

EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE  
WASHINGTON, D.C. 20508

June 13, 2011

Ms. Lucila Pautrat Oyarzun  
Executive Director  
Peruvian Ecodevelopment Society  
Calle Carlos Alayza y Roel No. 2112  
Lima, Peru

Dear Ms. Pautrat:

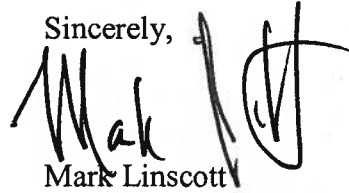
Thank you for your letter of April 27, 2011 to Ambassador Ron Kirk regarding Peru's draft Forestry and Wildlife Law, in particular your concerns that the Peruvian National Confederation of Palm Farmers and Oil Palm Companies have requested that the draft law be revised to recognize palm oil trees as a forest species. Your letter expresses concerns that, if adopted, such a change could undermine Peru's efforts to improve forest sector governance and fulfill its commitments under the Annex on Forest Sector Governance of the United States-Peru Trade Promotion Agreement (PTPA).

We appreciate your concern, and want to assure you that seeing Peru fully implement its commitments under the PTPA Forest Sector Annex is a priority for the United States. Even before entry into force of the PTPA in 2009, the United States had been working closely with Peru to develop and implement provisions, including the draft Forestry and Wildlife Law, to meet its commitments under the PTPA Forest Sector Annex. The Peruvian Government has been engaged in extensive consultations with indigenous communities, environmental organizations and other stakeholders to develop the draft Forestry and Wildlife Law and to ensure that it protects and conserves Peru's forests and reflects stakeholders' input. In this regard, your letter indicates that you have also raised your concerns about palm oil trees being recognized as a forest species with the Peruvian Government. We support your engagement with the Peruvian Government on this issue and have also communicated your concerns to the Peruvian Government.

Your letter also mentions Article 18.8 of the PTPA. Article 18.8 provides that any person of a party may file a submission with an appropriate body or secretariat asserting that a party is failing to effectively enforce its environmental laws. This provision is designed to provide the public in either party an opportunity to identify instances where a party may be failing to effectively enforce an environmental law or regulation. It is not meant, however, to address instances where a member of the public may express views on pending legislation, even where those views, if adopted, could raise environmental concerns.

Your engagement on this issue is an important part of the process, and we appreciate you raising this issue. We share your interest in seeing Peru adopt a Forestry and Wildlife Law that strengthens forest sector governance in Peru and furthers implementation of Peru's commitments under the PTPA Forest Sector Annex.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mark Linscott', with a stylized flourish extending to the right.

Mark Linscott  
Assistant United States Trade Representative  
Environment