

What are the main rules regulating the functions of the DS?

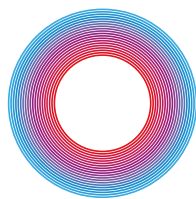
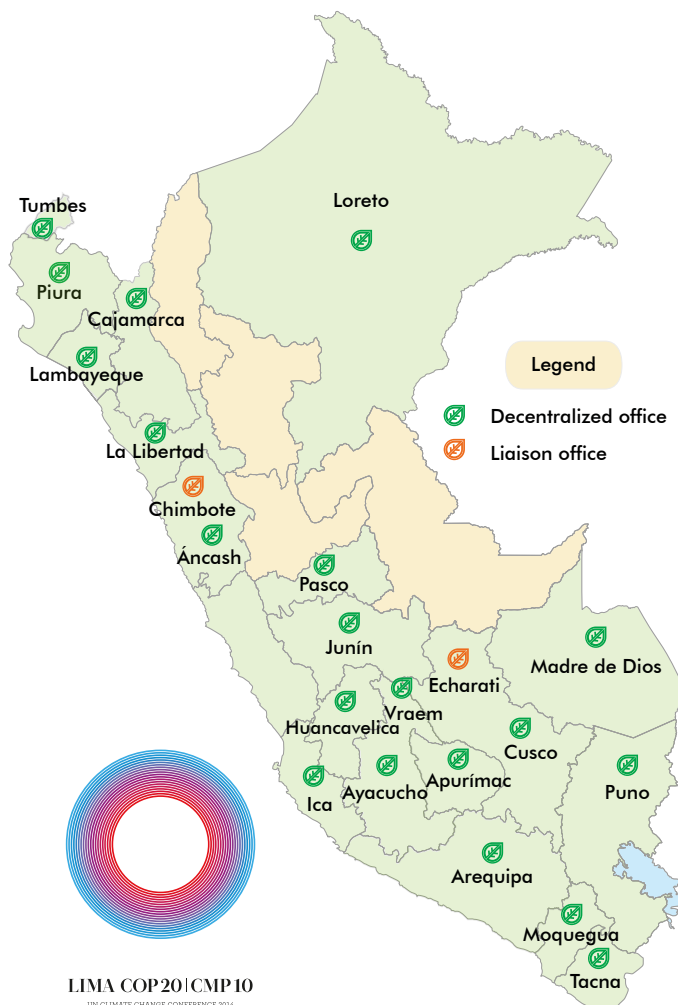
The main instruments regulating the functions of the DS are as follows:

- Direct Supervision Regulation of OEFA approved by Board of Directors Resolution No. 007-2013-OEFA/CD and its amendment approved by Board of Directors Resolution No. 003-2014-OEFA/CD.
- Regulation for the Environmental Emergencies Report of activities in the competence of OEFA approved by Decision of the Board of Directors No. 018-2013-OEFA/CD.
- Regulation for the voluntary remedial action of minor non-compliances approved by Board of Directors Resolution No. 046-2013-OEFA/CD.
- Supervision to Environmental Control Entities (EFA) Regulation approved by Board of Directors Resolution No. 016-2014-OEFA/CD.
- Legal rules for the application of the Article No. 17 in the National System of Environmental Assessment and Enforcement Law, under the scope of environmental mining enforcement, approved by Board of Directors Resolution No. 031-2014-OEFA/CD.
- Special Regulation of Direct Supervision for the Completion of Activities in the competence of the Agency for Environmental Assessment and Enforcement approved by Board of Directors Resolution No. 013-2014-OEFA/CD.

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SUPERVISION DIRECTORATE

Who are we?

The Supervision Directorate (DS, by its initials in Spanish) is responsible for assessing the compliance of environmental obligations of enterprises that will develop certain economic activities, as well as their environmental performance. This is known as direct supervision function. In addition, the DS has the duty to supervise other public agencies performance (Environmental Control Entities), which shall exercise direct environmental enforcement in economic activities according to their competences. This is known as supervision to entities function).

What do we do?

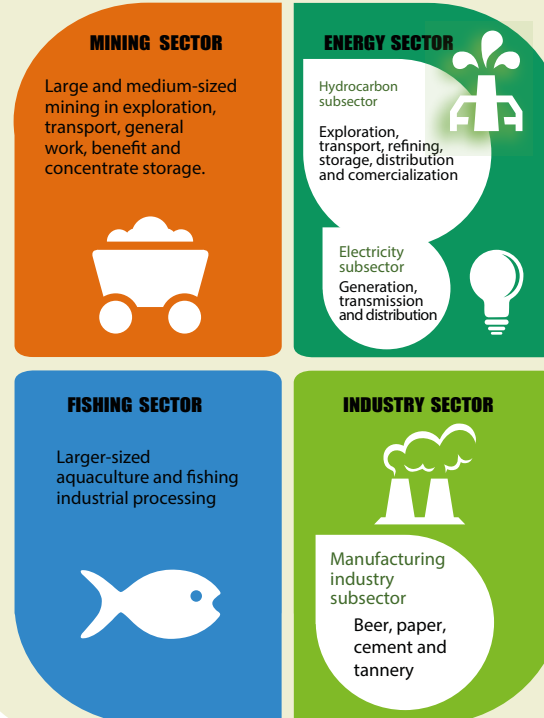
The DS has the following main functions:

- To perform direct supervision actions to assess the environmental performance of the enterprises directly enforceable by OEFA (mining, fishing, electricity, hydrocarbon and industry) and to issue supervision reports based on the obtained results.
- To perform supervision actions to entities of environmental enforcement at a national, regional or local level to determine if they effectively exercise the corresponding environmental enforcement functions, including recommendations for enhancing such functions.
- To order precautionary measures to the supervised enterprises to stop certain conducts or to implement specific actions when there is evidence of imminent risk of environmental damage.
- To issue technical reports (ITA, by its initials in Spanish) for the commencement of sanctioning procedures when there is evidence of supervised enterprises presumably not complying with environmental obligations.
- To provide technical assistance to other entities of environmental enforcement.
- To issue public reports with the results of the performed supervision, which are accessible to citizens.

What does direct supervision mean?

Direct supervision aims to assess the environmental performance of the supervised enterprises and its productive units (mining unit, exploration projects, oil blocks, fishing industrial facilities, etc.) and to determine any presumed non-compliance with environmental obligations. It also seeks to assess unseen environmental impacts or greater impacts to those identified in the certification phase (preparation and approval of environmental management instruments by the Ministry of Energy and Mines and the Ministry of Production, respectively).

Direct supervision also includes the power to accuse an enterprise for presumed non-compliance with environmental obligations (presumptive offenses), which will trigger a sanctioning procedure against it. However, the aim of the direct supervision is not to accuse, but to assess the environmental performance of the supervised unit.



What does the supervision to Environmental Control Entities (EFA) mean?

In sectors on which the OEFA does not have authority to perform direct supervision activities, it performs follow-up actions and supervises the EFA's performance at a national, regional and local level, with the purpose of guaranteeing that these entities' functions are carried out under common criteria and parameters. Such entities are empowered to exercise direct enforcement actions.

Through the Supervision Directorate, the OEFA exercises stewardship of the National System of Environmental Assessment and Enforcement (SINEFA, by its initials in Spanish), by supervising that EFA's compliance with its functions realizes in an expeditious, independent and efficient way.

