

Amazon Watch - Change to Win - Defenders of Wildlife - Environmental Investigation Agency  
Friends of the Earth - International Brotherhood of Teamsters - Oxfam America  
Public Citizen - Sierra Club - Washington Office on Latin America

Friday, May 28, 2010

President Barack Obama  
The White House  
1600 Pennsylvania Avenue, NW  
Washington, DC 20500

Dear President Obama:

As a diverse range of groups addressing issues of human rights, environment, labor, and trade policy, we believe your June 1 meeting with Peruvian President Alan García will offer an important opportunity to address critical issues that have arisen in our bilateral relationship. We write to raise several specific areas of immediate concern that we hope you will raise in your discussions with President García.

First, we urge you to communicate that you have a different set of trade policies than your predecessor. As you stated during your campaign, all U.S. trade agreements must include enforceable labor and environmental standards as effective as commercial provisions, and must not allow investors to directly challenge governments in foreign tribunals for laws and regulations written to promote the public interest. Reinforcing this commitment is critical given the existence of the bilateral trade agreement between the two countries, as well as the possibility that the U.S. and Peru could join a Trans-Pacific Partnership (TPP). It is vital that any TPP that may result from the current negotiations reflect these criteria.

Second, it is critical that Peru make meaningful progress on a series of priority actions over the next two months before its trade agreement obligations fully enter into force. Peru deserves credit for its initial forestry reforms, including the creation of a new environmental ministry and strengthened penalties for a wide suite of environmental crimes. But we are concerned that without an increase in political will from President García's administration, Peru will not be in a position of compliance with the Annex on Forest Sector Governance on August 1<sup>st</sup>, despite the considerable energy currently invested by U.S. government agencies working with their Peruvian counterparts to make this happen. Mobilization of resources and support to the responsible government agencies at both national and regional levels, as well as meaningful progress on implementation of clear commitments within the Annex, must occur. Transparent monitoring and evaluation will also be essential, as well as a commitment by the U.S. government to take appropriate measures if sufficient improvements are not realized.

Finally, it is vital that the Peruvian government improve its relationships with indigenous communities. We ask that you encourage García's government to fully guarantee in domestic law and practice the rights of indigenous peoples on matters affecting their ancestral lands. To date, the Peruvian government's relations with indigenous communities have been increasingly fraught with conflict. Amazonian land under concession to U.S. and other oil, gas and mining companies has risen from around 10% before trade negotiations started in 2003, to an estimated 70% in 2010. In recent weeks, the Peruvian hydrocarbon agency offered 24 new oil concessions,

prior to the passing of the new Consultation Law, which doesn't go into effect for 90 days. Indigenous groups have asked that all new concessions be suspended, in line with ILO recommendations. In addition, it is critical to guarantee that due process is followed – especially in the ongoing legal charges against indigenous leaders, such as those against Interethnic Association for the Development of the Peruvian Rainforest (AIDSESEP) president Alberto Pizango, which human rights groups have deemed baseless and politically motivated – and showing true good faith in their dialogues with these groups.

We thank you very much for your attention to these important issues and we wish you a fruitful meeting.

Sincerely,

Amazon Watch  
Change to Win  
Defenders of Wildlife  
Environmental Investigation Agency  
Friends of the Earth  
International Brotherhood of Teamsters  
Oxfam America  
Public Citizen  
Sierra Club  
Washington Office on Latin America