

Section I – Environmental Rights and Obligations

Article 1: Definitions

For purposes of this Agreement:

“**environment law**” means any statute or regulation, or provision thereof, of a Party, including legally binding instruments made pursuant to the above, the primary purpose of which is the protection of the environment, or the prevention of a danger to human life or health, through:

- (a) the prevention, abatement or control of the release, discharge, or emission of pollutants or environmental contaminants;
- (b) the control of environmentally hazardous or toxic chemicals, substances, materials and wastes, and the dissemination of information related thereto; or
- (c) the conservation of biological diversity, which includes the protection of wild flora or wildlife, endangered species and their habitat, and specially protected natural areas in the Party’s territory and for the Republic of Peru which also includes the sustainable use of biological diversity;

but does not include any statute or regulation, or any provision thereof, directly related to worker health and safety or public health.

For greater clarity the term “environmental law” does not include any statute or regulation, or provision thereof, of which the primary purpose is managing the commercial harvest or exploitation, or subsistence or aboriginal harvesting, of natural resources;

“**indigenous and local communities**” means, for the Republic of Peru, those Native, Indigenous, Afro-American and local communities which are defined in Article 1 of Andean Decision 391 as a human group whose social, cultural and economic conditions distinguish it from other sectors of the national community, that is governed totally or partially by its own customs or traditions or by special legislation and that, irrespective of its legal status, conserves its own social, economic, cultural and political institutions or a part of them;