

PERU

2021

TOBACCO  
INDUSTRY  
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# Introduction

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In Peru there is an underlying relationship between politicians and industry, therefore in recent years there has been not substantial progress in the development and implementation of tobacco control measures.

Most of the tobacco products consumed in Peru are imported. Regarding the participation of the Tobacco Industry in the market, British American Tobacco (BAT) occupies 83% of the Peruvian market, followed by Philip Morris 10% (Graph 01). The BAT products that have the greatest presence in the Peruvian market are: Lucky Strike is the first (46%), followed by Hamilton (32%) and Pall Mall (22%)<sup>1</sup> Graph 02.

Despite the commitment made through the FCTC to protect tobacco control policies against the interests of the industry established in Art. 5.3 of the agreement, the Peruvian Government has not implemented any legal norm or protocol about this obligation.

This omission has given rise to different actions and interventions that qualify as interference by the tobacco industry (TI) in public policies, but it does not violate any law; however, adequate measures are not taken; bills are postponed, boycotted and shelved; the measures are questioned by the media, misrepresenting their content and denying their effectiveness.

On the other hand, the legal norms are denounced in the administrative and judicial channels, where the industry finds authorities that protect these demands, despite the legality and constitutionality of this legal norms, and the jurisprudence of tobacco control.

The attention to the health and to economic problems produced by the pandemic are additional factors that have played against the advancement to tobacco control measures, and it has even favored to the industry. Smoking is a unfavorable act for COVID19 prevention and dangerous if the person has been infected by the virus. However, the government authorized the production of tobacco products in Phase 2 of the Economic Reactivation Plan, as if it were an essential activity with relevance for the Gross Domestic Product (GDP), compared to other industries and businesses that had to remain closed and have gone bankrupt.

These inconsistencies may be reduced if the Government comprehensive renews its tobacco control legislation and includes an exclusive chapter dedicated to prevent the tobacco industry interference and its related organizations; in this way, Peru will take a great leap to protect the health of its citizens.

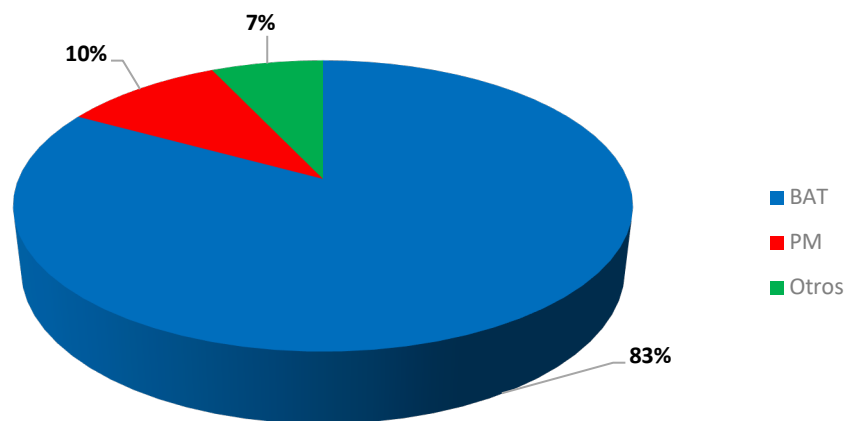
This Index, which registry and analyzes different forms of tobacco industry interference in our country and in the world is indispensable tool to recognize the force of the industry that buys wills and corrupts the political system to achieve its commercial purposes, and that it shows a deep disregard for public health.

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<sup>1</sup> Infomercado. <https://bit.ly/338qBSz>

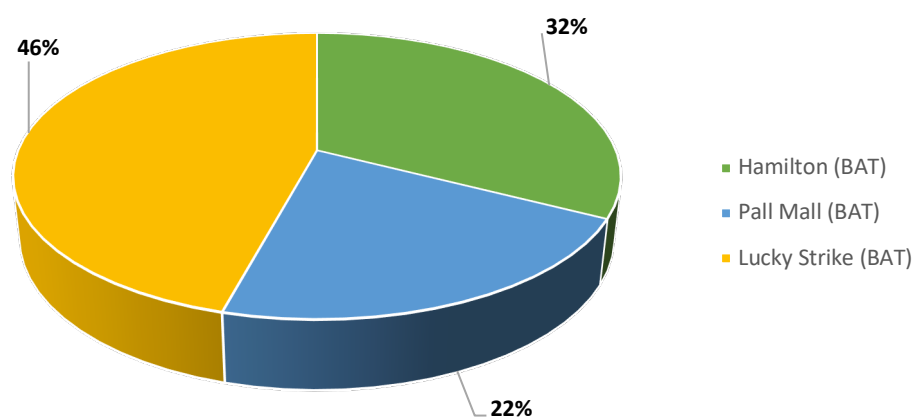
It is responsibility of Peruvians and their consequent authorities to decide between a) to perpetuate this perverse system, which favors a group of shareholders who are interested in collecting their profits, or b) finally choose to seek the collective welfare and protect the future of all.

Graphic 01  
Tobacco Company Market shares of Cigarette 2018



Source: Infomercado. 2018

Graphic 02  
British American Tobacco - 2018



Source: Infomercado. 2018

# Summary Findings

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## 1. INDUSTRY PARTICIPATION IN POLICY DEVELOPMENT

Although Peru has signed the FCTC and it has general laws to regulate transparency, the management of interests in the public administration, and contributions to political parties. There is not specific legislation to regulate the interaction of tobacco industry in public officials and authorities. This has led to acts that we consider to be interference by the tobacco industry, but it does not violate any laws.

Consequently, the Peruvian Government could consider offers of assistance from the industry to adoption legislative measures to tobacco control and they can receive opinions or comments about the regulations and laws proposed by the Legislative or Executive Branch.

Although the IT does not participate in multisectoral tobacco control committee, it is not part of the Peruvian delegation to the COP either. But it is part of a working group against the illicit cigarette trade together with other public officials.

## 2. INDUSTRY CSR ACTIVITIES

In 2020-2021, there were not public alliances regarding CSR activities or financial contributions made publicly by the industry. There has been not activity in the Covid19 pandemic, as it has been verified in other countries in the region.

## 3. BENEFITS TO THE INDUSTRY

There is government tolerance to provide 90 or 180 days to the tobacco industry to adapt the new legal norms; there are also legal regulations which are effective the day after published, for example, the tax regulations.

In Peru there are not privileges or tax exemptions for the tobacco industry. However, during the Covid19 pandemic, the Economic Reactivation Program was activated and the production of tobacco products was prioritized in Phase 2 over the other economic activities more important to the needs of the population and more relevant to the Gross Domestic Product (GDP).

During the period analyzed, two political parties have presented bills to remove of the Ministry of Economy and Finance the role to regulate the Selective Consumption Tax (ISC) for tobacco products in order to grant it to the Congress, contravening the actual practice that work correctly.

#### **4. UNNECESSARY INTERACTION**

There is a Working Group against the Illicit Trade of Cigarettes, made up of public officials. The Tobacco Committee of the National Society Industries intervenes in this group. The working group is still in force.

In addition to this working group, there are not others official records of interaction between IT and government officials during the period analyzed, not have alliances or agreements been recorded between the government and the industry or its allies; however, this interaction is not expressly prohibited or regulated.

#### **5. TRANSPARENCY**

There is not record of eventual meetings between the government and the IT during the period analyzed regarding the issue of regulation.

The Law No. 28024 regulates the management of interests in the public administration is a general law and it does not specifically regulate the interaction of IT with public officials.

#### **6. CONFLICT OF INTEREST**

The Law 28094 (Law of Political Organizations) does not allow the contribution of companies to political parties. However, the political parties simulate the contributions of the companies fragmenting them and using natural people as contributors.

There is not record of public officials hired in this period whose come from the IT. We do not have information about public officials in activity and / or family members who have been hired by the IT in the period analyzed.

#### **7. PREVENTIVE MEASURES**

The Peruvian government does not have a specific system to disclose registries of interaction with the tobacco industry and its representatives. The Law 27806 of Transparency and Law 28024 regulates the management of interests in the public administration are general laws.

The Peruvian government has not implemented Article 5.3 of the FCTC in its regulatory framework, for this reason, our legal system does not have express regulation and a clear and direct policy to reject contributions from the tobacco industry, or to control eventual bribes.

## Recommendations

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1. In order to advance the adaptation of tobacco control standards according to the FCTC, it is essential to neutralize the interference of tobacco industry, which is systematic and constant in Peru.
2. Peru is not a large-scale tobacco-producing country, and the most of cigarettes consumed are imported. It is worry that the government facilitated the production of tobacco products in the Economic Reactivation Plan by the Covid19 pandemic (plan to rescue essential economic activities), despite warnings about the danger of smoking regarding the risks associated with the coronavirus. There is also concern about a possible intervention by Congress in tax policies on tobacco products.
3. To avoid these inconsistencies, it is necessary a renewed tobacco control law that includes an exclusive chapter about regulating the industry's interaction with public officials and authorities. This legal norm or protocol of conduct must be structured to protect public policies from the interests of the industry and its leaks in power.
4. In a few months a new government and Congress will start; This is the opportunity to promote and disseminate updated information to the next authorities and their advisers about the impact of smoking in health and economic level, this impact is aggravating by the presence of COVID 19 and its variants.

# 2021 Tobacco Industry Interference Index

## Results and Findings

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<b>INDICATOR I: Level of Industry Participation in Policy-Development</b>						
<p>I. The government<sup>2</sup> accepts, supports or endorses any offer for assistance by or in collaboration with the tobacco industry<sup>3</sup> in setting or implementing public health policies in relation to tobacco control<sup>4</sup> (Rec 3.1)</p>					<b>4</b>	
<p>Although Peru has international conventions and legal norms that could prevent IT from interacting with public officials, there is no protocol that expressly prohibits it. For that reason, there is a level of industry involvement in policy and there have been acts that qualify as tobacco industry interference, but do not violate any laws.</p> <p>Peru signed and ratified the FCTC through Legislative Resolution No. 28280<sup>5</sup> and Supreme Decree 054-2004;<sup>6</sup> Article 5.3 but has not been implemented in Law No. 28705, Law for the Prevention and Control of Risks of Tobacco Consumption,<sup>7</sup> nor in Law No. 29517 (the amendment of Law 28705)<sup>8</sup> or in its regulations of law.<sup>9,10</sup></p> <p>The legal norms are binding, Law 27806 (Law of Transparency and Access to Public Information)<sup>11</sup> indicates that all State entities are subject to the principle of Advertising, however, it is a general but not specific legal norm on the tobacco industry and related organizations. About the Law No. 28024 (Law that regulates the management of interests in the public administration) there is no specific provision in relation to the tobacco industry.<sup>12</sup></p> <p>Peru has Law 28094 (Law of Political Organizations), in its art. 31 prohibits the contribution of companies to political parties; in this regard, political parties usually simulate the contributions of companies through different forms of fraud, fragmenting the amounts and using natural persons as contributors.<sup>13,14</sup> The result of these illegal payments is evidenced in public policies related with interests of tobacco industry to the detriment of the population.</p> <p>Consequently, Peru does not accept public assistance and collaboration of IT, there is not regulation that prohibits the interaction of tobacco industry to public officials, it means IT has interfered to adoption of tobacco control policies. Some examples: archiving of bill</p>						

<sup>2</sup> The term "government" refers to any public official whether or not acting within the scope of authority as long as cloaked with such authority or holding out to another as having such authority

<sup>3</sup> The term, "tobacco industry" includes those representing its interests or working to further its interests, including the State-owned tobacco industry.

<sup>4</sup> "Offer of assistance" may include draft legislation, technical input, recommendations, oversees study tour

<sup>5</sup> Normas Legales El Peruano. <https://bit.ly/2QKXgLP>

<sup>6</sup> Ministerio de Economía y Finanzas. <https://bit.ly/3xD5qGn>

<sup>7</sup> Congreso de la República. <https://bit.ly/3aS3eky>

<sup>8</sup> Ministerio de Salud. <https://bit.ly/2QyNfKv>

<sup>9</sup> Ministerio de Salud. <https://bit.ly/32XuauL>

<sup>10</sup> Ministerio de Salud. <https://bit.ly/32XHkrJ>

<sup>11</sup> Congreso de la República del Perú. <https://bit.ly/3gNy41g>

<sup>12</sup> Ministerio de la Mujer y Poblaciones Vulnerables. <https://bit.ly/3u7GdS2>

<sup>13</sup> Diario El Comercio. <https://bit.ly/3nDrgon>

<sup>14</sup> Diario La República. <https://bit.ly/3u5nsP7>

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total ban on tobacco advertising; <sup>15</sup> tobacco control law proposal related to the industry; <sup>16</sup> authorization to production of tobacco products in phase 2 (Economic Reactivation Program); <sup>17</sup> attacks on the update to the Selective Consumption Tax ISC (Excise tax) to tobacco products; <sup>18,19,20,21</sup> bills to eliminate the capacity of the Ministry of Economy and Finance (MEF) to update the Selective Consumption Tax (Excise tax) on tobacco products; <sup>22</sup> integration of the working table against illicit trade <sup>23</sup> , etc.						
Moreover, in this period, it has been verified that the Commission for the Elimination of Illegal Bureaucratic Barriers of INDECOPI has supported a complaint on Tobacco Smoke-Free Environments against a local ordinance, despite there is a jurisprudence of INDECOPI Court itself that has rejected similar complaints. <sup>24</sup>						
<b>2. The government accepts, supports or endorses <u>policies or legislation drafted</u> by or in collaboration with the tobacco industry. (Rec 3.4)</b>					<b>4</b>	
If the government of the day allows it, the Peruvian State could consider offers of assistance by the industry for the adoption of legislative measures in tobacco control, because the interaction between the industry and the authorities is not expressly regulated.						
During this period have been registered: authorization for production of tobacco products in phase 2 of the Economic Reactivation Program; <sup>25</sup> and the bills proposed by congress to transfer the role to regulate the ISC to tobacco products to the Congress of the Republic, however, that competence corresponds to the Ministry of Economy and Finance. <sup>26,27</sup>						
Moreover, the tobacco industry or related entities may present technical opinions or comments on the regulations and laws proposed by the Legislative or Executive Branch.						
<b>3. The government allows/invites the tobacco industry to sit in government interagency/ multi-sectoral committee/ advisory group body that sets public health policy. (Rec 4.8)</b>			<b>2</b>			
Since 2017, the Ministry of Production convene a working group against the illicit trade in cigarettes made up of public officials (SUNAT, Public Ministry, National Police of Peru and INDECOPI) and private officials (Tobacco Committee of the Society National of Industry). <sup>28</sup>						

<sup>15</sup> Diario Gestión. <https://bit.ly/3aTmDRR>

<sup>16</sup> Congreso de la República. <https://bit.ly/3t2USNe>

<sup>17</sup> Diario El Peruano. <https://bit.ly/3gPqKSN>

<sup>18</sup> Diario Gestión. <https://bit.ly/2QLWbTo>

<sup>19</sup> ComexPeru. <https://bit.ly/3xD4mIR>

<sup>20</sup> Diario El Comercio. <https://bit.ly/3e5JoEw>

<sup>21</sup> Diario El Comercio. <https://bit.ly/2QHnZsc>

<sup>22</sup> Congreso de la República. <https://bit.ly/3u9TVUK>

<sup>23</sup> Ministerio de la Producción. <https://bit.ly/2Sazclj>

<sup>24</sup> Diario El Peruano. <https://bit.ly/3aOwKHI>

<sup>25</sup> Diario El Peruano. <https://bit.ly/3gPqKSN>

<sup>26</sup> Congreso de la República. <https://bit.ly/3nA5emn>

<sup>27</sup> Congreso de la República. <https://bit.ly/3u9TVUK>

<sup>28</sup> Ministerio de la Producción. <https://bit.ly/3eJWpTe>



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In the COVID19 pandemic, a multisectorial working group authorized the production of Tobacco products in phase 2 of the Economic Reactivation Program. <sup>29</sup>  There is a Multisectorial Commission and a Sector Commission to tobacco control in the Ministry of Health, it includes public institutions and civil society, the tobacco industry is not included.						
4. The government nominates or allows representatives from the tobacco industry (including State-owned) in the delegation to the COP or other subsidiary bodies or accepts their sponsorship for delegates. (i.e. COP 4 & 5, INB 4 5, WG) <sup>30</sup> (Rec 4.9 & 8.3)		1				
The tobacco industry is not part of the Peruvian delegation at the COP or related meetings.						
<b>INDICATOR 2: Industry CSR activities</b>						
5. A. The government agencies or its officials endorses, supports, forms partnerships with or participates in so-called CSR activities organized by the tobacco industry. (Rec 6.2)  B. The government (its agencies and officials) receives contributions <sup>31</sup> (monetary or otherwise) from the tobacco industry (including so-called CSR contributions). (Rec 6.4)		1				
A. In this period, there has been no support or public alliances regarding CSR activities. B. During the study period, there have been no financial contributions made publicly by the industry in the framework of a social responsibility activity; there has been no use in a pandemic, as has been verified in other countries in the region.						
<b>INDICATOR 3: Benefits to the Tobacco Industry</b>						
6. The government accommodates requests from the tobacco industry for a longer time frame for implementation or postponement of tobacco control law. (e.g. 180 days is common for PHW, Tax increase can be implemented within 1 month) (Rec 7.1)				3		
The Peruvian government has the beginning of the validity of a legal norm for up to a period of 90 or 180 days to adapt to it, also in imports that on the date of approval of the legal norm are confirmed purchase orders, in conditions of boarding on a trip or in the process of internment in the country.  In the period studied, the update of the Selective Consumption Tax (ISC) on tobacco decreed by Ministerial Resolution No. 035-2021 / EF / 15. <sup>32</sup> The legal regulation entered into force the day after its publication, however, in case of laws and / or regulations, there is a tolerance for adaptation to the new legal regulations.						

<sup>29</sup> Diario El Peruano. <https://bit.ly/3gPqKSN>

<sup>30</sup> Please annex a list since 2009 so that the respondent can quantify the frequency, <http://www.who.int/fctc/cop/en/>

<sup>31</sup> political, social financial, educations, community, technical expertise or training to counter smuggling or any other forms of contributions

<sup>32</sup> Ministerio de Economía y Finanzas. <https://bit.ly/2ReDbNo>

	0	1	2	3	4	5
7. The government gives privileges, incentives, exemptions or benefits to the tobacco industry (Rec 7.3)					4	
<p>In Peru there are not privileges or tax exceptions to tobacco; however, in this period, through Supreme Decree No. 101-2020-PCM that approves Phase 2 of the Resumption of Economic Activities within the framework of the declaration of National Health Emergency for COVID-19,<sup>33</sup> the production of tobacco products was authorized.<sup>34</sup></p> <p>Regarding tax policies, there were protests from the IT about the latest ISC on tobacco products.<sup>35,36,37,38</sup></p> <p>Similarly, the political organizations Acción Popular and FREPAP have presented two bills of Law that propose to transfer the role to regulate the ISC to tobacco products to the Congress of the Republic, whose role corresponds to the Ministry of Economy and Finance, which has a greater technical capacity and specialization on the subject.<sup>39,40</sup></p>						
<b>INDICATOR 4: Forms of Unnecessary Interaction</b>						
8. Top level government officials (such as President/ Prime Minister or Minister <sup>41</sup> ) meet with/ foster relations with the tobacco companies such as attending social functions and other events sponsored or organized by the tobacco companies or those furthering its interests. (Rec 2.1)			2			
<p>There are not official records or registries of interaction between IT and government officials during the period analyzed; however, this interaction is not expressly prohibited or regulated.</p>						
9. The government accepts assistance/ offers of assistance from the tobacco industry on enforcement such as conducting raids on tobacco smuggling or enforcing smoke free policies or no sales to minors. (including monetary contribution for these activities) (Rec 4.3)				3		
<p>In 2017, the Ministry of Production established the Working Group against Illicit Cigarette Trade, involving officials from SUNAT, the Public Ministry, the National Police of Peru, Indecopi and the Tobacco Committee of the National Society of Industries. The working group is still in force.<sup>42</sup></p>						
10. The government accepts, supports, endorses, or enters into partnerships or agreements with the tobacco industry. (Rec 3.1)		1				

<sup>33</sup> Diario El Peruano. <https://bit.ly/3gPqKSN>

<sup>34</sup> Andina. Agencia Peruana de Noticias. <https://bit.ly/3e5CJkI>

<sup>35</sup> Diario Gestión. <https://bit.ly/2QLWbTo>

<sup>36</sup> ComexPeru. <https://bit.ly/3xD4mIR>

<sup>37</sup> Diario El Comercio. <https://bit.ly/3e5JoEw>

<sup>38</sup> Diario El Comercio. <https://bit.ly/2QHnZsc>

<sup>39</sup> Congreso de la República. <https://bit.ly/3nA5emn>

<sup>40</sup> Congreso de la República. <https://bit.ly/3u9TVUK>

<sup>41</sup> Includes immediate members of the families of the high-level officials

<sup>42</sup> Ministerio de la Producción. <https://bit.ly/3eJWpTe>

	0	1	2	3	4	5
NOTE: This must <u>not</u> involve CSR, enforcement activity, or tobacco control policy development since these are already covered in the previous questions.						
No alliances or agreements between the government and the industry or its allies have been publicly registered in the period analyzed.						
<b>INDICATOR 5: Transparency</b>						
I 1. The government does not publicly disclose meetings/ interactions with the tobacco industry in cases where such interactions are strictly necessary for regulation. (Rec 2.2)	0					
We do not have information on eventual meetings between the government and IT during the period analyzed regarding regulatory issues.						
I 2. The government requires rules for the disclosure or registration of tobacco industry entities, affiliated organizations, and individuals acting on their behalf including lobbyists (Rec 5.3)				3		
<p>Law No. 28024 approved by Supreme Decree No. 120-2019-PCM, regulates the management of interests in the public administration as a lawful activity to promote legitimate interests of one's own or of third parties in the process of making public decisions, with the purpose of ensuring transparency in the actions of the Government.</p> <p>This is a general law and does not specifically regulate the interaction of IT with public officials.</p> <p>In this period, there has been no regulatory innovation regarding the management of interests regulated in Law 28024.</p>						
<b>INDICATOR 6: Conflict of Interest</b>						
I 3. The government does not prohibit contributions from the tobacco industry or any entity working to further its interests to political parties, candidates, or campaigns or to require full disclosure of such contributions. (Rec 4.11)					4	
<p>Law 28094 (Law of Political Organizations) prohibits the contribution of companies to political parties;<sup>43</sup> However, the Political Organizations simulate the contributions of companies to the National Elections Jury (JNE), fragmenting them and using natural persons as contributors.<sup>44,45</sup></p>						
I 4. Retired senior government officials form part of the tobacco industry (former Prime Minister, Minister, Attorney General) (Rec 4.4)	0					
There is no record or registries of public officials hired in the study period that come from the IT.						

<sup>43</sup> Ministerio de la Mujer y Poblaciones Vulnerables. <https://bit.ly/3u7GdS2>

<sup>44</sup> Diario El Comercio. <https://bit.ly/3gTLZmy>

<sup>45</sup> Diario La República. <https://bit.ly/3gOHauG>

	0	1	2	3	4	5
15. <u>Current government officials</u> and relatives hold positions in the tobacco business including consultancy positions. (Rec 4.5, 4.8, 4.10)	0					
We do not have information on practicing public officials and / or relatives who have been hired by the IT in the period analyzed.						
<b>INDICATOR 7: Preventive Measures</b>						
16. The government has put in place a procedure for disclosing the records of the interaction (such as agenda, attendees, minutes and outcome) with the tobacco industry and its representatives. (Rec 5.1)			2			
The Peruvian government has not established a specific procedure to disclose records or registries of interaction between tobacco industry and its representatives. The Peruvian government has Law 27806 about Transparency. Also Law No. 28024 which regulates the management of interests in the public administration, both are general. The regulation was approved by Supreme Decree No. 120-2019-PCM. <sup>46,47,48</sup>						
17. The government has formulated, adopted or implemented a code of conduct for public officials, prescribing the standards with which they should comply in their dealings with the tobacco industry. (Rec 4.2)						5
The Peruvian government has not implemented Article 5.3 of the FCTC in its national legislation. It has not formulated a policy or adopted a code of conduct for officials in their dealings with IT.						
18. The government requires the tobacco industry to periodically submit information on tobacco production, manufacture, market share, marketing expenditures, revenues and any other activity, including lobbying, philanthropy, political contributions and all other activities. (5.2)					4	
<p>Most of the tobacco consumed in Peru is imported from Chile and from the countries of the Andean Community of Nations.</p> <p>The registry of these products is responsibility of the Ministry of Economy and Finance, which establishes the taxes (SUNAT)<sup>49</sup> and supervises their naturalization in the country.</p> <p>At the same time, there is a small national industry in the San Martín Region that grows and exports tobacco leaves: between January and October 2019, a couple of companies</p>						

<sup>46</sup> Presidencia del Consejo de Ministros. Decreto Supremo N° 120-2019-PCM. Decreto Supremo que aprueba el Reglamento de la Ley N° 28024 – Ley que regula la gestión de intereses en la administración pública. 28 de Junio 2019 [https://cdn.www.gob.pe/uploads/document/file/338023/DS\\_N\\_120-2019-PCM.pdf](https://cdn.www.gob.pe/uploads/document/file/338023/DS_N_120-2019-PCM.pdf)

<sup>47</sup> Comisión Permanente del Congreso de la República del Perú. Ley N° 28024. Ley que Regula la Gestión de Intereses en la Administración Pública. 23 de Junio 2003 <http://files.servir.gob.pe/WWW/files/normas%20legales/Ley%2028024.pdf>

<sup>48</sup> Diario Perú 21. Política Publican reglamento para evitar lobbies informales. 02 de Julio 2019. <https://peru21.pe/politica/publican-reglamento-evitar-lobbies-informales-487854-noticia/?ref=p21r>

<sup>49</sup> Ministerio de Economía y Finanzas. <https://bit.ly/3tesvM7>

	0	1	2	3	4	5
exported just over two tons of tobacco for a value of US \$ 925,133. There is also a company that is dedicated to the production of cigars and cigarillos that are sold to the local and international market.						
19. The government has a program / system/ plan to consistently <sup>50</sup> raise awareness within its departments on policies relating to FCTC Article 5.3 Guidelines. (Rec 1.1, 1.2)						5
There is no regulation or program or system aimed at implementing art. 5.3 and its guidelines; there are only initiatives and proposals from civil society, as well as reports of specific acts of interference. <sup>51</sup>						
20. The government has put in place a policy to disallow the acceptance of all forms of contributions/ gifts from the tobacco industry (monetary or otherwise) including offers of assistance, policy drafts, or study visit invitations given or offered to the government, its agencies, officials and their relatives. (3.4)						5
The lack of implementation of art. 5.3 establishes that the Peruvian legal system lacks express regulation and a clear and direct policy to reject eventual contributions from the tobacco industry and attempts to bribe public officials.						
<b>TOTAL</b>						<b>53</b>

<sup>50</sup> For purposes of this question, “consistently” means: a. Each time the FCTC is discussed, 5.3 is explained. AND b. Whenever the opportunity arises such when the tobacco industry intervention is discovered or reported.

<sup>51</sup> Ministerio de Salud del Perú. OMS/OPS Evaluación de necesidades para la implementación del Convenio Marco de la OMS para el Control del Tabaco en Perú. Lima, Perú 2015 <http://bvs.minsa.gob.pe/local/MINSA/3482.pdf>

## ANNEX A: SOURCES OF INFORMATION

The 5 transnational tobacco companies	Sources other than the SEATCA Report
British American Tobacco	<a href="http://www.batperu.com/">http://www.batperu.com/</a>
Philips Morris	<a href="https://www.pmi.com/">https://www.pmi.com/</a>

### LOCAL TOBACCO COMPANIES

The top 5 local tobacco companies	Your market share and brands	fountain
East Tobacco	Puros San Martín, Miguel Grau, Lord of Sipan, Puritos of the Orient	<a href="http://www.tabacalera del oriente.com/laempresa.html">http://www.tabacalera del oriente.com/laempresa.html</a>

### TOBACCO INDUSTRY FRONT GROUPS

Top 5 representatives of the tobacco industry	Category (Facade Group / Subsidiary / Individual)	fountain
Respect for respect	Facade group	STOP report
Association of Winemakers of Peru	Facade group	<a href="https://asociaciondebo degueros.com/">https://asociaciondebo degueros.com/</a>
Tobacco Manufacturers Committee	Facade group	<a href="https://www.sni.org.pe/comites-gremiales-2/">https://www.sni.org.pe/comites-gremiales-2/</a>

#### a. New sources

Top 5 newspapers/newspapers*	Category (printed/numeric)	
El Comercio	Printed/Online	<a href="https://elcomercio.pe">https://elcomercio.pe</a>
La Republica	Printed/Online	<a href="https://larepublica.pe">https://larepublica.pe</a>
Peru 21	Printed/Online	<a href="https://peru21.pe">https://peru21.pe</a>
Diario Oficial El Peruano	Printed/Online	<a href="https://elperuano.pe/">https://elperuano.pe/</a>
management	Printed/Online	<a href="https://gestion.pe">https://gestion.pe</a>

\*Classification Reasons:  Circulation OR  Popularity OR Others:

Source(s) that justifica(n) such classification: <https://adonde.com/peru-perullima-diario-de-mayor-circulacion-del-peru.html>

#### b. Government agencies (See also Annex A)

Agency	Specify whether more than one office assumes that function:	General sources of information / News from each office
I. Office of the Chief executive branch (Prime Minister/President) Members of	President of the Council of Ministers	<a href="https://www.gob.pe/pcm">https://www.gob.pe/pcm</a>

Royalty		
2. Cabinet and/or National Assembly/Parliament (Legislators)	Congress of the Republic	<a href="http://www.congreso.gob.pe/">http://www.congreso.gob.pe/</a>
3. Agriculture / National Tobacco Council	Ministry of Agriculture	<a href="https://www.gob.pe/minagri">https://www.gob.pe/minagri</a>
4. Customs	National Superintendency of Tax Administration	<a href="http://www.sunat.gob.pe/">http://www.sunat.gob.pe/</a>
5. Education	Ministry of Education	<a href="https://www.gob.pe/minedu">https://www.gob.pe/minedu</a>
6. Environment	Ministry of the Environment	<a href="https://www.gob.pe/minam">https://www.gob.pe/minam</a>
7. Finance/ Finance/ Investments/ Taxes	Ministry of Economy and Finance	<a href="https://www.gob.pe/mef">https://www.gob.pe/mef</a>
8. Health	Ministry of Health	<a href="https://www.gob.pe/minsa/">https://www.gob.pe/minsa/</a>
9. Work and labor issues	Ministry of Labour	<a href="https://www.gob.pe/mtpe">https://www.gob.pe/mtpe</a>
10. Trade and Industry / Investment	Ministry of Tourism	<a href="https://www.gob.pe/mincetur">https://www.gob.pe/mincetur</a>  <a href="https://www.gob.pe/prduce">https://www.gob.pe/prduce</a>
Other agencies/other sectors, should be specified for each country:	Ministry of Production	<a href="https://www.gob.pe/prduce">https://www.gob.pe/prduce</a>
	National Institute for the Defense of Competition and the Protection of Intellectual Property (Indecopi)	<a href="https://www.indecopi.gob.pe/indecopi">https://www.indecopi.gob.pe/indecopi</a>

II. Laws. Official policies and notices:

HEALTH LAWS:

1. Is there a database instituted by the Health Act? If yes, indicate which one will be used and specify its limitations:

It does not exist as a database, although there is information on tobacco control legislation on the Ministry of Health's website.

2. If there is no legally instituted health database, indicate the primary source where legal information will be sought:

[www.minsa.gob.pe](http://www.minsa.gob.pe)

<https://diariooficial.elperuano.pe/Normas>

3. Do the above sources cover official notices?  Yes  No  
If this is not the case, please indicate the alternative source for accessing official notices:
- 

ALL LAWS:

4. Is there a centralized database covering all laws? If yes, indicate which one will be used and specify its limitations:

<https://busquedas.elperuano.pe/>

5. Do the above sources cover official notices? Yes

Top 15 government agencies/offices/sectors	Source of sector policies	Source of minor related notices
1. Office of the Chief executive branch (Prime Minister/President) Members of Royalty	President of the Council of Ministers	<a href="https://www.gob.pe/pcm">https://www.gob.pe/pcm</a>
2. Cabinet and/or National Assembly/Parliament (Legislators)	Congress of the Republic	<a href="http://www.congreso.gob.pe/">http://www.congreso.gob.pe/</a>
3. Agriculture / National Tobacco Council	Ministry of Agriculture	<a href="https://www.gob.pe/minagri">https://www.gob.pe/minagri</a>
4. Customs	National Superintendency of Tax Administration	<a href="http://www.sunat.gob.pe/">http://www.sunat.gob.pe/</a>
5. Education	Ministry of Education	<a href="https://www.gob.pe/minedu">https://www.gob.pe/minedu</a>
6. Environment	Ministry of the Environment	<a href="https://www.gob.pe/minam">https://www.gob.pe/minam</a>
7. Finance/ Finance/ Investments/ Taxes	Ministry of Economy and Finance	<a href="https://www.gob.pe/mef">https://www.gob.pe/mef</a>
8. Health	Ministry of Health	<a href="https://www.gob.pe/minsa/">https://www.gob.pe/minsa/</a>
9. Work and labor issues	Ministry of Labour	<a href="https://www.gob.pe/mtpe">https://www.gob.pe/mtpe</a>
10. Trade and Industry / Investment	Ministry of Tourism	<a href="https://www.gob.pe/mincetur">https://www.gob.pe/mincetur</a> <a href="https://www.gob.pe/produce">https://www.gob.pe/produce</a>
Other agencies/other sectors, should be specified for each country:	National Institute for the Defense of Competition and the Protection of Intellectual Property (Indecopi)	<a href="https://www.indecopi.gob.pe/indecopi">https://www.indecopi.gob.pe/indecopi</a>