competitiveness.

¹ For purposes of this Work Program, sustainable use means non-consumptive or consumptive use in a sustainable manner.

Activities

The Parties anticipate building on the activities in the 2009-2010 Work Program, with a continuing focus on implementing the Annex. In the attached matrix, these Annex activities are listed as priority areas under their related themes, along with other priority areas. The implementation of activities is contingent upon the availability of funding and other resources from the Parties and other sources. The Parties understand that it is unlikely that all of these activities can be undertaken within the timeframe of the Work Program.

Should additional resources become available, the Parties may develop more activities, such as improving: technical capacity and market access for sustainable agricultural products and other non-forest-related natural-resource-based products; fisheries management; environmental impact assessment (EIA) review processes and tools, EIA review guidelines, and permit decision-making; the regulation and environmental impacts of large-scale cyanide gold mines; air and water quality; solid waste disposal; and compliance and overall environmental performance through environmental management systems and environmental audits.

The Parties intend to explore the development of partnerships with private sector and civil society organizations in carrying out their work. The Parties also note ongoing bilateral cooperative work in other fora, and intend to complement and build upon this work. Furthermore, the Parties intend to explore opportunities for collaboration in priority areas with other countries in the Western Hemisphere.

The Parties agree to examine, through their respective competent authorities, within the first half of 2011, the specific activities and sub-activities derived from this Work Program and to elaborate mechanisms and indicators, as they deem appropriate, to monitor and evaluate implementation of these activities and sub-activities. The ECC intends to meet early in 2012, to review the status of implementation of this work Program and start developing the next work Program at the end of 2013.

Benchmarks, Monitoring and Evaluation

As the Parties implement the activities under the Work Program, they intend to encourage implementing partners to identify performance indicators and benchmarks to measure progress in furthering the goals and objectives of these activities and to facilitate public reporting of that progress. The Parties recognize that a variety of government agencies and civil society groups will be involved in implementing the activities under this Work Program, and that the agency or group that leads implementation for a particular activity will strive to be responsible for public participation, information disclosure, and performance tracking related to that activity.

| Theme | Priority Areas | Activities ² |
|---|---|--|
| <p>1. Institutional and policy strengthening for effective implementation and enforcement of environmental laws, including biodiversity conservation and other natural resource-related laws</p> | <p>(a) Strengthening the legal, policy, and institutional framework governing the forest estate and the international trade in forest products;</p> <p>(b) Building institutional capacity for forest law enforcement and the international trade in forest products;</p> <p>(c) Improving the performance of the forest concession system in meeting economic, social, and ecological objectives;</p> <p>(d) Strengthen the ability of national, regional, and local authorities to effectively manage natural resources and enforce their environmental laws.</p> | <p>1.1 Assist Peru with institutional strengthening by dedicating one full-time USFS staffer and other personnel and resources as needed. (Arts. 18.1, 18.2, 18.3; entire Annex)</p> <p>1.2 Assist Peru to build institutional capacity within agencies and regional governments and with prosecutors devoted to enforcing Peru’s laws, regulations, and other measures relating to illegal timber harvesting and trafficking, deforestation and trafficking in wildlife through the design and implementation of a National Capacity Building Strategy on the forest sector, that would include among other things: (a) conducting trainings on investigating and prosecuting cases, and (b) developing and publishing a manual on prosecuting cases. (Arts. 18.1, 18.2, 18.3, 18.4; entire Annex).</p> <p>1.3 Technical assistance and workshops for persons or entities holding rights to forest resources, including concessionaires and permittees, to improve forest administration and management, and for OSINFOR to improve its supervision of timber concessions and permits. (Annex paras. 3(g), 3(h), (4))</p> <p>1.4 Design and implement improved National System of Forestry Information (SNIF), and implement improved chain of custody system, starting with CITES-listed tree species. (Art. 18.2; Annex paras. 3(h), 5, 6, 7)</p> <p>1.5 Implement improved Anticorruption Plan and disseminate it to relevant national, regional, and local agencies and authorities, and stakeholders. (Annex para. 3(a)(ii))</p> <p>1.6 Provide institutional support to MINAM, with an initial emphasis on OEFA, the National System of Environmental Impact Assessment (SEIA), and the National System of Environmental Information (SINIA). Activities include: (1) design, piloting and capacity building for implementing population inventories, scientific studies, technical analyses, and using modern information systems to improve the management of CITES-listed species; (2) undertaking economic valuation studies and implementing a payment for ecosystem services program; (3) designing and implementing a National System for the Evaluation of Environmental Impacts; (4) developing and implementing the <i>Conserving the Forests to Mitigate Climate Change Initiative</i>; and (5) continue ongoing USAID Municipal Environmental Program with MINAM to provide</p> |

² Chapter and annex references are not exhaustive or exclusive.

| | | |
|--|--|--|
| | | <p>technical support to local government authorities for sound environmental management practices, such as solid waste disposal and wastewater treatment. (Arts. 18.1, 18.2, 18.3, 18.4, 18.5, 18.7)</p> <p>1.7 Assist Peru with strengthening CITES Scientific, Management and Enforcement Authorities, including, as appropriate, support in developing and executing a training plan for CITES authorities that could include making non-detriment and legal acquisition findings. (Arts. 18.2, 18.3; Annex paras. 3(d)-(h), 6, 10, 15)</p> <p>1.8 Technical assistance to improve the management of CITES-listed species, with a focus on tree species (e.g. population inventories, scientific studies, information systems, and classification of threatened and endangered flora and fauna). (Arts. 18.2, 18.3; Annex paras. 3(d)-(h), 15)</p> <p>1.9 Assist Peru in implementing and updating its Mahogany Action Plan. (Arts. 18.2, 18.3; Annex paras. 3(e))</p> <p>1.10 Assist Peru to be able to conduct verifications and audits under the Annex. (Annex paras. 6, 7, 10, 12)</p> <p>1.11 Provide institutional support to regional authorities through CIAM or other means to effectively manage natural resources (initially forestry resources) and enforce environmental and natural resource laws, starting with the Amazon. Technical support to design and establish Regional Environment and Natural Resources Authorities. (Arts. 18.1, 18.2, 18.3)</p> <p>1.12 Provide technical assistance and necessary equipment for the sustainable management of wildlife in its natural habitat, including support for animal rescue/rehabilitation centers and training in proper methods of handling, transporting and re-releasing confiscated wildlife, so that they can successfully care for seized or abandoned wildlife. (Art. 18.2; Annex paras. 1, 15)</p> <p>1.13 Provide trainings for Peruvian government officials to identify illegally traded wildlife and wildlife products originating in or being transported through Peru and common smuggling techniques and routes for wildlife and wildlife products. (Art. 18.2; Annex paras. 1, 15)</p> <p>1.14 Provide equipment and software for agencies to fulfill Annex monitoring and enforcement obligations. (Arts. 18.2, 18.3, 18.4; entire Annex)</p> <p>1.15 Assist with institutional analysis and design for implementation of new Forestry Law. (entire Annex)</p> |
|--|--|--|

| | | |
|---|---|--|
| | | <p>1.16 Technical support to the National and Amazon Regional Governments, through CIAM, MINAG and MINAM to design and implement Strategies and Programs on Climate Change, within the National framework. (Arts. 18.1, 18.2, 18.3, 18.4, 18.5, 18.7)</p> |
| <p>2. Transparency and Public Participation in Environmental Decision-making and Enforcement</p> | <p>Improving transparency, public participation, and access to information in trade and environmental decision-making processes.</p> | <p>2.1 Ensure the functioning of the Secretariat for Environment Matters. (Arts. 18.8, 18.9)</p> <p>2.2 Assist Peru with strengthening the ability of public institutions to establish and operate mechanisms for citizen participation and transparency. (Art. 18.7; Annex paras. 3(g), (h), (i), 4(d))</p> <p>2.3 Technical support to develop a communication strategy and website detailing Peru’s implementation of the Annex and the Covered Multilateral Environmental Agreements listed in the Environment Chapter of the U.S.-Peru TPA, such as CITES. (Art. 18.7)</p> <p>2.4 Conduct public awareness campaigns on Peruvian laws to promote endangered species conservation and sustainable use of natural resources, and reduce illegal trade in forest products and wildlife. (Art. 18.7)</p> <p>2.5 Technical Support to CIAM’s “Amazonia vale un Peru” initiative, including public outreach (national and international) in order to show Amazon’s potential for sustainable development. (Arts. 18.1, 18.2, 18.3, 18.4, 18.5, 18.7)</p> |
| <p>3. Community and Market-Based Activities</p> | <p>Develop strong trade-related incentives, economic alternatives, and voluntary measures to enhance environmental performance, conserve biodiversity, and improve management of forests, protected areas, and other ecologically important ecosystems.</p> | <p>3.1 Foster incentives for private sector-generated sustainable development that directly benefit local peoples and enterprises and conserve biodiversity (e.g. the adoption of voluntary mechanisms, such as certification, to improve forest management). (Art. 18.5; Annex paras. 3(h)-(i))</p> <p>3.2 Technical assistance to increase the capacity of indigenous communities to manage their forest and wildlife resources in an economically competitive and sustainable manner. (Art. 18.5; Annex para. 3(i))</p> <p>3.3 Provide assistance to strengthen trade consistent with PTPA Article 18.11. (Arts. 18.5, 18.11)</p> |

| | | |
|--|---|--|
| <p>4. Improved Environmental Performance in the Productive Sector</p> | <p>To encourage existing enterprises in Peru (including operators of forest concessions) to develop and adopt sound environmental and natural resource management practices and technologies.</p> | <p>4.1 Technical assistance to forestry consultants and other service providers to the forest productive sector. (Art. 18.5; Annex paras. 3(g)-(h))</p> <p>4.2 Technical assistance for promoting economic and financial initiatives, forest investment, value added forest products and access to financial services and encouraging good environmental practices. (Art. 18.5; Annex paras. 3(h))</p> <p>4.3 Technical assistance to forest sector enterprises on improved forest management practices, including reduced impact logging. (Art. 18.5; Annex paras. 3(g)-(h))</p> <p>4.4 Technical assistance in reducing mercury use in artisanal and small-scale gold mining. (Arts. 18.1, 18.2, 18.4, 18.5, 18.7)</p> |
|--|---|--|