



Better by Design - Mapping and Analysis of supporting Policies and Public Initiatives in Latin America and the Caribbean

Version '1' Report

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Table of Contents

Introduction	2
1. Methodology	3
2. Discussion	4
a) SCP action plans per country	4
b) Extended producer responsibility	6
c) Sustainable public procurement	7
d) Zero waste. Controlling the use of plastic bags	9
e) Zero waste. Promoting food donation before this becomes waste	12
f) Sustainable communication	13
3. Gaps	15
4. Recommendations	17
References	19

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Introduction

The Better by Design (BBD) project started in 2017 under the umbrella of the Sustainable Lifestyles Programme¹ of the 10-year framework of programmes (10YFP) on sustainable consumption and production (SCP), works with major retailers operating in Latin America and the Caribbean (LAC) and their value chain partners to embed sustainable, low carbon thinking through sustainable product design tools into new product development processes in the food and beverage sector. The project also aims to build capacity, gather best practices in sustainability led advertising, and replicate promising practices, tools and methodologies in companies in Nicaragua, Honduras and Peru to improve the sustainability of their food and beverage products.

The project works also alongside policy makers considering their instrumental role in creating a level playing field for organizations willing to implement Better by Design approaches (eco-design, sustainable design, and sustainable marketing following life cycle thinking).

This report aims to analyse the progress made by countries in LAC region in the development and implementation of policies supporting Better by Design approaches with a focus on Peru, Honduras and Nicaragua.

Topics addressed in this report were identified following a consultation with project partners in LAC and are aligned with the thematic and sectorial priorities established by the SCP strategy for Latin America and the Caribbean (LAC), and the latest Decision on SCP adopted by the LAC Regional Forum of Ministers of Environment (UN Environment, 2015).

- SCP action plans
- Extended producer responsibility
- Zero waste through promotion of food donation
- Sustainable procurement
- Use of plastics in packaging
- Sustainable communication.

To this end, this document briefly describes the methodology applied to analyse each topic, later offers a discussion of findings and finally presents identified gaps and provides recommendations.

¹ <https://www.wrforum.org/projects/better-design-retail-lifestyles-latin-america/disenio-para-la-sostenibilidad-estilos-de-vida-sostenibles-en-america-latina/>

1. Methodology

This report analyses the status in the LAC region of the topics mentioned above and of related initiatives that support “Better by Design” approaches.

SCP action plans provide the overarching framework to develop the approaches needed. However, in some cases, one or more BBD approaches could be established before a national SCP is issued.

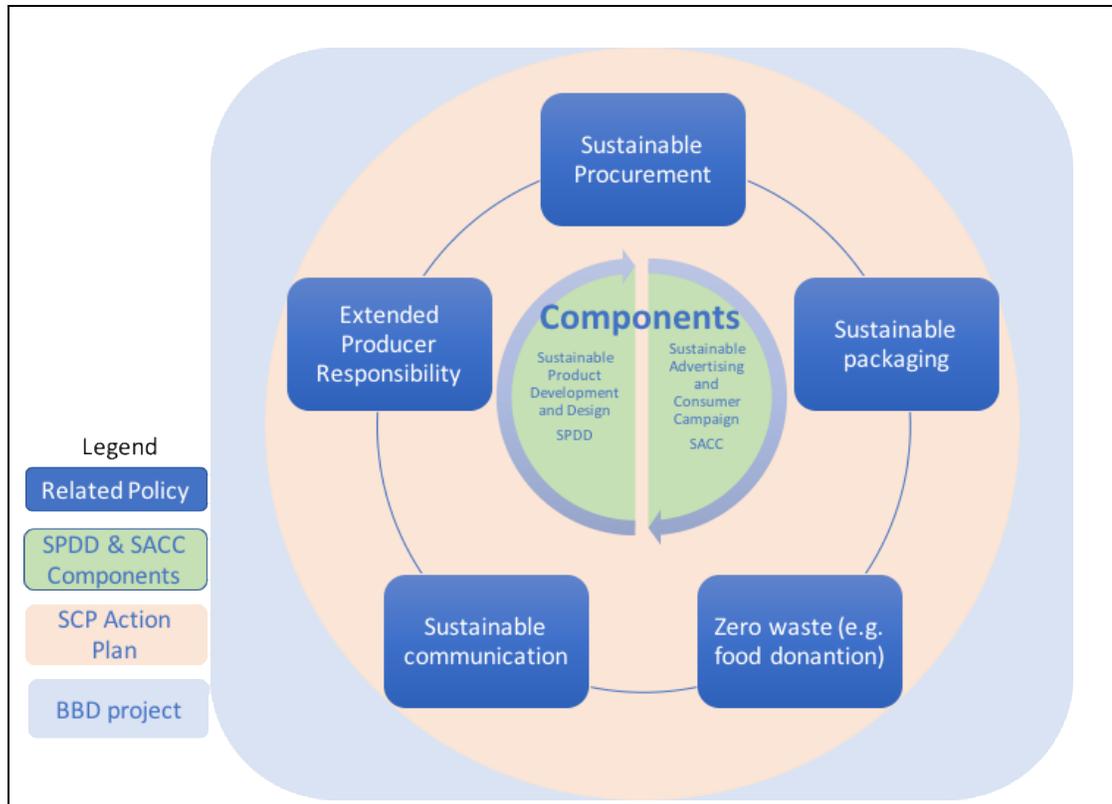


Fig. 1: Policies, initiatives and regulations supporting BBD approaches

Through literature research and interviews with countries’ partners relevant information was gathered. The conducted analysis of each topic included the identification of countries’ policies and progress in relation to the six topics identified.

Only Spanish-speaking Latin American countries were considered for this research. Peru, Honduras and Nicaragua have been given special emphasis for being focal areas of the “Better by Design” Project. Also note that countries where none or only one of the prioritized approaches have been identified, were not furthered considered in this report.

2. Discussion

a) SCP action plans per country

The elaboration and implementation of national action plans, programmes and strategies on SCP is among the SCP priorities for the region by the Regional Forum of Ministers of Environment (in the SCP Decisions adopted in 2008, 2010, 2012, 2014 – UN Environment, 2015 - and 2016 –UN Environment 2016). National action plans on SCP need to be aligned with the national development plans, sustainable development national strategies or other similar policy instruments and their objectives. Sustainable design, sourcing of materials, production and waste management, and sustainable consumption are key priority SCP areas and at the same time the basis of BBD approaches. Hence, mainstreaming SCP into decision making and national plans, policies and/or strategies (e.g. on Extended Producer Responsibility, Sustainable Procurement, Zero Waste policies, Sustainable Packaging and Sustainable Communication) will naturally support the implementation of Better by Design approaches, thus shifting consumption and production patterns of the countries in the region (UN Environment, 2015).

Five LAC countries (Chile, Colombia, Costa Rica, Uruguay and Mexico) have developed SCP action plans and are implementing them which represents a limitation in advancing SCP and BBD approaches. Their statuses are summarized in the following paragraphs.

Chile

Chile holds an Action Plan in Sustainable Consumption and Production (APSCP) for the years of 2017 to 2022 that allows monitoring and guiding the next steps of the country in these issues (Ministerio del Medio Ambiente de Chile, 2017b). For the elaboration of this National Plan, existing initiatives from the Public Sector, Private sector, Universities, NGOs and Civil Society were reviewed and their contributions taken into account. (Ibid, 2017). In the APSCP the action lines are considered as priority: sustainable lifestyles, cities, building, mobility, tourism and food systems, consumer information, clean energies, responsible business, sustainable SMEs, sustainable public sector, and sustainable water and waste management.

Colombia

Colombia elaborated a Sustainable Production and Consumption Policy since 2010 (Ministerio de Ambiente, Vivienda y Desarrollo Territorial de Colombia, 2010), whose main purpose is to promote the change of production and consumption patterns of the Colombian economy toward environmental sustainability and, consequently, to contribute to the improvement of business competitiveness and the welfare of the population. Its specific objectives are: 1) to identify companies with good practices, as well as sustainable goods and services in the national and international markets; 2) create a culture of sustainable production and consumption among public institutions, companies and consumers; and 3) strengthen the institutional framework that promotes sustainable production and consumption within the national territory (Ibid, 2010). Sustainable infra-structure,

sustainable procurement, green businesses, environmental regulation, and training and research are strategic areas.

Costa Rica

To articulate SCP related Costa Rican initiatives, as well as to propose and innovate with new actions, Costa Rica has promulgated the National Policy of Sustainable Production and Consumption (NPSCP) (Ministerio de Ambiente y Energía de Costa Rica, 2017), which is a stance from the Government to include sustainability issues within the long-term development agenda of the country. This policy has resulted in the generation of synergies of key actors concerned. With the implementation of the policy, the Government aspires to disseminate, promote and educate, at the level of citizens, about sustainable lifestyles. The implementation runs along the following strategic areas: Sustainable 1) tourism, 2) agro-food systems, 3) production of non-food systems, 4) public procurement, 5) building, 6) education and lifestyles.

Panama

In 2017, the National Concertation Council for Development published the National Strategic Plan (PEN) with the State of Panama vision for 2030. It is a document that outlines policies associated with the Sustainable Development Goals (SDG), including the objective 12 of responsible production and consumption. The Plan will allow the economic growth of the country aligned with the sustainable development goals (SDG) established by the United Nations in 2015 (CCND, 2017).

México

Mexico has a National Strategy and a Special Program for Sustainable Production and Consumption (Secretaría de Medio Ambiente y Recursos Naturales, SEMARNAT, 2013), in which six specific objectives are established to promote sustainability as a tool to: 1) increase sustainable public purchases; 2) strengthen the productivity of companies, especially micro, small and medium enterprises, based on sustainable production and consumption criteria; 3) promote sustainable innovation and technological development; 4) promote sustainable lifestyles; 5) contribute to the development of tourism, sustainable building and housing sectors as trigger sectors; 6) increase and ensure the efficient use of natural resources as part of sustainable production and consumption.

Uruguay

In 2010 the Ministry of Housing, Environment and Landscape Planning launched the National Action Plan on Sustainable Production and Consumption of Uruguay with the aims to: promote water and energy efficiency, water conservation, sound management of biological and chemical substances and wastes, sustainable land management, education on SCP and capacity building on SCP of concerned public authorities. Strategic sectors identified are the: 1) building, tourism, milk and livestock, agriculture and wood.

b) Extended producer responsibility

Corporate social responsibility (CSR) are voluntary initiatives from corporations and the private sector, which typically aim to address the concerns of communities and workers. The issues linked to sustainable products and marketing, and the interests or needs of consumers are not covered under CSR programs and fall under the management of specific departments in companies, such as design, production or marketing departments. This scenario does not support a holistic perspective of the product chain. Moreover, few companies that are introducing life cycle-thinking-based approaches do not perceive that their improvements are acknowledged or rewarded by the consumers, public authorities or the public in general.

To support the implementation of Better by Design approaches and contribute to a level playing field, regulations on Extended Producer Responsibility (EPR) will be required. EPR is a mechanism by which producers are responsible for the waste generated along the production, use and disposal of their products, including their packaging. The development and implementation of national EPR regulations support the regional strategy on SCP which e.g. recognizes integrated waste management as a priority for the LAC region. In the LAC region, Colombia and Chile have had progress in this field with specific legislations on this area. Peru has introduced the EPR principle in the recently revised waste legislation. Otherwise, no other regulation has been identified in this region. In terms of achievements, Colombia might be recognized as the most advanced country in this topic.

A description of the scope of EPR legislations developed in the LAC region is presented in the following lines.

Colombia

In Colombia, the Law N° 1672 of year 2013 (Ministerio de Ambiente y Desarrollo Sostenible de Colombia, 2013) establishes guidelines to adopt a public policy for the management of waste derived from electric and electronic devices. This law includes the extended producer responsibility as a core principle along the life cycle stages of electric and electronic devices. Moreover, the decree N°1076 published in 2015 (Ministerio de Ambiente y Desarrollo Sostenible de Colombia, 2015) established extended producer responsibilities for additional products' clusters such as pesticide cans, expired medicines, used lead acid batteries, batteries and/or accumulators, used tyres, and used light bulbs and computers.

As a result of this policy, more than 1,200 producers (importers and domestic manufacturers) have engaged in post-consumer programs to comply with regulations according to the National Authority of Environmental Licenses (ANLA) resulting in more than 18,000 tons of waste collected (e-waste, used batteries and light bulbs, expired medicines and used pesticides cans), and managed by licensed companies through their valuation, control and final disposal. E.g., through this program over 13 million units of used tyres and batteries have been properly managed. All in all, those actions have led to the increase of better-performing capacity for waste management in the Colombia and, thus, to the increase of recycling rates and reductions of hazardous wastes generated.

Chile

In Chile, the Law N° 20920 of 2016 (Ministerio del Medio Ambiente de Chile, 2016) provides a framework for sound waste management, extended producer responsibility and improved recycling. The extended producer responsibility chapter establishes a special regime and designate producers responsible for the management and funding of prioritized clusters' products: used lubricating oils, electrical and electronic devices (e-waste), batteries, containers, packaging and tyres.

This law requires producers to be registered and to organize the collection, storage, transport and treatment of waste derived from the priority clusters' products mentioned before. Those who do not comply with these requirements, avoid submitting information or deliver false information are sanctioned with a fine which can reach up to ten thousand annual tax units (approximately US\$ 742 260 dollars).

Peru

In 2017 a law for integrated solid waste management (Ministerio del Ambiente de Perú, 2017) was approved which requires following the principle of extended produced responsibility. Through this, manufacturers, importers, distributors and retailers are encouraged to selected input materials, products or packaging materials based on eco-efficiency criteria that minimize the generation of waste. This implies that manufacturers, importers, distributors and retailers can contribute to improving the environmental performance of the products along their life cycle stages. Due to its recent development, the Peruvian EPR legislation still lacks specific guidelines for controlling and enforcing the law.

c) Sustainable public procurement

Government procurement or public procurement, is the procurement of goods, services or constructions on behalf of a public authority. In developing countries, with an average of 30% of GDP (Ibid, 2015) government procurement accounts for a substantial part of their national economies. In LAC countries, public institutions are considered among the most relevant purchasers.

Sustainable Public Procurement (SPP) has emerged as a global initiative to promote sustainable consumption, resource efficiency and prevent waste generation at national levels. UN Environment is leading a program to support the development of SPP initiatives in the emerging and developing countries including in the LAC region.

In order to ensure a level playing field for companies willing to contribute to a low carbon society, SPP policies are considered a powerful tool. SPP policies promote sustainable markets, products and purchases from companies with less environmental footprints.

Moreover, Sustainable Public Procurement (SPP) policies support the recommendations of the Regional Forum of Ministers of Environment SCP Decisions adopted in 2008, 2010, 2012 and 2014 (UN Environment, 2015). More specifically, the SCP regional strategy encourages governments to take following actions: 1) high level political support for SPP policy development and implementation; 2) development of national SPP criteria, technical

instruments, policies and national action plans; 3) strengthening of awareness-raising and capacity building of all relevant stakeholders involved in public procurement; and 4) inclusion of criteria in public procurement guidelines when purchasing products or services related to SCP priority areas such as construction, transportation, food, SMEs and integrated waste management.

Costa Rica, Colombia, Chile, Nicaragua and Ecuador are countries with progress in this field. See a summary of their developments in the next lines.

Costa Rica

Within the framework of the global project on "Promoting the supply and demand of sustainable products through Sustainable Public Procurement and Eco-labeling (SPPEL)", UN Environment supported the implementation of sustainable public procurement in Costa Rica (Ministerio de Hacienda de Costa Rica, 2016). Efforts were led by the National Committee of SPP, chaired by the General Directorate of Goods and Administrative Contracting of the Ministry of Finance as a governing body on Public Procurement.

With the aim to get feedback from concerned institutions on challenges and opportunities of implementing SPP action plans, the government conducted a study which concluded as follows: in spite of the progress made on the environmental management area in public institutions, introducing sustainability criteria in decision-making regarding public procurement is still challenging and more training activities are needed in future.

Colombia

Colombia has incorporated Sustainable Procurement in the National Policy for Sustainable Production and Consumption through the strategy of "responsible purchasing of sustainable goods and services" (Ministerio de Ambiente y Desarrollo Sostenible de Colombia, 2016b). This aims to influence purchasing decisions of producers and consumers preferring more sustainable goods and services. In Colombia, sustainable purchasing is about satisfying consumers' needs through the acquisition of goods and services that fulfil environmental criteria such as the efficient use of natural resources throughout their life cycle, cost-efficient, timeliness and in line with social standards also along the life cycle of the products.

To this end, Colombia has developed a National Action Plan for Public Procurement 2016-2020 (Ibid, 2016) and more specifically a guide for use by public institutions (2017). The National Action Plan for Sustainable Public Procurement contains actions, and provides direction and support to public and private sector (producers of goods and services) to consolidate commercial drivers that promote the acquisition and supply of goods and services fulfilling sustainability criteria.

Chile

The "Socially Responsible Purchasing Policy" was published (Ministerio de Hacienda de Chile, 2012) in 2012 which provides a general framework for action, especially considering five public procurement principles: recruitment of people with disabilities, social impact, environmental impact, conditions of employment and remuneration, and energy efficiency.

With the contribution of the Ministry of Environment of Germany, the "Manual for Sustainable Public Procurement" was published in 2014 (Ministerio del Medio Ambiente de Chile, 2014) with emphasis on the Cost-Benefit Analysis of SPP actions. As a result, the integration of sustainability into public procurement considers economic criteria (optimal use of economic State resources in their purchasing activities), as well as social and environmental ones. To enforce the implementation of these criteria and follow-up of the sustainability commitments, the Internal Sustainability Committee was created in 2015 (IISD, 2015).

Nicaragua

Concerning Nicaragua, sustainable public purchases consist of public institutions taking into account elements that go beyond the price and the technical characteristics of the product/service when procuring goods or services (see the Law N° 737 "Public Sector Contracting Law" and Law N° 801 "Municipal Administrative Contracting" (Ministerio de Hacienda de Nicaragua, 2010)). The Governing body of the Contracting Management System has the role to develop legally binding environmental, social and economic criteria for purchasing and contracting goods and services.

Ecuador

There is no specific regulation for the implementation of sustainable public procurement in Ecuador. However, some existing regulations encourage environmentally and socially responsible practices; public procurement could become an axis of these policies. The lack of knowledge in public institutions, the misperceptions about sustainable products and the lack of suppliers of such products are some of the limitations faced in Ecuador to promote SPP (UN Environment, 2017a). Currently, main purchasing criteria is based on the price.

d) Zero waste. Controlling the use of plastic bags

Nowadays, it seems almost impossible to trade goods without a packaging which after the product use it becomes waste. Poor waste management practices in the developing and emerging economies are resulting in dramatic developments, such as coasts flooded with plastics residues and the discovery of plastics' residues even in far-away locations as the Arctic and Antarctic areas, and ingested by marine species and other animals.

At the last United Nations Environmental Assembly (UNEA) meetings in Nairobi (Kenya) in December 2017, an important resolution was approved to take action to control marine litter worldwide². This declaration was approved by Ministries of Environment of Latin American countries, among Ministries of other countries.

² UNEA Resolution on Marine Litter and Microplastics. papersmart.unon.org/resolution/uploads/k1709154.docx and site.uit.no/jclos/2018/01/10/did-the-latest-resolution-on-marine-plastic-litter-and-microplastics-take-us-any-closer-to-pollution-free-oceans/

Stakeholders of the BBD project have asked for solutions and intervention to tackle more specifically the plastics' bags problem in Peru, Nicaragua and Honduras. Peru and Honduras have initiated the drafting of corresponding legislations to control the distribution and use and use of plastic bags. These drafts are currently under consultation. Nicaragua has not started this process yet.

Controlling the use of plastic bags will support the implementation of “Better by Design” approaches in companies and will reduce the environmental footprint of the purchased products.

Several countries in the Latin American region have promoted policies and regulations to reduce the use of plastic, such as Argentina, Colombia, Chile, Uruguay and Panamá. The initiatives in Argentina and Colombia are more mature and started achieving some progress. Countries with recent regulations are Chile, Panamá and Uruguay. Insight on these experiences are described in the following lines and learnings could be drawn especially for Peru³ and Honduras⁴ where draft legislations are currently under discussion.

Argentina

In Argentina, the Law 13868 was enacted in 2009 (Senado y Cámara de Diputados de la Provincia de Buenos Aires, 2009), which prohibits the use of polyethylene bags and all other conventional plastic material used and delivered by supermarkets, stores and shops in general throughout the territory of the Province of Buenos Aires for transportation of products or merchandise. This law proposes the gradual replacement of degradable containers to biodegradable material that are compatible with the minimization of environmental impact. Sanctions were established for those companies that fail to comply with the provisions of the law.

Colombia

In Colombia, the Ministry of Environment and Sustainable Development issued a resolution in 2016 that regulates the rational use of plastic bags (Ministerio de Ambiente y Desarrollo Sostenible de Colombia, 2016a). This regulation established for the distributors of plastic bags the obligation to formulate, implement and keep updated a Program of Rational Use of Plastic Bags, distributed throughout the national territory. The use of biodegradable bags

³ The Peruvian Congressman, Guido Lombardi Elías, presented in Feb 2018 a bill that aims to prohibit the use of polyethylene bags and other conventional plastic materials delivered by different types of merchants to transport products and merchandise. <http://legis.pe/prohibir-uso-bolsas-polietileno-plastico-supermercados/>

⁴ 'The Honduran deputy, Lempira, Agapito Rodríguez, presented in Feb 2018 a bill to regulate the use and disposal of reusable plastic bags in commercial establishments nationwide, supermarkets, stores and warehouses' <http://www.proceso.hn/politica/18-politica/cn-aprueba-modificaciones-a-contratos-de-supervision-de-carreteras.html>

was proposed within a maximum period of 6 months, periodically presenting progress reports regarding goals and indicators.

Since 2017, the tax on the use of plastic bags in the country has been in force, in order to discourage their use and reduce the environmental impact related to the waste generated by them when they are no longer used. The one who pays the tax is the person who chooses to receive and use plastic bags (the consumer). The tax is collected by retailers and stores of large surfaces; however, this does not apply to neighbourhood stores or small merchants.

Chile

At the end of 2017, President Michelle Bachelet and the Minister of the Environment Marcelo Mena signed a law that prohibits the delivery of plastic bags by the commerce throughout the 102 coastal communes of Chile (Ministerio del Medio Ambiente de Chile, 2017a). The bill establishes that the inspection will be the responsibility of the municipalities and that their non-compliance will be sanctioned with a fine of about (200 thousand Chilean pesos or US\$ 330 dollars approximately) for using or distributing plastic bags (even one), which will be applied by the corresponding Local Police Courts. The value of the law is that it allows Chile to take a more effective measure to control the pollution of the oceans.

Uruguay

In 2017, the Environment Committee of the Senate unanimously approved a bill that promotes the "reduction of the environmental impact" of plastic bags (Cámara de Senadores de Uruguay, 2017). This bill establishes the banning of the manufacturing, import, distribution and sales of plastic bags that are not compostable or biodegradable, and their substitution.

This measure asks importers, manufacturers and distributors of plastic bags for campaigning and raising awareness on the responsible and rational use of bags and their impact on the environment. In addition, an operational waste collection system needs to be established and alternative reusable bags should be made available. To facilitate the implementation, specific regulations need to be further developed.

Panama

In 2017, the Parliament of Panama approved a pioneering law in Central America that prohibits the use of disposable plastic bags in any type of commercial establishment and seeks to reduce by 20% the consumption of this material in the country (Asamblea Nacional de Panamá, 2017). The objective of the Law 492, which has yet to be approved by the president and complemented with specific regulations to be effective, is to progressively replace plastic bags with less polluting alternatives such as biodegradable, cardboard or fabric. The law provides supermarkets, pharmacies and small stores with 12 months for adaptation to the new regulations once this enters into force, while warehouses and wholesalers will have 24 months.

e) Zero waste: Promoting food donation before this becomes waste

In the agri-food chain, more than 30% of food losses is recorded as an average worldwide, if not more. In the LAC region, this amounts to about 15% according to UN Environment (2015). Food waste is one of the great challenges to achieve full food security. The FAO estimates that 6% of global food losses occur in Latin America and the Caribbean and the region lost each year and / or wasted about 15% of their food available, even though 47 million people still suffer hunger. Companies and suppliers struggle to properly manage the amounts of food waste (including ingredients waste resulting during their production and transportation) and often this is discarded together with industrial wastes, losing recovery opportunities as food for animals, ingredients for other products chains and as energy sources, to name few examples. Food-soon-to-become obsolete is also discarded in great quantities to allow space for newer products; although, this food is still edible and could be donated e.g. to charities or to poor communities, it might not be possible due to strict regulations that limit this action. This was the case in Peru until December 2016.

Counting on friendly regulations that allow donations of food-soon-to-become waste, if possible, even promoted through economic incentives (e.g. tax advantages) can support BBD approaches including new business models and new products.

Moreover, the regional strategy on SCP recognizes as a priority to implement sustainable food systems, in accordance with national policies and priorities and with a lifecycle approach which take into consideration nutritional improvements.

Only Colombia, Argentina and Peru have introduced regulations to facilitate food donations as described in the next lines.

Colombia

In Colombia, the anti-waste law against hunger (Congreso de la República de Colombia, 2017) established measures to reduce food losses or waste, contributing to sustainable development from social inclusion, environmental sustainability and economic development. The reduction of leftovers or food waste involves awareness raising, training, mobilizing and to put the responsibility on the producers and distributors of food products, consumers and associations at the subnational and national levels, in order to carry out an adequate management of food.

As an incentive, all donations made to food banks are exempt from VAT. Individuals or legal entities, private or public, national or foreign with activity in Colombia that make donations to food banks from their losses and waste, according to the criteria and conditions defined by the Tax statute in donations and contributions will be entitled to a deduct of their income,

one hundred and seventy-five percent (175%) of the value invested in reported donations⁵. On the other side, the natural or juridical persons, national or foreign with activity in Colombia in the supply chain, are not permitted to dump, waste or destruct any food that is suitable for human consumption and that is not contaminated.

Peru

In Peru, Law N° 30498 was recently approved to promote food donation and facilitate its transport in the context of natural disasters (Congreso de la República de Perú, 2017). While any person or organization is able to donate, this law was created to promote private sector engagement. In fact, according to the food bank, this law should prevent that supermarkets and other companies discard 7 billion tons of food per year in the country.

Under this law, food is defined as any edible substance, whether raw, processed, prepared or cooked, ice, beverages, ingredients that meet all the relevant legal quality requirements and that are suitable for human consumption at the moment of being transferred to the receiving entity. Food can be donated to public entities, humanitarian organizations or NGOs. In turn, these organizations send a certificate which makes possible for the donor to deduct taxes. Companies are able to donate up to 10% of their revenues and, if the company is operating at a loss, a maximum of 3%.

Comparative analysis

While all laws are recent and create incentives for food donation, especially from the private sector, Colombian regulation should be noted for having sanctions against organizations which destroy or loss food in proper conditions. The Peruvian law was a result of the flood emergency in 2017 which made necessary to facilitate food donation to affected areas.

f) Sustainable communication

Retailers have the selling capacity as no other stakeholder in the product chain. Their role in the selling process is crucial. They are the ones in contact with the consumers and have the potential to induce the purchasing of certain groups of products through marketing campaigns.

In this process, product information is key for consumers for their purchasing decisions. It affects both consumer interests and their confidence in goods and services.

It is crucial that consumers have access to a range of tools and networks providing them with reliable information and helping them make more sustainable choices (see the UN

⁵ This deduction may not exceed forty percent (40%) of the liquid income, determined before subtracting the value of the investment.

Environment Guidelines for Providing Product Sustainability Information, UN Environment, 2015).

Advantages and positive aspects of sustainable products, such as those that apply BBD approaches, would need to be communicated by retailers in their advertising campaigns, e.g. in form of 'eco-labels', 'marketing claims', 'environmental and social product declarations'. However, very few retailers have been identified in the region with more proactive communication campaigns where sustainable products are highlighted; only the retailers GrupoExito from Colombia and Walmart from Chile have broadly spread the sustainability actions and initiatives on their products. Other companies in LAC countries are communicating through national or regional stamps (see a selection from Peru, Colombia and Chile in the following lines).

Chile

The National Program of Sustainable Consumption and Production includes an action line for "Consumer Information" whose objective is to generate and improve the availability of reliable, comparable and verifiable information on the sustainability of products and services to promote consumption and production patterns (GIZ, 2016). This country is also promoting labels such as 'zero waste stamp' which aims at minimizing waste generation in organizations⁶. Moreover, the National Consumer Service together with Fundación Chile is developing an application for Smartphones that offers clear, comparable and complete information on the sustainability of consumer massive products, in particular products of basic need, in order to empower consumers to make more sustainable decisions (Ibid, 2016).

Colombia

The country has an "Environmental Stamp" administered by the Ministry of Environment and Sustainable Development, which seeks to provide consumers with verifiable, accurate and non-misleading information on the environmental aspects of the products, stimulate the environmental improvement of production processes and encourage the demand and the supply of products (goods and services) that cause a lesser effect on the environment (Ministerio de Ambiente y Desarrollo Sostenible de Colombia, 2017). The "Environmental Stamp" is a trademark obtained voluntarily to those products that meet certain environmental requirements according to specific categories. The stamp is granted by an independent institution called "certification body" which evaluates the compliance with said requirements (Ibid, 2017).

⁶ <https://sellobasuracero.com/>

Peru

In Peru the "Green Stamp" is a certificate endorsed by Green Building Council to demonstrate that a product helps with the care of the environment and to favour sustainable construction (GIZ, 2016). This stamp verifies that the product has better energy efficiency and lower environmental impact throughout its life cycle. This mechanism helps to distinguish products that, from the extraction of their raw material until the end of their use, meet stringent environmental efficiency requirements. The products that obtain the green seal will benefit since they will be recognized in the Sustainable Construction Market, thus producing an environmental awareness in the construction industry and the country.

On the other hand, the Blue Certificate of the National Water Authority promotes the analysis of water footprint as a tool that allows the identification of direct and indirect water consumption in the production of goods and services (Autoridad Nacional del Agua de Perú, 2017), in order to achieve the efficient use of water and the implementation of shared responsibility mechanisms in favour of water-generating basins. The standard determines the temporary granting of the "Blue Certificate" as recognition to companies that report the analysis of their water footprint in line with the ISO 14046 methodology, develop a plan to reduce the water footprint for a period of not less than one year, both in their direct use of water and indirectly; and implement "shared value" actions in water, in their watersheds, for a period of not less than one year to the benefit of local populations.

3. Gaps

National SCP action plans in LAC. This is an area at an early stage of development and implementation since as of now very few countries (five as of today) have developed them in alignment with SCP strategy for Latin America and the Caribbean (LAC), and the latest Decision on SCP adopted by the LAC Regional Forum of Ministers of Environment (UN Environment, 2015). One out of the three target countries has issued a national SCP action plan: Honduras. This is a key policy area for further development (e.g. in Peru and Nicaragua) for further deploying and promoting the implementation of BBD approaches.

Extended producer responsibility. The Colombian and Chilean EPR legislations are more advanced/mature ones. After four years of implementation of the EPR legislation in Colombia (2013) positive results have been achieved concerning the increase of recycling rates, creation of green jobs and reduction in the amounts of hazardous waste disposed of. The Chilean EPR legislation (2016) is more advanced in terms of economic disincentives (through sanctions and fines) whose learning should be extracted after several years of implementation (from 2019-2020 onwards) and taken into account when starting the development process in other LAC countries.

Sustainable Public Procurement. Despite on the challenges faced by countries implementing sustainable public procurement, the general evolution and progress made in the LAC region is remarkable. It is noted that those countries where a specific policy or law has been developed (such as Chile and Colombia) are more likely to improve sustainability

management. Procurement criteria and the development of capacities are core aspects to start focusing on.

Zero waste: controlling the distribution and use of plastic bags.

The control of the distribution and use of plastic bags is not yet wide spread in many LAC countries which poses a threat to the environment since these typically end as uncontrolled waste in the LAC region. However, the trend looks positive with several countries having approved or starting with the development (such as Peru and Honduras) of national laws or regulations which will contribute to fulfilling the aims of the recent United Nations Environment Assembly (UNEA) resolution (Dec 2017) on 'Marine Plastic Litter and Microplastics'. Learnings from more mature experiences in the LAC region (e.g. from Colombia and Argentina) can be timely drawn especially for Peru and Honduras where draft legislations are currently under discussion. Economic incentives and disincentives should be revised and considered, wherever feasible, to contribute setting the playing level field required by companies.

Zero waste: Promoting food donation before this becomes waste.

The trend in the LAC regions looks positive with many countries having approved or starting with the development (such as Peru and Honduras) of national laws or regulations to control the distribution and use of plastic bags which typically end as uncontrolled waste in the LAC region. This positive trend contributes to fulfilling the aims of the recent United Nations Environment Assembly (UNEA) resolution (Dec 2017) on 'Marine Plastic Litter and Microplastics'. Learnings from more mature experiences in the LAC region (e.g. from Colombia and Argentina) can be timely drawn especially for Peru and Honduras where draft legislations are currently under discussion. Economic incentives and disincentives should be revised and considered, wherever feasible, to contribute to the playing level field required by companies.

Zero waste: Sustainable communication.

Companies and retailers in Latin America and the Caribbean typically do not communicate on sustainability aspects of their products unless these are bio-products, organic ones, or have been produced with recycled materials. Some refer to the lack of interest and poor awareness on these aspects.

On the other side, some companies are starting to make use of own sustainability claims, international labels, marketing campaigns, or national/regional stamps already available to promote their products. However, without public guidance and regulation, there is a huge risk of greenwashing and misinformation. The UN Environment Guidelines for Providing Sustainability information of Products (2017) offers guidance to regulators and national standardisation bodies and provides a basis when regulating public communications.

4. Recommendations

- It is worthwhile to note that countries with SCP Action Plans are showing outstanding performances in other BBD approaches. Following on this we can infer that developing a national SCP action plan first can effectively help with advancing BBD in these countries. See following Figure with a proxy status of progress on related policies.

					Zero waste. Companies' approaches	
	SCP Action Plan	SPP	Extended Producer Responsibility	Sustainable communication	Authorization of food donation	Control of plastic bags use
Argentina	✓					✓
Colombia	✓	✓	✓	✓	✓	✓
Costa Rica	✓	✓				
Chile	✓	✓	✓			✓
Honduras	Draft law under discussion	✓				Draft law under discussion
Mexico	✓					
Nicaragua		✓				
Panama	✓					✓
Peru			✓	✓	✓	Draft law under discussion
Uruguay	✓					✓
Target countries of the BBD project						

Fig. 2: Status of BBD-supporting policies in selected Latin American countries

- Particularly promote policies on:
 - sustainable public procurement
 - extended producer responsibility
 - zero waste with focus on zero food waste through donations and plastic bags.
- Establecer mesas redondas multi-stakeholder como procesos de construcción de propuestas con participación de industrias, técnicos (expertos en materiales, diseño, análisis de ciclo de vida), sectores de Gobierno, del cuerpo parlamentario, sociedad civil, entre otros, para desarrollar las políticas necesarias.
- Revise the Colombian and Chilean EPR and sustainable public procurement experiences which have more advanced regulations, and promote the learnings in other LAC countries at the early stage of development of EPR related policies, frameworks and initiatives.

- To ensure a playing level field for LAC companies to comply and thus support BBD approaches, and the successful implementation of EPR both economic incentives and disincentives are crucial. Learnings from the Chilean EPR experience could be taken into account.
- Since most of the policy related information is dispersed, a common digital platform serving as a hub might be very helpful. This will encourage the exchanging of lessons learnt and best practices between LAC countries.
- Disseminate the Guidelines for Providing Product Sustainability Information which is a very useful tool for countries currently in the process of improving sustainability information practices.
- Develop and promote a common glossary with sustainability concepts (e.g. sustainable product, sustainable packaging, bio-degradable and compostable) aligned to international standards (ISO or EN standards).

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