

PERUVIAN ENVIRONMENTAL LAW

Current Status & Trends

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Latin American Environmental Law Roundtable

Beveridge & Diamond

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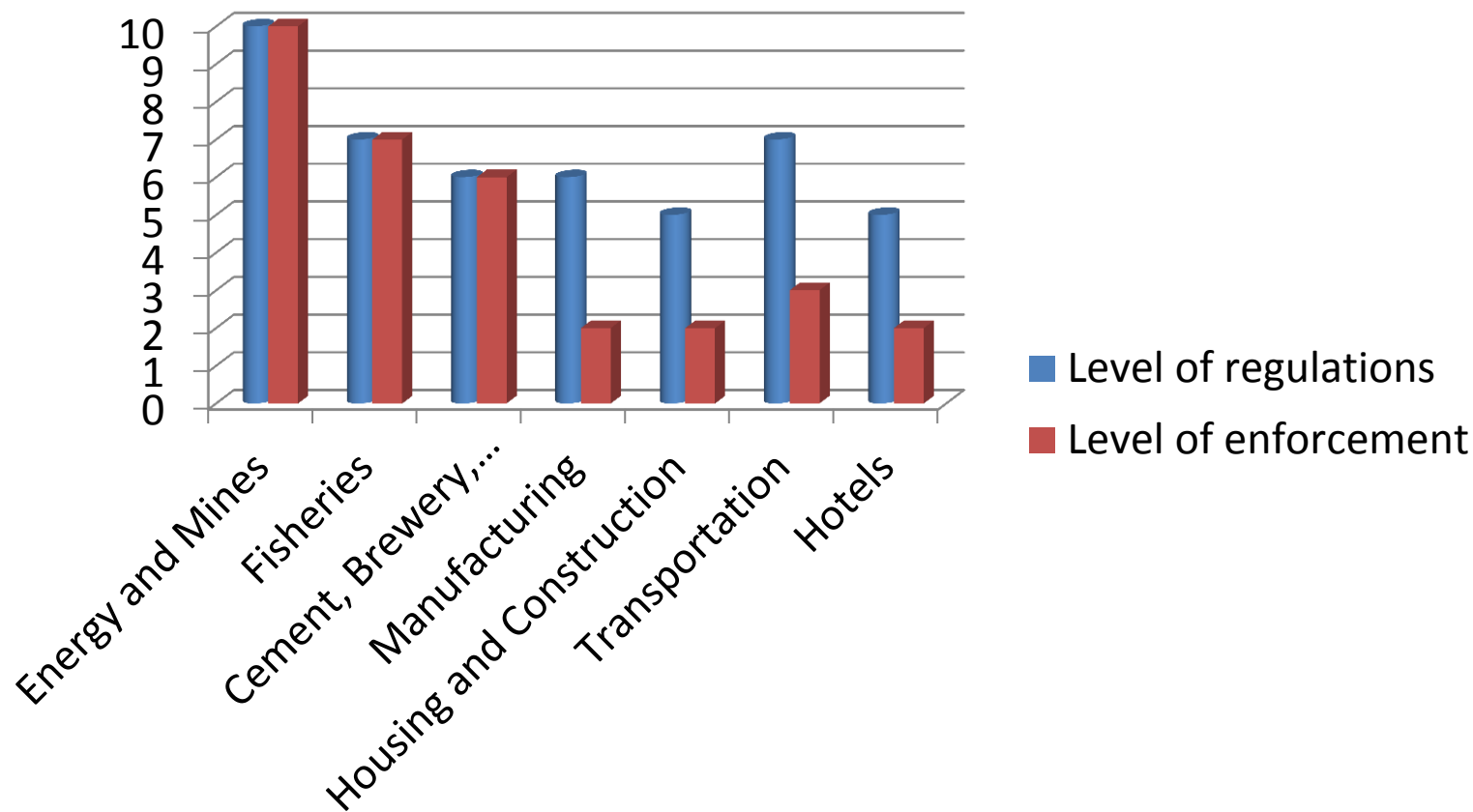
Current status

- National policy and environmental agencies
- Enforcement

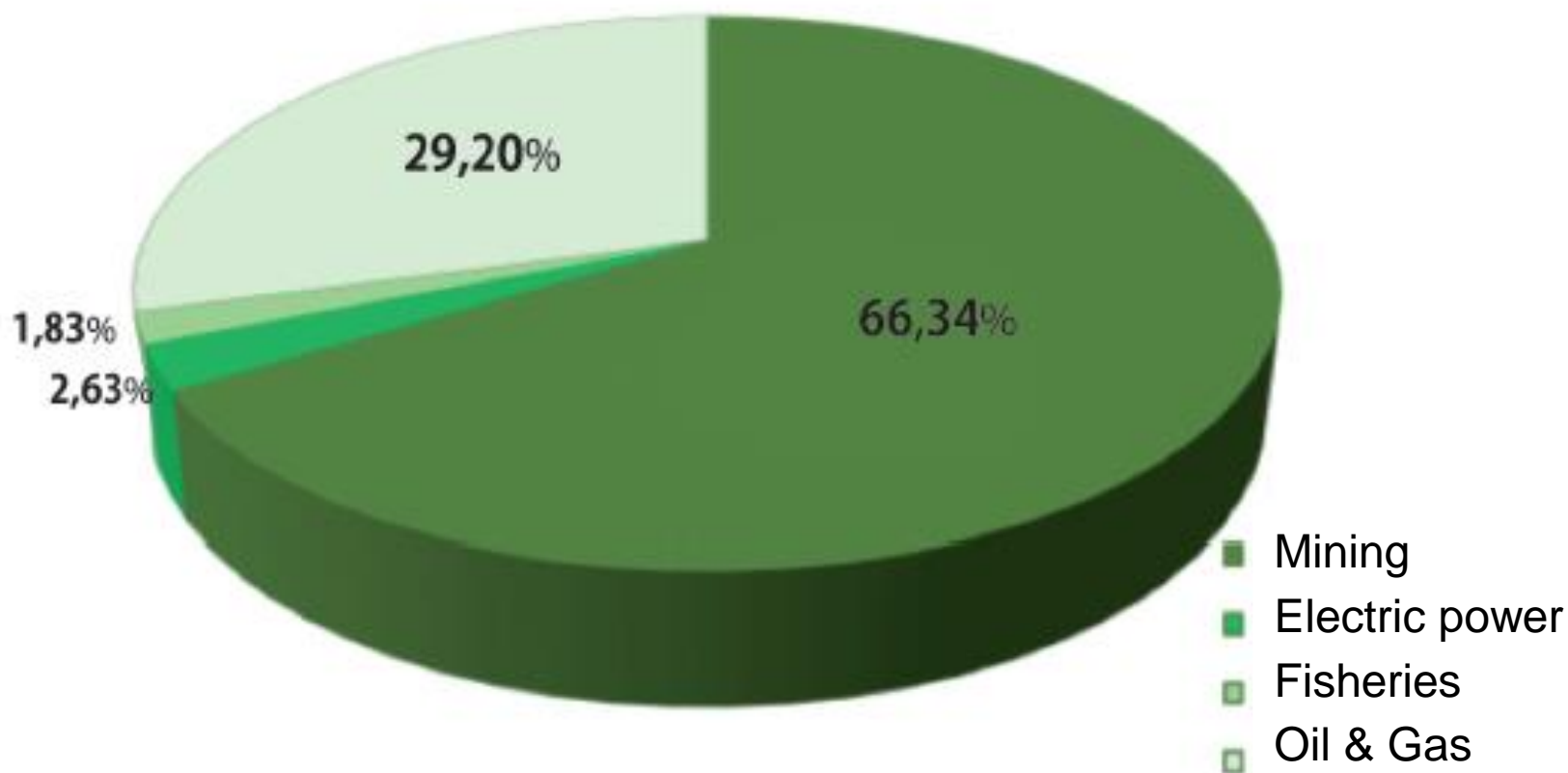
National Policy and environmental agencies

- Ministry of Environment POLICY
 - Not working closely with industry organizations
 - Active in Climate Change and Conservation
- OEFA (cross-sectoral enforcement agency) ENFORCEMENT
 - Very actively enforcing environmental law
 - Fines up to US \$30 Million
 - Administrative orders
 - Prevention
 - Remediation
 - Environmental compensation
- SENACE (cross-sectoral agency for EIS approval) EIS
 - Will start evaluating EIS in Q2 2015
 - Will «create» mandatory social commitments at project level

Regulations and Enforcement by Industry Sector



Environmental fines by sector



Trends

- At the socio-political level
- At the regulatory level

Trends at the policy level

- Social conflicts are curbing environmental policy
 - Empowerment of local authorities
 - Increasing citizen participation at the permitting level
 - Lack of trust among project proponents and stakeholders
 - The extractive industry economic model is being questioned
- Command and control approach
 - Very limited incentives have been created
- Enforcement of social commitments within the EIS
 - New environmental regulations cover social management plans at a deeper level

Trends at the regulatory level

- More sophisticated regulations
- Reducing permitting requirements and timeline
- Minor incentives for good practices
- Development of site remediation programs
- More specific EIS terms of reference

Thank You

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