| **Individual Action Plan Update for [Peru] for [2014]** |
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| ***Highlights of recent policy developments which indicate how [Peru] is progressing towards the Bogor Goals and key challenges it faces in its efforts to meet the Goals.*** |
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| IAP Chapter (and Sub-Chapter and Section Heading, if any) | **Improvements made since [2012] IAP** | **Further Improvements Planned** |
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| Tariffs | Tariffs  Peru adopted the Harmonized System 2012 on January 1st, 2012. The current Peruvian Customs Tariff has 7,554 lines and its structure has three tariff levels: 0%, 6% and 11%.  **In 2013:**   1. MFN applied tariff (simple average): 3.2% 2. MFN Applied Tariff Agriculture (Simple Average): 3.9% 3. MFN Applied Tariff Non- Agriculture (Simple Average): 3.1% 4. Number of product lines with zero-tariff: 55.9% of total tariff schedule. 5. Zero tariff imports represented 73.3% of total imports. 6. The number of product lines with MNF tariff rates greater than or equal to 10% was 10.5% of total tariff schedule. 7. Non-Ad Valorem Product Lines represented 0.6% of total tariff schedule. 8. Non-Ad Valorem Imports represented 2.6% of total imports. 9. Transparency in tariff regime: Tariff Policy Guidelines approved by Ministerial Resolution Number 005-2006-EF/15 and published on January 15th 2006. This Guidelines is located in website www.mef.gob.pe |  |
| Website for further information: | [www.mincetur.gob.pe](http://www.mincetur.gob.pe)  [www.mef.gob.pe](http://www.mef.gob.pe) | [www.mef.gob.pe](http://www.mef.gob.pe) |
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| ***Non-Tariff Measures*** | * Import licensing: 0 * Quantitative import restrictions / prohibitions: used road motor vehicles for cargo and passenger transportation; used tires; used clothing and footwear “for commercial purposes”; used engines, components and spare parts for road vehicles; used goods, machinery or equipment that use radioactive sources. * Import levies: The Value Added Tax (Impuesto General a las Ventas, IGV) of 16% is applied to 7,148 tariff lines. Additional excise tax (Impuesto Selectivo al Consumo, ISC) is applied to the import of certain goods such as fuels, vehicles, spirits, beer, aerated beverages, tobacco, and cigarettes. * Export subsidies: 0 * Peru does not apply other non-tariff measures. | *Provide brief points only* |
| Website for further information: | [www.sunat.gob.pe/operatividadaduanera/index.html](http://www.sunat.gob.pe/operatividadaduanera/index.html)  [www.mincetur.gob.pe](http://www.mincetur.gob.pe)  [www.mef.gob.pe](http://www.mef.gob.pe) |  |
| Contact point for further details: | Ms. Angela Guerra ([aguerra@mincetur.gob.pe](mailto:aguerra@mincetur.gob.pe)) |  |
| ***Services*** | Protection of Personal Data  In 2013, the Regulation of the Personal Data Protection Law (Supreme Decree N° 003-2013-JUS) was enacted. This Regulation, together with the law that was enacted in 2011, establishes the framework that rules the cross border flows of personal information in Peru.  Electronic Commerce  In addition, in 2013, in order to promote the electronic commerce, OSIPTEL also issued the regulation for Access of Electronic Money Issuers to Telecommunications Services Rules (Board Resolution N° 126-2013-CD/OSIPTEL).  Telecommunications  With regards to Telecommunications, the Law N° 29956 was enacted in 2012, establishing that the number portability in fixed lines would be implemented during 2014. Also, the OSIPTEL issued the regulatory framework for the number portability in fixed lines, setting key elements that ensure that if a user decides to switch from service provider, the process will be expeditious and transparent.  In addition, Peru has started to take concrete actions related to international roaming. In this sense, in 2012 Peru signed the "Agreement to promote measures that benefit both countries on international and border roaming" with Ecuador, in order to create an efficient market for international roaming, and the "Agreement for Border Integration in the Telecommunication Area" with Brazil, in order to implement a pilot roaming project in border cities.  Furthermore, Law for Promotion of Broadband and construction of the National Fiber Optic Backbone (Law N° 29904) was adopted in July 2012 to promote the development, utilization and expansion of broadband throughout the country, including the expansion of supply and demand for this service. Likewise, this Law promotes the deployment of infrastructure, diversifies the services, content, and applications, and strengthens the digital skills, facilitating the social inclusion, economic development and competitiveness.  A public bidding to build the National Fiber Optic Backbone was performed on December, 2013. This process seeks to ensure the provision of Carrier Service through fiber optic backbone at a regulated price (approx. $ 27Mbps) and provide better conditions for final service providers.  Moreover, Law N° 30083 establishing measures to strengthen competition in the public mobile services market was adopted in September 2013, in order to promote the participation of new mobile operators in the Peruvian market through Mobile Virtual Network Operators. With the addition of new operators to Peruvian market is expected to diversify the provision of mobile services, improving quality and competition in the telecommunications market. | Number portability in fixed lines is planned to be implemented during 2014. |
| *Website for further information:* | [www.mincetur.gob.pe](http://www.mincetur.gob.pe) |  |
| *Contact point for further details:* | Mr. Gerardo Meza  ([gmeza@mincetur.gob.pe](mailto:gmeza@mincetur.gob.pe)) |  |
| ***Investment*** | Restrictions on Foreign Investment  Regarding restrictions to foreign investment, there has not been changes since 2011. Peru maintains certain limitations on foreign investments in specific sectors: broadcasting, air and water transportation and notably real estate. In this last case, the constitution establishes limitations in the ownership of various kinds of natural resources within fifty kilometers of Peru’s borders; however these limitations can be waived by decree on case by case basis. Also, no screening mechanisms or performance requirements are applied to foreign investments.  Consistency with APEC Non-Binding Investment Principles  In order to improve the business climte and encourage private investment growth, Peru through the Competitiveness Council of the Ministry of Economy and Finance is implementing a Plan based in increase the Peru´s performance in the World Bank-Doing Business ranking .  During 2013, PROINVERSIÓN has been active in assisting in the removal of bureaucratic obstacles that are imposed to investors, through the role of the institution in TRAMIFACIL. As leader of the working group on Streamlining Paperwork for Business, within the TRAMIFACIL´s working plan 2012-2013, PROINVERSIÓN has encouraged and promoted the issuance of the Supreme Decree N° 006-2013-PCM, which has limited the number of sectorial authorizations that can be required as a prerequisite to the granting of an Operating License. This norm simplifies the procedure, time and streamlines the process for obtaining Operating Licenses.  A Specialized Team of the Ministry of Economy and Finance was created with the aim to indetify the major bureaucratic obstacles imposed to investors within the Investment Projects Execution (Supreme Decree No. 104 -2013- EF published on May25th, 2013). PROINVERSION has been supporting this Team on the identification of this obstacles and the initiatives to eliminate them. Specifically, PROINVERSION worked on the changes needed to be included in the norms regarding the Special Regimen for Anticipated Recovery of VAT. Product of this work the norms regarding the aforementioned regime were amended last year.  Avoidance Of Double Taxation  During this period, Peru subscribed four double taxation treaties (Korea, Mexico, Switzerland and Portugal).  Number of BITs and FTAs/RTAs  During this period, six free trade agreements containing specific chapters about Investment provisions entered into force (Japan, Korea, Mexico, Panama, Costa Rica and the European Union). Five of them contained mechanisms for Investor-State Disputes (Japan, Korea, Mexico, Panama and Costa Rica). | Peru is an economy that has one of the most open policies to face foreign investment. No further improvement is planned for the current year, except for a deeper promotion of FDI participation in the development of infrastructure projects through Public-Private-Participation (PPP) mechanism.  The multiyear Plan includes measures to improve mainly the following areas in the context of the World Bank’s Doing Business: Business set up, construction permits, contracts enforcement, foreign trade, tax payment, property registration and investors’ protection.  In the context of TRAMIFACIL, programme which include several public and private institutions, focuses on simplification of municipal administrative procedures to start companies operations, seeks to identify, solve difficulties and remove administrative barriers mainly in the infrastructure sector.  To continue the investment promotion program in infrastructure to strengthen connectivity and contribute to improve the investment environment. Peruvian policies for investment and corporate responsibility will be strengthened and will contribute to the consolidation of the investment climate in Peru.  In july 2014, Peru will host the fourth meeting of the investment pillar of the Latin America and the Caribbean-OECD iniciative in Lima, bearing in mind the increasing importance of infraestructure its impact on trade and investment flows.  Mainly are in advance Negotiations with Singapore and Thailand, which are expected to be concluded.  To conlude negotiations on investments through FTAs/RTA negotiations with El Salvador and Honduras and the Trans Pacific Strategic Economic Partnership Agreement (TPP).  Peru has recently initiate negotiations to sign an FTA with Turkey. |
| Website for further information: | [www.proinversion.gob.pe](http://www.proinversion.gob.pe)  [www.mincetur.gob.pe](http://www.mincetur.gob.pe) |  |
| Contact point for further details: | Mr. Carlos Herrera  ([cherrera@proinversion.gob.pe](mailto:cherrera@proinversion.gob.pe))  Mr. Gerardo Meza  ([gmeza@mincetur.gob.pe](mailto:gmeza@mincetur.gob.pe)) |  |
| ***Standards and Conformance*** | In 2009, the National Institute for Defense of Competition and Protection of Intellectual Property (INDECOPI) approved 211 Peruvian Technical Standards, in 2010 approved 679, in 2011 approved 760, and in 2012 approved 878. At the end of 2013, INDECOPI has approved more than 4300 Peruvian Technical Standards,  During 2013 INDECOPI has approved 235 new Peruvian Technical Standards, 36.5% of them correspond to adoption of international standards: ISO (23.82%), IEC (10.21%) and Codex (2.55%).  Most of the others (63.5%) are based on regional standards, national standards and well-known standards (American Standards Testing Materials-ASTM, Association of Official Analytical Chemist - AOAC, Technical Association of the Pulp and Paper Industry - TAPI, American Water Works - AWWA, National Fire Protection Agency – NFPA), also are includes national standards for native products of Peru.  All Peruvian standards are submitted to a public discussion process:  http://www.indecopi.gob.pe/0/modulos/JER/JER\_Interna.aspx?ARE=0&PFL=6&JER=401  INDECOPI has also developed a website which contains Peruvian Catalogue of Standards. This website is administered by INDECOPI:  <http://www.indecopi.gob.pe/0/modulos/JER/JER_Interna.aspx?ARE=0&PFL=14&JER=71>  Finally, INDECOPI has published in 2009, 2010, 2011, 2012 and 2013 the Standardization Plan in its web site, where the standards are shown in different stage of the standardization process. This Plan has been reported to ISONET and WTO:  <http://www.indecopi.gob.pe/0/modulos/JER/JER_Interna.aspx?ARE=0&PFL=6&JER=400>  At the APEC level, Peruvian technical standards are aligned with the target international standards for Voluntary Action Plan (VAP).  **Indecopi’s participation in international standardization:**   * International Organization for Standardization (ISO): in 2009 Indecopi participated in 22 TC , in 2011, in 25 TC, and at the end of 2013 participated in 34 * International Electrotechnical Commission (IEC): Indecopi is participating in the Affiliate Country Program in 3 committees. * FAO/WHO Codex Alimentarius Commission: Peru is represented by the National Directorate of Environmental Health (DIGESA) at the Ministry of Health (MINSA). Further, INDECOPI have conformed 4 mirror committees.   APEC Sub Committee of Standards and Conformance (SCSC) and Pacific Area Standards Congress (PASC): Peru is represented by INDECOPI and since 2009 has submitted the Voluntary Action Plan report for IEC standards for electrical equipment requested by SCSC.  In the Andean Standardization Network (RAN): Peru is represented by INDECOPI. | By the end 2014, INDECOPI expects to approve 500 additional Peruvian technical standards. Approximately 37% of them will be adoptions from international standards.  In 2014 INDECOPI expects enhance its international participation in ISO, IEC and Codex.  INDECOPI is working in a strategic national standardization plan 2012-2015  Since 2012 INDECOPI is member of the Directive council of COPANT.  INDECOPI as National Accreditation Service has been recognized by the International American Accreditation Cooperation (IAAC) for Laboratories Testing and Calibration, Product Certification Bodies and Inspection Bodies since February 2012.  INDECOPI as National Accreditation Service has also been recognized International Accreditation Forum (IAF) for products since April 2013 and for the International Laboratory Accreditation Cooperation (ILAC) for laboratories testing, calibration laboratories and Inspection Bodies since April 2013. |
| Website for further information: | [www.indecopi.gob.pe](http://www.indecopi.gob.pe)  <http://www.mincetur.gob.pe/newweb/Default.aspx?tabid=3143> |  |
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| ***Customs Procedures*** | **Regarding adoption of HS2007 nomenclature:**  On January 1, 2012, by Supreme Decree N° 238-2011-EF, the Customs tariff based on Decision 766 of the Andean Community of Nations, which adds the Fifth Recommendation of the Amendment of Harmonized System, was approved  The New Customs Clearance Process started its implementation in 2010. It covers automatization, simplification and expeditious processes of Customs procedures resulting in a reduction of time and cost transaction in goods importation. Also, is important to mention that every Customs regime have been modified following the Kyoto Convention model.  Regarding Transparency, Peru publishes on its Customs website all customs laws and regulations and receives comments from interested persons about the draft customs procedures.  **Regarding use of IT and automation:**  It is important to mention that according Peruvian New Customs Legislation, customs declarations shall be made by electronic means and the electronic forms for Customs procedures have been established. Also, Data on Cargo Manifest is sent by electronics means prior to cargo arrival.  By other hand, in the case of restricted goods, Peru also has the Single Window for Foreign Trade (VUCE, in Spanish) through which users can perform the main proceedings (for obtaining permits, certificates, licenses, etc.) required by the control entities responsible for the entry or exit of certain goods considered restricted, and customs officials can verify an authorization of the sector or a request made through the same portal. VUCE started its operations related to restricted goods component on July, 2010.  Up to date, VUCE has 187 administrative procedures from 8 governmental agencies. In the next stage, it will incorporate 7 agencies, and will add 79 administrative procedures. Currently, according Foreign Trade Agreements, VUCE will adopt measures to achieve interoperability with others SWs.  In 2013 VUCE launched two new components: Origin Components and Port Component. The first one allows complying administrative formalities and procedures to issue certificates of origin by electronic means, which can be used by producers, exporters and the competent authority. The VUCE Port Component allows complying with all formalities required for the arrival, stay and departing of ships in ports which can also be carried out electronically.  **Regarding measures to secure trade:**  The use of the risk management requires the increase of success levels of the evaluation system and risk management in control of goods, in the framework of SDA project it aims at implementing New Models of Data Mining for entry processes, express consignments, scanning equipment for non-intrusive inspection and cargo manifest and exit of goods in the near future through the Risk module together with SAM (Model Management System),  SAC (Catalog Management System) and FMV (Multivariable filters).  In the Institutional Implementation of risk management, the “Implementation Plan” (PAF) and the “Institutional Operational Plan” 2014 are used.  Implementation of the analysis techniques of risk analysis in other customs regimes: inward processing and suspension (deposit).  Implementation of risk management for selecting restricted goods because it is subject to physical inspection through Foreign Trade Single Window (VUCE) in coordination with relevant sectors.  **Regarding implementation of customs measures to facilitate trade:**  Advance Ruling procedures have entered into force in February 2010.  Peru has implemented advance resolutions to:   * customs valuation criteria, * application of returns, * suspensions, * exonerations of customs rights; and * reimport of repaired or shaken goods. * Tariff Classification   The Peruvian government is working on the implementation of “**ebXML**” as the electronic framework in any electronic government procedure for exchange of information.  According to Peruvian Customs Act (Article 167), Customs clearance cannot take longer than 48 hours, in regular conditions and, in the case of Express Delivery Consignments could not take longer than 6 hours.  Since September 21, 2009, it is possible to regularize Export Customs Declaration by electronic means.  On January 1st 2012 the new Tariff Book entered into force. It includes the Fifth Amendment of the Harmonized System. Peruvian Customs Law provides for the application of an advanced clearance system, which allows conducting goods clearance either before, during or after its arrival.  The Ruling of Special Customs Regime of Express Delivery Consignments (Supreme Decree N° 011-2009-EF) was published on January 16, 2009 and entered into force in January 01, 2010. | *Provide brief points only* |
| Website for further information: | [www.sunat.gob.pe](http://www.sunat.gob.pe) |  |
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| ***Intellectual Property Rights*** | 1. Regarding being signatories or the ratification and implementation of major multilateral agreements related to IP; Peru is a signatory of:  * the Beijing Treaty on Audiovisual Performances; and * the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired, or Otherwise Print Disabled.   In both cases Peru is currently working on its internal process to ratify the agreements.   1. Peru organized two seminars on the usage of the plant variety protection system. The first seminar was organized in the year 2012 with UPOV and it was carried out in three different cities in Peru aimed at the general public. The second seminar was organized in the year 2013 together with UPOV and was specific to plant breeders, seed companies and researchers. 2. The Directorate of Inventions and New Technologies of INDECOPI has created the Sub Directorate of Support for Innovation, which will have as its major role the promotion of the use of the patent system in strategic sectors for economic competitiveness and social development. 3. Since 2008, the National Institute for Defense of Competition and Protection of Intellectual Property (INDECOPI) has been carried out a continuously on-site registration of traditional knowledge of indigenous peoples, which has given as a result 2133 Peruvian registers to date (among public and confidential registers). 4. In 2011, APEC and Peru organized the “Seminar on Successful Experiences Implementing Tools for Traditional Knowledge Protection” in order to promote the exchange of experiences developed by the Economies on the protection of traditional knowledge. Plus, in 2012 it was held the "Regional Meeting on Systems for the Protection of Genetic Resources and Traditional Knowledge ", organized by the World Intellectual Property Organization (WIPO ) in cooperation with INDECOPI and the National anti-Biopiracy Commission . The meeting was attended by representatives of the countries of Latin America and the Caribbean. 5. Peru organized a workshop on copyright in the age of digital technology and another workshop on the utilization of intellectual property rights for creative industries. 6. Peru also organized the APEC course on Digital Opportunity Center Public Key Infrastructure (PKI) Training (23 to 26 of October). 7. INDECOPI established a plan (2012-2013) to promote collective marks. This, included seminars to create disseminate the benefits of collective marks, the establishment of pilot products and working together with the producers in order to protect the collective marks. Some of the collective marks that have been protected include products such as potatoes, honey and cotton. 8. To promote transparency, INDECOPI implemented a system for the electronic trademark filing. 9. The Copyright Directorate has made ​​available a software tool for users. It will enable them to present registration applications virtually. This is an important contribution to modernization of the state (e-government) thus benefiting creators who live far from the capital city of Peru. 10. Copyright guides were developed for 14 specific types of creative industries. These booklets are used in presentation events. 11. **Legal Buy, Buy Original** is a campaign designed by Indecopi and the Ministry of Production, with support from USAID, FACILITATING TRADE, to encourage among users of cultural products and services, the use of legal and formal offers. It has a website of the same name, in which you can find three anti-piracy commercials and an animated video that refer to the importance of respecting intellectual property. 12. **I decide to, I Respect**, is an educational campaign aimed at students in their final years of secondary education, to guide them in the importance of observing the rules on copyright. 13. Education projects were implemented, with respect to copyright, in 5 Regions of Peru including 100 schools, providing training for 600 teachers and 21 000 students between 11 and 13 years. 14. **In the field of software protection**, INDECOPI has developed a special computer platform located on the Website Indecopi to store information submitted by companies, declaring the software they have installed on their computers is legal. Thus, during 2013, 1200 companies have formalized their informatic park. 15. Improved operational efficiency of the Copyright Office, achieving increase in the number of actions, such as inspections and complaints of copyright infringement. 16. Training for the judiciary and the Public Ministry. 17. The Commission to Combat Customs Crimes and Intellectual Property chaired by the Ministry of Production, lends considerable support to the dissemination activities of the Copyright Office Indecopi. | 1. INDECOPI is working in the evaluation of improvements to its online services. 2. INDECOPI is constantly working together with indigenous communities in Peru in order to register their traditional knowledge. 3. Dissemination and awareness programs for a better use of the UPOV system 4. During 2012 and 2013 the Trademarks Directorate of INDECOPI has been working on the promotion of collective marks as a tool for rural development. To do this, a partnership with AGRO RURAL (agency of the Ministry of Agriculture) and UNIDO (United Nations Industrial Development Organization) was formed. The objective has been to facilitate the access of products of rural areas of the country to markets competitively, allowing them to be recognized through collective marks and thus contribute to the joint efforts of producers and increase family income. 5. Encourage the use of virtual register between users, generating confidence in the system. 6. Continue organizing events with groups of cultural industries. 7. Continue outreach of Piracy Spots in Theaters and at various outreach events. 8. Expansion to new regions of the Country Education Project, coordinating with the Ministry of Education, which has signed an agreement for cooperation. 9. Continue to increase the number of companies which formally required declarations of legal software. 10. Continue to coordinate strategies with the National Commission for Combating Customs Crimes and Piracy, increasing outreach activities nationwide. |
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| ***Competition Policy*** | INDECOPI is in charge of implementing competition policy in all sectors, except for the public telecommunications services market, for which the Supervisory Authority for Private Investment in Telecommunications (OSIPTEL) is responsible.  **INDECOPI**  Since the enactment of Legislative Decree 1034 (hereinafter, the Competition Act, 2008), Indecopi has issued several decisions confirming the existence of anticompetitive conducts (cartels, other collusive practices and abuse of dominance), and has therefore imposed administrative fines and additional remedies.  Among its most recent decisions, in December 2012 the Competition Commission of Indecopi imposed sanctions to a dominant dairy producer/distributor for attempting to harm a competitor in the distribution market by unreasonably changing contractual conditions.  Also, in February 2013 the Competition Commission of Indecopi imposed fines for more than USD $ 2 million to a Cement company (dominant in the centre region of Peru) and its main distributors for conspiring to obstruct the entrance of a new competitor.  Additionally, in July 2013 the Tribunal of Indecopi affirmed the decision of the Competition Commission establishing the existence of a cartel among the three main producers of medicinal oxygen (around 90% of market), imposing fines for about USD $ 7.5 million. In May and July 2013, The Tribunal also affirmed two decisions of the Competition Commission confirming the existence of freight cartels in the centre of Peru and imposing fines for about USD $ 100 000.  It is also worth mentioning that in August 2013, the Competition Commission approved the «Guidelines on Confidentiality», a document intended to facilitate citizens’ applications for confidentiality of the information they provide to the competition authority and bring transparency about the criteria the Commission has used in the evaluation of those applications.  Also, in the past years, Indecopi has signed several Inter-Institutional Cooperation Agreements with competition authorities from other countries in the region, aimed at enhancing enforcement of their respective competition policies by strengthening cooperation, coordination and information exchange activities. Among those countries are Ecuador (2012), Brazil (2012) and Dominican Republic (2013).  Peru continues to seek cooperation arrangements with other economies with the aim of promoting cooperation with other competition agencies, including through the negotiation of competition chapters in FTAs. This activity will enforce the capacities of the officials and will help competition authorities to improve the methods applied during investigations of alleged anticompetitive conducts. With that objective, coordination efforts between trade and competition authorities have been strengthened. Recent FTAs in force with provisions on competition policy include Agreements with Japan (2012), Panama (2012), European Union (2013) and Costa Rica (2013).  In September 2013, in the context of the XI OECD – IDB Latin American Forum on Competition (LAFC), Indecopi signed the «Declaration of Lima» alongside Chile and Colombia aimed at strengthening cooperation and training activities on competition enforcement.  Though not an OECD member yet, Peru is an active participant of its forums and activities on competition policy. In 2013, Peru was elected by OECD as the regional hub on competition affairs.  Also, for the 2013-2014 period, Indecopi has been elected to preside the Regional Centre of Competition for Latin America, under the sponsorship of the Inter-American Development Bank and the World Bank.  For transparency, Competition Legislation, Guidelines and Decisions are published in the national gazette or made publicly available in the website of Indecopi, which is constantly updated.  **OSIPTEL**  During 2012 and 2013, OSIPTEL has continued supervising the telecommunications market to uphold competition and detect anticompetitive conducts. Within this period, regulation to promote competition has been issued regarding, among others, the following issues: number portability for fixed and mobile services, access of electronic money issuers for telecommunications services rules, procedures for establishing interconnection charges for network matching and determination of relevant markets in wholesale access for internet and data transmission, as well as the revision of tariff caps for leasing long distance circuits and for wholesale access for provision of data transmission.  As part of Transparency Policy according to rulemaking process, a draft proposal for the determination of Important Providers in Markets N° 30, 31, 32 and 33: Access to Mobile Services Public Network and Wholesale Access to Communications Services from Mobile Terminals, has been published for comments.    On the other hand, in July 2013, OSIPTEL signed a Cooperation Agreement with the United States’ Federal Communications Commission aimed at carrying out training programs and exchanging information and experiences in regulatory, technical and managerial fields.  For transparency, Rules, Bylaws and all regulatory framework are published in the National Gazette or made publicly available at OSIPTEL’s website, which is constantly updated. Draft proposals of Rules, Bylaws and regulatory changes are published in the National Gazette and at OSIPTEL’s website. | Peru and its competition authorities are looking for concluding and enforcing cooperation agreements on competition policy with other agencies, not only from the Latin American region but from the rest of the Americas and overseas, within the context of FTAs or otherwise.  Cooperation should address common problems with other competition agencies regarding exchange of information, confidentiality, technical and human resources and competition advocacy. Training programs and inter-agency internships on competition policy are also a priority in the agenda for the next years.  Additionally, Indecopi is taking the steps forward to increase its activities, not only related to enforcement but especially those related to competition advocacy.  With regards to the telecommunications sector, improvements in the determination of Important Providers for Mobile Market that should share infrastructure and offer wholesale services are being sought. Plans for the future include work on Mobile Virtual Network Operator Rules and Mobile Rural Infrastructure Operator Rules.  Additionally, OSIPTEL has signed a Cooperation Agreement with ITU for improving its enforcement measures to supervise telecommunications services, according to international best practices. |
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| ***Government Procurement*** | Peru has implemented the necessary legal framework through Legislative Decree Nº 1017 in order to fulfill international obligations on Government Procurement related to *transparency* such as those contained in the Free Trade Agreements (FTAs) with the European Union and Costa Rica that entered into force during year 2013. | According to the procurement law, all procuring entities must publish complete tendering information in Peru`s Electronic Procurement System (SEACE). This electronic platform constitutes the only official single point of access for all procurement information in Peru, containing topics such as: legislation, notices of intended procurement, tender documentation, including technical specifications and evaluation criteria, awarding of contracts, annual procurement plans, business opportunities and statistic information, all free of charge.  Peru’s Supervisory Organ on Public Procurement (OSCE) is taking significant steps in order to publish main procurement information in English language progressively by electronic means. |
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| Website for further information: |  |  |
| Contact point for further details: |  |  |
| ***Implementation of WTO Obligations/ROOs*** | **Regarding WTO Obligations:**   * Peru participated actively in the WTO's councils, committees and working groups responsible for the implementation and administration of the Agreements, with a view to ensuring that they were correctly applied and monitored. * Peru participated actively in the Ninth Ministerial Conference (MC9). Peru’s Ministry of Trade and Tourism was one of the Vice-Chairs for MC9 and in a joint statement with all presiding Officers, she urged all WTO Members to agree a deal in Bali. Peru contributed to the final outcome sponsoring communications and proposals individually and as part of the most important groups in the negotiations (Cairns Group, G-20 and G-33). These communications were related to the negotiations on trade facilitation and agriculture. * In 2012, Peru assumed the chairmanship of the Working Group on Trade and Transfer of Technology. In 2013, Peru assumed the chairmanship of the Working Party for Comoro’s accession. * Peru made almost all regular notifications in fulfillment of its WTO commitments. * Under the WTO “Aid For Trade” initiative, in 2012, Peru organized a National Workshop on Aid for Trade entitled "Strengthening Public-Private Cooperation". In 2013, Peru participated in the Fourth Global Review of Aid for Trade and co-hosted, with Switzerland, a side event entitled “Value Chains - A Motor for Sustainable Economic Development “. * In 2013, Peru’s trade and related policies were examined and evaluated under the Trade Policy Review Mechanism. Peru’s IV Trade Policy Review confirmed the benefits of maintaining an open economy, in particular when trade is made an integral part of a country’s development strategy, as is the case of Peru. * In 2013, Peru fully implemented it commitments under the Information Technology Agreement of the WTO (ITA). * Under the WTO Transparency Mechanism for Regional Trade Agreements, Peru notified the FTAs Panama-Peru, Japan-Peru, Mexico-Peru, Costa Rica-Peru and Peru-Colombia-European Union. FTAs Panama-Peru, Japan-Peru and Mexico-Peru were reviewed by the Committee on Regional Trade Agreements in 2013. * Peru has actively participated in the WTO’s Trade-related technical assistance (TRTA) activities and capacity-building programmes (i.e. TPCs, RTPCs, seminars, workshops, online courses)   **Regarding ROOs**  Peru has fully implemented the WTO Agreement on Rules of Origin since January 1st 1995, which includes the disciplines to be applied during the transition period until the harmonization work programme under the WTO is completed.  Preferential rules of origin are applied to imports that claim for preferential treatment under trade agreements. Criteria contained in preferential rules of origin are based on tariff classification changes, national value content requirements, technical requirements or a combination of them. Prescribed elements for rules of origin of the WTO Rules of Origin Agreement are incorporated into chapters on rules of origin of the Peruvian preferential trade agreements.  The non-preferential rules of origin are applied to imports that are subject to antidumping and countervailing duties in compliance with the disciplines set out in the WTO. The current non-preferential rules of origin applied in Peru are set out clearly in accordance with the WTO.  In order to improve the regulation related to non- preferential rules of origin, on June 18th 2011 entered into force a rule that establishes the procedure to make the declaration of goods subject to trade remedies and to control their origin. | **Regarding WTO Obligations:**   * In 2014, Peru will collaborate with the preparation of the work program on the remaining Doha Development Agenda issues, as enshrined in the Post-Bali Work section of the Bali Ministerial Declaration. * Peru will work domestically and at the WTO to ensure the expeditious entry into force of the WTO Agreement on Trade Facilitation and to prepare for the efficient implementation of the Agreement, including the notification of each category commitments. * Peru is working to submit the pending notifications to the Committee on Agriculture. |
| Website for further information: | <http://www.acuerdoscomerciales.gob.pe/>  <http://www.wto.org/english/thewto_e/countries_e/peru_e.htm> |  |
| Contact point for further details: | WTO Issues: Mrs. Victoria Elmore  [velmore@mincetur.gob.pe](mailto:velmore@mincetur.gob.pe)  ROOs: Ms. Jennifer Olortegui  [jolortegui@mincetur.gob.pe](mailto:jolortegui@mincetur.gob.pe) |  |
| ***Dispute Mediation*** | *The national legislation regarding Conciliation and Arbitration has not been subject to changes.* | *Provide brief points only* |
| Website for further information: | <http://www.acuerdoscomerciales.gob.pe/> |  |
| Contact point for further details: | Mrs. Sara Rosadio (srosadio@mincetur.gob.pe) |  |
| *Mobility of Business People* | It is necessary to correct some of the areas from the previous IAP. After Decree 1043 came into force, the migratory category “BUSINESS ABTC” was created. With this, the ABTC System was incorporated to the Peruvian Immigration System.  ABTC System  Regarding the approval of economies, applications sent by all the Economies participating in the system are approved in an effective way by ABTC Office. The applications are approved on a daily basis, providing the best service for foreigner applicants.  The delivery of cards is working expeditiously in order to contribute to improve and to increase the business opportunities for Peruvian business persons.  Immigration Laws  In 2012, the Legislative Decree 1130 created the National Superintendence of Migration, as an independent authority, in economic and administrative matters. One of the main goals of the creation of the Superintendence is to implement a modern, efficient and high quality immigration system that could support the objective of Peru to strengthen the economy, promoting the investment and tourism.  Additionally, in 2013, the process for the elaboration of a new immigration law started. In this sense, the Resolution 123-2013-PCM established a multi sectorial working group that will elaborate a proposal of a new immigration law, taking into account the needs of Peru and the travellers.  Business Visa Waivers  In the framework of the Pacific Alliance, with purpose to facilitate the movement of business people in the region, Chile, Colombia, Mexico and Peru agreed to exempt their nationals from getting a short-term business visa.  In this way, Peru allows the nationals from Chile, Colombia and Mexico to perform any business activity in Peru, including signing contracts, for a period up to 183 days, without getting a “business visa” before their entry to Peru. | The new Law of Immigration and its Regulation are planned to be enacted. |
| *Website for further information:* | [www.digemin.gob.pe](http://www.digemin.gob.pe)  [www.rree.gob.pe](http://www.rree.gob.pe)  [www.mincetur.gob.pe](http://www.mincetur.gob.pe) |  |
| *Contact point for further details:* | Mr. Gerardo Meza  ([gmeza@mincetur.gob.pe](mailto:gmeza@mincetur.gob.pe)) |  |
| *Official websites that gather economies’ information* | * Ministry of Foreign Trade and Tourism: [www.mincetur.gob.pe](http://www.mincetur.gob.pe) * Ministry of Economic and Finance: [www.mef.gob.pe](http://www.mef.gob.pe) * National Institute for Consumer Defense and the Protection of Intellectual Property (INDECOPI): [www.indecopi.gob.pe](http://www.indecopi.gob.pe) * Website for Peru’s Trade Agreements: [www.acuerdoscomerciales.gob.pe](http://www.acuerdoscomerciales.gob.pe) * Peru Customs Agency (National Superintendence of Customs and Tax Administration): [www.sunat.gob.pe](http://www.sunat.gob.pe) * Migration Agency (General Directorate of Migration and Naturalization): [www.digemin.gob.pe](http://www.digemin.gob.pe) * Peruvian Agency for Investment Promotion (ProInversión): [www.proinversion.gob.pe](http://www.proinversion.gob.pe) * SENASA (National Service of Agrarian Health): [www.senasa.gob.pe](http://www.senasa.gob.pe) * DIGESA (General Directorate of Environmental Health): [www.digesa.sld.pe](http://www.digesa.sld.pe) * Ministry of Production: [www.produce.gob.pe](http://www.produce.gob.pe) * Supervising Organism of Government Procurement (OSCE): [www.osce.gob.pe](http://www.osce.gob.pe) | *Provide brief points only* |
| Website for further information: |  |  |
| Contact point for further details: |  |  |
| ***Transparency*** | *The national legislation regarding Transparency has not been subject to changes.* | *Provide brief points only* |
| Website for further information: | <http://www.acuerdoscomerciales.gob.pe/> |  |
| Contact point for further details: | Mrs. Sara Rosadio (srosadio@mincetur.gob.pe) |  |

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| **RTAs/FTAs** | | |
| ***-*** ***Description of current agreements*** | *Please use Part 1 of the RTA/FTA reporting template to provide a short description or hyperlinks to any new agreements and to report improvements to existing agreements.* |
| ***Agreement #1*** | **Peru – Andean Community (CAN)**   * Date of subscription: May 26th, 1969   For more information: http://www.acuerdoscomerciales.gob.pe/index.php?option=com\_content&view=category&layout=blog&id=95&Itemid=118 |
| ***Agreement #2*** | **Peru – Cuba**   * Date of entry into force: March 9th, 2001 * For more information: http://www.acuerdoscomerciales.gob.pe/index.php?option=com\_content&view=category&layout=blog&id=120&Itemid=143 |
| ***Agreement #3*** | **Peru – MERCOSUR**   * Date of entry into force: January 2nd, 2006 for Argentina, Brazil and Uruguay and February 6th, 2006 for Paraguay * For more information:   http://www.acuerdoscomerciales.gob.pe/index.php?option=com\_content&view=category&layout=blog&id=100&Itemid=123 |
| ***Agreement #4*** | **Peru – United States**   * Date of entry into force: February 1st, 2009 * For more information: http://www.acuerdoscomerciales.gob.pe/index.php?option=com\_content&view=category&layout=blog&id=55&Itemid=78 |
| ***Agreement #5*** | **Peru – Chile**   * Date of entry into force: March 1st, 2009 * For more information: http://www.acuerdoscomerciales.gob.pe/index.php?option=com\_content&view=category&layout=blog&id=70&Itemid=93 |
| ***Agreement # 6*** | **Peru – Canada**   * Date of entry into force: August 1st, 2009 * For more information: http://www.acuerdoscomerciales.gob.pe/index.php?option=com\_content&view=category&layout=blog&id=60&Itemid=83 |
| ***Agreement # 7*** | **Peru – Singapore**   * Date of entry into force: August 1st, 2009 * For more information: <http://www.acuerdoscomerciales.gob.pe/index.php?option=com_content&view=category&layout=blog&id=65&Itemid=88> |
| ***Agreement # 8*** | **Peru – China**   * Date of entry into force: March 1st, 2010 * For more information: <http://www.acuerdoscomerciales.gob.pe/index.php?option=com_content&view=category&layout=blog&id=42&Itemid=59> |
| ***Agreement # 9*** | **Peru – Korea**   * Date of entry into force: August 1st, 2011 * For more information: <http://www.acuerdoscomerciales.gob.pe/index.php?option=com_content&view=category&layout=blog&id=80&Itemid=103> |
| ***Agreement # 10*** | **Peru – Thailand** (Protocol between the Republic of Peru and the Kingdom of Thailand to Accelerate the Liberalization of Trade in Goods and Trade Facilitation and Additional Protocols)   * Date of entry into force: December 31st, 2011 * For more information: <http://www.acuerdoscomerciales.gob.pe/index.php?option=com_content&view=category&layout=blog&id=45&Itemid=69> |
| ***Agreement # 11*** | **Peru – Mexico**   * Date of entry into force: February 1st, 2012 * For more information: http://www.acuerdoscomerciales.gob.pe/index.php?option=com\_content&view=category&layout=blog&id=75&Itemid=98 |
| ***Agreement # 12*** | **Peru – Japan**   * Date of entry into force: March 1st, 2012 * For more information: <http://www.acuerdoscomerciales.gob.pe/index.php?option=com_content&view=category&layout=blog&id=90&Itemid=113> |
| ***Agreement # 13*** | **Peru – Panama**   * Date of entry into force: May 1st, 2012 * For more information: http://www.acuerdoscomerciales.gob.pe/index.php?option=com\_content&view=category&layout=blog&id=110&Itemid=133 |
| ***Agreement # 14*** | **Peru – European Free Trade Association (EFTA)**   * Date of entry into force: July 1st, 2012 * For more information: http://www.acuerdoscomerciales.gob.pe/index.php?option=com\_content&view=category&layout=blog&id=85&Itemid=108 |
| ***Agreement # 15*** | **Peru – European Union**   * Date of entry into force: March 1st, 2013 * For more information: http://www.acuerdoscomerciales.gob.pe/index.php?option=com\_content&view=category&layout=blog&id=50&Itemid=73 |
| ***Agreement # 16*** | **Peru – Costa Rica**   * Date of entry into force: June 1st, 2013 * For more information: http://www.acuerdoscomerciales.gob.pe/index.php?option=com\_content&view=category&layout=blog&id=115&Itemid=138 |
| ***Agreement # 17*** | **Peru – Venezuela**   * Date of entry into force: August 1st, 2013 * For more information: http://www.acuerdoscomerciales.gob.pe/index.php?option=com\_content&view=category&layout=blog&id=171&Itemid=190 |
| ***- Agreements under negotiation*** | *Please provide information on agreements that are currently under negotiation eg issues being covered in the negotiation and the status of the negotiation.* |
| ***Agreement #1*** | **Trans Pacific Partnership Agreement (TPP)**   * TPP aims to create a regional FTA involving twelve Asia Pacific countries: Australia, Brunei Darussalam, Canada, Chile, Japan, Malaysia, Mexico, New Zealand, Peru, Singapore, United States and Viet Nam.  Nineteen rounds of negotiations have taken place since March 2010. * For more information: <http://www.acuerdoscomerciales.gob.pe/index.php?option=com_content&view=category&layout=blog&id=105&Itemid=128> |
| ***Agreement #2*** | **Peru – Thailand**   * Both countries finalized negotiations to expand the Protocol towards a Free Trade Agreement.   The agreement coveredTrade in goods, Trade in services, Rules of origin, Trade Remedies, Competition, Sanitary and Phytosanitary Measures, Technical Barriers to Trade, Customs procedures, Intellectual Property, Cooperation and Legal Issues. Four rounds of negotiations have taken place since March 2012. |
| ***Agreement #3*** | **Peru – Turkey**   * Peru has initiated negotiations with Turkey on January 20th, 2014. The chapters to be included in the agreement are: Market Access, Rules of Origin, Customs and Trade Facilitation, Trade Remedies, Technical Barriers to Trade, Sanitary and Phytosanitary Measures, Trade on Services, Intellectual Property, Competition, Cooperation and Legal Issues. |
| ***Agreement #4*** | **Peru – Honduras**   * This agreement is been negotiated since November 8th 2010. Currently, the delegations of both countries continue working to reach an agreement. |
| ***Agreement #5*** | **Peru – El Salvador**   * This agreement is been negotiated since November 8th 2010. Currently, the delegations of both countries continue working to reach an agreement. |
| ***Agreement #6*** | **Pacific Alliance**   * Currently under legal scrubbing state. Initiative developed by Colombia, Chile, Mexico and Peru to shape a deep integration area in order to advance towards a free trade of goods, services, capitals and persons, and to encourage further growth, development and competition among the Parties. * For more information: <http://www.acuerdoscomerciales.gob.pe/index.php?option=com_content&view=category&layout=blog&id=166&Itemid=185> |
| ***Agreement #7*** | **Peru – Guatemala**   * Date of subscription: December 6th, 2011. Not yet in force. * For more information: <http://www.acuerdoscomerciales.gob.pe/index.php?option=com_content&view=category&layout=blog&id=125&Itemid=148> |
| ***-*** ***Future plans*** |  |
| ***Agreement #1*** | **Peru –Indonesia**   * Both countries have agreed to initiate the negotiations of a Preferential Tariff Agreement. |
| ***Agreement #2*** | **Peru – India**   * Both countries held talks with a view to explore future FTA negotiations. |
| ***Agreement #3*** | **Peru – Uruguay**   * Negotiation under the framework of Peru-Mercosur Agreement, but only with Uruguay. * Meetings will be established in order to determine when the negotiation process will initiate. |
| ***Agreement #4*** | **Peru – Nicaragua**   * Peru is waiting for Nicaragua’s response to determine if the negotiation will proceed. |
| ***Agreement #5*** | **Peru – Cuba**   * Both countries are in the process of establishing contact points. |
| *Website for further information:* | http://www.acuerdoscomerciales.gob.pe/ |
| *Contact point for further details:* | *Asia and Oceania: Mr. José Luis Castillo*  [*jlcastillo@mincetur.gob.pe*](mailto:jlcastillo@mincetur.gob.pe)  *North America and Europe: Mr. Diego Urbina*  [*durbina@mincetur.gob.pe*](mailto:durbina@mincetur.gob.pe)  *Latin America and the Caribbean: Mr. Eduardo Brandes*  [*ebrandes@mincetur.gob.pe*](mailto:ebrandes@mincetur.gob.pe) |

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| ***Other voluntary reporting areas*** | *Provide brief points only* | *Provide brief points only* |
| Website for further information: |  |  |
| Contact point for further details: |  |  |