

Peru

Overall score:

36

Summary of Findings

1. Industry participation in policy development

The Peruvian government does not accept, support or endorse any offer for assistance by or in collaboration with the tobacco industry in setting or implementing public health policies in relation to tobacco control. But, as in other places, the tobacco industry infiltrates and convinces some politicians to propose laws totally contrary to public interests.

The government does not allow or invite the tobacco industry to sit in government interagency/multi-sectoral committee/advisory group body that sets public health policy. It has not included representatives from the tobacco industry in the delegations from Peru to the Conference of the Parties (COP) 8 (2018) and other related meetings.

2. Industry CSR activities

Government agencies and officials do not endorse, support, form partnerships with or participates in so-called CSR activities organized by the tobacco industry. The government does not receive contributions (monetary or otherwise) from the tobacco industry including so-called CSR contributions.

3. Benefits to the industry

The government does not accommodate requests from the tobacco industry for a longer timeframe for implementation or postponement of tobacco control laws. However, in 2017-2018, the tobacco industry had a strong influence on certain political parties, congressmen, and congressmen's advisers, who boycott legislative tobacco control measures, either by postponing and canceling debates on draft laws on the prohibition of tobacco

advertising, promotion and sponsorship as well as about environments free of tobacco smoke.

4. Unnecessary interaction

Top level government officials do not meet with or foster relations with tobacco companies such as attending social functions and other events sponsored or organized by the tobacco companies or those furthering its interests.

5. Transparency

During the period 2018-2019, the government publicly disclosed one meeting it had with the tobacco industry. This meeting was for the regulation of IQOS. The meeting was held publicly under the parameters of Article 5.3 of the WHO Framework Convention on Tobacco Control (FCTC), and with the participation of civil society.

6. Conflict of interest

Article 31 C of Law No. 28094, Law on Political Organizations, prohibits political groups from receiving contributions from national or foreign companies; however, this rule is routinely violated by all political parties. It is known off the record that the tobacco industry finances some of the political groups.

7. Preventive measures

In July 2003, the government promulgated Law No. 28024 that regulates the management of interests of business unions with the public administration. Interest managers must be registered in the Public Registry of Interest Management of the National Superintendence of Public Registries (SUNARP). In July 2019, Supreme Decree No. 120-2019-PCM was approved, which regulates said law; however, a specific protocol or code of conduct has not yet been established in relation to the tobacco industry.



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Recommendations

Much progress has been made for tobacco control and to address tobacco industry interference. However, these efforts can be strengthened further through:

1. Strengthening surveillance and compliance with legislation that can effectively prevent tobacco interference.
2. Formulating a policy or code of conduct for officials in their dealings, especially with the tobacco industry.
3. Raise awareness among political decision-makers regarding the need to establish a protocol against interference from the tobacco industry. That protocol should include the industry that markets e-cigarettes, and that contains severe sanctions, taking into account that both products affect the economy of our country and the health of the population, increasing the risk of developing chronic diseases and others such as the coronavirus that currently is hitting our country hard.