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SOCIAL, CULTURAL AND ENVIRONMENTAL RIGHTS (REDESCA) OF THE INTER-
AMERICAN COMMISSION ON HUMAN RIGHTS (IACHR), 2024

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TABLE OF ACRONYMS AND REFERENCES

Escazú Agreement:	Regional Agreement on Access to Information, Public Participation and Access to Justice in Environmental Matters in Latin America and the Caribbean
IADB	Inter-American Development Bank
IACHR:	Inter-American Commission on Human Rights
American Convention:	American Convention on Human Rights
IACHR Court:	Inter-American Court of Human Rights
American Declaration:	American Declaration of the Rights and Duties of Man
ESCER:	Economic, social, cultural and environmental rights
FAO:	Food and Agriculture Organization of the United Nations
IMF	International Monetary Fund
GHG:	Greenhouse Gases
GTPSS:	San Salvador Protocol Working Group
OHCHR:	Office of the United Nations High Commissioner for Human Rights
OECD	Organization for Economic Cooperation and Development
ODS:	Sustainable Development Goals
OAS:	Organization of American States
ILO:	International Labor Organization
UN:	United Nations
OPS:	Pan American Health Organization
WHO:	World Health Organization
UNDP:	United Nations Development Programme
GDP	Gross Domestic Product
San Salvador Protocol:	Additional Protocol to the American Convention on Human Rights in the Area of Economic, Social and Cultural Rights.
REDESCA:	Office of the Special Rapporteur on Economic, Social, Cultural and Environmental Rights.
ISHR	Inter-American Human Rights System.

PRESENTATION

The current situation of ESCER in the Americas reflects a critical context, where the combination of persistent inequalities, economic vulnerabilities, climate change impacts, and institutional weaknesses has created an environment conducive to democratic erosion, as well as to the consolidation and emergence of authoritarian regimes.

Democratic erosion is not the backdrop to environmental deterioration, the tragedies resulting from climate change or the loss of biodiversity; rather, it acts as a veil that prevents us from fully perceiving the magnitude of the catastrophe. Often, while attention is focused on episodes of instability, attacks on civic space, the weakening of democratic institutions, suspicions of electoral fraud or coup attempts in the countries of the region, the processes of wealth concentration intensify. The most vulnerable populations face the devastation of their territories and the destruction of their livelihoods, while irresponsible extractivism, unsustainable practices of certain agribusiness sectors, mining and illegal logging go unchecked. This reality is aggravated in areas where States lack the capacity to establish effective limits, oversight and sanctions, or where State inaction is the result of deep-seated corruption, State capture and links to organized crime.

The deterioration of democracy tends to allow elite groups to concentrate economic and political power, exacerbating inequality. The absence and weakness of democratic controls favors companies operating without considering the rights of affected communities and taking advantage of extremely advantageous tax regimes, and also facilitating, in many cases, the dispossession of indigenous and rural communities' land, the pollution and overexploitation of water resources, the advance of the natural frontier and deforestation. Corruption takes root in contexts where democratic institutions are weak, leading to increased violence, especially against social activists and environmental defenders, as well as, regrettably, impunity.

All of the above, together with the effects of climate change, are progressively aggravating the already severe inequalities in the region. Extreme weather events, which particularly harm North America, Central America and the Caribbean countries, are dismantling the economic and social foundations of entire communities, increasing food insecurity and forcing the displacement of thousands of people. This situation not only increases the vulnerability of the affected populations, but also deepens the structural gaps of inequality and exclusion in the region. Forest fires, such as those that have occurred in South America with unprecedented severity, but also in other regions, devastate vast areas of biodiversity and carbon sinks, in addition to have a serious impact on the human rights of the most vulnerable communities, including indigenous peoples, Afro-descendants, tribes and peasant communities, whose ESCER, survival, culture and connection to the territory depend on increasingly fragile ecosystems.

Several countries in the Americas faced extreme weather phenomena, such as hurricanes, forest fires and floods. At the same time, there was an increase in the dissemination of disinformation related to these events, which created additional challenges for emergency management and political stability in the affected countries.

The negative impact of some business activities, especially agribusiness and extractive industries, such as mining and oil exploitation, is particularly significant in the region. Furthermore, the reduction of emissions, as well as the energy transition, although necessary to confront climate change, pose risks, for example, by replicating extractivist models in new areas, exacerbating socio-environmental conflicts. This is particularly worrisome in a region characterized by violence against environmental defenders.

Contamination of water resources and soils, loss of biodiversity and rising sea levels are critical threats that jeopardize the sustainability of coastal and rural communities, increasing the pressure on natural resources. This reinforces the need to consider environmental justice as a essential cross-cutting issue, emphasizing the importance of strengthening procedural rights, ensuring public participation and access to information on environmental issues, and adopting measures to protect environmental defenders. It should be remembered that environmental degradation, climate change and biodiversity loss not only affect current populations, but also seriously compromise the living conditions of future generations.

Institutional weakness, external indebtedness with its conditionalities, the persistence of regressive tax systems, and corruption remain significant obstacles to sustainable development and the protection of human rights in the region. In Latin America, the informal economy and organized crime networks have infiltrated key sectors of society, eroding public trust and limiting the effectiveness of public policies. This context perpetuates social exclusion and undermines efforts to promote ESCER, consolidating a cycle of vulnerability and violence that challenges stability and social justice.

Throughout this year, REDESCA of the Inter-American Commission on Human Rights (IACHR) has documented with concern the situation described above, highlighting the multiple crises that affect the exercise of ESCER in the region. In this context, we have launched our new Work Plan 2024-2026, designed to address these challenges. This annual report marks a turning point, consolidating a new vision structured around four key priorities: the climate emergency and environmental protection, the relationship between business and human rights, economic and fiscal policies, and democracy and the guarantee of ESCER, and is a first rehearsal for addressing them in the form of the Office's annual report

One inescapable certainty remains: both at the beginning of this presentation and at the end of this report, ESCER and our democracies are inseparable dimensions of the same conversation.

CHAPTER I: GENERAL INFORMATION

I. INTRODUCTION

1. In 2012, the IACHR decided to create a Unit on Economic, Social and Cultural Rights, underscoring the importance of protecting these rights in the Americas. In 2014, this Unit was transformed into the Special Rapporteurship on Economic, Social, Cultural and Environmental Rights (hereinafter Special Rapporteurship, Office of the Special Rapporteur on ESCER or REDESCA). For its implementation, a special fund was launched to raise the necessary financial resources. In 2017, as part of its Strategic Plan 2017-2021, the IACHR formally launched the operation of REDESCA, marking a milestone in the protection and promotion of human rights in the region.¹ Subsequently, in its Strategic Plan 2023-2027, the IACHR reaffirmed REDESCA's mandate as the body responsible for promoting and protecting economic, social, cultural and environmental rights (ESCER) in the Inter-American sphere, highlighting its work "in an autonomous, coordinated and intersectional manner with the different country and thematic rapporteurships of the Commission".²

2. In its work in support of the Commission, REDESCA's key functions include: the preparation of a Work Plan aligned with the IACHR's Strategic Plan and the preparation of reports on ESCER, including thematic analyses, assessments of the general human rights situation in the member states, and contributions to the Commission's Annual Report. REDESCA also intervenes in the processing of individual cases regarding ESCER, represents the IACHR before the Inter-American Court of Human Rights in matters related to its mandate, and provides advice in urgent situations requiring the adoption of precautionary measures. In addition, its work includes the promotion of international instruments related to ESCER, through the organization and participation in dissemination activities; the monitoring of the situation of these rights in the region; and technical assistance to OAS member states to adopt measures that guarantee their exercise. REDESCA also supports other OAS bodies and areas in matters of its mandate. In order to fulfill its objectives, it carries out fundraising activities, which, among other actions, allows for the development of projects aimed at guaranteeing the effective enjoyment of ESCER in the Americas.³

3. During the year 2024, the Office of the Special Rapporteur carried out an intense work agenda. Among its activities, REDESCA provided specialized and constant advice to both the IACHR and the various areas of the Executive Secretariat. In addition, it supported the case system and the Commission's monitoring, promotion and technical assistance work, contributing significantly to the promotion and implementation of inter-American standards on ESCER.

4. On March 25, 2024, the Special Rapporteur on Economic, Social, Cultural and Environmental Rights of the IACHR, Javier Palummo Lantes presented the REDESCA Work Plan 2024-2026, entitled "A Hemispheric Agenda for ESCER", which was developed through a broad participatory process of consultation with civil society organizations, activists and youth from throughout the region, with OAS Member States and Observers, and with National Human Rights Institutions.⁴

5. The new Plan aims to institutionalize REDESCA's lines of action and priorities for the period 2024-2026. Its elaboration was based on a broad consultation process and an exhaustive review of the realities of the Americas, as well as the pending challenges to guarantee ESCER. In this context, the Plan establishes four priority areas of focus: 1) climate emergency and environmental protection; 2) business and human rights; 3) economic and fiscal policies; and 4) democracy and guaranteeing ESCER. In addition, the Plan incorporates cross-cutting axes that encompass intersectional and intercultural approaches; differentiated strategies based

¹ IACHR, [Strategic Plan 2017-2021](#), p. 35.

² IACHR, [Strategic Plan 2023-2027](#), p. 42.

³ REDESCA; [Annual Report of the Office of the Special Rapporteur DESCA](#), December 2017, p. 6.

⁴ REDESCA, [REDESCA Launches its 2024-2026 Hemispheric Agenda for Economic, Social, Cultural and Environmental Rights](#), March 25, 2024.

on sub-regional diversity; and emphasizes interaction with States, active promotion of ESCER and social participation.⁵

6. This report presents the main activities carried out by REDESCA during 2024, the first year of implementation of the new Plan. It also includes a monitoring analysis for the same year on the situation of ESCER in the different States of the Americas, with emphasis on the priority areas and cross-cutting themes defined in the Plan, as well as on aspects related to poverty and inequality. The last section of the report contains REDESCA's conclusions and recommendations for advancing the protection and promotion of ESCER in the countries of the region.

II. MAIN ACTIVITIES OF THE OFFICE OF THE SPECIAL RAPPORTEUR ON ESCER

7. In 2024, in fulfilling its mandate, REDESCA carried out various activities using the mechanisms of the IACHR. The Office of the Special Rapporteur participated in the Commission's sessions held during the year, conducted working visits to different countries and published several reports on the situation of ESCER in the region. In addition, it attended events aimed at making these rights visible and related to the priority areas of the new Work Plan, providing specialized input in the IACHR's petition and case system.

8. REDESCA's actions during 2024 were also aimed at improving its functioning and sustainability as the entity responsible for articulating the mandates, functions and mechanisms of the IACHR for the protection and promotion of ESCER in the Americas. Efforts focused on fulfilling the mandate of the Office of the Special Rapporteur, which includes: developing inter-American standards for the effective realization of ESCER; monitoring and raising awareness of the situation of these rights in the hemisphere; promoting a culture of indivisibility in the area of human rights; providing technical assistance to public agencies of the member states; and coordinating actions with other international entities and civil society actors to ensure the full exercise of ESCER in the region. In this context, it is especially relevant to highlight the work of the Special Rapporteur as a member of the Working Group of the Protocol of San Salvador of the Organization of American States (OAS), contributing significantly to the strengthening of the inter-American framework in this area.

9. In addition to its technical work, REDESCA focused on administrative and management tasks, including the search for and obtaining of financial resources, which are crucial to guarantee sustainability and institutional strengthening. In this regard, REDESCA extends its sincere gratitude to the individuals and institutions that have supported its work, especially recognizing the donors for their trust and commitment to the mandate and reinforcement of the management of this office. Details of these efforts and expressions of gratitude will be developed later in the body of this report.

10. The following is a summary of the activities carried out during 2024:

A. Petition and case system

11. The Office of the Special Rapporteur has contributed to the strengthening of the IACHR's petition and case system, improving its technical advisory capacity on ESCER. During 2024, REDESCA provided expert advice in 15 reports at the admissibility and/or merits stage and provided technical support in 34 projects or memoranda related to precautionary measures linked to ESCER.

12. These advances reflect the efforts undertaken in the framework of the new Work Plan 2024-2026, which prioritizes the strengthening of the analysis of petitions, cases and precautionary measures, optimizing the selection and evaluation of cases to address challenges such as climate change and inequality. In this context, REDESCA has implemented specific strategies to improve its technical capacity, including the

⁵ REDESCA, [Work Plan 2024-2026 A Hemispheric Agenda for ESCR](#), mentioned above.

comprehensive preparation of draft merits reports and thus also contribute to the reduction of procedural delays, in line with the IACHR's policy on prioritization of petitions and cases.

13. Regarding the precautionary measures mechanism, REDESCA has played an active role in providing technical input at all stages, from the initial assessment and request for information from the parties involved, to the formulation of resolutions in cases of serious risk related to ESCER. This year, the Office of the Special Rapporteur has focused its advice particularly on issues related to the rights to health and housing, and access to water and a healthy environment with emphasis on the context of persons deprived of liberty and persons with disabilities, as well as on issues linked to business and human rights.

14. On the other hand, during 2024, REDESCA actively participated in the historic process of public hearings before the Inter-American Court of Human Rights (IACHR) related to the request for an Advisory Opinion on "Climate Emergency and Human Rights", presented by the States of Colombia and Chile. These hearings, held in Bridgetown, Barbados (April 22-25), Brasilia (May 24) and Manaus (May 25-29), represented a milestone in the Inter-American approach to climate challenges from a human rights perspective. In Barbados, during the first day of hearings, the Chair of the IACHR, Roberta Clarke; the Vice-Chair, Carlos Bernal Pulido; and the Special Rapporteur, Javier Palummo Lantes, presented oral remarks highlighting the urgency of climate justice based on a human rights approach. REDESCA also actively participated in the hearings held in Brasilia and Manaus.⁶ This work highlights REDESCA's commitment and leadership in the interpretation and application of human rights standards on critical environmental issues. Its role has been relevant in guiding and advancing the hemispheric agenda on climate emergency, promoting an approach that links climate action with human rights, and positioning ESCER as a fundamental axis in the protection of the most vulnerable people in the face of climate impacts.

B. Participation in IACHR sessions and public hearings.

15. During 2024, REDESCA actively participated in the 189th, 190th and 191st Sessions of the IACHR, as well as in all internal sessions, both in person and remotely. During these periods, it accompanied the IACHR in different public hearings, as well as in its working sessions, intervening in the debates related to ESCER.

16. On the other hand, the Office of the Special Rapporteur participated and contributed to the preparation of public hearings related to its mandate. Below is a summary of the public hearings in which it participated during 2024.

State/Regional	Period	Title	Date
United States	189	United States: Impacts of uranium mining on indigenous peoples' rights	February 28th
Regional	189	Impact of carbon market expansion on indigenous peoples and local communities in Colombia, Guyana and Peru.	February 28th
Regional	189	Human rights of people in human mobility due to the effects of climate change	February 29th
Cuba	189	Human rights of persons participating in medical missions	February 29th
Guyana	189	Impacts of private companies on human rights	February 29th
Panama	189	Impacts of private companies' activities on the human rights of indigenous and peasant communities	February 29th
Regional	189	Business impacts on human rights and the environment	March 1

⁶ REDESCA, [In historic hearing process with REDESCA participation, IACHR Court to issue advisory opinion on state obligations in the face of climate emergency](#), June 5, 2024.

Regional	189	Situation of the human rights of the elderly (De Oficio)	March 1
Bolivia	190	Affectations to the right to water due to mining operations	July 8
Canada	190	Impact of business activities on the right to health	July 9
Venezuela	190	Affectations to the right to health of the Yanomami indigenous people in the state of Amazonas	July 9
Regional	190	Attacks and criminalization of environmental defenders	July 9
Venezuela	190	Follow-up to 10 precautionary measures on access to medical care and treatment	July 10
Brazil	190	State responsibility for human rights violations due to business activities	July 12
Paraguay	190	Situation of the right to health	July 9
Colombia	191	Follow-up to precautionary measures for human rights defenders	November 11
Regional	191	Transmasculinities and access to the right to health care	November 12, 2009
Regional	191	Human rights of people in human mobility in the Colombian-Panamanian jungle	November 13
Brazil	191	Democratic institutionalality, judiciary and governance of Internet content	November 13
Regional	191	Impact of special economic zones and jurisdictions with low financial transparency on tax justice and climate change.	November 14th
Nicaragua	191	International financial support and its impact on human rights	November 14th
Argentina	191	Impact of social policies on workers in the popular economy	November 14th
Regional	191	Impacts of mineral extraction in the context of energy transition.	November 15
Panama	191	Situation of the Afro-descendant population in the Casaya, Casayeta and Bolaños Islands	November 15

C. Monitoring activities

17. Throughout 2024, REDESCA actively and constantly monitored the situation of ESCER in the Americas, working in close collaboration with the teams of the IACHR Executive Secretariat.

18. In the development of these tasks, the following activities stand out: (i) preparation and participation in press releases and statements in social networks; (ii) preparation of observations and recommendations on ESCER based on in loco visits; (iii) preparation of ESCER inputs for the annual report of the IACHR (specifically for chapters IV, B and V), (iv) multiple working and promotional visits, and (v) meetings with civil society organizations, during the Regular Sessions (POS), to follow up on issues related to the IACHR's activities. B and V), (vi) multiple working and promotional visits, and (v) meetings with civil society organizations, during the Ordinary Periods of Sessions (POS), to follow up on issues related to REDESCA's mandate.

Visits and business meetings

State	Dates/Places	Topic(s)/Report (s)	Institutions Visited	Nature of the Visit	Observation
Colombia	April 10 to 13, promotional visit to Florencia, Caquetá and Bogotá. April 15 to 19, Bogotá and the departments of Antioquia, Cauca, Chocó, La Guajira, Magdalena, Nariño, Putumayo and Valle del Cauca.	Agrotoxics and human rights, ESCER and implementation of the peace agreement and citizen security	Meetings were held with different state authorities, civil society organizations, human rights defenders, activists and business associations.	Promotional visit followed by the IACHR's Visit in Loco	REDESCA accompanied this official visit of the IACHR to address the issues related to the office.
Barbados and Brazil	April 22-25 to Bridgetown, Barbados and May 24-29 Brasilia and Manaus, Brazil.	Climate Emergency and Human Rights	Meetings with academia and civil society in Barbados. For Brazil, meetings with authorities, representatives of civil society and indigenous peoples.	Promotional in Barbados and promotional and working in Brazil.	Participation of the IACHR and REDESCA in the hearings of the Advisory Opinion on "Climate Emergency and Human Rights".
Paraguay, Argentina and Uruguay	June 25-29, 2024 to Asunción, Paraguay; June 29-July 3 to Buenos Aires, Argentina; and July 3-5 to Montevideo, Uruguay.	ESCER, workers in the informal economy	Several meetings and discussions were held with civil society organizations to promote the DESCA.	Promotional	In the case of Paraguay, REDESCA participated in the fifty-fourth regular session of the OAS General Assembly and co-organized the side event "Dialogue on Social Protection and Informal Economies".
Guatemala	July 22-26, Guatemala City and the departments of Alta Verapaz, Izabal, Petén, San Marcos, Sololá, Totonicapán and Quetzaltenango.	ESCER and the impacts of the process of weakening democratic institutionality and judicial independence	Meetings were held with representatives of the different branches of government, and meetings will be held with activists, human rights defenders and justice operators, civil society organizations and	In loco visit of the IACHR	REDESCA accompanied this official visit of the IACHR to address the issues related to the office.

			victims of human rights violations.		
Mexico	September 3 to 6, 2024.	Climate emergency, climate justice and ESCER.	Activities and meetings for the promotion of economic, social, cultural and environmental rights in the context of the climate emergency.	Promotional visit	
Colombia	Cali, Colombia. October 22 to November 2, 2024.	Climate emergency, environment, biodiversity and ESCER.	Participation in the 16th meeting of the Conference of the Parties to the Convention on Biological Diversity (COP 16), meetings with civil society and, in collaboration with the United Nations Special Rapporteurs on the Right to a Healthy Environment, Astrid Puentes, and on Climate Change and Human Rights, Elisa Morgera, REDESCA co-organized a consultation with civil society organizations, indigenous peoples, afro-descendants, local communities and academia.	Promotional visit	REDESCA was accredited to participate as an observer.
Brazil	December 2 -6, Rio Grande do Sul	Impacts on the economic, social, cultural and environmental rights (ESCER) of the population of Rio Grande do Sul, following the environmental emergency caused by unprecedented heavy rains and		Working visit	

		floods in the state.			
Bolivia	December 9 -11, 2024, La Paz, Santa Cruz de la Sierra and other areas particularly affected by fires.	Impacts of wildfires on the economic, social, cultural and environmental rights (ESCER) of local communities, indigenous peoples and other directly affected people, as well as on biodiversity and ecosystems.		Working visit	

Thematic reports, annual reports and production of knowledge

19. In 2024, REDESCA was able to meet its objectives, providing comprehensive support to the IACHR in various activities essential to the fulfillment of its mandate. Among the most outstanding achievements was its participation in the in loco visits to Colombia and Guatemala, as well as its contributions to the preliminary observations reports derived from these visits on issues related to ESCER. These outcomes underscore its fundamental role in the promotion and protection of these rights in the region.⁷

20. In addition, three working visits were made during the year, including those to Brazil and Bolivia. In Brazil, the visit focused on assessing the impact of the floods in Rio Grande do Sul and the responses adopted by the State to mitigate their effects on ESCER. In Bolivia, the main focus was the situation generated by the forest fires and their repercussions on the affected communities, as well as the measures implemented for environmental recovery and the protection of human rights in the context of the climate crisis.

21. REDESCA also published its VII Annual Report 2023⁸ and prepared the ESCER sections for Chapter IV.B of the IACHR Annual Report 2023 and provided inputs for Chapter V of same Report. In addition, it published its Work Plan 2024-2026, "A Hemispheric Agenda for ESCER"⁹, which institutionalizes REDESCA's axes and priorities for action for the period between 2024 and 2026.

Special pronouncements and statements

22. In 2024, REDESCA prepared and disseminated press releases focused on highlighting issues of particular concern in its area of competence, especially related to the global climate crisis. The Special Rapporteur's Office published 31 press releases, which are available on its website. These press releases reflect the areas of interest and the work of the Rapporteurship during the year, providing essential and up-to-date information on its activities and concerns.¹⁰

⁷ IACHR, [Preliminary Observations, On-site Visit to Colombia April 15-19, 2024](#), p 26-29. IACHR, [Preliminary Observations, On-site Visit to Guatemala July 22-26, 2024](#), Doc.124/24.

⁸ REDESCA, [VII Annual Report of the Office of the Special Rapporteur on Economic, Social, Cultural and Environmental Rights \(REDESCA\) of the Inter-American Commission on Human Rights \(IACHR\)](#), OEA/SER.L/V/III, Doc.386, December 29, 2023,

⁹ REDESCA, [REDESCA Launches its 2024-2026 Hemispheric Agenda for Economic, Social, Cultural and Environmental Rights](#), March 25, 2024

¹⁰ Available at: <https://www.oas.org/es/cidh/jsForm/?File=/es/CIDH/r/DESCA/Prensa.asp>.

Country	No.	Title	Place/Date
Regional	19/24	Invitation to participate in the Online Consultation of the REDESCA Work Plan 2024 - 2026: Strengthening DESCA in the Americas	Washington DC, January 24
Venezuela	28/24	IACHR presented before the IACHR Court the case of Venezuela for illegal detention and damage to the health of human rights defender	Washington DC, February 2
Regional	56/24	REDESCA urges to guarantee the right to water and sanitation in the face of climate emergency and impact of certain business activities in the Americas	Washington DC, March 22
Regional	57/24	IACHR and REDESCA call to guarantee the efforts of institutions of higher education to preserve Afro-descendant memory	Washington DC, March 22
Regional	60/24	REDESCA launches its Hemispheric Agenda 2024-2026 for Economic, Social, Cultural and Environmental Rights	Washington DC, March 25
Regional	76/24	Earth Day: REDESCA calls for a just energy transition for a sustainable future	Washington DC, April 22
Regional	79/24	REDESCA urges to ensure fair access and preventive measures against dengue in the region	Washington DC, April 26
Cuba	81/24	Cuba: IACHR and REDESCA express concern over worsening food shortages and prolonged power outages	Washington DC, April 29
Regional	84/24	Joint Declaration on the Promotion of the Rights of Assembly and Association for Informal Economy Workers	Washington DC, April 30
Regional	88/24	Freedom of expression and media crucial to address climate crisis: International rapporteurs for freedom of expression	Washington DC, May 3
United States	95/24	IACHR: U.S. must respect peaceful protest and academic freedom in universities	Washington DC, May 9
Brazil	120/24	Brazil: IACHR and REDESCA express solidarity with the environmental tragedy in Rio Grande do Sul and reaffirm the importance of promoting more far-reaching actions in the face of climate emergency	Washington DC, May 30
Regional	125/24	In a historic hearing process with REDESCA's participation, the IACHR Court will issue an advisory opinion on state obligations in the face of climate emergency.	Washington DC, June 5
Regional	150/24	IACHR and REDESCA call on States to guarantee economic, social, cultural and environmental rights of LGBTI persons	Washington DC, June 28
Regional	160/24	IACHR and REDESCA call for international solidarity in response to the emergency in the countries affected by Hurricane Beryl	Washington DC, July 9
Regional	180/24	REDESCA urges integration of human rights into global fiscal reforms and climate finance	Washington DC, August 12

Regional	218/24	REDESCA urges urgent action on South America's environmental crisis caused by forest fires	Washington DC, September 17
Honduras	219/24	Honduras: IACHR condemns murder of environmental defender Juan López	Washington DC, September 18
Regional	247/24	Special procedures experts and REDESCA urge States to fully integrate human rights at COP16 of the Convention on Biological Diversity	Washington DC, October 15
Regional	253/24	IACHR: States must guarantee reproductive health of rural women, girls and adolescents	Washington DC, October 17
Regional	254/24	REDESCA calls on States to fight poverty and inequality with effective economic and fiscal policies	Washington DC, October 17
Venezuela	257/24	IACHR and REDESCA: Venezuela must protect the Yanomami people from the advance of illegal mining and other illicit activities	Washington DC, October 21
Brazil	274/24	REDESCA announces working visit to Brazil	Washington DC, October 31
Regional	278/24	REDESCA at COP16: Advances and Challenges in Biodiversity Protection with a Human Rights Approach	Washington DC, November 6
Bolivia	282/24	282/24 - Bolivia: In the face of growing conflict, IACHR warns of impacts on human rights and calls for prioritizing dialogue	Washington DC, November 8
Regional	283/24	COP29: REDESCA urges strong commitments on climate finance with a human rights approach	Washington DC, November 11
Bolivia	288/24	REDESCA announces working visit to Bolivia	Washington DC, November 18
Regional	301/24	REDESCA: Human rights and climate justice in the COP29 agreements	Washington DC, December 2, 2024
Cuba	306/24	IACHR, RELE and REDESCA condemn repression of organizations and media in the context of a serious social and economic crisis	Washington DC, December 4, 2024
Brazil	318/24	REDESCA presents preliminary observations from working visit to Brazil	Washington DC, December 13, 2024
Bolivia	320/24	REDESCA presents preliminary observations from working visit to Bolivia	Washington DC, December 18, 2024

D. Promotion and technical assistance activities

23. In 2024, REDESCA carried out a series of initiatives and actively participated in various activities focused on the promotion of ESCER. These activities included strengthening the capacities of civil society, academia, business and, especially, public sector institutions linked to ESCER. REDESCA also organized meetings with States, national human rights institutions, civil society organizations, companies and international entities, creating spaces for training and empowerment on issues related to its mandate. Some of these activities are detailed below:

Activity	Subject(s)	Place/Date	Observation
Seminar: Towards a new approach to thinking and public policy on Economic,	ESCER	On line/ January 10	Organizers: National Human Rights

Activity	Subject(s)	Place/Date	Observation
Social, Cultural and Environmental Rights (ESCER) in Latin America. Meeting of voices, experiences and actors for the construction of proposals for change in the face of the challenges of Human Rights.			Commission (CNDH) of Mexico.
Regional Dialogue on Intersectional Environmental and Climate Justice	Climate Change	On line/ February 7	Organizers: Small Island Developing States (SIDS)
Academic Freedom Conversation with the United Nations.	Academic Freedom	On line/ February 21	Organizers: United Nations.
Advisory Opinion Meeting: Litigation in Climate and Human Rights Contexts of the International Court of Justice	Climate Change and Human Rights	Hybrid/ Washington DC, February 27th	Organizers: REDESCA and World's Youth for Climate Justice
Dialogue on Artificial Intelligence in the Work of Democracy and Human Rights Protection	Artificial Intelligence and Human Rights	Inter-American Commission on Human Rights, February 27, 2009.	Organizers: IACHR and DESCA
Meeting with Panama, Business and Human Rights	Business and Human Rights	Inter-American Commission on Human Rights, February 29, 2009.	Organizers: REDESCA
ECOWAS -Mercosur: Échange sur libre circulation - Exchange on free circulation	Free Circulation	Online/ March 4	Organizers: CEDEAO - MERCOSUR
74th Session of the Pre-session Working Group of the Committee and present information on the Federal Republic of Mexico.	ESCER	Online/ March 5	Organizers: CDESC
Event with United Nations Human Rights Special Procedures, REDESCA and African Commission on Human and Peoples' Rights "Advancing FOAA Rights of Informal Economy Workers".	Labor Rights	Geneva/ March 4 to 6	Event with United Nations Human Rights Special Procedures, REDESCA and African Commission on Human and Peoples' Rights "Advancing FOAA Rights of Informal Economy Workers".
6th ECPA Ministerial - Dominican Republic 2024 - ECPA - Energy and Climate Partnership of the Americas	Energy transition	6th ECPA Ministerial - Dominican Republic 2024 - ECPA - Energy and Climate Partnership of the Americas	
VI Forum of the Inter-American Human Rights	Climate Change and New Technologies	On line/ April 11	Organizers: IACHR and IACHR Court

Activity	Subject(s)	Place/Date	Observation
System: "Democracy, Rule of Law and Human Rights.			
GS/OAS Earth Day Celebration - Webinar	Environment	On line/ April 22	Organizers: Secretariat for Organization and Finance of the OAS.
Participation in Advisory Opinion OC-32 Presented by the Republic of Chile and the Republic of Colombia on Climate Emergency and Human Rights	Climate Change and Human Rights	Barbados/ April 22 to 26	Organized by: IACHR Court
Regional Consultation for Latin America on the General Comment on Drug Policy of the Committee on ESCER	ESCER	Colombia/ May 8	Organized by: DeJusticia
Wider Caribbean Climate Mobility Initiative Consultation	Environment	On line/ May 14	Organizers: REDESCA
WBO debates concerns about international action in the Amazon in the U.S. Congress - Washington Brazil Office	Environment	Washington DC/ May 14	Organizers: Washington Brazil Office
Central American Human Rights Forum	Human Rights	Honduras/ May 14 to 17	Organizers: European Union in collaboration with the Office of the United Nations High Commissioner for Human Rights (OHCHR), the IACHR, and the National Autonomous University of Honduras, with the support of the Inter-American Court of Human Rights.
Presentation of the Report "Situation of Human Rights in Honduras".	Human Rights	Honduras/ May 15	Organizers: IACHR and REDESCA
Participation in Advisory Opinion Hearing Advisory Opinion OC-32, "Climatic Emergency and Human Rights" of the Inter-American Court of Human Rights	Climate Change	Brazil/ May 21 to 30	Organized by: IACHR Court
Indigenous Women's Meeting in Manaus: Guardians of the Earth	Climate Emergency	Brazil/ May 26	Organizers: REDESCA
Climate Justice and Climate Change Events	Climate Change	Brazil/ May 27 and 28	Organizers: Instituto Clima e Sociedade (ICS) and Washington Brazil Office (WBO)

Activity	Subject(s)	Place/Date	Observation
Panel "Rights of Nature, Self-Determination of Peoples and Climate Justice in Latin America".	Climate Change	Brazil/ May 29	Organizers: Human Rights and Environmental Law Clinic of the University of the State of Amazonas (DHD Clinic/UEA) and the Observatory of Socio-environmental Law and Human Rights in the Amazon of the Federal University of Amazonas (UFAM), Due Process Foundation (DPLf), Interamerican Association for Environmental Defense (AIDA), EarthRights International, among other organizations.
REDESCA Webinar Workshop - "Climate Emergency and Human Rights", given to Civil Society Organizations.	Climate Emergency	On line/ June 20	Organizers: Norway and REDESCA
DeJusticia - IV Course on Business and Human Rights: debates and reflections from Latin America. Panel "The future of civil society, human rights and business in Latin America".	Business and Human Rights	Online/ June 21	Organized by: DeJusticia
Event "The continuity of international financial support to Nicaragua despite the Democratic and Human Rights Crisis".	Human Rights and Democracy	Paraguay/ June 25	Organizers: Race and Equality
Dialogue on Social Protection and Informal Economies in the framework of Economic, Social, Cultural and Environmental Rights (ESCER) in the Americas. Side event AG OAS.	Social rights and economic policies	Paraguay/ June 27	Organizers: REDESCA, GTPSS, OAS, Ministry of Social Development of Paraguay, and Presidency of the Republic of Paraguay.
Discussion on social rights of workers in the popular economy	Social rights	Buenos Aires/ June 30	Organizers: Higher Institute of Technical Training "Pope Francis".
Discussion on domestic workers and the care agenda	Social rights	Buenos Aires/ July 1	Organized by: Center for Legal and Social Studies (CELS)
Intersectoral Dialogues: Recognition of the rights of	Social rights	Buenos Aires/ July 1	Organized by: Latin American Social

Activity	Subject(s)	Place/Date	Observation
workers commerce in public spaces			Sciences Council (CLACSO)
Panel: Environment, Development and Rights 30 years after the Constitutional Reform	Environmental rights	Buenos Aires/ July 2	Organizers: Law School of the University of Buenos Aires.
Discussion on the situation of cartoneros in Argentina	Social rights	Buenos Aires/ July 2	Organized by: Faculty of Engineering, University of Buenos Aires.
Discussion on the human rights situation of traders in public spaces.	Social rights	Montevideo/ July 3	Organizers: Federación Uruguaya de Empleados de Comercio y Servicios (FUECYS) (Uruguayan Federation of Trade and Service Employees).
Introduction to economic, social, cultural and environmental rights indicators.	ESCR Indicators	Montevideo/ July 4	Organizers: National Human Rights Institution and Ombudsman's Office of Uruguay (INDDHH)
Colloquium: Street situation and post-penitentiary life	Deprivation of liberty ESCR	Montevideo/ July 5	Organizers: Parliamentary Commissioner
Discussion on the right to life and work in the public space.	Social rights	Montevideo/ July 5	UDELAR
Organized Crime, Corruption and Human Rights: Progress and New Challenges for the Inter-American Human Rights System	Human rights	Online/ July 17 and 18	Organized by: IACHR
Webinar Fostering Inter-Regional Learning: Establishing National Frameworks to Regulate Transnational Corporations and Safeguard Human Rights in Africa and Latin America.	Business and Human rights	On line/31 July	Organizers: REDESCA
"Standards regarding women and people in vulnerable situations".	Women	On line/ July 31	Organizers: IACHR
Dialogue: Corruption and Human Rights -- A Perspective for Public Policy Approach	Human rights and public policy	Online/ August 6	Organized by: IACHR
REDESCA-IACHR Workshop "Climate Justice and Human Rights in the Caribbean".	Climate change	Online/ August 27	Organizers: IACHR, REDESCA.

Activity	Subject(s)	Place/Date	Observation
Webinar NHDR Climate Justice Workshop	Climate change	On line/ August 28	Organizers: REDESCA
Workshop: Webinar "Climate Justice and Human Rights in the Caribbean: Loss and Damage, Debt, and Financial Policies."	Climate change	Online/ August 29	Organizers: REDESCA and with support from Norway
Conversatory: "Advances and challenges for the guarantee of ESCER in the Inter-American System" and "The role of the Inter-American System in the COVID 19 pandemic: contributions and challenges".	ESCER	Mexico/ September 9	Organizers: UNAM and REDESCA
Conversatory: "Advances and challenges for the guarantee of ESCER in the Inter-American System" and "The role of the Inter-American System in the COVID 19 pandemic: contributions and challenges".	ESCER	Mexico/ September 9	Organizers: UNAM and REDESCA
Secretariat for Environmental Matters Panel on the Submissions on Environmental law Enforcement Matter - DR-CAFTA	Environment	Hybrid/ State Department, Sept. 9	Organizers: Secretariat for Environmental Matters
REDESCA Meeting "Proposal for Strengthened Democracies: Social Inclusion and Environmental Justice".	Environment	On line/ September 10	Organizers: REDESCA
Event: "Human Rights Center of the University of Coimbra (Ius Gentium Conimbrigae) and the National Institute for Research and Promotion of Human Rights".	Human rights	Portugal/ October 5 to 11	Organizers: The University of Coimbra (Ius Gentium Conimbrigae) and the National Institute for Research and Promotion of Human Rights.
Panel "Climate Change and the Judicial System: Transatlantic Perspectives".	Climate change	Embassy of France, Washington DC/ October 7	Organizers: The Permanent Observer Office of France to the OAS
Regional Event "Prevention and Eradication of Statelessness in the Americas",	Statelessness	Hybrid/ October 11	Organizers: UNHCR and Georgetown University

Activity	Subject(s)	Place/Date	Observation
II Ibero-American Congress on Cultural Law, "An old challenge. The recognition of native, indigenous and Afro-descendant peoples".	Indigenous, Native and Afro-descendant Peoples' Law	Mexico/ October 13 to 16	Organizers: Ibero-American Congress on the Right to Culture
Virtual meeting: Protection of human rights defenders, environment and territory: The Escazu Agreement on the eve of the 16th COP on Biodiversity in Cali, Colombia	Human rights defenders, environment, human rights defenders	On line/ October 17	Organizers: XILOTL, Asociación para el Desarrollo Social A.C., and Brot Für die Welt.
Training organized by FEPO and REDESCA: Workshop and CSO Consultation: Right to a Healthy Environment and Water (SIDH)	Environment	On line/ October 18	Organizers: REDESCA and with support from FEPO
Training organized by FEPO and REDESCA: INDH Workshop on Water and the Right to a Healthy Environment	Environment	On line/ October 21	Organizers: REDESCA and with support from FEPO
Inter-institutional challenges to guarantee the work of environmental defenders in Colombia	Environmental defenders	Colombia/ October 23	Organizers: Anla and Danish Institute
COP Event - Regional Alliances in the Construction of Environmental Peace and the Integral Protection of Life	Environment	Colombia/ October 23	Organized by: CINEP, Program for Peace
COP16 event: "An ecologically, socially and culturally connected Amazon: the most effective way to protect biodiversity and secure water in the continent".	Environment	Colombia/ October 27	Organizers: Colombia Potencia de la Vida, COP16 Colombia, Ministry of the Environment of Colombia
Climate Justice at the IACHR Court: Declaration of Manaus and Biodiversity	Environment	Colombia/ October 29	Organizers: CSOs that led the Manaus Declaration-AIDA, CEJIL, CANLA, WYCJ, ERI, CIEL.
Conference: The power of voices in the conservation of territories with the participation of REDESCA, RELE, CEJIL, FLIP, DW Akademie and the Enforced Disappearances Working Group.	Right to property	Colombia/ October 30	Organizers: DW Akademie and Foundation for Press Freedom
Training organized by FEPO and REDESCA, Workshop States "Public policies for the	Environment and public policy	Online/ November 1	Organizers: REDESCA with support from FEPO

Activity	Subject(s)	Place/Date	Observation
protection of the environment and biodiversity".			
Training organized by FEPO and REDESCA, Workshop "Companies and the protection of the right to a healthy environment".	Business and environment	Online/ November 1	Organizers: FEPO and REDESCA with support from FEPO
Panel on Academic freedom and democracy from the conceptual universe of human rights: Development and implementation of the Inter-American Principles in light of international standards.	Academic freedom and university autonomy	Online/ November 5	Organized by: Fabian Salvioli and Natalia UrbinaRed Libertad Académica
Héctor Fix Zamudio Training Course on the Inter-American Human Rights System, "Standards of the Inter-American Commission on Human Rights on emergency climate change and human rights".	Climate change	Online/ November 6	Organizers: Héctor Fix Zamudio Training Course on the Inter-American Human Rights System.
International course on public policies in human rights	Human rights	Washington DC/ November 11	Organizers: IACHR
Human Rights Information Systems Seminar Mercosur	Human rights	On line/ November 18	Organizers: Mercosur
Workshop "REDESCA's Progress in Inter-American Justice".	ESCER	On line/ November 22	Organizers: REDESCA, with support from FEPO and DPU.

E. OAS Working Group of the Protocol of San Salvador

24. During 2024, the Office of the Special Rapporteur maintained an active role in the Working Group of the Protocol of San Salvador (WGSSS), representing the IACHR through the participation of the Special Rapporteur as an expert member of the group. In this framework, the work of the Rapporteur included the evaluation and review of the reports submitted by the States Parties, the preparation of technical inputs for the WGPPSG, and participation in the Group's virtual sessions. Due to budgetary constraints, no in person meetings were held during the year. REDESCA also carried out promotional and training activities aimed at States and civil society to disseminate the contents of the Protocol of San Salvador and the work of the Working Group, reinforcing its importance as a tool for guaranteeing economic, social, cultural and environmental rights in the region.

25. The Office of the Special Rapporteur has focused on strengthening existing mechanisms and fostering collaboration with the IACHR, with the aim of consolidating a robust platform for the promotion and protection of ESCER within the OAS and among its member states. In addition, a key aspect of its strategy has been to promote the ratification of the Protocol of San Salvador by those States that have not yet ratified it, thus reinforcing the regional commitment to economic, social, cultural and environmental rights.

III. FINANCING

26. During 2024, REDESCA received valuable support from the Government of Norway, through its Embassy in Mexico City, and from Spain, through the Spanish Fund for the OAS (FEPO). New cooperation agreements were reached with both countries that significantly strengthen the capacities of the Office of the Rapporteur. The Office also received support from the Pan American Development Foundation (PADF) under a joint project with the Executive Secretariat. The Rapporteurship also received support from the non-governmental organization Women in Informal Employment: Globalizing and Organizing (WIEGO), the O'Neill Institute for Health and Human Rights of Georgetown University, and the German International Development Cooperation (GIZ). Finally, REDESCA is grateful for the contribution of other entities that have made it possible to advance in the promotion and protection of ESCER in the region.

27. Particularly noteworthy is the collaboration of the Public Defender's Office of the Union and the Ministry of Labor of Brazil, which have contributed significantly through the appointment of associated personnel to support the work of the Office. During 2024, REDESCA was strengthened with the incorporation of these new associated personnel, which is evidence of a continuous effort to expand the operational and technical capacities of the Office of the Special Rapporteur, consolidating its role in the promotion and protection of ESCER in the region.

28. REDESCA is grateful to the donors and counterparts that have supported its work and expressed their commitment to the Special Rapporteur's Office for the future. In particular, we would like to highlight the cooperation provided by Spain. We also acknowledge the support provided by Norway and the United States through two new projects, as well as by France and Mexico for their significant voluntary contributions. These collaborations will be essential for strengthening REDESCA's capacities and advancing in the protection and promotion of ESCER in the region.

29. As for the Office's accountability, all funding received has been subject to periodic performance and results reports required by the counterparts with the intervention of the OAS Department of Project Management Follow-up, in the framework of project and administrative management tasks carried out by the IACHR Executive Secretary, in accordance with the REDESCA Contingency Plan. Once the official OAS figures on the resources received and executed by this office are published, they will be included in the audited financial statements and will be available on the organization's website.¹¹

30. The Office of the Special Rapporteur has also continued to develop valuable links with other areas and bodies of the OAS; the United Nations System, including agencies, special procedures and the Committee on Economic, Social and Cultural Rights; public institutions, especially with National Human Rights Institutions, the Ibero-American Federation of Ombudsmen and the Network of National Human Rights Institutions of the American Continent. Likewise, with civil society, companies, academic institutions, as well as with other international organizations.

31. REDESCA recognizes that the achievements and progress reported in this report have been made despite significant financial restrictions and in a particularly challenging context, marked by the beginning of the current administration in September 2023. This scenario has required an additional effort on the part of the team and an optimization of available resources to fulfill the mandate of the Office of the Special Rapporteur. It is essential to highlight the importance of continuous and sustainable financial support from member and observer States, as well as from donors allied with the objectives of the mandate. This support not only guarantees the continuity of activities to monitor, promote and protect ESCER in the region, but also allows for the institutional strengthening of the Rapporteurship and the expansion of its capacities to respond more effectively to emerging challenges, such as the climate crisis, inequality and the impact of business activities on human rights.

¹¹ Organization of American States (OAS), External Audit and Audited Financial Statements, available at: https://www.oas.org/es/saf/rendicion_cuentas/auditoria_externa.asp.

IV. WORK TEAM

32. The Special Rapporteurship developed its activities under the direction of Special Rapporteur Javier Palummo. During 2024, REDESCA was strengthened with the incorporation of various professionals and the key technical support of several collaborators. In August, Miryam Hazán (United States) joined as the first OAS staff member assigned by the IACHR Executive Secretariat, marking a milestone in the institutional consolidation of the Rapporteurship. In addition, REDESCA received valuable support from the following consultants: Paula Mora (Colombia), Andrés de Cicco (Argentina) and Gabriela Kletzel (Argentina). It also received specialized work from Florencia Fischer (Uruguay), Paula Monteiro (Brazil) and Raquel Pereira (Paraguay). It also benefited from the associate staff of the Public Defender's Office of the Union of Brazil (DPU), Lutiana Valadares, and the associate staff of the Public Ministry of Labor (MPT) of Brazil, Juliana Beraldo Mafra and Rodrigo Assis Mesquita. This multidisciplinary team was instrumental in advancing the implementation of the Rapporteurship's activities and the fulfillment of its mandate.

33. During 2024 REDESCA also had the collaboration of interns Maria Paula Roncancio (Colombia), Paula Angarita Tovar (Colombia) and Paulina Ruvalcaba (Mexico).

34. For its part, the Office of the Special Rapporteur also acknowledges the support provided by students from the universities that supported REDESCA's work during 2024. In particular, REDESCA had the support of the Boston College Human Rights Practicum led by Professor Daniela Urosa; the Human Rights Legal Clinic of the Universidad Católica Andrés Bello (UCAB) led by Professor Mariana Campos Villalba, and the Graduate Studies Division of the Law School of the Universidad Nacional Autónoma de México (UNAM) under the leadership of Professor Ana Eloisa Heredia García.

35. The Special Rapporteur expresses his deepest gratitude to all the individuals and institutions that have supported the office during 2024. In particular, he highlights his gratitude to the Inter-American Commission on Human Rights, the Executive Secretary Tania Reneaum Panszi, and the Deputy Secretaries led by María Claudia Pulido and Jorge Meza Flores. Special recognition goes to Luiz Marcelo Azevedo, Ivonne Cifuentes and Flor Elba Castro-Hughes, as well as their work teams, for their essential support in administrative and project management. The Special Rapporteur also thanks the Special Rapporteur for Freedom of Expression, Pedro Vaca Villarreal, for the enriching exchange of knowledge and opportunities for collaboration, which have strengthened the joint initiatives of both rapporteurships.

CHAPTER II: THE SITUATION OF ECONOMIC, SOCIAL, CULTURAL AND ENVIRONMENTAL RIGHTS IN THE HEMISPHERE

I. INTRODUCTION AND METHODOLOGY

36. The Special Rapporteurship has based its work on the collection and analysis of data from various sources, which allows it to maintain a comprehensive and informed approach to the situation of ESCER in the Member States. These sources include country visits, research conducted as part of its monitoring work, and contributions from the IACHR's follow-up mechanisms, including public hearings, thematic visits, and requests for information under Article 41 of the American Convention on Human Rights and Article 18 of the IACHR Statute. The Rapporteurship has also incorporated information from precautionary measures, contributions from civil society organizations, academic studies, press reports, reports from the Working Group of the Protocol of San Salvador, and recommendations from specialized international organizations, among other relevant sources.

37. For its part, as part of the preparation of the Annual Report of the IACHR, REDESCA provided the inputs required in the preparation of Chapters IV.B and V of the Commission's annual report, in relation to the topics of the Office of the Special Rapporteur and taking into account all the information it received in different areas. This report is complementary to Chapter IV.A and Chapters IV.B and V of the IACHR report in terms of information regarding the situation of ESCER with respect to the countries of the region.

38. In all cases, the sources used are cited as established in Article 59, paragraph five, of the Commission's Rules of Procedure. The variety of information used depends on the availability of data and sources per country, with no intention of comparing between countries, but rather with the objective of reflecting the key findings of REDESCA in its monitoring work throughout 2024.

39. The methodology used by REDESCA guarantees rigorous regional monitoring, adapted to the limited resources available, but with a strategic approach that maximizes its impact. This methodology combines qualitative and quantitative analysis tools, integrating information from various sources. REDESCA groups the data in this report according to its availability and relevance by country, focusing on the strategic areas of its Work Plan 2024-2026. These include 1) the Climate Emergency and environmental protection; 2) Business and Human Rights; 3) the impact of Economic and Fiscal Policies; and 4) the strengthening of democracy in relation to the guarantee of ESCER. In addition, the importance of intersectional and intercultural aspects is emphasized, and sub-regional diversity is considered.

40. The methodology adopted by REDESCA has allowed for focused monitoring on critical and priority issues. In particular, in the strategic line linked to the Climate Emergency and environmental protection, emphasis has been placed on documenting the impacts of climate change on ESCER. This approach has included an analysis considering key rights, such as the right to a healthy environment and the right to water, highlighting their interrelation with other economic, social and cultural rights.

41. In particular, in the strategic line linked to climate emergency and environmental protection, priority is given to documenting the impacts of climate change on ESCER, highlighting the interrelationship between human rights and the environment. This analysis focuses on key rights, such as the right to a healthy environment, access to water, health, food security and decent work, highlighting how these rights are threatened by the climate emergency and human activities that exacerbate this crisis. In addition, the integration of human rights into the energy transition is prioritized. This process, fundamental to abandoning fossil fuels, must be based on principles of social and climate justice, ensuring that the strategies implemented respect the substantive and procedural rights of the most vulnerable communities.

42. In the area of business and human rights, there is continuous monitoring of progress and challenges related to the guarantee of human rights, especially ESCER, based on relevant standards. This

monitoring is particularly based on the *Business and Human Rights* thematic report¹², as well as other relevant standards that guide action in this area. In relation to this topic, the adverse impacts of certain business activities on ESCER are especially considered, with a special focus on sectors such as extractive industries, agribusiness and digital platforms, among others.

43. REDESCA also prioritizes the analysis of some aspects of public finances and their impact on the guarantee of human rights, highlighting the importance of addressing social inequalities through progressive fiscal systems and sustainable public policies. This approach includes the examination of the impact on ESCER of public debt, austerity policies, social spending, corruption and other relevant factors from a human rights perspective, aligned with the principles of progressivity and non-regressivity. In addition, economic policy considerations are integrated, with special attention to solidarity, informal and care economies, recognizing their fundamental role in promoting social inclusion, equity and sustainable development.

44. Growing inequality and environmental threats demand a paradigm shift in economic policymaking. However, prevailing macroeconomic strategies continue to focus on limited indicators, such as GDP growth or inflation management. This report will use these indicators, as they are the most commonly available, while recognizing the need to move towards an approach that more comprehensively reflects these challenges.

45. In the section on Democracy and guarantee of ESCER, REDESCA considers the impact of democratic challenges in the protection and promotion of these rights, addressing aspects such as citizen participation in environmental decisions, with emphasis on the inclusion of communities most affected by climate change, biodiversity loss and environmental degradation in general terms. It also addresses issues related to historically discriminated populations and their equitable access to social, economic and cultural rights as a pillar for democratic strengthening. In addition, emphasis is placed on safeguarding cultural rights, highlighting their role in promoting an inclusive democracy that respects diversity and fosters artistic freedom. Finally, it considers how the dynamics of human mobility, driven by factors such as democratic instability, poverty and climate change, affect access to ESCER.

¹² REDESCA and IACHR, [Business and Human Rights: Inter-American Standards](#), OEA/Ser.L/V/II/IACHR/REDESCA/INF.1/19, November 1, 2019.

II. INFORMATION BY COUNTRY

1. ANTIGUA AND BARBUDA

46. With regard to international commitments in the area of ESCER, the Office of the Special Rapporteur expresses its concern over the State's failure to adhere to the American Convention on Human Rights and the Protocol of San Salvador. However, it recognizes positively the ratification of the Escazú Agreement.

47. The most updated poverty data found are the 2022 Human Development Index - estimated at 0.83, which places the country in the very high human development category and ranks it 52nd out of 204 countries and territories¹³ - and the 2021 Gini Coefficient, which was estimated at 0.48, indicating inequality, albeit moderate compared to the indices of Caribbean countries.¹⁴

A. Climate emergency and environmental protection

48. Antigua and Barbuda faces significant risks associated with the adverse effects of climate change, such as an increase in the frequency of hurricanes and prolonged droughts. REDESCA notes that in 2022, the country ranked 90th on the Climate Vulnerability Index, reflecting its high vulnerability to these phenomena.¹⁵

49. In May 2024, the Antigua and Barbuda Meteorological Service issued a warning about the extreme heat conditions that the country would face until June 2024, with a heat index reaching or exceeding 38 °C (100 °F) and between 30 and 50 heat waves projected during the six-month period.¹⁶ These conditions may have a significant impact on the exercise and enjoyment of various fundamental rights, including the right to life, food, housing, health, water and the right to a healthy environment.¹⁷

50. According to the U.S. National Oceanic and Atmospheric Administration, the hurricane season is expected to be more intense than usual, with forecasts of between 17 and 25 named storms, and between 4 and 7 hurricanes of category 3 or higher in the northeastern Caribbean islands, including Antigua and Barbuda.¹⁸ REDESCA highlights that, since June 2024, the State has been implementing preventive measures, such as the designation of 50 official shelter structures, in order to ensure the safety of the population.¹⁹

51. In the context of the energy transition, REDESCA notes that more than 90% of the electricity supply in Antigua and Barbuda depends on fossil fuels²⁰, which underscores the urgent need for significant investments in renewable energy infrastructure to reverse this situation. In this regard, it is essential for the country to move forward with projects aimed at meeting the target, established in the Nationally Determined Contribution, of reaching 86% of electricity generation from renewable sources by 2030.²¹ Of note is the announcement by the World Bank to invest nearly US\$500 million in renewable energy projects in the Caribbean²², an initiative that includes Antigua and Barbuda and seeks to facilitate the transition to clean energy and promote the electrification of local economies. REDESCA takes note of the measures implemented

¹³ UNDP, [Antigua and Barbuda-Human Development Index](#), 2022.

¹⁴ OCHA, [Country Profile Antigua and Barbuda](#), 2021

¹⁵ Notre Dame Global Adaptation Initiative, [Antigua and Barbuda](#), October 24, 2024.

¹⁶ Antigua News Room, [Heat Watch in Effect For Antigua & Barbuda](#), May 9, 2024.

¹⁷ IACHR, Climate Emergency. Scope and inter-American human rights obligations. Resolution 3/2021.

¹⁸ Voice of America, [Tropical storm warning issued for northeastern Caribbean islands](#), August 12, 2024.

¹⁹ Antigua News Room, [Guide to hurricane shelters in Antigua and Barbuda](#), June 5, 2024.

²⁰ Low Carbon Power, [Electricity in Antigua and Barbuda in 2022](#), October 24, 2024.

²¹ UNDP, [Antigua and Barbuda](#), November 20, 2023.

²² World Bank, [Strategic investments for energy transition in the Caribbean](#), January 11, 2024.

by the State, through the Utilities Authority, to ensure that all renewable energy systems comply with current policies and ensure grid stability and security.²³

52. REDESCA highlights the results of the 4th International Conference on Small Island Developing States (SIDS4), held May 27-30, 2024 in Antigua and Barbuda. The event brought together international leaders and representatives from more than 50 countries to address the challenges facing these island states, especially in the context of climate change and the debt crisis.²⁴ Among the main outcomes was the adoption of the Antigua and Barbuda Agenda for SIDS (ABAS)²⁵, a document that establishes a strategic framework to strengthen partnerships, optimize UN support and ensure the right to development for SIDS, in line with the Sustainable Development Goals.²⁶ In addition, note is taken of the call to implement financing initiatives that ensure more stable access to long-term, low-cost resources, underscoring the need to reform the global financial architecture to include SIDS in relevant decisions.²⁷

53. REDESCA also takes note of the Conference Outcome Document, which underscores how SIDS face persistent and increasingly severe effects of climate change, biodiversity loss, pollution, natural disasters, health challenges, social problems and economic vulnerabilities.²⁸ It also highlighted that these States are particularly vulnerable to external shocks due to factors such as their small size, geographical remoteness, dispersed populations, poorly diversified economies, high dependence on external markets, as well as extreme exposure to natural disasters and the effects of climate change, which limits their ability to withstand external shocks and strengthen their resilience.²⁹

54. REDESCA warns that Antigua and Barbuda has faced a drinking water shortage crisis, which is common to other countries in the Caribbean, as its freshwater availability has decreased in recent years.³⁰ In this context, it notes with interest the measures taken by the State to improve supply. According to information gathered, an agreement has been reached with a company to provide an additional 3 million gallons of water. Also, new plants and engines will be installed at various locations in order to increase supply capacity.³¹ In addition, an increase in the price of water starting March 1, 2024, is highlighted as part of a plan to finance a loan from the Antigua Commercial Bank for significant improvements to the water infrastructure.³²

B. Business and human rights

55. REDESCA takes note of the fact that residents and environmental groups have expressed concern about the activities of the private Jumby Bay Resort on Maiden Island, warning about the possible negative effects of the project on endangered species. Despite conservation efforts, the construction of new facilities could alter local ecosystems, particularly mangroves and coral reefs, which are vital for coastal protection and biodiversity.³³ Additionally, it has been noted that Maiden Island was previously used for sand mining, which contributed to its environmental degradation.³⁴ REDESCA takes note of the investigations to

²³ Antigua News Room, [APUA issues warning to owners of unregistered renewable energy systems, urges compliance](#), May 4, 2024.

²⁴ United Nations, [4th International Conference on Small Island Developing States \(SIDS4\). Charting the course towards resilient prosperity](#), May 27-30, 2024.

²⁵ [The Antigua and Barbuda Agenda for Small Island Developing States: A Renewed Declaration for Resilient Prosperity](#), cited above.

²⁶ United Nations, [Warning Time Is Running Out, Small Island Developing States Demand Urgent Action to Address Climate Crisis They Did Not Create, as General Debate Continues](#), September 27, 2024.

²⁷ [Warning Time Is Running Out, Small Island Developing States Demand Urgent Action to Address Climate Crisis They Did Not Create, as General Debate Continues](#), cited above.

²⁸ United Nations, [The Antigua and Barbuda Agenda for Small Island Developing States: A Renewed Declaration for Resilient Prosperity](#), April 12, 2024.

²⁹ [The Antigua and Barbuda Agenda for Small Island Developing States: A Renewed Declaration for Resilient Prosperity](#), cited above.

³⁰ World Bank, [Internal renewable freshwater resources per capita \(cubic meters\) - Antigua and Barbuda](#), October 24, 2024.

³¹ Antigua News Room, [Government Takes Steps to Ensure 24/7 Water Supply in Antigua and Barbuda within the next year](#), May 20, 2024.

³² WIC NEWS, [Water prices to increase in Antigua and Barbuda from March 2024](#), February 16, 2024

³³ Antigua Newsroom, [Jumby Bay Island plans for Maiden Island "Little Jumby": Conservation Preserve, Beach Club Restaurant](#), June 27, 2024.

³⁴ Antigua Newsroom, [Jumby Bay Island plans for Maiden Island "Little Jumby": Conservation Preserve, Beach Club Restaurant](#), June 27, 2024.

assess the impact of the project carried out by the authorities³⁵ and stresses the importance that business activities in Antigua and Barbuda are carried out with respect for human and environmental rights, ensuring the protection of ecosystems and local communities.

56. In addition, the Special Rapporteurship received information on the development of sustainable projects in the tourism sector, such as the case of the Carlisle Bay Hotel, which has established recycling systems for various materials, including paper, cardboard, plastics and food waste. It has also implemented reuse programs to save energy and water consumption and has renewable energy systems.³⁶

C. Fiscal and economic policies

57. According to IMF data, Antigua and Barbuda's GDP grew by 5.8% in 2024³⁷, due to significant growth in the construction sector and continued growth in tourism. However, inflation increased, reaching up to 6% in April 2024, compared to 3.3% at the end of 2023.³⁸ REDESCA also obtained information regarding the Consumer Price Index (CPI), which in February 2024 registered an increase of 7.1%.³⁹

58. REDESCA takes note of the IMF's warning about the high public debt burden and the structural challenges it represents for the country. While the ratio of public debt to GDP has declined since its peak during the pandemic, from around 100% in 2020 to an estimated 76% in 2023, high public debt remains a concern.⁴⁰ In this context, the Special Rapporteur underscores the importance of debt reduction strategies being implemented in a way that does not compromise the realization of the ESCER of the population. As has been evidenced in the region, austerity policies imposed in the name of fiscal sustainability have had regressive effects, exacerbating poverty and inequality. In this sense, REDESCA emphasizes that any fiscal strategy must prioritize the protection of the most vulnerable sectors and guarantee access to essential services, avoiding that fiscal consolidation translates into setbacks in the guarantee of the population's social and economic rights.

59. REDESCA welcomes the incorporation of Antigua and Barbuda in July 2024 to the Development Bank of Latin America and the Caribbean (CAF). This will allow the country to access the technical, financial and knowledge services that the organization offers to countries to address issues such as the climate emergency.⁴¹

60. In that vein, the Special Rapporteurship highlights the outcomes and discussions in the framework of the 4th International Conference on Small Island Developing States (SIDS4), held in May 2024, where the urgent need for debt relief and increased climate investment for SIDS was emphasized.⁴² Many SIDS, including Antigua and Barbuda, face unsustainable levels of public debt, limiting their ability to invest in crucial climate change adaptation and mitigation strategies. The conference highlighted the need for international support to effectively address this burden and improve access to climate finance, especially through

³⁵ [Jumby Bay Island plans for Maiden Island "Little Jumby": Conservation Preserve, Beach Club Restaurant](#), cited.

³⁶ Antigua News Room, [In Antigua, Resorts Are Leading The Charge For Sustainability. Will Everyone Follow](#), May 23, 2024; Carlisle Bay Antigua, [Sustainability](#), October 24, 2024.

³⁷ International Monetary Fund, [Country Data](#), April 2024.

³⁸ International Monetary Fund, [IMF Staff Concludes Visit to Antigua and Barbuda](#), 21 June 2024

³⁹ Antigua and Barbuda Ministry of Finance and Corporate Governance, [Statistics Division, Consumer Price Index for February 2024 rose 7.1%](#), March 28, 2024.

⁴⁰ [IMF Staff Concludes Visit to Antigua and Barbuda](#), cited above.

⁴¹ CAF, [CAF approves the incorporation of Antigua and Barbuda](#), July 18, 2024.

⁴² The Island States pointed out that in order to respond to the context they are facing, it is necessary to promote economic resilience, that is, to reform the international financial architecture so that affordable financing that promotes development can be accessed. Additionally that the necessary measures be taken to comply with the Paris Agreement, especially related to mitigation measures to reduce global temperature, halt and invest in biodiversity loss, conserve and sustainably use the ocean and its resources, incorporate disaster reduction, strengthen health systems and strengthen the collection, storage and analysis of data, see more in: [Antigua and Barbuda's Agenda for Small Island Developing States: A Renewed Declaration for Resilient Prosperity](#), cited above.

mechanisms such as the Green Climate Fund (GCF). This includes reforms to make finance more accessible and tailored to the specific challenges faced by SIDS.⁴³

61. REDESCA appreciates the actions taken by the State in relation to the inclusion of fiscal measures in the 2024 budget through the *Antigua and Barbuda Sales Tax Amendment Bill 2024*. This Bill introduces significant amendments, such as the creation of excise taxes on alcohol, tobacco and cannabis products at a rate of 10%, and an increase in the rate of Sales Tax (ABST), which will increase from 15% to 17%. These measures will not only alleviate the public debt⁴⁴, but will also have a positive impact on the public health of the population.

D. Democracy and guarantee of ESCER

62. REDESCA recognizes Antigua and Barbuda's efforts to secure sufficient resources to complete the Population and Housing Census, the Producer Price Index and the 2023 Labour Force Survey, which would facilitate the formulation of public policies based on reliable and updated data.⁴⁵

63. In terms of health, Antigua and Barbuda has a prevalence of chronic non-communicable diseases (NCDs). An estimated 15.6% of adult women and 12.1% of adult men have diabetes.⁴⁶ This high prevalence highlights the need for adequate prevention and management programs for this disease. Along the same lines, obesity affects 28.8% of women and 13.5% of adult men.⁴⁷ Although these figures are lower than regional averages, they are still worrying and reflect an increase in weight-related problems.

64. On the other hand, cardiovascular diseases, including hypertension, are common, although no recent specific figures have been provided. High blood pressure is an important risk factor associated with other NCDs. In addition to obesity, there are problems of malnutrition, with 17.2% of women of reproductive age affected by anemia, indicating a lack of essential nutrients in the diet.⁴⁸

65. In response to the above, REDESCA joins the recommendations established in the Final Document of the 4th International Conference on SIDS, regarding the need to reform health systems so that they can ensure equitable and timely access to health care services and improve prevention, preparedness and response to face future health emergencies and the impact of climate change on health.⁴⁹

2. ARGENTINA

66. REDESCA recognizes and values the Argentine State's commitment to human rights, reflected in the ratification of the American Convention on Human Rights, the Protocol of San Salvador and the Escazú Agreement. These instruments represent fundamental pillars for the protection of ESCER in the country. The Office of the Special Rapporteur encourages Argentina to continue strengthening the effective implementation of these tools, which will further consolidate its adherence to human rights principles in these essential areas.

67. REDESCA expresses its concern about the persistence of high poverty rates in Argentina. According to estimates by the National Institute of Statistics and Census (INDEC), based on micro data from the Permanent Household Survey for the first semester of 2024, the percentage of households living below the poverty line reached 42.5%, affecting 52.9% of the population, which represents the highest figure in 20

⁴³ Green Climate Fund, [Enhancing access to climate finance for small island developing states](#), May 27, 2024.

⁴⁴ [IMF Staff Concludes Visit to Antigua and Barbuda](#), cited above; Orbitax, [Antigua and Barbuda Prime Minister Confirms Sales Tax \(ABST\) Increase and Other Budget Measures for 2024](#), December 15, 2023.

⁴⁵ [IMF Staff Concludes Visit to Antigua and Barbuda](#), cited above.

⁴⁶ Global Nutrition Report, [Antigua and Barbuda](#), October 24, 2024.

⁴⁷ Global Nutrition Report, [Antigua and Barbuda](#), October 24, 2024.

⁴⁸ World Health Organization, [Antigua and Barbuda](#), October 24, 2024.

⁴⁹ [The Antigua and Barbuda Agenda for Small Island Developing States: A Renewed Declaration for Resilient Prosperity](#), cited above.

years.⁵⁰ In addition, 13.6% of households, which includes 18.1% of the population (equivalent to 5.4 million people), are unable to meet their basic food needs, thus falling below the indigence line. Official figures indicate an increase in both poverty and indigence in all households and regions of the country compared to the second half of 2023. There is also evidence of a higher incidence of poverty among children and adolescents, reaching 66.1% of monetary poverty compared to other age groups (52.9).⁵¹

68. The Special Rapporteurship highlights the importance of addressing inequality in Argentina in the framework of guaranteeing ESCER. REDESCA has noted that, according to INDEC data, the Gini coefficient of per capita household income of individuals was 0.467, while in the same quarter of 2023 the value was 0.446, which represents an increase in inequality in the year-on-year comparison.⁵²

A. Climate emergency and environmental protection

69. REDESCA stresses that climate change and environmental degradation aggravate food insecurity, especially affecting the most vulnerable people, including those who contribute minimally to global emissions. In this context, the Office of the Special Rapporteur has gathered information according to which it is estimated that 24.7% of the country's total population faces this problem.⁵³ Information has also been received on the impact on children and adolescents, showing that 32.2% are affected by food insecurity and, within this group, it is estimated that 13.9% experience severe deprivation, indicating that they are in a situation of severe food insecurity. In turn, recent UNICEF data indicate that, during 2024 in Argentina, 1.5 million children and adolescents experienced food insecurity, reflected in the omission of some daily meal due to insufficient economic resources and some 10 million decreased consumption of meat and dairy products. The above, in a context in which the income of almost half of the households with children is not enough to cover basic food, health and education expenses, according to UNICEF data.⁵⁴

70. The Special Rapporteur notes with concern how climate change, among other external factors, may favor the increase in the incidence and spread of certain diseases in the country, as is the case of dengue.⁵⁵ In particular, it has been observed that, during 2024, the viral disease transmitted by the *Aedes Aegypti* mosquito reached a record number of infections throughout the country, surpassing previous annual records and spreading to areas beyond the historically affected zones. According to data provided by the Epidemiological Bulletin of the Pan American Health Organization (PAHO), during the first 11 epidemiological weeks of 2024, the number of accumulated cases represented an increase of more than 30 times compared to the average of the last five years for the same period in the country.⁵⁶

71. On the other hand, REDESCA has observed that several localities have surpassed their historical maximum daily temperature records, according to available information.⁵⁷ Regarding the proliferation of forest fires, extreme events with devastating effects have been documented in several regions, including the Andean-Patagonian region.⁵⁸ REDESCA takes note of the outbreaks of fires that affected the province of Córdoba during the month of September, which resulted in significant impacts both in environmental and socioeconomic terms. This situation led the Government of the Province of Córdoba to

⁵⁰ INDEC, [Condiciones de vida Vol. 8, n° 21: Incidencia de la pobreza y la indigencia en 31 aglomerados urbanos](#), September 26, 2024.

⁵¹ Argendata Fundar [@argendatafundar], (October 16, 2024), [In the last 20 years, children under 14 were consistently poorer than any other group](#).

⁵² INDEC, [Labor and Income Vol. 8, No. 6: Evolution of Income Distribution \(EPH\)](#), June 25, 2024.

⁵³ Observatorio de la Deuda Social Argentina - Pontificia Universidad Católica Argentina, [Inseguridad alimentaria y autoproducción](#), 2024.

⁵⁴ UNICEF, [10 million children consume less meat and dairy due to lack of income](#), June 11, 2024.

⁵⁵ Stella M. Hartinger, Marisol Yglesias-González, Luciana Blanco-Villafuerte, Yasna K. Palmeiro-Silva, Andres G. Lescano, Anna Stewart-Ibarra, David Rojas-Rueda, Oscar Melo, Bruno Takahashi, Daniel Buss, Max Callaghan, Francisco Chesini, Elaine C. Flores, Carolina Gil Posse, Nelson Gouveia, Slava Jankin, Zaray Miranda-Chacon, Nahid Mohajeri, Juliana Helo, Laura Ortiz, Chrissie Pantoja, Maria Fernanda Salas, Raquel Santiago, Milena Sergeeva, Tatiana Souza de Camargo, Armando Valdés-Velásquez, Maria Walawender, Marina Romanello, The 2022 South America report of The Lancet Countdown on health and climate change: trust the science. Now that we know, we must act, The Lancet Regional Health - Americas, Volume 20, 2023, 100470, ISSN 2667-193X, <https://doi.org/10.1016/j.lana.2023.100470>.

⁵⁶ PAHO, [Epidemiological Update. Increase in Dengue Cases in the Region of the Americas](#), March 29, 2024.

⁵⁷ Infobae, [The first heat wave of the season lasted 23 days and affected the entire country](#), February 16, 2024.

⁵⁸ GreenPeace, [Forest Fires in the Andean-Patagonian region of Argentina](#), March 2024.

declare a state of disaster in the main areas affected by the fires, which include the departments of Calamuchita, Punilla, Colón and Santa María.⁵⁹ According to data from the National Commission for Space Activities (CONAE), the province of Córdoba totaled, by October 2024, some 69,000 hectares consumed by forest fires in 2024.⁶⁰ In addition, warns about the impact of fires on people's rights, such as effects on health and physical integrity, destruction of homes, suspension of classes, impact on biodiversity and natural systems, and impacts on local economic activities.⁶¹

72. In addition to the above, REDESCA has taken note of information that shows an increase in deforestation in the country. There are reports that show that approximately 75% of deforestation is concentrated in four northern provinces: Santiago del Estero, Salta, Chaco and Formosa. According to this source of information, the advance of the agricultural frontier and forest fires are the main causes of forest loss.⁶² In this sense, note is taken of the claims of civil society organizations against the approval of the updating of the Territorial Ordinance of Native Forests of Chaco, which creates a new territorial ordinance map and downgrades the conservation category of several areas of the region.⁶³ The legislative proposal did not emerge from a participatory process with the affected communities as contemplated in Convention 169 of the International Labor Organization (ILO), the Escazú Agreement and the National Forestry Law.⁶⁴ Likewise, REDESCA learned of civil society's rejection of the enactment of the decree that dissolves the Trust Fund for the Environmental Protection of Native Forests (FOBOSQUE)⁶⁵, which they consider a fundamental guarantee to ensure the protection of funds destined to the implementation of the Native Forest Law from deviations and devaluations caused by the ups and downs of the Argentine economy.⁶⁶

73. Regarding the environmental and social degradation of the Matanza-Riachuelo Basin, REDESCA has taken note of the various complaints by civil society organizations alleging non-compliance with the ruling of the Supreme Court of Justice of the Nation dating back to 2008, and that the same levels of contamination as 16 years ago are still being maintained. In addition, the Office of the Special Rapporteur is closely following the Supreme Court's decision to put an end to the supervision of compliance with the Comprehensive Environmental Sanitation Plan for the Matanza Riachuelo Basin, responsible for the environmental restoration of the basin, and the effects that this could have on people living in popular neighborhoods in the vicinity. It has also been noted that the Court in its decision has rejected the collective environmental damage.

74. REDESCA takes note of information received that indicates a significant reduction in budget allocations for environmental protection in Argentina, which could affect the effective guarantee of ESCER. According to these data, there have been decreases in key programs such as the protection of native forests, forest fire management and the restoration of the Matanza-Riachuelo Basin. In addition, the budget allocated to renewable energies was reduced by 97.3% compared to the previous year, which raises concerns about compliance with the country's environmental commitments.⁶⁷ REDESCA reiterates the importance of any fiscal adjustment to ensure the sustainability of environmental policies and the protection of ecosystems, in compliance with the State's international human rights obligations.

⁵⁹ Government of the Province of Córdoba, The Province declared a state of disaster in the areas affected by the fires, September 8, 2024.

⁶⁰ CONAE [@CONAE_Oficial], (Sept. 24, 2024), Fires in Córdoba seen from Space. Satellite monitoring on Tuesday 24/09 allows estimating that 43,490ha were affected by fire in Punilla and Calamuchita [Tweet], Twitter, https://x.com/CONAE_Oficial/status/1838657205458895216.

⁶¹ Defensoría del Pueblo de la Nación, [Report on forest fires in Córdoba](#), September 26, 2024.

⁶² Greenpeace, [Deforestation in Northern Argentina: Annual Report 2023](#), January 2024, p. 3.

⁶³ Note sent by civil society organizations to the Governor of the Province of Chaco. Available at: <https://>

⁶⁴ Fundación Vida Silvestre Argentina, [The update of the Territorial Ordinance of Native Forests of Chaco approved yesterday by the Chamber of Deputies violates the Law of Forests](#), April 30, 2024

⁶⁵ Presidency of the Argentine Republic, [Decree 888/2024](#), October 7, 2024.

⁶⁶ Fundación Vida Silvestre Argentina, [Organizaciones de la sociedad civil solicitan información sobre la situación del FOBOSQUE](#) September 6, 2024.

⁶⁷ Information received by REDESCA through the *Letter to Relator DESCA on environmental budget cuts*, a document sent by Fundación Ambiente y Recursos Naturales (FARN) on October 28, 2024.

75. Finally, REDESCA takes note of the Argentine delegation's decision to withdraw from the COP29 negotiations in Baku, Azerbaijan.⁶⁸ This move raises questions about the future of climate policy in the country, especially considering that participation in international fora is essential to ensure access to finance, technology transfer and global cooperation on environmental issues.

B. Business and human rights

76. The Special Rapporteurship has monitored the progress in the industrialization of lithium in the country, which places Argentina as one of the four largest lithium producers worldwide.⁶⁹ Lithium extraction poses significant socio-environmental challenges in terms of water consumption in the extraction processes. In addition, there are social claims that refer to the possible negative impact of this type of exploitation on local biodiversity and the traditional economic activities of the communities that live near the salt flats. In this regard, the Special Rapporteur is concerned that the socio-environmental challenges associated with these mining projects are not being addressed from a human rights and climate justice perspective, in a context in which, according to available information, as of October 2024 there were 187 mining projects underway.⁷⁰

77. In line with the above, REDESCA notes that there have been allegations of negative impacts that lithium extraction could generate in the province of Jujuy after the constitutional reform approved in June 2023. In this regard, REDESCA received a report from civil society denouncing that the new Constitution of Jujuy allows extractive activities on public lands, affecting indigenous territories without guaranteeing free, prior and informed consultation, according to information provided by civil society organizations.⁷¹ In addition, it authorizes the large-scale use of water for the exploitation of lithium, a vital resource for local communities. The organizations indicate that the reform is part of a process of mining expansion in the high Andean wetlands of Jujuy, located in the "lithium triangle", one of the largest lithium reserves in the world, with high economic profitability.

78. In addition, the Office of the Special Rapporteur is closely following the situation in the province of Catamarca, particularly in the Río de Los Patos Basin, Antofagasta de la Sierra, given the existence of various lithium mining projects. A ruling of the Court of Justice of Catamarca⁷² reportedly found environmental damage as a result of business activities in the area of the Salar del Hombre Muerto, ordering the suspension of the granting of new permits and/or authorizations to mining projects in the area until an environmental impact study is carried out. In addition, it would have established that the province must guarantee access to information and participation of the indigenous Atacameños del Altiplano community and the inhabitants of Antofagasta de la Sierra, who depend on the natural resources and have an ancestral link to the territory, which obliges States to protect their rights. In this context, REDESCA welcomes the decision of the highest provincial court and stresses that the lithium industry requires rigorous regulations and high standards to ensure the sustainability of its operations.

79. For its part, the Office of the Special Rapporteur is closely following the information on the health impacts caused by the use of pesticides. According to available information, Argentina is among the countries with the highest consumption of pesticides in the Americas, and in addition, approximately 340 ingredients are actively used in commercial pesticide formulations, 120 of which are not approved in the European Union.⁷³ During the 188th Period of Sessions of the IACHR, civil society organizations presented a study that addressed reproductive health in the province of Santa Fe on populations exposed to pesticides and showed a significant increase in the percentage of miscarriages in the first trimester of pregnancy in relation

⁶⁸ Reuters, [Argentina withdraws its negotiators from the COP29 climate summit](#), November 14, 2024.

⁶⁹ Economic Commission for Latin America and the Caribbean (ECLAC), [ECLAC stresses the importance of a productive development agenda around lithium exploitation](#), July 6, 2023

⁷⁰ Sistema de Información Abierta a la Comunidad sobre la Actividad Minera en Argentina (SICAM), [Mining Projects](#), 2024.

⁷¹ International Federation for Human Rights (FIDH), [Argentina: lithium rush threatens indigenous peoples' rights in Jujuy](#), April 17, 2024.

⁷² Sistema Argentino de Información Jurídica, [Suspend lithium extraction projects in Catamarca area of Salar del Hombre Muerto](#), March 13, 2024.

⁷³ FAO, [World Food and Agriculture Statistical Yearbook 2022](#), p. 134. CELS, [Health Organization: Campesinas](#), May 28, 2024.

to the number of pregnancies between the years 1996 and 2018.⁷⁴ According to the information provided the number of miscarriages in the first trimester increased 4.7 times. In addition, the study identified a correlation between endocrine problems caused by pesticides and impacts on reproductive health, including a 75% higher probability of suffering a miscarriage in the first trimester in exposed women, compared to those not exposed. It also highlights the impact caused by the use of pesticides in urban areas in the Province of Córdoba. In this regard, civil society organizations have informed the Office of the Special Rapporteur about cases of cancer and births of children who developed physical disabilities.⁷⁵ In this context, the Special Rapporteur emphasizes the need to strengthen regulatory and oversight mechanisms to monitor the impact of business activities on public health, particularly concerning involuntary or spontaneous abortions.

80. REDESCA is closely following the situation of workers of digital platforms in a context of lack of regulation in domestic legislation on this type of work, which may result in an increase in the levels of informality in the labor market and consequently its precariousness.⁷⁶ REDESCA welcomes the ruling of the National Labor Court of First Instance No. 41 of the Autonomous City of Buenos Aires in considering that the labor relationship between a delivery person and a delivery platform should be regulated by the Labor Contract Law, since, despite the particularities of work through apps, the essential elements of a labor relationship are not modified.⁷⁷ The ruling indicates that the platforms act as intermediaries between the customer and the store, requiring a person to pick up and deliver the products, which configures an employment relationship that must be legally recognized.

81. Finally, REDESCA takes note of the regulation of the Incentive Regime for Large Investments, which, according to official sources, seeks to promote investments in key sectors such as oil and gas, mining, renewable energy, forestry, steel, technology, infrastructure and tourism, offering tariff, tax and exchange benefits to companies that invest.⁷⁸ It has also observed that civil society organizations have made allegations that this regime does not provide for the protection of human rights, in particular the protection of a healthy environment.⁷⁹ In addition, they argue that the regime violates the right to information and participation of the communities involved, while exempting companies from the necessary environmental controls, which could have negative consequences for the natural environment and the communities.⁸⁰

82. In general terms, the Office of the Special Rapporteur considers that the country should strengthen measures to ensure that business activities in its territory, especially those linked to extractive industries, agribusiness and technology companies, are carried out in strict compliance with Inter-American standards on the matter. This includes the implementation of effective human rights due diligence mechanisms to identify, prevent, mitigate and remedy the adverse impacts that these activities may have on ESCER. It also emphasizes the need to promote transparency and accountability in the supply chain, ensuring that business practices respect the rights of local communities, indigenous peoples and workers, especially in high-risk sectors. The Rapporteurship also encourages the country to strengthen state oversight and adopt public policies that promote sustainable and inclusive business models.

C. Fiscal and economic policies

83. In a context where year-on-year inflation reached 209%⁸¹, REDESCA takes note of the measures implemented by the Executive Branch aimed at reducing the fiscal deficit and controlling inflation

⁷⁴ IACHR, Thematic Hearing, [Region: Impacts of the use of pesticides on reproductive rights](#), 188th regular session, Washington, D.C., November 8, 2023.

⁷⁵ IACHR, Thematic Hearing, [Region: Impacts of the use of pesticides on reproductive rights](#), 188th regular session, Washington, D.C., November 8, 2023, information provided by petitioning organizations.

⁷⁶ Consejo Nacional de Investigaciones Científicas y Técnicas (CONICET), [El trabajo informal y una mirada científica sobre esta problemática acuciante en nuestro país](#), March 6, 2024.

⁷⁷ Sistema Argentino de Información Jurídica (SAIJ), [A labor judge considered that the delivery driver of a delivery platform is a dependent worker](#), April 9, 2024.

⁷⁸ Ministry of Economy, [RIGI: as of today, companies may apply to the regime](#), October 22, 2024.

⁷⁹ FARN, [Las dos caras del RIGI: fomento para las grandes inversiones y desprotección del ambiente](#), May 2024.

⁸⁰ CELS, [Pedimos a senadores y senadoras que no aproben el RIGI](#), June 11, 2024.

⁸¹ INDEC, [Price indexes, Vol. 8 n°31](#), October 10, 2024.

rates. Although these actions may be necessary in the short term to stabilize the economy, challenges are observed in the effective guarantee of ESCER.

84. Among the measures implemented, REDESCA learned of the government's decision to begin a process of gradual reduction of subsidies for energy services.⁸² By March, energy subsidies had fallen by 73.7% compared to the same month of the previous year and by 67.0% so far this year.⁸³ This situation has generated an increase in utility rates, which could have a differentiated impact on particularly vulnerable sectors of the population.⁸⁴

85. The Office of the Special Rapporteur has closely followed the situation of domestic workers in Argentina, a sector made up of more than one million women, only 25% of whom are registered with the social security system.⁸⁵ In this context, REDESCA has become aware of reports that refer to the precariousness of the working conditions of domestic workers in the country, as well as the loss of purchasing power of the benefits associated with care. This situation has a differentiated and disproportionate impact on women, who are mostly responsible for domestic work and unpaid care.⁸⁶

86. In this context, an unequal distribution of care work is evident. According to INDEC, women spend twice as much time each day on unpaid care work and perform it in greater proportion.⁸⁷ Although unpaid care tasks and domestic work represent between 20 and 22% of what the country produces, paid domestic work is the branch of activity with the highest rates of informality (78%) and feminization (98%), and has one of the worst remunerations in the entire labor market.⁸⁸

87. Additionally, in the framework of the 191st Regular Period of Sessions, petitioning organizations presented information to the Commission and REDESCA on the regressive situation of human rights in the face of the implementation of austerity policies based on the reduction of public spending and tax collection and the impact this has on the most vulnerable sectors of the population, as is the case of workers in the popular economy.⁸⁹ This sector of the economy is made up of recyclers, known as *cartoneros/as*, textile workers, family farmers, people who work in socio-community spaces, among others. Unlike formal workers, according to the information provided, these people are not covered by labor rights or social security systems, which aggravates their situation of vulnerability. According to the information presented, most of the people in this sector are currently below the indigence line, i.e., their income is not enough to cover even the basic needs of a single adult.

88. In addition to the above, the petitioning organizations expressed their concern to the Commission and REDESCA regarding the dismantling of the "Potenciar Trabajo" program, which was intended to contribute to the improvement of employability and the generation of new productive proposals, as well as to promote social inclusion and the progressive improvement of the economic income received by the socially and economically vulnerable persons subject to the program. They also pointed out the regressive effects of Decree No. 193/2024 of the Executive Branch that would defund the Socio-Urban Integration Trust Fund, the main source of financing for a set of works and actions for the socio-urban integration of vulnerable neighborhoods, and which puts at risk the health, the right to housing and a healthy environment of the population living in such communities.

⁸² Ministry of Economy, [Período de Transición Subsidios Energéticos Focalizados](#), date of consultation: November 06, 2024.

⁸³ Asociación Argentina de Presupuesto y Administración Financiera Pública (ASAP), Informe de ejecución presupuestaria de la administración pública nacional, March 2024, p.19.

⁸⁴ Information provided by Movimiento de Participación Ciudadana de la Ciudad de Avellaneda, REDESCA Archives.

⁸⁵ CELS, No moratorium, more inequality, May 13, 2024; Ecofeminista, [Domestic Service Workers Report](#), November 29, 2024.

⁸⁶ CELS, [La cocina de los cuidados](#), April 2024; ELA, [Un ajuste que agranda la brecha. Primer cuatrimestre 2024](#), June 4, 2024.

⁸⁷ UN Women, [Domestic and care work make up a feminized sector, with high informality and low wages](#), September 16, 2022.

⁸⁸ CIPPEC, [Paid domestic work: a key sector, but in crisis](#), July 2023.

⁸⁹ IACHR, Thematic Hearing, Impact of social policies on workers in the popular economy in Argentina, 191st regular session, Washington, D.C. United States, November 14, 2024.

89. The Special Rapporteurship also took note of a measure specifically adopted to improve the social protection of the elderly in the face of high inflation.⁹⁰ This measure consisted in the modification of the pension mobility formula, linking the updating of contributory and non-contributory benefits to the variations in the General Level of the National Consumer Price Index (IPCN) published by INDEC, and reducing the lag in the updating of pensions from a quarterly to a monthly update. However, civil society organizations have pointed out that, despite this reform, the purchasing power of pensions and pensions would continue to be affected in a context of fiscal adjustment. According to information received by REDESCA, the average purchasing power of retirements and pensions would have decreased by 29.2% in real terms when comparing the period from January to July 2024 with the same interval in 2023.⁹¹ In addition, the minimum haber would have fallen by 20.7% compared to September 2023 and by 30.3% compared to September 2017.⁹² This loss of purchasing power occurs in a context of high inflation, which has led to an increase in the prices of food, medicines, pre-payments and the costs of care systems, factors that especially affect the elderly, limiting the effective enjoyment of their ESCER.

90. With respect to the impact of the fiscal measures on the educational sector, the protests and social mobilizations developed throughout the country have been monitored in view of the lack of financing for educational centers and public universities. In this regard, it has been noted that the Superior Council of the University of Buenos Aires declared, by unanimous vote of its members, the budgetary emergency in such educational institution, due to the decision of the National Government of to extend the budgetary values from the year 2023 to 2024.⁹³ In relation to the above, we take careful note of the debate around the University Financing Law in October and the presidential veto issued in a context of demands for greater investment in higher education and better salaries for those working in the country's public universities.⁹⁴

91. REDESCA urges the Argentine State to integrate a human rights-based approach in the formulation and implementation of its national fiscal policy, recognizing this approach as an essential framework to guide fiscal and tax policies. In this context, and in accordance with international human rights standards, the following fundamental principles and obligations for fiscal policy are highlighted: guaranteeing minimum essential levels of rights; mobilizing the maximum available resources for the progressive realization of ESCER; ensuring non-regressivity and progressivity in the realization of these rights; and guaranteeing the principle of equality and non-discrimination.

D. Democracy and guarantee of ESCER

92. The Office of the Special Rapporteurship has closely followed the legislative initiative through which the Executive Branch proposed a reduction in the size of the State structure, by means of an administrative transformation and reorganization.⁹⁵ In this context, it has become aware of the reduction in the number of ministries and the merger and closure of various agencies.

93. REDESCA highlights the historical commitment of the Argentine State to the implementation of a universal and free health system, which covers the entire national territory. This effort is presented as a reference in the region, demonstrating a firm commitment to equality in access to health services, guaranteeing non-discrimination for the entire population. However, as part of its monitoring activities, the Office of the Special Rapporteur received information from civil society on a series of measures implemented by the State that have a direct impact on the national health system.

⁹⁰ Response from the State of Argentina to REDESCA's request for information on loss of purchasing power of social security benefits, November 5, 2024. REDESCA file.

⁹¹ Congressional Budget Office, [Analysis of the budget execution of the national administration - July 2024](#), August 07, 2024.

⁹² Chequeado, [Cómo evolucionó el poder adquisitivo de las jubilaciones en el gobierno de Javier Milei](#), September 11, 2024.

⁹³ UBA News, [Institutional: Unanimous decision - UBA declared a budget emergency](#) April 10, 2024

⁹⁴ Presidency of the Argentine Republic, [VETO Decree 879/2024](#), October 2, 2024.

⁹⁵ National Executive Power - Decree 70/2023 - [BASES FOR THE RECONSTRUCTION OF THE ARGENTINE ECONOMY](#), December 20, 2023

94. According to publicly available information, the Necessity and Urgency Decree 70/2023⁹⁶, approved by the Executive Power, modified Law 26.682, eliminating the tools to regulate the prices of prepaid medicine plans. This caused successive increases in the costs of these services. In response, the Secretary of Commerce issued a resolution in April ordering the retroactivity of the increases, calculating them according to the Consumer Price Index (CPI) since December 2023.⁹⁷ In addition, the Superintendencia de Servicios de Salud filed a lawsuit for price abuse, and was successful in getting the companies to return the overcharges in 12 installments and the reinstatement of those who were terminated due to the increases.⁹⁸ However, REDESCA notes that the companies have been able to make differential increases depending on the conditions of the plan or the region in which they offer.⁹⁹

95. Similarly, this Special Rapporteurship has been informed about the increase in the prices of medicines, which would have been the result of the suspension of the policy of agreements with the laboratories that limited such increases. Decree No. 70/2023 repealed Law No. 27,113¹⁰⁰, which declared the activity of public laboratories to be of national interest, and abolished the National Agency of Public Laboratories (ANLAP), which was in charge of the research, production and public distribution of medicines, vaccines and medical supplies, including those that were not profitable for the private sector. REDESCA notes that the price increase could result in people's lack of access to medicines, especially when taking into account the data received on the drop in sales. According to this information, between November 2023 and January 2024, medicine prices increased by 111.9%, while inflation was 70.8%.¹⁰¹ Sales fell by 35% between December 2023 and April 2024 for over-the-counter drugs, and by 20% for prescription drugs.¹⁰² Compared to January 2023, sales declined 18.2% for OTC products and 16% for prescription.¹⁰³

96. In August 2024, REDESCA learned of a new resolution limiting access to medicines of the Comprehensive Medical Care Program (PAMI), affecting 44 key drugs such as antibiotics, antivirals and analgesics, which will be partially covered from 40% to 80% and which are added to a list of 11 medicines already cut in June.¹⁰⁴ In addition, changes were made to the conditions for accessing 100% coverage of medicines for social reasons, requiring that members have a net income of less than 1.5 times the minimum pensionable income and meet other requirements.¹⁰⁵ According to civil organizations, many of the drugs without full coverage are very expensive and represent a large part of the pensions¹⁰⁶ and the number of drugs covered for the elderly went from 3,000 to 2,000, a reduction of 33%. According to CEPA, between November 2023 and July 2024, the prices of drugs used by seniors increased by 188%, exceeding inflation of 164.6% in that period.¹⁰⁷

97. REDESCA was also informed about the suspension of the delivery of medicines to oncology patients and those with other serious or chronic diseases who do not have health coverage, whether public or private, by the Directorate of Direct Assistance for Special Situations.¹⁰⁸ In this regard, the Alianza Argentina de Pacientes reported more than 400 cases of difficulties in accessing medicines in different areas of the health system¹⁰⁹, and at least six deaths of patients who were waiting to receive the necessary medicines for their

⁹⁶ National Executive Power - Decree 70/2023 - [BASES FOR THE RECONSTRUCTION OF THE ARGENTINE ECONOMY](#), December 20, 2023

⁹⁷ Ministry of Economy and Commerce, "[Anticipated guardianship measure for prepaid medicine companies to recalculate the fee increases of their plans based on the variation of the CPI](#)", April 17, 2024.

⁹⁸ Superintendencia de Servicios de Salud, [Precautionary measure requested before the courts](#), April 17, 2024.

⁹⁹ Infobae, [Prepagas will be able to make increases according to the plan and the region, but they will have to detail the costs to their affiliates](#), September 3, 2024.

¹⁰⁰ National Executive Power - Decree 70/2023 - [Bases for the Reconstruction of the Argentine Economy](#), December 20, 2023, art. 264.

¹⁰¹ Center for Pharmacy Professionals, [Drug Report - February 2024](#), February 23, 2024.

¹⁰² El Cronista, [Alerta medicamentos: cuánto se desplomaron las ventas de las farmacias](#), May 20, 2024.

¹⁰³ Center for Pharmacy Professionals, [Drug Report - February 2024](#), February 23, 2024.

¹⁰⁴ La Nación, [Nuevo recorte en el PAMI: estos son los 44 medicamentos que perderán la cobertura al 100%](#), 30 de agosto de 2024.

¹⁰⁵ La Nación, [Nuevo recorte en el PAMI: estos son los 44 medicamentos que perderán la cobertura al 100%](#), 30 de agosto de 2024.

¹⁰⁶ CELS, [Salud en agonía, las medidas del gobierno y sus consecuencias en nuestras vidas](#), September 2024.

¹⁰⁷ Centro de Economía Política Argentina (CEPA), [Informe sobre los medicamentos más consumidos por las Personas Mayores en Argentina - Agosto 2024](#), August 08, 2024.

¹⁰⁸ CELS, [Salud en agonía, las medidas del gobierno y sus consecuencias en nuestras vidas](#), September 2024.

¹⁰⁹ ALAPA (Alianza Argentina de Pacientes), "[Response of patient organizations to the communiqué of the Ministry of Health and Ministry of Human Capital](#)," March 19, 2024

treatments were reported.¹¹⁰ In addition, civil organizations have pointed out the problems of access to medicines and biomedical technology for the treatment of various pathologies, such as HIV and cancer.¹¹¹

98. In this context, REDESCA urges the Argentine State to adopt measures to ensure equitable and affordable access to health services and medicines. Likewise, REDESCA reiterates that the right to health must be guaranteed without discrimination, ensuring conditions of accessibility, affordability, acceptability and quality for all people.

3. BAHAMAS

99. In the area of international commitments related to ESCER, the Bahamas has neither signed nor ratified key instruments in the Inter-American system, such as the American Convention on Human Rights and the Protocol of San Salvador. Likewise, it has neither signed nor ratified the Escazu Agreement, a fundamental treaty to guarantee the rights of access to information, public participation and justice in environmental matters. The signing and ratification of these instruments would represent a significant opportunity to strengthen the normative framework for the protection and promotion of ESCER in the Bahamas.

100. REDESCA joins the IADB's call for the need to generate updated information on poverty measurements in the Bahamas. The absence of recent data makes it difficult to accurately assess the country's progress in this area and limits the design of effective social policies that respond to the needs of the population, especially the most vulnerable groups.¹¹² REDESCA urges the Bahamas to prioritize the generation of these statistics, which will make it possible to more effectively address existing gaps and move towards a more equitable society.

101. According to the most recent information available, inequality in The Bahamas remains a persistent problem, with a Gini coefficient estimated at 0.57,¹¹³ reflecting challenges in terms of equity and sustainable development.

A. Climate emergency and environmental protection

102. The Bahamas has a high vulnerability and climate preparedness score according to the ND-GAIN matrix, ranking 97th.¹¹⁴ This means that the country is on track to respond effectively to climate change, but adaptation needs and the urgency to act are greater than in other countries. Also, according to the aforementioned matrix, the Bahamas is the 72nd most vulnerable country in the world and the 92nd most prepared.¹¹⁵ Along these lines, REDESCA expresses its concern about the current climate threat, described by the Prime Minister and Minister of Finance, during the *Global Citizen Now 2024* Summit in New York, where he warned about the serious risk faced by the Bahamas as a low-lying island state.¹¹⁶ Climate change could lead to Bahamians becoming "climate refugees" or facing a "watery grave" if the current trajectory of global warming continues.¹¹⁷

¹¹⁰ Tiempo Argentino, [At least six patients who stopped receiving State medication have already died: "Those responsible are in power"](#), April 17, 2024.

¹¹¹ CELS, [Salud en agonía, las medidas del gobierno y sus consecuencias en nuestras vidas](#), September 2024.

¹¹² IDB and Inter-American Investment Corporation, [IDB Group Country Strategy with the Commonwealth of The Bahamas](#), cited above, February 2024.

¹¹³ IDB and Inter-American Investment Corporation, [IDB Group Country Strategy with the Commonwealth of the Bahamas](#), February 2024.

¹¹⁴ Notre Dame Global Adaptation Initiative, [Bahamas](#), October 24, 2024.

¹¹⁵ Notre Dame Global Adaptation Initiative, [Bahamas](#), cited above, October 24, 2024.

¹¹⁶ The Government of The Bahamas, Bahamas, [Prime Minister Davis describes the current climate threat to The Bahamas at Global Citizen Now 2024 Summit in New York](#), Press Releases, May 3, 2024.

¹¹⁷ The Government of The Bahamas, Bahamas,

103. REDESCA welcomes Bahamas' effort to meet its goal of expanding its solar energy capacity to 30% of total energy production by 2033, which is being supported by the IADB and the Bahamas Development Bank. Currently, solar energy accounts for less than 1% of the total energy generated, while oil dominates electricity production with almost 99%.¹¹⁸ REDESCA also notes the commissioning of significant projects such as the Fairfield Solar Power Plant, which began operations in April 2024. This project, financed by the IADB, is expected to reduce more than 5,000 tons of CO2 emissions per year and contribute to establishing a market for clean energy sources in the region.¹¹⁹

104. The Special Rapporteurship recognizes the efforts the State is making to advance climate mitigation goals and highlights the new electricity regulation, which aims to support the environmentally sustainable use of electricity, increase competition in the electricity sector, and allow the use of off-grid solar systems. These changes are intended to improve consumer protection and promote energy efficiency.¹²⁰

105. In the same vein, REDESCA underlines the importance of the policies implemented by the State with the introduction of the *Natural Gas Bill, 2024*. The objective of the bill is to establish a legislative framework that safely, efficiently and economically regulates the import, regasification, transportation and marketing of natural gas, promoting its safe and affordable access, improving fuel efficiency to reduce costs for consumers, and supporting global efforts to reduce emissions and combat climate change.¹²¹

106. In relation to access to safe drinking water, the Special Rapporteurship notes that the Bahamas is classified as a water-scarce nation, whose freshwater supply depends primarily on irregular rainfall.¹²² However, these supplies are limited and often contaminated by saltwater intrusion, particularly in areas still recovering from Hurricane Dorian that occurred in 2019.¹²³ Along these lines, it recognizes the State's efforts to modernize the water supply and sanitation systems with the objective of improving service coverage and operational efficiency.¹²⁴

B. Business and human rights

107. REDESCA notes that IADB Invest has offered advisory services to increase the participation and technical skills of women in the solar photovoltaic sector at the Fairfield Solar Plant, which began operations in April 2024, to foster the country's sustainable growth through renewable energy. The goal is to reach at least 10% of women in non-traditional roles, such as mechanical and electrical and in the construction and installation of solar panels. Currently, 13 women have been hired out of a total of 69 employees. The project will also provide the necessary resources to increase female participation by improving vocational training and educational opportunities, changing social norms about traditionally male-dominated careers.¹²⁵

108. REDESCA is concerned about reports that the Bahamas would not effectively enforce laws related to minimum wage, overtime and occupational health and safety regulations and penalties were rarely imposed on violators. In addition, the number of labor inspectors would not be sufficient to ensure compliance with regulations. Inspectors had the power to conduct surprise inspections and apply penalties, and employers generally cooperated to comply with safety standards.¹²⁶

¹¹⁸ Ministry of Economic Affairs, [The Bahamas set to aggressively expand its use of solar energy by 2033](#), October 24, 2024.

¹¹⁹ IDB Invest, [Flagship renewable energy project in The Bahamas begins operations with support from IDB Invest](#), April 30, 2024.

¹²⁰ New Energy Era in the Bahamas, [New 2024 Electricity Legislation](#), October 24, 2024.

¹²¹ The Government of The Bahamas, [Bahamas. Introduction of the Natural Gas Bill, 2024 Represents the Government's Commitment to Finding a Cleaner Source of Fuel](#), Press Releases, May 2, 2024; Office of the Prime Minister, Commonwealth of the Bahamas, [Prime Minister Philip Davis's Contribution to the Debate on the Electricity Bill, 2024 and the Natural Gas Bill, 2024](#), May 1, 2024.

¹²² Mission of the Commonwealth of the Bahamas to the United Nations, [Statement to be delivered by His Excellency Stan Smith Permanent Representative of the Commonwealth of the Bahamas to the United Nations](#), March 24, 2024, p. 2;

¹²³ Permanent Mission of the Commonwealth of the Bahamas to the United Nations, [Statement to be delivered by His Excellency Stan Smith Permanent Representative of the Commonwealth of the Bahamas to the United Nations](#), cited above, 24 March 2024;

¹²⁴ IDB, [The Bahamas Water Supply and Sanitation Systems Upgrade Program](#), September 2024.

¹²⁵ IDB Invest, [Flagship renewable energy project in The Bahamas begins operations with support from IDB Invest](#), April 30, 2024.

¹²⁶ U.S. Department of State, [The Bahamas 2023 Human Rights Report](#), 2023. P. 24.

109. The Special Rapporteurship has observed that in February 2024, the Bahamas Ministry of Tourism, Investment and Aviation signed a landmark agreement with SpaceX, marking a milestone in the country's foray into space technology and associated tourism.¹²⁷ However, the available information does not include reference to assessments of the potential environmental impacts of such activities.

C. Economic and fiscal policies

110. REDESCA notes that, in January 2024, The Bahamas has shown the second lowest annual inflation rate among Caribbean countries according to IADB figures, at 1.3% in contrast to the average annual inflation rate recorded in January 2023 which was 3.1%.¹²⁸

111. The Rapporteurship highlights that public debt is high¹²⁹, considering that, according to IADB data, the consolidated public sector debt of Bahamas reached 86.8% of GDP at end of 2023, down from 91.5% at the end of 2022.¹³⁰ In this fiscal context, the State has recognized that improving tax revenue administration is not enough. Therefore, it has introduced new tax measures, such as the proposal of a corporate income tax for foreign companies, with the objective of increasing revenue collection and promoting greater equity in the tax system.¹³¹

112. REDESCA welcomes the steps the Bahamas has taken to improve its capacity to directly access climate finance. This involves strengthening national financial institutions to better manage and implement projects funded by international climate finance mechanisms, such as the Green Climate Fund.¹³² Access to financing to design climate adaptation and mitigation policies is key for island countries, considering their climate vulnerability.

113. In that vein, REDESCA joins the UN's call for the international community to provide more concessional loans and debt relief specifically related to climate-induced disasters. This support is crucial for countries like the Bahamas, which contribute minimally to global emissions, but face severe climate change impacts.¹³³ In this regard, in the framework of the Advisory Opinion on Climate Emergency and Human Rights, the observations that the IACHR and REDESCA presented at the public hearings reiterated that a differentiated approach should be applied to specific geographic regions.¹³⁴

114. The Special Rapporteurship highlights the State's efforts to advance Blue Economy projects. Through an IDB line of credit, the Bahamas intends to implement the Local Sustainable Development Program in the Blue Economy, with emphasis on the promotion of sustainable tourism and conservation of marine protected areas.¹³⁵

¹²⁷ Bahamas Ministry of [Tourism, Investments Ministry of Tourism, Investments & Aviation Secures Historic Agreement with SpaceX to Propel Bahamas into the Space Technology & Tourism Frontier](#) & Aviation, , available at: , accessed January 13, 2025.

¹²⁸ Inter-American Development Bank, [Caribbean Economics Quarterly: Volume 13, Issue 1: Risks and Opportunities for Caribbean Economies in a Diverging World](#), May 2024.

¹²⁹ [IMF Executive Board Concludes 2023 Article IV Consultation with The Bahamas](#), cited above.

¹³⁰ [Caribbean Economics Quarterly: Volume 13, Issue 1: Risks and Opportunities for Caribbean Economies in a Diverging World](#), cited above.

¹³¹ Office of the Prime Minister of the Commonwealth of the Bahamas, [Press Statement from the Office of The Prime Minister on the Announcement of Qualified Domestic Minimum Top-Up Tax \(QDMTT\)](#), February 1, 2024; [Caribbean Economics Quarterly: Volume 13, Issue 1: Risks and Opportunities for Caribbean Economies in a Diverging World](#), May 2024.

¹³² Green Climate Fund, [Enhancing the Capacity of The Bahamas for Direct Access to Climate Finance](#), March 25, 2024.

¹³³ United Nations, [UN expert calls for long-term financial planning to address climate change](#), September 1, 2023; Mother Jones, [Climate Disasters Are Leaving Some Poor Nations in a Crushing Cycle of Debt](#), March 8, 2024.

¹³⁴ REDESCA, [In historic hearing process with REDESCA's participation, the IACHR Court will issue an advisory opinion on state obligations in the face of climate emergency](#), June 5, 2024.

¹³⁵ IDB, [Bahamas to boost blue economy with IDB support](#), April 3, 2024.

D. Democracy and guarantee of ESCER

115. REDESCA notes that some challenges have been reported with regard to nutrition and diet-related non-communicable diseases (NCDs).¹³⁶ In this context, the Rapporteurship highlights the importance of the Bahamas National Multisectoral Strategy and Action Plan for Non-Communicable Diseases (2017-2022), which established actions to reduce preventable morbidity and premature mortality caused by NCDs and to control the risk factors attributed to these diseases¹³⁷, as well as the ban on the sale of sugary drinks in public schools and health centers since 2019 to combat the growing rates of obesity and related health problems¹³⁸, for which the importance of effective regulations to address this public health problem is emphasized.¹³⁹ In this regard, the Rapporteur urges the continued adoption of measures to prevent the increase of diet-related NCDs and to ensure the right to adequate food, which, among other things, implies addressing the challenge of high import dependency.¹⁴⁰

116. In relation to the protection of labor rights, REDESCA notes that according to available information, the Ministry of Labor did not have enough inspectors to follow up on child labor reports and had incidents of child labor in the informal sector, on family farms and with street vendors.¹⁴¹

4. BARBADOS

117. In the context of international commitments related to ESCER, Barbados is a party to the American Convention on Human Rights. However, the State has not ratified or signed the Protocol of San Salvador or the Escazú Agreement. The Special Rapporteurship considers that moving forward with the ratification of these instruments would be consistent with Barbados' interest in environmental protection, aligning with its efforts to address environmental challenges.

118. According to the UNDP's 2023 Human Development Report, 2.5% of Barbados' population (approximately 7,000 persons) lives in multidimensional poverty, with an average deprivation intensity of 34.2%. This indicates that, on average, each individual faces 34.2% of the possible deprivations assessed in the Multidimensional Poverty Index (MPI).¹⁴² Regarding inequality, Barbados' Gini coefficient was estimated at 0.43 for the year 2010 and decreased to 0.32 in the period 2016-2017, according to World Bank data¹⁴³, these being the most recent data found. This reduction suggests an improvement in income distribution during that period.

119. REDESCA stresses the urgent need to generate updated information on inequality measurements in Barbados, as their absence represents a significant barrier to assessing the country's progress in this area. The collection and updating of this data is essential for designing social policies that respond effectively to the needs of the population, with special attention to vulnerable populations.

A. Climate emergency and environmental protection

120. The Special Rapporteurship notes that Barbados faces a high susceptibility to adverse climatic phenomena, such as hurricanes, rising sea levels, coastal erosion and increased flooding. These conditions particularly affect the tourism sector, which is highly concentrated in coastal areas and is an essential pillar of

¹³⁶ Global Nutrition Report, [Bahamas](#), ya citada, 24 de octubre de 2024.

¹³⁷ FAO. FAOLEX Database: [National Multi-sectoral Non-Communicable Disease Strategy and Plan of Action for The Bahamas \(2017-2022\)](#). | FAOLEX, 10 de octubre de 2023.

¹³⁸ World Obesity, [Bahamas Policies, Interventions and Actions](#), 24 de octubre de 2024.

¹³⁹ IACHR-REDESCA, [Las Enfermedades No Transmisibles y los Derechos Humanos en las Américas](#), August 31, 2023.

¹⁴⁰ Food Systems Dashboard, [Bahamas](#), 24 de octubre de 2024.

¹⁴¹ U.S. Department of State, [The Bahamas 2023 Human Rights Report](#), 2023. P. 23.

¹⁴² UNDP, [Multidimensional Poverty Index 2023](#). Briefing note for countries on the 2023 Multidimensional Poverty Index: Barbados, July 2023, p. 1-2.

¹⁴³ ECLAC, [Social Panorama of Latin America and the Caribbean](#), 2023. P. 62.

the national economy.¹⁴⁴ According to the ND-GAIN matrix, Barbados ranks 30th on the adaptation index, indicating that although significant adaptation challenges remain, the country is relatively well positioned to address them. In this index, Barbados ranks as the 128th most vulnerable country and the 29th most prepared,¹⁴⁵ reflecting a response capacity that can be strengthened through the implementation of more robust environmental and climate resilience policies. In this context, the Office of the Special Rapporteur urges the State to prioritize actions that integrate environmental sustainability and climate justice, ensuring the protection of the most vulnerable sectors of the population and promoting adaptation strategies aligned with international human rights standards.

121. REDESCA highlights the passage of Hurricane Beryl over Barbados in July 2024 as an example of the immediate threats posed by extreme weather events, which are expected to become more frequent and intense due to climate change.¹⁴⁶ Beryl was the first Category 5 hurricane recorded in July in the Atlantic and one of the strongest ever seen at the start of the season.¹⁴⁷ The hurricane's catastrophic winds and heavy rains disrupted essential services such as water, electricity and healthcare for the entire month of July 2024.¹⁴⁸

122. The Special Rapporteurship notes the serious impacts caused by Hurricane Beryl, which severely affected livelihoods in Barbados, especially in the fishing and agricultural sectors. It also caused significant losses of equipment and some crops, which aggravated the economic difficulties of fishermen and farmers. The housing sector was also affected, with 55 houses damaged and requiring immediate repairs. Additionally, the storm disrupted essential services, increasing food and water shortages, and raising health concerns, including mental health issues and the spread of waterborne diseases.¹⁴⁹

123. REDESCA calls attention to the differentiated impacts that these types of climatic events have on vulnerable groups. In the case of Hurricane Beryl, women, children, the elderly and low-income families were affected by the loss of livelihoods suffered by fishing communities in Barbados. In particular, women in the fishing value chain suffered greater economic pressures, exacerbating existing gender inequalities.¹⁵⁰

124. In the same vein, the Rapporteurship notes that the tourism sector suffered significant losses, according to the results of the audit of the Barbados Hotel and Tourism Association (BHTA) following Hurricane Beryl, regarding the damage suffered by tourism properties and businesses on the coast and inland. The audit revealed that 73.5% of accommodations and 9.4% of villas were damaged by the hurricane. These compounded problems underscore the urgency of addressing the immediate and long-term needs of the affected communities.¹⁵¹

125. REDESCA takes note of the resolution adopted by the OAS Permanent Council on July 12, 2024, in response to the impact of Hurricane Beryl. The resolution expresses concern for the damage in the Caribbean and other regions, underscoring the need for international cooperation to address climate change. It stresses the importance of financially supporting affected countries by operationalizing the "Loss and Damage Fund" and finalizing a new quantified collective target within the United Nations Framework Convention on Climate Change. It also called for the release of concessional funds, cancellation or rescheduling of debt payments, and investment in infrastructure and early warning systems. Finally, the resolution calls for reducing emissions,

¹⁴⁴ UN - Environment Program, [How Barbados Became a Powerful Voice for Climate Justice](#), cited above.

¹⁴⁵ Notre Dame Global Adaption Initiative, [Barbados](#), October 24, 2024.

¹⁴⁶ Exam, [Why is the Beryl storm different from other weather phenomena?](#) July 3, 2024.

¹⁴⁷ Minister of Home Affairs and Information of Barbados, [Ministerial Statement on the passage of Hurricane Beryl](#), July 8, 2024, p. 4.

¹⁴⁸ International Federation of Red Cross and Red Crescent Societies (IFRC), [Initial Assessment Report Hurricane Beryl: Barbados](#), August 12, 2024.

¹⁴⁹ International Federation of Red Cross and Red Crescent Societies (IFRC), [Initial Assessment Report Hurricane Beryl: Barbados](#).

¹⁵⁰ International Federation of Red Cross and Red Crescent Societies (IFRC), [Initial Assessment Report Hurricane Beryl: Barbados](#).

¹⁵¹ Minister of Home Affairs and Information of Barbados, [Ministerial Statement on the passage of Hurricane Beryl](#), cited above, July 8, 2024.

supporting developing countries and fostering hemispheric cooperation, encouraging the OAS General Secretariat to mobilize resources and international support.¹⁵²

126. The Special Rapporteurship recognizes the efforts that Barbados is advancing towards the goal of achieving a 100% renewable electricity sector by 2030, with significant investments needed to achieve this goal.¹⁵³ Government initiatives to achieve this goal include increasing the use of renewable energy sources and promoting electric mobility in public transport.¹⁵⁴ Likewise, the Rapporteurship takes note of the entry into force in June of the flagship Energy Supply Act, which aims to facilitate investment in new renewable energy companies and establish guidelines for various industries to comply with renewable energy.¹⁵⁵

127. REDESCA welcomes progress in the development of the *Roofs to Reefs* program in Barbados, an integrated national initiative that seeks to strengthen housing, protect critical infrastructure and conserve marine ecosystems. The program promotes the use of renewable energy technologies, rainwater harvesting and nature-based solutions to reduce runoff into coastal ecosystems, thereby contributing to environmental sustainability and strengthening the resilience of local communities.¹⁵⁶

128. Regarding access to drinking water, REDESCA highlights that Barbados faces a chronic shortage of fresh water, with more than 80% of its supply coming from subway aquifers where changing weather patterns increase the risk to these vital resources.¹⁵⁷ In this regard, it welcomes the development of projects that the Government is advancing with IDB support for water reclamation and reuse. This project seeks to improve its climate-resilient water infrastructure and hopes to help 210 smallholder farmers, 41% of whom are below the poverty line, by providing them with a sustainable water source for irrigation.¹⁵⁸

B. Business and human rights

129. According to available information, agriculture in Barbados has undergone a significant transformation, adopting technological innovations to improve efficiency and resource management. The use of solar-powered irrigation systems, hydroponic farming and rainwater harvesting has improved agricultural productivity and environmental sustainability.¹⁵⁹

130. With regard to labor protection in the corporate sphere, according to available information, although Barbados' legislation recognizes the right of workers to form and join unions, as well as to carry out legal strikes, it does not explicitly recognize the right to collective bargaining. However, it would not include an explicit recognition of the right to collective bargaining. In addition, the legislation would not require employers to recognize unions or to engage in collective bargaining. The law prohibits anti-union discrimination and protected workers engaged in union activities. The courts have the power to order reinstatement, reinstatement, or compensation in cases of anti-union discrimination. Although it allows private sector employees to exercise the right to strike, it prohibits strikes by workers in essential services such as police, fire, electricity, and water supply. On the other hand, the law also prohibits sexual harassment in the workplace and established civil penalties for such cases.¹⁶⁰

¹⁵² OAS Permanent Council, *Addressing the Impact of Hurricane Beryl and Strengthening Resilience to Climate Change in the Americas*, Resolution, CP/RES. 1259 (2504/24), July 12, 2024.

¹⁵³ Inter-American Development Bank, [Barbados: Turning vulnerability into climate action](#), April 30, 2024.

¹⁵⁴ Inter-American Development Bank, [Barbados: Turning vulnerability into climate action](#), cited above.

¹⁵⁵ Barbados Today, [Renewable energy law by mid-year, says Minister Cummins](#), February 7, 2024.

¹⁵⁶ UN - Environment Program, [How Barbados Became a Powerful Voice for Climate Justice](#), cited above.

¹⁵⁷ Cari-Bois Environmental News Network, Barbados ramps up efforts to protect scarce water resources, August 20, 2023.

¹⁵⁸ Inter-American Development Bank, [Barbados will improve its climate-resilient water infrastructure with IDB support](#), cited.

¹⁵⁹ FAO, [Resilient Caribbean Initiative](#): Barbados, accessed January 13, 2025.

¹⁶⁰ U.S. Department of State, [Barbados 2023 Human Rights Report](#), 2023.

C. Fiscal and economic policies

131. REDESCA highlights that in Barbados the economy had an estimated growth of 4.4%, from January to December 2023, driven by tourism and related sectors.¹⁶¹ In 2023, four years after the onset of the COVID-19 pandemic, real GDP has returned to a level comparable to that of 2019. The unemployment rate stood at 8.2% in Q4 2023, up from 7.2% a year earlier, due in part to the phasing out of the temporary national recovery and sanitation program. However, the annual unemployment rate declined to 7.9 % in 2023, from 8.4 % a year earlier, and remains below the historical average of around 10 %. Disparities between men and women persist in Barbados. The unemployment rate is higher for women than for men, with respective rates of 8.2% and 7.6% in 2023. In addition, female labor force participation remains lower.¹⁶²

132. REDESCA salutes the leadership that Barbados has taken in advocating for climate justice through the Bridgetown Initiative, which calls for debt relief and new financing mechanisms for vulnerable nations. This initiative seeks to secure targeted funding for climate adaptation efforts, promote new lending and encourage private sector investment.¹⁶³

133. Additionally, the Special Rapporteurship notes that Barbados' 2024/25 budget included the introduction of new tax credits for green economy projects and the temporary elimination of Value Added Tax and tariffs for residential generators and water harvesting systems.¹⁶⁴ These measures are key to making progress in meeting climate mitigation and adaptation goals.

134. REDESCA welcomes Barbados' decision to ratify the ILO Domestic Workers Convention, 2011 (No. 189) on 24 May 2024. This convention will enter into force for Barbados on May 24, 2025. Its ratification represents a significant step forward in the protection of the human rights, especially ESCER, of paid domestic workers.¹⁶⁵

135. The Special Rapporteurship also highlights that Barbados has been ranked as the least corrupt country in the Caribbean Community (CARICOM), according to the 2023 Corruption Perceptions Index (CPI) report prepared by Transparency International.¹⁶⁶

D. Democracy and guarantee of ESCER

136. Barbados faces some challenges in terms of food security, health and livelihoods, in part due to the threats posed by the climate emergency that impacts food production, access and availability. Thus, the increasing variability of the climate, together with the high cost of living, poses an additional challenge for already vulnerable households, particularly those dependent on climate-sensitive livelihoods such as agriculture and fishing. As of April 2024, it is estimated that 5% of the population would experience severe food insecurity, while 32% would experience moderate food insecurity, slightly lower than the regional average.¹⁶⁷ Furthermore, challenges have been reported in terms of access to healthcare and adequate nutrition, especially with regard to nutrition and non-communicable diseases (NCDs), including obesity and diabetes.¹⁶⁸

137. The Office of the Special Rapporteur welcomes the fact that the authorities have set a target of reducing new cases of non-communicable diseases by 50% as part of their national health strategy, considering

¹⁶¹ International Monetary Fund: [IMF Executive Board Concludes the Third Reviews Under the Extended Fund Facility and the Resilience and Sustainability Facility](#), June 28, 2024

¹⁶² Inter-American Development Bank, [Caribbean Economics Quarterly: Volume 13, Issue 1: Risks and Opportunities for Caribbean Economies in a Diverging World](#), cited above

¹⁶³ Inter-American Development Bank, [How Barbados Became a Powerful Voice for Climate Justice](#), cited.

¹⁶⁴ PWC, [2024/25 Budget review Barbados](#), March 18, 2024.

¹⁶⁵ International Labour Organization (ILO), *Domestic Workers Convention, 2011 (No. 189)*.

¹⁶⁶ Transparency International, [Corruption Perceptions Index 2023](#), January 30, 2024, p. 14.

¹⁶⁷ WFP, FAO y Caricom. [Caribbean Food Security & Livelihoods Survey: BARBADOS](#), April 2024

¹⁶⁸ Global Nutrition Report, [Barbados](#), already cited; Ministry of Health and Wellness, [NCDs Burden A Public Health Crisis](#), September 11, 2024.

that 8 out of 10 deaths in Barbados are due to NCDs.¹⁶⁹ The government has implemented comprehensive plans to address these problems through public health campaigns and policy interventions aimed at reducing risk factors such as poor diet and sedentary lifestyles.¹⁷⁰

138. REDESCA highlights the importance of addressing this situation, which has as one of its challenges the country's dependence on food imports.¹⁷¹ This is partly due to the fact that the country does not produce enough food to meet its consumption needs, which aggravates nutritional deficiencies and economic instability.¹⁷² The efforts being made by the Government and FAO to raise the country's agricultural sector to a standard of excellence, through initiatives such as a food system assessment and innovative approaches such as the use of silage as fertilizer, thereby addressing environmental concerns and promoting sustainability, are recognized.¹⁷³

5. BELIZE

139. With respect to international commitments in the area of ESCER, Belize ratified the Escazú Agreement in 2023, which represents a significant step towards promoting transparency, citizen participation and access to justice in environmental matters. However, the country has not yet ratified the American Convention on Human Rights or the Protocol of San Salvador, fundamental instruments for the protection of economic, social, cultural and environmental rights. REDESCA urges the State to prioritize the ratification of these instruments, which would strengthen the normative framework of human rights.

140. In reference to the poverty rate, according to the report published by the Statistical Institute of Belize in March 2024, the country's Multidimensional Poverty Index, which captures deprivations in various social and economic dimensions, including access to health, education, employment and standard of living, amounted to 26.4% in September 2023.¹⁷⁴ This represents a significant drop in the level of multidimensional poverty compared to three years ago (September 2021), when this index was 36.5%.¹⁷⁵

141. On the other hand, according to available information, the incidence of poverty recorded up to September 2023 is much higher in rural areas than in urban areas considering that 39.9% of the country's rural population experienced a situation of multidimensional poverty compared to 8.3% of the urban population. By geographic location, the district most affected by poverty was Toledo and the least affected was Belize. The districts of Cayo, Belize and *Orange Walk* recorded the largest declines in the poverty rate with reductions of 12.4%, 12.1% and 10% respectively compared to September 2021.¹⁷⁶

142. The population of Mayan origin would have registered, according to the available information, the highest level of poverty considering that 60.2% of this population faced a situation of multidimensional poverty which contrasts with the 9.1% of the population of Creole origin that showed the lowest index. It also stands out from the available information that male-headed households showed a higher poverty rate considering that 29.6% percent of these households faced this situation; in comparison with female-headed households that registered a poverty rate of 19.7%.¹⁷⁷

¹⁶⁹ Ministry of Health and Wellness, [Government Sets Out To Reduce NCDs By 50 Per Cent](#), March 28, 2024.

¹⁷⁰ Ministry of Health and Wellness, [Government Sets Out To Reduce NCDs By 50 Per Cent](#), cited above.

¹⁷¹ Inter-American Development Bank, [Caribbean Economics Quarterly: Volume 13, Issue 1: Risks and Opportunities for Caribbean Economies in a Diverging World](#), cited above.

¹⁷² Inter-American Development Bank, [Caribbean Economics Quarterly: Volume 13, Issue 1: Risks and Opportunities for Caribbean Economies in a Diverging World](#), cited above.

¹⁷³ Barbados Today, [FAO helping create framework for agricultural sector](#), April 3, 2024.

¹⁷⁴ Statistical Institute of Belize, [Multi Dimension Poverty Index, MPI release for September 2023](#), March 27, 2024.

¹⁷⁵ Statistical Institute of Belize, [Multi Dimension Poverty Index, MPI release for September 2023](#), cited above.

¹⁷⁶ Statistical Institute of Belize, [Multi Dimension Poverty Index, MPI release for September 2023](#), cited above.

¹⁷⁷ Statistical Institute of Belize, [Multi Dimension Poverty Index, MPI release for September 2023](#), cited above.

143. In turn, the Gini coefficient in 2024 is projected to be 0.50¹⁷⁸, reflecting that the country's income distribution is relatively unequal, suggesting a significant, though not extreme, disparity between the richest and poorest sectors of the population.

A. Climate emergency and environmental protection

144. REDESCA takes note of Belize's efforts to combat climate change, having adopted a comprehensive climate change policy in 2014 and in effect until 2024.¹⁷⁹ It also notes that the country is implementing an Action Plan in this regard that began in 2022 and runs until 2026, which is aligned with the 2030 Agenda for Sustainable Development.¹⁸⁰ As part of this plan, Belize has been implementing a series of measures related to the fight against climate change and environmental protection, including the approval in 2023 of the Climate Change Act to advance in the management of risks related to the effects of this phenomenon and the effective management of its natural resources.¹⁸¹

145. In relation to these measures, REDESCA welcomes the completion, in May 2024, of the Annual Voluntary Review by Belize to assess the progress of the initiatives that the country has implemented at the national and subnational levels, including, among others, those related to climate change and sustainable development. This review was conducted in the framework of the collaboration that the country has established with the United Nations for the implementation of the 2030 agenda.¹⁸²

146. The Special Rapporteurship is concerned about the effects of climate change in Belize, particularly the intense forest fires that have devastated forest lands of Mayan communities. These fires, exacerbated by extreme heat waves and prolonged droughts during 2024, have significantly affected local communities.¹⁸³ More than 400 families in the Toledo District of southern Belize have reportedly been affected by fires that have destroyed approximately 6,000 acres of farmland, including the annual crops of hundreds of families.¹⁸⁴ According to available information, the government of Belize has reportedly acknowledged the loss of hundreds of virgin forests, including protected areas of important biodiversity, with consequent economic consequences, as a result of these forest fires. These events underscore from REDESCA's perspective the need to implement effective climate change mitigation and adaptation measures to protect the livelihoods and rights of indigenous and rural communities in Belize.

147. In response to this situation, REDESCA welcomes the initiatives taken by the Mayan community that provided immediate food aid to around 400 families and nearly 30,000 seedlings, which were planted to restore the land and farms affected by the fires. It also recognizes the measures taken by the State to address the damage caused by the fires in these communities, including the distribution of seeds and support to obtain financial assistance, as well as the provision of training to people in the community to respond to the fires and prevent their devastating effects.¹⁸⁵

148. In addition to the effects of climate change on Belize's territory, such as forest fires, there are also the effects of hurricanes, floods, rising sea levels, coastal erosion, drought and coral bleaching as a result of the warming of the country's marine waters. In this context, it is estimated that between 2002 and 2023 Belize experienced a 13% decrease in its primary forest area, equivalent to 148,000 hectares of land.¹⁸⁶

¹⁷⁸ Statista, [Socioeconomic Indicators -Belize](#), accessed on September 30th, 2024.

¹⁷⁹ Caribbean Community Climate Change Centre, [A National Climate Change Policy Strategy and Action Plan to Address Climate Change in Belize](#), 2014.

¹⁸⁰ Ministry of Sustainable Development, Climate Change and Disaster Risk Management, [National Policies and Plans where Environment, Environment, Climate Change and Disaster Indicators are required](#).

¹⁸¹ United Nations, [Belize](#).

¹⁸² Government of Belize Press Office, [Belize Convenes its National Validation Workshop to validate 2024 Voluntary National Review](#), May 10, 2024.

¹⁸³ World Bank Blogs, [Belize's wildfires: Indigenous leadership for climate resilience](#), August 9, 2024.

¹⁸⁴ Central America 360, [Forest fires have affected 400 families in southern Belize](#), accessed January 13, 2025.

¹⁸⁵ World Bank Blogs, [Belize's wildfires: Indigenous leadership for climate resilience](#), cited above.

¹⁸⁶ World Bank Blogs, [Belize's wildfires: Indigenous leadership for climate resilience](#), cited above.

149. REDESCA also takes note of the celebration of the Climate Week 2024 organized by the Ministry of Sustainable Development and Climate Change held from August 25 to 28 to stimulate collective efforts among youth and people in the agricultural sector to combat climate change and contribute to the development of sustainable agricultural practices and public policies.¹⁸⁷

150. REDESCA welcomes the joint work between Belize and the International Fund for Agricultural Development (IFAD) to promote agricultural resilience and sustainable development among poor rural communities, so that they are less impacted by the effects of climate change and economic crises.¹⁸⁸ In this regard, the Special Rapporteur takes note of the results of the mission carried out by IFAD to Belize between May 7 and 24, which included a study based on interviews with different local actors to evaluate the projects implemented as part of this collaboration, which was funded with US\$20 million.¹⁸⁹

151. In reference to access to water, REDESCA highlights that Belize has maintained a wide coverage in access to drinking water considering that at least 98% of the country's population has access to this guaranteed service, a figure that has remained constant since 2016.¹⁹⁰

152. However, the Office of the Special Rapporteur has taken note of information regarding access to safe drinking water, according to which this remains a significant challenge in some parts of the country, particularly in the southern rural areas near Belize City. According to UNICEF, more than 20% of schools in the country report unsafe access to safe drinking water, and 25% only have untreated water available for their students and staff.¹⁹¹ It also notes that in some indigenous communities, limited access to safe drinking water, together with the lack of sanitation and hygiene services, exacerbates conditions of vulnerability. A prominent case is that of the Machakilha community in the Toledo district, where 38 households of Maya Kekchi origin face significant difficulties in continuously and consistently accessing potable water.¹⁹²

153. On the issue of food security, REDESCA takes note of the results of the survey conducted by the World Food Program and CARICOM between March 19 and April 24, 2024 regarding Belize. The survey has been conducted since 2020 to collect data on people's livelihoods, market access and food security. According to the survey in 2024, 18% of the Belizean population faced a high level of food insecurity. This percentage is equivalent to that obtained in the survey in 2023, and is higher than in 2022 and 2021.¹⁹³ At the same time, 54% of the participants indicated that they had eaten less than they should in the last seven days, compared to 53% in the previous year, reflecting a situation of moderate food insecurity.¹⁹⁴ This situation has been intensified by disruptions in food distribution as a consequence of international events, climate change and inflation, especially impacting low-income people.¹⁹⁵

B. Business and human rights

154. Belize faces challenges in its energy sector, including concerns about potential shortfalls in electricity generation. The Belize Electricity Board (BEL) in late 2024 has requested authorization to declare an emergency due to projected insufficient generation capacity to meet demand over the next 12 months. This

¹⁸⁷ The Reporter, [Belize Climate Week 2024 Promises to be a Hub for Innovation, Inclusivity, and Action](#), August 27th, 2024.

¹⁸⁸ IFAD, [Belize Country Strategy note 2022-2024, Corporate document](#), December 23, 2021.

¹⁸⁹ The Reporter, [IFAD Mission in Belize Promotes Agricultural Resilience](#), June 3, 2024.

¹⁹⁰ World Bank Group, [People using at least basic drinking water services \(% of population\) Belize](#), accessed September 25, 2024.

¹⁹¹ UNICEF Belize, [Water, Sanitation and hygiene](#) Accessed on October 1st, 2024.

¹⁹² UNICEF Belize, [Watering the furthest to reach. How UNICEF is improving WASH services in Belize's indigenous communities](#), August 18, 2024.

¹⁹³ World Food Program, [Caribbean Food Security and Livelihoods Survey](#), April 2024.

¹⁹⁴ World Food Program, CARICOM, FAO and CDEMA, [Caribbean Food Security and Livelihoods Survey, Regional Survey Report](#), April 2024.

¹⁹⁵ World Food Program, CARICOM, FAO and CDEMA, [Caribbean Food Security and Livelihoods Survey, Regional Survey Report](#), cited above.

situation highlights the need for investments in sustainable energy infrastructure to ensure continued and equitable access to energy, an essential component for economic and social development.¹⁹⁶

155. Agriculture remains a pillar of the country's economy, with products such as sugar and bananas playing crucial roles. However, the sector faces significant challenges, including climate uncertainty, supply chain problems and rising production costs.¹⁹⁷ In response to the challenges linked to climate change, projects such as the Sustainable and Climate Resilient Agriculture Project in Belize, which seeks to increase agricultural productivity and promote climate-smart agricultural practices among farmers, have been implemented.¹⁹⁸

156. REDESCA is also concerned about reports that illegal logging continues in areas such as the Columbia Forest Reserve, which is located in the Toledo District on the Belize-Guatemala border. According to these reports, people have entered this forest reserve from Guatemala and have been illegally logging trees despite the Belize Defense Force's efforts to prevent it, including the destruction of bridges built by logging companies.¹⁹⁹ Logging for natural resource extraction not only reduces forest cover, but also threatens local biodiversity and disrupts essential ecosystem services.

157. In turn, REDESCA notes the accelerated growth of the telecommunications market in Belize and the increase in telecommunications density that has accompanied the decrease in tariffs for various services within the sector. According to data collected, Belize has relatively high rates of connectivity, including half of the population having internet access and almost 95% of adults owning mobile devices.²⁰⁰ Despite this, REDESCA stresses the need for greater investment and cross-training in the industry to support the expansion of the country's telecommunications infrastructure.

C. Fiscal and economic policies

158. With regard to Belize's economic and fiscal policies, REDESCA notes that although the economy has shown significant recovery since the COVID-19 pandemic, real GDP growth has slowed. According to IMF projections, growth fell from 8.7% in 2022 to 4.7% in 2023, and is estimated to be 3.4% in 2024.²⁰¹

159. In this context, inflation has shown variable behavior. In July 2024, the inflation rate stood at 3.8%, with projections that it will decrease to an average of 1.3% annually in subsequent years, which could reduce the inflationary impact on the domestic economy.²⁰² However, the IMF noted that in 2023 Belize faced the highest rate of food inflation since 2008, a trend that has exacerbated food insecurity in the country, especially in the most vulnerable communities.²⁰³

¹⁹⁶ Ecoportal, *Belize fears new energy deficit*, available at: <https://www.ecoportal.net/energia/belice-teme-nuevo-deficit-energetico/>, accessed January 13, 2025.

¹⁹⁷ Realidad Económica, *La economía de Belice: Desafíos y oportunidades*, available at: <https://www.realidadeconomica.es/la-economia-de-belice-desafios-y-oportunidades/35659>, accessed on January 13, 2025. Prensa Latina, *Evalúa Belice riesgos y acciones para enfrentar cambio climático*, available at: <https://www.prensa-latina.cu/2024/12/19/evalua-belice-riesgos-y-acciones-para-enfrentar-cambio-climatico/>, accessed on January 13, 2025.

¹⁹⁸ IICA (Inter-American Institute for Cooperation on Agriculture), *Belize Climate Resilient and Sustainable Agriculture Project (CRESAP)*, available at: <https://opsaa.iica.int/initiative-1430-proyecto-de-agricultura-sostenible-y-resiliente-al-clima-en-belice>, accessed January 13, 2025.

¹⁹⁹ Amandala, *Illegal logging in Columbia Forest Reserve*, April 24th, 2024.

²⁰⁰ International Trade Administration of United States of America, *Belize Country Commercial Guide*, February 28th, 2024.

²⁰¹ International Monetary Fund, *Belize 2024 Article IV Consultation- Press Release: and Staff Report*, May 2024.

²⁰² International Monetary Fund, *Belize, 2024 Article IV Consultation- Press Release: and Staff Report*, cited above. Statistical Institute of Belize, *Consumer Prices up 3.8% in July 2024*, July 2024. IMF, *IMF Executive Board Concludes 2024 Article IV Consultation with Belize*, May 15, 2024.

²⁰³ International Monetary Fund, *Belize, Selected Issues*, May 15, 2024.

160. In turn, REDESCA notes that the unemployment rate has been falling substantially from 13.7% in the second half of 2020 to 5% in 2022 and 3.4% in 2024.²⁰⁴ Likewise, by the end of 2024, the unemployment rate is expected to stabilize at 2023 levels.²⁰⁵

161. The Special Rapporteurship also notes that the country's debt level has been decreasing from 103.3% of GDP in 2020²⁰⁶ to 66.2% of GDP in 2023.²⁰⁷ However, this is not expected to decrease to less than 50% of GDP in the coming years²⁰⁸ which may negatively impact the fiscal space available in public spending to the detriment of progress in guaranteeing ESCER. REDESCA welcomes the fact that in this context, according to available information, government goals include increasing the fiscal balance to 2% of GDP, as well as investment in social programs.²⁰⁹

162. On the other hand, REDESCA takes note of the signing by Belize of the Multilateral Agreement to Facilitate the Implementation of the Pillar Two Tax Treatment Rule (STTR), formalized on September 19, 2024 during a ceremony at the headquarters of the Organization for Economic Co-operation and Development (OECD) in Paris.²¹⁰ This agreement aims to introduce into bilateral agreements the Pillar Two Tax Treatment Rule, which allows developing countries, such as Belize, to protect their domestic tax base by establishing a minimum global tax of 15%. In this way, multinational companies will be obliged to pay a fair tax in each of the jurisdictions where they operate.²¹¹

D. Democracy and guarantee of ESCER

163. In relation to the participation of indigenous peoples in decision-making regarding environmental protection and the protection of their territorial rights, REDESCA has taken note of reports that the State of Belize has not yet adopted all the necessary legislative and administrative measures to establish an effective mechanism to identify, protect and guarantee the property and other related rights of indigenous communities, in accordance with their practices and customs. This situation is particularly relevant in light of the 2015 Caribbean Court of Justice decision, which recognized and affirmed the rights of Mayan communities in the south of the country to lands they have historically used and occupied.²¹²

164. According to these same reports, although the State has shown some progress in developing a public policy on this issue, these have been carried out without the free, prior and informed consent of the Mayan communities that would benefit from this policy.²¹³ However, it is important to note that, within the Mayan communities, there are different perspectives regarding community laws and customs.²¹⁴

165. REDESCA takes note of the measures adopted by the State since 2010 and continuing to date after a long consultation process to increase access to education and provide higher quality education²¹⁵, as part of these measures, Belize has increased public spending on education.²¹⁶ It also notes the efforts taken to address existing challenges in the education sector expressed in the Belize Education Sector Plan 2021-2025.²¹⁷

²⁰⁴ IMF, [IMF Executive Board Concludes 2024 Article IV Consultation with Belize](#), May 15, 2024

²⁰⁵ IMF, [IMF Executive Board Concludes 2024 Article IV Consultation with Belize](#), cited above.

²⁰⁶ Satatista, [Belize: National debt in relation to gross domestic product \(GDP\) from 2019 to 2029](#).

²⁰⁷ IMF, [IMF Executive Board Concludes 2024 Article IV Consultation with Belize](#), cited above.

²⁰⁸ IMF, [IMF Executive Board Concludes 2024 Article IV Consultation with Belize](#), cited above.

²⁰⁹ IMF, [Belize 2024 Article IV Consultation- Press Release; and Staff Report](#), May 2024. p. 1.

²¹⁰ Government of Belize Press Office, [Belize Signs the Multilateral Convention to Facilitate the Implementation of the Pillar Two Subject to Tax Rule](#), September 19, 2024.

²¹¹ Government of Belize Press Office, [Belize Signs the Multilateral Convention to Facilitate the Implementation of the Pillar Two Subject to Tax Rule](#), cited above.

²¹² Cultural Survival, [Belize Must Obtain Maya Peoples' Free, Prior and Informed Consent in Drafting the Maya Customary Land Policy](#), February 2nd 2024.

²¹³ Cultural Survival, [Belize Must Obtain Maya Peoples' Free, Prior and Informed Consent in Drafting the Maya Customary Land Policy](#), cited above.

²¹⁴ 5 Great Belize Television, [Indian Creek Village: Torn Between Two Governing Systems](#), November 6, 2024.

²¹⁵ UNESCO, [Belize: Ministry of Education Action Plan: 2010, issued in 2005](#), May 22, 2023.

²¹⁶ World Bank, [Belize Public Expenditure Review](#), February 2, 2024.

²¹⁷ Ministry of Education, Policy, Planning, Research and Evaluation Unit, [Belize Education Sector Plan 2021-2025](#), 2021.

These include the intention to reform the structure of the country's education system and transform the modes of teaching and teacher training; the emphasis on early childhood education and the education of unequal and special needs populations.²¹⁸

166. With respect to the right to health, the Office of the Special Rapporteur takes note of the country's progress in terms of child health. It highlights that between 2000 and 2022, infant mortality decreased by 27% from 21.2 deaths per 1000 children to 15.48 deaths. At the same time, the percentage of births with low birth weight decreased from 14.1% in 2006 to 9.5% in 2022.²¹⁹ However, this also expresses concern regarding the increase in the average maternal mortality rate. According to the latest available data in 2020, the average maternal mortality rate had risen to 130 maternal deaths per 100,000 births.²²⁰ Although the latter was possibly a result of the COVID 19 pandemic context, even so, it is worth noting that the average maternal mortality has shown an upward trend after it reached its lowest number in 2012 when 28 deaths were recorded on average per 100,000 births.²²¹ In this regard, the World Bank notes that despite recent progress in infant and maternal mortality, disparities in access to health services, as well as in the quality of these services and the results they yield, remain a challenge to achieve improvements in this area.²²² REDESCA encourages the government of Belize to adopt structural measures that will contribute to further decreases in maternal and infant mortality rates.

167. In this same regard, REDESCA welcomes the recent steps taken by Belize to increase the level of access to health services, including the decision in October 2023 to remove all existing fees in the country's public hospitals, which reduced financial barriers for low-income families to access health services, representing a fundamental step towards ensuring universal health access in the country.²²³

6. BOLIVIA

168. Bolivia has ratified the American Convention on Human Rights, the Protocol of San Salvador and the Escazú Agreement, reaffirming its commitment to the promotion and protection of ESCER. These ratifications consolidate the country's normative framework in the area of human rights, especially with regard to environmental protection and participation in environmental decisions.

169. REDESCA takes note of the progress made in the fight against poverty and extreme poverty in recent years. According to official information, the incidence of moderate poverty decreased from 60.6% in 2005 to 36.4% in 2023, while extreme poverty was reduced by more than 50%, falling from 38.2% in 2005 to 11.9% in 2023.²²⁴ Inequality, according to the Gini index, fell from 0.6 in 2005 to 0.4 in 2022. However, when disaggregated by zones, greater inequality is observed in rural areas compared to urban areas.²²⁵

A. Climate emergency and environmental protection

170. REDESCA expresses its concern about the impact of climate disasters in various regions of Bolivia. Devastating floods, historic increases in temperatures and prolonged droughts are clear evidence of the climate emergency facing the country. In particular, the floods that occurred in February in the city of Cobija, in the department of Pando, caused by the overflowing of the Acre River due to heavy rains, which forced the evacuation of 4,300 families in 16 affected neighborhoods.²²⁶

²¹⁸ Ministry of Education, Policy, Planning, Research and Evaluation Unit, [Belize Education Sector Plan 2021-2025](#), cited above.

²¹⁹ Pan American Health Organization, [Belize Country Profile](#), cited above.

²²⁰ Pan American Health Organization, [Belize Country Profile](#), cited above.

²²¹ Pan American Health Organization, [Belize Country Profile](#), cited above.

²²² World Bank, [Belize Public Expenditure Review](#), February 2, 2024.

²²³ Government of Belize Press Office, [Government of Belize Removes Fees in Public Hospitals](#), Promoting Universal Health Care access, October 31, 2023.

²²⁴ Ministry of Development Planning, Informe Rendición Pública de Cuentas Inicial: Gestión 2024, La Paz, April 2024, p. 4.

²²⁵ Instituto de Investigaciones Socio-Económicas (IISEC), [Inequality - Gini Index](#), Universidad Católica de Bolivia.

²²⁶ La Razón, [Cobija: Flooding forced the evacuation of 4,300 families in 16 affected neighborhoods](#), March 5, 2024.

171. The Special Rapporteur notes that periods of drought have especially affected the highlands and plains of the country, impacting the availability of water for human consumption. In 2023, Bolivia experienced the longest period of drought in its history, driven by high temperatures and the climate crisis, largely exacerbated by the El Niño phenomenon.²²⁷ This situation affected approximately 2 million people in seven of the country's nine departments (La Paz, Potosí, Cochabamba, Oruro, Chuquisaca, Tarija and Santa Cruz), depleting their economic resources and impairing their physical and mental well-being. The drought also caused the disappearance of bodies of water, massive losses in staple food crops such as potatoes, and the sickness and death of livestock due to water shortages.²²⁸ In turn, rural communities faced the most significant impacts, as agriculture and livestock are vital activities for their income and employment.²²⁹

172. On the other hand, REDESCA warns that forest fires in Bolivia have reached alarming levels in recent years, exacerbated by factors such as climate change and the expansion of the agricultural frontier. Given the seriousness of the situation, REDESCA conducted a working visit to the country from December 9-11 to assess the impact of forest fires on human rights, biodiversity and ecosystems. During the visit, which included meetings with national, departmental and municipal authorities, as well as with affected communities, REDESCA gathered information on measures taken by the State to mitigate the effects of the disaster and protect the rights of vulnerable populations, such as indigenous peoples and rural communities.

173. The fires, which affected more than 10 million hectares, have had serious repercussions that include the displacement of populations, the destruction of livelihoods, and the disruption of ecosystems essential to the subsistence of communities. Notwithstanding the severe air pollution observed at the national and transboundary levels, indigenous and rural communities, already in a vulnerable situation, faced even higher levels of pollution. This caused immediate effects, such as an increase in acute respiratory diseases, as well as long-term risks to cardiovascular and pulmonary health. In addition, negative effects were documented on mental health, with high levels of stress and anxiety, and on education, with the loss of classes for children and adolescents.

174. In its press release, REDESCA highlighted the Bolivian government's response, but warned of the need for a more comprehensive and coordinated approach to address the structural causes of the fires, such as massive deforestation, the expansion of the agricultural frontier and the uncontrolled use of fire. Despite the "Environmental Pause" implemented by the government, the delegation observed that illegal burning was still taking place, highlighting the need to strengthen control and monitoring mechanisms. The Special Rapporteurship stressed the importance of regulatory reform that prioritizes environmental sustainability and protects human rights, especially those of indigenous communities. It also called for the implementation of policies that limit the expansion of the agricultural frontier and promote sustainable agricultural practices. Finally, REDESCA urged thorough investigations to identify and punish those responsible for the fires, and highlighted the need to strengthen state capacities for prevention and response to future climate emergencies.²³⁰

175. Likewise, in response to this crisis, the State and communities must work together to implement strategies for prevention, protection and preservation of the right to a healthy environment. In this sense, REDESCA calls for increased investment in technology and resources for early fire detection, as well as in training and equipping local brigades to effectively combat these fires. The forest fire crisis in Bolivia is not only an environmental challenge, but also an opportunity to rethink public policies for proper resource management and sustainable development in the country. To this end, it is necessary to address the problem of the climate emergency in a comprehensive manner with a human rights approach²³¹, in order to contribute

²²⁷ International Federation of Red Cross and Red Crescent Societies (IFRC), [Bolivia: The challenge of accessing safe drinking water between droughts and floods](#), March 21, 2024.

²²⁸ IFRC, cited above, March 21, 2024.

²²⁹ IFRC, cited above, March 21, 2024.

²³⁰ REDESCA, Press Release No. RD370, [REDESCA presents preliminary observations from working visit to Bolivia](#), December 18, 2024.

²³¹ IACHR, [Resolution 3/2021](#), Climate Emergency: Scope and Inter-American Human Rights Obligations, December 31, 2021.

not only to the recovery of damaged ecosystems, but also to the strengthening of affected communities, thus ensuring a more resilient and sustainable future.

176. On the other hand, the Office of the Special Rapporteur emphasizes that climate change is a significant factor in the increase in the incidence and spread of diseases, such as dengue fever. This environmental phenomenon creates conditions that favor the proliferation and activity of mosquito vectors of the virus, which in turn intensifies the risks to public health. Starting in the second quarter of 2024, dengue fever infection rates increased, mainly in the departments of Santa Cruz, Cochabamba, where a state of health emergency was declared, and La Paz.²³² In some cases, hospital centers were saturated.²³³ In view of this, REDESCA urges the Bolivian State to guarantee equitable and timely access to medical care and health services for all people affected by dengue, without discrimination. It also calls for the implementation of effective adaptation and prevention measures, such as campaigns to eliminate mosquito breeding sites, strengthen epidemiological surveillance and early diagnosis. At the same time, it is necessary to strengthen disaggregated data collection systems that consider variables such as location, age and gender.²³⁴

B. Business and human rights

177. REDESCA takes note of the information regarding the different impacts caused by mining companies on the living conditions of the communities, causing migration, extreme poverty and contamination of rivers and soils. In relation to activities related to lithium extraction, available information reveals a lack of transparency in the terms of the call for tenders made by the State to companies for the industrialization and extraction of this mineral.²³⁵ At the same time, according to available information, the country does not have publicly available agreements, technical studies or environmental impact assessments related to these projects.²³⁶ On the other hand, there are reports referring to acts of aggression against those who oppose extractive activities.²³⁷

178. On the other hand, during the 190th Period of Sessions of the IACHR, civil society organizations reported that the mining activity operating in the Poopó basin has introduced metals in concentrations above the permitted limits in the soil, air and, mainly, in the water.²³⁸ They argue that the consequences of this contamination led to the virtual disappearance of Bolivia's second largest lake, seriously affecting local ecosystems and traditional livelihoods and transforming the area into a sacrificial area dedicated solely to mining activity. They also argue that the communities that still inhabit the region face a progressive deterioration in their health due to the ingestion of contaminated water and the consumption of crops and fish poisoned with high levels of heavy metals. In addition, the delegation requesting the hearing emphasized the lack of effective controls by government authorities on mining discharges, which has resulted in high concentrations of metals in three rivers in the basin: Desaguadero, Huanuni and Poopó.²³⁹

179. During the 191st IACHR Period of Sessions, REDESCA received information that industrial potassium chloride and lithium carbonate plants have been implemented in the Salar de Uyuni without complying with free, prior and informed consultation, as required by national and international regulations, affecting legally recognized indigenous territories in Bolivia.²⁴⁰ Although they claim that public consultations were carried out, these excluded indigenous peoples and did not respond to their concerns. In addition, they reported that nearby communities denounced the reduction of their water sources, which affects domestic

²³² PAHO, Health Information Platform for the Americas (PLISA), [Bolivia - Dengue cases](#), last revised October 19, 2024.

²³³ Opinion, [Hospitals collapse due to dengue cases in La Paz](#), April 02, 2024.

²³⁴ REDESCA, Press Release No. RD07, [REDESCA urges to guarantee fair access and preventive measures against dengue in the region](#), April 26, 2024.

²³⁵ Mongabay, [Controversy over lithium: Bolivian government moves forward with extraction plan amid criticism for lack of transparency](#), April 03, 2024.

²³⁶ Mongabay, cited above, April 03, 2024.

²³⁷ Agencia de Noticias Fides (ANF), [Miners subjugate, attack and leave the Totoral Chico community in extreme poverty](#), April 08, 2024.

²³⁸ IACHR, Thematic Hearing, [Bolivia: Effects of mining on the right to water](#), 190th regular session, Washington, D.C., July 8, 2024.

²³⁹ IACHR, Thematic Hearing, cited above, Washington, D.C., July 8, 2024.

²⁴⁰ IACHR, Thematic Hearing, ["Regional: Impacts of Mineral Extraction in the Context of Energy Transition"](#), 191st regular session, Washington, DC, United States, November 15, 2024, information provided by petitioning organizations in the framework of the hearing.

supply as well as agriculture and camelid breeding. In other salt flats, such as Coipasa and Pastos Grandes, they claim that agreements were signed with foreign companies without due consultation or access to information for civil society.²⁴¹ It has been alleged that such non-compliance would also go against the Escazú Agreement, ratified by Bolivia in 2019. In addition, in 2024, new foreign companies would have been invited to operate in other salt flats without an adequate consultation process.²⁴²

180. In this particular case, the Commission and REDESCA took note, among other situations, of the consequences of water contamination and the disappearance of Lake Poopó due to mining in the Ayllu San Agustín de Puñaca, Poopó Sub-basin, in Oruro.²⁴³ In this regard, they reiterated that a healthy environment is an essential requirement for the enjoyment and exercise of all human rights by present and future generations, for which reason the States must adopt measures to repair the territories degraded and contaminated by extractive activities, including the implementation of priority programs that include a gender and intercultural perspective, taking into account that indigenous women are at greater risk of having health problems related to environmental contamination.²⁴⁴ Along the same lines, and as stated in the corresponding report, they called on the Bolivian State to fulfill its role as guarantor and implement effective supervision and oversight mechanisms for exploitation projects that pose serious risks to the health of people and the environment.²⁴⁵ They also recommended the design and implementation of a plan for access to drinking water without discrimination, in the medium term.²⁴⁶

C. Fiscal and economic policies

181. REDESCA salutes the State for carrying out the National Population and Housing Census in March, a necessary tool for guaranteeing the ESCER, as well as for the design of effective public policies, since it provides essential data for planning, resource allocation and adequate protection of the most vulnerable groups.

182. The Office of the Special Rapporteur stresses the importance of fiscal and economic policies aimed at ensuring greater redistribution of wealth in order to reduce inequality gaps, while contributing to greater investment to guarantee ESCER. In this regard, REDESCA takes careful note of the approval of the General Budget Bill of the State for 2024, which has among its main objectives to consolidate universal and free access to health and education and continue with income redistribution policies to reduce poverty.²⁴⁷

183. In relation to the guarantee of labor rights, the State of Bolivia has reported on the implementation of a gender focus in its labor policies, which seeks to ensure that men and women have equal opportunities and conditions in the workplace. According to the government, this translates into concrete actions such as equal pay, protection against gender discrimination, empowerment of women and promotion of cultural diversity.²⁴⁸ REDESCA recognizes these advances while calling on the State to continue working on reducing the informal labor rate, which reaches 84% and disproportionately affects women, with a rate of 86.5%, compared to 82.7% for men.²⁴⁹

²⁴¹ IACHR, Thematic Hearing, cited above, Washington, D.C., November 15, 2024.

²⁴² IACHR, Thematic Hearing, cited above, Washington, D.C., November 15, 2024.

²⁴³ IACHR, [Social Cohesion: The Challenge for the Consolidation of Democracy in Bolivia](#), OEA/Ser.L/V/II. Doc.1/24 January 20, 2024, para. 216.

²⁴⁴ IACHR, [Social Cohesion: The Challenge for the Consolidation of Democracy in Bolivia](#), OEA/Ser.L/V/II. Doc.1/24 January 20, 2024, para. 219.

²⁴⁵ IACHR, [Social Cohesion: The Challenge for the Consolidation of Democracy in Bolivia](#), OEA/Ser.L/V/II. Doc.1/24 January 20, 2024, para. 220.

²⁴⁶ IACHR, [Social Cohesion: The Challenge for the Consolidation of Democracy in Bolivia](#), OEA/Ser.L/V/II. Doc.1/24 January 20, 2024, p. 208.

²⁴⁷ Ministry of Economy and Public Finance, [Communiqué: The General Budget of the State - Management 2024 becomes effective in compliance with the Political Constitution of the State](#), La Paz, January 1, 2024.

²⁴⁸ Economic Commission for Latin America and the Caribbean (ECLAC), *Economic Survey of Latin America and the Caribbean*, 2024 (LC/PUB.2024/10-P), Santiago, 2024, p. 93.

²⁴⁹ ILO, [Continuous Employment Survey Repository: ILO-STATISTICS, Microdata processing](#), last accessed 19 October 2024.

184. On the other hand, REDESCA has followed the situation of protests against the lack of fuel and the increase in food prices. In a context of rising cumulative inflation²⁵⁰ -of 5.5% in September- the Government announced a series of economic measures linked to the reduction to zero of import tariffs on essential products such as rice²⁵¹, wheat flour²⁵² and pharmaceutical products²⁵³, in order to maintain prices in the domestic market. However, the sustained increase in prices worsened during the month of October due to the road blockades carried out by sectors supporting former president Evo Morales in the center of the country. For example, there was an increase in the cost of meat products distributed between Santa Cruz, Cochabamba and La Paz due to the increase in freight costs for transport that must travel alternative routes because of the road blockade that keeps the east and west of the country incommunicado.²⁵⁴ The blockade also prevented the passage of cargo transport with basic food products such as rice and flour²⁵⁵ and access to essential medical services and basic supplies, aggravating the situation of patients who depend on urgent attention and vital medicines.²⁵⁶

185. For its part, in a communiqué, the Ombudsman's Office urged the mobilized sectors to guarantee the free transit of people in need of medical attention, as well as the passage of medicines, essential medical equipment and food to the cities, in order to ensure the right to health and food.²⁵⁷ In this regard, REDESCA stresses that people participating in demonstrations, especially through road blockades, avoid putting the lives of others at risk and ensure the free flow of essential supplies, services and supplies.²⁵⁸

186. Finally, the reduction of gas reserves, high fuel subsidies, increasing competitiveness in the regional gas market and global efforts to decarbonize the energy sector make it necessary to explore new alternatives to gas exports as the main source of financing for Bolivia's public policies.²⁵⁹ In this framework, the Special Rapporteurship calls on the State to adopt measures to diversify its economy, exploring sustainable alternatives that not only reduce dependence on non-renewable resources, but also align with global trends towards the decarbonization of the energy sector.

D. Democracy and guarantee of ESCER

187. REDESCA has become aware of information that refers to the existence of situations of harassment, criminalization and attacks against defenders of the environment, land and territory. Specifically, available information indicates that between January and August 2024, a total of 27 attacks against land and territory defenders, 10 against environmental defenders and 8 against labor rights defenders were reported.²⁶⁰

188. Regarding the guarantee of the right to education, REDESCA takes note of the implementation of measures with an intercultural approach. The State reported on the creation of 35 Institutes of Languages and Culture, one for each native indigenous nation and people, responsible for research, development and standardization of native languages. Educational materials have also been developed to strengthen the application of knowledge and know-how, as well as research on the knowledge of each indigenous nation and people. In addition, this knowledge has been incorporated as curricular content, and the teaching of the native

²⁵⁰ National Statistics Institute (INE), [The consumer price index registered a positive variation of 0.88% in September 2024](#), October 4, 2024.

²⁵¹ Ministry of Productive Development and Plural Economy, [Gobierno establece gravamen arancelario del 0% para la importación de arroz](#), October 16, 2024.

²⁵² AP News, [Bolivia authorizes duty-free wheat and flour imports amid crisis pressures](#), August 14, 2024.

²⁵³ Official Gazette of the Plurinational State of Bolivia, [Supreme Decree No. 5210](#), August 28, 2024.

²⁵⁴ Abi, [It is not ruled out to activate an "air bridge" to guarantee food supply](#), October 20, 2024.

²⁵⁵ Los Tiempos, [Evista blockade impedes the passage of trucks carrying rice and flour to the West](#)

²⁵⁶ Ministry of Health and Sports, [Minister of Health visits police officers injured in blockades and assures follow-up for their speedy recovery](#), October 27, 2024.

²⁵⁷ Ombudsman's Office, [Pronunciamiento](#), October 27, 2024.

²⁵⁸ IACHR, Press Release No. 282/24, [Bolivia: Faced with growing conflict, IACHR warns of impacts on human rights and calls for prioritizing dialogue](#), November 8, 2024.

²⁵⁹ World Bank, [Bolivia: overview](#), last updated: October 16, 2024.

²⁶⁰ Red Unitas, [Informe Cuatrimestral mayo - agosto de 2024](#), Observatorio de Defensoras y Defensores de Derechos, November 7, 2024, p. 24.

language has been implemented. Likewise, the regulation for the implementation of Alternative Education Itinerant Primary Education was approved, which establishes guidelines and procedures to incorporate an intercultural, intercultural and multilingual approach in itinerant primary education.²⁶¹

189. Likewise, REDESCA takes note of the progress in policies linked to the guarantee of the right to health from an intercultural approach, such as the creation of Intercultural Health Centers; the implementation of the Community and Intercultural Family Health Model (SAFCI) and the implementation of a guide for maternal and neonatal care with an intercultural approach aimed at health personnel.²⁶² Regarding the elderly, REDESCA notes that health care for this particularly vulnerable group is guaranteed thanks to the universal and free health care system. However, according to information received during the 189^o Session, one of the main challenges in the country is the need to have a situational diagnosis of the elderly at the national level, aimed at building public policies that provide for a comprehensive care system and thus consolidate a model of comprehensive community housing for old age.²⁶³

7. BRAZIL

190. Within the framework of international instruments relevant to the protection of ESCER, Brazil is party to the American Convention on Human Rights and the Protocol of San Salvador. However, the State has not yet ratified the Escazu Agreement, a key instrument for strengthening environmental protection, citizen participation and access to justice in environmental matters. REDESCA considers that the reevaluation of the State's position regarding the ratification of this Agreement is a positive measure to advance in the comprehensive protection of ESCER in the national context.

191. The poverty situation in Brazil has shown signs of improvement in recent years, but challenges remain. The extreme poverty rate was reduced by about 40% between 2022 and 2023, largely due to the relaunch of the Bolsa Familia Program and other social policies. Available information indicates that this revised program would have been instrumental in lifting approximately 9.6 million Brazilians out of extreme poverty, with a strong impact particularly in the North and Northeast regions, where the number of people in extreme poverty fell by 45.1% and 50%, respectively.²⁶⁴ These improvements are attributed not only to social protection policies, but also to the economic recovery and the increase in the minimum wage, which contributed to an increase in average household income and a significant drop in unemployment rates. According to the National Household Sample Survey, overall poverty in the country was reduced by around 27.5%²⁶⁵ between 2022 and 2023, indicating a reduction of approximately 8.5 million people on the poverty line.²⁶⁶ The Brazilian Observatory of Inequalities also points to a 20% reduction in unemployment and a real increase in average income of 8.3.²⁶⁷

A. Climate emergency and environmental protection

192. REDESCA highlights that the Legal Amazon, an administrative region defined by the Brazilian government to coordinate development and conservation policies in the Amazon region, according to available information, would have registered between January and February 2024 its lowest deforestation rate in six years. This area, which includes the states of Acre, Amapá, Amazonas, Mato Grosso, Pará, Rondônia, Roraima, Tocantins and part of Maranhão, showed a 63% reduction in deforestation compared to the same period in

²⁶¹ Information provided by the State of Bolivia on the human rights situation in Bolivia for the period between January 1 and August 31, 2024.

²⁶² Information provided by the State of Bolivia on the human rights situation in Bolivia for the period between January 1 and August 31, 2024.

²⁶³ IACHR, Thematic Hearing, [Regional: Situation of the Human Rights of Older Persons \(Ex Officio\)](#), 189th regular session, Washington, D.C., March 1, 2024.

²⁶⁴ CEBRAP, [Observatório Brasileiro das Desigualdades: lançado o relatório de 2024](#), August 30, 2024

²⁶⁵ Correio Braziliense, [Brasil alcança menor taxa de pobreza desde 2012, aponta estudo](#), April 24, 2024.

²⁶⁶ Secretaria de Comunicação Social (Secom), [Extrema Pobreza no Brasil Tem Queda de 40% em 2023](#), August 18, 2024.

²⁶⁷ Agencia Gov, [Nova pesquisa aponta queda de 40% da extrema pobreza no Brasil em 2023](#), August 28, 2024

2023 (196 km² compared to 523 km²).²⁶⁸ Likewise, according to available data, deforestation in Brazil decreased by 11.6% in 2023 compared to 2022, with the Amazon and Cerrado being the regions that concentrated more than 85% of the total deforested area in the country.²⁶⁹ This trend highlights the importance of conservation and sustainable development policies in these key biomes for biodiversity and the global climate.

193. On the other hand, the Office of the Special Rapporteur has taken note that the World Bank and Brazil have reportedly signed a memorandum of understanding formalizing a partnership to promote public and private climate-related investments. The cooperation includes, according to available information, initiatives to project and optimize resources for financial solutions to address climate change and promote the transition to a carbon-free economy. The allocation of US\$1 billion from the World Bank to the Climate Fund²⁷⁰ was also discussed.

194. According to available information, the impact of climate change continues to disproportionately affect vulnerable populations in Brazil. In this regard, the REDESCA has monitored in March 2024, the heavy rains and consequent floods in the southeast of the country that caused at least 25 deaths, mainly concentrated in the states of Rio de Janeiro and Espírito Santo.²⁷¹ These extreme weather events underscore the urgency of strengthening public policies for mitigation and adaptation to climate change, particularly in the most vulnerable regions of the country.

195. The Special Rapporteurship has also monitored the situation generated by the heavy rains that devastated the state of Rio Grande do Sul between late April and May²⁷², causing flooding and leading to the declaration of public calamity by the governor²⁷³ and many of the affected municipalities.²⁷⁴ In the course of the events, the federal government announced a series of emergency measures for the catastrophe and others for the affected people, such as the anticipation of income tax refunds and social benefits such as Bolsa Família; for the affected companies, such as the extension of tax maturities by at least three months and interest subsidies.²⁷⁵ To support coordination and cooperation in the region, the federal government set up a situation room at the Planalto Palace and created an Extraordinary Secretariat of the Presidency of the Republic to Support the Reconstruction of Rio Grande do Sul.²⁷⁶

196. In this regard, the IACHR and REDESCA expressed their solidarity with the environmental tragedy and reaffirmed the importance of promoting more far-reaching actions in the face of the climate emergency, noting with concern the adoption of measures that could negatively impact the fight against the climate emergency.²⁷⁷ At the end of September, there was a new episode of heavy rains in Rio Grande do Sul, which left around 500 people displaced.²⁷⁸

²⁶⁸ Brasil de Fato, [Amazônia Legal tem o menor desmatamento para janeiro e fevereiro em seis anos, segundo Imazon](#), 18 de março de 2024.

²⁶⁹ G1, [Desmatamento no Brasil cai 11.6% em 2023, aponta MapBiomas](#), May 28, 2024.

²⁷⁰ The World Bank, [World Bank Group and Brazil's Finance and Environment ministries join forces to boost climate investments](#), February 26, 2024.

²⁷¹ Infobae, [Death toll from heavy rains and floods in Brazil rises to 25](#), March 25, 2024.

²⁷² Agência Brasil, [Rio Grande do Sul tem 616 mil pessoas fora de casa pela calamidade](#), 3 June 2024; UOL, [Número de pessoas em abrigos dobra no RS; há quase 1.2 mi de afetados](#), 6 May 2024; UOL, [Barragem se rompe com chuvas no RS; mortos no estado chegam a 29](#), 2 May 2024;

²⁷³ Governo do Estado do Rio Grande do Sul, [Governador decreta estado de calamidade pública por conta das cheias no RS](#), 1 May 2024.

²⁷⁴ Defesa Civil - Governo do Estado do Rio Grande do Sul, [Decreto amplia número de municípios em estado de calamidade e em situação de emergência](#), May 22, 2024.

²⁷⁵ Agência Brasil, [Governo anuncia R\\$ 15 bilhões para empresas do Rio Grande do Sul](#), May 29, 2024; Poder360, [Saiba quais as medidas anunciadas para as empresas do RS](#), May 23, 2024; Poder360, [Governo pagará 40% dos empréstimos via Pronampe de empresas do RS](#), May 23, 2024.

²⁷⁶ Agência Brasil, [Ajuda do governo federal ao Rio Grande do Sul já soma R\\$ 62,5 bilhões](#), May 30, 2024.

²⁷⁷ IACHR, [Brazil: IACHR and REDESCA express solidarity with the environmental tragedy in Rio Grande do Sul and reaffirm the importance of promoting more far-reaching actions in the face of the climate emergency](#), May 30, 2024.

²⁷⁸ RECORD R7, [Chuvas recentes deixam quase 500 desalojados e em abrigos no Rio Grande do Sul](#), 28 September 2024.

197. REDESCA notes that the Public Prosecutor's Office of the Federal Court of Accounts asked the Court to analyze in detail the environmental legislative changes promoted by the governor of Rio Grande do Sul since 2019²⁷⁹, which would have reduced protection against environmental phenomena and thus contributed to the catastrophe.²⁸⁰ A political party has filed a Direct Action of Unconstitutionality before the Federal Supreme Court questioning the changes introduced in the State Environmental Code of Rio Grande do Sul, which relaxed environmental standards for the construction of reservoirs within permanent preservation areas, allowing, for example, the suppression of native vegetation in Permanent Preservation Areas (APPs). Such action is reportedly ongoing, according to available information.²⁸¹

198. In this same framework, the Rio Grande do Sul Public Ministry of Labor issued on May 24 a recommendation with guidelines for the adoption of health and safety measures for workers during recovery, cleanup and reconstruction activities carried out in the state in places where flood waters have receded to the point where this type of intervention is possible.²⁸² During the tragedy, the Public Ministry of Labor received more than 90 complaints: 60% concerned the requirement that employees work in a place of risk or in poor conditions.²⁸³

199. From December 2 to 6, REDESCA visited Brasília and Rio Grande do Sul to assess the devastating impacts of the floods that occurred in April and May of this year in the state of Rio Grande do Sul. Based on this visit, it will prepare a final report that will include detailed observations and specific recommendations addressed to the Brazilian State to advance in guaranteeing ESCER in this context.²⁸⁴

200. Between August and September, Brazil had a high rate of forest fires severely affecting various biomes such as the Amazon, Cerrado and Pantanal.²⁸⁵ Indeed, Brazil experienced a significant increase in forest fires, REDESCA highlighted that forest fires have affected more than 18,758,025 hectares of land between January 1, 2024 and September 8, 2024, equivalent to an area twice the size of Hungary, thus aggravating risks to ecosystems and local communities.²⁸⁶ Forest fires in Brazil are directly related to climate change, deforestation and agricultural expansion, severely affecting vulnerable populations and causing displacement and loss of biodiversity.²⁸⁷ The Special Rapporteurship highlights the urgency of implementing effective public policies that address the underlying causes of these fires, promoting sustainable agricultural practices and strengthening environmental protection to mitigate the negative impacts on biodiversity and affected communities.

201. In this context, the Office of the Special Rapporteur has expressed its concern about the existence of climate disinformation in the context of the tragedy that occurred in Rio Grande do Sul. This disinformation includes the spread of false or inaccurate information about the causes and impacts of the floods and climate change in general. Such a phenomenon has not only generated confusion among the affected communities, but also hinders the adoption of informed and effective measures to prevent and mitigate future disasters.²⁸⁸ The Special Rapporteurship stresses the need to strengthen information production, communication and warning systems to combat misinformation, ensure access to verifiable scientific information, and promote timely and evidence-based responses.

²⁷⁹ Carta Capital, [MP junto ao TCU quer pente-fino sobre 'desmonte' de leis ambientais durante o governo Eduardo Leite](#), 13 May 2024.

²⁸⁰ UOL, [Desmatamento e menos controle: como gestão Leite impactou cheias no RS](#), May 15, 2024.

²⁸¹ Supremo Tribunal Federal, [STF julgará diretamente no Plenário ação contra alterações em normas ambientais do RS](#), May 22, 2024; Carta Capital, [Fachin manda Leite explicar mudança na legislação ambiental do RS](#), May 21, 2024.

²⁸² MPT-RS, [MPT issues recommendation with health and safety guidelines for post-hazard recovery and reconstruction activities](#), May 24, 2024.

²⁸³ Agência Brasil, [MPT recebe denúncias de violações trabalhistas envolvendo enchentes](#), May 18, 2024.

²⁸⁴ REDESCA, [REDESCA presents preliminary observations from working visit to Brazil](#), December 13, 2024.

²⁸⁵ G1, [August and September 2024 are the months with the most recorded fire outbreaks in SP since 1998](#), September 30, 2024.

²⁸⁶ REDESCA, [REDESCA urges urgent action on environmental crisis in South America caused by forest fires](#), September 17, 2024.

²⁸⁷ Confederação Nacional de Municípios, [Estudo atualizado por la CNM muestra que más de 11 millones de personas foram diretamente afetadas por incendios](#), September 16, 2024.

²⁸⁸ REDESCA, [REDESCA presents preliminary observations of the working visit to Brazil](#), December 13, 2024.

202. REDESCA takes note of Brazil's efforts to combat forest fires, highlighting a 118% increase in the number of agents dedicated to these tasks.²⁸⁹ In addition, the Special Rapporteur recognizes the importance of the announcement made regarding the creation of a Climate Authority and a Technical-Scientific Committee to coordinate the actions of the federal government in the face of climate challenges.²⁹⁰ It is hoped that these initiatives, among others that have been announced, can contribute effectively to address the impacts of climate change and strengthen the country's environmental resilience.

203. The Special Rapporteurship is closely following the processing of a bill proposing modifications to Brazil's forestry legislation, which could unprotect approximately 48 million hectares of native grasslands, negatively impacting crucial biomes such as the Pantanal, the Cerrado, the Pampa and the Mata Atlântica. In addition, the project raises the possibility of regularizing illegally occupied rural properties, including those located in environmental preservation zones.²⁹¹ REDESCA is also concerned about the recent approval of the law that excludes forestry from the list of activities considered polluting²⁹², despite the associated environmental risks.²⁹³ The Special Rapporteurship urges the State to consider the Inter-American standards that guarantee the right to a healthy environment and to adopt measures that prioritize sustainability and the protection of ecosystems.

B. Business and human rights

204. The Special Rapporteurship notes that the bill 572/2022 submitted to the Chamber of Deputies, which seeks to regulate the relationship between business and human rights, is still being processed for approval.²⁹⁴ On August 28, 2024, the Federal Prosecutor's Office for Citizen's Rights (PFDC), an organ of the Federal Public Prosecutor's Office, held a public hearing entitled "Creation of a national framework on human rights and business", focused on discussing the bill and the ways in which companies can be held accountable for rights violations and abuses. The public hearing is an initiative of the PFDC's Human Rights and Business Working Group (HRBG). On the occasion, contributions on the subject were presented by academics, representatives of the private sector, civil society and social movements.²⁹⁵

205. In relation to the activities of extractive industries and environmental protection, the Special Rapporteurship received information from APIB on the decision of the STF which, in a Declaratory Action of Constitutionality, currently pending before the court, ordered the suspension of all court actions debating the constitutionality of Law 14.701/2023, which reinstated the deadlines and opened the possibility of commercial and industrial mining on indigenous lands. The decision also ordered the opening of a mediation and conciliation process in court to seek a negotiated solution.²⁹⁶ On October 2, 2024, a conciliation hearing was held in the Supreme Federal Court (STF) on the Temporary Framework Law (Law 14.701/2023) for the demarcation of indigenous lands, which included an analysis of parts of the law, which is being challenged in the STF. A presentation on carbon credits and conservation of indigenous lands was also made to members of the special commission.²⁹⁷

²⁸⁹ Agência Gov, [Governo Federal mais que duplica efetivo de forças no combate a incêndios florestais](#), September 25, 2024.

²⁹⁰ Estadão, [Lula anuncia criação da Autoridade Climática em meio ao avanço de queimadas e seca no País](#), 10 de setembro de 2024.

²⁹¹ Carta Capital, [PL que muda Código Florestal vai desproteger 48 milhões de hectares](#), March 22, 2024; SOS Mata Atlântica, [Contra o desmatamento em nossos biomas e em defesa da Mata Atlântica](#), March 20, 2024; WWF Brasil, [CCI da Câmara aprova projeto que desidrata Lei da Mata Atlântica e ameaça todos os biomas brasileiros](#), March 20, 2024.

²⁹² Ministério da Agricultura e Pecuária, [Governo Federal sanciona Lei que exclui a silvicultura do rol de atividades poluidoras](#), June 3, 2024.

²⁹³ BBC News Brazil, ['Green deserts'? Os riscos ambientais das medidas que incentivam as florestas de eucalipto sem licenciamento](#), 27 May 2024.

²⁹⁴ IACHR, [Regional Public Hearing: Business Impacts on Human Rights and the Environment](#), March 1, 2024.

²⁹⁵ Federal Public Prosecutor's Office, [Violation of human rights by companies is the subject of public hearing promoted by PFDC](#), August 28, 2024.

²⁹⁶ Articulação dos Povos Indígenas do Brasil (APIB), email of May 10, 2024; APIB, Nota Técnica n. 04/2024 - AJUR/APIB, of May 2, 2024; JOTA, [Gilmar Mendes suspends actions on temporary framework on indigenous lands](#), April 23, 2024.

²⁹⁷ STF, [STF advances in discussion of the Temporary Framework Law in conciliation hearing](#), October 2, 2024

206. REDESCA highlights the relevance of this debate, particularly in relation to the preservation of the rights of indigenous peoples. It recalls that the historical ethno-racial discrimination suffered by these populations, characterized by forced cultural assimilation and invasion of their ancestral territories, has resulted in multiple human rights violations. This includes violence perpetrated by illegal groups that exploit natural resources and the absence of sound policies that guarantee indigenous communities effective and culturally appropriate access to their ESCER.²⁹⁸

207. In the framework of the 189th period of sessions, the IACHR was informed of the existence of human rights violations in Brazil by companies that, in general, are not based in the country. It was reported that these companies linked to the carbon credits market could be committing abuses of the rights to territory and the environment and to free, prior and informed consultation, and that they are attempting to commodify common goods, without the control of the affected people, impacting traditional means of low-impact management.²⁹⁹ In this context, the IACHR and REDESCA stressed that the standards on business and human rights must evolve to take into account the challenges arising from the climate crisis and mitigation measures, which may have an impact on the right to collective property and free, prior and informed consent of indigenous peoples.³⁰⁰

208. The Special Rapporteurship draws attention to information collected regarding a FIOCRUZ investigation which shows that 94% of the indigenous people in 9 Yanomami communities living near illegal mining operations are contaminated with mercury, that 25% of children under 11 years of age suffer from anemia and that 80% are below the ideal height for their age. The survey shows that 84% of them have levels higher than 2 micrograms of mercury per gram and 10.8% higher than 6 micrograms per gram, while the WHO considers that mercury levels in hair should not exceed 1 microgram per gram.³⁰¹ In this regard, it calls for the implementation of Inter-American standards on human rights and business, taking into special consideration the rights of indigenous peoples.³⁰²

209. The Office of the Special Rapporteur notes that the Attorney General of the Republic of Brazil has defended the continuity of the multi-million dollar agreement between Braskem and the municipality of Maceió, related to the collapse of several neighborhoods due to the company's exploitation of rock salt. However, the State of Alagoas has expressed that such agreement could limit the full reparation of those affected by the exploitation.³⁰³ REDESCA has also learned that on May 21, 2024, the Parliamentary Commission of Inquiry (CPI) of Braskem approved its final report, recommending that the Public Ministry charge three companies - Braskem and two consulting firms - and 11 individuals for environmental crimes related to subsidence in the neighborhoods of Maceió. In addition, the CPI proposed stricter supervision of mining activities, suggesting the implementation of four bills to strengthen regulation in this sector.³⁰⁴

210. With regard to agro-industrial activities and their impacts, the Office of the Special Rapporteur has received reports from civil society organizations denouncing episodes of aerial spraying of pesticides by private companies on traditional villages and communities, as well as in agrarian reform settlements in the state of Maranhão. These fumigations have allegedly caused the loss of agricultural production, contamination of wells and streams, and health problems for those exposed, who have reportedly manifested various symptoms associated with exposure to these chemicals. The organizations have also pointed out an expansion

²⁹⁸ IACHR, [Situação dos Direitos Humanos no Brasil \(2021\)](#), para 86, October 02, 2024.

²⁹⁹ IACHR, [Regional Public Hearing: Impact of the carbon market on indigenous peoples and local communities](#), February 29, 2024.

³⁰⁰ IACHR, [Regional Public Hearing: Impact of the carbon market on indigenous peoples and local communities](#), February 29, 2024.

³⁰¹ G1, [Pesquisa da Fiocruz revela que 94% dos indígenas de 9 comunidades Yanomami estão contaminados com mercúrio](#), 4 de abril de 2024.

³⁰² IACHR, Report Business and Human Rights: Inter-American Standards, OEA/Ser.L/V/II, IACHR/REDESCA/INF.1/19, Nov. 1, 2019, para. 340-342, 02 October 2024.

³⁰³ Carta Capital, [PGR defends the maintenance of the bilateral agreement between Braskem and Maceió for neighborhoods' expansion](#), May 27, 2024.

³⁰⁴ Federal Senate, [CPI approves report and holds Braskem responsible for damages in Maceió](#), May 21, 2024.

in the use of pesticides in the region, especially due to the growth of areas dedicated to soybean monocultures.³⁰⁵

211. REDESCA also takes note of the complaint filed with the OECD by four Latin American organizations and a German initiative against the Bayer company, pointing out the negative impacts of the pesticide glyphosate on the environment and human health in the Southern Cone over the past three decades. Likewise, the Special Rapporteurship highlights the relevance of the Supply Chain Act passed in Germany in 2021, which imposes on German companies with more than 1,000 employees the responsibility to ensure respect for human rights throughout their global supply chain. This legislation represents a significant step towards corporate responsibility and could serve as a model for addressing similar impacts in other regions.³⁰⁶

212. In turn, REDESCA, in relation to the performance of technology companies, follows with concern the complaints of trade unions in the country about the exploitation suffered by workers of digital platforms, especially delivery drivers and drivers, by the companies, without recognition of their labor rights, being common for them to work up to 16 hours a day.³⁰⁷

C. Fiscal and economic policies

213. REDESCA welcomes the programs implemented to combat poverty and food insecurity. In this line, a study by the Fome Zero Institute notes that, due to the restructuring of the Bolsa Familia program, the expansion of income transfers and the current economic policy that has reactivated employment, there was a 30% reduction in food insecurity between 2022 and 2023.³⁰⁸ It also notes the recent efforts of the Ministry of Social Development to improve the quality of information and monitoring of the Unified Registry and the management of "Bolsa Familia", as well as to prevent fraud.³⁰⁹

214. However, REDESCA notes with concern reports of increased spending cuts in health and education and releases money for Programa de Aceleração de Crescimento projects. These cuts are being made via cost containment. According to information collected, the Ministry of Health had a total cost containment of R\$4.4 billion and the blockage has increased to R\$4.5 billion. According to available information, the Ministry of Health is the agency with the highest amount frozen of all ministries.³¹⁰

215. In 2024, Brazil has made significant progress in reforming its tax system. On December 17, 2024, it approved a bill establishing the regulations to implement a constitutional tax reform, previously approved by the Senate. The reform will consolidate five existing taxes into a single consumption tax (VAT) with differentiated federal and regional rates. In addition, the new system exempts products of the basic market basket from taxation and reduces the tax burden by 60% for sectors such as education, health, passenger transportation, agricultural products and culture. It also introduces an additional tax on goods harmful to health or the environment.³¹¹

216. The Special Rapporteurship has noted that Brazil has played an active role in the international arena in promoting more equitable tax policies. For example, during the G20 summit in Rio de Janeiro, it

³⁰⁵ Federação dos Trabalhadores Rurais Agricultores e Agricultoras Familiares do Estado do Maranhão (FETAEMA) and others, email and petition of June 4, 2024.

³⁰⁶ Brasil de fato, [In an unprecedented action, Latin American organizations denounced Bayer to the OECD for glyphosate-related damages](#), April 29, 2024; CELS, [denunciamos a bayer ag por violaciones a los derechos humanos y daños al medioambiente](#), April 25, 2024.

³⁰⁷ FEBRAMOTO and Conselho Nacional dos Sindicatos de Motoboys e Moto-entregadores do Brasil, Open Letter of May 22, 2024.

³⁰⁸ Carta Capital, [População sob insegurança alimentar grave diminuiu em 8 milhões em 2023, aponta estudo](#), March 28, 2024.

³⁰⁹ World Bank, [Reduzindo os riscos do ajuste fiscal](#), April 25, 2024.

³¹⁰ State, [Government increases spending restraint with health and education and frees money for PAC works](#), October 01, 2024.

³¹¹ Reuters, [Brazil lawmakers pass key regulations to enact tax reform](#), December 17, 2024. RTVE, [Brazil's Parliament approves tax reform after more than 30 years of discussions](#), December 16, 2023.

promoted the creation of a tax aimed at individuals with assets over one billion dollars, with the objective of raising funds to combat poverty, inequality and climate change.³¹²

217. REDESCA has also considered the information on the so-called Dirty List of Slave Labor maintained by the Ministry of Labor and Employment, which was updated in April with 248 new names, including 43 referring to domestic work analogous to slave labor, bringing the total to 654 employers, the largest update in history. Domestic work is the sector with the highest participation in this update.³¹³ In this context, the Rapporteurship received with concern the news about new rules on the *sworn list* in cases of companies' involvement with workers in conditions analogous to slavery. The new rule allows individuals and companies caught subjecting workers to slavery-like conditions to reach an agreement with the Federal Government and thus be removed from the Government's so-called "suja list". The measure was published at the end of July, in an ordinance co-signed by the Ministers of Labor and Human Rights. Members of the National Commission for the Eradication of Slave Labor, an advisory group linked to the Ministry of Human Rights, stated that the new rule could represent a setback in the fight against modern slavery.³¹⁴ In this regard, REDESCA notes that, during the month of August 2024, Operation Rescue IV removed 593 workers from the slave labor conditions they faced. This number is 11.65%³¹⁵ higher than the number of workers rescued in the operation carried out in 2023 (532)³¹⁶, which demonstrates the need to combat forms of modern slavery by the State.

218. The Rapporteurship notes that the Executive Branch promulgated the texts of ILO Convention 189 and Recommendation 201 on Decent Work for Domestic Workers on May 1.³¹⁷

219. The Office of the Special Rapporteur takes note of the information provided by the State in response to the letter sent by REDESCA on actions related to the project "Public Policies to Combat Poverty and Inter-American Standards to Guarantee Human Rights in the Americas".³¹⁸ Among the highlights is the Global Alliance against Hunger and Poverty³¹⁹, an initiative led by Brazil during its presidency of the G20.

D. Democracy and guarantee of ESCER

220. In relation to participation in decision-making in environmental matters, as noted above, Brazil has not yet ratified the Escazu Agreement, a regional treaty that guarantees access to information, public participation and justice in environmental matters. The Special Rapporteurship has learned that in March 2024, more than 150 organizations urged the government to mobilize Congress for its approval.³²⁰

221. In the same vein, REDESCA monitors the situation of land and environmental defenders. Thus, Global Witness has reported that in 2023 alone, 25 environmental defenders were killed in the country.³²¹ It is emphasized that, in a public hearing of the 189th period of sessions of the IACHR, civil society organizations informed the Special Rapporteur that several Afro-descendant women have been murdered in connection with their activism to preserve the forests in Brazil.³²²

222. The Office of the Special Rapporteur has learned that in May 2024, the Ministry of Human Rights and Citizenship warned about the relationship between the climate crisis and environmental racism,

³¹² REDESCA-IACHR, [REDESCA urges integration of human rights into global fiscal reforms and climate finance](#), August 12, 2024.

³¹³ UOL, [Trabalho doméstico bomba crescimento da nova 'lista suja' da escravidão](#), April 5, 2024; Agência gov, [Ministério do Trabalho tem recorde de incluídos na 'lista suja' do trabalho escravo](#), April 5, 2024.

³¹⁴ Folha de São Paulo, [Governo cria novas regras, e órgãos apontam esvaziamento da lista suja do trabalho escravo](#), September 08, 2024.

³¹⁵ Agência Gov, [Em agosto, força-tarefa resgata 593 pessoas em condições análogas à escravidão](#), August 29, 2024.

³¹⁶ Agência Gov, [Em agosto, força-tarefa resgata 593 pessoas em condições análogas à escravidão](#), August 29, 2024.

³¹⁷ Associação Nacional dos Magistrados da Justiça do Trabalho (ANAMATRA), [Trabalho doméstico: Anamatra celebra a promulgação de Convenção da OIT sobre o tema](#), May 2, 2024.

³¹⁸ State of Brazil, Políticas Públicas para combater a Pobreza e Padrões interamericanos para garantir os Direitos Humanos nas Américas, Diplomatic Note MPOEA-OEA-232/2024, August 19, 2024.

³¹⁹ G20, [Global Alliance against Hunger and Poverty](#), July 24, 2024.

³²⁰ Human Rights Watch, [Brazil should ratify regional treaty on environment and defenders](#), March 26, 2024.

³²¹ Global Witness, [More than 2,100 land and environmental defenders killed globally between 2012 and 2023](#), September 10, 2024.

³²² IACHR, [Regional Public Hearing - Human rights of people in human mobility due to the effects of climate change](#), February 29, 2024.

noting that environmental degradation mainly affects peripheral neighborhoods where poorer families live and where there is a higher concentration of black, indigenous and quilombola people.³²³ This shows the need for public policies that address these inequalities and promote socio-environmental justice

223. REDESCA welcomes the publication of two resolutions of the National Council for the Rights of Children and Adolescents that expand the guidelines for intercultural care of indigenous, quilombola and traditional children and adolescents. In particular, Resolution 253/2024 establishes the parameters for the application of free, prior and informed consultation by the System for the Guarantee of the Rights of Children and Adolescents (SGDCA).³²⁴ On the other hand, Resolution 254/2024³²⁵ provides for the parameters for the recognition of the care practices of indigenous, quilombola and traditional peoples for children and adolescents who are victims or witnesses of violence and the articulation with the institutional measures of the SGDCA. These resolutions promote advances in the guarantees for the participation and care/protection of indigenous, quilombola and traditional peoples in relation to their children and adolescents, and related public policies.

224. REDESCA follows with concern the situation of gender inequality in companies, where the I National Report on Wage Transparency presents the salary reality of more than 49,000 companies in the country and shows that women are paid 19.4% less than men.³²⁶ In terms of race/color, women of African descent, in addition to being the least numerous in the labor market (2,987,559 jobs, 16.9% of the total), have the most unequal income. While Afro-descendant women earn an average of R\$3,040.89, 68% of the average, men of non-Afro-descendant origin earn R\$5,718.40, 27.9% more than the average, while earning 66.7% of the salary of women of non-Afro-descendant origin.³²⁷ In this context, the Office of the Special Rapporteur emphasizes that States have a fundamental role to play in guaranteeing the human rights of women in the context of business activities.³²⁸ Finally, the Rapporteurship welcomes the enactment of Law 14.821/2024, which establishes the National Policy on Decent Work and Citizenship for the Homeless, aimed at promoting the human rights of homeless people to work, income, professional qualification and higher education.³²⁹

8. CANADA

225. In the framework of the Inter-American system, it is noted that Canada, despite being a member of the Organization of American States (OAS), has not ratified the American Convention on Human Rights or the Protocol of San Salvador. REDESCA encourages Canada to consider ratifying these instruments for the promotion and protection of economic, social, cultural and environmental rights in the hemisphere.

226. The Gini coefficient in Canada rises to 0.33 in 2024.³³⁰ According to *Food Banks Canada* figures, 25% of Canadians live in poverty, based on the material deprivation index.³³¹ Compared to official *Statistics Canada* figures, the country's official poverty rate, based on what the agency calls the "market basket measure," fell to 9.9% in 2022.³³²

A. Climate emergency and environmental protection

227. During the summer of 2024, record temperatures were recorded in Canada in eastern Ontario and Quebec, where heat waves raised temperatures up to 10.7 degrees Celsius above normal averages.³³³ The

³²³ Ministério dos Direitos Humanos e da Cidadania, [Direitos Humanos alerta para a relação entre crise climática e racismo ambiental](#), May 2024.

³²⁴ CONANDA, [CONANDA Resolutions](#), October 22, 2024.

³²⁵ CONANDA, [CONANDA Resolutions](#), October 22, 2024.

³²⁶ Secretaria de Comunicação Social, [Equal Pay](#), March 25, 2024

³²⁷ CNN, [Diferença salarial entre homens e mulheres chega a 25.2% no Brasil, diz estudo](#), March 25, 2024

³²⁸ IACHR, Report Business and Human Rights: Inter-American Standards, OEA/Ser.L/V/II, IACHR/REDESCA/INF.1/19, November 1, 2019, para. 331.

³²⁹ Planalto, [Law 14.821/2024](#), January 16, 2024.

³³⁰ Statista, [Socioeconomic Indicators -Canada](#), October 24, 2024.

³³¹ Food Banks Canada, [Poverty in Canada through a deprivation lens](#), May 2024.

³³² Statistics Canada, [Low-income statistics by age, sex and economic family type](#), April 26, 2024.

³³³ Government of Canada, [Canada releases first results from rapid extreme weather event attribution system](#), July 9, 2024.

Rapporteurship notes with concern the impacts of the climate emergency in Canada, a country that, according to available information, is warming at twice the global rate and this trend is expected to continue, intensifying the frequency and severity of extreme weather events, such as heat waves and torrential rains.³³⁴

228. Meanwhile, according to available information, Canada experienced the most destructive wildfire season in its history in 2023, with fires consuming 16.5 million hectares, more than double the previous record and almost seven times the historical average.³³⁵ In turn, studies have estimated that climate change has doubled the likelihood of extreme weather conditions conducive to the spread of wildfires in eastern Canada in 2023.³³⁶

229. REDESCA highlights the impacts of wildfires on the exercise of ESCER, such as the right to education due to school closures and the right to health, especially on vulnerable groups such as children, the elderly and those with heart or lung conditions.³³⁷ In addition, these weather events put significant pressure on the Canadian health care system. A single week of wildfire smoke in June 2023 is estimated to cost Ontario more than \$1.2 billion due to health consequences such as increased premature deaths, hospitalizations and health emergencies.³³⁸

230. REDESCA notes that the Government of Canada has been investing approximately \$150 million over the past 10 years to support wildfire prevention and firefighting measures³³⁹, including mitigation, prevention and response programs.³⁴⁰ REDESCA welcomes the programs that states such as Alberta and Columbia are implementing to help communities and individuals reduce fire risk.³⁴¹

231. REDESCA has received information that 80% of indigenous communities live in areas highly exposed to wildfires and that 42% of evacuations due to wildfires have occurred in mostly indigenous communities.³⁴² The Special Rapporteur notes the disproportionate impact of wildfires on indigenous communities and recalls that climate change-related emergencies can disproportionately affect marginalized communities, exacerbating existing vulnerabilities.

232. The Special Rapporteurship takes note of the findings of the *Poverty Reduction Strategy 2024* report, which indicates that accelerating climate change may cause more people to fall into poverty due to disruption, displacement and increased costs associated with climate impacts.³⁴³

233. REDESCA notes positively that the State recognizes and incorporates the traditional knowledge of indigenous communities in fire management strategies.³⁴⁴ In particular, it highlights the implementation of the *Fire Smart* program, whose objective is to sensitize the population on risk behaviors, offer advice on the use of fire-resistant construction materials and strengthen evacuation protocols. This program would integrate traditional knowledge, norms and cultural values, including indigenous practices related to the use of fire and the planting of fire-resistant tree species.³⁴⁵

³³⁴ Canadian Climate Institute, [FACT SHEET: Climate change and wildfires](#), July 23, 2024.

³³⁵ [FACT SHEET: Climate change and wildfires](#), cited above.

³³⁶ World Weather Attribution, [Climate change more than doubled the likelihood of extreme fire weather conditions in Eastern Canada](#), August 22, 2023.

³³⁷ [FACT SHEET: Climate change and wildfires](#), cited above.

³³⁸ [FACT SHEET: Climate change and wildfires](#), cited above.

³³⁹ Government of Canada, [Cost of wildland fire protection](#), August 28, 2024.

³⁴⁰ Government of Canada, [Cost of wildland fire protection](#), August 28, 2028.

³⁴¹ [FACT SHEET: Climate change and wildfires](#), cited above.

³⁴² Internal Displacement Monitoring Center, [Canada - Wildfires spread to urban areas](#), June 19, 2024; Asfaw, H. W., First Nation, S. L., McGee, T. K., & Christianson, A. C. (2019). A qualitative study exploring barriers and facilitators of effective service delivery for Indigenous wildfire hazard evacuees during their stay in host communities. *International Journal of Disaster Risk Reduction*, 41, 101300. <https://doi.org/10.1016/j.ijdrr.2019.101300>. <https://doi.org/10.1016/j.ijdrr.2019.101300>

³⁴³ British Columbia, [2024 Poverty Reduction Strategy](#), October 2024.

³⁴⁴ RCI, [Fighting wildfires becomes a permanent job](#), September 13, 2024

³⁴⁵ IDMC, [Canada - Wildfires spread to urban areas](#), June 19, 2024.

234. It also takes note of the study conducted by the University of Waterloo, which indicates that vulnerable populations, including indigenous peoples, people in mobility and people living in poverty, face greater risks due to socioeconomic factors that limit their ability to prepare for and recover from climate impacts.³⁴⁶ REDESCA considers that specific communication strategies are key for these groups to respond effectively to climate risks, particularly considering that, according to available information, the summer of 2024 was marked by catastrophic floods, which generated more than 7 trillion dollars in insured losses due to different extreme weather events.³⁴⁷

235. REDESCA highlights that according to the information received, more than 1.5 million homes in the country are located in areas at high risk of flooding.³⁴⁸ In fact, during 2024, the aftermath of Hurricane Debby caused unprecedented flooding in Quebec, affecting 55 communities. Likewise, heavy rains in Toronto overwhelmed the city's infrastructure and flooded numerous homes and businesses.³⁴⁹ REDESCA notes that flooding is the most frequent and costly disaster in Canada. Over the last decade, an average annual loss of nearly \$800 million has been estimated³⁵⁰ and according to information from the Climate Change Institute of Canada, as climate change worsens, Canadians will experience a significant increase in the frequency and intensity of flooding.³⁵¹

236. REDESCA notes the risk faced by Canada as a result of droughts in areas already suffering from water scarcity.³⁵² In this context, the Rapporteurship welcomes the response plans developed by some local governments, such as the Alberta Comprehensive Drought Response Plan.³⁵³ These plans include strategies to adequately manage water resources and coordinate efforts with affected communities.

237. REDESCA has learned that the State has allocated more than 9 billion Canadian dollars for new investments in climate initiatives, with the objective of promoting sustainable development and strengthening resilience to the effects of climate change. This investment includes funding community-based adaptation projects and boosting scientific research to improve understanding of the impacts of climate change in Canada.³⁵⁴

238. REDESCA notes that during 2023-2024, Canada's Emission Reduction Plan (ERP) 2030 has focused on two areas: Clean Air and Strong Economy to ensure progress towards its Nationally Determined Contribution of reducing greenhouse gas emissions by 40-45% by 2030.³⁵⁵ It also notes progress in transitioning away from coal to cleaner energy sources, such as the transformation of *Capital Power Corp's* *Genesee* coal-fired power plant into a gas-fired combined cycle plant.³⁵⁶

239. The Special Rapporteurship also notes progress in promoting a new clean electricity regulation that aims to achieve a net zero emissions electricity grid by 2035.³⁵⁷ However, it regrets that according to recent reports the government postponed its goal of achieving a net zero carbon electricity grid from 2035 to 2050, citing concerns about reliability and costs, raising doubts about the country's commitment to its climate goals.³⁵⁸

³⁴⁶ University of Waterloo, [Empowering communities made vulnerable to climate risks](#), September 17, 2024

³⁴⁷ IBC, [Summer 2024 shatters records for severe weather damage: Over \\$7 billion in insured losses from floods, fires and hailstorms](#), September 24, 2024.

³⁴⁸ Canadian Climate Institute, [High and dry: The rising tide of flood risks and the insurance dilemma](#), March 18, 2024.

³⁴⁹ [FACT SHEET: Climate change and flooding](#), cited above.

³⁵⁰ IBC, [Severe Weather in 2023 Caused Over \\$3.1 Billion in Insured Damage](#), January 8, 2024.

³⁵¹ Canadian Climate Institute, [FACT SHEET: Climate change and flooding](#), April 9, 2024.

³⁵² Canadian Climate Institute, [FACT SHEET: Climate change and drought](#), September 4, 2024.

³⁵³ [FACT SHEET: Climate change and drought](#), cited above.

³⁵⁴ Government of Canada, [2023-24 Departmental Plan: Environment and Climate Change Canada](#), January 11, 2024.

³⁵⁵ [2023-24 Departmental Plan: Environment and Climate Change Canada](#), cited above.

³⁵⁶ SPGlobal, [Outlook 2024: Canada's 2024 capacity additions include new, repowered gas](#), April 18, 2024.

³⁵⁷ Government of Canada, [Clean Electricity Regulations](#), September 3, 2023.

³⁵⁸ Reuters, [Canada pushes out target for net-zero electricity grid by 15 years](#), published December 17, 2024.

240. REDESCA takes note of the National Adaptation Strategy aimed at improving resilience to climate impacts. Within this framework, over 2024, an investment of \$2.5 billion has been made in the Disaster Mitigation and Adaptation Fund for 96 built and natural infrastructure projects across the country to help communities better prepare for and withstand the potential impacts of natural disasters, prevent infrastructure failures and protect Canadians.³⁵⁹

B. Business and human rights

241. The Special Rapporteurship notes that the rights of indigenous peoples in Canada continue to be threatened by natural resource extraction projects, according to information received. An emblematic case is that of the Wet'suwet'en territory, where the construction of the Coastal GasLink pipeline, according to available information, is reportedly proceeding without the consent of the hereditary chiefs of the Wet'suwet'en Nation, which has led to tensions between indigenous rights and corporate interests.³⁶⁰ REDESCA takes note of the communities' claims regarding the development of industrial timber and mining activities in their territory without their consent.

242. In addition, the Special Rapporteurship takes note of the concerns expressed by indigenous communities regarding the development of industrial activities in their territories without their consent. The expansion of mining and resource exploitation projects, such as the proposed Tenas coal mine in British Columbia, threatens vital ecosystems and the livelihoods of local communities. These projects threaten biodiversity and the traditional livelihoods of indigenous peoples, exacerbating tensions between economic development and the protection of ancestral rights.³⁶¹ REDESCA urges the State and the companies involved to respect the rights of indigenous peoples, guaranteeing processes of consultation and free, prior and informed consent, in accordance with international human rights standards.

243. Similarly, REDESCA highlights the results of the report presented by Wildsight, which has revealed that reversing the increase in selenium concentrations in waterways impacted by coal mining in the Elk Valley, British Columbia, could cost at least \$6.4 billion.³⁶² This pollution is primarily attributed to *Teck Resources'* coal mines, which in recent decades have raised selenium levels above safe limits for aquatic life and human health.

244. The Special Rapporteurship also takes note of the case of the Great Lakes, where significant challenges are reportedly being faced due to emerging contaminants, including microplastics and residues from pharmaceuticals. These contaminants pose significant risks to human health and aquatic ecosystems in the region.³⁶³ According to available information, the main source of these emerging contaminants is from domestic and industrial wastewater. At present, also according to available information, there are no specific regulations in Canada that would prevent many emerging pollutants from being discharged into water bodies.³⁶⁴ At the same time, note is taken of the Canadian State's investment of \$76 million as part of the Great Lakes Freshwater Ecosystem Initiative. This funding is intended to support local community projects focused on restoring water quality and improving ecosystem health in areas severely impacted by industrial pollution.³⁶⁵

245. A study published in January 2024 revealed that commercial logging has caused significant and irreversible damage to Canada's boreal forest, a vital ecosystem for combating climate change. The research indicates that, since 1976, more than 14 million hectares have been logged in the provinces of Ontario and Quebec, fragmenting the habitat and putting local biodiversity at risk. This fragmentation not only affects

³⁵⁹ Government of Canada, [Background: Update on Federal Climate Change Adaptation Actions](#), March 6, 2024.

³⁶⁰ The Guardian, ['We can feel our ancestors': one First Nation's fight to save Canada's old forests](#), September 23, 2024.

³⁶¹ Radio Victoria, [Canada: Coal expansion and indigenous sovereignty](#), 2024.

³⁶² Wildsight, [Report reveals Elk Valley's \\$6.4 billion water pollution problem](#), March 19, 2024.

³⁶³ The Narwhal, [Drugs, microplastics and forever chemicals: new contaminants emerge in the Great Lakes](#), January 4, 2024.

³⁶⁴ [Drugs, microplastics and forever chemicals: new contaminants emerge in the Great Lakes](#), cited above.

³⁶⁵ Government of Canada, [Turning the tide: Federal dollars to clean pollution and deliver clean water for Great Lakes communities](#), September 20, 2024.

flora and fauna, but also increases the vulnerability of forests to forest fires, exacerbating the release of carbon into the atmosphere.³⁶⁶ According to available information, the degradation of the boreal forest has direct implications for the indigenous communities that depend on these ecosystems for their subsistence and cultural well-being. The loss of old-growth forests would affect the availability of essential natural resources and disrupt traditional practices.³⁶⁷

246. REDESCA is aware that in response to these challenges, Canada has been promoting initiatives to encourage more sustainable forestry practices. However, reports from 2024 indicate that some logging operations, even those certified as "sustainable," have practiced clear-cutting in old-growth forests, raising questions about the effectiveness of environmental certifications and the true sustainability of these practices.³⁶⁸

C. Fiscal and economic policies

247. REDESCA notes that inflation in Canada has declined significantly and is projected to stabilize at around 2% by the end of 2024. Projections indicate that Consumer Price Index (CPI) inflation will fall from 3.9% in 2023 to approximately 2.5% in 2024.³⁶⁹ On the other hand, in September 2024, the unemployment rate in Canada stood at 6.5%.³⁷⁰

248. The Special Rapporteur has also analyzed recent reports indicating that income inequality in Canada has reached unprecedented levels. According to these reports, the gap in the share of disposable income between the richest 40% and poorest 40% of Canadians widened to 47 percentage points in the second quarter of 2024, the largest recorded since 1999. This increase is mainly attributed to investment gains, which have disproportionately benefited higher-income households, exacerbating economic inequality in the country.³⁷¹

249. In response to these growing disparities, the Canadian government has implemented tax measures aimed at improving equity.³⁷² According to information analyzed by REDESCA, the budget regulations have provided for an increase in capital gains taxes for the wealthiest taxpayers, raising the rate of inclusion of capital gains. This measure seeks to ensure that the wealthiest contribute equitably to the financing of public services and social programs.³⁷³

250. REDESCA notes the State's efforts to advance greenhouse gas reductions from an economic and fiscal standpoint, such as the carbon tax implemented since 2019. During 2024, the federal carbon price increased from \$65 to \$80 per ton of CO₂ equivalent emissions. This increase is part of a planned trajectory that aims to reach \$170 per ton by 2030.³⁷⁴ Approximately 90% of the revenue generated by the carbon tax is returned to households through a rebate program known as the Climate Action Incentive. It is intended to offset the costs incurred by households due to higher fuel prices. The remaining 10% is intended to support initiatives by businesses, schools and municipalities aimed at reducing fossil fuel consumption.³⁷⁵ The Special Rapporteur is closely following the discussions that have taken place in the country regarding the repeal of the carbon tax and recognizing the measures taken to mitigate the impacts of the tax on low and middle income households.³⁷⁶

³⁶⁶ New York Times, [Canada's lumber industry is wiping out forests that are indispensable to combat climate change](#), published in *Infobae*, January 4, 2024.

³⁶⁷ El País, [La degradación del bosque boreal canadiense](#), January 17, 2024.

³⁶⁸ Reuters, [Canada's vast forests are vital to fighting climate change. But they're going up in smoke](#), published in *Reuters Investigates*, 2024.

³⁶⁹ English News, [Income inequality in Canada rises to highest level ever recorded: Statistics Canada](#), 2024.

³⁷⁰ Statistics Canada, [Unemployment rate by province and territory, August 2024](#), September 6, 2024.

³⁷¹ Statistics Canada, [Unemployment rate by province and territory, August 2024](#), September 6, 2024.

³⁷² InfoNewsOK, [Income and wealth inequality reaches record levels in Canada](#), December 2024.

³⁷³ Government of Canada, [Budget 2024](#).

³⁷⁴ Ecojustice, [Why is gas so expensive in Canada? Hint: It's not carbon pricing](#), April 2, 2024.

³⁷⁵ [Why is gas so expensive in Canada? Hint: It's not carbon pricing](#), cited above; The Narwhal, [Carbon tax in Canada](#), October 2024.

³⁷⁶ CBC, [The carbon tax has its critics - do any of them have better ideas?](#), March 20, 2024.

D. Democracy and guarantee of ESCER

251. In 2024, according to available information, Canada has intensified its efforts to involve indigenous communities in environmental decision-making, recognizing the importance of their active participation in the management and conservation of natural resources. REDESCA notes that through the *Indigenous Off-Diesel Initiative*, remote indigenous community teams have been supported with specific funds to carry out community engagement, complete training and develop their Community Energy Plans.³⁷⁷

252. The Special Rapporteurship has also analyzed information regarding the Indigenous Partnerships for Natural Resources program, which aims to strengthen the participation of indigenous communities in natural resource development projects essential to a clean economy. In 2024, the Canadian government, through Natural Resources Canada, allocated \$2.7 million to support indigenous partnerships at the *Stobie Open-Pit Project* mining operations in Sudbury, involving nickel and copper mining. This effort is part of the Critical Minerals Infrastructure Fund (CMIF).³⁷⁸

253. Notwithstanding the aforementioned advances in relation to the conditions for democratic participation, the Office of the Special Rapporteur has received information that points to significant challenges in guaranteeing the ESCER of groups in situations of special vulnerability, including those belonging to racialized communities and indigenous peoples. For example, REDESCA has received information that in 2024, land defenders, such as Chief Dsta'hyl, were detained and faced charges for peacefully defending their ancestral territory. Amnesty International declared Chief Dsta'hyl a prisoner of conscience and demanded his immediate release, urging Canada to cease the criminalization of indigenous defenders during the current global climate emergency.³⁷⁹

254. REDESCA has noted that food insecurity disproportionately affects marginalized groups, including racial communities and indigenous peoples. In 2023, 40.4% of people of African descent and 36.8% of indigenous peoples lived in food insecure households.³⁸⁰ Additionally, Food Banks Canada's 2024 Poverty Reports indicate that most provincial governments received low marks for their poverty reduction efforts, with many jurisdictions failing to provide adequate financial relief.³⁸¹

255. Moreover, a study by the *Canadian Institute for Health Information* highlighted that only 86 % of Canadians aged 18 years and older reported having a designated primary care provider in 2023, down from 93 % in 2016.³⁸² This places Canada at the bottom of the ten countries surveyed, where the average access rate was 93 %.³⁸³ Approximately 4 million Canadians lack a regular health care provider, indicating a substantial gap in accessibility to primary care.³⁸⁴

9. CHILE

256. REDESCA highlights Chile's commitment to the promotion and protection of ESCER by having ratified key instruments such as the American Convention, the Protocol of San Salvador and the Escazú Agreement. These commitments reflect a significant alignment with international human rights standards. In this context, it is essential to analyze both the progress achieved and the persistent challenges in the effective implementation of these instruments.

³⁷⁷ Government of Canada, [Government of Canada announces support for Indigenous-led climate solutions in remote Indigenous communities](#), October 2024.

³⁷⁸ Government of Canada, [Indigenous Natural Resource Partnerships Program](#), *Natural Resources Canada*, October 2024.

³⁷⁹ Amnesty International, [Canada: Wet'suwet'en Chief Dsta'hyl Declared First Amnesty International Prisoner of Conscience](#), July 31, 2024.

³⁸⁰ [New data on household food insecurity in 2023](#), cited above.

³⁸¹ Food Banks Canada, [Federal government gets D- on 2024 Poverty Report Cards](#), May 22, 2024.

³⁸² Canadian Institute for Health Information, [International survey shows Canada lags behind peer countries in access to primary health care](#), March 21, 2024.

³⁸³ BPM, [Canada ranks lowest in health care access among wealthy nations](#), March 25, 2024.

³⁸⁴ [Canada ranks lowest in health care access among wealthy nations](#), cited above.

257. The Rapporteurship notes that, although income poverty has shown a downward trend with an estimated 5% by 2024³⁸⁵, challenges related to inequalities of opportunity persist in the country. As reported by the World Bank, real GDP growth of 1.9% in the first half of 2024, driven by the mining sector, does not translate into equitable improvements in the labor market. Although the year saw an increase in the minimum wage³⁸⁶, gender gaps have widened, with unemployment at 7.9% for men and rising to 9.0% for women, reflecting persistent structures of inequality.³⁸⁷

258. According to World Bank projections, Chile's Gini index will remain around 0.43 points in 2024, indicating that income inequality will remain stable compared to previous years.³⁸⁸ Despite this stability, Chile continues to present one of the highest Gini indices among the countries of the Organization for Economic Cooperation and Development, reflecting significant income inequality compared to other developed economies.

A. Climate emergency and environmental protection

259. The Special Rapporteurship notes with concern the increase in the frequency and intensity of extreme natural phenomena in Chile, which is related to the effects of climate change, such as forest fires. In this regard, it expresses its solidarity with the victims of the devastating fires that occurred in February in different communes of the Valparaíso Region, which left at least 134 people dead and more than 3,000 homes burned.³⁸⁹ REDESCA takes note of the government's announcement of the activation of the National Reconstruction Fund to assist those affected, which includes economic benefits such as recovery bonds and aid for habitability, in addition to social assistance programs that offer comprehensive support to families in crisis.³⁹⁰ The plan would also contemplate tax relief and access to essential services, necessary to facilitate the economic recovery of the communities. In view of the increasing frequency and intensity of these environmental disasters, REDESCA calls for intensified efforts in prevention, mitigation and adaptation to forest fires within the framework of international cooperation.

260. REDESCA also notes that significant challenges persist in terms of access to water. In this regard, the Office of the Special Rapporteur is concerned about the serious shortage of drinking water in several regions of the country, where water quality is compromised due to industrial, agricultural and urban pollution. This situation has been aggravated by rising temperatures and increasingly extensive climatic events, exacerbated by the climate crisis. Reports by the OECD³⁹¹ and the Terram Foundation³⁹², show a shared concern about water management in Chile. Pollution, together with the lack of infrastructure to treat wastewater, poses risks to public health and the environment and evidences a persistent gap in access to basic sanitation services.³⁹³

261. In this context, REDESCA takes note of the report presented by the United Nations Rapporteur on Human Rights and the Environment, which highlights that the water crisis in the country has become a critical issue that requires immediate attention and concrete actions to address its multiple dimensions, from scarcity to pollution, and adequate management and regulation.³⁹⁴ The importance of water is not only limited

³⁸⁵ World Bank, [Chile Overview](#), last updated: October 14, 2024.

³⁸⁶ Government of Chile, [Increases the minimum wage: Revise the new minimum monthly income 2024](#), July 01, 2024.

³⁸⁷ World Bank, [Chile Overview](#), last updated: October 14, 2024.

³⁸⁸ World Bank, [Chile Overview](#), last updated: October 14, 2024.

³⁸⁹ BioBio Chile, [Aumentan a 134 las personas fallecidas por incendios que afectaron a comunas de región de Valparaíso](#), 23 February 2024; El País, [Al menos 112 muertos, más de 3.000 casas quemadas y sospechas de intencionalidad: el brutal incendio que azota a Chile](#), 4 February 2024.

³⁹⁰ Government of Chile, [Medidas de ayudas tempranas para familias afectadas por emergencias en Región de Valparaíso](#), February 16, 2024.

³⁹¹ OECD - [Environmental Performance Reviews: Chile 2024](#), March 2024.

³⁹² Fundación Terram, [Environmental Balance Terram Foundation 2023: Take your "ChileVerde" - From Promises to the Government's Green Developmentalism](#), December 2023.

³⁹³ Heinrich-Böll-Stiftung, [Water Scarcity in Chile: Reflections on World Water Day 2024](#), March 25, 2024.

³⁹⁴ United Nations, cited above, A/HRC/55/43/Add.1, 3 January 2024.

to ecological sustainability, but also has a significant impact on Chile's socioeconomic well-being. Water availability and quality are critical to various sectors, such as agriculture, industry, tourism and public health.

262. Although Chile has new legislation on climate change and has taken measures related to the closure of coal-fired power plants, the generation of solar electricity and the protection of much of its marine space, certain challenges related to environmental sustainability persist. The Office of the Special Rapporteur notes with attention reports of the persistence of so-called sacrifice zones, as well as problems related to air pollution, adequate and safe access to water supply, adaptation to the climate crisis, and effective implementation of environmental laws and policies.³⁹⁵

263. REDESCA recognizes the State's efforts in implementing climate action as a national policy, supported by a Long Term Climate Strategy and a Climate Change Framework Law.³⁹⁶ At the same time, it is noted that it still faces challenges in meeting its carbon neutrality and resilience objectives. In this context, the Special Rapporteur notes the disbursement of a US\$100 million loan to support Chile's transition to a carbon neutral and resilient economy.³⁹⁷ According to the information received, the program will support the implementation of policies and regulations, accelerating climate planning in key sectors and at all levels of government. In addition, it seeks to strengthen institutions in charge of environmental and climate management, while encouraging both public and private investments that are carbon neutral and resilient.

B. Business and human rights

264. REDESCA has taken note of the realization on August 14, 2024, of a key session for the development of the Third National Action Plan on Human Rights and Business (PAN3), which will define public policy in this area between 2026 and 2029. This meeting, organized by the Mirror Committee of the National Contact Point, brought together representatives of civil society, workers, academia, public and private companies, human rights defenders and international organizations.³⁹⁸

265. In the framework of the 189th session, civil society organizations expressed their concerns about the impacts on human rights and a healthy environment by mining, forestry, salmon farming and energy supply companies, both public and private, national and foreign.³⁹⁹ According to the Map of Socio-environmental Conflicts prepared by the National Institute of Human Rights, 131 conflicts generated by these companies have been identified.⁴⁰⁰ Among them, 37% are related to the energy sector, 26% to mining, 8% to environmental sanitation, and 30% include other sectors, such as forestry and salmon farming. These conflicts not only have economic repercussions, but also fundamentally affect essential rights: 85% affect the right to a healthy environment, 44% affect the right to health, another 44% affect the human right to water, and 31% affect the right to territory and access to natural resources.⁴⁰¹ For example, according to available information, in December 2024, doctors in Calama, a city in the heart of Chile's copper mining area, reported an alarming increase in diagnoses of severe childhood autism and genetic, respiratory and dermatological health problems. These professionals suspect that this trend is linked to the intense pollution caused by mining activity in the region.⁴⁰²

³⁹⁵ United Nations, Report of the Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment, David R. Boyd, A/HRC/55/43/Add.1, 3 January 2024.

³⁹⁶ State of Chile, Note Verbale No. 162/24, in response to the Letter of Request for Information in light of Article 41 of the ACHR, No. IACHR/REDESCA/013-24, July 16, 2024, REDESCA file.

³⁹⁷ Inter-American Development Bank (IDB), [IDB supports Chile to accelerate transition to a carbon neutral and resilient economy](#), September 26, 2024.

³⁹⁸ Undersecretariat for Human Rights of Chile, [Third National Action Plan on Human Rights and Business: Progress and Challenges towards 2026-2029](#)

³⁹⁹ IACHR Thematic Hearing, [Regional: Business Impacts on Human Rights and the Environment](#), 189th session Washington, D.C., March 1, 2024.

⁴⁰⁰ INDH, [Map of socio-environmental conflicts in Chile](#), last revision October 19, 2024.

⁴⁰¹ INDH, cited above, last revised October 19, 2024.

⁴⁰² El País, [Chilean doctors warn of a child health crisis in the heart of copper mining](#), *América Futura*, December 22, 2024

266. Additionally, information provided by civil society reports environmental damage to ecosystems such as the Salar de Punta Negra as a result of the activities of copper extraction by Minera Escondida Limitada.⁴⁰³ The extraction of water for production processes has caused a significant decrease in water levels, soil deterioration, loss of water vegetation, damage to local fauna and loss of ecosystem services. In addition, concerns have been raised about the exclusion of indigenous communities in related agreements and the effectiveness of wetland restoration mechanisms.

267. In line with the above, REDESCA takes note of the National Lithium Strategy implemented by the Chilean government that seeks to subject the country's salt flats ecosystems to public and private exploitation.⁴⁰⁴ Although the plan contemplates the protection of at least 30% of the salt flats, civil society organizations state that access to information and participation in environmental decisions would not be guaranteed. According to information received by REDESCA, this especially affects the Ollagüe and Coipasa salt flats, located on the border with Bolivia, where Quechua and Aymara communities, according to information received, are at risk due to the lack of adequate consultation.⁴⁰⁵

268. The Office of the Special Rapporteur has learned of a study by researchers at the University of Chile, which revealed that the Salar de Atacama is sinking at a rate of 1 to 2 centimeters per year due to the extraction of lithium-rich brine. Using satellite data collected between 2020 and 2023, the research identified significant deformations in the earth's crust, particularly in the southwestern region where intensive lithium mining is taking place.⁴⁰⁶ Furthermore, lithium extraction in the Salar de Atacama requires the evaporation of large quantities of water. It is estimated that for every ton of lithium extracted, approximately 2 million liters of water are evaporated. This practice affects both biodiversity and the communities that depend on these water resources.⁴⁰⁷

269. According to the information received, salmon farming is also a threat to the country's environment, especially in the Patagonian region. The expansion of this industry has reportedly affected marine biodiversity, including cetacean species and cold water corals. Research has shown that the increase of nutrients in the water, derived from salmon farming, has caused harmful algal blooms, negatively affecting corals and other marine species.⁴⁰⁸

270. Challenges have also been identified in relation to the activities of technology companies, specifically in relation to the construction of data centers. For example, Google was planning to build a multi-million dollar data center. However, in September 2024, the company decided to completely revise its plans due to concerns about the environmental impact on the city, especially in relation to water use in a region affected by a decade-long drought. A local environmental court revoked the permit granted in 2020, requiring Google to address the effects of climate change in its application. In response, Google reportedly opted to initiate a new permitting process, incorporating air-cooling technology instead of water.⁴⁰⁹

271. In view of the information received, REDESCA urges the State of Chile to guarantee a balance between the development of its main business activities and respect for inter-American human rights standards, particularly in the area of ESCER, as well as in relation to human rights and business. The Office of the Special Rapporteur emphasizes that these processes should be accompanied by business policies that include human rights due diligence measures, with a special focus on the protection of biodiversity and the

⁴⁰³ IACHR, Thematic Hearing, "[Regional: Impacts of Mineral Extraction in the Context of Energy Transition](#)", cited above, November 15, 2024.

⁴⁰⁴ Government of Chile, [National Lithium Strategy](#), 2024.

⁴⁰⁵ IACHR, Thematic Hearing, "[Regional: Impacts of Mineral Extraction in the Context of Energy Transition](#)," 191st regular session, Washington, DC, United States, November 15, 2024, information provided by petitioning organizations in the framework of the hearing.

⁴⁰⁶ Reuters, [Lithium mining is slowly sinking Chile's Atacama salt flat, study shows](#), August 22, 2024.

⁴⁰⁷ ColGlobal News, [The environmental and social impact of lithium mining in Latin America](#), June 2, 2024.

⁴⁰⁸ United Nations, Report of the Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment, David R. Boyd, A/HRC/55/43/Add.1, January 3, 2024. El País, [La vida secreta de los corales de aguas frías de la Patagonia](#), *América Futura*, August 31, 2024.

⁴⁰⁹ Reuters, [Google takes Chile data center plans back to square one over environmental concerns](#), September 17, 2024.

prevention of pollution from industrial activities. It also recommends the adoption of public policies aimed at guaranteeing transparency and accountability in the context of relations between the State, companies and affected communities. In this regard, REDESCA reiterates its willingness to provide technical assistance to the State of Chile, facilitating the implementation of Inter-American standards and the recommendations contained in its thematic report on business and human rights. This is essential to ensure that economic development is carried out within a framework of respect for human rights, contributing to sustainability, social justice and strengthening the capacities of the most vulnerable communities.

C. Fiscal and economic policies

272. REDESCA notes that on September 25, 2024, the Chilean Congress approved a tax reform as part of the so-called Fiscal Pact promoted by the government of Gabriel Boric. This reform seeks to modernize tax administration, combat tax evasion and generate additional revenues estimated at US\$4.5 billion annually to finance key sectors such as security, health and pensions.⁴¹⁰

273. Regarding the right to health, REDESCA welcomes Chile's decision to incorporate through the Budget Law 2024 funds for the expansion of universal coverage in Primary Health Care to a total of 21 communes, which allows access to quality health care free of charge to all people, regardless of their health insurance status.⁴¹¹ However, some available information indicates the existence of long waiting lists in the health system to access medical care. In this sense, the Ministry of Health released the waiting lists corresponding to the second quarter of 2024, which reveal that around 2.8 million people are waiting for medical attention, 88% of them for new specialty consultations and 12% for surgical interventions.⁴¹²

274. Regarding solidarity, informal and care economies, the Rapporteurship notes the informal employment rate in the country, especially for women, whose rate of informality reaches 29.9%, compared to 26.9% for men, which limits their access to labor rights.⁴¹³ In this context, REDESCA welcomes Chile's decision to address the issue from a human rights perspective. In particular, it learned about the decision to present a bill that creates the National System of Support and Care and recognizes the right of each person to receive care, as well as the right to care and practice self-care.⁴¹⁴

275. In environmental matters, REDESCA notes that by 2024 the Ministry of Environment received less than 0.10% of the state budget, equivalent to 80 billion Chilean pesos.⁴¹⁵ Although this budget increased compared to 2023, it remains below that of other high-income nations.

276. In this regard, the Office of the Special Rapporteur recalls that, from a human rights perspective, it is particularly relevant for fiscal policy to ensure minimum essential levels, the mobilization of maximum resources for the progressive realization of ESCER, compliance with the principle of progressivity and non-regressivity, and the application of the principle of equality and non-discrimination.⁴¹⁶ REDESCA recommends that the State prioritize fiscal redistribution policies that combine the strengthening of the tax base with an increase in social spending, ensuring financial sustainability and the fulfillment of ESCER.

D. Democracy and guarantee of ESCER

277. In 2024, Chile faced challenges in implementing effective mechanisms for citizen participation in decisions related to environmental protection and social rights. Although the ratification of the Escazú

⁴¹⁰ Ministry of Economy and Finance of Chile, [Reforma tributaria en Chile 2024](#), October 15, 2024.

⁴¹¹ Government of Chile, [APS Universal: Learn about the 14 communes that will be added to the coverage](#), April 19, 2024.

⁴¹² La Tercera, [Listas de espera: tiempos registran disminución en últimos dos años aunque en trimestre enero-marzo 2024 presenta leve aumento](#), June 19, 2024.

⁴¹³ World Bank, [Chile Overview](#), last updated: October 14, 2024.

⁴¹⁴ Ministry of Social Development and Family, [Government signs bill creating the National System of Support and Care](#), June 7, 2024.

⁴¹⁵ Library of the National Congress of Chile, Presupuesto de la Nación, [Item Ministerio del Medioambiente](#), last revision October 19, 2024.

⁴¹⁶ IACHR, [Public Policies with a Human Rights Approach](#), OEA/Ser.L/V/II. Doc. 191, 15 September 2018, para. 119.

Agreement marks a milestone in the State's commitment to public participation, reports from civil society organizations indicate that implementation of its principles remains limited.

278. The Commission and REDESCA have received multiple complaints regarding the lack of free, prior and informed consultation with indigenous communities in the advance of extractive projects, as well as their limited participation in the benefits derived from the exploitation of resources such as copper and lithium in the country. They point out that the companies do not have adequate grievance mechanisms, which, added to the weakness of the systems of access to justice, results in the lack of reparation for the damages caused. In addition, they state that the regulatory frameworks and public policies implemented by the Chilean State would be ineffective in addressing this problem, fostering an environment of impunity for companies in their actions that violate human rights.⁴¹⁷

279. The Office of the Special Rapporteur considers it important to strengthen existing mechanisms to ensure respect for the rights of indigenous communities, including the full and effective exercise of the right to free, prior and informed consultation, as established in inter-American standards and ILO Convention 169. It also underscores the importance of promoting the active participation of communities in decision-making related to business projects and activities that may have a significant impact on their rights, livelihoods and territories.

280. REDESCA also takes note of information that refers to the difficulties in guaranteeing the right to education with an intercultural approach for indigenous communities in Chile. In particular, it received information on the existing obstacles to effective access to education for the Mapuche people with an ethnically and culturally appropriate perspective.⁴¹⁸ Among the main arguments is the lack of state recognition of Mapuche educational institutions, as well as the lack of an intercultural education system that reflects the worldviews, histories, languages, knowledge, values, cultures, practices and ways of life of this people. They also indicate that the implementation of the current educational regulations, carried out without prior consultation with the indigenous communities and organizations, introduced new administrative management models, educational standards and infrastructure requirements, without prior consultation with the affected Mapuche communities. This would have resulted in the imposition of measures without considering the pre-existing obstacles in the Mapuche context or allowing sufficient time to adapt to the new model. In addition, they indicate that the educational institutions did not receive the necessary resources to adjust to the changes, which hindered their ability to offer an adequate and culturally relevant education. They request that the State implement financing programs for their own educational projects and infrastructure for educational establishments.⁴¹⁹

281. Therefore, REDESCA emphasizes the importance that education policies should not be developed exclusively by government authorities, but should be the result of a participatory and inclusive process. This implies the need to establish a continuous and respectful dialogue with indigenous communities, ensuring that their voices are heard and their needs and rights are considered at every stage of policy formulation.

282. With regard to persons with disabilities, REDESCA takes careful note of the situation of deaf students in the country. According to information provided in the framework of the 189th session, deaf students face obstacles to receive an education that respects their language and culture, since they do not always have access to sign language interpreters or to pedagogical methodologies appropriate to their specific needs. The information provided indicates a lack of inclusive policies and adequate resources in the Chilean educational system, which limits the full academic and social development of this group. Students facing these

⁴¹⁷ IACHR Thematic Hearing, [Regional: Business Impacts on Human Rights and the Environment](#), 189th session, Washington, D.C., March 15, 2024, information provided by Observatorio Ciudadano.

⁴¹⁸ Information provided to the IACHR and REDESCA by civil society organizations.

⁴¹⁹ Information provided to the IACHR and REDESCA by civil society organizations.

challenges have been forced to attend educational centers that lack the necessary tools for learning, which, according to the allegations, results in unequal access to education and perpetuates exclusion.⁴²⁰

283. REDESCA notes that the migrant population eligible to vote in municipal elections has increased considerably, from 267,116 in 2017 to 786,446 in 2024, representing 5.1% of the national electoral roll.⁴²¹ However, the Special Rapporteurship has considered information from the Jesuit Migrant Service, according to which in 2024, more than 20% of the migrant population in Chile would face significant difficulties in accessing basic services such as health and housing.⁴²²

284. Regarding persons deprived of liberty, the Rapporteurship takes note of the concluding observations of the Human Rights Committee that detail the high levels of overcrowding in the Chilean prison system, as well as the obstacles to access to the right to health, drinking water, hygiene and education for persons deprived of liberty.⁴²³ According to the Centro de Estudios Públicos, the prison system in the country has reached a capacity utilization of 135%, and there are places where these figures increase considerably. For example, in Atacama they reach 233%, and in Maule 197%.⁴²⁴

285. Regarding the guarantee of cultural rights, and based on the observations of the United Nations Special Rapporteur in the area of cultural rights⁴²⁵, REDESCA calls on the State to guarantee recognition and respect for the cultural rights of all people in the country, including the right to preserve, practice and enjoy their own culture and way of life. By valuing and respecting different ways of life, social cohesion is strengthened, and an environment is fostered in which all people can participate fully in the cultural, social and political life of their communities.

10. COLOMBIA

286. REDESCA welcomes Colombia's ratification of the American Convention, the Protocol of San Salvador and the Escazú Agreement, underscoring its commitment to the protection and promotion of economic, social, cultural and environmental rights. In light of this normative framework, the Office of the Special Rapporteur invites the Colombian State to focus its efforts on the effective implementation of the obligations derived from these international instruments. This includes the adoption of public policies that ensure the active participation of local communities and groups in vulnerable situations, as well as the strengthening of accountability mechanisms and the protection of human rights in the face of environmental and social challenges.

287. REDESCA notes that the State continues to face significant challenges in combating poverty and inequality, as well as in guaranteeing ESCER. These challenges, in addition to disproportionately affecting indigenous peoples, Afro-descendant and peasant communities, as well as other vulnerable groups, constitute one of the main causes and consequences of violence and conflict in the country.⁴²⁶ According to recent data, more than half of the victims declared in the Unified Registry of Victims live in conditions of monetary poverty, reaching 51.6% in 2022.⁴²⁷

288. Without detriment to the above, the Special Rapporteurship takes note of the reduction in monetary poverty. According to official information, between 2022 and 2023, 1,118,972 people left monetary

⁴²⁰ IACHR, Thematic Hearing, [Chile: Human Rights of the Deaf](#), 189th regular session, Washington, D.C., March 1, 2024.

⁴²¹ La Nación, [Elecciones municipales: El impacto del voto migrante](#), October 25, 2024.

⁴²² Jesuit Migrant Service, [Follow-up Report: Migration Policy and Refugee Law](#), March 2024.

⁴²³ UN Human Rights Committee, [Concluding observations on the seventh periodic report of Chile](#), CCPR/C/CHL/CO/7, May 1, 2024.

⁴²⁴ Centro de Estudios Públicos (CEP), [Un sistema desbordado: radiografía al sistema penitenciario](#), July 18, 2024.

⁴²⁵ United Nations, [Preliminary findings and observations UN Special Rapporteur in the field of cultural rights Alexandra Xanthaki](#), Santiago, April 5, 2024.

⁴²⁶ IACHR, [Preliminary Observations In Loco Colombia Visit](#), April 15 to 19, 2024.

⁴²⁷ [Visor Poverty and Extreme Poverty](#), already cited, (October, 2024).

poverty (equivalent to a reduction of 3.6%, from 36.6% to 33%),⁴²⁸ while 1,623,788 people left extreme monetary poverty (which decreased by 2.4%, from 13.8% to 11.4%).⁴²⁹

289. A similar trend is observed for multidimensional poverty, since, although there was a slight decrease compared to 2022, in 2023 it reached 12.1% at the national level, with 8.3% in the capitals, compared to 25.1% in population centers and dispersed rural areas⁴³⁰ -a difference three times greater-. It should also be noted that, for the same year, 13.2% of female-headed households were multidimensionally poor, while for male-headed households the percentage rose to 11.2%.⁴³¹

290. REDESCA notes with concern that, despite some improvements in poverty, inequality persists as one of the main challenges for the country. According to DANE data, Colombia has one of the most unequal income distributions in the world, with a Gini coefficient of 0.546.⁴³²

A. Climate emergency and environmental protection

291. REDESCA highlights that Colombia would be one of the most vulnerable countries to climate change, ranking 92nd in the vulnerability index of the Global Adaptation Initiative.⁴³³ This is due to its exposure to phenomena such as droughts, floods and landslides, which have caused significant damage in recent years.⁴³⁴ In this context, the World Bank has indicated that floods represent 45% of all natural risks in the country and landslides 19%. This institution also reported that the frequency of these situations has increased due to the melting of glaciers and the increase in temperatures. In the same line, droughts have been 2.2 times more frequent than in previous years.⁴³⁵ This has had a significant impact on the guarantee of human rights, including the rights to water, health and food.⁴³⁶

292. REDESCA has been closely monitoring the increase in forest fires across the country, also considering the effects of the El Niño phenomenon, which has exacerbated conditions of extreme heat and drought, thereby increasing the vulnerability of various regions. In January 2024, record temperatures of up to 40.4°C were recorded in several locations.⁴³⁷ It is also noted that during 2023, more than 14,000 forest fires were reported, positioning the country as the sixth in Latin America with the highest number of forest fires.⁴³⁸ According to the Institute of Hydrology, Meteorology and Environmental Studies for January 2024, 747 municipalities had some level of alert for forest fires⁴³⁹. In the same line, between January and March 2024, at least 939 forest fires have been reported, according to data from the National Unit for Disaster Risk Management.⁴⁴⁰

293. By 2023, the country would have reduced deforestation by 25-35% at the national level, compared to 2022.⁴⁴¹ However, official estimates have indicated that, given the current climate conditions, deforestation is expected to rise by 40% by 2024. This potential increase is attributed to factors such as the expansion of extensive livestock farming, illegal mining and the activities of armed groups in regions of high biodiversity, especially in the Amazon.⁴⁴² The Office of the Special Rapporteur emphasizes the urgency of

⁴²⁸ DANE, [Press release: In 2023, in the national total, monetary poverty was 33% and extreme monetary poverty was 11.4%](#), July 16, 2024.

⁴²⁹ DANE, [Press release: In 2023, in the national total, monetary poverty was 33% and extreme monetary poverty was 11.4%](#), July 16, 2024.

⁴³⁰ DANE, [Multidimensional Poverty](#), April 19, 2024.

⁴³¹ DANE, [Technical Bulletin: Multidimensional Poverty in Colombia Year 2023](#), April 19, 2024.

⁴³² [Press release: In 2023, in the national total, monetary poverty was 33% and extreme monetary poverty was 11.4%](#), cited above, p. 4.

⁴³³ Notre Dame Global Adaption Initiative, [ND-GAIN Country Index](#), 2022.

⁴³⁴ [ND-GAIN Country Index](#), cited above.

⁴³⁵ World Bank, [Impacto del cambio climático en la salud en Colombia y recomendaciones para mitigación y adaptación](#), September 2023.

⁴³⁶ [Impact of climate change on health in Colombia and recommendations for mitigation and adaptation](#), p. 2, cited above.

⁴³⁷ DW, [Colombia records record temperatures, according to IDEAM](#), January 24, 2024.

⁴³⁸ Statista, [Number of forest fires in Colombia from 2013 to 2023](#), September 12, 2024.

⁴³⁹ Ministry of Environment and Sustainable Development, [747 municipalities in the country on alert due to threat of forest fires](#), January 10, 2024.

⁴⁴⁰ Risk Management Unit, [Colombia starts March with 17 active forest fires](#), March 3, 2024.

⁴⁴¹ Mongabay, [Colombia: deforestation decreased in 2023, but will increase in 2024](#), April 12, 2024.

⁴⁴² Ministry of Environment, [Deforestation drops in 2023 and in 2024 faces threats](#), April 8, 2024.

implementing comprehensive measures to address these threats, including strengthening environmental governance, promoting sustainable practices, and protecting environmental defenders.

294. In the framework of the IACHR's *on-site* visit, REDESCA received information on human rights violations and threats to the fishing communities of the Gulf of Morrosquillo, in the Colombian Caribbean, whose food security and livelihoods are threatened due to offshore gas exploration, oil bunkering and maritime transport activities in their territory.⁴⁴³ In this regard, it was indicated that the direct effects of these oil and gas operations disturb the balance of the regional ecosystem, endangering the biodiversity of several protected areas that are fundamental for fishing in the Gulf. This situation is particularly significant, as these areas also serve as vital carbon sinks, playing a crucial role in both climate change adaptation and mitigation, while also being essential for securing local livelihoods.⁴⁴⁴

295. In a scenario in which the growing challenges imposed by climate change and business activities threaten the provision of sufficient, safe and affordable water for all people,⁴⁴⁵ the Office of the Special Rapporteur notes with concern the existence of reports highlighting the risk of water shortages in 1,120 municipalities across the country, with 835 of them being vulnerable to water scarcity, regardless of drought conditions. Thus, during the first quarter of 2024, this problem occurred in 277 municipalities and 24 departments of the country⁴⁴⁶ and according to official figures, 82 municipalities in 14 departments have presented water rationing.⁴⁴⁷ Among the most concerning cases is the country's capital, Bogotá D.C., where the levels of reservoirs supplying the city's drinking water have been declining to critical levels, prompting the implementation of rationing measures throughout 2024.⁴⁴⁸

296. The Office of the Special Rapporteur notes that access to drinking water in the country continues to be a challenge that requires priority attention, especially for groups in vulnerable situations, such as indigenous peoples, peasant communities and Afro-descendants. Although Colombia is supplied with drinking water through the basins of the main rivers, streams and creeks, located in the middle of ecosystems as diverse as the páramo, the tropical rainforest, the Amazon rainforest, the plains and the wetlands, which supply fresh water to the entire territory,⁴⁴⁹ the water is not primarily intended for human consumption. The most recent data indicates that, in 2020, the agricultural, fish farming, livestock and mining sectors led water consumption, accounting for more than 62.3% of demand, followed by 28.2% of demand from the hydropower, hydrocarbon, industrial and construction sectors. Households and offices consumed the remaining 9.5%.⁴⁵⁰

297. It is important to highlight that less than 10% of the remaining water is suitable for human consumption. According to official information, in 2024, water supply coverage in the country reached 72%, with 85% in urban areas and only 39% in rural areas.⁴⁵¹ However, having access to a water service does not guarantee its quality, since 44% of municipalities in urban areas would present some type of risk in the water they consume and 86% in municipalities located in rural areas.⁴⁵²

298. REDESCA has taken note of reports from the Ombudsman's Office, according to which in 2023, 148 municipalities in the country consumed water with sanitary unviability or high health risk, impacting 534,000 people in urban areas and around 799,000 in rural areas.⁴⁵³ A critical case is observed in the

⁴⁴³ REDESCA, Information provided by AIDA, April 17, 2024.

⁴⁴⁴ REDESCA, Information provided by AIDA, cited above.

⁴⁴⁵ REDESCA-IACHR, [REDESCA urges to guarantee the right to water and sanitation in the face of climate emergency and the impact of certain business activities in the Americas](#), March 22, 2024.

⁴⁴⁶ Mongabay, [What's behind Colombia's water shortage and drought](#), April 19, 2024.

⁴⁴⁷ Ministry of Environment, [Despite rain forecast, water saving must continue until reservoirs are restored](#), April 15, 2024.

⁴⁴⁸ [What's behind the water shortage and drought in Colombia](#), cited.

⁴⁴⁹ The Empty Chair. [Everything you should know about water in Colombia](#), May 5, 2024.

⁴⁵⁰ [Everything you should know about water in Colombia](#), cited.

⁴⁵¹ Superintendency of Public Utilities, [State and companies must reduce gaps in access to drinking water and basic sanitation: Superservicios](#), February 1, 2024.

⁴⁵² [State and companies must reduce the gaps in access to drinking water and basic sanitation: Superservicios](#), cited above.

⁴⁵³ Ombudsman's Office, [En el último año, habitantes de 148 municipios consumieron agua con inviabilidad sanitaria o alto riesgo para su salud](#), March 22, 2024.

Department of La Guajira, where only 11.9% of the dispersed rural population has access to drinking water, while the inhabitants of urban areas receive irregular service and water with high levels of unsanitary conditions.⁴⁵⁴

299. In this scenario, the Office of the Special Rapporteur is particularly concerned about the contamination of water sources due to agricultural activities, deforestation, illegal mining, overfishing and inefficient sanitary water treatment, which have been reported.⁴⁵⁵ According to the World Wildlife Fund, Colombian rivers receive 756,945 tons of biodegradable waste and 918,670 tons of non-biodegradable organic matter each year.⁴⁵⁶ Within this framework, chemicals derived from industrial and agricultural activities such as fertilizers and pesticides contribute the greatest pollutant load.⁴⁵⁷

B. Business and human rights

300. REDESCA notes that Colombia faces structural challenges to the protection of human rights in the context of business activities. In this regard, the United Nations Working Group on Business and Human Rights indicated, from its recent visit to the country, that this is due in part to the economic model, which is based on the exploitation of natural resources with large-scale territorial and production volume projects.⁴⁵⁸

301. According to the National Mining Agency, current mining titles are mainly for the exploitation of coal, anthracite, clays, sands, gravels and construction materials, copper ores and gold ores. The majority of these are concentrated in the departments of Cesar and La Guajira,⁴⁵⁹ which coincide with areas affected by the armed conflict. By way of example, in the meetings held in the framework of the 2024 on-site visit, which addressed the serious situation in the Sierra Nevada, it was stated that there are 171 active mining titles and 95 pending applications, 80% of which are located in areas of armed conflict.⁴⁶⁰

302. Taking into account the aforementioned context, REDESCA closely follows several of the socio-environmental conflicts, which are related to mining-energy, agro-industrial and infrastructure megaprojects.⁴⁶¹ These types of conflicts mainly affect indigenous peoples, Afro-descendant and peasant communities, as many of these projects are developed in their territories. The Office highlights that the lack of recognition and historical reparations for human rights violations generated by companies, or in the context of their operations, hinders the building of trust and spaces for dialogue between these and the affected populations.⁴⁶²

303. During the on-site visit, the Commission and REDESCA received information on the continuing impacts of coal mining in certain regions of the country. In this regard, it is noted that Colombia continues to be the largest coal producer in Latin America, with 65 million tons extracted in 2022.⁴⁶³ Within this framework, civil society organizations have pointed out the lack of incorporation of human rights due diligence standards, in accordance with Inter-American standards and the UN Guiding Principles on Business and Human Rights.⁴⁶⁴

⁴⁵⁴ [Departmental Briefing. La Guajira. July to December 2023](#), cited above, p. 2.

⁴⁵⁵ [Everything you should know about water in Colombia](#), cited.

⁴⁵⁶ World Wildlife Fund, [Colombia is considered a world water power](#), September 2024.

⁴⁵⁷ [Colombia is considered a world water power](#), as mentioned above.

⁴⁵⁸ UN HR, [Experts urgently call on government and business to step up efforts to protect human rights of critically endangered groups. Press Release](#), August 9, 2024.

⁴⁵⁹ National Mining Agency, [Así es nuestra Colombia Minera](#), September 18, 2024.

⁴⁶⁰ Information received by the IACHR and REDESCA during a meeting with civil society organizations in Riohacha on DESCA, social conflict and companies, April 17, 2024.

⁴⁶¹ INDEPAZ, [Socio-environmental Conflicts in Colombia](#), February 21, 2023.

⁴⁶² [Experts urgently call on government and business to intensify efforts to protect the human rights of critically endangered groups. Press Release](#), cited above, p. 1.

⁴⁶³ Mongabay, [Colombia: possible opening of coal mines would double methane emissions from the sector](#), May 15, 2023.

⁴⁶⁴ REDESCA. Information provided by the Business and Human Rights Information Center. April 17, 2024; REDESCA. Information provided by AIDA. April 17, 2024; Information received by the IACHR and REDESCA during meeting with civil society organizations in Riohacha on DESCA, social conflict and companies, cited above.

304. With regard to the impacts in the department of Cesar, information was received on the closure of Prodeco, where there was an untimely abandonment of mining titles and a subsequent increase in social conflict in the area. During meetings with civil society organizations, the Commission and REDESCA were made aware of the regulatory and policy gaps concerning Business and Human Rights, particularly within the coal sector. In this regard, it was emphasized that the exit of this type of projects implies an evident deterioration and impact on ESCER and the rights of access to information, participation and environmental justice.⁴⁶⁵

305. With regard to human rights impacts in the department of La Guajira, during the visit, concerns were reiterated regarding the growing socio-environmental conflicts resulting from the impacts of the Cerrejón coal mine - which has been operating for more than 40 years and is considered the largest open-pit coal mine in South America.⁴⁶⁶ These impacts have also been recognized in multiple rulings that are still in compliance stage.⁴⁶⁷

306. In turn, REDESCA received information on energy transition projects in the department, where about 57 wind farms by 16 multinational and three local companies are currently in the process of licensing and prior consultation. In this context, the violation of the rights of the communities and their displacement continue to be denounced.⁴⁶⁸ According to available information, these projects expect to produce 20% of all the electricity demanded by the country in the next decade. However, they would directly affect around 288 Wayuu communities.⁴⁶⁹ Civil society organizations warned that, within the framework of the prior consultation processes, a procedure is currently being carried out under asymmetrical conditions, where in exchange for the guarantee of certain rights, such as the right to water, consent would be expected. This process is framed in mechanisms such as works for taxes or corporate responsibility programs. Likewise, the lack of information on the construction, implementation and long-term impacts of the projects was denounced.⁴⁷⁰

307. The Office of the Special Rapporteur also received information on the illegal use of mercury in various activities such as gold mining and its impact on human rights, deforestation and loss of biodiversity,⁴⁷¹ as well as on the impacts of copper mining in Putumayo, including the use of mercury in this process and the contamination of waterways with profound impacts on health and the environment.⁴⁷² In this regard, it is noted that many of these activities occur in territories that have historically been affected by armed conflict, contributing to heightened violence, illegal activities and increased risks for the communities. On this point, the

⁴⁶⁵ REDESCA. Information provided by the Business and Human Rights Information Center. April 17, 2024; REDESCA. Information provided by AIDA. April 17, 2024; Information received by the IACHR and REDESCA during meeting with civil society organizations in Riohacha on DESCA, social conflict and companies, cited above.

⁴⁶⁶ REDESCA. Information provided by the Information Center on Business and Human Rights, cited above; REDESCA. Information provided by AIDA, cited above; Information received by the IACHR and REDESCA during meeting with civil society organizations in Riohacha on ESCR, social conflict and companies, cited above; REDESCA, [Visit to Colombia: REDESCA observes serious challenges for the guarantee of ESCR in La Guajira](#), November 30, 2022.

⁴⁶⁷ REDESCA. Information provided by the Information Center on Business and Human Rights, cited above; REDESCA. Information provided by AIDA, already cited; Information received by the IACHR and REDESCA during meeting with civil society organizations in Riohacha on DESCA, social conflict and companies, already cited; By way of example the rulings in compliance stage are: T-704 of 2016; SU-698 of 2017; T-329 of 2019; Rulings of the Civil Chamber of the Supreme Court of Justice of May 2002; T-614 of 2019; Ruling of the Criminal Cassation Chamber of the Supreme Court of Justice of September 13, 2012; T 256 of 2015; T 302 of 2017; T 528 of 1992; Ruling of the Council of State of October 13, 2016.

⁴⁶⁸ REDESCA. Information provided by the Information Center on Business and Human Rights, cited above; REDESCA. Information provided by AIDA, cited above; Information received by the IACHR and REDESCA during meeting with civil society organizations in Riohacha on ESCR, social conflict and companies, cited above; REDESCA, [Visit to Colombia: REDESCA observes serious challenges for the guarantee of ESCR in La Guajira](#), November 30, 2022.

⁴⁶⁹ REDESCA, Information provided by Dejusticia, cited above; Information received by the IACHR and REDESCA during meeting with civil society organizations in Riohacha on DESCA, social conflict and companies, cited above.

⁴⁷⁰ REDESCA, Information provided by Dejusticia, cited above; Information received by the IACHR and REDESCA during meeting with civil society organizations in Riohacha on DESCA, social conflict and business, cited above; REDESCA. Information provided by the Information Center on Business and Human Rights, cited above; REDESCA. Information provided by AIDA.

⁴⁷¹ Office of the United Nations High Commissioner, Colombia: [Experts urgently call on government and companies to intensify efforts to protect the human rights of groups in critical situations. Press Release](#), August 9, 2024.

⁴⁷² IACHR, [Preliminary Observations on the In Loco Colombia Visit](#), cited above, p. 28.

Commission and REDESCA note that, despite the Constitutional Court ruling T-622/2016, which recognizes the Atrato River as a subject of rights and mandates conservation and protection measures, there would be various challenges to move forward in this regard.⁴⁷³

308. REDESCA takes note of information regarding the health impacts of this exposure, as communities living near mining areas experience high levels of mercury contamination, which translates into serious illnesses and chronic health problems. Likewise, this mineral can contaminate crops through soil and water, resulting in elevated mercury levels in vegetables, fruits and fish-the main food sources for the communities.⁴⁷⁴

309. The Office of the Special Rapporteur also received information on the lack of regulation in the carbon credit market, which would affect indigenous peoples and communities due to the lack of participation and consent on the methodology used for its determination and granting.⁴⁷⁵ In this context, the Special Rapporteurship welcomes the recent ruling of the Constitutional Court on the matter (T-248/2024), which represents an opportunity to address this issue by requiring the application of an ethnic approach in the regulation of the market.

C. Fiscal and economic policies

310. REDESCA takes note of the progress and challenges in the tax sphere in Colombia, highlighting the country's efforts to promote tax reforms that address inequities in the system and respond to current economic and social challenges. Two years ago, a tax reform was processed that introduced measures such as green and healthy taxes, aimed at promoting sustainable practices and improving tax equity. However, tax collection levels have been insufficient to cover the country's budgetary needs, which has led to the presentation of a new financing law in 2024.⁴⁷⁶

311. The new proposal would seek to significantly increase tax revenues, with the objective of financing key social reforms and programs aimed at vulnerable populations. It also includes tax incentives to promote the transition to renewable energies and strengthen climate policies.⁴⁷⁷ The Office of the Special Rapporteur takes note of the warnings from academic organizations indicating that, even with the proposed reform, the tax collection required to cover the deficit would not be achieved,⁴⁷⁸ as well as the information on the difficulties for this initiative to prosper.⁴⁷⁹

312. REDESCA calls for ensuring that fiscal and public debt policies are progressive, equitable and sustainable, guaranteeing progress in the protection and promotion of human rights. It is essential that public debt management does not compromise the availability of resources for the guarantee of rights, especially in contexts of economic and climate crises. These policies must be designed in participatory processes, ensuring the inclusion of the communities most affected by economic inequality and climate emergency.⁴⁸⁰

313. On the other hand, the Office of the Special Rapporteur notes that, according to available information, as of July 2024, the proportion of informally employed persons was 55.9%, with 84% in rural

⁴⁷³ [Experts urgently call on government and business to intensify efforts to protect the human rights of critically endangered groups. Press Release](#), cited above, p. 7; REDESCA. Information provided by the Business and Human Rights Information Center, cited above, p. 2.

⁴⁷⁴ [Experts urgently call on government and business to intensify efforts to protect the human rights of critically endangered groups. Press Release](#), cited above, p. 7; REDESCA. Information provided by the Information Center on Business and Human Rights, cited above, p. 2; REDESCA during meeting with civil society organizations in Riohacha on DESCA, social conflict and business, cited above.

⁴⁷⁵ IACHR, [Preliminary Observations on the In Loco Colombia Visit](#), cited above, p. 28.

⁴⁷⁶ El País, [The Government proposes a tax reform to collect 12 trillion pesos with increases to income tax on superrich and VAT on online gambling](#), *El País Colombia*, September 10, 2024.

⁴⁷⁷ Ministry of Finance and Public Credit, [Whereby financing norms are issued for the General Budget of the Nation and other provisions are issued](#), September 2024.

⁴⁷⁸ El Tiempo, [Will it be enough to pass the tax reform or are there more financing risks for 2025](#), October 1, 2024.

⁴⁷⁹ El País, [The difficult path of Petro's tax reform: no time, no legislative majorities and a new finance minister](#), *El País Colombia*, December 5, 2024.

⁴⁸⁰ IACHR, [REDESCA urges integration of human rights into global fiscal reforms and climate finance](#), 12 August 2024.

areas, according to official estimates.⁴⁸¹ Regarding unemployment, during the quarter from May to July 2024, the unemployment rate at the national level was 9.9.⁴⁸² Women continue to be the most affected with a rate of 12.9%, a percentage higher than the national level. In the same line, the youth unemployment rate was 17.2%, registering an increase compared to the second quarter of 2023 (16.6%).⁴⁸³

D. Democracy and guarantee of ESCER

314. Recent studies conducted by Global Witness indicate that, in 2023, 79 environmental leaders were murdered in the country, accounting for 40% of all such cases recorded globally.⁴⁸⁴ This figure represents the highest number recorded by the organization for a single country in a single year since it began monitoring the situation. These murders are in turn linked to the defense of human rights in the context of business activities, as well as to socio-ecological conflicts linked to drug trafficking, illegal extractive practices and the reconfiguration of the armed conflict.⁴⁸⁵ Considering the fundamental role of environmental defenders in the construction of ambitious climate policies and goals and in the protection of strategic ecosystems in the fight against climate change, REDESCA reiterates its concern about the risks, threats and violence against these people.

315. In this context, although the completion of the ratification process of the Escazú Agreement in September 2024 is celebrated as a significant advance, the Special Rapporteurship emphasizes the need to urgently implement effective measures to ensure the protection of environmental defenders. This is particularly significant considering the unfavorable environment for carrying out this work. According to various civil society organizations, there has been a sustained increase in instances of companies abusively using the law against defenders. This situation has generated a hostile environment for the defense of the environment, land and territories.⁴⁸⁶

316. The aforementioned levels of poverty and inequality have also become catalysts for hunger and food insecurity. Thus, according to the World Food Program (WFP), around 13 million people faced moderate or severe food insecurity in 2023.⁴⁸⁷ Of this total, 1.6 million individuals faced severe food insecurity, characterized by extreme gaps in food consumption, high economic vulnerability and, in many cases, the adoption of irreversible survival strategies that jeopardize their integrity. Along the same lines, 43% of households would experience difficulties in accessing food.⁴⁸⁸ In rural areas, the percentage of food insecure households is 31%, compared to 24% in urban areas.⁴⁸⁹ However, there are significant discrepancies between territories, with high levels of food insecurity in departments such as La Guajira (59%), Sucre (49%), Caquetá (47%), Arauca and Córdoba (46%, each) and Putumayo (45%). In these departments, more than 40 out of every 100 households experienced difficulties in accessing food in sufficient quantity and quality during the last 12 months.⁴⁹⁰

317. In this context, REDESCA has noted that external factors such as climate emergency and conflict have exacerbated this situation. Based on the food security assessment conducted by WFP between November and December 2023, it has been indicated that households affected by conflict/violence (43%) and those affected by climatic events and natural disasters (28%) are more likely to suffer from food insecurity, compared to households that did not report these affectations.⁴⁹¹

⁴⁸¹ DANE, [Boletín técnico Ocupación informal](#), September 10, 2024.

⁴⁸² DANE, [Main labor market indicators](#), August 30, 2024.

⁴⁸³ DANE, [Youth Labor Market Moving Quarter May - July 2024](#), September 10, 2024.

⁴⁸⁴ Global Witness, [More than 2,100 land and environmental defenders killed worldwide between 2012 and 2023](#), September 10, 2024; Mutant, [Colombia is the country with the most murdered environmental leaders in the world](#), September, 2024.

⁴⁸⁵ [More than 2,100 land and environmental defenders killed worldwide between 2012 and 2023](#), cited.

⁴⁸⁶ ICHRP, [Informe Las empresas y la criminalización de personas defensoras](#), February, 2022.

⁴⁸⁷ WFP, [Food Security Assessment for Colombian Population 2024](#), May, 2024, p. 2.

⁴⁸⁸ [Evaluación de seguridad alimentaria para población colombiana 2024](#), cited above, p. 4.

⁴⁸⁹ [Evaluación de seguridad alimentaria para población colombiana 2024](#), cited above, p. 2.

⁴⁹⁰ [Evaluación de seguridad alimentaria para población colombiana 2024](#), cited above, p. 3.

⁴⁹¹ [Evaluación de seguridad alimentaria para población colombiana 2024](#), cited above, p. 9.

318. The Special Rapporteurship follows with deep concern the deaths due to malnutrition in the country, in which, in a context of 24,226 confirmed cases of acute malnutrition in children under five years of age, according to official information there were at least 233 deaths of children under five years of age due to malnutrition, of which 58 were in La Guajira and 36 in Chocó.⁴⁹² It is noteworthy that, based on information received by REDESCA reports from the United Nations Office for the Coordination of Humanitarian Affairs, in 2023 in La Guajira there would be 2,872 identified cases of severe acute child malnutrition in children under five years of age, 79% of which are indigenous. In this regard, they indicate that 71 children would have died from malnutrition.⁴⁹³

319. Regarding access to health in the country, the Office of the Special Rapporteur highlights the high coverage of the health system, in 2023 this coverage reached 95.9% of the population, with a growth of 1.2% compared to the previous year.⁴⁹⁴ However, according to available information, the country is one of the lowest in terms of out-of-pocket health expenditure among OECD countries and the region, accounting for 14% of total health expenditure, compared to the OECD average of 18%.⁴⁹⁵ REDESCA notes with concern that the quality of access to health services is significantly related to the purchasing power and geographic location of households, dispersed rural versus urban, disproportionately affecting indigenous peoples, Afro-descendant and rural communities. In this regard, during the visit, the Office of the Special Rapporteur received information regarding the main challenges faced by the health system, including the disparity in the availability of health services between urban and rural areas, the shortage of medical personnel in rural areas, and the need for a health system redesign that improves primary care and adopts a preventive approach.⁴⁹⁶

11. COSTA RICA

320. In the framework of specific instruments relevant to the protection of ESCER, it is noteworthy that the State is a party to the American Convention and the Protocol of San Salvador. Costa Rica, recognized for its environmental leadership, played a leading role as a promoter country of the Escazú Agreement and signed it in 2018. However, to date, the country has not ratified this instrument. REDESCA urges the State to prioritize this ratification process, considering its historical commitment to sustainability and the protection of human rights.

321. Regarding the poverty situation in the country, the National Institute of Statistics and Census (INEC) reported that the percentage of households in poverty decreased to 18.0% in 2024, a reduction of 3.8 percentage points with respect to the 21.8% recorded in 2023. In turn, the level of extreme poverty decreased from 6.3% in 2023 to 4.8% in 2024.⁴⁹⁷ In 2024, Costa Rica recorded a decrease in income inequality, reflected in the Gini coefficient, which was estimated at 0.49, a significant reduction with respect to the 0.50 recorded in 2023.⁴⁹⁸ These advances suggest an improvement in income distribution and a decrease in poverty in the country.

A. Climate emergency and environmental protection

322. In 2024, Costa Rica faced serious challenges related to extreme weather events, being one of the countries most affected by phenomena such as heat waves, intense rains and storms. According to several

⁴⁹² Ministry of Health, [Weekly Epidemiological Bulletin](#), December 30, 2023.

⁴⁹³ OCHA, [Departmental Briefing. La Guajira, July to December 2023](#), September 18, 2024; REDESCA. Information provided by FUCAI and Dejusticia, Technical Session 2024 on the implementation of Judgment T-302 of 2017 and request for follow-up to IACHR Precautionary Measure No. 51/15 in La Guajira, Colombia, September 5, 2024.

⁴⁹⁴ DANE, [Technical Bulletin. Encuesta Nacional de Calidad de Vida \(ECV\) 2023](#), April 24, 2024.

⁴⁹⁵ [End of mission statement by Mr. Olivier de Schutter Special Rapporteur on extreme poverty and human rights. Visit to Colombia, August 26 - September 4, 2024](#), cited above, p. 7.

⁴⁹⁶ REDESCA, Information provided by Dejusticia, Aportaciones escritas para la visita in loco de la Comisión Interamericana de Derechos Humanos, April 17, 2024.

⁴⁹⁷ National Institute of Statistics and Census of Costa Rica, [Percentage of households in poverty decreases to 18.0% in 2024](#), October 22, 2024.

⁴⁹⁸ National Institute of Statistics and Census of Costa Rica, [Percentage of households in poverty decreases to 18.0% in 2024](#), October 22, 2024.

reports, 82% of Costa Ricans have indicated experiencing heat waves, 66% have faced intense rains and 65% have encountered storms, resulting in significant impacts on infrastructure, quality of life and public health.⁴⁹⁹

323. The Office of the Special Rapporteur notes that the Ombudsman's Office has highlighted the need to address three priority areas in terms of food and nutrition security in Costa Rica: economic and physical access to food, food quality, and the adaptive capacity of the agricultural sector to climate change.⁵⁰⁰

324. In 2024, Costa Rica faced significant challenges in access to drinking water. According to official data, national drinking water coverage decreased from 99.7% in 2021 to 95.6% in 2023, affecting more than 104,000 people in 40 districts.⁵⁰¹ In addition, there have been social conflicts due to contamination of water sources, such as the case of chlorothalonil in Oreámuno de Cartago, and inequities in the distribution of the resource.⁵⁰² Also, the Ombudsman's Office declared 2024 as a year of "red alert" due to the drinking water crisis, pointing out problems such as contamination, prolonged rationing, and citizen protests. More than 250 complaints related to water supply were registered, 90% of which were directed to the Costa Rican Institute of Aqueducts and Sewerage (AyA).⁵⁰³

325. REDESCA has taken note of the existence of an investment acceleration plan aimed at incorporating new water sources and optimizing existing infrastructure.⁵⁰⁴ It has also noted that Costa Rica's Public Services Regulatory Authority (ARESEP) plans to introduce a regulatory seal for aqueduct and sanitation services, with the aim of guaranteeing the quality of water distributed to homes and businesses in the country. This plan seeks to address previous concerns about water contamination in certain regions and emulate the quality verification process already in place for fuel service stations by extending it to drinking water supply.⁵⁰⁵ In October 2024, ARESEP granted this recognition to 303 rural aqueducts and the Empresa de Servicios Públicos de Heredia (ESPH), highlighting their efficient management and proper use of resources from tariffs.⁵⁰⁶

326. The Office of the Special Rapporteur has considered the studies carried out by researchers from the University of Costa Rica, which refer to the presence of xylenes in contaminated water that has affected 107,000⁵⁰⁷ people in the Tibás localities. Although these compounds, which can cause damage to the skin and respiratory tract if inhaled, were detected in low concentrations, their exact origin is unknown, whether from industrial waste or specific contamination.⁵⁰⁸

327. In addition, REDESCA has received information on REDD+ programs implemented in Costa Rica, which are reportedly designed to reduce greenhouse gas emissions through the conservation and sustainable management of forests.⁵⁰⁹ These programs could contribute to national efforts to mitigate climate change and protect biodiversity. However, it is important to ensure that these programs are implemented with a human rights-based approach, promoting transparency, free, prior and informed consultation, and the effective participation of communities, especially indigenous and rural communities that depend directly on forest resources.

328. The Office of the Special Rapporteur has received reports indicating the presence of threats to biodiversity conservation. These threats are mainly due to pressures to modify the use and boundaries of wild protected areas, as well as the technical and financial weakening of the public institutions in charge of their

⁴⁹⁹ Summa Magazine, [Costa Rica is among the countries most affected by extreme weather events](#), November 20, 2024.

⁵⁰⁰ El Mundo.CR, [Defensoría urges greater support to farmers to guarantee the country's food security](#), March 12, 2024.

⁵⁰¹ La Teja, [Costa Rica has a serious drinking water problem](#), November 22, 2024.

⁵⁰² State of the Nation, [Is Costa Rica experiencing a water crisis](#), 2024.

⁵⁰³ Defensoría de los Habitantes de Costa Rica, [Defensoría: 2024 has been a year of red alert in drinking water crisis](#), 2024.

⁵⁰⁴ Presidency of Costa Rica, [AyA presents plan to accelerate investments](#), December 5, 2024.

⁵⁰⁵ Monumental, [ARESEP will implement regulatory seal in water and sanitation services to verify water quality](#), March 10, 2024.

⁵⁰⁶ Delfino.cr, [ARESEP delivers regulatory seal of quality to aqueducts](#), October 10, 2024.

⁵⁰⁷ Delfino.cr, [UCR y Salud entran en conflicto](#), February 7, 2024; CNN, [What is xylene, chemical found in water in Costa Rica and how does it affect health](#), February 2, 2024.

⁵⁰⁸ Monumental, [ARESEP will implement regulatory seal in water and sanitation services to verify water quality](#), March 10, 2024.

⁵⁰⁹ Costa Rica Ministry of Environment and Energy, [Controlling forest fires is vital for biodiversity conservation](#), February 2024.

management. Although the recovery of forest cover continues to be highlighted as one of the main achievements in the environmental conservation agenda, there are still worrying pockets of deforestation. According to the Interactive Forest Alert and Monitoring System, between 2001 and 2023, Costa Rica lost a total of 278,693 hectares of tree cover. In the last year, recorded a loss of 9,003 hectares, representing an increase of 5.5% over 2022. Of these, 7,760 hectares corresponded to natural forest.⁵¹⁰

329. The Office of the Special Rapporteur welcomes the progress made by the Ministry of Environment and Energy (MINAE) in promoting gender equality within its sustainable development agenda.⁵¹¹ In line with UN recommendations, which highlight the need to finance women's rights to accelerate gender equality, MINAE has integrated environmental policies that promote this equality, such as the Gender and Climate Change Plan.⁵¹²

330. REDESCA highlights Costa Rica's efforts to combat climate change and protect the environment, recognizing its regional leadership in sustainability and conservation. However, it also identifies areas in which the country can strengthen its policies, such as integrated water management, inclusive consultation with indigenous communities, and protection of biodiversity from intensive economic activities. In this regard, the State is encouraged to continue integrating a human rights approach in its environmental policies, promoting the effective participation of affected communities and moving towards a just and inclusive climate transition. The Office of the Special Rapporteur reiterates its willingness to provide technical assistance on these issues and to accompany the country's efforts towards greater resilience and sustainability.

B. Business and human rights

331. In 2024, REDESCA identified several critical challenges related to business activities and their impact on human rights, particularly in sectors such as intensive agriculture, mining and technology companies.

332. Costa Rica in particular has faced significant challenges in relation to the performance of some extractive industries, particularly in the mining sector. Although open-pit metal mining has been banned since 2010, illegal mining activity has persisted, especially in regions such as Crucitas, near the border with Nicaragua. This clandestine mining has generated environmental and security problems in local communities. In response to these problems, the government has proposed a legal reform in 2024 to regularize open-pit gold mining. However, this proposal has generated criticism from environmental groups and community leaders, who fear that legal exploitation could have negative impacts on the environment.⁵¹³

333. Agricultural production, especially of bananas and pineapples, according to available information, has generated concerns about its negative impacts on human health and the environment. REDESCA has been made aware of recent studies that have revealed that communities in regions such as Limón have been exposed to agrochemicals used in banana plantations for more than two decades. Residents have reported symptoms such as eye irritation, nausea and dermatitis. Studies by the National University of Costa Rica link these chemicals to thyroid problems and fetal health risks. It is also reported that many of these pesticides, banned in Europe, continue to be used in the country. The monoculture model has generated tensions in local communities. Furthermore, according to the same source of information, economic dependence on crops such as bananas and pineapples has reportedly led to precarious working conditions for agricultural workers, who are at high risk of exposure to toxic substances without adequate safety measures.⁵¹⁴

⁵¹⁰ State of the Nation Program, [State of the Nation Report 2024: Chapter 4](#), 2024.

⁵¹¹ Ministry of Environment and Energy of Costa Rica, [Towards sustainable development and sustainability MINAE advances in the agenda towards gender equality](#), March 8, 2024.

⁵¹² Ministry of Environment and Energy of Costa Rica, [Towards sustainable development and sustainability MINAE advances in the agenda towards gender equality](#), March 8, 2024.

⁵¹³ El País, [Costa Rica takes up old gold mining yearning to prevent illegal exploitation](#), October 10, 2024.

⁵¹⁴ The Guardian, ['Every time the plans pass, my eyes burn': the hidden cost of Costa Rican bananas](#), September 17, 2024

334. In relation to the activities of technology companies, the Special Rapporteurship takes note of the draft bill to amend Article 18 of the Labor Code, which seeks to regulate the labor relationship between delivery drivers and digital delivery platforms. This bill aims to grant basic labor rights to delivery drivers working for these platforms, such as social security, occupational risk insurance and compensation for work-related accidents.⁵¹⁵

335. REDESCA has also considered information regarding the initiation of a project by MINAE aimed at eliminating of hazardous chemicals in the construction sector on March 13, 2024.⁵¹⁶ This project, in collaboration with the Credit and Collection Banks Group, the United Nations Industrial Development Organization and the Global Environment Facility, seeks to reduce chemical pollution by promoting circular and sustainable practices.

C. Fiscal and economic policies

336. Costa Rica's socioeconomic situation shows certain advances and challenges in its economic and social structure. In terms of economic growth, the Central Bank of Costa Rica (BCCR) estimates a GDP expansion of around 4% in 2024, supported by investment and domestic consumption. The country has managed to reduce its level of public indebtedness in relation to GDP and has maintained a stable fiscal situation, which has reduced financial risk and boosted confidence in its economic policies. According to the information received, the country has managed to reduce its level of public indebtedness in relation to GDP, which has contributed to maintaining a more stable fiscal situation and reducing financial risk.⁵¹⁷ However, it is important to consider that fiscal consolidation strategies must be designed in a way that does not compromise the guarantee of ESCER. In this sense, it is essential to evaluate the impact of the measures adopted on the most vulnerable sectors, ensuring that the reduction of public debt does not imply setbacks in access to essential services or in the social protection of the population.

337. REDESCA is aware of the existence of the Income Tax Bill, presented by the Executive Branch of Costa Rica, which proposes a comprehensive reform of the tax system, including the repeal of Law No. 7092 in force since 1988. This project seeks to tax the real economic capacity of individuals, promoting greater equity in the tax system. The bill is currently being processed in the Legislative Assembly.⁵¹⁸

D. Democracy and guarantee of ESCER

338. The active participation of civil society in decision-making continues to be a pillar of Costa Rican democracy. However, in the context of environmental policies and access to natural resources, the non-ratification of the Escazú Agreement limits the country's formal commitment to international standards of transparency, participation and environmental justice.

339. In this context, REDESCA recognizes the State's commitment to strengthen the country's capacity to use climate information in decision-making.⁵¹⁹ The launching of the project PROYECTIVA, promoted by the National Meteorological Institute and supported by the European Union, seeks to improve sustainability and adaptation to climate change through studies on climate risks, including infrastructure, sea level rise, coastal erosion and urban heat islands. The project also includes workshops and educational material to train society in the interpretation and use of climate information.⁵²⁰

⁵¹⁵ CRHoy.com, [Plan seeks to create labor relationship between delivery drivers and digital platforms](#), January 28, 2024.

⁵¹⁶ Costa Rica's Ministry of Environment and Energy, [Minae starts project on elimination of hazardous chemicals in the construction sector](#), March 13, 2024.

⁵¹⁷ Central Bank of Costa Rica, [Commentary on the national economy No. 1-2024](#), February 1, 2024; Estrategia y Negocios magazine, [Fiscal rule and lower public debt boost Costa Rica's rating upgrade](#), February 29, 2024.

⁵¹⁸ Delfino.cr, [A new tax reform project](#), May 2, 2024.

⁵¹⁹ Ministry of Environment and Energy of Costa Rica, [Gobierno Fortalecerá Capacidades Del País En Utilización De Información Climática Para Toma De Decisiones](#), March 12, 2024

⁵²⁰ IMN, [Projective](#), Accessed November 04, 2024

340. REDESCA takes note of the commitment expressed by the Costa Rican State, in conjunction with the 22 indigenous territories, to strengthen the National Regional Development Policy through the implementation of the Forest Territorial Environmental Plans (PATF).⁵²¹ These plans, developed through a thirteen-year consultation process, are part of the National REDD+ Strategy and seek to integrate the indigenous worldview into environmental policies. However, according to available information, civil society organizations and indigenous leaders have pointed out persistent challenges in the implementation of these plans. For example, the Cabecar Nairi Awari indigenous territory has undertaken a struggle for the communities excluded from their ancestral territory to be incorporated and legally recognized.⁵²² REDESCA urges the State to address these challenges by ensuring adequate implementation of the PATFs to fully respect the rights of indigenous peoples.

341. REDESCA also highlights Costa Rica's National Action Plan on Gender Equality in Climate Action, which represents a significant effort to integrate a gender approach into climate change mitigation and adaptation policies. This plan, adopted in 2024, proposes specific measures to address the differentiated impacts of climate change on women and promote their active participation in climate-related decision-making. Among the initiatives included are the training of women community leaders in climate risk management, the promotion of equitable access to financial resources for sustainability projects and the promotion of clean technologies to strengthen the role of women in the energy transition.⁵²³ The Office stresses the importance of this innovative approach and urges the State to ensure adequate allocation of resources for its implementation, as well as to promote the effective participation of women at all levels of climate governance. This effort could also serve as a model for other countries in the region in the construction of inclusive and gender-sensitive climate policies.

342. On the other hand, REDESCA notes that, according to OECD data, female participation in the labor force lags behind other countries, as women who assume family care responsibilities face difficulties in completing education or joining the labor force.⁵²⁴ More than 90% of women in poor households are outside the labor force.⁵²⁵

12. CUBA

343. In the exercise of its competence to promote and protect ESCER in the Americas, REDESCA has been monitoring the situation in Cuba. The Office of the Special Rapporteur has observed with concern that precarious conditions persist in the country in terms of the enjoyment and guarantee of ESCER.

344. According to the VII Report "State of Social Rights in Cuba" of the Cuban Observatory of Human Rights, extreme poverty climbed to 89% of the Cuban population in 2024, one point more than that registered a year ago.⁵²⁶ More than a thousand interviews conducted for this study revealed that the main concern of the Cuban population is the food crisis, followed by power outages, inflation, low purchasing power of wages and the precarious situation of public health.

A. Climate emergency and environmental protection

345. According to available information, in March 2024, Law 150 of the Natural Resources and Environment System entered into force, updating the previous 1997 legislation. This law would strengthen the role of the Ministry of Science, Technology and Environment as the lead agency and promote the integration of

⁵²¹ Costa Rica's Ministry of Environment and Energy, [Government and 22 indigenous territories agree to strengthen national regional development policy](#), March 7, 2024.

⁵²² Servindi, [Nairi Awari's struggle to regain her land](#), September 22, 2024.

⁵²³ United Nations Development Programme, [National Action Plan on Gender Equality in Climate Action](#), September 23, 2023.

⁵²⁴ OECD, [OECD Economic Survey: Costa Rica 2023](#), February 6, 2023.

⁵²⁵ OECD, 2023.

⁵²⁶ Observatorio Cubano de Derechos Humanos (OCDH), ["El Estado de los Derechos Sociales en Cuba"](#), VII Report, July 2024, p. 3.

the environmental dimension in economic and social development plans. In addition, it introduces Strategic Environmental Assessment from the conception of development programs.⁵²⁷

346. In relation to guaranteeing the right to a healthy environment and actions in the face of the climate emergency, REDESCA takes note of the development of a national air control system in Cuba to monitor and measure atmospheric pollution. This system seeks to evaluate the current levels of air quality in different regions of the country. Among the actions planned are the updating of data on air quality behavior, the acquisition of advanced equipment and modern technologies to measure the main pollutants.⁵²⁸

347. The passage of hurricanes Oscar and Rafael over Cuba has had a devastating impact in a context already marked by a growing climatic emergency on the island. In particular, the passage of Hurricane Rafael affected the electricity supply throughout the province of Artemisa, generating serious difficulties in accessing drinking water, storing food and keeping other essential services in operation.⁵²⁹ These natural phenomena further exacerbate the vulnerability of Cuban communities, destroying essential infrastructure, causing flooding and leaving many areas without access to basic services such as electricity, drinking water and medical care. The intensity and destruction of these hurricanes highlights the urgency of addressing the climate crisis affecting Cuba as it faces increasingly frequent extreme weather conditions as a result of global climate change. In this context, REDESCA stresses the need for a coordinated and effective response that not only addresses the recovery of immediate damages, but also contemplates long-term policies to strengthen the country's resilience to future natural disasters and mitigate the impacts on the most vulnerable populations.

348. Regarding access to drinking water, according to available information, more than 600,000 people in Cuba, 7% of the total population, lack adequate access to water.⁵³⁰ This deficit is mainly attributed to power outages and breakdowns in pumping equipment and hydraulic networks, which has seriously compromised the distribution of this essential resource. The figure represents a 25% increase in the number of people affected in the last ten months, and evidences a trend that reflects not only the infrastructure crisis, but also the deficiencies in the management of basic services in the country. In this context, the Office of the Special Rapporteur urges the Cuban State to adopt effective measures to ensure access to essential public services and improve the resilience of infrastructure in order to meet the vital needs of the population and promote their comprehensive development, especially in a context of increasing vulnerability to the effects of climate change.

B. Business and human rights

349. In October 2024, Cuba faced a severe energy crisis that resulted in massive blackouts, affecting millions of people. The obsolescence of the electrical system and the lack of investment in energy infrastructure were determining factors in this situation. In response, the government is implementing a contingency plan that requires public and private companies to generate at least 50% of their daytime electricity consumption from renewable sources within three years.⁵³¹

350. In relation to power outages, REDESCA notes the creation of four solar parks in the province of Santiago de Cuba with the objective of reducing energy dependence in the area.⁵³² However, it warns that the generalized context of prolonged power cuts continues to affect the daily life of the majority of the Cuban population, being one of the main reasons behind the street protests. At the same time, press reports indicate

⁵²⁷ Cuba Capacity Building Project, [La nueva ley ambiental en Cuba. Challenges and opportunities for foreign investment](#), August 8, 2024.

⁵²⁸ Granma, [Desarrollan un sistema nacional de vigilancia del aire para solucionar problemas de contaminación atmosférica](#), May 30, 2024.

⁵²⁹ Reliefweb, [Response to Hurricanes Rafael & Oscar - Situation Report No. 06 from the Resident Coordinator's Office \(11 November 2024\)](#), 12 November 2024.

⁵³⁰ Granma, ["La compleja situación del abasto de agua afecta a más de 600.000 clientes en el país"](#), 03 September 2024.

⁵³¹ Reuters, [Cuba decrees contingency plan and new restrictions as energy crisis deepens](#), November 28, 2024.

⁵³² Granma, ["Four large solar parks will reduce Santiago de Cuba's energy dependence"](#), June 04, 2024.

a significant increase in the frequency of blackouts, mainly in the interior provinces, where in some cases these outages can reach 20 hours a day.⁵³³ In October there was a general collapse of the electric service which affected the energy supply in a large part of the island for several consecutive days, which provoked new protests⁵³⁴ and the suspension of classes and cultural events.⁵³⁵ Reports indicated up to 35 hours without electricity and cases of food shortages and water rationing.⁵³⁶ Electricity supply was also affected throughout the island as a result of Hurricane Rafael.⁵³⁷ The power outages experienced by the population not only affect daily life, but also have a direct impact on the guarantee of other ESCER, such as access to food in adequate conditions for consumption; the quality of health and education services or the supply of drinking water given the dependence on electrical systems for its distribution.

351. The Special Rapporteurship takes note of the communication presented by the Cuban Observatory for Human Rights (OCDH) to the United Nations Working Group on Business and Human Rights in which it points out the violation of the labor rights of hundreds of persons deprived of their liberty in Cuba, who are forced to work in precarious conditions for commercial production.⁵³⁸ In its report, the OCDH highlights that the production of marabou charcoal for export is carried out under inhumane conditions. It also stresses that the work of prisoners is carried out, in many cases, by coercion or against their will, due to their vulnerability and the situation of legal and factual subordination they face within the prison system.⁵³⁹

352. In view of this, REDESCA calls on the State to implement specific legal frameworks that require state and non-state companies operating in the country to act with due diligence in human rights, ensuring that their activities do not generate differentiated negative impacts on workers and groups in vulnerable situations.⁵⁴⁰ Likewise, the State must adopt effective measures to prevent labor exploitation and discrimination during the employment of workers, both by state-owned companies -with the intervention of the employing entities- and non-state-owned companies.

C. Fiscal and economic policies

353. REDESCA takes note of the package of fiscal and economic measures announced by the Government of Cuba at the end of 2023, which seek to correct distortions and reactivate the economy, among which stand out the increase in fuel prices, the increase in the tariffs of basic services and the elimination of the subsidy to the basic food basket.⁵⁴¹ In this context, it is noted that these adjustment measures have aggravated the conditions for the exercise of the ESCER of the population, generating new social protests during 2024.⁵⁴² In this context, peaceful and spontaneous demonstrations began on March 17 in Santiago de Cuba and quickly spread throughout the country, motivated by citizens' demands related to electricity supply and food shortages. According to data provided by civil society, in the month of September 2024 alone, a total of 855 spontaneous protests and complaints were registered, of which 79.4% were linked to the demand for economic and social rights, particularly in areas such as health, public services, insecurity, food, social problems and housing.⁵⁴³

354. REDESCA also takes note of the tax reforms implemented by the Cuban State in 2024, within the framework of its tax system oriented towards the principles of generality and fiscal equity. These reforms

⁵³³ Cubanet, "[Twenty hours of blackout, and nothing has happened here](#)" September 27, 2024.

⁵³⁴ France24, "[Cuba faces prolonged blackout as government threatens to undermine protests](#)," October 21, 2024.

⁵³⁵ Artemisa, "[Medidas dada la emergencia electroenergética en la que se encuentra el país](#)", October 18, 2024

⁵³⁶ Diario de Cuba, "[With all of Cuba shut down, at least one Communist Party headquarters had electricity](#)," October 19, 2024.

⁵³⁷ The New York Times, "[Hurricane Rafael Hits Cuba and Causes More Power Outages](#)," November 6, 2024

⁵³⁸ Observatorio Cubano de Derechos Humanos (OCDH), "[OCDH denounces before the United Nations the "forced labor" to which prisoners who produce charcoal in Cuba are subjected](#)," May 2, 2024.

⁵³⁹ OCDH, cited above, May 2, 2024.

⁵⁴⁰ REDESCA-IACHR, Business and Human Rights: Inter-American Standards, 2019, para. 86.

⁵⁴¹ Granma, "[Proyecciones de gobierno para corregir distorsiones y reimpulsar la economía durante el año 2024](#)", 24 January 2024.

⁵⁴² Cubalex, "[Monthly Report on the Situation of Human Rights in Cuba](#)," January 2024.

⁵⁴³ Observatorio Cubano de Conflictos, "[Cuba: 855 protests and complaints in September](#)", 01 October 2024.

include measures such as the incorporation of workers hired in local development projects to the payment of the Special Social Security Contribution and adjustments in the calculation and payment of personal income taxes, especially in sectors such as agriculture and livestock. Tax revenues derived from these measures, which represent 64% of the country's total revenues, are destined to guarantee priority sectors such as public health, education, social security and programs focused on vulnerable sectors.⁵⁴⁴

355. The lack of essential medicines and medical supplies also continues to be a widespread problem in Cuba, with a direct impact on the health of the population. According to statements by the Minister of Public Health, the public drug network faces significant shortages.⁵⁴⁵ This shortage is especially critical for people with chronic diseases, who are often forced to purchase drugs on the black market or, in the worst cases, to do without them, putting their well-being at risk.⁵⁴⁶ For their part, testimonies provided to this Office of the Special Rapporteur reveal that, due to the shortage of supplies in hospitals, it is the patients themselves who must carry their own kit of medical supplies, including items such as anesthesia, for their surgical procedures. In addition, the purchase of medicines in pharmacies has become extremely difficult, as many products are not available, which pushes the population to resort to the illegal purchase and sale of imported products offered at high prices on the island.⁵⁴⁷

356. REDESCA welcomes the Cuban government's decision to extend until January 31, 2025 the tariff exemption on food, medicines and other products imported by individuals for non-commercial purposes, which will help alleviate the situation of shortages and generalized shortages.⁵⁴⁸ Likewise, as has been stated on several occasions,⁵⁴⁹ reiterates its concern over the effects of the tightening of the economic, financial and commercial embargo sanctions imposed by the United States, while calling for their lifting to guarantee the human rights affected by this measure.

357. REDESCA expresses its concern over the significant loss of purchasing power of salaries and pensions in Cuba, a situation that translates into economic difficulties for a large part of the population, and which particularly affects groups in especially vulnerable situations. Available information reveals that 86% of Cuban households face problems to subsist on their income, and of these 61% indicate that they have difficulties even to acquire the most essential goods for their survival.⁵⁵⁰ The generalized increase in prices also has an impact on the elderly, who in many cases spend more than half of their pension to cover their basic needs.⁵⁵¹ According to official sources, 39% of beneficiaries receive minimum pensions amounting to 1,528 Cuban pesos, equivalent to US\$4.70 at the informal market exchange rate.⁵⁵² In view of this situation, note is taken of the presence of elderly people in the streets of Havana going through the garbage in search of raw materials, in order to gather a little money to make ends meet.⁵⁵³

D. Democracy and guarantee of ESCER

358. As the IACHR has stated, Cuba continues to face structural challenges with regard to human rights. These challenges are rooted in the aforementioned absence of the essential elements of representative

⁵⁴⁴ Cubahora, [En claves, cambios del sistema tributario en 2024](#), January 18, 2024

⁵⁴⁵ Cubadebate, "[Que las farmacias funcionen acorde con las necesidades de la población es una prioridad, sostienen diputados](#)", July 15, 2024.

⁵⁴⁶ Cíbercuba, "[Díaz-Canel on Cancer Day: 'Cuba will give the attention that each patient deserves'](#)", February 05, 2024.

⁵⁴⁷ Testimony of two Cuban exiles, received by the IACHR and REDESCA in Washington D.C., September 26, 2024.

⁵⁴⁸ Official Gazette of the Republic of Cuba, [Resolution 311/2024](#), September 28, 2024.

⁵⁴⁹ IACHR and REDESCA, Press Release No. 81/24, [Cuba: IACHR and REDESCA express concern over worsening food shortages and prolonged power outages](#), 29 April 2024.

⁵⁵⁰ Observatorio Cubano de Derechos Humanos (OCDH), "[El Estado de los Derechos Sociales en Cuba](#)", VII Report, July 2024.

⁵⁵¹ Cíbercuba, "[La compra de un anciano cubano con 860 pesos en Holguín](#)", 07 February 2024.

⁵⁵² Cubadebate, [¿Desprotegidos sin el Inass?](#), October 13, 2024.

⁵⁵³ Cíbercuba, [Elderly Cubans recycle garbage to survive in Havana](#), April 24, 2024.

democracy, mainly due to the continuity of a single-party model, the absence of free elections and political pluralism, and the prohibition of association for political purposes.⁵⁵⁴

359. REDESCA notes with concern the persistence of structural challenges affecting the full exercise of ESCER in Cuba during 2024. The economic crisis, marked by a profound shortage of food, medicines and basic services, combined with a series of prolonged blackouts exacerbated the population's conditions of vulnerability. These factors, coupled with a limited institutional capacity to respond to social needs, reflect the urgent need to advance in the effective guarantee of ESCER in the country

360. Regarding the food crisis situation, the report of the Cuban Observatory for Human Rights highlights that 7 out of 10 Cuban people have stopped eating a meal due to lack of money or food shortages. It also highlights the disproportionate impact this situation has on people of African descent, affecting 80%, as well as on the elderly, reaching 79%, which exacerbates pre-existing social and economic inequalities.⁵⁵⁵ A study carried out by the *Food Monitor Program* reveals that at least 60% of the people surveyed consider that they have considerably lost access to food.⁵⁵⁶

361. REDESCA notes that shortages of basic products such as milk, flour, rice, sugar, chicken and oil have become a daily reality for many Cubans. The crisis in the production and supply of subsidized food and the high prices in illegal markets and MSMEs have been the focus of demonstrations throughout the country. Reflecting this situation, note was taken of the Cuban Government's request for support from the United Nations World Food Program (WFP) to continue delivering milk to children under seven years of age at subsidized prices.⁵⁵⁷ Likewise, during February, authorities of the Ministry of Food Industry (MINAL) declared the need to reduce the supply of bread for the standard family basket due to delays in shipments of wheat and flour⁵⁵⁸ and to use sweet potato, cassava or pumpkin as a substitute, reducing the quality of the bread produced, forcing the population to consume other ingredients without alternatives. In September, the decision was made to reduce the size of the bread to guarantee its production and distribution without affecting consumers or priority facilities such as schools and hospitals.⁵⁵⁹

362. On the other hand, the lack of access to housing in Cuba continues to be a structural problem that affects a large part of the population. According to the official press, the country faces a deficit of more than 856,500 housing units, given that in 2023 only 65% of the projected construction plan was completed.⁵⁶⁰ In 2024, up to August, 5,262 housing units were completed, which represents a 39% execution rate.⁵⁶¹ This situation is aggravated by factors such as population growth, urbanization, the deterioration of many existing buildings and the lack of economic resources of the people to improve them.

363. Regarding persons deprived of liberty, REDESCA continued to receive complaints about detention conditions linked to situations of overcrowding, poor food, lack of access to drinking water, medicines and medical care.⁵⁶² Civil society organizations have documented between March 2023 and May 2024 at least 2,093 cases of human rights violations in detention centers, of which 739 are related to lack of medical care and health problems. Most of these abuses are perpetrated by prison staff, State Security agents and members of the judicial system, and include situations of harassment of inmates, beatings, physical torture, as well as insufficient food or food in poor condition.⁵⁶³ Likewise, the food received by persons under State

⁵⁵⁴ IACHR, [Annual Report 2023 - Chapter IV.B. Cuba](#), 2024.

⁵⁵⁵ Observatorio Cubano de Derechos Humanos (OCDH), ["El Estado de los Derechos Sociales en Cuba"](#), VII Report, July 2024, p. 12.

⁵⁵⁶ Food Monitor Program, [Food Insecurity Survey 2024](#), May 2024.

⁵⁵⁷ Agencia EFE, ["Cuba asks UN WFP for help for the first time due to milk distribution problems"](#), February 28, 2024.

⁵⁵⁸ Cubadebate, ["Ministerio de la Industria Alimentaria informa sobre disponibilidad de harina de trigo"](#), February 25, 2024.

⁵⁵⁹ Granma, ["Disminuye el gramaje del pan de la canasta familiar para no afectar su producción"](#), September 12, 2024.

⁵⁶⁰ Granma, ["El Programa de la Vivienda necesita otras alternativas"](#), February 27, 2024.

⁵⁶¹ Granma, ["Todos los cuadros tienen que hablar con el pueblo"](#), 1 October 2024.

⁵⁶² IACHR, Thematic Hearing, ["Human Rights of Persons Arbitrarily Deprived of Liberty for Political Reasons in Cuba."](#) 190th Regular Session, Washington, DC, United States, July 8, 2024.

⁵⁶³ Centro de Documentación de Prisiones Cubanas, [Update on Prison Conditions \(May 2024\)](#), June 11, 2024.

custody is scarce, in many cases in a state of decomposition and without an adequate balance.⁵⁶⁴ There is also a lack of adequate and timely medical attention; medication sent by relatives is not delivered and necessary examinations are not carried out, including for those with chronic illnesses and persons with disabilities.⁵⁶⁵ During the same period, it is reported that 44 people died in prison mainly due to lack of medication and lack of adequate medical care.⁵⁶⁶

364. Regarding the situation of Cuban workers abroad, especially those involved in medical missions, REDESCA received information on the serious human rights violations experienced by health personnel, who face exploitative working conditions, inadequate salaries and various forms of harassment and pressure.⁵⁶⁷ However, according to reports, leaving these missions carries severe penalties, including prison sentences of up to eight years or the prohibition to return to the country. In addition, poor housing conditions, withholding of salaries in favor of the government, reprisals against family members of those who express dissent, and serious allegations of sexual harassment and constant surveillance were reported. Annually, the Cuban government sends more than 50,000 doctors and other specialists abroad, generating revenues ranging between 7 and 11 billion dollars, which is equivalent to three or four times the income from tourism.⁵⁶⁸ Regarding this situation, the Office of the Special Rapporteur takes note of the Resolution of the European Parliament, in which it expresses its concern about the existence of forced labor in Cuba and condemns this type of practice promoted by the State, especially in the medical brigades, but which also affects teachers, sailors, engineers, artists, athletes and other persons.⁵⁶⁹

13. DOMINICA

365. In relation to the ratification of international instruments relevant to ESCER, REDESCA celebrates that on April 22, 2024 Dominica ratified the Escazú Agreement, which reinforces its commitment to transparency, citizen participation and access to justice in environmental matters in the region. This is a significant step forward in the protection of the right to a healthy environment, especially for communities vulnerable to climate emergencies. However, it is noted that although the country has acceded to the American Convention on Human Rights, it has not yet ratified the Protocol of San Salvador, which establishes specific obligations regarding ESCER. The Office of the Special Rapporteur stresses the importance of moving towards the ratification of this instrument, which would strengthen the State's capacity to implement public policies.

366. REDESCA notes that poverty data is not up to date. However, it notes that Dominica's Human Development Index (HDI) in 2022 is 0.740,⁵⁷⁰ which ranks the country in the high human development category and places it 97th out of 193 countries and territories. For its part, the UN sub-regional team noted that the overall poverty rate in Dominica was 28.8% at the national level, while the poverty rate of the Kalinago Indigenous People was estimated at 49.8%.⁵⁷¹

A. Climate emergency and environmental protection

367. REDESCA notes that Dominica is one of the countries most vulnerable to the negative effects of climate change, such as rising sea levels, increased intensity of hurricanes and extreme weather conditions such as torrential rains, flooding and landslides. Rising Caribbean sea temperatures have caused severe coral

⁵⁶⁴ Cubalex, [Monthly Report on the Human Rights Situation in Cuba](#), August 2024; Prisoner Defenders, "[Brief Report on Forced Labor in Cuban Prisons](#)," June 14, 2024.

⁵⁶⁵ IACHR. Thematic hearing "Cuba: Follow-up of precautionary measures for beneficiaries deprived of liberty (De Oficio)", 188th regular session, Washington D.C., United States, November 7, 2023.

⁵⁶⁶ Centro de Documentación de Prisiones Cubanas, [Update on Prison Conditions \(May 2024\)](#), June 11, 2024.

⁵⁶⁷ IACHR, Thematic Hearing, "[Human Rights of Persons Participating in Medical Missions](#)," 189th regular session, Washington, DC, United States, February 29, 2024, information provided by Prisoners Defenders.

⁵⁶⁸ IACHR, Thematic Hearing, cited above, Washington, DC, United States, February 29, 2024.

⁵⁶⁹ European Parliament, [Critical Situation in Cuba](#), European Parliament Resolution (2024/2584(RSP)), February 29, 2024.

⁵⁷⁰ UNDP, [Human Development Index](#), 2022.

⁵⁷¹ United Nations, [Compilation of information prepared by the Office of the United Nations High Commissioner for Human Rights](#), A/HRC/WG.6/47/DMA/2, 14 August 2024, paragraph 65.

bleaching, affecting marine ecosystems, negatively impacting local livelihoods and tourism.⁵⁷² In addition, many of Dominica's coastal communities are located at the foot of steep mountains, making them particularly vulnerable to landslides, high winds and flooding.⁵⁷³

368. REDESCA has also considered reports with data to assess climate resilience, one of which states that Dominica has the fourth highest risk score in the climate change category. The country particularly stands out in the extreme heat events indicator, with a score of 7.91. In comparison, the hurricane (5.20) and flood (4.89) indicators reflect a relatively lower frequency of these events in Dominica compared to other countries in the region.⁵⁷⁴

369. During its Universal Periodic Review in November 2024, Dominica reported that following the devastation of Hurricane Maria in 2017, the Government committed to rebuilding Dominica as the World's First Climate Resilient Nation, with the goal of recovering from the hurricane disaster and ensuring resilience to future shocks.⁵⁷⁵ This vision was embodied in the National Resilience and Development Strategy 2030.⁵⁷⁶

370. REDESCA notes that Dominica's economy is highly dependent on sectors vulnerable to the effects of climate change, particularly tourism, which accounts for 12% of GDP and 26% of employment, and agriculture, which contributes 22% of GDP and employs 40% of the population.⁵⁷⁷ Tourism is exposed to significant risks due to flooding and landslides, which have the potential to impact hotels, hiking trails and beaches. Additionally, extreme weather conditions, such as flooding and intense heat, pose a threat to the agriculture sector and endanger the livelihoods of many families.⁵⁷⁸

371. REDESCA takes note of the information provided by the State regarding the project “Enhancing Smart Sustainable Agriculture and Agro-processing for Climate Resilience” in Dominica,⁵⁷⁹ which aims to promote the sustainable and integrated management of resources, particularly water. This project includes capacity building programs in climate-smart agriculture and gender approach, aimed at empowering horticulturists in the Morne Prosper community to address climate challenges and improve both their food and water security.

372. The Special Rapporteurship welcomes the completion and delivery of the Roseau/Pottersville Hazard Management Handbook, which is a strategic tool to guide climate risk management in Roseau and the neighboring community of Pottersville.⁵⁸⁰ Also noteworthy is the Community Emergency Preparedness Initiative,⁵⁸¹ which seeks to strengthen local capacities through the creation or revitalization of community committees, the development of disaster management plans, and the provision of emergency equipment and supplies. In particular, this initiative aims to guarantee 15 days of autonomy before each hurricane season, which would increase community resilience and ensure adequate support to the people.

373. REDESCA takes note of the information provided by the United Nations subregional team on access to drinking water and sanitation, which states that 95.42% of households had basic access to water,⁵⁸²

⁵⁷² STIMSON, [Climate Risk Assessment Finds Climate & Financial Risks Threaten Economy and Marine Ecosystems in Dominica](#), May 31, 2024.

⁵⁷³ STIMSON, , May 30, 2024. [CORVI: Assessing Priority Climate Risks in Dominica](#), May 30, 2024.

⁵⁷⁴ [CORVI: Assessing Priority Climate Risks in Dominica](#), cited above.

⁵⁷⁵ United Nations, [National report submitted pursuant to Human Rights Council resolutions 5/1 and 16/21](#), A/HRC/WG.6/47/DMA/1, 19 August 2024.

⁵⁷⁶ [National Strategy for Resilience and Development 2030](#).

⁵⁷⁷ Ministry of Foreign Affairs of Spain, [Country Profile Dominica](#), May 2024.

⁵⁷⁸ [CORVI: Assessing Priority Climate Risks in Dominica](#), cited above.

⁵⁷⁹ United Nations, [National report submitted pursuant to Human Rights Council resolutions 5/1 and 16/21](#), A/HRC/WG.6/47/DMA/1, 19 August 2024. Paragraph 45.

⁵⁸⁰ United Nations, [National report submitted pursuant to Human Rights Council resolutions 5/1 and 16/21](#), A/HRC/WG.6/47/DMA/1, 19 August 2024. Paragraph 45.

⁵⁸¹ United Nations, [National report submitted pursuant to Human Rights Council resolutions 5/1 and 16/21](#), A/HRC/WG.6/47/DMA/1, 19 August 2024. Paragraph 45.

⁵⁸² United Nations, [Compilation of information prepared by the Office of the United Nations High Commissioner for Human Rights](#), A/HRC/WG.6/47/DMA/2, 14 August 2024.

as well as the disparities in access in rural areas. In relation to sanitation, the same report mentions that approximately 15% of the population lacked improved facilities and the practice of open defecation was maintained.

374. REDESCA has taken cognizance of the State's initiative with the EnGenDER project,⁵⁸³ which seeks to ensure that responses to climate change and disaster risk reduction take into account gender inequalities during crises and support the climate resilience of women, girls, and other vulnerable populations. Of particular note is the review of the draft National Gender Policy to ensure its alignment with the objectives of climate resilience, as well as the development of the project for the draft Nationally Determined Contributions Gender Mainstreaming Roadmap.⁵⁸⁴

B. Fiscal and economic policies

375. According to information received, Dominica's public debt exceeds 100% of GDP, a situation linked to the extraordinary expenditure generated by the pandemic, as well as the impact of external factors and adverse weather events. The country's fiscal policy is framed by the Fiscal Responsibility Act of 2021, which establishes the objective of achieving a primary surplus of 2% of GDP by 2026, with a view to reducing public debt to below 60% of GDP by 2035.⁵⁸⁵ However, the presence of an informal economy that, according to estimates, would represent close to half of the country's economic activity, poses significant challenges in terms of tax collection and sustainability of public policies.⁵⁸⁶ In this context, it is important that fiscal consolidation strategies consider the guarantee of ESCER, avoiding measures that deepen the vulnerability of sectors with less access to social protection and basic services.

376. REDESCA notes the decline in inflation in Dominica from a peak of 7.8% in 2022 to 3.48% in 2023, driven mainly by lower energy costs. It is also estimated that inflation would decline to 3% in 2024. However, it is noted that inflation continues to affect the purchasing power of households, representing a barrier to access to food, due to Dominica's high dependence on imported food products.⁵⁸⁷

377. The country's recovery from Hurricane Maria and Tropical Storm Erika cost more than 300% of the country's GDP.⁵⁸⁸ This fact evidences how natural disasters, together with concerns about the sustainability of public debt, represent additional risks for Dominica. REDESCA has highlighted the importance of international cooperation and the principle of common but differentiated responsibilities.

378. REDESCA recognizes the relevance of adopting policies related to taxation, labeling and restrictions on advertising of products such as tobacco, alcohol and unhealthy foods, as recommended by the WHO. However, it also takes note of the World Bank's recommendations regarding the need for Dominica to move forward with the implementation of specific regulations on salt and trans fat content.⁵⁸⁹

D. Democracy and guarantee of ESCER

379. In 2024, Dominica has made progress in the promotion of democracy and ESCER, standing out for its ratification of the Escazú Agreement, which reinforces the country's commitment to citizen participation and environmental transparency. However, challenges related to the effective implementation of international standards persist, especially in the context of the climate emergency, social inequalities and access to basic services. REDESCA stresses the importance of strengthening democratic frameworks to ensure the active

⁵⁸³ United Nations, [National report submitted pursuant to Human Rights Council resolutions 5/1 and 16/21](#), A/HRC/WG.6/47/DMA/1, 19 August 2024. Paragraph 48.

⁵⁸⁴ United Nations, [National report submitted pursuant to Human Rights Council resolutions 5/1 and 16/21](#), A/HRC/WG.6/47/DMA/1, 19 August 2024. Paragraph 48.

⁵⁸⁵ World Bank, [Macro Poverty Outlook for Dominica](#), October 2024.

⁵⁸⁶ [CORVI: Assessing Priority Climate Risks in Dominica](#), cited above.

⁵⁸⁷ World Bank, [Macro Poverty Outlook for Dominica](#), October 2024.

⁵⁸⁸ WTO, [Trade Policy Review of Dominica](#), WT/TPR/G/437, 29 March 2023.

⁵⁸⁹ World Bank, [Analysis of the Capacity to Offer Health Services for Non-Communicable Diseases in Dominica](#), May 2023.

participation of vulnerable communities in decision-making and public policy oversight, thus promoting more inclusive governance that respects human rights.

380. REDESCA takes note of the information provided by the State on ESCER in the framework of its Fourth Universal Periodic Review, carried out in November 2024. The National Report highlights that primary health care services are guaranteed through a network of 49 health centers distributed in seven districts.⁵⁹⁰ These centers would offer services such as immunizations, maternal and child health care, cancer screening and NCD controls.

381. The Special Rapporteurship takes note of the high burden of Non-Communicable Diseases (NCDs), which represent the leading cause of death in the country.⁵⁹¹ Among the adult population, the prevalence of hypertension is 22% and diabetes is 11%. Risk factors and unhealthy behaviors contribute to high NCD mortality rates, with 60% of the population being overweight or obese and 11% using tobacco. REDESCA noted that the country has committed to the 2030 Sustainable Development Goals to reduce NCD mortality by 30% and joined the HEARTS initiative in the Americas, driven by PAHO, which seeks to improve cardiovascular health.⁵⁹²

382. Regarding the right to education, REDESCA notes the implementation of the school safety net program in Dominica, which includes initiatives focused on special education, cash transfers, school grants, provision of uniforms and textbooks, as well as school feeding programs.⁵⁹³ Despite efforts to improve access to education for Kalinago children, including university scholarships designed for this indigenous community, it is noted that they do not fully enjoy the right to education on equal terms. In particular, Kalinago children with disabilities face significant barriers to access inclusive and quality educational services, a situation that limits their opportunities for comprehensive development.⁵⁹⁴ REDESCA urges the strengthening of inclusive education policies, ensuring that all structural barriers affecting vulnerable groups are eliminated and guaranteeing full equality of conditions, in accordance with international human rights standards.

14. ECUADOR

383. Ecuador has ratified key international instruments related to ESCER, such as the American Convention, the Protocol of San Salvador and the Escazú Agreement. This demonstrates the country's commitment to the promotion and protection of economic, social, cultural and environmental rights. However, it is essential to prioritize the effective implementation of the provisions contained in these normative instruments, ensuring that they are translated into concrete public policies and improved living conditions for the population, especially vulnerable groups.

384. The Office of the Special Rapporteur has observed that, according to the National Institute of Statistics and Censuses, in June 2024 income poverty at the national level stood at 25.5% and extreme poverty at 10.6%, which represents a slight year-on-year decrease.⁵⁹⁵ Notwithstanding the above, there are still significant regional disparities in the incidence of poverty, a situation that is aggravated by a gap between the rural and urban population.⁵⁹⁶ In the provinces of the Ecuadorian Amazon region, where hydrocarbon exploitation is concentrated, there is a higher incidence of poverty, disproportionately affecting indigenous peoples and nationalities.⁵⁹⁷ Indigenous people present the highest levels of poverty in terms of income,

⁵⁹⁰ United Nations, [National report submitted pursuant to Human Rights Council resolutions 5/1 and 16/21](#), A/HRC/WG.6/47/DMA/1, 19 August 2024.

⁵⁹¹ World Bank, [Noncommunicable Diseases Care in the Eastern Caribbean](#), June 23, 2023.

⁵⁹² World Bank, [Noncommunicable Diseases Care in the Eastern Caribbean](#), June 23, 2023.

⁵⁹³ United Nations, [National report submitted pursuant to Human Rights Council resolutions 5/1 and 16/21](#), A/HRC/WG.6/47/DMA/1, 19 August 2024, para. 76.

⁵⁹⁴ United Nations, [Summary of stakeholder submissions on Dominica](#), A/HRC/WG.6/47/DMA/3, 19 August 2024, paragraph 42-43.

⁵⁹⁵ National Institute of Statistics and Census (INEC), [Technical Bulletin No. 12-2024-ENEMDU Poverty and Inequality](#), June 2024, p. 8.

⁵⁹⁶ Human Rights Council, [A/HRC/56/61/Add.2](#), 2 April 2024, p. 6, para. 14.

⁵⁹⁷ Secretariat for the Management and Development of Peoples and Nationalities, [Análisis de indicadores de la Región Amazónica del Ecuador con enfoque en Pueblos y Nacionalidades](#), December 2023.

followed by Afro-Ecuadorians and Montuvias.⁵⁹⁸ This situation is aggravated in the case of indigenous children and adolescents, who constitute the population group most affected by poverty in the country, which underscores the need to implement comprehensive and specific public policies to address these structural inequalities.⁵⁹⁹

385. The Office of the Special Rapporteur underscores the importance of addressing inequality in Ecuador as a central axis for guaranteeing ESCER. According to data corresponding to June 2024, the Gini index stands at 0.45,⁶⁰⁰ reflecting a high concentration of income in the country. Likewise, when an inter-annual comparison is made, there is no statistically significant variation in the indicator, which shows the persistence of structural inequalities that could be addressed through inclusive and sustainable public policies.

A. Climate emergency and environmental protection

386. Ecuador has been classified as a country highly vulnerable to the effects of climate change with low preparedness to face such vulnerability.⁶⁰¹ In this sense, the country's vulnerability to the consequences of the climate crisis, natural hazards and environmental degradation threatens the sustainability of food systems and could aggravate the levels of malnutrition and poverty throughout the territory.⁶⁰² The country is exposed to multiple hazards, including earthquakes, tsunamis, landslides, volcanic eruptions, floods, droughts, among others.⁶⁰³

387. REDESCA has noted with concern the communiqué issued by the Presidency of the Republic of Ecuador, where it is reported that, during 2024, the country has experienced the most severe drought in the last 61 years.⁶⁰⁴ According to the National Secretariat of Risk Management of Ecuador, from January 1 to December 9, 2024, 5,693 forest fires have been registered in 22 provinces, causing the loss of 82,683.08 hectares of vegetation cover.⁶⁰⁵ As a result of the effects of forest fires, water deficit and drought, since January 1°, 2024, among others, a National Emergency Declaration for Forest Fires, Water Deficit and Drought (for a period of 60 days due to the magnitude and impact of the events recorded) has been issued, 7 cantonal emergency declarations (Pallatanga, Loja, Cuenca, Saraguro, Metropolitan District of Quito, Sigchos, Quilanga), 4 Provincial EOCs have been activated (Chimborazo, Cotopaxi, Loja, Carchi), and 32 Cantonal EOCs, due to the magnitude and impact of the events registered at national level.⁶⁰⁶ As a result of these events, the President of the Republic issued Decree No. 391 to coordinate actions in response to the forest fires.⁶⁰⁷

388. REDESCA has monitored data from the Adverse Events Monitoring Directorate, which has recorded numerous hazardous rainfall events throughout the country, including landslides, floods, windstorms, hailstorms, landslides and structural collapse, among the most recurrent events.⁶⁰⁸ As a result of these hazardous events, there have been various impacts, including damage to the infrastructure of essential basic services, such as health centers, educational units with functional or structural damage, as well as homes that were affected or destroyed.⁶⁰⁹ During 2024, emergency declarations have been made in several cantons of the country as a result of these climatic phenomena, as well as a disaster declaration in the canton of Chone,

⁵⁹⁸ United Nations Ecuador, [Common Country Analysis November 2023](#), April 23, 2024, p. 22.

⁵⁹⁹ United Nations Ecuador, [Common Country Analysis November 2023](#), April 23, 2024, p. 22.

⁶⁰⁰ INEC, [Encuesta Nacional de Empleo, Desempleo y Subempleo \(ENEMDU\): Indicadores de Pobreza y Desigualdad](#), June 2024, p. 14.

⁶⁰¹ Consejo Nacional de Planificación República del Ecuador, [Plan de Desarrollo para el Nuevo Ecuador 2024 - 2025 | Eje de Gestión de Riesgos](#), May 2024.

⁶⁰² World Food Program, [Ecuador: Country Brief](#), September 2024.

⁶⁰³ Consejo Nacional de Planificación República del Ecuador, [Plan de Desarrollo para el Nuevo Ecuador 2024 - 2025 | Eje de Gestión de Riesgos](#), May 2024, p. 8.

⁶⁰⁴ Presidency of Ecuador, [Oficial Comunicqué](#), September 16, 2024.

⁶⁰⁵ Secretaría Nacional de Gestión de Riesgos Ecuador, [SitRep No. 84 - Forest Fires, January 01, 2024 to date](#), December 9, 2024.

⁶⁰⁶ Secretaría Nacional de Gestión de Riesgos Ecuador, [SitRep No. 84 - Incendios Forestales, del 01 de enero de 2024 a la fecha](#), 9 de diciembre de 2024; Instituto Nacional de Meteorología e Hidrología (INAMHI), [Alta temperatura diurna y probables incendios forestales](#), 6 de septiembre de 2024.

⁶⁰⁷ Secretaría Nacional de Gestión de Riesgos Ecuador, [SitRep No. 80 - Forest Fires, January 01, 2024 to date](#), November 26, 2024.

⁶⁰⁸ Secretaría Nacional de Gestión de Riesgos Ecuador, [SitRep No. 11 - Rainfall, October 01, 2024 to date](#), November 13, 2024.

⁶⁰⁹ Infobae, [Heavy rains in Ecuador caused a landslide that left at least six dead and 30 missing](#), June 16, 2024.

where the cantonal COE indicated that its institutional capacities were exceeded according to the great affectation in the canton, due to the floods.⁶¹⁰

389. The Special Rapporteurship has taken note of the water conditions of the country's rivers, which are the main resource for the operation of hydroelectric power plants on which 72% of the country's energy matrix depends.⁶¹¹ Due to adverse weather events, such as heavy rains and river growth, as well as droughts, it has been observed how hydroelectric power plants have been affected throughout the year, a situation that has resulted in many citizens being left without electricity supply.⁶¹² Regarding electricity rationing in the country, it has been observed that this situation has worsened in several regions as a result of the deficit in the public supply of electricity. In response to the aforementioned, it has been observed that during the months of September and October, the government has implemented scheduled power outages as a measure to address the energy crisis resulted from the ongoing droughts.⁶¹³ This situation, according to some reports, has led to an increase in popular discontent and has raised uncertainty regarding the potential repercussions and effects that may arise from it.⁶¹⁴

390. The Office of the Special Rapporteur welcomes the implementation of a Response Plan by the National Government of Ecuador in response to the serious damage caused by the heavy rains, led by the National Secretariat for Risk Management (SNGR).⁶¹⁵ This plan contemplates emergency actions and mitigation measures to protect the most vulnerable communities. Likewise, REDESCA welcomes the initiatives of the World Food Program, which in coordination with the SNGR and with the support of the Ministry of Economic and Social Inclusion, have allowed the activation of preparedness and humanitarian response programs. Among these measures, the delivery of direct monetary transfers, designed to support families affected by floods linked to the impact of the El Niño Phenomenon.⁶¹⁶ The Special Rapporteurship recognizes these efforts and stresses the importance of ensuring a human rights-based approach in response and reconstruction strategies, including the consultation and active participation of affected communities.

391. REDESCA has taken note of the existence of reports that indicate the high levels of contamination of the Machángara River, which has been converted into a dump with tons of garbage and diluted pollutants, mainly from the waste of the city of Quito.⁶¹⁷ In this line, it is noted the processing of the lawsuit presented to the Tribunal de Garantías Penales del Distrito de Quito, by a citizen collective, in which they highlight the violation of the rights of the body of water, due to the high levels of contamination of the river, as well as the violation of the human communities that coexist with it.⁶¹⁸ Likewise, note is taken of the Court's decision to declare the Machángara River as a subject of rights, instructing the Municipality of Quito to

⁶¹⁰ Secretaría Nacional de Gestión de Riesgos Ecuador, [Dirección de Monitoreo de Eventos Adversos SitRep No. 31 - Lluvias, January 29, 2024 to date](#), March 3, 2024.

⁶¹¹ Ministry of Energy and Mines, [El Gobierno apuesta por nuevas fuentes de generación eléctrica en respuesta a la peor sequía y la dependencia energética del agua](#), September 24, 2024.

⁶¹² El Comercio, [Hidroeléctrica Coca Codo Sinclair stops operating, will there be power cuts](#), June 17, 2024.

⁶¹³ Ministry of Energy and Mines, [The Minister of Energy and Mines reported on the current energy situation and governmental actions to achieve stability in the sector](#), September 27, 2024.

⁶¹⁴ El País, [La pelea diaria por sobrevivir a oscuras en Ecuador](#), October 20, 2024; Ministerio de Gobierno Ecuador [@MinGobiernoEc], (November 18, 2024), El ministro José De La Gasca señaló que no se descontento popular a causa de los apagones, algo [Tweet], Twitter, <https://x.com/MinGobiernoEc/status/1858351066305241163>.

⁶¹⁵ National Secretariat of Risk Management, [Government deploys response plan to assist people affected by landslides in Baños](#), May 17, 2024.

⁶¹⁶ Secretaría Nacional de Gestión de Riesgos, [Dirección de Monitoreo de Eventos Adversos: SitRep No. 79 - Lluvias, del 29 de enero de 2024 a la fecha informe de situación nacional](#), 17 de mayo de 2024; WFP Ecuador (World Food Program) [@WFP_Ecuador], (Mar. 2, 2024), #Chone | Iniciamos la entrega del Bono Humanitario de Emergencia a familias afectadas por las inundaciones provocadas ante el #FenómenoElNiño. [Tweet], Twitter, https://x.com/WFP_Ecuador/status/1764068195189522818.

⁶¹⁷ El País, [Uno de los ríos más contaminados del Ecuador gana un juicio y es declarado sujeto de derechos](#), August 6, 2024; La Hora, [Quito: Río Machángara es declarado sujeto de derecho y obligan al Municipio a descontaminarlo](#), July 8, 2024.

⁶¹⁸ Business and Human Rights Resources Center, [Ecuador: Justice rules that contamination has violated the rights of the Machángara River](#), July 7, 2024.

allocate resources for an immediate decontamination plan which should adopt concrete and effective measures to reduce contamination levels.⁶¹⁹

392. The Special Rapporteurship has taken note of the levels of food insecurity in the country, which would affect 37% of the population moderately or severely in the period 2020-2022 and shows a clear upward trend since 2014-2016.⁶²⁰ The situation is more critical for women, who suffer 41% of food insecurity and represents a gap of seven points in relation to men.⁶²¹

B. Business and human rights

393. REDESCA warns about the impact of extractive industries in the country, especially with regard to the concentration of oil blocks, especially in the Amazon, a problem that has been the subject of attention due to its environmental and social repercussions. A follow up has been conducted on the popular consultation held on August 20, 2023, in which 58.95% of voters chose to indefinitely keep the oil underground in the Yasuní-ITT oil block.⁶²² Along the same lines, the other popular consultation has been registered through which 68% of the residents in the affected municipalities voted in favor of banning metallic mining in the Andean Chocó, giving the government a mandate to leave extractivism behind.⁶²³ This result, according to available information, would have triggered an extensive debate on the economic, social and environmental implications of whether or not to exploit oil in this area. Since the official announcement of the results on August 31, 2023, the one-year term for the withdrawal of oil activities began to run. In light of the above, there have been a series of statements by civil society regarding the status of hydrocarbon exploitation, in which it is argued that the extractive activities continue, despite the results of the popular consultation.⁶²⁴ In this regard, the Office of the Special Rapporteur shares the concern of the United Nations experts regarding the drilling of new wells in the Yasuní Park.⁶²⁵

394. REDESCA salutes the Ecuadorian government for initiating, on August 28, the process of dismantling Block 43-ITT in Orellana in order to comply with the above. The process has begun with the closure of the first well, called Ishpingo B-56, within the framework of the action plan and schedule for the decommissioning and closure of the 247 wells in the oil block, for which a period of 5 years and 5 months is foreseen to complete this process, which includes the protection of the environment and the surrounding communities.⁶²⁶

395. The Office of the Special Rapporteur has taken note of communications from various civil society organizations, which express concern regarding the impacts of the expansion of extractive industry activities throughout the country. These organizations argue that such activities not only lead to the loss of biodiversity and soil erosion, but also cause pollution in the water sources upon agricultural production depends, thereby affecting the availability of water resources for local communities.⁶²⁷ In view of this situation, various civil society organizations have spoken out alleging non-compliance in terms of environmental impact remediation for damages caused by mining.⁶²⁸ In the provinces of Pastaza and Santa Elena, 93.3% and 79.4%

⁶¹⁹ Primicias, [Municipality of Quito promises to decontaminate rivers in a plan that will last up to 17 years](#), July 12, 2024.

⁶²⁰ United Nations Ecuador, [Common Country Analysis November 2023](#), April 23, 2024.

⁶²¹ United Nations Ecuador, [Common Country Analysis November 2023](#), April 23, 2024, p. 15.

⁶²² El País, [Una consulta popular le dice sí a proteger el Yasuní](#), August 21, 2023; OHCHR, [ONU Derechos Humanos celebró votación que pone fin a las actividades extractivas en dos áreas protegidas en Ecuador](#), August 22, 2023.

⁶²³ Human Rights Council, [A/HRC/56/61/Add.2](#), 2 April 2024, pp. 3-4, para. 9.

⁶²⁴ France 24, [Ecuador: oil exploitation continues in Yasuní despite popular consultation vote](#), May 25, 2024; Mongabay, [Unfulfilled popular consultations: Ecuador's Andean Chocó and Yasuní remain at risk from mining and oil exploitation | Five environmental readings.](#), September 23, 2024

⁶²⁵ Office of the United Nations High Commissioner for Human Rights, [Ecuador must respect the will of the people and stop oil activities in Yasuní Park: Independent experts](#), August 20, 2024.

⁶²⁶ Ministry of Energy and Mines, [National Government complies with the popular mandate and initiates the dismantling process of Block 43-ITT, in Orellana.](#), August 28, 2024

⁶²⁷ Human Rights Council, [A/HRC/56/61/Add.2](#), April 2, 2024, p. 4, para. 10; Mongabay, [Mining in the Ecuadorian Amazon grew by almost 300 % from 2015 to 2021.](#), November 13, 2023

⁶²⁸ Mongabay, [Pits, spills and abandoned pools: the traces of half a century of unremediated oil pollution in Ecuador](#), June 27, 2023.

of their territories, respectively, are part of oil blocks, followed by Orellana (68.3%), Sucumbíos (64.1%), Morona Santiago (56.7%) and Napo (29.6%).⁶²⁹

396. REDESCA has noted reports of an alarming expansion of mining activity in the area of the Payamino, Paushiyacu and Punino rivers, located in the northern region of the Ecuadorian Amazon.⁶³⁰ These rivers play a crucial role in the supply of drinking water for the province of Orellana. In light of the above, it is of concern that mining - both illegal and legal - poses an imminent threat to the quality and availability of this essential resource, given that contamination from this activity negatively impacts the area.⁶³¹ The Special Rapporteurship has monitored how the Amazonian provinces are often severely affected by oil spills that severely contaminate the region's rivers, negatively impacting indigenous communities and their livelihoods.⁶³² This context can be detrimental to the effective enjoyment of human rights, given the risks to life and integrity due to exposure to hazardous substances, serious effects on their health and the right to live in a clean, healthy and sustainable environment.

397. REDESCA takes into account the communications made by civil society organizations regarding the lack of control of mining activities, alleging that they violate the collective rights of indigenous peoples and nations. The Office of the Special Rapporteur has received information about the case of the Canadian mining company Solaris Resources and the Warintza project concession in Morona Santiago.⁶³³

398. Also, the Office of the Special Rapporteur has taken note of the ruling of the Multi-competent Chamber of the Provincial Court of Justice of Sucumbíos, issued in January 2021, which ordered the progressive elimination of lighters used in the oil industry, establishing 2030 as the final deadline for their total eradication.⁶³⁴ This ruling recognized violations of the rights to health, water, food sovereignty, a healthy environment and the rights of nature.⁶³⁵ Despite this ruling, there has been an increase in the number of operational mecheros, as well as a lack of transparency in the information on their exact quantity.⁶³⁶ According to World Bank data, Ecuador ranks 17th among the 30 countries with the highest intensity of gas flaring.⁶³⁷ The practice of gas flaring not only contributes significantly to climate change through the emission of carbon dioxide, but also releases methane.⁶³⁸ In addition, this practice has harmful effects on the health of local communities, including an increase in the incidence of cardiovascular and respiratory diseases, as well as genetic damage that can result in miscarriages and congenital malformations.⁶³⁹ The Office of the Special Rapporteur urges the State to adopt urgent measures to eliminate the burning of gas in lighters, thus protecting human rights and contributing to climate change mitigation.

399. In this regard, Amnesty International has pointed out that keeping lighters lit perpetuates a practice that has a particular impact on local communities that depend on these environments for their livelihoods and culture, putting at risk the right to health, water, food sovereignty, and a healthy and ecologically balanced environment.⁶⁴⁰ Likewise, communities exposed to the proximity of extraction points, as

⁶²⁹ United Nations Ecuador, [Análisis Común de Países November 2023](#), April 23, 2024, p. 37.

⁶³⁰ Monitoring of the Andes Amazon Program (MAAP), [MAAP #219: Expansion of illegal mining in the Ecuadorian Amazon \(Punino zone\)](#), September 3, 2024.

⁶³¹ Alianza por los Derechos Humanos Ecuador, [Denuncia Pública Minería en Río Punino contamina comunas kichwas y amenaza suministro de agua potable en el Cantón Francisco de Orellana, Provincia de Orellana](#), November 23, 2022.

⁶³² Deutsche Welle (DW), [Oil spills in Ecuador: a chronic evil](#), January 31, 2022.

⁶³³ Primicias Ecuador, [Indigenous Ecuadorians denounce Canadian mining company Solaris Resources in Canada](#), February 29, 2024.

⁶³⁴ Amnesty International, [Arde la Amazonía. Arde el Futuro!](#), August 2024; Función Judicial, [Caso Mecheros Acción de Protección No. 21201202000170](#), 2020.

⁶³⁵ Judicial Function, [Caso Mecheros Acción de Protección No. 21201202000170](#), 2020.

⁶³⁶ National Assembly of Ecuador, [Oversight of compliance with lighter case ruling continues in biodiversity commission](#), February 21, 2024.

⁶³⁷ World Bank, [Global Gas Flaring Tracker Report](#), 2024, p. 8.

⁶³⁸ GNDiario, [Ecuador increases the number of toxic lighters in the Amazon](#), September 9, 2024.

⁶³⁹ United Nations Environment Programme (UNEP), [Global Methane Assessment: Benefits and Costs of Mitigating Methane Emissions](#), May 6, 2021, p. 57; Amnesty International, [Burn the Amazon. Burn the Future](#), August 2024; Global Climate and Health Alliance, [Energy Sector Methane Mitigation, A Global Health Strategy](#), August 2023, p. 8.

⁶⁴⁰ Amnesty International, [Burn the Amazon. Burn the Future](#), August 2024; Mongabay, [Los mecheros de la industria petrolera siguen ardiendo en la Amazonía ecuatoriana](#), July 3, 2024.

well as to oil pollution, present a higher than average rate of miscarriages, whose incidence increases as proximity to the lighters increases.⁶⁴¹

400. The Office of the Special Rapporteur has also observed that, according to available information, the provinces of the Ecuadorian Amazon region where oil extraction is concentrated present critical percentages of poverty in all indicators, as well as face great challenges in terms of malnutrition, illiteracy, environmental pollution, unemployment and gender violence.⁶⁴²

401. REDESCA has received information from civil society organizations regarding the La Plata mining project, financed by the Canadian company Atico Mining in the parishes of Las Pampas and Palo Quemado in Ecuador, a project that has a concession until 2049.⁶⁴³ Various complaints from members of the communities in these regions point to the lack of free, prior and informed environmental consultation in the development of the project.⁶⁴⁴ In this context, note has been taken of the development of a judicial process of protection action in favor of the communities of Palo Quemado and Las Pampas, due to the criminalization of the plaintiffs and witnesses in the case who oppose the mining activity in their territories and claim their traditional agricultural way of life.⁶⁴⁵

402. REDESCA adheres to the call to the Ecuadorian authorities by UN experts to ensure that environmental consultations in relation to mining projects comply with human rights standards, in particular by including all communities that will potentially be affected by these extractive activities, and respecting their right to freedom of expression and assembly.⁶⁴⁶

403. With respect to agro-industrial activities and the protection of human rights, REDESCA has followed with special attention the case of the agricultural company Furukawa, regarding highly precarious working conditions, forced labor conditions, human trafficking, as well as conditions analogous to slavery.⁶⁴⁷ In this regard, note has been taken of Judgment 1072-21-JP/24 of the Constitutional Court of Ecuador, which has recognized that, for more than five decades, Furukawa maintained on its farms a practice analogous to slavery known as serfdom of the gleba.⁶⁴⁸ In this context, the Office of the Special Rapporteur recalls that in order to generate guarantees of non-repetition and to ensure that corporate impunity and complicity in serious human rights violations does not persist due to the lack of access to justice and comprehensive reparation for the victims, States have the obligation to expressly include the investigation, both through judicial and non-judicial mechanisms, on the role and responsibility of companies and economic actors in the commission and complicity of serious human rights violations.⁶⁴⁹

404. The Office of the Special Rapporteur has taken note of the statements of the United Nations Special Rapporteur on Toxic Substances and Human Rights, who warned about the use of toxic agro-chemicals in the country, especially in extensive agriculture, many of which are banned in their countries of origin because

⁶⁴¹ Medicusmundi, [La Salud Petrolizada: Sistematización de un Eco-genocidio en la Amazonía Ecuatoriana](#), 2024, p. 20.

⁶⁴² Secretaría de Gestión y Desarrollo de Pueblos y Nacionalidades, [Análisis de indicadores de la Región Amazónica del Ecuador con enfoque en Pueblos y Nacionalidades](#), 2023; Consejo Nacional para la Igualdad de Género, [Mujeres y Hombres en cifras IV: Una mirada estratégica desde el género y las diversidades](#), November 2021, p. 203; Amnesty International, [Arde la Amazonía, Arde el Futuro](#), August 2024

⁶⁴³ El País, [El Gobierno de Noboa apuesta por la "minería sostenible": ¿es eso posible](#), May 11, 2024.

⁶⁴⁴ Office of the United Nations High Commissioner for Human Rights (OHCHR), [Ecuador: Oficina dialogó con representantes de comunidad de Las Pampas sobre consulta ambiental de proyecto minero en Palo Quemado](#), March 18, 2024; Comisión Ecuánica de Derechos Humanos, [Gobierno ecuatoriano militariza, criminaliza y reprime con armas a habitantes de Palo Quemado](#), March 28, 2024.

⁶⁴⁵ OHCHR, [Ecuador: Representative met with lawyers from Palo Quemado and Las Pampas communities](#), June 28, 2024.

⁶⁴⁶ OHCHR, [UN experts call for substantive consultations for mining projects in Ecuador](#), May 13, 2024.

⁶⁴⁷ OHCHR, [Ecuador: Victims of contemporary forms of slavery must have remedy and reparation in ongoing trials, say UN experts](#), April 29, 2024; REDESCA, [VII Annual Report of the Special Rapporteurship on Economic, Social, Cultural and Environmental Rights \(REDESCA\) of the Inter-American Commission on Human Rights \(IACHR\)](#), Dec. 29, 2023, p. 94, para. 316; Ecumenical Human Rights Commission, Amid mass firings at Furukawa Plantaciones C.A. del Ecuador se instalará audiencia de July 31, 2024. 94, para. 316; Ecumenical Human Rights Commission, [En medio de despidos masivos en Furukawa Plantaciones C.A. del Ecuador se instalará audiencia de juicio penal](#), July 31, 2024.

⁶⁴⁸ Constitutional Court of Ecuador, [Ruling 1072-21-JP/24 Modern Slavery in Furukawa](#), November 21, 2024.

⁶⁴⁹ IACHR, [Report Business and Human Rights: Inter-American Standards](#), OEA/Ser.L/V/II, IACHR/REDESCA/INF.1/19, November 1, 2019, p. 204/para. 11.

they are hazardous to health and the environment, and yet they are produced for export to developing countries and developing countries, as in the case of Ecuador.⁶⁵⁰

405. REDESCA has observed the suspension of discussions on a bill to regulate the labor relationship between digital platforms and workers, which would represent a setback in the progress towards the regulation of work on platforms.⁶⁵¹ The Office of the Special Rapporteur notes that there is still a lack of regulation and adequate working conditions for this group of workers, as they do not have access to any social security mechanism, health insurance, among other benefits.⁶⁵²

C. Fiscal and economic policies

406. During 2024, the Government of Ecuador has planned a tax reform with the objective of strengthening the equity and efficiency of the Ecuadorian tax system, in line with the commitments acquired with international organizations such as the IMF.⁶⁵³ Likewise, in February 2024, a law was proposed to increase the Value Added Tax (VAT) from 12% to 13%, with the possibility of increasing it up to 15% in exceptional situations, excluding products of the basic food basket. This proposal was approved by the National Assembly in February 2024.⁶⁵⁴ The implementation of these measures should highlight the importance of evaluating their impact on ESCER, especially in relation to lower income sectors, in order to ensure that fiscal policies do not aggravate pre-existing inequalities or compromise access to essential goods and services.

407. The Office of the Special Rapporteur has observed that, for the majority of the population, labor informality continues to be a challenge, as it has experienced growth in recent years compared to adequate employment. This situation implies that many workers participating in the informal economy face precarious working conditions, lack access to social security and, in many cases, do not receive remuneration that meets the minimum wage.⁶⁵⁵ In this context, at the national level, by October 2024, 54.9% of employed persons were in the informal sector of the economy, with no statistically significant difference compared to the same period of the previous year.⁶⁵⁶

408. Similarly, there are challenges in relation to social security coverage in the country. Thus, it has been noted that Ecuador invests 9.6% of its GDP in social protection, allocating 4.4% to healthcare and 5.2% to other forms of social protection.⁶⁵⁷ In 2021, only one third of the population had social security coverage, and this coverage was even lower among women, especially in the case of indigenous women and young women.⁶⁵⁸ In this sense, social protection coverage would be insufficient in the face of the size of the informal sector in the country.⁶⁵⁹ The social protection system would find it difficult to reach the most vulnerable groups, which aggravates disparities in access to health care, education and social security.

409. The Special Rapporteurship has observed that, despite the fact that Ecuador ratified ILO Convention 189 in 2014, only 28% of paid domestic workers are affiliated with the Ecuadorian Institute of Social Security (IESS).⁶⁶⁰ REDESCA is concerned about the alarming rate of violence faced by paid domestic

⁶⁵⁰ SWI (swissinfo.ch), [Non-compliance with environmental rulings in Ecuador worries UN special rapporteur](#), May 18, 2024

⁶⁵¹ National Assembly Republic of Ecuador, [Draft Law on the Regime of Work in Digital Platforms \(Trámite unificado / 408117\)](#), 2024; National Assembly Republic of Ecuador, [Memorandum No. AN-PR-2021-0331-M](#), August 24, 2021.

⁶⁵² Fairwork, [Condiciones de trabajo en contextos inseguros: Fairwork puntuaciones Ecuador 2024](#), 2024; El Universo, [Repartidores apuntan a regularización para ser incluidos en diálogos con el Gobierno y acceder a beneficios laborales](#), June 29, 2024

⁶⁵³ El Comercio, [Gobierno prepara una nueva reforma tributaria: estas son las claves](#), June 10, 2024. Confirmado.net, [Ecuador enista nueva reforma tributaria tras acuerdo con FMI](#), December 13, 2024.

⁶⁵⁴ Infobae, [Noboa obtained support in Congress and achieved the approval of the law to increase the VAT in Ecuador](#), February 10, 2024.

⁶⁵⁵ National Planning Secretariat, [Development Plan for the New Ecuador 2024-2025](#), February 2024, p. 27.

⁶⁵⁶ INEC, Encuesta Nacional de Empleo, [Desempleo y Subempleo \(ENEMDU\): Indicadores laborales](#), October 2024.

⁶⁵⁷ Human Rights Council, [A/HRC/56/61/Add.2](#), 2 April 2024, para. 30.

⁶⁵⁸ Human Rights Council, [A/HRC/56/61/Add.2](#), 2 April 2024, p. 7, para. 19; ILO, [A strengthened social security in Ecuador: Technical contributions of the Technical Assistance Program for Social Security \(PATSS\)](#), 14 August 2024.

⁶⁵⁹ Human Rights Council, [A/HRC/56/61/Add.1](#), 2 April 2024, para. 14.

⁶⁶⁰ Equal Value, Equal Rights, [In Ecuador](#), 2024.

workers, a problem that has been reflected in the current figures, where it has been reported that 80% of the domestic workers reported having suffered some type of harassment or violence in their workplace.⁶⁶¹

D. Democracy and guarantee of ESCER

410. The Office of the Special Rapporteur highlights the importance of strengthening mechanisms for citizen participation in Ecuador, especially in the context of the popular consultation held in August 2024 referred to above.⁶⁶² This type of process underscores the importance of democratic participation in appropriate contexts in decision-making that directly affects the country's ESCER.

411. In relation to the contexts for these participatory processes, REDESCA closely follows the context of insecurity and violence in Ecuador, which has persisted for almost three years, reaching a rate of 47.2 homicides per 100,000 inhabitants in December 2023, eight times higher than in 2016, making it the most violent country in Latin America.⁶⁶³ The Office of the Special Rapporteur is concerned about the increase in violence linked to organized crime groups, particularly the events that took place during the second week of January 2024, when the country experienced one of the greatest security crises in its recent history.⁶⁶⁴

412. In turn, the Office has closely followed the impact of the state of emergency on economic, social, cultural and environmental rights. This state of emergency has been extended in various regions since January 2024 due to the ongoing prison and security crisis in the country.⁶⁶⁵ Additionally, it has been noted that insecurity is a factor affecting the guarantee of the right to health. REDESCA has taken note of communications from civil society organizations regarding lack of medical supplies in hospitals, as well as lack of medicines and complaints of extortion and insecurity made by those working in different health facilities in the country.⁶⁶⁶ In this context, it is observed that the lack of supplies and infrastructure, together with the situation of insecurity, hinders universal and free access to health services and goods.

413. According to available information, the Confederation of Indigenous Nationalities of Ecuador (CONAIE) has expressed concerns regarding the implementation of the right to free, prior and informed consultation. In March 2024, CONAIE filed a claim of unconstitutionality against a Ministerial Agreement that sought to regulate this right, arguing that it could reduce consultation to a mere formality, without respecting the self-determination of indigenous peoples.⁶⁶⁷ In addition, in July 2024, CONAIE submitted to the National Assembly a draft law on prior consultation, seeking to ensure that any activity in indigenous territories has the consent of the affected communities.⁶⁶⁸

414. Despite advances in the political representation of women in Ecuador, significant gaps persist in terms of gender equality. REDESCA considers it imperative that the State implement public policies aimed at promoting gender equality and removing barriers that restrict the full participation of women in the political and social life of the country.

415. REDESCA has observed that, according to available information, inequality between women and men in Ecuador shows a considerable economic loss due to the lack of equal labor and salary opportunities between genders. Women's contribution to the household economy is 76% while men contribute 24%

⁶⁶¹ Equal Value, Equal Rights, [In Ecuador](#), 2024.

⁶⁶² UN News, [UN Human Rights urges Ecuador's response to escalating violence to be proportionate](#), January 12, 2024.

⁶⁶³ SWI (swissinfo.ch), ["Ecuador hit rock bottom in 2023 and finished as the most violent country in Latin America"](#), 30 December 2023.

⁶⁶⁴ UN News, [UN Human Rights calls on Ecuador to be proportionate in its response to escalating violence](#), January 12, 2024.

⁶⁶⁵ El País, [Daniel Noboa decrees his first state of emergency in Ecuador due to serious security crisis](#), January 9, 2024; DW, [Ecuador: extend state of emergency in six provinces](#), August 31, 2024.

⁶⁶⁶ Prensa Latina, ["Exigen fiscalización en sistema de salud de Ecuador"](#), July 1, 2024; Federación Médica Ecuatoriana, [@FME_Ec], (May 30, 2024), En lo que va que va del año hemos recibido alrededor de 700 denuncias de extorsiones y casos de inseguridad, cifras que [tweet], Twitter, https://x.com/FME_Ec/status/1796231744313770472.

⁶⁶⁷ CONAIE, [El Estado debe respetar el derecho a la consulta previa, libre e informada](#), March 19, 2024.

⁶⁶⁸ El Comercio, [Indígenas entregan al Parlamento de Ecuador su proyecto de ley de consulta previa](#), July 2, 2024.

respectively.⁶⁶⁹ In fact, out of every 100 hours, women spend 88 hours and men 12 hours on unpaid work activities in the home.⁶⁷⁰

416. REDESCA welcomes the enactment of the "Organic Law for Equal Pay for Women and Men" of January 19, 2024, whose objective is to guarantee equal pay for equal work or work of equal value, eliminating gender-based wage discrimination. It is mandatory for public and private employers throughout the country.⁶⁷¹

417. The Office of the Special Rapporteur has monitored the situation of sexual and gender-based violence in educational institutions in the country, which is a long-standing and endemic problem in the Ecuadorian educational system, from preschool through high school.⁶⁷² It has been reported that at least 6 out of 10 students in the Ecuadorian public education system have experienced situations of violence.⁶⁷³ Pregnancy in girls and adolescents is a problem directly related to sexual violence, especially that generated against girls and adolescents under 14 years of age. Ecuador is the third country in the region with the highest rate of teenage pregnancy (10-19 years old).⁶⁷⁴ In light of the above, the Special Rapporteur welcomes the implementation of the Public Policy for the Eradication of Sexual Violence in the Educational Environment through the signing of Executive Decree No. 368, which declared this policy as a national, priority and comprehensive policy; among other measures to address sexual violence in educational institutions and expedite justice for victims.⁶⁷⁵

15. EL SALVADOR

418. With respect to international commitments in the area of ESCER, it should be noted that El Salvador has ratified the American Convention on Human Rights and its Protocol of San Salvador, fundamental instruments for the protection and promotion of these rights in the region. However, it is noted that the State has not yet ratified the Escazú Agreement. Ratification of this agreement would represent an important step towards strengthening environmental protection mechanisms, especially in the face of the growing challenges of the climate emergency. REDESCA urges the Salvadoran State to prioritize this commitment as part of a comprehensive strategy for human rights and environmental sustainability.

419. With respect to poverty, there are reports that refer to an increase from 26.8% in 2019 to 30.3% in 2023. In addition, it is estimated that 10% of the population lives in extreme poverty, which contrasts with about 5% in 2019.⁶⁷⁶ On the other hand, the Gini coefficient in El Salvador was 0.39 in 2022.⁶⁷⁷ According to the World Bank, this number reflects that inequality in El Salvador remains among the lowest in Latin America.⁶⁷⁸

A. Climate emergency and environmental protection

420. REDESCA notes that, due to its geographic location, El Salvador is highly vulnerable to the effects of climate change, including rising sea levels, floods and extreme weather situations and the southern swings of the El Niño phenomenon, which are estimated to imply a loss of 2.5% of its GDP annually.⁶⁷⁹ The

⁶⁶⁹ INEC, [Las mujeres sostienen el trabajo doméstico y de cuidado en los hogares ecuatorianos](#), March 12, 2019.

⁶⁷⁰ INEC, [Las mujeres sostienen el trabajo doméstico y de cuidado en los hogares ecuatorianos](#), March 12, 2019.

⁶⁷¹ National Assembly of Ecuador, [En Vigencia Ley Orgánica para la Igualdad Salarial entre Mujeres y Hombres](#), January 19, 2024.

⁶⁷² Human Rights Watch, ["Como poniendo parches" Ecuador makes slow progress in combating and preventing sexual violence in educational institutions](#), July 2024, p. 5.

⁶⁷³ Efeminista, ["Endemic" sexual violence and impunity in Ecuador's schools](#), August 14, 2024.

⁶⁷⁴ Ministerio de Salud Pública, [Antecedentes - Política Intersectorial De Prevención Del Embarazo En Niñas y Adolescentes 2018-2025](#), November 19, 2018; Ministerio de Educación Ecuador, [Registro Oficial: Decreto 368](#), August 27, 2024.

⁶⁷⁵ Ministry of Women and Human Rights, [El Nuevo Ecuador refuerza la Lucha Contra la Violencia Sexual en las Aulas](#), August 21, 2024.

⁶⁷⁶ The World Bank in El Salvador: [overview](#). Page updated on October 18, 2024.

⁶⁷⁷ Statista, [Income distribution inequality based on Gini coefficient in Latin America as of 2022 by country](#). March 2024. See also: The World Bank in El Salvador: [overview](#). Already cited.

⁶⁷⁸ The World Bank in El Salvador: an [overview](#). Already cited.

⁶⁷⁹ World Bank, [Climate Change Knowledge Portal. El Salvador](#).

country has also suffered severe deforestation and land degradation, which has impacted agriculture and exposed the country to greater vulnerability to climate emergency.⁶⁸⁰

421. REDESCA also notes that the country's geography is dominated by a region known as the Dry Corridor where recurrent droughts and heavy rainfall lead to flooding. In this regard, during the first months of 2024, the country faced a drought situation that severely impacted the population, especially those who depend on agriculture and live in at-risk areas, which reduced their purchasing power and generated a situation of food insecurity.⁶⁸¹ On the other hand, with the onset of the rainy season, the country faced high levels of rainfall, which caused the displacement of thousands of people and increased the food insecurity problems originally generated by the drought. In this regard, according to information collected, the State activated 133 shelters to house displaced persons.⁶⁸²

422. In response to climate hazards, El Salvador has implemented the National Climate Change Plan 2022-2026, which establishes the country's priorities for climate change adaptation and mitigation. This plan focuses on strengthening water infrastructure and improving early warning systems to reduce vulnerability to extreme weather events. To finance some of these initiatives, El Salvador has reached a historic debt swap agreement for the restoration of the Lempa river basin, a key ecosystem for the country. The deal will generate savings of \$352 million over 20 years, of which \$350 million will be invested in water conservation and security projects. This plan includes improving water quality and quantity, strengthening biodiversity, and mitigating water security risks.⁶⁸³ The Special Rapporteurship has also learned that the Trinational Network for the Rescue of the Lempa River has pointed out the lack of prior consultation with affected communities and organizations working in the area, emphasizing the need for inclusive participation in the planning and execution of conservation actions.⁶⁸⁴

423. REDESCA has also considered reports, which show that in the context of the climate emergency and in the period from March to June 2024, 81,000 people experienced what has been classified as food insecurity in phase 3, which is equivalent to a crisis situation, and 7,000 people experienced food insecurity in phase 4, which is equivalent to an emergency situation.⁶⁸⁵ Also, by the end of September, 123,000 people were projected to be facing food insecurity at stage 3 or 4, and by the end of the year, 94,000 would be facing food insecurity at stage 3 or 4.⁶⁸⁶ Given the constant challenges faced by the country, linked to droughts and floods that result in situations of food insecurity, the Special Rapporteurship recalls the relevance of adopting measures to mitigate the effects of climate emergency on the population and combat the effects of climate change that make the country particularly vulnerable.

B. Business and human rights

424. On December 23, 2024, the Legislative Assembly of El Salvador approved the General Law on Metallic Mining, repealing the prohibition in force since 2017.⁶⁸⁷ This legislation allows exploration, extraction and processing activities of metallic minerals to be carried out again, with the objective of promoting economic development and employment generation in the country. However, various sectors of civil society, including environmental organizations and the Catholic Church, have expressed concern about the possible negative

⁶⁸⁰ USAID, [Climate Change Risk Profile El Salvador fact Sheet](#).

⁶⁸¹ OCHA, [Monitoring the Humanitarian Response](#), El Salvador, January-June 2024. p.1.

⁶⁸² OCHA, [Monitoring the Humanitarian Response](#), El Salvador. Already cited, p. 1.

⁶⁸³ El País, [El Salvador reaches an agreement for the largest debt swap in its history](#), October 18, 2024.

⁶⁸⁴ Hora Cero, [El Salvador prepares a plan to rescue the Lempa River without consulting communities and organizations](#), November 20, 2024.

⁶⁸⁵ IPC, [Tri-national Border of Rio Lempa: Acute Food Insecurity March-June 2024 and Projections for July-September 2024 and October 2024-February 2025](#), July 16, 2024.

⁶⁸⁶ IPC, [Tri-national Border of Rio Lempa: Acute Food Insecurity March-June 2024 and Projections for July-September 2024 and October 2024-February 2025](#), cited above.

⁶⁸⁷ Asamblea Legislativa de El Salvador, [Asamblea Legislativa aprueba ley de la minería metálica para impulsar el desarrollo económico](#), December 23, 2024.

impacts on the environment and public health.⁶⁸⁸ Mining would provoke "water and air pollution, causing death and disease in an irreversible way in a large part of our population, especially in our poorest brothers and sisters", according to a communiqué from the archbishopric.⁶⁸⁹

425. REDESCA has taken careful note of the effects that the state of exception could have on legal processes related to the use of public resources and State contracting, as well as on business investment approvals with potential negative impacts for the country. Among other concerns, there is worry about the approval of emergency decrees that would allow the State to manage public funds without complying with the Public Procurement and Contracting Law.⁶⁹⁰

426. On the other hand, REDESCA has considered the information shared by the State regarding the emphasis given to guaranteeing the supply of energy resources for the country's development under an approach "of sustainability, modernization, efficiency, (energy) security and decarbonization during the next 30 years".⁶⁹¹ It also notes the efforts to introduce green hydrogen in the country for the decarbonization of different sectors of the economy and the measures taken to facilitate this energy transition in collaboration with International Cooperation. These measures include 1) a study on the national potential of green hydrogen that allows "the production, use, transformation, transport and commercialization of green hydrogen;" and 2) a triangular cooperation project to exchange experiences and technical information on green hydrogen and its derivatives and on geothermal energy with Honduras, Colombia and Germany.⁶⁹²

427. On the other hand, REDESCA takes note of information provided to the IACHR by civil society regarding the granting of environmental permits to companies and industries that allegedly degrade life in the territory.⁶⁹³ The cases mentioned include: a tourist surf circuit that would be carried out in territories of the Icacal community, Intipuca, in the department of La Unión; the use of 100 manzanas for solar panels and electricity generation to feed a bitcoin mining plant in Finca Santa Adelaida, affecting the communities of Chorro Arriba, Chorro Abajo, Cuntán and Cuyagualo, in the district of Izalco, Sonsonate Este, department of Sonsonate; and the mega-project of the Pacific Airport that would have caused the forced displacement of numerous families without fair compensation and that would have been initiated without an approved environmental impact study, despite its possible effects on the local flora and fauna, since the airport would be built in a wetland area protected by the Ramsar Convention, crucial for the regulation of the biosphere and water recharge, and a vital wildlife corridor.

428. In 2024, according to available information, the agricultural sector in El Salvador, particularly intensive sugarcane production, continued to generate significant concerns due to its environmental and social practices. Organizations such as the Bitter Sugar Campaign warned that the uncontrolled expansion of sugarcane monocultures threatens the country's food security.⁶⁹⁴ In addition, research has pointed to the use of pesticides such as glyphosate and paraquat throughout the sugarcane agricultural cycle, substances banned in several countries due to their harmful effects.⁶⁹⁵

⁶⁸⁸ The Guardian, ['Live sick or flee': pollution fears for El Salvador's rivers as mining ban lifted](#), January 1, 2025. AP News, [El Salvador's president vetoes law regulating gold mining, citing loopholes](#), 23 December 2024

⁶⁸⁹ DW, [Church in El Salvador rejects lifting mining ban suggested by Bukele](#), December 23, 2024

⁶⁹⁰ WOLA, [Corrupción y Régimen de Excepción en El Salvador: una democracia sin oxígeno](#), September 27, 2022. See also: Kurylo Benjamin, [Corruption in El Salvador: Bukele's Double Game](#), Nueva Sociedad, March-April 2024.

⁶⁹¹ Ministry of Foreign Affairs, Informe adicional del Estado de El Salvador a la Relatoría Especial sobre Derechos Económicos, Sociales, Culturales y Ambientales (REDESCA) de la Comisión Interamericana sobre Derechos Humanos (CIDH) sobre solicitud de información sobre impacto de la emergencia climática en los derechos humanos, San Salvador, September 11, 2024.

⁶⁹² Ministry of Foreign Affairs, Informe adicional del Estado de El Salvador a la Relatoría Especial sobre Derechos Económicos, Sociales, Culturales y Ambientales (REDESCA) de la Comisión Interamericana sobre Derechos Humanos (CIDH) sobre solicitud de información sobre impacto de la emergencia climática en los derechos humanos, San Salvador, September 11, 2024.

⁶⁹³ Foro del Agua El Salvador, Response to the follow-up questionnaire, cited above.

⁶⁹⁴ Voices, [If there is more sugarcane monoculture, El Salvador will not have food security, warn community leaders and environmentalists](#), January 18, 2025

⁶⁹⁵ IPS Noticias, [Familias campesinas intentan frenar expansión de caña de azúcar en El Salvador](#), February 21, 2024

429. The expansion of monocultures has also reportedly generated land conflicts, displacing small farmers and affecting the population's food security. Community leaders and environmentalists have urged the authorities to take measures to regulate sugarcane planting and protect the rights of rural communities. In addition, access to drinking water in rural areas has been compromised due to the intensive use of water sources by large agricultural companies, exacerbating structural inequalities in the country. Competition for water resources between local communities and large-scale agricultural operations has intensified social and environmental tensions in various regions of El Salvador.⁶⁹⁶

430. In the above context, REDESCA urges the Salvadoran State to adopt effective measures to regulate extractive and agribusiness industries, among other business activities with relevant social and environmental impacts. This includes the adoption of a regulatory framework that guarantees the protection of human rights and promotes responsible business practices that respect the environment and local communities. In addition, it is imperative that monitoring and oversight mechanisms be established to prevent human rights violations and ensure that companies act with due diligence in their operations.

C. Fiscal and economic policies

431. With respect to Fiscal and Economic Policies, REDESCA notes that during 2023, the economy grew by 3.5%.⁶⁹⁷ According to the World Bank, the economic growth recorded that year is due to public investment, exports, private consumption, increased remittances, and improved perceptions of the business environment, among other factors.⁶⁹⁸ It is also estimated that the decrease in insecurity may have contributed to above-average growth and possibly to the creation of better jobs. However, by the end of 2024, economic growth is projected to moderate somewhat to 2.9%.⁶⁹⁹

432. REDESCA also notes that the country still faces relevant challenges such as deficiencies in the quality of services, the debt burden and the country's vulnerability to natural disasters.⁷⁰⁰ In this regard, it also notes that despite economic growth, the fiscal deficit as a result of a 12.3% increase in public spending between 2022 and 2023 was 4.7% of GDP at the end of 2023.⁷⁰¹ In turn, public debt as a percentage of GDP was 84.9%⁷⁰² with high sovereign spreads and difficult financing possibilities according to the World Bank due to the fact that perceptions about government management and the quality of institutions have worsened since 2016.⁷⁰³

433. In December 2024, the IMF and the authorities of El Salvador reached an agreement at the technical level to implement a 40-month program under the Extended Fund Facility, for an approximate amount of US\$1.4 billion. The main objective of this program is to strengthen the country's fiscal and external sustainability through the implementation of an ambitious and pro-growth fiscal consolidation plan, as well as measures to strengthen international reserves. As part of the agreement, actions were established to mitigate the risks associated with the use of Bitcoin in the Salvadoran economy.⁷⁰⁴

434. REDESCA has taken note of the existence of reports that refer to a setback in the Corruption Perception Index of Transparency International, reaching the lowest level recorded by the country, ranking 126 out of 180 countries.⁷⁰⁵ Among the factors identified by Transparency International as the cause of this situation are the lack of independence and transparency of the judiciary, and the use of the judiciary as a way to attack judges and prosecutors. According to the organization, this would limit confidence in this power and

⁶⁹⁶ Voices, [If there is more sugarcane monoculture, El Salvador will not have food security, warn community leaders and environmentalists](#), January 18, 2025

⁶⁹⁷ The World Bank in El Salvador: an [overview](#). Already cited.

⁶⁹⁸ The World Bank in El Salvador: an [overview](#). Already cited.

⁶⁹⁹ The World Bank in El Salvador: an [overview](#). Already cited.

⁷⁰⁰ The World Bank in El Salvador: an [overview](#). Already cited.

⁷⁰¹ The World Bank in El Salvador: an [overview](#). Already cited.

⁷⁰² World Bank Group, [El Salvador: Addressing Vulnerabilities to Continue Poverty Reduction and Inclusive Growth](#), March 2022.

⁷⁰³ The World Bank in El Salvador: an [overview](#). Already cited.

⁷⁰⁴ IMF, [El Salvador: IMF Reaches Staff-Level Agreement on an EFF Arrangement](#), December 18, 2024.

⁷⁰⁵ Transparency International, [our work in El Salvador](#).

access to justice, especially in the case of people living in poverty, women, people of indigenous and Afro-descendant origin, sexual minorities and migrants.⁷⁰⁶

D. Democracy and guarantee of ESCER

435. Social participation in environmental decision-making is an essential component for the effective protection of the environment and the strengthening of democracy. In El Salvador, the Environmental Law establishes mechanisms for citizen participation in environmental management, including public consultation of environmental impact studies. However, civil society organizations and academics have pointed out the need to strengthen these mechanisms to ensure effective and transparent participation of all social sectors in environmental decision-making.⁷⁰⁷

436. Likewise, the Office of the Special Rapporteur has taken note of reports of detentions of human rights defenders in the context of a state of emergency. According to information gathered, at least 34 people are reportedly detained until March 2024.⁷⁰⁸ These include environmental defenders, community media communicators, participants in collectives searching for disappeared persons and trade unionists. REDESCA recalls that the role played by human rights defenders is fundamental to make social injustices visible and to guarantee the protection of ESCER, including the right to a healthy environment. It also reminds the State of its obligation to protect these individuals and ensure respect for their rights.

437. According to this source of information, five activists who were instrumental in the campaign against mining for its effects on water were charged for events that occurred in the 1980s unrelated to the issue and placed under house arrest⁷⁰⁹. According to available information, the charges against these individuals were finally dropped in October.⁷¹⁰

438. REDESCA has received information on the situation of environmental activists opposed to metal mining in the country.⁷¹¹ In January 2023, five environmental defenders, known as "The Santa Marta Five", were arrested on charges related to a 1989 homicide during the Salvadoran armed conflict. These activists played a key role in the campaign that led to the 2017 ban on metal mining.⁷¹² Although in October 2024 a court acquitted them of all charges, the Attorney General's Office appealed the decision, and in November 2024, a court ordered a retrial, raising concerns about the possible criminalization of the work of environmental defenders.⁷¹³

439. The Salvadoran State must adopt effective measures to guarantee a safe and favorable environment for defenders of the right to a healthy environment, ensuring their protection against any form of criminalization, reprisal or intimidation. Likewise, it must strengthen the mechanisms for prevention and response to situations of risk, in compliance with its international obligations in the area of human rights.

440. With regard to education, REDESCA expresses its concern that the illiteracy rate in the country has not shown significant improvement. According to information collected, 9.3% of the population does not know how to read or write, which is equivalent to 503,101 Salvadoran people over the age of 10.⁷¹⁴ This information indicates that the illiteracy rate is higher in rural areas, where 15 out of every 100 people are

⁷⁰⁶ Transparency International, [CPI 2023 for the Americas: Lack of Independent Judiciary Hinders the Fight Against Corruption](#), January 30, 2024.

⁷⁰⁷ El Salvador.com, [UNES: Environmental management must be transparent](#), January 15, 2024.

⁷⁰⁸ La Prensa Gráfica, [Ya suman 34 los defensores de derechos humanos detenidos en el régimen de excepción](#), March 17, 2024.

⁷⁰⁹ Truthout, [Champions of El Salvador's Historic Mining Ban Face Legal Persecution](#) cited above.

⁷¹⁰ KTBS, [El Salvador activists acquitted after contentious trial](#), October 18, 2024.

⁷¹¹ Truthout, [Champions of El Salvador's Historic Mining Ban Face Legal Persecution](#), January 11, 2024.

⁷¹² Voice of America, [Caso Santa Marta: claves para entender por qué 5 líderes ambientalistas fueron detenidos en El Salvador](#), January 22, 2025.

⁷¹³ Democracy Now!, [Salvadoran court acquits persecuted water defenders who helped pass first metallic mining ban](#), 21 October 2024. Swissinfo, [Salvadoran environmentalists denounce criminalization of their struggle](#), 2024.

⁷¹⁴ Prensa Latina, [More than half a million people are illiterate in El Salvador](#), July 10, 2024.

illiterate, while in the cities, 6 out of every 100 do not know how to read or write.⁷¹⁵ In terms of age, 44.6% of people over 60 years of age are illiterate. It is also noteworthy that older women represent 31.7% of the illiterate population compared to 22.2% of older men.⁷¹⁶

441. The Office of the Special Rapporteur is also concerned about the gaps that continue to exist in the labor market between women and men. At the close of 2023, the labor force participation rate for women was 46.1%, which contrasts with 76.5% for men.⁷¹⁷ This situation remains an impediment to increasing productivity, reducing poverty and inequality, and ensuring that women can enjoy their economic, social, environmental and cultural rights on equal terms.

16. UNITED STATES OF AMERICA

442. With respect to international commitments in the area of ESCER, it is noteworthy that the United States has not ratified the American Convention on Human Rights or the Protocol of San Salvador that complements it. The ratification of these international treaties offers an area of action for the country with respect to the promotion and protection of human rights that should be prioritized.

443. According to the U.S. Census Bureau, during 2023 the official poverty rate decreased by 0.4%, representing 11.1% of the population equivalent to 36.8 million people.⁷¹⁸

444. According to the Census analysis, poverty decreased by 0.5 percentage points for women, reaching 11.9%. However, this percentage is still higher than that of men, whose poverty rate remained unchanged at 10.2%. In turn, the poverty rate did not change with respect to the type of unit or household, but it stands out that married couples have the lowest poverty rate, equivalent to 5.2% of the total, while units where women are responsible for the household without a husband present register a poverty rate of 23.6%.⁷¹⁹ Likewise, based on the terms used by the Census itself to collect information, the poverty rate of the population that classifies itself as African American was the highest at 17.9%, followed by the population that identifies itself as Hispanic (of any race) which represented 16.6% of the total.⁷²⁰ The population that classifies itself as white only, which also includes people of Hispanic origin who identify themselves as such, registered a poverty rate of 9.7%, while the population that identifies itself as white non-Hispanic represented a poverty rate of 7.7%, and the population that classifies itself as Asian registered a poverty rate of 9.1%.⁷²¹

445. On the other hand, the Gini Coefficient for 2024 in the United States is projected to be 0.42⁷²², which means that it is above the average of the Organization for Economic Cooperation and Development countries, which has remained at an average of 0.318 in recent years.⁷²³

A. Climate emergency and environmental protection

446. REDESCA takes note of the information provided by the State regarding the level of priority given to the climate emergency and environmental protection. According to this information, climate change represents for the country an immediate and urgent priority for its national security and a global issue that impacts all of humanity and therefore an important part of its foreign policy agenda.⁷²⁴ As a result, global efforts are prioritized to mitigate climate change and facilitate adaptation to it; to increase the resilience of the

⁷¹⁵ Prensa Latina, [More than half a million people are illiterate in El Salvador](#), op. cit.

⁷¹⁶ Prensa Latina, [More than half a million people are illiterate in El Salvador](#), op. cit.

⁷¹⁷ The World Bank in El Salvador: an [overview](#). Already cited.

⁷¹⁸ U.S. Census Bureau, [Poverty in the United States: 2023](#), September 2024. P.1.

⁷¹⁹ Census Bureau, [Poverty in the United States: 2023](#), cited above. P. 4.

⁷²⁰ Census Bureau, [Poverty in the United States: 2023](#), cited above. P. 4.

⁷²¹ Census Bureau, [Poverty in the United States: 2023](#), p. 4.

⁷²² Statista, [Socioeconomic indicators-United States](#).

⁷²³ Thevenot, Celine, [Inequality in OECD countries](#), Scandinavian Journal of Public Health, 2017; (Suppl 18): 9.

⁷²⁴ Response of the US Mission to the OAS regarding the IACHR Request for Information on Human Mobility and Climate Change (IACHR/SE/MPCT-Art.41/07-2024/474), Submitted on October 28th, 2024.

communities most affected by this phenomenon; and to protect the human rights of people displaced as a result of its effects.

447. In the same vein, the Office of the Special Rapporteur welcomes the fact that the United States has increased funding for projects related to addressing the causes and effects of the climate emergency for countries especially vulnerable to climate change to over 11 billion dollars by the end of fiscal year 2024, which has made the country the one that provides the largest amount of resources in bilateral collaboration projects in the fight against the effects of climate change in the world.⁷²⁵ This meant that funding to initiatives related to the issue would increase by an average of three billion dollars per year from a total of one and a half billion dollars dedicated to the issue in fiscal year 2021, to reach the aforementioned 11 billion by the close of fiscal year 2024.⁷²⁶

448. The Office of the Special Rapporteur also takes note of the mechanisms that the country has in place to support communities affected by disasters related to the climate emergency, such as the programs of the Federal Emergency Management Agency. This agency has, among other things, an insurance program to protect the homes of those living in flood-prone areas in order to mitigate risks that could lead to forced internal displacement.⁷²⁷ It also highlights initiatives aimed at protecting particularly vulnerable populations that are disproportionately affected by climate change, such as communities of native origin.⁷²⁸ In this regard, it is noteworthy that, according to information provided by the State, the Inflation Reduction Act includes specific resources aimed at facilitating adaptation and resilience of native communities to climate change.⁷²⁹

449. The Special Rapporteurship notes with concern the recent increase in poor air quality linked to global warming in the United States. According to data collected, approximately 83 million Americans, or one in four, are exposed each year to air quality categorized as "unhealthy" by the Air Quality Index, a number that could increase to 125 million people in the coming decades.⁷³⁰

450. Additionally, REDESCA is concerned about reports that the country's open dumps are contributing to global warming more than expected. A study conducted between 2016 and 2022 in 18 states across the country, which contain 20% of all landfills nationwide, found that landfills had produced, on average, three times more methane gas emissions than reported to federal regulators.⁷³¹ The findings of this study were consistent with the U.S. Environmental Protection Agency's estimates of methane gas emissions from landfills based on computer modeling.⁷³² Based on this information, REDESCA highlights the urgent need to improve the monitoring and management of methane emissions from landfills to effectively combat climate change.

451. In relation to this, REDESCA takes note of a report produced in 2024 by the National Academy of Sciences, Engineering and Medicine of the United States, which suggests the need for more in-depth research to be carried out by this country to develop technologies that contribute to reducing the impacts of methane gas on global warming.⁷³³ The study refers that this research is fundamental if we take into account the high levels of methane emissions registered in recent years, which broke records in 2023; as well as the fact that

⁷²⁵ The White House, [Fact Sheet: President Biden Marks Historic Climate Legacy with Trip to Brazil's Amazon Rainforest](#), November 17, 2024.

⁷²⁶ The White House, [Fact Sheet: President Biden Marks Historic Climate Legacy with Trip to Brazil's Amazon Rainforest](#), cited above.

⁷²⁷ Response of the US Mission to the OAS regarding the IACHR Request for Information on Human Mobility and Climate Change (IACHR/SE/MPCT-Art.41/07-2024/474), cited above.

⁷²⁸ Response of the US Mission to the OAS regarding the IACHR Request for Information on Human Mobility and Climate Change (IACHR/SE/MPCT-Art.41/07-2024/474), cited above.

⁷²⁹ Response of the US Mission to the OAS regarding the IACHR Request for Information on Human Mobility and Climate Change (IACHR/SE/MPCT-Art.41/07-2024/474), cited above.

⁷³⁰ CBS News, [1 in 4 Americans today breathes unhealthy air because of climate change. And it's getting worse](#), February 12,

⁷³¹ Science, [Quantifying methane emissions from United States landfills](#), March 28, 2024.

⁷³² The New York Times, ['Garbage Lasagna': Dumps Are a Big Driver of Warming, Study Says](#), March 31, 2024.

⁷³³ National Academies, [A Research Agenda Toward Atmospheric Methane Removal](#), 2024.

emissions of this gas, 60% of which are generated by human activity, are the factor that most contributes to global warming after carbon dioxide.⁷³⁴

452. In turn, although REDESCA has not been able to access a consolidated annual number, as of September 26, 2024, according to available information, 38,143 forest fires would have been recorded, which meant the burning of 7.8 million acres of land.⁷³⁵ Although this figure would be lower than the annual average, the number of acres burned is above the annual average of recent years.⁷³⁶ Although about 85% of these fires are caused by human actions⁷³⁷, they have intensified due to climate change, which exacerbates conditions that facilitate their spread including excessive heat, extended droughts, and a "thirsty atmosphere" that refers to an excessive loss of water to the atmosphere. These fires have had a particularly negative impact on communities with high levels of poverty, especially affecting mostly Hispanic, Native American and African American communities.⁷³⁸ In this regard, REDESCA stresses the need to strengthen existing programs to protect the people most affected by these types of disasters.

453. Similarly, during 2024, numerous communities were destroyed and many deaths occurred as a result of hurricanes that impacted the United States. In some cases, these hurricanes were stronger and produced greater devastation as a consequence of climate change, according to the estimates of several scientists.⁷³⁹ An example of this is Hurricane Helene, which began in Florida with a category 4 on the Saffir-Simpson scale, and had devastating effects in 14 states along the Appalachian region, especially impacting the Asheville area in the State of North Carolina.⁷⁴⁰ According to a report produced by an international panel of scientists, the rain that fell as a result of Helene was 10% more due to climate change. Also, the volume of rainfall recorded, in the range of 2 to 3 days, was between 40% and 70% more possible, respectively, due to global warming. Also, scientists warned that if fossil fuel burning continues, which could generate a global warming of 2 degrees Celsius above pre-industrial levels, the region between the city of Atlanta and southern Appalachia will face a 15% to 25% greater chance of devastating storms.⁷⁴¹

454. According to available information, Hurricane Helene left at least 227 fatalities, the highest death toll from a hurricane in the United States since Hurricane Katrina in 2005, while two million people were without power.⁷⁴² REDESCA salutes the State's efforts to attend to the effects of this storm, including support for hurricane survivors for more than 210 million dollars, the sending of 1,000 troops to western North Carolina, as well as the deployment of more than 6,500 National Guard personnel and 7,000 federal government personnel to attend to the people affected by these storms and contribute to the search for those who disappeared in its path.⁷⁴³ It also highlights the need to strengthen policies for prevention and attention to disasters caused by hurricanes, considering that it is expected that the effects of this type of storms could be even more devastating on the affected populations as a consequence of climate change.⁷⁴⁴

⁷³⁴ National Academies, [A Research Agenda Toward Atmospheric Methane Removal](#), cited above.

⁷³⁵ Center for Disaster Philanthropy, [2024 North American Wildfires](#), October 4, 2024.

⁷³⁶ Center for Disaster Philanthropy, [2024 North American Wildfires](#), October 4, 2024.

⁷³⁷ National Park Service, [Wildfire Causes and Evaluations](#).

⁷³⁸ Center for Disaster Philanthropy, [2024 North American Wildfires](#), cited above.

⁷³⁹ World Weather Attribution, [Climate Change Key Driver of Catastrophic impacts of Hurricane Helene that devastated both coastal and inland communities](#), October 9, 2024. NPR News, [Climate Change made Helene more dangerous. It also makes similar storms more likely](#), October 9, 2024.

⁷⁴⁰ World Weather Attribution, [Climate Change Key Driver of Catastrophic impacts of Hurricane Helene that devastated both coastal and inland communities](#), cited above.

⁷⁴¹ World Weather Attribution, [Climate Change Key Driver of Catastrophic impacts of Hurricane Helene that devastated both coastal and inland communities](#), cited above.

⁷⁴² World Weather Attribution, [Climate Change Key Driver of Catastrophic impacts of Hurricane Helene that devastated both coastal and inland communities](#), cited above. Sanchez, Ray, ["The power of water." How Helene devastated western North Carolina and left communities in ruins](#), October 6, 2024.

⁷⁴³ Sanchez, Ray, ["The power of water." How Helene devastated western North Carolina and left communities in ruins](#), cited above. FEMA, [As federal Assistance for Hurricane Helene Exceeds \\$210 million, FEMA Prepares for Dual Response with Hurricane Milton Strengthening as it Moves Toward Gulf Coast of Florida](#), October 7, 2024.

⁷⁴⁴ National Oceanic and Atmospheric Administration, [NOAA predicts above-normal 2024 Atlantic hurricane season](#), May 23, 2024.

455. The Office of the Special Rapporteur has noted that in the aftermath of Hurricane Helene in the United States, conspiracy theories were spread accusing the government of manipulating the weather for political purposes, which sought to affect public confidence in institutions and complicate assistance efforts.⁷⁴⁵

456. REDESCA also highlights the publication by the U.S. Environmental Protection Agency (EPA) of the report "Climate Change in the Drinking Water and Wastewater Sectors and the Impact on Financial Resilience, Insurability, Credit Quality and Investment", which helps to measure the levels of preparedness of the drinking water and wastewater industries for the risks associated with climate change and their level of resilience to them, to facilitate, in turn, financial assessments and investments in infrastructure by financial and insurance companies. The report also aims to share effective practices for managing climate risks, and discuss identified strategies, perspectives and practices, including vulnerability assessments, adaptation strategies and disclosure practices.⁷⁴⁶

457. Additionally, the Special Rapporteur highlights the national implementation of restrictions on harmful chemicals in tap water, focusing specifically on PFAS (or perfluoro alkylated and polyfluoroalkylated substances) contaminants associated with various health problems, including cancer⁷⁴⁷, in a context in which 70 million people are exposed to these contaminants⁷⁴⁸, while half of the prisons in the United States would obtain water from potentially contaminated sites containing toxic chemicals of this type.⁷⁴⁹

B. Business and human rights

458. REDESCA notes the existence of reports on the impacts on the health and human rights of communities near petrochemical plants in Texas⁷⁵⁰ and Louisiana,⁷⁵¹ two of the largest concentrations of the fossil fuel industry in the United States. In this context, the constant exposure of communities to this contamination would have caused serious health problems, highlighting the absence of an efficient emergency warning system, as well as the lack of enforcement of regulations and renewal of operating permits, even after repeated violations.⁷⁵²

459. However, REDESCA notes that the Environmental Protection Agency has finalized new regulations aimed at improving safety measures at chemical facilities to reduce the frequency and severity of accidents, especially in communities disproportionately affected by industrial incidents.⁷⁵³ It also highlights that this Agency introduced a final rule banning the use of chrysotile asbestos, which poses serious health risks such as mesothelioma and cancer.⁷⁵⁴

460. The Office of the Special Rapporteur has closely followed the Public Hearing in the framework of the 189th session of the IACHR on the impacts of uranium mining on the rights of indigenous peoples in the United States.⁷⁵⁵ At this hearing, the petitioning organizations expressed their concern about uranium mining in indigenous territories in the United States and provided information on the impact on the health, environment and culture of indigenous peoples as a direct consequence of such mining. In particular, the organizations noted that uranium mining has led to an increase in cases of diseases such as cancer and lack of access to clean water, sanitation and health services. For its part, the State acknowledged the negative legacy of uranium exploitation on indigenous peoples and stressed its commitment to consult tribal nations in

⁷⁴⁵ El País, [Los bulos y amenazas sobre el ciclón Helene fuerzan a reorganizar las operaciones de ayuda en Carolina del Norte](#), 15 October 2024. El País, [Los sucesivos huracanes en el sureste avian teorías de conspiración en la derecha](#), 8 October 2024.

⁷⁴⁶ JD Supra, [Climate Change in the Drinking Water Industry: Challenges and Legal Considerations](#), 2024.

⁷⁴⁷ BBC, [PFAS: US limits 'forever chemicals' in tap water for first time](#), April 10, 2024.

⁷⁴⁸ The Guardian, [At least 60% of US population may face 'forever chemicals' in tap water, tests suggest](#), 20 February 2024.

⁷⁴⁹ The Guardian, [Nearly half of US prisons draw water likely contaminated with toxic PFAS - report](#), April 8, 2024.

⁷⁵⁰ Amnesty International, [The Cost of Doing Business? The Petrochemical Industry's Toxic Pollution in the USA](#), January 25, 2024.

⁷⁵¹ Human Rights Watch, [We're Dying Here: The Fight For Life in a Louisiana Fossil Fuel Sacrifice Zone](#), January 25, 2024.

⁷⁵² Amnesty International, [The Cost of Doing Business? The Petrochemical Industry's Toxic Pollution in the USA](#), cited above.

⁷⁵³ Reuters, [EPA boosts protections for at-risk communities near chemical plants](#), March 1, 2024.

⁷⁵⁴ JD Supra, [The U.S. Environmental Protection Agency Bans Ongoing Use of Asbestos](#), April 2, 2024.

⁷⁵⁵ IACHR, [Public Hearing United States: Impacts of Uranium Mining on the Rights of Indigenous Peoples](#), 189th Session of the IACHR, February 28, .

accordance with Decree 14096. In this framework, the importance of consultation and free, prior and informed consent is crucial, as well as reparations for the affected communities in accordance with the principles of environmental justice and human rights.

461. On the other hand, REDESCA highlights the actions taken by the Michigan Department of Environment, Great Lakes and Energy regarding contamination sites in the southeastern part of the state and the release of electroplating chemicals at *Bear Creek* in Warren.⁷⁵⁶ However, it emphasizes the need to implement reforms to hold polluters accountable and improve environmental cleanup laws in order to more effectively protect the state's communities from pollution from business activities.

462. In turn, REDESCA welcomes the approval by the *Securities and Exchange Commission* (SEC), the independent agency of the federal government whose purpose is to protect investors; ensure efficient, orderly and fair competition in the financial markets; and facilitate capital formation, of a new rule requiring companies to disclose their emissions and climate change-related information.⁷⁵⁷

463. The Office of the Special Rapporteur also highlights the publication of the second U.S. National Action Plan on Responsible Business Conduct, which is intended to help raise global standards for promoting respect for human and labor rights, as well as protecting the environment and combating corruption by companies and along value chains. The plan also aims to create a more equitable environment, advancing gender equality⁷⁵⁸, and focusing specifically on the different behaviors and responsibilities that U.S. companies operating and investing outside the United States must exhibit.⁷⁵⁹

464. REDESCA has also closely followed the jury's decision in the case brought against *Chiquita Brands* in a Florida court on behalf of victims of paramilitary violence in Urabá and Magdalena in Colombia. This case, which is the first in which a U.S. court has sanctioned a U.S. company for its actions in another country that resulted in the violation of human rights, concerns the financing that this company allegedly provided to the United Self-Defense Forces of Colombia, an armed paramilitary group, between 1994 and 2004, to maintain its profits even with the knowledge that the actions of this paramilitary group resulted in the escalation of violence and the violation of human rights.⁷⁶⁰

C. Fiscal and economic policies

465. In reference to Fiscal and Economic Policies, REDESCA notes that the country's economy grew at a real annual rate of 3% according to data from the second quarter of 2024.⁷⁶¹ This growth reflected increases in consumer spending, private sector inventory investment and fixed investment in non-residential goods.⁷⁶² The increases in consumer spending were possible as inflation declined after rising earlier in the year and as the labor market remained relatively stable, allowing individuals to continue to consume.⁷⁶³ In September 2024 the inflation rate was 2.4% compared to 2.5% in August. In turn, the unemployment rate as of September 2024 was 4.1% while the number of unemployed was 6.8 million people.⁷⁶⁴

⁷⁵⁶ Michigan Advance, [Advocates call for polluter accountability as SE Michigan faces additional contamination concerns](#), February 15, 2024.

⁷⁵⁷ The Washington Post, [New rules will force U.S. firms to divulge role in warming the planet](#), March 6, 2024

⁷⁵⁸ U.S. Department of State, [The U.S. Government's National Action Plan on Responsible Business Conduct](#), March 22, 2024.

⁷⁵⁹ U.S. Department of State, [The U.S. Government's National Action Plan on Responsible Business Conduct](#), March 22, 2024.

⁷⁶⁰ EarthRights International, [Historic Outcome for Victims in Colombia: Jury Finds Chiquita Brands Responsible for Funding the United Self-Defense Forces of Colombia](#), October 6, 2024.

⁷⁶¹ BEA, [Gross Domestic Product \(Third Estimate\), Corporate Profits \(Revised Estimate\), and GDP by Industry, Second Quarter 2024 and Annual Update](#), September 26, 2024

⁷⁶² BEA, [Gross Domestic Product \(Third Estimate\), Corporate Profits \(Revised Estimate\), and GDP by Industry, Second Quarter 2024 and Annual Update](#), cited above.

⁷⁶³ The New York Times, [U.S. Economic Growth Accelerates, Outpacing Forecasts](#), July 25, 2024.

⁷⁶⁴ Bureau of Labor Statistics, [The Employment Situation -September 2024](#), October 4, 2024.

466. On the other hand, the Office notes that as of August 2024, the fiscal deficit was \$1.9 trillion dollars, which was \$370 billion dollars more than in the same period of 2023.⁷⁶⁵ At the end of August, the public debt was \$35.7 trillion.⁷⁶⁶

467. In 2024, the U.S. public debt continued its upward trend, representing approximately 123.1% of the country's GDP.⁷⁶⁷ This level of indebtedness places the United States among the countries with the highest proportion of debt relative to its economy. In 2024, the interest cost of U.S. public debt experienced a significant increase, reaching approximately \$1.2 trillion, surpassing national defense spending for the first time. This increase in interest payments could place a burden on the federal budget, potentially limiting the government's ability to fund other critical areas such as education, infrastructure and social programs.⁷⁶⁸

468. The financing of social protection services in the United States faced significant challenges. Social Security is financed primarily through contributions from workers and employers. However, the aging population and growing financial inequalities have put pressure on the system. Projections indicate that, without reforms, the Social Security trust fund could be exhausted by 2034, resulting in substantial benefit cuts.⁷⁶⁹

469. In the area of health, REDESCA has taken note of reports of limitations in the health care system in terms of access, equity and the ability of individuals to cover medical costs, which infringes on the right to health. According to a recent study comparing the U.S. health care system with that of nine other countries with similar development conditions (including Australia, Canada, France, Germany, the Netherlands, New Zealand, Sweden, Switzerland and the United Kingdom), although the United States will devote 16% of its GDP to health care in 2022 in contrast to the rest of the countries, which devote between 8% and 12% of their GDP, it still presents the greatest barriers in terms of affordability and availability of services.⁷⁷⁰ Moreover, the country's fragmented coverage means that, despite efforts to expand access to the health system through various programs, 26 million Americans remain uninsured, leaving them completely exposed to high medical costs in case of medical need. In this sense, REDESCA stresses the importance of seeking mechanisms to extend health coverage and protect the most vulnerable populations.

D. Democracy and guarantee of ESCER

470. In 2024, public participation in environmental decision-making in the United States experienced both advances and challenges. Among the challenges, the Special Rapporteur notes that some reports have reported a trend known as "greenhushing" or "green silence," where U.S. companies have begun to withdraw their participation from international partnerships focused on reducing greenhouse gas emissions. This withdrawal is attributed to fear of political and social reprisals, which could limit transparency and public participation in corporate environmental initiatives.⁷⁷¹ REDESCA considers that the promotion of policies that enhance citizen participation and transparency in environmental matters remains essential to ensure effective democratic governance in the United States.

471. In turn, the Office of the Special Rapporteur has taken note of reports that refer to the existence of attempts to restrict academic freedom and freedom of expression in the country's schools and universities by different state governments. According to information collected, although the number of

⁷⁶⁵ Treasury.gov, [What is the national deficit?](#) Accessed October 17, 2024.

⁷⁶⁶ Treasury.gov, [Understanding the National Debt | U.S. Treasury Fiscal Data](#) Accessed October 17, 2024.

⁷⁶⁷ Trading Economics, [United States Government Debt](#), 2024.

⁷⁶⁸ Investopedia, [Why Interest Payments Are Blowing Up the Federal Budget](#), September 13, 2014. Council on Foreign Relations, [For the First Time, the U.S. Is Spending More on Debt Interest Than on Defense](#), May 23, 2024

⁷⁶⁹ AARP, [Social Security Trust Fund Shortfall](#), May 7, 2024. The Opinion, [Social Security will not be able to pay full benefits in 2034 if Congress fails to act](#), March 31, 2023

⁷⁷⁰ The Commonwealthfund, [Mirror, Mirror 2024: A Portrait of the Failing U.S. Health System, comparing performance in 10 Nations.](#), September 19, 2024

⁷⁷¹ TriplePundit, [Companies Are Engaging in 'Greenhushing' More Than Ever, Study Finds](#), 2024. El País, [Four U.S. financial giants step back on climate in the face of political pressure](#), February 19, 2024.

proposed laws aimed directly at censorship has declined since 2023, there have been at least 29 laws since that year aimed at indirectly limiting academic freedom by restricting what teachers can teach, or via new difficulties in achieving tenure or other methods.⁷⁷² According to a *PEN America* report, by 2024, 8 state laws or public policies would have been passed that imposed direct restrictions on academic freedom in the classroom. Of these, three focused specifically on K-12 elementary and secondary education, three exclusively on universities and colleges, and two contained restrictions for all levels of education.⁷⁷³ In addition, five additional pieces of legislation targeting university education were also passed that could threaten academic freedom via the politicization of university governance; prohibitions related to diversity, equity and inclusion issues; and restrictions on tenure.⁷⁷⁴

472. REDESCA takes note of the Report on the State of Education 2024, published by the Department of Education's Institute of Education Sciences and mandated annually by Congress. According to the report, which presents the most recent information available, the education system continues a process of recovery from the effects of the coronavirus pandemic that led to declines in school enrollment and student learning achievement.⁷⁷⁵ Between 2012 and 2019, the school enrollment rate for girls and boys aged 3-5 years had fluctuated between 59% and 61% but by the 2021 school year, as a consequence of the pandemic it had fallen to 53%. By 2022, the most recent data, the registration rate had shown a recovery to 59% but still remained below the level recorded in 2019 when the registration rate was 61%. In turn, the number of students enrolled in primary and secondary education that had grown between the fall of 2010 to 2019 by 3% from 49.5 million students to 50.8 million students, lost those gains by falling by 3% in the fall of 2020 as a result of the pandemic when 49.4 million students were enrolled. In 2022, the latest data, the enrollment level showed a small recovery considering 49.6 million students were enrolled in the fall of that year.⁷⁷⁶

473. Likewise, the Office of the Special Rapporteur observes that, according to this same report, the number of people enrolled in university education has been decreasing significantly. Between the fall of 2012 and the fall of 2022, the number of registrations fell by 13% from 17.7 million to 15.4 million students. This drop was due to a decrease in the number of students pursuing undergraduate studies in two-year programs. However, the number of people pursuing graduate studies has increased from 2.9 million to 3.2 million students.⁷⁷⁷

17. GRENADA

474. Grenada has ratified the American Convention on Human Rights and the Escazu Agreement, demonstrating its commitment to the protection of human rights and public participation in environmental matters. However, it has not yet ratified the Protocol of San Salvador. The Special Rapporteur urges the State to consider its ratification, which would reaffirm its commitment to the promotion and comprehensive protection of ESCER in the region.

475. Income inequality in Grenada remains high compared to other Caribbean countries and upper middle-income economies. According to 2018 data, the Gini Index stood at 43.8, reflecting an unequal distribution of income.⁷⁷⁸ Although more recent data on the Gini Index is not available, poverty is estimated to have declined to 13.9% in 2023, remaining slightly above pre-pandemic levels (13.8% in 2018).⁷⁷⁹ These indicators suggest that despite progress in poverty reduction, income inequality persists as a significant challenge for Grenada.

⁷⁷² Inside Higher Ed, [Higher Ed Censorship Becoming More Discreet](#), PEN Reports, October 8th, 2024.

⁷⁷³ Pen America, [America's Censored Classrooms](#) 2024, October 8, 2024.

⁷⁷⁴ Pen America, [America's Censored Classrooms](#) 2024, cited above.

⁷⁷⁵ Institute of Education Sciences, [Report on the Condition of Education 2024](#), May 2024, p. 2.

⁷⁷⁶ Institute of Education Sciences, [Report on the Condition of Education 2024](#), cited above, p.2.

⁷⁷⁷ Institute of Education Sciences, [Report on the Condition of Education 2024](#), cited above, p.2.

⁷⁷⁸ World Bank, [Poverty & Equity Brief](#), April 2024.

⁷⁷⁹ Branco Mundial, [Macro Poverty Outlook for Grenada](#), April 2024.

A. Climate emergency and environmental protection

476. In 2024, Grenada faced significant challenges related to the climate emergency. As a Small Island Developing State (SIDS), it is particularly vulnerable to the effects of climate change. The country has experienced recurrent and severe droughts and hurricanes, causing widespread destruction and impacts on different sectors of the economy, particularly tourism, agriculture and fisheries.⁷⁸⁰ To mitigate the effects of natural disasters, Grenada has implemented innovative financial tools, such as clauses that allow for the temporary suspension of debt payments following natural disasters, freeing up resources for recovery and reconstruction. In August 2024, Grenada became the first country to activate a "hurricane clause" in its government bonds following the impact of Hurricane Beryl.⁷⁸¹

477. REDESCA has noted that the State declared a water crisis due to an acute shortage of water resources. Restrictions on the use of water for non-essential activities were in effect as of May 12, 2024 and were lifted on June 18, 2024, after consultation with stakeholders and noting that rainfall has adequately replenished water catchment areas, alleviating drought conditions generated by a major heat wave. This crisis affected part of the population, mainly in southern Grenada.⁷⁸²

478. Hurricane Beryl struck Grenada on July 1, 2024, as a Category 4 hurricane, killing three people. According to the U.S. National Hurricane Center, the hurricane became the first category 4 hurricane to form in the month of June, highlighting an unprecedented intensity at the beginning of the season in the Caribbean.⁷⁸³ Although the country is exposed to several natural hazards and has historical experience of being affected by cyclones, floods, droughts, landslides, rockslides, earthquakes, forest fires and epidemics, this weather event constituted a major challenge for the entire population.

479. REDESCA takes note of the economic impact of the crisis generated by Hurricane Beryl. The agricultural sector suffered significant destruction in the northern part of Grenada. Farmers, who rely heavily on water for irrigation, were severely affected by the drought, including damage to crops and water infrastructure. This has led to a decline in agricultural productivity, impacting food security and farmers' livelihoods. The islands of Carriacou and Petite Martinique were particularly affected.⁷⁸⁴

480. REDESCA welcomes the actions taken by the State, despite the difficulties in accessing the affected populations due to significant damage to physical infrastructure, including roads, bridges and the Carriacou airport terminal building. The State organized several actions, including food deliveries and clean-up campaigns to seek to ensure the basic needs of the population.

481. According to available information, this emergency situation has also reportedly had a direct impact on the right to adequate housing. REDESCA has learned that 1,600 persons were moved to collective shelters⁷⁸⁵, including elderly persons who have been relocated to Grenada to have access to basic needs and geriatric care. The Grenada Red Cross Society has participated in the efforts, including through the opening of two shelters for displaced persons in Grenada and five shelters in Carriacou and Petite Martinique. REDESCA also notes the actions of the National Disaster Management Agency of Grenada, which has provided a detailed list of emergency shelters available in Grenada, Carriacou and Petite Martinique. This list, organized by parish and locality, includes contact information and a note on shared content responsibility, stressing the importance of preparedness and safety of the population in emergency situations.⁷⁸⁶

⁷⁸⁰ WTO, [Trade Policy Review of Grenada, WT/TPR/S/437](#), May 2023.

⁷⁸¹ Le Monde, [La crise climatique oblige pays, banquiers et investisseurs à revoir l'architecture de la dette des Etats](#), September 3, 2024.

⁷⁸² NOW Grenada, [NAWASA on preparedness amidst approaching weather system](#), June 29, 2024.

⁷⁸³ CNN, [Beryl becomes a hurricane and will intensify rapidly, according to the U.S. National Hurricane Center](#), June 29, 2024.

⁷⁸⁴ FISCMLR, [Operation Update](#), October 2024.

⁷⁸⁵ FISCMLR, [Operation Update](#), October 2024.

⁷⁸⁶ NOW Grenada, [2024 Emergency Shelters](#), June 4, 2024.

482. Electricity supply and telecommunications have also been destroyed (Carriacou and Petite Martinique) or have suffered significant damage (northern Grenada), especially in St. Patrick, where more than 98% of the area remained without service.⁷⁸⁷

483. REDESCA notes the impact on water infrastructure and water treatment systems in San Andres, which were out of service. The water desalination plants in Carriacou and Petite Martinique suffered damage to the feed pumps, inlet and pump house (Petite Martinique). In addition, domestic water storage tanks and cisterns were destroyed or left in poor condition.⁷⁸⁸ Although the National Water and Sewerage Authority implemented the Disaster Management Plan to protect infrastructure and keep water treatment plants operational, encouraging consumers to store water in clean, covered containers for at least three days and to close storage tank outlets prior to the storm, there was significant damage to water systems. The National Authority restored about 70% of the water supply capacity on the main island of Grenada following the hurricane and provided, with the support of the National Disaster Management Agency and the Meteorological Office, updates on the status of the water system.⁷⁸⁹

484. REDESCA urges that public policies give priority consideration to vulnerable groups, given that this emergency aggravates pre-existing inequalities. In this context, REDESCA noted the efforts to integrate women into rehabilitation programs⁷⁹⁰, as well as the development of programs aimed at children and their caregivers, focused on addressing mental health problems.⁷⁹¹ It also appreciates the housing access program for low-income people.⁷⁹²

485. REDESCA takes note of the actions taken by international and humanitarian organizations, such as UNICEF⁷⁹³ and the World Food Programme⁷⁹⁴, which responded by providing essential supplies, food and reconstruction assistance. It also takes note of the cooperation provided by the European Union.⁷⁹⁵ REDESCA considers that humanitarian aid and international cooperation are fundamental in the context of the climate emergency.

486. REDESCA stresses that sustainable land use and food security policies are fundamental to addressing the challenges of climate change, improving food security, protecting ecosystems and natural resources, and promoting inclusive and resilient economic development. In this context, he values the Sustainable Land Management Initiative (PISLM)⁷⁹⁶, which aims to strengthen land use planning and address issues such as land degradation and drought. It also highlights the Food Security Crisis Preparedness Plan (FSCPP)⁷⁹⁷, which aims to develop detailed protocols for the implementation of early warnings and establish a data-driven institutional framework.

B. Business and human rights

487. REDESCA expresses concern over the oil spill from the capsized Gulfstream barge near the Cove Eco Industrial Park offshore Tobago⁷⁹⁸, which affected Grenada. The Office of the Chief Clerk (OCS) of the Tobago House of Assembly (THA) has reported the spill and operations to pump the oil from the vessel to a temporary storage site. This incident underscores the urgent need for preventive and rapid response measures to protect marine ecosystems in the region. REDESCA is concerned that no information has been found on the

⁷⁸⁷ FISCMLR, [Operation Update](#), October 2024.

⁷⁸⁸ ACAPS, [Grenada impact of hurricane Beryl](#), July 2024.

⁷⁸⁹ NOW Grenada, [NAWASA updates on infrastructure recommissioning](#), July 2, 2024.

⁷⁹⁰ UN Women, [UN Women assists rebuilding efforts after Caribbean hurricanes](#), 26 August 2024.

⁷⁹¹ UNICEF, [Hurricane Beryl Situation Report 06](#), August 2024.

⁷⁹² The New Today, [In the aftermath of Hurricane Beryl an emergency housing policy is necessary](#), July 27, 2024.

⁷⁹³ UNICEF, [Hurricane Beryl Situation Report 06](#), August 2024.

⁷⁹⁴ WFP, [A devastating Hurricane Beryl leaves a trail of destruction in its wake in the eastern Caribbean](#), July 12, 2024.

⁷⁹⁵ European Commission, [EU releases 450.000 euros in humanitarian aid following the impact of Hurricane Beryl in the Lesser Antilles](#), July 3, 2024.

⁷⁹⁶ NOW Grenada, [PISLM endorsed as executing agency for Caribbean Land Transformative Project](#), October 22, 2024.

⁷⁹⁷ NOW Grenada, [Grenada developing food security crisis preparedness plan](#), news, April 3, 2024.

⁷⁹⁸ CNN, [Mysterious oil spill triggers national emergency in Trinidad and Tobago](#), February 12, 2024.

origin of the vessel, nor on its owners or those legally responsible.⁷⁹⁹ The absence of an identified responsible party delays legal action and places the financial burden on local governments, while the environmental and social consequences can be catastrophic.

488. REDESCA highlights the current challenges facing the tourism sector in Grenada. REDESCA encourages the State to promote a collaborative approach that fosters social inclusion, economic and environmental sustainability, as well as the adoption of innovative technologies to ensure a resilient, and secure future. In this regard, REDESCA encourages the State to work together with all stakeholders, including the community, tourism businesses, academics, and tourists, to address the economic, social and environmental challenges associated with tourism, including overexploitation of natural resources, economic dependence on the sector, vulnerability to natural disasters and its environmental impact.

489. REDESCA values some of the private sector initiatives to protect natural ecosystems, such as the collection of plastics, the recycling of drinking water, the promotion of towel reuse programs, the reduction of water and electricity consumption, and the reduction of waste sent to landfills, and encourages the State to promote these types of initiatives.⁸⁰⁰

C. Fiscal and economic policies

490. REDESCA takes note of the country's structural challenges, especially related to the cumulative effects of climate change and recurrent natural disasters, which affect the country's stability. These events not only generate immediate damage to infrastructure and livelihoods but also exacerbate the long-term vulnerability of the most disadvantaged communities and increase pressure on public resources for reconstruction and climate adaptation.⁸⁰¹

491. Innovative financial mechanisms, such as "hurricane clauses", have been implemented to address this issue. In August 2024, Grenada became the first country to activate this clause, temporarily suspending its debt payments in the aftermath of Hurricane Beryl. This measure allowed the country to free up funds earmarked for debt service to focus on recovery and reconstruction. However, the adoption of these clauses is still limited, and their effectiveness depends on their inclusion in debt agreements and the willingness of creditors to accept such terms.⁸⁰² REDESCA welcomes the adoption of these measures, as they strengthen the economic and fiscal resilience of States in the face of natural disasters. These tools allow countries to temporarily reallocate their financial resources to emergency relief and the protection of the human rights of their populations, especially in the context of climate crises.

492. REDESCA takes note of the Observation made by the Committee of Experts on the Application of Conventions and Recommendations of the International Labor Organization, where it was pointed out that the State has not responded to its obligations for more than ten years.⁸⁰³

D. Democracy and guarantee of ESCER

493. In 2024, Grenada, as part of its commitment to the Escazú Agreement, has made a commitment to strengthen its actions to ensure community participation in environmental issues. REDESCA recognizes the importance of promoting actions that raise public awareness of the urgency of preserving ecosystems and encourage community participation, including the private sector, in environmental protection. Special attention should be given to the inclusion of children and adolescents in these initiatives, strengthening their role as agents of change. In this regard, REDESCA welcomes the activities carried out by the State on the

⁷⁹⁹ Swissinfo, [Spill generated by mysterious ship in Trinidad and Tobago is not under control](#), February 12, 2024.

⁸⁰⁰ NOW Grenada, [Sandals Grenada Resort and Spa Resort Sustainability Policy](#), news, June 7, 2024.

⁸⁰¹ World Bank, [Macro Poverty Outlook for Grenada](#), April 2024.

⁸⁰² Financial Times, [Grenada triggers 'hurricane clause' to suspend bond payments](#), September 17, 2024. Climate Change News, [In a world first, Grenada activates debt pause after Hurricane Beryl destruction](#), August 21, 2024. Cinco Días, [Hurricane clauses: a new financial tool to tackle climate change](#), October 11, 2024.

⁸⁰³ ILO, [General Comment \(CEACR\)](#), May 2024.

occasion of World Oceans Day⁸⁰⁴, Grenada's participation in the Global Children and Youth Action Summit (GCYAS) in Antigua⁸⁰⁵, as well as the efforts aimed at combating plastic pollution and promoting recycling as part of a comprehensive strategy for environmental sustainability.⁸⁰⁶

494. REDESCA takes note of the actions taken by the State to mitigate the hardship of households dependent on fishing and agriculture, which were mainly affected by the destruction of boats and other assets, flooding, and the accumulation of debris. These situations introduced pollutants into the marine ecosystem, further aggravating local fishing activity.⁸⁰⁷

18. GUATEMALA

495. In the framework of international instruments relevant to the protection of ESCER, Guatemala is a party to the American Convention on Human Rights and has ratified the Protocol of San Salvador. However, the absence of ratification of the Escazú Agreement, a regional treaty that promotes access to information, public participation, and justice in environmental matters, stands out. From the perspective of strengthening the protection of ESCER in the national context, it is considered that the reevaluation of the State's position concerning the ratification of this Agreement would be a highly positive measure.

496. Guatemala faces significant challenges in combating poverty and inequality, as well as in guaranteeing ESCER. The country remains one of the societies with the highest levels of inequality in terms of income distribution in Latin America, with a Gini coefficient of 0.48, which implies extremely high-income inequality according to the World Bank's categorization.⁸⁰⁸ In line with the above, REDESCA has observed that, although Guatemala's GDP growth rate was 3.5% in 2023, for this same year 56% of the population was living in poverty, of which 16.2% was living in extreme poverty.⁸⁰⁹ In this regard, the Office of the Special Rapporteur has found that the indigenous population represents the most vulnerable and socially excluded sector and that, of the total number of people living in poverty, the indigenous population has the highest poverty rates.⁸¹⁰ REDESCA warns that the figures reveal a concentration of poverty in certain regions of the country. In particular, the departments with the highest incidence of poverty in 2023 were: Alta Verapaz, with 90.3%, followed by Quiché with 86.4%, Huehuetenango with 81.2%; Baja Verapaz with 80.2% and Jalapa with 80%.⁸¹¹

497. These challenges disproportionately affect populations in vulnerable situations and/or subject to historical discrimination, including Indigenous peoples, Afro-descendant, and rural communities, women, children and adolescents, among others. In this context, rural populations, peasants, Afro-descendants, and indigenous peoples experience the greatest challenges as they are mainly in those territories where the State lacks a solid institutional framework. Recent figures show that the percentage of households suffering from multidimensional deprivation increases in the case of indigenous peoples.⁸¹² REDESCA observes that the situation of inequality is exacerbated by the increasingly evident impacts of climatic and environmental phenomena in the country.⁸¹³

⁸⁰⁴ NOW Grenada, [World Oceans Day: Clean-up at The Lance, Gouyave](#), news, June 7, 2024.

⁸⁰⁵ NOW Grenada, [Reene Smith contributed to youth-led solutions at SIDS4 Summit](#), news, June 4, 2024.

⁸⁰⁶ NOW Grenada, [Wastewater treatment and recycling project for Princess Alice Hospital](#), news, May 23, 2024.

⁸⁰⁷ The New Today, [EC\\$11.6 Million for Hurricane relief to farmers and fishers](#), August 10, 2024.

⁸⁰⁸ World Bank, [Gini Index - Guatemala](#), September 2024. World Bank, [The Complexities of Inequality in Latin America and the Caribbean](#), March 6, 2024.

⁸⁰⁹ Instituto Nacional de Estadística de Guatemala (INE), [El INE presenta cifras de pobreza en Guatemala](#), August 21, 2024.

⁸¹⁰ IACHR, [Situation of Human Rights in Guatemala](#), 2015.

⁸¹¹ Instituto Nacional de Estadística de Guatemala (INE), [El INE presenta cifras de pobreza en Guatemala](#), August 21, 2024.

⁸¹² UNFPA, OHCHR and UNDP, [Nuestras voces por nuestros derechos: caracterización de la situación de los pueblos indígenas en Guatemala con base en estadísticas oficiales](#), 2022.

⁸¹³ OXFAM, [In the last six years, extreme hunger has doubled in the 10 countries most affected by climate change](#), September 2022.

A. Climate emergency and environmental protection

498. REDESCA has taken note of reports that show the serious impacts of the climate emergency in the country, with Guatemala being one of the 10 countries in the world most affected by climate change.⁸¹⁴ Institutional weaknesses and significant limitations have been identified to guarantee the right to a healthy environment and access to water, which has resulted, among other effects, in the contamination of more than 90% of the country's surface water.⁸¹⁵

499. The Special Rapporteur has observed how Guatemala experienced extreme drought levels during 2023, especially in the regions of Petén, Escuintla, Suchitepéquez, Retalhuleu, and partially in San Marcos, Quetzaltenango, Sololá and Chimaltenango.⁸¹⁶ In this way, it has been warned that the Dry Corridor of Guatemala extends through 36% of all departments of the country and has seen almost 360,000 hectares affected by the lack of rainfall due to the El Niño phenomenon, which has led to an irregular rainy season in the country, with localized flooding and cold fronts in some regions of the country.⁸¹⁷ REDESCA has observed how the drought levels had an impact on the Guatemalan energy market, which led the Ministry of Energy and Mines to declare an emergency situation in the National Interconnected System last March because the reduction of rainfall had a negative impact on the hydroelectric power plants.⁸¹⁸

500. The Special Rapporteurship has followed the estimates of the Central American Food and Nutrition Security Monitoring and Forecasting System (PREDISAN), noting the impacts of drier and warmer than usual conditions have been tracked as a result of the El Niño phenomenon, a weather pattern that alters meteorology with great impact on the region.⁸¹⁹ Data show that the detrimental effects from reduced precipitation in 2023 have resulted in crop losses in some regions of the country, which ranged from 25% to 75% compared to non-El Niño years.⁸²⁰ In addition, REDESCA notes that agricultural losses and droughts have aggravated food insecurity, increasing economic hardship and vulnerability of communities that depend on agriculture for their livelihoods.⁸²¹ At the same time as the frequency and severity of droughts are increasing, there is a greater prevalence of forest fires and critical weather events for the most vulnerable populations.⁸²²

501. It is also crucial to highlight that, according to available information, drought has been one of the main factors contributing to the proliferation of forest fires, one of the greatest threats to Guatemala's biodiversity.⁸²³ It has been observed that during the 2023-2024 forest and non-forest fire season, 2,155 forest fires and 480 non-forest fires were recorded, with an estimated area affected of 193,940 hectares of vegetation cover, where the spatial distribution of forest fires is mostly concentrated in the department of Petén.⁸²⁴ REDESCA is concerned that the 2023-2024 fire season was atypical with an increase of 173% over the previous season, in relation to the number of fires attended.⁸²⁵

⁸¹⁴ OXFAM, [In the last six years, extreme hunger has doubled in the 10 countries most affected by climate change](#), September 2022.

⁸¹⁵ Vice-Presidency of the Government of the Republic of Guatemala, [Guatemala initiates the Water Law process with the slogan "United for Water"](#), August 29, 2024.

⁸¹⁶ World Food Program, [El Niño 2023 - 2024: Latin America and the Caribbean](#), 2024.

⁸¹⁷ World Food Program, [El Niño 2023 - 2024: Latin America and the Caribbean](#), 2024, p. 6.

⁸¹⁸ Ministry of Energy and Mines, [Acuerdo-Ministerial-75-2024](#), March 18, 2024; Ministry of Energy and Mines, [MEM prorroga acuerdo que declara situación de emergencia en el Sistema Nacional Interconectado](#), May 30, 2024.

⁸¹⁹ See: PREDISAN, [Central America Monitoring System](#), 2024.

⁸²⁰ Action Against Hunger, [Latin America: Regional Appeal 2024 - 2025](#), April 2024, p. 8.

⁸²¹ Human Rights Watch (HRW), [Desperate Choices in Guatemala: Drought and storms intensify hardships that drive people to risk everything to reach the United States](#), 2023.

⁸²² Prensa Libre, [Guatemala's climate records maximum temperature of 44 degrees Celsius so far in 2024](#), April 2024.

⁸²³ Coordinadora Nacional para la Reducción de Desastres Naturales o Provocados (CONRED), [Departamentos con más hectáreas afectadas en la temporada de incendios forestales](#), April 29, 2024; Agencia Ocote, [Incendios afectan más de 46 mil hectáreas: El daño es incalculable](#), June 11, 2024.

⁸²⁴ Secretaría Ejecutiva de la Coordinadora Nacional para la Reducción de Desastres (SE-CONRED), [Informe Temporada de Incendios Forestales y No Forestales 2023 - 2024](#), November 2024.

⁸²⁵ Consejo Nacional de Áreas Protegidas (CONAP), [Incendios Forestales](#), November 19, 2024; Secretaría Ejecutiva de la Coordinadora Nacional para la Reducción de Desastres (SE-CONRED), [Informe Temporada de Incendios Forestales y No Forestales 2023 - 2024](#), November 2024.

502. In this context, the prevalence of food insecurity in the country remains a critical issue, as only 16% of Guatemalan households are food secure according to 2023 data from the World Food Program.⁸²⁶ The main result of this assessment indicates that, in 2023, 26% of Guatemalan households (equivalent to 4.3 million people) were in a situation of moderate (23%) or severe (3%) food insecurity.⁸²⁷ In turn, 58% of households were in a situation of marginal food security, which means that this population minimally covers their food requirements, without the possibility of covering their basic needs and at risk that an emergency situation could place them in a situation of food insecurity.⁸²⁸ The Special Rapporteurship notes that, at the territorial level, the departments with the highest percentages of food insecurity are Alta Verapaz (68%), Sololá (52%), Chiquimula (40%) and Huehuetenango (36%).⁸²⁹

503. This situation has had a differentiated and disproportionate impact on children. The country has a prevalence of chronic child malnutrition of 46.5%, being the highest prevalence in Latin America and sixth worldwide. This means that 5 out of 10 children under 5 years of age do not develop adequately for their age.⁸³⁰ The country has a crude infant mortality rate of 5.5%, the main causes of infant mortality being pneumonia and acute diarrheal diseases, most of which are related to different degrees of malnutrition.⁸³¹ In this framework, REDESCA welcomes the Government of Guatemala's Intersectoral Initiative "Mano a mano", which aims to have a multidimensional impact on poverty and malnutrition of the most historically forgotten inhabitants, recognizing the urgency of addressing this situation in a comprehensive manner.⁸³²

504. REDESCA is concerned about the significant increase of dengue cases in Guatemala, a situation that led the Ministry of Public Health and Social Assistance to declare a national health emergency for dengue on April 18.⁸³³ This situation has been caused by an early and pronounced increase of dengue cases in the country, which has resulted in Guatemala reporting more than five times the usual number of cases in June compared to the previous year, including both dengue fever and severe cases of dengue (known as dengue hemorrhagic fever).⁸³⁴ REDESCA urges the State to adopt effective adaptation and prevention measures, particularly in the elimination of mosquito breeding sites and the promotion of public health, to protect the most vulnerable groups and mitigate the impact of these outbreaks on the population.

505. REDESCA is also concerned about the difficulties in access to drinking water in the country, as well as the contamination of water resources in Guatemala, where more than 90% of the country's surface water sources have bacteriological contamination. This situation is related to sanitary problems in the water distribution network and evidences the degradation of the hydrographic basins.⁸³⁵

506. Along these lines, the environmental problems of the Motagua River, the largest watershed in Guatemala, which covers 96 municipalities and has high levels of contamination, are being followed with concern.⁸³⁶ The issue is probably caused by tons of garbage and plastic waste that flow from the Chinautla, Tzajá and Las Vacas rivers to the Motagua River in Guatemala, ultimately affecting the beaches of Honduras. This situation has serious environmental consequences and directly impacts the communities that depend on

⁸²⁶ World Food Program, [National Food Security Assessment for Guatemala](#), August 2023, p. 18.

⁸²⁷ World Food Program (WFP), [National Food Security Assessment for Guatemala - Technical Report](#), August 2023

⁸²⁸ WFP, [National Food Security Assessment for Guatemala - Technical Report](#), August 2023

⁸²⁹ WFP, [National Food Security Assessment for Guatemala - Technical Report](#), August 2023

⁸³⁰ World Bank, [Guatemala Overview](#), updated as of September 24, 2024; WFP, [National Food Security Assessment for Guatemala - Technical Report](#), August 2023.

⁸³¹ Government of the Republic of Guatemala, [6.6 Mortality](#), 2022; UNICEF, ["En Guatemala el 46.5% de los niños sufre desnutrición crónica"](#), [María Claudia Santizo, Nutrition Officer at UNICEF Guatemala](#)

⁸³² Secretaría de Seguridad Alimentaria y Nutricional de la Presidencia de la República, [Mano a Mano: Iniciativa Intersectorial del Gobierno de Guatemala para combatir la pobreza y la malnutrición](#), 30 April 2024; Gobierno de la República de Guatemala, [in a situation of acute malnutrition than in 2023](#), 3 September 2024; Secretaría de Seguridad Alimentaria y Nutricional de la Presidencia de la República, [Desnutrición crónica en Guatemala: un enfoque integral para combatirla](#), 22 August 2024.

⁸³³ Diario de Centro América, [Ministerio de Salud Pública y Asistencia Social: Acuerdo Gubernativo 152-2024](#), April 18, 2024.

⁸³⁴ U.S. Embassy in Guatemala, [Declaran emergencia sanitaria nacional en Guatemala por epidemia de dengue](#), July 3, 2024.

⁸³⁵ Government of the Republic of Guatemala, [Guatemala initiates the Water Law process with the slogan "United for Water"](#), August 29, 2024

⁸³⁶ Government of the Republic of Guatemala, [MARN follows up on the technical roundtable of the upper Motagua River watershed](#), September 24, 2024.

these resources. In this context, the Motagua River Basin Alliance, presented by the Ministry of Environment and Natural Resources (MARN), has emerged, which has been joined by citizen organizations, public and private sector, civil society, foundations, and international cooperation.⁸³⁷ During its visit, REDESCA visited the Chinautla River, in the municipality of Santa Cruz, department of Guatemala, which is part of the Motagua River basin, where it observed the serious pollution problem and its profound impacts on biodiversity, the environment, and the human rights of the communities that depend on it, including the Mayan Poqomam people.

507. It has been noted that on May 30, 2024, the Constitutional Court provisionally suspended Articles 2, 3, 4, and 24 Bis of Governmental Agreement 236-2006, rendering inoperative the Regulation on Wastewater Discharge and Reuse and Sludge Disposal.⁸³⁸ Consequently, the obligation to comply with the maximum permissible limits of discharges to receiving bodies for municipal wastewater, the deadlines for municipalities to submit the technical study to define action plans to promote improvements in wastewater management and the obligation to build at least two treatment plants by 2025 were eliminated.⁸³⁹ It has been observed that, so far, this regulation is the only environmental norm that regulates wastewater discharges in the country. In line with the above, REDESCA welcomes the governmental initiative for the national commitment for the national construction of a Water Law, announced last August 2024.⁸⁴⁰ However, information has been received regarding the lack of active participation of civil society in the process of designing the law.⁸⁴¹

508. The Office of the Special Rapporteur has monitored with concern the fire at the landfill of the Authority for the Sustainable Management of the Amatitlán Lake Basin last April.⁸⁴² In this regard, it is noted that this event disproportionately affects informal recyclers working in landfills, who live in a situation of vulnerability, carrying out their tasks in a context marked by discrimination and criminalization of poverty.⁸⁴³ It has also been observed that, with the technical closure of the AMSA landfill, the contingency plan to ensure the right to work of waste pickers, and with it, their livelihoods, has not yet been defined.⁸⁴⁴ The National Institute of Seismology, Volcanology, Meteorology, and Hydrology has issued a series of reports regarding the fire, stating that, as of May 2024, the air quality in the metropolitan area of Guatemala was classified in the "extremely bad" category. This condition is considered an emergency because it represents a health risk.⁸⁴⁵

509. During its visit in 2024, the Commission noted with concern an institutional framework with significant gaps and limitations that prevent guaranteeing the right to a healthy environment, the proper management of water resources, and the protection of biodiversity.⁸⁴⁶ In this context, testimonies were received on the role of economic elites and some private actors in corruption, land and natural resource grabbing, resulting in multiple social and agrarian conflicts. Information was also gathered on the budgetary and technical limitations faced by some government agencies, such as the MARN, in fulfilling their control and oversight responsibilities, especially in relation to the contamination of water resources.⁸⁴⁷

⁸³⁷ Agencia Guatemalteca de Noticias, [MARN presents the Motagua Watershed Alliance](#), January 26, 2024.

⁸³⁸ Republic of Guatemala, [Urge to end sewage pollution](#), June 4, 2024.

⁸³⁹ Ministry of Environment and Natural Resources, [Governmental Agreement Number 285 - 2022](#), November 17, 2022.

⁸⁴⁰ Ministry of Environment and Natural Resources, [Unidos por el Agua: Avancemos hacia la ley de aguas](#), 23 August 2024.

⁸⁴¹ Community Press Km169, [@@PrensaComunitar], (September 13, 2024), #LeyDeAguas Indigenous and social organizations demand to participate in the construction of the Water Law, They point out that the first actions [Tweet], <https://x.com/PrensaComunitar/status/1834667773995499909>.

⁸⁴² France 24, [Guatemala decrees state of calamity due to forest and garbage dump fires](#), April 11, 2024.

⁸⁴³ IACHR - REDESCA, [Press Release: IACHR REDESCA calls for progress in the recognition and protection of the rights of waste pickers in informal employment in the region](#), May 1, 2023.

⁸⁴⁴ Agencia Ocote, [Insivumeh: Air quality is an emergency condition. The entire population may be affected](#), May 20, 2024.

⁸⁴⁵ El País, [Alerta en Guatemala por un incendio provocado en un vertedero](#), April 9, 2024.

⁸⁴⁶ IACHR, [Preliminary Observations: on-site visit to Guatemala](#), July 22-26, 2024.

⁸⁴⁷ IACHR, [Preliminary Observations: on-site visit to Guatemala](#), July 22-26, 2024.

B. Business and human rights

510. REDESCA welcomes the process advanced by the Presidential Commission for Peace and Human Rights (COPADEH) for the elaboration of the baseline of the National Action Plan for Business and Human Rights.⁸⁴⁸ It is acknowledged that COPADEH together with the Office of the United Nations High Commissioner for Human Rights have developed training processes in Guatemala City and in the departments of Alta Verapaz and Izabal for public institutions on international human rights standards, including training on standards on business and human rights.⁸⁴⁹

511. The Office of the Special Rapporteur has monitored the increase in environmental conflicts caused by mining, energy, agro-industrial and infrastructure megaprojects.⁸⁵⁰ In this scenario, according to the information received, agrarian conflicts continue to be a recurring problem in the country, where there have been several reports of human rights violations, associated with acts of harassment against other people who exercise the defense of land, territory and nature, in a climate of lack of security of land tenure.⁸⁵¹

512. Among some of the specific cases, the Office of the Special Rapporteur has noted various demonstrations by Guatemalan and Salvadoran civil society in relation to the Cerro Blanco open-pit gold and silver mine project.⁸⁵² In this regard, REDESCA has received information on the environmental impacts and degradation of the surrounding watersheds, which in turn have an extraterritorial impact because the project is located near a river and a lake that constitute the headwaters of the Lempa River, a vital source of water for El Salvador.⁸⁵³ In this line, it has been noted that last June 14, the Government revoked the environmental license to the company that enabled the modification of the environmental permit and the change to the method of operation from subway to open pit mining.⁸⁵⁴ The Special Rapporteur has noted that the MARN has amended the procedure for changing the mining method by arguing that the mining company must request the MARN to evaluate another environmental impact study prior to obtaining the authorization to change to open-pit mining.⁸⁵⁵

513. Additionally, REDESCA has become aware of the situation of Ch'orti' communities affected by mining operations.⁸⁵⁶ These communities, frequently affected by business activities, especially in the mining and energy sectors, face violations of their rights to lands, territories, and natural resources.⁸⁵⁷ Among the effects of the implementation of extractive and development projects, environmental destruction, dispossession of common goods and dispossession of indigenous lands have been reported. In this context, the Ch'orti' communities have denounced the impact of extractive industries and agricultural expansion and how this imposes serious difficulties on the exercise of their traditional economic activities, often leading to the loss of control over their lands and resources, contamination of water resources, as well as deterioration of health and social cohesion.⁸⁵⁸

514. In turn, the Office of the Special Rapporteur has taken note of reports of numerous communications of violations of the rights of indigenous communities associated with the activities of palm oil companies. In this regard, the deforestation promoted by oil palm companies in northern Guatemala, especially

⁸⁴⁸ OHCHR, [Report of the United Nations High Commissioner for Human Rights on the situation of human rights in Guatemala](#), A/HRC/55/21, 14 June 2024, para. 54.

⁸⁴⁹ OHCHR, [Report of the United Nations High Commissioner for Human Rights on the situation of human rights in Guatemala](#), A/HRC/55/21, 14 June 2024, para. 50.

⁸⁵⁰ [Observatory of Mining Conflicts in Guatemala](#), updated as of October 1, 2024.

⁸⁵¹ Amnesty International, [The State of the World's Human Rights 2023/2024](#), April 23, 2024.

⁸⁵² Asociación El Observador Guatemala, [MARN annuls Cerro Blanco's open-pit mining license](#), June 24, 2024.

⁸⁵³ Alianza Centro Americana Frente a la Minería (ACAFREMIN), [Cerro Blanco open pit mine in Guatemala](#), April 2023.

⁸⁵⁴ Diario de Centroamérica, [Respalda cancelación de licencia a minera](#), June 20, 2024.

⁸⁵⁵ Deutsche Welle (DW), [Guatemala revokes license to Canadian mine 'Cerro Blanco'](#), June 15, 2024.

⁸⁵⁶ Prensa Comunitaria Km169, [Comunidades Ch'orti' accionan ante la CIDH por daños provocados por la minería](#), March 22, 2024.

⁸⁵⁷ Business & Human Rights Resource Centre, [Guatemala: Ch'orti' communities initiate petition before the IACHR for damages caused by mining operations at Los Manantiales Quarry](#), 22 March, 2024.

⁸⁵⁸ Business & Human Rights Resource Centre, [Guatemala: Ch'orti' communities initiate petition before the IACHR for damages caused by mining operations of Cantera Los Manantiales](#), March 22, 2024.

in the departments of Petén, Alta Verapaz, and Izabal, home to more than 2 million people of the Q'eqchi', Poqomchi' and Achi' Indigenous peoples.⁸⁵⁹ In light of this situation, the Office of the Special Rapporteur has become aware of various complaints from Indigenous peoples', peasant and civil society organizations regarding the human rights of the communities, the preservation of the environment and their climate responsibility, particularly regarding depletion of natural water resources, environmental contamination and violent evictions of indigenous communities to enable business projects.⁸⁶⁰ This situation was the subject of an ex officio public hearing before the IACHR during the 189th Period of Sessions, in which Case 13.159, *Communities of the Maya Q'eqchi' People v. Guatemala*, was addressed. In particular, information was received about the alleged violent eviction of 14 indigenous communities in the Polochic Valley, in the department of Alta Verapaz between March 15 and 23, 2011 by the Army, the Police and irregular forces, as well as the consequences of forced displacement and the lack of investigation.⁸⁶¹

515. REDESCA has observed that entire communities are deprived of their ESCER, subjected to situations of extreme poverty and forced to move.⁸⁶² This has a differentiated and disproportionate impact on children and adolescents, women, the elderly and people with disabilities. For their part, accusations of usurpation, aggravated usurpation and usurpation of protected areas have been observed against members of indigenous communities that ancestrally inhabit these territories, denying them their rights to land, territory and natural resources.⁸⁶³ In the case of protected areas, under the rationale of their protection, the communities would be deprived of essential services and rights without guaranteeing their participation and the role they could play in the preservation of these areas. In contrast, business activities, such as extractive activities and monocultures, would advance without regulation or oversight. During their visit, the Commission and REDESCA received information about the lack of mechanisms for the recognition and titling of ancestral lands, which would facilitate the expansion of mining and monoculture projects.⁸⁶⁴

516. The Office of the Special Rapporteur was informed on the situation of the communities of Laguna Larga in the north of the Petén department, who have experienced forced internal displacement as a result of agricultural expansion and the lack of legal certainty over land tenure. This delicate situation was the subject of a public hearing at the IACHR during the 189th Period of Sessions.⁸⁶⁵ In this regard, REDESCA recalls that in the Precautionary Measure concerning the evicted and displaced inhabitants of the Laguna Larga Community in Guatemala, the State authorities were urged to adopt the necessary measures to protect the rights to life and personal integrity of the beneficiaries, through measures aimed at improving, among other aspects, health and sanitary conditions, especially for children, women and the elderly. In this regard, the necessary measures should be adopted to continue with the corresponding dialogues and consultations with the evicted persons, in order to reach a lasting solution for the situation of the evicted and displaced persons.⁸⁶⁶

517. In turn, during its visit, the Special Rapporteur observed the preponderance of private interests in social and agrarian conflicts, as well as difficulties in the implementation of fiscal policies in the context of the weakening of democratic institutions in the country. All this restricts access to economic, social, cultural and environmental rights, in particular, access to essential rights such as water and sanitation, health, education, food, work, social security and the right to a healthy environment.⁸⁶⁷ The Commission has warned of the asymmetry of power of these communities vis-à-vis private actors in judicial processes and investigations, in particular with respect to the processes carried out by the Prosecutor's Office for Usurpation and the actions implemented in the framework of the cooperation agreement between the Public Prosecutor's

⁸⁵⁹ MONGABAY, [Palm oil industry displaces small farmers in Guatemala](#), January 22, 2024.

⁸⁶⁰ MONGABAY, [Study exposes environmental degradation and labor conflicts around oil palm plantations in Guatemala and Honduras](#), May 9, 2024.

⁸⁶¹ IACHR, 189th Period of Sessions, [Guatemala: Case 13.159 - 14 Communities of the Maya Q'eqchi' People \(Oficio\)](#), February 26, 2024.

⁸⁶² IACHR, [Preliminary Observations: on-site visit to Guatemala](#), July 22-26, 2024.

⁸⁶³ IACHR, [On-site Visit to Guatemala: Press Conference Message](#), July 26, 2024, p. 8.

⁸⁶⁴ IACHR, [On-site Visit to Guatemala: Press Conference Message](#), July 26, 2024, p. 9.

⁸⁶⁵ IACHR, 189th Period of Sessions, [hearing on "Guatemala: Seguimiento a medidas cautelares a favor de comunidades indígenas"](#), February 27, 2024.

⁸⁶⁶ IACHR, [Resolution 36/2017, Precautionary Measure No. 412-17: Evicted and displaced inhabitants of the Laguna Larga Community regarding Guatemala](#), September 8, 2017.

⁸⁶⁷ IACHR, [On-site Visit to Guatemala: Press Conference Message](#), July 26, 2024, p. 9.

Office and the Observatory of Property Rights, together with the lack of an institutional framework for an effective and independent approach to agrarian, social and environmental conflicts.⁸⁶⁸

518. The Commission has considered that overcoming these structural challenges requires compliance with human rights standards in the business sphere, as well as the regulatory and control obligations that correspond to the State.⁸⁶⁹ In this regard, during the visit, the IACHR and REDESCA were informed of initiatives and actions by some actors in the business sector to advance free competition, the fight against corruption, the application of the United Nations Guiding Principles on Business and Human Rights, and environmentally friendly production processes.⁸⁷⁰ REDESCA joins the recommendations of the United Nations High Commissioner for Human Rights for the State to establish administrative frameworks to ensure that companies comply with their responsibilities to develop their operations in accordance with human rights and due diligence to prevent, mitigate, and redress human rights violations.⁸⁷¹

C. Fiscal and economic policies

519. Fiscal policies are a necessary and powerful tool to combat poverty, inequality, and structural violations of human rights. They are essential to mobilize resources to guarantee human rights and reduce economic, social, and gender inequalities. In this regard, it is noted that, according to the most recent data available, the proportion of resources that the State of Guatemala allocated to financing social programs in 2023 (7.9% of gross domestic product) was still lower than the Central American average (9.3%).⁸⁷²

520. Similarly, note is taken of the high rates of labor informality, where approximately 71.1% of the employed population is in the informal sector and it is estimated that the size of Guatemala's informal economy represents 49% of the GDP.⁸⁷³ REDESCA expresses its concern regarding the figures for the employed child population, which reveal that 17.8% of the population between 10 and 14 years of age (almost 350,000 children) are working in Guatemala, with the rural area concentrating the largest employed child population.⁸⁷⁴ During its visit, the Special Rapporteur observed the persistence of structural and historical challenges that limit adequate living conditions for the majority of the population, especially for historically excluded groups, especially indigenous peoples, Afro-descendant, and rural communities.⁸⁷⁵ In line with the above, the Human Development Report prepared by the UNDP shows that the Indigenous population represents the sector with the greatest vulnerability and social exclusion and that the incidence of deprivation in certain basic services is more severe in the rural population, which is mostly Indigenous.⁸⁷⁶

521. The Office of the Special Rapporteur has monitored the situation of domestic workers in the country, where, according to available information, the percentage of the economically active population of women in domestic employment in the country is 11.8%. In this regard, it is a matter of concern that, of the total number of domestic workers, only 0.2% have some type of social protection.⁸⁷⁷ According to the report of the Inter-American Commission of Women, Guatemala is among the five countries in the region that have not yet modified their regulations to equalize rights. In the same vein, Guatemala is still among the countries that have not ratified ILO Conventions 189 (Convention on Domestic Workers) and 190 (Convention on the Elimination of Violence and Harassment in the World of Work).⁸⁷⁸ The Rapporteurship calls on the State to

⁸⁶⁸ IACHR, [Preliminary Observations: On-site Visit to Guatemala July 22-26, 2024](#), August 15, 2024, p. 24.

⁸⁶⁹ IACHR, [Preliminary Observations: On-site Visit to Guatemala July 22-26, 2024](#), August 15, 2024, p. 24.

⁸⁷⁰ IACHR, [Preliminary Observations: On-site Visit to Guatemala July 22-26, 2024](#), August 15, 2024, p. 24.

⁸⁷¹ OHCHR, [Report of the United Nations High Commissioner for Human Rights on the situation of human rights in Guatemala](#), A/HRC/55/21, 14 June 2024, p. 17.

⁸⁷² IACHR, [Pobreza, cambio climático y DESCA en Centro América y México, en el contexto de movilidad humana](#), July 28, 2023, p. 11.

⁸⁷³ World Bank, [Guatemala Overview](#), August 22, 2024.

⁸⁷⁴ Diario de Centro América, [Trabajo infantil en Guatemala: un llamado a la acción](#), June 13, 2024.

⁸⁷⁵ While 63.2% of households would suffer multidimensional deprivation, this percentage would be 86.1% for the Xinka people and 82.3% for the Maya people. Cf. Report of the United Nations High Commissioner for Human Rights on the situation of human rights in Guatemala, Human Rights Council, 55th session, 26 February to 5 April 2024, paragraph 18.

⁸⁷⁶ UNDP, [Guatemala: A country of opportunities for youth? National Human Development Report](#), 2012.

⁸⁷⁷ Inter-American Commission of Women, [Rights of Paid Domestic Workers in the Americas: Progress and Persistent Gaps](#), 2022.

⁸⁷⁸ OAS, [Inter-American Commission of Women: Domestic Work](#), updated September 24, 2024.

strengthen its legislation, practices, and public policies to promote labor rights from a human rights approach, in accordance with the systematization of inter-American standards.⁸⁷⁹

522. It has been documented that Guatemala achieved an unfavorable rating in the 2024 Corruption Perception Index produced by the organization Transparency International, ranking 146th out of 180 nations evaluated.⁸⁸⁰ Notwithstanding this, it is worth noting that the country would have made progress in this area, since in 2023 it ranked 154th (an improvement of 2 points compared to 2023). The Commission and REDESCA, consistent with their previous pronouncements and despite this progress, continue to reiterate its concern about the persistence of the phenomenon of corruption in Guatemala, which is structural and endemic and manifests itself at all levels and in all territories of the country.⁸⁸¹

523. It takes note of the information on the existence of high rates of labor informality in the country, according to which approximately 71.1% of the employed population is in the informal sector and it is estimated that the size of the informal economy in Guatemala represents 49% of the GDP.⁸⁸² REDESCA expresses its concern regarding the figures for the employed child population, which reveal that 17.8% of the population between 10 and 14 years of age (almost 350,000 children) are working in Guatemala, with the rural area accounting for the largest employed child population.⁸⁸³ During its visit, the Special Rapporteur observed the persistence of structural and historical challenges that limit adequate living conditions for the majority of the population, especially for historically excluded groups, especially indigenous peoples, Afro-descendant, and rural communities.⁸⁸⁴

D. Democracy and guarantee of ESCER

524. In 2024, Guatemala has made progress in community participation in environmental management through various initiatives. One example is the model of community forest concessions in the Maya Biosphere Reserve, where local communities sustainably manage forest resources, achieving low deforestation rates compared to other areas of the reserve.⁸⁸⁵ But beyond some experiences, social organizations and indigenous peoples in Guatemala have expressed concerns about effective participation in environmental decision-making. This reflects the need to strengthen mechanisms that guarantee the effective inclusion of indigenous peoples in environmental decisions, respecting their rights and ancestral knowledge. Despite these challenges, as noted above, Guatemala has not yet ratified the Escazú Agreement, a regional treaty that seeks to promote public participation in environmental matters and guarantee the protection of environmental defenders.

525. In 2024, the situation of defenders of the environment and natural resources in Guatemala continues to be alarming, in the context of a drastic increase in the number of attacks and aggressions against defenders. According to data from the Guatemalan Unit for the Protection of Human Rights Defenders and as pointed out by the IACHR following its recent visit, between 2012 and 2020, 77 people linked to the defense of the environment, the land and its natural resources were murdered; it should be noted that between 2019 and 2022 alone, this figure would correspond to 32 people murdered.⁸⁸⁶ For more information on this subject, see chapter IV.A of the IACHR annual report.

526. The Office of the Special Rapporteur has monitored the challenges faced by the health system in Guatemala. REDESCA has received information on structural situations of corruption and detour of essential

⁸⁷⁹ IACHR, REDESCA, [Compendium on Labor and Trade Union Rights. Inter-American Standards](#), (OEA/Ser.L/V/II), 2020.

⁸⁸⁰ Transparency International, [Corruption Perceptions Index 2024](#), February 11, 2025.

⁸⁸¹ IACHR, [On-site Visit to Guatemala: Press Conference Message](#), July 26, 2024, p. 4.

⁸⁸² World Bank, [Guatemala Overview](#), August 22, 2024

⁸⁸³ Diario de Centro América, [Trabajo infantil en Guatemala: un llamado a la acción](#), June 13, 2024.

⁸⁸⁴ While 63.2% of households would suffer multidimensional deprivation, this percentage would be 86.1% for the Xinka people and 82.3% for the Maya people. Cf. Report of the United Nations High Commissioner for Human Rights on the situation of human rights in Guatemala, Human Rights Council, 55th session, 26 February to 5 April 2024, para. 18.

⁸⁸⁵ Le Monde, [Mayan Forest Concessions in Guatemala: A Model for Combating Deforestation](#), September 2, 2024.

⁸⁸⁶ IACHR, [Preliminary Observations: On-site Visit to Guatemala July 22-26, 2024](#), August 15, 2024, p. 15.

resources in health institutions. According to information released by the authorities, in March there were 19 hospitals at risk of collapse in a matter of months. In particular, the Special Rapporteurship has observed the situation of the San Juan de Dios Hospital and the Roosevelt Hospital, in which they have alleged a shortage of medicines, supplies and equipment in health units so that health personnel have assured that they cannot adequately care for patients.⁸⁸⁷ In this context, the statements of the former Vice-Minister of Hospitals, Linda Valencia, are received, who evidenced the critical diagnosis of several hospitals in the country, due to the crisis in the health system as a result of the lack of resources.⁸⁸⁸

527. REDESCA, consistent with the Commission's previous pronouncements, notes that the Garifuna people are at risk of cultural extinction due to a confluence of factors such as the lack of adequate education and health care and the intermittent provision of essential public services that limit opportunities for sustainable development.⁸⁸⁹ Likewise, racial discrimination and systemic racism continue to impact the enjoyment and enjoyment of human rights of Indigenous, Garifuna, and Afro-descendant peoples.

528. REDESCA calls on the State to take into consideration the recommendations of the United Nations High Commissioner for Human Rights to guarantee consultation processes with Indigenous Peoples, as well as their free, prior, and informed consent, the implementation of sentences that protect their rights, the conditions for their participation in decision-making, the legal security of their lands, territories and resources.⁸⁹⁰ Along the same lines, the importance of promoting spaces for dialogue with Garifuna and Afro-descendant organizations, guaranteeing the participation of women, to strengthen their own forms of social and political organization, ensuring their participation in decision-making and making visible their contributions to the development of the country.⁸⁹¹

19. GUYANA

529. In relation to international commitments in ESCER, Guyana was the first country to ratify the Escazú Agreement. However, Guyana has neither signed nor ratified the American Convention on Human Rights nor the Protocol of San Salvador. The Special Rapporteur encourages the State of Guyana to consider ratifying these international instruments to make progress in guaranteeing and protecting human rights, particularly ESCER, in its territory.

530. REDESCA notes that despite Guyana's remarkable economic growth in 2024, driven mainly by the oil sector, significant challenges persist in terms of inequality and combating poverty. According to available information, the country's GDP per capita increased to US\$18,342 in 2022, almost three times higher than in 2019⁸⁹², approximately half of the population still lives below the international poverty line of US\$5.50 per day.⁸⁹³ According to data from the United Nations Development Program, Guyana ranks 95th in the 2023 Human Development Index⁸⁹⁴, reflecting the need for structural transformation that promotes inclusive and equitable growth. REDESCA encourages the State to implement policies that ensure that the benefits of economic growth are distributed fairly among the entire population, addressing existing disparities and improving the living conditions of its citizens.

⁸⁸⁷ Infobae, [Médicos de Guatemala denuncian desabastecimiento de medicinas e insumos en hospital](#), March 5, 2024; Prensa Libre, [PDH acciona por desabastecimiento en Hospital San Juan de Dios](#), May 7, 2024.

⁸⁸⁸ Emisoras Unidas, [Exponen situación "crítica" del hospital San Juan de Dios](#), March 5, 2024.

⁸⁸⁹ IACHR, [On-site Visit to Guatemala: Press Conference Message](#), July 26, 2024, p. 3.

⁸⁹⁰ OHCHR, [Report of the United Nations High Commissioner for Human Rights on the situation of human rights in Guatemala](#), A/HRC/55/21, 14 June 2024, para. 98.

⁸⁹¹ OHCHR, [Report of the United Nations High Commissioner for Human Rights on the situation of human rights in Guatemala](#), A/HRC/55/21, 14 June 2024, para. 98.

⁸⁹² BBC, [It's as if the country has won the lottery": Guyana's new wealth, the Dubai of South America](#), February 12, 2024.

⁸⁹³ BBC, [It's as if the country has won the lottery": Guyana's new wealth, the Dubai of South America](#), February 12, 2024.

⁸⁹⁴ UNDP, [Human Development Index by country](#), 2023.

A. Climate emergency and environmental protection

531. Guyana faces extreme vulnerability to climate change, with a coastal system exposed to one of the highest sea rise levels in the world. This situation affects 100% of coastal agriculture and 66.4% of coastal urban areas, facing flooding and erosion, which could result in GDP losses of up to 46.4%.⁸⁹⁵

532. Guyana currently ranks as the 83rd most vulnerable and 131st most prepared country according to the Notre Dame Global Adaptation Initiative⁸⁹⁶, which shows the need to improve its adaptation to these challenges. In this context, REDESCA takes note of the World Bank's support to implement climate change adaptation measures and reduce the risk of flooding in its coastal regions. This initiative will benefit approximately 320,000 people, representing 40% of the country's population, including the most vulnerable communities.⁸⁹⁷

533. In this context, Guyana is one of the main participants in the CARICOM initiative to reduce regional food imports by 25% by 2025.⁸⁹⁸ This plan includes an investment of two million dollars from the Guyanese State for a project focused on innovation, resilience, sustainability, and empowerment in food security. Furthermore, REDESCA notes the measures taken by the State to mitigate the impact of climate change on food security, including the integration and development of pest and climate-resistant crop varieties.⁸⁹⁹ Additionally, it is noted that Guyana collaborates with international organizations such as the Inter-American Institute for Cooperation on Agriculture (IICA) to enhance regional cooperation on initiatives that integrate climate change mitigation into food security strategies.⁹⁰⁰

534. Similarly, the Special Rapporteur notes that Guyana has updated its Low Carbon Development Strategy (LCDS) for 2030⁹⁰¹, which includes a comprehensive framework for building resilience to the impacts of climate change.

535. Regarding energy transition, REDESCA highlights Guyana's progress in diversifying its energy matrix through strategic investments in renewable sources such as hydroelectric, solar, wind, and biomass. The country is also promoting the rural electrification program, an initiative that aims to improve access to electricity in remote communities.⁹⁰² These initiatives not only seek to reduce environmental impact but also to ensure a reliable and affordable energy supply.⁹⁰³ However, the oil boom in Guyana presents concerns that will be addressed in the following section.

B. Business and human rights

536. Rapid expansion of oil production, led by ExxonMobil in the Stabroek block, has raised production to 380,000 barrels per day, with projections to reach 1.2 million barrels per day by 2027.⁹⁰⁴ This intensification poses potential risks to marine and coastal ecosystems, including the possibility of oil spills and the alteration of sensitive habitats. The Office of the Special Rapporteur considers it relevant for the State to promote the strengthening of its regulatory frameworks and environmental oversight to adequately manage the environmental impacts associated with the oil industry.

⁸⁹⁵ World Bank, [Guyana to Strengthen Coastal Resilience and Adaptation](#), June 10, 2024.

⁸⁹⁶ Notre Dame Global Adaptation Initiative, [Guyana](#), October 24, 2024.

⁸⁹⁷ World Bank, [Guyana to Strengthen Coastal Resilience and Adaptation](#), June 10, 2024.

⁸⁹⁸ [CARICOM's new food security plan - And how Guyana is leading the charge](#), cited.

⁸⁹⁹ "Guyana's National Development Pathway aligned to focus on food security, climate change, agriculture financing" Min. Mustapha, cited above.

⁹⁰⁰ "Guyana's National Development Pathway aligned to focus on food security, climate change, agriculture financing" Min. Mustapha, cited above.

⁹⁰¹ Government of Guyana, [GUYANA'S LOW CARBON DEVELOPMENT STRATEGY \(LCDS\) 2030 October 2024 UPDATE](#), October 2024.

⁹⁰² Caribbean Export, [Guyana's Sustainable Energy Drive: Paving the Way to Energy Security](#), May 31, 2024.

⁹⁰³ CNG Media, [Guyana reaffirms commitment to clean energy transition at OLADE](#), November 3, 2024.

⁹⁰⁴ *Global Affairs*, [Guyana: from oil boom to risk of resource curse](#), December 11, 2023

537. REDESCA takes note of the Concluding Observations of the Human Rights Committee presented in May 2024.⁹⁰⁵ The Committee warns about the lack of transparency and accountability in the management of natural resources, especially in the oil and gas sector. It also notes that the Committee urged the State to take all appropriate measures to ensure that the management of its natural resources is not subject to corruption. In particular, emphasis was placed on ensuring that official permits granted for the exploitation of natural resources and oilfield licenses are subject to appropriate environmental and social impact assessments beforehand. These analyses should be carried out systematically, transparently and with the meaningful participation of all affected communities.⁹⁰⁶

538. On the other hand, the Office of the Special Rapporteur highlights that, in the framework of the public hearing of the 189th period of sessions of the IACHR, information was received on the effects caused by the expansion of carbon markets on the rights of indigenous peoples and local communities, such as the Quilombolas. Likewise, different civil society organizations alleged that the government, through the certification promoted by a private entity called ART, would be selling carbon credits related to indigenous lands without respecting the criteria of free, prior and informed consent. In addition, they reported a lack of transparency and the absence of an adequate grievance mechanism.⁹⁰⁷

539. In the same vein, REDESCA has noted reports of tensions generated by the exploitation of carbon credits in Guyana. Indigenous communities have alleged that they were not adequately consulted before their lands and territories were incorporated into the carbon credit market.⁹⁰⁸ In particular, the Special Rapporteur takes note of the concerns expressed by civil society organizations, which point out that although the agreement stipulates that 15% of the revenues from the sale of carbon credits will go to indigenous communities, there are doubts as to whether these communities will actually receive the promised benefits and whether they will have adequate participation in decision-making related to the use of these resources.⁹⁰⁹

C. Fiscal and economic policies

540. Guyana has emerged as one of the fastest-growing economies in the world since 2020, remaining on a high growth trajectory driven primarily by increased oil production.⁹¹⁰ Guyana's GDP is expected to grow by more than 40% by 2024. In the first half of 2024, the economy had already grown by 49.7%, with the oil sector accounting for 67% of this increase.⁹¹¹

541. This favorable economic context is reflected in a significant reduction in inflation, which in 2023 stood at 2.82%, marking a considerable decrease compared to the 6.12% recorded in 2022.⁹¹² In addition, the country has managed to decrease its public debt, which in 2023 represented 29.8% of GDP⁹¹³ and the unemployment rate registered at 14.62% in 2024.⁹¹⁴ REDESCA stresses that the Guyanese economy faces significant risks stemming from its high dependence on oil, including vulnerabilities to fluctuations in international oil prices and challenges related to long-term economic sustainability.⁹¹⁵

542. On the other hand, the Special Rapporteur take note of the provision of a one-time cash grant for each household in Guyana. This initiative is intended to provide immediate financial relief in response to

⁹⁰⁵ Human Rights Committee, [Concluding observations on the third periodic report of Guyana](#), May 3, 2024.

⁹⁰⁶ [Concluding observations on the third periodic report of Guyana](#), cited above.

⁹⁰⁷ IACHR, [Regional Public Hearing: Impact of the expansion of the carbon market on indigenous peoples and local communities in Colombia, Guyana and Peru](#), February 28, 2024.

⁹⁰⁸ Climate Home New, [Guyana's carbon-credit deal to protect forests undermines its forest protectors](#), March 10, 2024

⁹⁰⁹ Global Voices, [Money from trees: What of Guyana's Indigenous people and their rights - and do they benefit from the carbon trade?](#), May 14, 2024

⁹¹⁰ World Bank, [Macro Poverty Outlook for Guyana](#), October 2024.

⁹¹¹ Bloomberg, [Guyana Raises Growth Estimates to 43% as Oil Production Surges](#), August 31, 2024

⁹¹² Trading Economics, [Guyana Inflation Rate](#), October 24, 2024.

⁹¹³ ISDB, [Republic of Guyana, new Country Engagement Framework \(CEF\) for the period of 2024-2026](#), September 25, 2023.

⁹¹⁴ Statista, [Socioeconomic Indicators - Guyana](#), October 24, 2024.

⁹¹⁵ IDB, [Caribbean Economics, Risks and Opportunities for Caribbean Economies in a Diverging World](#), May 2024.

rapid economic changes driven by the growth of the oil sector in 2023⁹¹⁶. In addition, note is taken of the elimination of taxes and fees, including those on fuel, water, and basic foodstuffs, in an effort to combat inflation and economic pressures.⁹¹⁷

543. REDESCA highlights that the government has aligned its National Development Plan with the objectives of improving food security and addressing climate change. This includes a significant increase in the budget for the agricultural sector, which was increased by 150% and reached GYD 33.2 billion by 2023.⁹¹⁸ In addition, it is highlighted that Guyana is investing in various agricultural projects aimed at self-sufficiency, including large-scale cultivation of corn and soybeans, as well as a black-bred sheep project to reduce reliance on imported lambs and rams.⁹¹⁹

D. Democracy and guarantee of ESCER

544. The participation of Guyana's population and indigenous peoples in environmental issues have become particularly relevant during 2024, especially in the context of the implementation of the Escazú Agreement. However, according to available information, under the Low Carbon Development Strategy 2030, Guyana has generated significant revenues through the sale of carbon credits, with a percentage of these funds was allocated to indigenous communities. Despite these initiatives, indigenous leaders have reported feeling excluded from negotiations and decisions related to the management of their territories and natural resources, as discussed above.

545. In addition, REDESCA highlights the IACHR report on the Akawaio Indigenous community of Isseneru in Guyana. The Commission analyzed the provisions of the Mining Act of Guyana and stated that the Act lacks human rights safeguards regarding prior consultation in mining projects and that it includes insufficient safeguards for the rights of communities to share in the benefits of extractive activities carried out in Indigenous territories. The Commission also took note of findings related to the violation of the right to collective Indigenous property and its impact on other rights, such as the right to a healthy environment, health, food, water, and cultural integrity.⁹²⁰

546. Regarding the guarantee of the right to health, the Special Rapporteur notes that Guyana has adopted the "One Health" approach⁹²¹, which integrates human, animal, and environmental health to improve overall health security. This initiative is supported by the World Bank and aims to strengthen laboratory capacity and preparedness for future emergencies. The country has made progress in combating communicable diseases such as malaria and tuberculosis, while focusing on non-communicable diseases. REDESCA welcomes the increased national budget allocations for the Disease Control Program and the Non-Communicable Diseases Program, with the objective of improving capacities in training, procurement, diagnostics, management, administration, and surveillance⁹²². It also appreciates the State's efforts to develop a new digital health program, which includes a national electronic medical record platform, as well as the development and use of surveillance platforms.

20. HAITI

547. Haiti has ratified the American Convention on Human Rights but has not yet ratified the Protocol of San Salvador. In addition, although Haiti signed the Escazú Agreement on September 27, 2018, it

⁹¹⁶ Government of Guyana, [\\$200,000 one-off cash grant for every household - President Ali announces](#), October 10, 2024.

⁹¹⁷ Xataka, [The fastest growing economy in a tiny South American country: doing so well that it is bringing in \\$2,000 to each household](#), 20 October 2024.

⁹¹⁸ Ministry of Agriculture, ["Guyana's National Development Pathway aligned to focus on food security, climate change, agriculture financing" Min. Mustapha](#), July 18, 2023.

⁹¹⁹ Climate Tracker, [CARICOM's new food security plan - And how Guyana is leading the charge](#), September 14, 2023.

⁹²⁰ IACHR, [IACHR publishes report on the Akawaio indigenous community of Isseneru in Guyana](#), June 14, 2024.

⁹²¹ World Bank, [Guyana's 'One Health' Approach: A Blueprint for a Healthier Future](#), April 18, 2024.

⁹²² OPS, [Guyana Country Profile](#), October 1, 2024.

has not yet completed its ratification process. The ratification of these instruments is essential to strengthen the protection of ESCER in the country.

548. On the other hand, REDESCA is concerned about data published by the Oxford Poverty and Human Development Initiative (OPHI), which indicates that 41.3% of Haiti's population lives in multidimensional poverty, while an additional 21.8% is considered vulnerable to this situation.⁹²³ It is also noted that high levels of economic inequality have intensified in recent years, making Haiti the poorest country in Latin America and the Caribbean. According to the World Bank, in 2023 the country recorded a Gini index of 41.1 and a GDP per capita of \$1694.1 USD, while inflation reached 44.2% during the same year.⁹²⁴

A. Climate emergency and environmental protection

549. The Office of the Special Rapporteur is concerned about the challenges posed by the climate crisis for the country. Regarding the floods caused by heavy rains in May, landslides were recorded, causing the death of 17 people and affecting more than 4,000 homes under water.⁹²⁵

550. REDESCA learned of a tornado that hit the population in the northwest of the country, in the community of Bassin Bleu. This phenomenon left more than 50 people injured and destroyed more than 200 houses, leaving more than 4,000 people homeless, including 650 children and adolescents.⁹²⁶

551. Regarding the human right to water, REDESCA expresses its concern regarding the water crisis aggravated by violence and political instability. In particular, the United Nations High Commissioner for Human Rights warned about the lack of access to drinking water due to the lack of supply since March 2024.⁹²⁷ The Special Rapporteur notes positively that UNICEF together with the National Directorate of Water and Sanitation have provided more than 2.66 million liters of drinking water to displaced families and children and adolescents.⁹²⁸

552. On the other hand, REDESCA notes that FAO reported that, since February 2024, increased violence and population displacement have negatively affected agricultural production and disrupted markets, leaving half of the population acutely food insecure, representing close to five million people in the country.⁹²⁹ In addition, according to the World Food Program, more than 360,000 people have been displaced throughout the country since the beginning of 2024 due to violence and require food supply.⁹³⁰ In Port-au-Prince, 6,000 IDPs would be in a critical situation of food insecurity (IPC Phase 5), facing famine and risk of death.⁹³¹

553. In the same vein, REDESCA notes with concern that food insecurity has disproportionately impacted the most vulnerable groups. It is estimated that close to two million children and adolescents face a hunger crisis, while 760,000 children and adolescents suffer from emergency food insecurity, representing an increase of 21% since March.⁹³² In the same vein, REDESCA expresses its concern regarding the insecurity in Port-au-Prince, which has made the distribution of health and nutrition supplies impossible, affecting some 58,000 children suffering from severe wasting.⁹³³

⁹²³ Oxford Poverty and Human Development Initiative (OPHI), [Global MPI Country Briefing 2024: Haiti \(Latin America and the Caribbean\)](#), October 2024.

⁹²⁴ World Bank, [The World Bank In Haiti: Overview](#), April 18, 2024.

⁹²⁵ Democracy Now, Haiti: heavy rains leave at least 17 people dead and thousands of homes under water, 07 May 2024. Telemundo, [Haiti faces consequences of heavy rains](#), 03 May 2024.

⁹²⁶ UNICEF, [After tornado, community just wants to go home](#), June 11, 2024; Swissinfo.ch, [More than 50 people injured and 200 homes destroyed by tornado in Haiti](#), May 23, 2024.

⁹²⁷ United Nations, [Haiti: Türk says situation 'unbearable' and urges swift and decisive action](#), 06 March 2024.

⁹²⁸ UNICEF, [ensures that thousands of people have safe drinking water in Haiti](#), May 09, 2024.

⁹²⁹ FAO, [Haiti food crisis: FAO makes urgent appeal for funding to assist 608,000 people to avoid hunger and suffering](#), September 11, 2024.

⁹³⁰ World Food Program, [Hunger reaches unprecedented levels in Haiti, warns new report](#), March 22, 2024.

⁹³¹ WFP, [Hunger in Haiti reaches historic high with one-in-two Haitians now in acute hunger](#), September 30, 2024, cited above.

⁹³² Save the Children, [One in six children and adolescents in Haiti one step away from hunger](#), October 3, 2024, cited above.

⁹³³ UNICEF, [Armed conflict worsens child malnutrition crisis in Haiti](#), March 26, 2024.

554. REDESCA recalls that, in the context of the principle of common but differentiated responsibilities, while the State of Haiti has a duty to fulfill its climate commitments, its specific situation of vulnerability in the global context must also be considered. In this regard, REDESCA calls on the international community to support Haiti in its efforts to address climate change.

B. Business and human rights

555. In 2024, Haiti has faced a multifaceted crisis that exacerbates human rights violations, affecting various sectors, including business activities. Widespread gang violence has crippled the economy, causing the closure of small and medium-sized businesses, increasing unemployment, and reducing the population's ability to meet their basic needs.

556. According to the latest available 2021 data from the World Bank, the informal sector contributes about 60% of GDP and employs 86% of the labor force.⁹³⁴ Formal enterprises face significant obstacles, such as limited access to energy, water, and financing. About 95% of the formal private sector is composed of microenterprises, half of which are less than six years old.⁹³⁵

557. In 2021, the latest available data, women entrepreneurs played a larger role in Haiti compared to other conflict-affected countries.⁹³⁶ Female ownership was highest in Port-au-Prince, where about 54 percent of formal businesses with more than four employees had at least one female owner.⁹³⁷

558. Limited access to electricity and water increases operating costs for businesses. According to the latest available data, as of 2021, only 40% of Haitians had access to electricity, and most businesses relied on generators, which increased costs.⁹³⁸

559. REDESCA notes with concern that, according to Better Work Haiti, during the first quarter of 2024, insecurity in the country caused the closure of four factories, with a loss of 4,500 jobs.⁹³⁹ In addition, the closure of the border with the Dominican Republic has affected the continuity of operations and supply chains, impacting 80% of factories, which have incurred additional costs as a result.⁹⁴⁰

C. Fiscal and Economic Policies

560. REDESCA notes that year-on-year inflation from April 2023 to April 2024 was 27.3%, which would be due to several factors, such as the closure of the border with the Dominican Republic, the expansion of criminal gangs and frequent interruptions in fuel availability in the market.⁹⁴¹ According to available information, Haiti's economy showed a negative GDP growth of 1.9% in 2023.⁹⁴² On the other hand, the Special Rapporteur highlights Haiti's commitment to improving its economy, with a 20% increase in the 2024-2025 budget of 325,445 million gourdes.⁹⁴³ REDESCA notes that the government has 75.1 billion gourdes in the form of project aid and donations from international partners⁹⁴⁴ in respect of which the Ministry of Education and Public Works were positively impacted with an increase in their budget of 24% and 56% over the previous year.⁹⁴⁵

⁹³⁴ World Bank, [Haiti Country Private Sector Diagnostic - Creating Markets in Haiti](#), September 2021. P. II, Para. 1.

⁹³⁵ World Bank, [Haiti Country Private Sector Diagnostic - Creating Markets in Haiti](#), September 2021, cited above. P. II, last para.

⁹³⁶ World Bank, [Haiti Country Private Sector Diagnostic - Creating Markets in Haiti](#), September 2021, cited above. P. 6, last para.

⁹³⁷ World Bank, [Haiti Country Private Sector Diagnostic - Creating Markets in Haiti](#), September 2021, cited above. P. 6, last para.

⁹³⁸ World Bank, [Haiti Country Private Sector Diagnostic - Creating Markets in Haiti](#), September 2021, cited above. P. 8, Para. 1.

⁹³⁹ Better Work Haiti, [News and Updates, From October 2023 to June 2024](#), n.d.

⁹⁴⁰ Better Work Haiti, [News and Updates, From October 2023 to June 2024](#), n.d.; cited above.

⁹⁴¹ U.S. Department of State, [2024 Investment Climate Statements: Haiti](#), October 15, 2024.

⁹⁴² U.S. Department of State, [2024 Investment Climate Statements: Haiti](#), October 15, 2024.

⁹⁴³ Ministry of Economy and Finance, [Communiqué Adoption du Budget 2024-2025 en Conseil des Ministres](#), September 20, 2024.

⁹⁴⁴ Haiti Libre, [Haiti - Economy : All the details on the 2024-2025 budget](#), October 10, 2024.

⁹⁴⁵ Haiti Economy, [Sommaire, Décret Établissant, Le Budget Général De La République D'Haïti, Exercice Fiscal 2024-2025](#), October 1, 2024, p. 35 and 37.

561. REDESCA takes note of the entry into force of the new Tax Code in Haiti on 1° October 2024, which aims to increase tax collection, improve the business climate through a more transparent legal framework, and strengthen taxpayers' rights.⁹⁴⁶

562. The Special Rapporteur welcomes the approval of US\$1,526,223,062 in funding from the World Food Programme (WFP) as part of the Strategic Plan for Haiti 2024-2028. The main objective of this project is to significantly improve food security in Haiti, which has been affected by alarming levels of food insecurity and malnutrition. The project also seeks to strengthen the country's resilience to natural disasters and humanitarian crises, factors that have severely affected the population in recent years. In the same vein, the Strategic Plan seeks to contribute to the sustainable development of the country.⁹⁴⁷

D. Democracy and guarantee of ESCER

563. In 2024, Haiti has faced a profound democratic crisis with a negative impact on the guarantee of ESCER. The political crisis has paralyzed the economy, severely affecting the economic and social rights of the population. The lack of governance has also hindered the implementation of effective public policies to protect the environment and promote sustainability.

564. The Rapporteurship notes that, in the above context, the high levels of insecurity and clashes in the streets, 39% of inpatient healthcare facilities have been forced to close temporarily, including the General Hospital, the country's main public facility⁹⁴⁸. This has deteriorated the medical care available to the population, leaving patients living with cancer, tuberculosis, HIV/AIDS and other serious illnesses with little or no options, affecting millions of Haitians in the country, aggravating the situation of the most vulnerable.⁹⁴⁹

565. The Special Rapporteur is concerned about the evolution of the cholera epidemic in Haiti. The Pan American Health Organization reported that, as of January, 79,411 suspected cases of cholera had been reported, with 4,608 confirmed cases and 887 institutional deaths and 285 community deaths.⁹⁵⁰

566. REDESCA welcomes the measures implemented by the Ministry of Public Health in Haiti, with the support of PAHO and funding from the Government of Canada, which carried out the vaccination of 234,107 children against diphtheria, tetanus and pertussis in a campaign aimed at reducing infant mortality⁹⁵¹. According to PAHO, the campaign reached 95% of the targeted children.⁹⁵²

567. The Office of the Special Rapporteur is deeply concerned about the closure of more than 900 schools in Haiti, which have ceased to operate or have suspended their activities as a result of the constant attacks and the climate of violence affecting the country. In addition, many of these educational institutions have been converted into shelters to accommodate families displaced by the insecurity crisis.⁹⁵³ This situation, aggravated by the economic difficulties faced by the communities, has left some 300,000 children without access to education and exposed to greater risks, including violence and child labor.⁹⁵⁴

568. In the December 12, 2024, press release, the Inter-American Commission on Human Rights (IACHR) reiterated its concern at the continued deterioration of security in Haiti. According to a United Nations report, gang attacks resulted in more than 80% control of the capital, Port-au-Prince, with 5,000 fatalities in

⁹⁴⁶ Le Nouvelliste, [Le nouveau Code fiscal haïtien sous la loupe des experts](#), June 26, 2024

⁹⁴⁷ World Food Programme (WFP), [Strategic Plan for Haiti 2024-2028](#), WFP/EB.2/2023/7-A/5, second regular session in Rome, 16 November 2024.

⁹⁴⁸ EFE, [Healthcare in Haiti faces violence and suffers from hospital closures and overload](#), June 01, 2024.

⁹⁴⁹ PAHO, [Health on the front line: care for Haiti's displaced population](#); April 22, 2024. AP News, [Haiti's health system reels with few reserves, hospitals attacked and ports closed](#), 23 April 2024; El País, [Doctors Without Borders warns of 30 hospital closures and medicine shortages in Haiti](#), 22 May 2024

⁹⁵⁰ PAHO, [Humanitarian Crisis in Haiti](#) - Grade 3, 2024.

⁹⁵¹ PAHO, With Canadian Support, Haiti Successfully Launches "Diphtheria Vaccination Catch-Up Campaign," July 19, 2024.

⁹⁵² PAHO, With Canadian Support, Haiti Successfully Launches "Diphtheria Vaccination Catch-Up Campaign," July 19, 2024.

⁹⁵³ UNICEF, Haiti: [Education of more than 1 million children and adolescents at risk due to armed violence](#), October 02, 2024, cited above.

⁹⁵⁴ UNICEF, Haiti: [Education of more than 1 million children and adolescents at risk due to armed violence](#), October 02, 2024

2024⁹⁵⁵. Between July and September 2024, the number of displaced persons has increased by 22%⁹⁵⁶. Insecurity also disproportionately affects women, who are used as tools of extortion by armed groups, according to statements by the United Nations Population Fund.⁹⁵⁷ The IACHR recognized the efforts of the Haitian State, including the operations of the National Police and the Haitian Armed Forces to restore security⁹⁵⁸, with the support of the Multinational Security Support Mission. However, it urged the State to ensure citizen security through meaningful consultations with the diversity of civil society organizations and called on the international community to intensify its support to address the challenges of security, food and health.⁹⁵⁹

21. HONDURAS

569. Honduras has ratified the American Convention on Human Rights and the Protocol of San Salvador, thus committing itself to the protection of ESCER. However, it has not yet signed or ratified the Escazú Agreement, a regional treaty that promotes access to information, public participation and justice in environmental matters. Accession to this international instrument would be a significant step towards ensuring transparent and participatory environmental management in the country.

570. The country continues to face structural challenges regarding poverty, which affects 64.1% of the population.⁹⁶⁰ This poverty level reflects a reduction compared to 2021, when a rate of 73.6% was recorded. However, this decrease is due in part to cyclical factors, such as the lifting of restrictions due to the pandemic that reactivated the economy, rather than to structural improvements. According to recent analyses, a large part of the economy is in the informal sector, accounting for 78% of jobs, which hinders the generation of stable income and access to basic services, perpetuating cycles of poverty.⁹⁶¹

A. Climate emergency and environmental protection

571. REDESCA notes with attention that Honduras is experiencing high vulnerability to climate change, particularly in the "dry corridor", a region where droughts and other extreme weather events have exacerbated poverty and migration.⁹⁶² The country has been implementing actions to improve climate resilience and move towards inclusive, low-carbon development. As an example, in 2021, Honduras submitted its first updated Nationally Determined Contribution (NDC), increasing its mitigation, adaptation, and social inclusion ambitions⁹⁶³. Despite these efforts, there is still a considerable gap in infrastructure and long-term planning, which has increased environmental risks, especially after recent natural disasters.⁹⁶⁴

572. In September 2024, Honduras suffered heavy rains that caused rivers to overflow, leaving several communities isolated, mainly in the south of the country. The municipality of Concepción de María, in Choluteca, was particularly affected; the Tiscagua River destroyed three bridges, isolating hundreds of people. In addition, the Hato Nuevo and Guale rivers overflowed.⁹⁶⁵

⁹⁵⁵ United Nations, [UN chief condemns gang massacre of 184 in Haiti](#), December 9, 2024.

⁹⁵⁶ American Commission on Human Rights, [IACHR reiterates its concern over the continuing deterioration of security in Haiti](#), December 12, 2024.

⁹⁵⁷ France 24, [Susana Sottoli: The bodies of women and girls in Haiti are the battlefield of the conflict](#), November 20, 2024.

⁹⁵⁸ Le Nouvelliste, [PNH intensifies operations against gangs in Solino, Arcahaie and Saint-Marc](#), October 23, 2024.

⁹⁵⁹ American Commission on Human Rights, [IACHR reiterates its concern over the continuing deterioration of security in Haiti](#), December 12, 2024.

⁹⁶⁰ INE, [The National Institute of Statistics \(INE\) socializes significant achievements in the reduction of poverty in Honduras](#), December 5, 2023

⁹⁶¹ INE, [El Instituto Nacional de Estadística \(INE\) socializa logros significativos en la reducción de la pobreza en Honduras](#), December 5, 2023

⁹⁶² Instituto para las Mujeres en la Migración, AC, [Desplazamiento por razones climáticas. una aproximación desde los derechos de las mujeres](#), June 28, 2024.

⁹⁶³ World Bank, [Honduras Climate and Development Report](#), 2023.

⁹⁶⁴ World Bank, [Honduras Climate and Development Report](#), 2023.

⁹⁶⁵ El País Honduras, [Three dead and hundreds affected by heavy rains in Honduras](#), 25 September 2024

573. Regarding the right to water, the Office of the Special Rapporteur has taken note of the reports that the country faces the consequences of environmental factors that influence the supply of drinking water, so that about 16% of the population does not have access to clean water.⁹⁶⁶ Despite the large number of rivers⁹⁶⁷ in Honduras and its location on the coast, the number of people with access to clean water is low and disproportionately affects people in rural areas⁹⁶⁸, considering that 81% of rural households do not have a safe drinking water supply.⁹⁶⁹ REDESCA urges State action to guarantee access to water in the country for the entire population.

574. In this same context, the Office of the Special Rapporteur highlights the importance of the decision of the Supreme Court of Justice, which on December 5, 2023, in the framework of a tutela on the right to water and health, ordered the stoppage of the works of the hydroelectric project on the Mezapa River in the community of Pajuiles, until the environmental mitigation measures ordered by the Secretariat of Natural Resources and Environment.⁹⁷⁰

575. In this regard, REDESCA received information indicating that the Garifuna people living in the Honduran Caribbean are suffering impediments in the exercise of their rights over their territory and the Keys, which have been slowly privatized, even when the Garifuna people own their territory as a constitutional right. Today, marine protected areas have restricted the traditional practices of these communities without their free, prior and informed consent. The Rapporteurship recalls that it is necessary for the State to make decisions on conservation and sustainable use with the participation of the Garifuna communities.⁹⁷¹

576. For several years, the Garifuna communities have sustained a constant struggle for the defense and recovery of their ancestral territory, which has made them the target of aggressions. During the April 12 celebration, acts of intimidation, threats and physical aggressions by members of the presidential guard against the Garifuna people were reported. It was reported that human rights defender Miriam Miranda was threatened with a firearm and that other defenders from the Organización Fraternal Negra Hondureña were also attacked.⁹⁷² The Rapporteurship calls the State of Honduras to put an end to any act of repression and persecution against the Garifuna communities, particularly the community of Triunfo de la Cruz and all persons who lead actions in defense of the territories.

B. Business and human rights

577. REDESCA takes note of efforts adopted by the State to advance in aspects related to business and human rights. In this regard, the working groups of the Secretary of State for Human Rights, the Honduran Council of Private Enterprise, the National Association of Industrialists and various civil society organizations are highlighted for generating reflections on this issue.

578. According to the information received, Honduras is facing a series of social, environmental and agrarian conflicts related to land and territory issues. These conflicts are rooted in problems such as the unequal distribution of land and resources, which have contributed to the escalating levels of violence in the country. Among the most relevant structural factors are institutional weaknesses in land registration and titling processes, corruption, irregularities in the authorization and concession of development projects, and the ineffective response by the competent authorities.⁹⁷³ These conflicts generate differentiated impacts on certain

⁹⁶⁶ Healing Waters International, [Lack of Clean Water in Honduras](#), August 2, 2024.

⁹⁶⁷ La Prensa, [Key Research](#), November 15, 2024.

⁹⁶⁸ Healing Waters International, [Lack of Clean Water in Honduras](#), August 2, 2024.

⁹⁶⁹ Planet Water Foundation, [Drinking water supply in Honduras](#), 2024

⁹⁷⁰ OHCHR, [Annual Report of the United Nations High Commissioner for Human Rights and Reports of the Office of the High Commissioner and the Secretary-General](#), March 2024; 1 September 2024.

⁹⁷¹ Solidar, Information concerning the work on Marine Territories of Life, SSF and HRBA in Mesoamerica, information received by mail on October 4, 2024.

⁹⁷² International Federation for Human Rights, [Honduras: Stop impunity in the case of the Garifuna communities](#), April 26, 2024.

⁹⁷³ CESPAD, [Weekly Analysis: Political time is running out: are the necessary social reforms for access to land and rural territories still possible?](#) July 22, 2024.

population groups, particularly peasant, Afro-Honduran, Garifuna and indigenous communities, as well as those dedicated to the defense of land, territory and the environment.⁹⁷⁴

579. It is important to note that social, environmental and agrarian conflicts related to land and territory continue to have a negative impact on human rights. The above, as this conflictive situation is also linked to the superimposition of private titles over ancestral titles, the lack of consultation and free, prior and informed consent of the indigenous and Afro-Honduran peoples, as well as irregularities in the authorization and concession of business projects, most of them extractive in nature.⁹⁷⁵

580. According to the information received, REDESCA observes that this violence is closely related to the agrarian conflict that has historically affected the country, as well as the economic-extractivist model adopted in recent decades.⁹⁷⁶ During the on-site visit of the IACHR to La Esperanza, Tela, San Juan and Tocoa, in 2023 the Commission received information on acts of violence against those who defend the environment, land and territory against the installation of large-scale projects and exploitation of natural resources related to mining, hydroelectric, energy, agriculture, excessive and/or illegal logging and tourism or urban development, or for the struggle to reclaim land as a result of its inequitable distribution.⁹⁷⁷

581. In relation to the regulatory framework of the Employment and Economic Development Zones (ZEDE) and their implementation, several concerns have been identified. One of the main concerns is the lack of free, prior and informed consultation with indigenous and Afro-descendant communities in the areas designated for the ZEDE.⁹⁷⁸ In addition, according to available reports, there is a risk that the right to property will be compromised due to possible forced expropriations, justified under arguments of necessity or public interest. It has also been pointed out that the deregulation and possible privatization of essential public services, such as health, education and social security, could exclude sectors of the population that lack the economic resources to pay for these services. The lack of transparency in the ZEDE negotiation and implementation processes has raised concerns about access to information by affected communities, which violates their right to be informed and participate in decisions that impact their lives.⁹⁷⁹

582. REDESCA has noted that in September 2024, the Honduran Supreme Court of Justice declared unconstitutional the constitutional reforms and the Organic Law that gave rise to the ZEDEs, arguing that they contravened the State's human rights obligations.⁹⁸⁰ Despite this progress, the Office of the Special Rapporteur emphasizes the obligation of the Honduran State to guarantee the protection of human rights in any economic development initiative, ensuring the effective participation of affected communities and transparency in the implementation processes.

583. REDESCA notes that Honduras approved Decree 18-2024, which recovers and protects the core zone of the Montaña de Botaderos "Carlos Escaleras Mejía" National Park.⁹⁸¹ This decree was approved by the National Congress on February 21, 2024, and entered into force on May 6 of the same year. It is an important framework for the communities of Tocoa and Colón⁹⁸², however, the Rapporteurship is concerned about the disregard of Decree 18/2024 on mining, as well as the risks to people who defend the environment and oppose extractive projects⁹⁸³ and urges the State to include these standards in domestic legislation. In this sense, REDESCA encourages the State to adopt control and accountability measures necessary to ensure respect for

⁹⁷⁴ IACHR, [Report on the Situation of Human Rights in Honduras](#), March 24, 2024, par. 132.

⁹⁷⁵ OHCHR, [Annual Report 2023](#).

⁹⁷⁶ IACHR, [Report on the Situation of Human Rights in Honduras](#), March 24, 2024.

⁹⁷⁷ IACHR, [Report on the Situation of Human Rights in Honduras](#), March 24, 2024, par. 281.

⁹⁷⁸ OHCHR, [Annual Report 2024](#).

⁹⁷⁹ OHCHR, [Annual Report 2024](#).

⁹⁸⁰ Reuters, ["Honduras' Top Court Declares Self-Governing ZEDE Zones Unconstitutional"](#), September 20, 2024.

⁹⁸¹ Centro de Estudio para la Democracia, [Cuándo se publicará en La Gaceta el decreto 18-2024 que recupera zona núcleo del Parque Nacional Carlos Escaleras](#), April 29, 2024.

⁹⁸² National Network of Women Human Rights Defenders in Honduras, [Decree 18-2024](#), May 13, 2024.

⁹⁸³ Centro de Estudio para la Democracia, [When will decree 18-2024 that recovers the core zone of Carlos Escaleras National Park be published in La Gaceta](#), mentioned above.

human rights by national and transnational companies in accordance with the Guiding Principles on Business and Human Rights.

C. Fiscal and economic policies

584. REDESCA notes GDP growth of 3.6% in 2023, exceeding the regional average, although this is below 4% growth achieved in 2022.⁹⁸⁴ The economy has shown resilience in the face of internal and external shocks and has increased public investment and investment oriented to agricultural production.⁹⁸⁵

585. In 2024, the government of Honduras presented the "Tax Justice Law" project with the aim of reforming the country's tax system to make it possible to finance actions aimed at social protection and the fight against poverty. Among the measures proposed is the adoption of the principle of worldwide income, according to which both individuals and companies resident in Honduras will be subject to taxation on their global income, regardless of where it is generated. But it also addresses issues such as bank secrecy, the creation of a registry of beneficial owners, and elimination of tax exemptions.⁹⁸⁶ The proposal has generated a wide debate in the country. As of October 2024, the bill has incorporated specific modifications suggested by various sectors during the public hearings, reflecting a process of dialogue and adjustment in response to the concerns raised and its approval in the National Congress is still pending.⁹⁸⁷

586. According to available information, as of the third quarter of 2024, the public debt of the Central Administration of Honduras showed a reduction in its ratio to GDP. The Debt/GDP indicator decreased from 47.2% in the same period of 2023 to 44.2% in 2024, reflecting a reduction of 3 percentage points. This trend indicates a more sustainable management of public finances and a relative decrease in the debt burden on the national economy.⁹⁸⁸ These data reflect an effort by the Honduran government to maintain fiscal sustainability and reduce the ratio of public debt to GDP, despite the challenges facing the country. REDESCA reiterates the importance that any measure aimed at reducing the public debt be aligned with the State's international human rights commitments, avoiding that the fiscal adjustment generates setbacks in the guarantee of ESCER, especially for the most vulnerable sectors.

D. Democracy and guarantee of ESCER

587. A solid democracy requires strong institutions, guaranteed rights and effective citizen participation in decision-making processes. Social participation in environmental issues is essential for the protection of the environment and for respecting the rights of indigenous peoples in Honduras. In this context, as has been expressed, it would be highly valuable for the country to consider joining the Escazú Agreement

588. Linked to this, REDESCA is concerned about reports of the persistence of conflicts related to land, territory and natural resources, with indigenous peoples, Afro-Honduran peoples and peasant communities being the most affected by violence, land appropriation and evictions⁹⁸⁹. It has also received reports referring to the continued persecution and murder of human rights defenders.

589. In 2023, at least 13 human rights defenders were killed between January and August. Most of the victims were environmental and land defenders, facing threats and attacks for their activism, particularly in areas such as Guapinol.⁹⁹⁰ As such, the murders of environmental activists such as Jairo Bonilla, Aly

⁹⁸⁴ The World Bank in Honduras, [Country Overview](#)

⁹⁸⁵ OHCHR, [Annual Report 2024](#).

⁹⁸⁶ El Periódico, [Análisis: La Ley de Justicia Tributaria enfrenta oposición por sus posibles impactos económicos](#), October 17, 2024. Servicio de Administración de Rentas (SAR), [Documento Síntesis de la Ley de Justicia Tributaria](#), January 2024

⁹⁸⁷ Time, [13 changes contemplated in the new Tax Fairness Act](#), October 17, 2024.

⁹⁸⁸ Secretaría de Finanzas de Honduras, [Informe Trimestral de Deuda Pública de la Administración Central: Tercer Trimestre de 2024](#), November 2024.

⁹⁸⁹ United Nations, [Honduras: Violence, land conflicts, corruption and impunity challenge human rights](#), March 1, 2024.

⁹⁹⁰ IACHR, [IACHR condemns murders of human rights defenders in Honduras](#), February 14, 2023.

Domínguez and Oquelí Domínguez were documented⁹⁹¹, while in 2024 the murder of Juan López, who had been granted precautionary measures, was documented.⁹⁹²

590. REDESCA notes that, according to available information, corruption rates in Honduras remain alarming. Honduran democracy faces significant challenges due to corruption and a lack of transparency.⁹⁹³ Honduras ranked 154th out of 180 countries in the Corruption Perceptions Index 2024 developed by Transparency International.⁹⁹⁴ REDESCA points out that systemic corruption can deprive the government of funds that would be used to invest in health, education, potable water, housing and other rights and recalls the importance of IACHR Resolution 1/18 on corruption and human rights, which emphasizes that under the Inter-American legal framework, States have the duty to adopt legislative, administrative and any other measures to guarantee the exercise of human rights in the face of the violations and restrictions produced by the phenomenon of corruption.⁹⁹⁵ In this context, the potential relevance of establishing an International Commission Against Corruption and Impunity in the country, with the support of the United Nations, under the memorandum of understanding that would extend until June 2025, is noteworthy.⁹⁹⁶ For more information on the fight against corruption, see chapter IV.A of the IACHR annual report.

22. JAMAICA

591. In terms of instruments relevant to the protection of ESCER in the region, Jamaica has ratified the American Convention on Human Rights. However, it has not ratified the Protocol of San Salvador or the Escazú Agreement. From the perspective of strengthening the protection of ESCER in the national context, the State is urged to consider ratifying these instruments.

592. REDESCA notes that, according to World Bank estimates, the proportion of Jamaicans living below the international poverty line for upper-middle income (6.85 USD per day) decreased from 13.9% in 2021 to 12.3% in 2023, reflecting an improvement in economic conditions and a reduction in poverty in the country. Also, according to the *Oxford Poverty and Human Development Initiative*, 2.8% of Jamaica's population would live in multidimensional poverty, while an additional 4% of the population is considered vulnerable to this situation.⁹⁹⁷

A. Climate emergency and environmental protection

593. Jamaica, as a Caribbean island nation, faces significant challenges due to the climate emergency and the imperative need to protect its environment. The island is particularly vulnerable to phenomena such as rising sea levels, more intense hurricanes, and variations in rainfall patterns, which affect both its ecosystems and the lives of its inhabitants. Environmental protection is not only crucial to preserve the island's unique biodiversity, but also to ensure the resilience of its communities in the face of the impacts of climate change.

594. The Office of the Special Rapporteur, aware of the challenges posed by the climate emergency, has observed with concern the impacts of extreme weather phenomena such as hurricanes, floods, and droughts. In this context, the passage of Hurricane Beryl resulted in an increase in the country's inflation by

⁹⁹¹ HRW, [World Report 2024: Honduras](#) | Human Rights Watch (hrw.org), September 5, 2024; IACHR, [IACHR condemns murders of human rights defenders in Honduras](#), February 14, 2023.

⁹⁹² IACHR, [IACHR condemns murders of human rights defenders in Honduras](#), February 14, 2023; IACHR, [IACHR Condemns Assassination of Environmental Defender Juan López in Honduras](#), September 18, 2024

⁹⁹³ HRW, [Honduras: Fighting corruption requires urgent action](#), June 9, 2023; September 3, 2024.

⁹⁹⁴ International, [Corruption Perceptions Index 2024](#), February 11, 2025.

⁹⁹⁵ IACHR, [Resolution 1/18. Corruption and Human Rights](#)

⁹⁹⁶ El Heraldo, [Por seis meses más se amplía memorándum de entendimiento de la CICIH](#), December 3, 2024.

⁹⁹⁷ Oxford Poverty and Human Development Initiative (OPHI), [Global MPI Country Briefing 2024: Jamaica \(Latin America and the Caribbean\)](#), October 2024.

2.4%⁹⁹⁸ and losses of more than 6.4 million dollars in crops.⁹⁹⁹ Additionally, the hurricane caused significant damage in the region marked by more than 13,000 homes affected¹⁰⁰⁰, as well as an estimated 160,000 people who would continue to face the devastation of the disaster.¹⁰⁰¹ REDESCA positively values the preventive measures adopted by the State to mitigate the impacts of the hurricane¹⁰⁰². These events highlight the need to strengthen adaptation and emergency response strategies to safeguard the population in the face of increasing climate risks.

595. REDESCA has taken cognizance of the droughts that in 2024 have affected communities and more than 900 farmers in the country.¹⁰⁰³ In the same line, the measures adopted by the State are positively valued, including the initiative of the Copper River Water Treatment Plant with collection systems and pipelines¹⁰⁰⁴, which has benefited more than 165,000 people, and has stimulated economic growth in affected regions.¹⁰⁰⁵

596. Likewise, the Office of the Special Rapporteur takes note of the actions taken by the State with the support of the Inter-American Development Bank (IDB) to guarantee and improve access to water on the island, including the allocation of \$1 billion JA by the State to improve water supply systems in rural areas.¹⁰⁰⁶ In the same vein, the Rapporteurship takes note of the State's investment of \$29 million JA to connect *Brown's Town to Retreat* and renovate the *Minard Well*, which aims to benefit more than 1,500 people.¹⁰⁰⁷

597. REDESCA also highlights the creation of the Disaster Risk Management Review Committee, which seeks to strengthen the country's preparedness for natural disasters by focusing on critical infrastructure vulnerabilities, water systems, and electricity grids to ensure their operability during disasters.¹⁰⁰⁸

598. Also noteworthy is the commitment of the United Nations Office for the Coordination of Humanitarian Affairs, which has pledged a donation of 4 million dollars in Emergency Recovery Fund to support the activities of the State of Jamaica¹⁰⁰⁹ as well as the support provided by the World Food Program, which seeks to offer cash assistance grants to the victims, prioritizing groups in vulnerable situations that were affected by the phenomena of Hurricane Beryl.¹⁰¹⁰

599. REDESCA expresses its concern about reports that indicate the persistence of public health challenges related to dengue fever in the country, which has worsened in the context of the climate emergency. According to available information, there are approximately 1,534 cases and 19 deaths up to January 2024,

⁹⁹⁸ Loop News, [Hurricane Beryl's impact pushes inflation to 2.4% in August](#), August 24, 2024

⁹⁹⁹ FAO, [FAO supports Caribbean governments after the impact of Hurricane Beryl](#), July 11, 2024

¹⁰⁰⁰ Caribbean News Weekly (CNW), [Over 13,500 homes in Jamaica suffered damages from Hurricane Beryl](#), September 02, 2024

¹⁰⁰¹ United Nations, Press Release, [The Hidden Side of Paradise: Loss and Damage in Jamaica's Agricultural Belt](#), [The Hidden Side of Paradise: Loss and Damage in Jamaica's Agricultural Belt](#), September 18, 2024.

¹⁰⁰² Jamaica Observer, [Jamaica declared disaster area](#), July 02, 2024; Jamaica Observer, [NEPA Preventive Measures](#), July 02, 2024; Jamaica Observer, [NHF allowing early medication refills for beneficiaries ahead of Hurricane Beryl](#), July 01, 2024.

¹⁰⁰³ Loop Jamaica News, Gov't allocates \$150m amid persistent drought affecting Jamaica, April 10, 2024; Office of the Prime Minister, [Government Implements Compassionate Measures to Address Severe Drought Affecting the Island](#), July 01, 2024

¹⁰⁰⁴ Office of the Prime Minister, [New Water Treatment Project](#), July 1, 2024.

¹⁰⁰⁵ Office of the Prime Minister, [Government Implements Compassionate Measures to Address Severe Drought Affecting the Island](#), July 01, 2024, cited above.

¹⁰⁰⁶ Office of the Prime Minister, [Improvement of Rural Water Systems](#), July 01, 2024.

¹⁰⁰⁷ Jamaica Information Service, [Government Commits to Providing Potable Water to Residents Across the Island](#), June 27, 2024.

¹⁰⁰⁸ The Office of Prime Minister, [Disaster Risk Management Review Committee Established](#), September 10, 2024

¹⁰⁰⁹ United Nations, Press Release, [The Hidden Side of Paradise: Loss and Damage in Jamaica's Agricultural Belt](#), [The Hidden Side of Paradise: Loss and Damage in Jamaica's Agricultural Belt](#), September 18, 2024.

¹⁰¹⁰ Caribbean News Global, [WFP supports 11,500 victims of hurricane Beryl with cash assistance in Jamaica](#), September 12, 2024

which have mainly affected the population between 5 and 14 years of age, with a rate of 885.3 cases per 100,000 inhabitants.¹⁰¹¹

600. The Special Rapporteur calls for intensified efforts in forest conservation to improve governance and sustainable economic growth in the region.¹⁰¹² In addition, it welcomes projects aimed at cleaning up beaches on the island¹⁰¹³, and the provision of income for fishermen to strengthen the resilience of coastal communities in the face of climate change¹⁰¹⁴, as well as irrigation systems in the management of livestock and housing in the country.¹⁰¹⁵

B. Business and human rights

601. In 2023, Jamaica has continued to face challenges at the intersection of business activities and the protection of human rights. Despite these efforts and according to available information, extractive industries, particularly bauxite mining, continue to raise human rights concerns. In January 2024, fact-finding missions by the University Network for Human Rights and *Freedom Imaginaries* documented persistent problems such as land grabbing, displacement and environmental contamination affecting local communities. These activities have had adverse effects on the health and livelihoods of residents, highlighting the need for stronger regulatory oversight and corporate accountability.¹⁰¹⁶

602. In addition, the debate over deepwater mining has intensified. Environmental groups and citizens have urged the Jamaican government to exercise caution regarding the expansion of extractive industries in marine environments. Concerns focus on the potential for environmental degradation and violation of community rights, emphasizing the importance of sustainable practices and comprehensive environmental impact assessments.¹⁰¹⁷

603. The Special Rapporteur recognizes that the State is taking steps to ensure food security, highlighting the investment of \$91 million to increase production in the agricultural sector. This effort seeks to improve yields of key crops that benefit more than 70,000 farmers and generate employment for more than 350,000 Jamaicans.¹⁰¹⁸

604. REDESCA notes the green initiatives of *Sandals South Coast* and the *Sandals and Beaches* resorts in *Negril*, which have organized seminars on health, environmental and safety practices, including a pressing unit, an herb garden and recycled water facility to implement innovative strategies to improve practices in the hotel industry and communities.¹⁰¹⁹ Additionally, REDESCA highlights the preparations made in the face of Hurricane Beryl, starting with the company *Digicel*, which activated its contingency plan to ensure continued the connectivity of the population and provided additional credit.¹⁰²⁰

C. Fiscal and economic policies

605. REDESCA notes that, during 2023, Jamaica's GDP was estimated at US\$18.8 billion, with a GDP per capita of US\$6,666.¹⁰²¹ According to a study by the *Planning Institute of Jamaica*, the country has had real

¹⁰¹¹ Caribbean National Weekly (CNW), [Dengue still a public health concern in Jamaica](#), January 16, 2024. Although the article does not specify from when the number of cases began to be counted, reference is made to the period 2023/24, suggesting that the figures could include cases from the beginning of 2023 to the date indicated.

¹⁰¹² Dominica News Online, [Jamaica's Coalition for Forests calls for a more participatory national budgeting process](#), news, March 15, 2024.

¹⁰¹³ Jamaica Observer, [Tourism Recovery Funds](#), news story, July 3, 2024.

¹⁰¹⁴ Caribbean News Weekly, [Jamaican fishers benefit from sea moss and oyster production training program](#), March 25, 2024.

¹⁰¹⁵ CNG Media, [Jamaica earmarks \\$406M to second phase rehabilitation of Research Centres project](#), February 22, 2024.

¹⁰¹⁶ Human Rights Network, [Bauxite Mining in Jamaica](#), July 2024.

¹⁰¹⁷ Jamaica Observer, [Deep Sea Dispute](#), July 16, 2024.

¹⁰¹⁸ Caribbean News Global, [Jamaica's food security remains a key government priority](#), June 11, 2024.

¹⁰¹⁹ Jamaica Observer, [Sandals develops stewards environment](#), news, June 22, 2024.

¹⁰²⁰ Jamaica Observer, [#EyeOnBeryl: Digicel prepares hurricane contingency plan](#), July 02, 2024.

¹⁰²¹ World Bank Group, [Macro Poverty Outlook for Jamaica](#), April 2024.

growth in the goods industry of 1.3% while the services industry increased by 0.7%, mainly benefiting the economic stability of agriculture, forestry and fishing services.¹⁰²²

606. In 2024, Jamaica implemented significant tax reforms to strengthen fiscal sustainability and promote economic development. These reforms included broadening the tax base, increasing the General Excise Tax, reducing corporate income tax credits, and increasing National Insurance contributions. The main objective of these measures was to improve the efficiency of the tax system and increase revenues to finance social and infrastructure programs.¹⁰²³

607. In 2024, Jamaica continued its trajectory of public debt reduction, reaching a level of 74% of GDP in March, the lowest in 25 years and significantly below pre-COVID-19 pandemic levels. This process has been internationally recognized as an example of fiscal discipline and political consensus in sovereign debt management.¹⁰²⁴ REDESCA emphasizes the need for debt reduction policies to be implemented with a human rights-based approach, ensuring that fiscal adjustments do not result in setbacks in the protection of the most vulnerable sectors.

608. REDESCA has received information on the so-called National Insurance Scheme in Jamaica, which provides essential financial protection and a social safety net for citizens that seeks to address the needs of vulnerable groups, such as social pension, minimum wage increases and social housing programs.¹⁰²⁵

D. Democracy and guarantee of ESCER

609. Citizen participation in environmental matters is an essential pillar to ensure the protection of human rights in the context of the climate crisis. The Escazú Agreement, to which Jamaica is a signatory but not a party, establishes a regional legal framework to promote transparency, access to information, environmental justice, and public participation in environmental decision-making.

610. In relation to the guarantee of ESCER, the Office of the Special Rapporteur notes positively that Jamaica has been certified by the WHO for having eliminated mother-to-child transmission of HIV and syphilis, an achievement resulting from years of effort and collaboration between governments and communities that responds to a commitment initiated in 2010 to reduce these transmissions.¹⁰²⁶

611. Regarding the right to housing, the Rapporteurship takes note of Jamaica's New Social Housing Programme which seeks to address the housing needs of the most vulnerable groups, the construction of at least 500 additional houses during the fiscal year 2024-2025 and an increase in the budget to reach more Jamaicans.¹⁰²⁷ However, REDESCA notes the absence of data regarding the situation of persons experiencing homelessness in Jamaica.¹⁰²⁸

612. On the other hand, REDESCA recognizes that the State is moving forward with the implementation of plans to expand STEM (Science, Technology, Engineering, and Mathematics) and STEAM (which includes Arts) education in schools, with the purpose of improving students' skills and preparing the next generation for the challenges of the future of work.¹⁰²⁹ The Special Rapporteur recalls that the right to

¹⁰²² Planning Institute of Jamaica, [The Planning Institute of Jamaica's Review of Economic Performance, April-June 2024](#), p. 10.

¹⁰²³ UNDP, [Tax reform for fiscal sustainability and social development in Jamaica](#), February 2024.

¹⁰²⁴ Jamaica Information Service, [Jamaica on Course for 74 Per Cent Debt-to-GDP Ratio by March 2024](#), Financial Times, [Jamaica's Fiscal Discipline Leads to Significant Debt Reduction](#), September 30, 2024.

¹⁰²⁵ Office of the Prime Minister, [Strengthening the Social Safety Net and Vulnerable Groups Initiatives](#), July 01, 2024.

¹⁰²⁶ UNICEF; [Belize, Jamaica and St. Vincent and the Grenadines eliminate mother-to-child transmission of HIV and syphilis](#), 07 May 2024.

¹⁰²⁷ Jamaica Information Service, [Government Will Provide Affordable Housing for Poor and Disadvantaged](#), January 10, 2024

¹⁰²⁸ University of Miami School of Law Human Rights Clinic, [Criminalization of Homelessness in the Caribbean: A Baseline Assessment in the Dominican Republic, Jamaica, and Puerto Rico](#), March 13, 2024, p. 17.

¹⁰²⁹ Caribbean National Weekly (CNW), [Jamaican government advances plans for STEM and STEAM education expansion](#), July 02, 2024.

education favors the possibility of enjoying a decent life and contributes to prevent unfavorable situations for children, and adolescents, and society itself.

23. MEXICO

613. With respect to international commitments in the area of ESCER Mexico stands out as a country that has ratified key instruments, including the American Convention on Human Rights, the Protocol of San Salvador and the Escazú Agreement, which strengthen the protection of these rights in the region.

614. With respect to multidimensional poverty, whose latest results are from 2022, it stands out that between 2018 and 2022 the population in multidimensional poverty decreased from 41.9% to 36.3%.¹⁰³⁰ However, the percentage of extreme poverty did not show improvement in the same period and, in fact, showed a slight increase as this was 7% in 2018 and 7.1% in 2022.¹⁰³¹ In turn, among the deprivations analyzed as part of the concept of multidimensional poverty, it stands out that the percentage of people lacking access to health services increased from 16.2% to 39.1% from 2018 to 2022, which meant that 20.1 million people would lose access to health services in that period, so that a total of 50.4 million Mexicans would find themselves without access to these services.

615. On the other hand, the Gini coefficient in 2024 is projected to be 0.45¹⁰³², which means that inequality in Mexico is above the average of OECD countries, which has remained at an average of 0.318 in recent years.¹⁰³³

A. Climate emergency and environmental protection

616. Mexico is one of the most vulnerable countries to the effects of climate change due to its geographic location, and ecological diversity. The country has faced extreme phenomena such as prolonged droughts, more intense hurricanes, and more frequent floods, which disproportionately affect the most vulnerable communities. These events not only put biodiversity and natural resources at risk but also exacerbate social inequalities, hindering access to water, food security, housing, and health for millions of people.

617. REDESCA has highlighted the main impacts of climate change reported by the State, among which are the effects in the community of El Bosque, in the municipality of Centla, Tabasco, caused by rising sea levels and coastal erosion. Likewise, significant damages have been identified in the municipalities of San Miguel del Puerto, Candelaria Loxicha, Santa María Tonameca, San Pedro el Alto, and Santa Catarina Ixtepeji, in the state of Oaxaca, as a result of tropical storms, floods, landslides, sudden changes in temperature, intense winds, and droughts.¹⁰³⁴

618. It also notes the effects that the climate emergency is having on the country's economy, including a reduction in agricultural production as a result of droughts that in 2023 affected 80% of the country's territory, the loss of livestock, and a consequent increase in prices.¹⁰³⁵ Droughts have also generated an increase in energy costs and shortages as a result of high heat waves and a decrease in hydroelectric generation. In turn, the effects of climate change on the country's natural heritage, including coral bleaching,

¹⁰³⁰ Coneval, [Coneval Presents Multidimensional Poverty Estimates](#), 2022, August 10, 2023.

¹⁰³¹ Coneval, [Coneval Presents Multidimensional Poverty Estimates](#), 2022, August 10, 2023.

¹⁰³² Statista, [Socioeconomic indicators-Mexico](#).

¹⁰³³ Thevenot, Celine, [Inequality in OECD countries](#), Scandinavian Journal of Public Health, 2017; (Suppl 18): 9.

¹⁰³⁴ Government of Mexico, Climate Emergency in Human Rights, Report prepared for the Inter-American Commission on Human Rights, Mexico City, July 26, 2024. P 2.

¹⁰³⁵ Government of Mexico, Emergencia Climática en los Derechos Humanos, Report prepared for the Inter-American Commission on Human Rights, Already cited, P 3.

coastal erosion, loss of biodiversity, and deterioration of archaeological sites, have reduced the country's tourism revenues and competitiveness.¹⁰³⁶

619. The Office also welcomes the fact that the country has a climate change policy that includes the recognition and protection of women's human rights, as it contains a differentiated approach to measure the impacts of climate change. Among the guiding instruments of national policy in this area are the General Law on Climate Change, the Special Climate Change Program, and the National Climate Change Strategy. The Rapporteurship has observed that the State has implemented different projects to stimulate inter-institutional cooperation on issues related to climate change and other matters, such as the collaboration between the National Institute of Ecology and Climate Change and the National Institute of Women.¹⁰³⁷

620. Finally, REDESCA takes note of the information shared by the State regarding its participation in the different resolutions of the United Nations Human Rights Council on climate change as a reflection of the State's commitment to address the climate emergency.¹⁰³⁸

621. On the other hand, REDESCA expresses its concern about the effects produced by the high temperatures recorded in the country between the end of May and the beginning of June, which resulted in the death of at least 125 people.¹⁰³⁹ According to an international group of experts, although events in which at least five days of extreme heat can occur under normal conditions in certain regions due to their geographic and meteorological characteristics, under the current conditions of global warming above 1.2 degrees Celsius, the probability that this type of event can occur in the country is at least once every 15 years, instead of once every 60 years as it would have been in the year 2000 when global temperatures were half a degree lower.¹⁰⁴⁰ In turn, global warming has caused extreme heat events not only to become more common but also to record higher temperatures during these events.¹⁰⁴¹ In view of these circumstances, REDESCA highlights the relevance of the State developing early warning systems and action plans to prevent and protect populations that could be affected by extreme heat events.

622. Linked to the extreme heat situation, REDESCA notes that as of the end of May 2024, about 76% of the national territory was experiencing a drought situation based on the North American Drought Monitor.¹⁰⁴² This drought has been categorized as the most extensive since June 30, 2011, when more than 85% of the country was impacted by drought. However, it stands out that the drought faced during 2024 may have stronger impacts on the country, since the previous drought had presented an index of "exceptional drought" only in the northwest of the country, while the latest presented this type of index in the northwest of the national territory, but also in the central and southern part that is more densely populated, which generates that it will have a stronger impact on the harvest, ecosystems, and levels of access to water.¹⁰⁴³

623. Related to droughts, REDESCA has observed that as of July 7, 2024, Mexico recorded 7054 fires, which burned 942,243 hectares of land. These fires were fueled by high-temperature conditions, which were exacerbated by the El Niño phenomenon¹⁰⁴⁴. According to available information, these fires have presented an additional challenge due to the insufficient number of firefighters in some areas, forcing the local

¹⁰³⁶ Government of Mexico, *Emergencia Climática en los Derechos Humanos*, Report prepared for the Inter-American Commission on Human Rights, cited above. P 3.

¹⁰³⁷ Government of Mexico, *Climate Emergency in Human Rights*, Report prepared for the Inter-American Commission on Human Rights, Mexico City, July 26, 2024.

¹⁰³⁸ Government of Mexico, *Climate Emergency in Human Rights*, Report prepared for the Inter-American Commission on Human Rights, Mexico City, July 26, 2024. P 9.

¹⁰³⁹ World Weather Attribution, [Extreme heat killing more than 100 people in Mexico hotter and much more likely due to climate change](#), June 20, 2024.

¹⁰⁴⁰ World Weather Attribution, [Extreme heat killing more than 100 people in Mexico hotter and much more likely due to climate change](#), cited.

¹⁰⁴¹ World Weather Attribution, [Extreme heat killing more than 100 people in Mexico hotter and much more likely due to climate change](#), cited.

¹⁰⁴² National Centers for Environmental Information, [North American Drought Monitor](#).

¹⁰⁴³ NOAA Climate.gov, [Multi-year drought and heat waves across Mexico in 2024](#), July 22, 2024.

¹⁰⁴⁴ Center for Disaster Philanthropy, [2024 North American Wildfires](#), October 4th, 2024.

population to fight the fires without sufficient experience, with fatal consequences for some people. In the municipality of Donato Guerra in the State of Mexico, for example, five firefighters and a local policeman died trying to contain the flames.¹⁰⁴⁵ In this regard, REDESCA urges that fire prevention policies and programs be reviewed and, if necessary, improved, and that additional resources and personnel be guaranteed to fight them more effectively.

624. Regarding access to drinking water, available information shows that Mexico has been faced a growing problem due to a lack of access to drinking water, especially in the northern and central regions of the country, which has been aggravated by drought. Between 1960 and 2012, the average annual water availability went from 10,000 cubic meters per inhabitant to 4,000 cubic meters in 2012, and it is estimated that in 2030, the availability will be 3,000 cubic meters per inhabitant.¹⁰⁴⁶ REDESCA is concerned about reports of water scarcity in Mexico City; where a significant part of the population does not have continuous and safe access to drinking water, and where groundwater levels continue to drop.¹⁰⁴⁷

625. In turn, the Office of the Special Rapporteur notes that, according to the National Institute of Statistics and Geography and Informatics (INEGI), of every 100 liters of water available in the country, barely 14 are reserved to cover people's basic requirements, while 76 are used in agriculture for crop irrigation, 5 in thermoelectric plants, and 5 in industry.¹⁰⁴⁸ This situation has resulted in rationing measures and social tensions due to scarcity and lack of access to drinking water.¹⁰⁴⁹

626. On the other hand, in terms of environmental justice and energy transition, REDESCA notes that, according to the Climate Change Performance Index (CCPI) 2024, Mexico has not yet established a concrete plan for the gradual elimination of fossil fuels.¹⁰⁵⁰ At the same time, the Special Rapporteur notes an increase in subsidies to these fuels, particularly oil, during the years 2021 and 2022.¹⁰⁵¹ Available information indicates that the Mexican government has acquired a refinery in Texas and is in the process of building another in the country, actions that contradict the urgency of moving towards cleaner and renewable energy sources.¹⁰⁵²

627. REDESCA highlights that the Mexican State reported on the Draft Initiative of the General Law to Prevent, Address and Comprehensively Repair Internal Forced Displacement, prepared between 2019 and 2020 with the participation of governmental, local, civil society and academic actors. This project includes disasters associated with natural phenomena, human activities and climate change as a cause of forced displacement. Currently, according to the information available, the Draft Decree is still pending opinion.¹⁰⁵³ REDESCA emphasizes the value that this draft law could have in facilitating the collection and systematization of data on the number of internally displaced persons in Mexico and their causes, including due to the effects of climate change, on which the State recognizes that there is no precise information given the lack of a law.

628. The Office of the Special Rapporteur highlights that the State has reported on the publication of guides and documents that address internal displacement related to climate change and natural disasters. These tools seek to provide state and local authorities with guidelines to develop comprehensive public policies that address the affected populations. Among the documents, the following stand out: the Guide for Prevention, Humanitarian Assistance, Comprehensive Care and Durable Solutions for Forced Internal Displacement, the

¹⁰⁴⁵ Euronews, [Several killed fighting forest fires in Mexico](#), March 27, 2024.

¹⁰⁴⁶ Chronicle, World Water Day; [12 million Mexicans do not have access to water](#), March 21, 2023.

¹⁰⁴⁷ Government of Mexico City, [Agua para Todos: Programa Integral para Mejorar la Distribución y Abastecimiento de Agua Potable](#).

¹⁰⁴⁸ Instituto Nacional de Estadística y Geografía (INEGI), [Usos del agua en México](#), 2024.

¹⁰⁴⁹ France 24, [Climate change and mismanagement drown Mexico in water crisis](#), March 13, 2024.

¹⁰⁵⁰ El Economista, [Índice de desempeño ambiental 2024: Retrocede México 7 lugares](#), February 29, 2024

¹⁰⁵¹ El Economista, [Índice de desempeño ambiental 2024: Retrocede México 7 lugares](#), cited above

¹⁰⁵² The New York Times, [Mexico bets on oil and buys refinery in Texas](#), January 18, 2022.

¹⁰⁵³ Government of Mexico, Report of the Mexican State in Response to the IACHR Communication of August 5, 2024, Mexico City, August 28, 2024. P.5.

Minimum Elements for the Elaboration of a State Law on Forced Internal Displacement, and the Minimum Elements for Characterization Exercises on Forced Internal Displacement.¹⁰⁵⁴

B. Business and human rights

629. The Mexican State has a legal framework that, according to the National Human Rights Commission (CNDH), establishes the necessary elements to guarantee respect for human rights in the context of business activities, as well as to provide mechanisms for access to justice and reparation of damages in case of violations.¹⁰⁵⁵ However, the CNDH points out that this legislation has not been translated into concrete actions, effective public policies, or adequate coordination with the business sector to advance in its compliance.¹⁰⁵⁶ Given this situation, REDESCA urges the State to take measures to implement and strengthen this regulatory framework, guaranteeing effective protection of human rights in the face of business activities, and is available to provide technical assistance to address these challenges.

630. In 2024, Mexico faced several significant situations related to extractive industries that had a notable social and environmental impact. One of the most prominent was the resolution of the international arbitration between the Mexican government and the U.S. company Odyssey Marine. The International Center for Settlement of Investment Disputes ruled in favor of Odyssey Marine, ordering Mexico to pay a compensation of 37.1 million dollars due to the denial of environmental permits for the extraction of phosphate sands in Baja California Sur.¹⁰⁵⁷ This case evidences the tensions between international investment treaties and the obligation of States to protect the environment and affected communities, highlighting also the exclusion of interested third parties, such as local communities, in arbitration proceedings, which limits the consideration of essential public interests.

631. In addition, in September 2024, according to available information, Mexico declared more than 53,000 hectares in the southeastern Mexican peninsula as a natural protected area, including land in dispute with the U.S. mining company Vulcan Materials. This action seeks to preserve vulnerable ecosystems and limit extractive activities in the region, although it has generated legal controversy with the affected company.¹⁰⁵⁸

632. LA REDESCA has taken note of several significant cases in the agribusiness sector, which according to available information, are causing serious social and environmental impacts. One of them, for instance, occurred in Sitalpech, Yucatan: since the opening of a mega-pig farm in 2017, residents have reported water and soil contamination due to pig waste containing antibiotics and hormones. This situation would have affected local biodiversity and the health of the community, generating protests and legal actions against the operating company.¹⁰⁵⁹ The Office of the Special Rapporteur has also learned of the situation in Michoacán, where the expansion of avocado crops has led to significant deforestation, affecting local ecosystems and provoking social conflicts.¹⁰⁶⁰ According to the information gathered, the high international demand for avocados has encouraged agricultural practices that involve illegal logging and overexploitation of water resources, generating tensions with local communities and environmental concerns.

633. With regard to the food industry, the Office of the Special Rapporteur welcomes the decision of the Mexican Supreme Court to declare the constitutionality of the rules on the labeling of prepackaged food

¹⁰⁵⁴ Government of Mexico, Report of the Mexican State in Response to the IACHR Communication of August 5, 2024, Mexico City, August 28, 2024. P.7.

¹⁰⁵⁵ CNDH, Informe de actividades 2022, [Empresas y derechos humanos](#), Análisis del Estado de Cumplimiento de los Derechos Humanos Frente a las Actividades Empresariales.

¹⁰⁵⁶ CNDH, Informe de actividades 2022, [Empresas y derechos humanos](#), Análisis del Estado de Cumplimiento de los Derechos Humanos Frente a las Actividades Empresariales.

¹⁰⁵⁷ El País, [Mexico loses case against submarine mining company Odyssey Marine and must pay more than 37 million dollars](#), September 20, 2024.

¹⁰⁵⁸ El País, [López Obrador declares land in dispute with U.S. mining company Vulcan Materials a protected natural area](#), September 24, 2024.

¹⁰⁵⁹ The Guardian, [Drugs, hormones, and excrement: how pig farms are polluting water in Mexico's Yucatán](#), November 25, 2024.

¹⁰⁶⁰ Reuters, [Avocado Goldrush Links US Companies with Mexico's Deforestation Disaster](#), August 6, 2024.

and non-alcoholic beverages, stating that they protect public health, nutritious food, the rights of consumers and the best interests of children and adolescents, as they allow healthier choices to be made by identifying in an easy and quick way the products that may be harmful to health.¹⁰⁶¹

634. In relation to the activities of tourism companies, REDESCA is closely monitoring and has taken note of the authorization by the Ministry of Environment and Natural Resources (SEMARNAT) to carry out the tourism development called "La Abundancia", which would cover 68.6 hectares and reportedly include a hotel, residential housing, a beach club, and a commercial area, in addition to roads and other services.¹⁰⁶² According to available information, the Cabo Pulmo aquifer would be used to supply water to this project, which according to various environmental groups such as Greenpeace Mexico and the Cabo Pulmo Vivo Coalition is facing water shortages. Reports also indicate that the operation could generate 2,279 kilos of garbage per day, equivalent to 832 tons per year, which could damage the marine park, according to warnings from the National Commission of Natural Protected Areas.¹⁰⁶³

635. REDESCA is closely following reports on the possible long-term effects that progress on the construction of the Tren Maya, a 1,500 km tourism project, may have on the environment and the communities in the areas through which it will pass. Among other things, according to some sources, the Mayan Train would threaten the cenotes, which are wells of crystalline water and limestone that abound in the Yucatan peninsula. Activists opposed to the project, including the *Selvame del Tren* group, have pointed out that the construction of this megaproject has already had ecological effects on cenotes and caverns.¹⁰⁶⁴ This has been confirmed by the Federal Attorney's Office for Environmental Protection, which indicated that the placement and driving of the piles on which Section 5 South of the Mayan Train will run has produced cement spills in the cavern system of "Garra de Jaguar", "Manitas", "Ixtun", "Openheimer" and "Ocho Balas". This cement would have seeped into the aquifer that runs through these caverns and has solidified.¹⁰⁶⁵ In turn, the Mexican Civil Council for Sustainable Forestry, has argued that the Yucatan Peninsula has lost 285,580 hectares of forest between 2019 and 2023, of which 5,610 hectares correspond to the works of the Tren Maya megaproject in Sections 5, 6, and 7 in Quintana.¹⁰⁶⁶ In this sense, REDESCA highlights the relevance of the State complying with its obligation to protect the environmental and cultural rights affected by the construction of the Mayan Train and to adopt the necessary measures to repair the ecological and environmental damages that could have been

636. REDESCA welcomes the cancellation by SEMARNAT of the Kuni megaproject to be developed by Maravia S.A. de C.V., which generated high concern among environmental defenders and local communities in the state of Baja California Sur.¹⁰⁶⁷ This project was intended to build a large tourist complex, including 20,000 hotel rooms, and real estate businesses within the Balandra Flora and Fauna protected area in the La Paz area. The initiative would not only have a significant environmental impact on the La Paz aquifer and marine ecosystems in the area but also on the city's public services because it is estimated that it could attract more than 150,000 people to the town.¹⁰⁶⁸

C. Fiscal and economic policies

637. REDESCA notes that according to available information, the Mexican economy showed moderate growth in the third quarter of 2024. GDP registered an annual increase of 1.6% compared to the same period of the previous year¹⁰⁶⁹. Regarding inflation, in December 2024, the National Consumer Price Index

¹⁰⁶¹ Supreme Court of Justice of the Nation, [Press Releases](#), April 08, 2024

¹⁰⁶² Posta Baja California Sur, [Cabo Pulmo: Semarnat approves new tourism project despite warnings](#), October 11, 2024.

¹⁰⁶³ Posta Baja California Sur, [Cabo Pulmo: Semarnat approves new tourism project despite warnings](#), cited.

¹⁰⁶⁴ El Economista, [Mayan Train threatens a natural jewel in its path, denounce activists](#), May 4, 2024.

¹⁰⁶⁵ El Universal, Profepa confirms filling of caverns and cement spill in aquifer of Section 5 South of the Tren Maya, February 5, 2024.

¹⁰⁶⁶ El Universal, [Yucatan Peninsula loses 285,000 hectares of jungle in four years, 5,000 for the Mayan Train, experts say](#), April 30, 2024.

¹⁰⁶⁷ Animal Político, [Megaproyecto Kuni seeks to desalinate water in Baja California Sur due to lack of regulations: the project affects marine fauna](#), October 5, 2024.

¹⁰⁶⁸ Posta, Baja California Sur, [The struggle for water and territory: Maga-project KUNI threatens Balandra](#), September 9, 2024.

¹⁰⁶⁹ Mexico, [¿Cómo Vamos, Mexican economy grows 1.6% annually in 3Q2024, slightly exceeds timely estimate](#), November 2024.

showed a monthly increase of 0.38%, placing annual inflation at 4.21%, reflecting a downward trend compared to the previous year.¹⁰⁷⁰

638. The Office of the Special Rapporteur has also received information that shows that, even though the unemployment rate is below its historical averages, standing at 3% during the third quarter of 2024, the labor informality rate remains high. During the same period, the sum of people in all forms of informal employment was 32.5 million. This represented 54.6% of the employed population, a drop of 90,000 people with respect to the same period in 2023.¹⁰⁷¹

639. In 2024, Mexico implemented several tax reforms aimed at strengthening tax collection and promoting investment in strategic sectors. One of the most important measures was the adjustment of the Special Tax on Production and Services (IEPS), which experienced a 4.3% increase in products such as gasoline, cigarettes, and flavored beverages.¹⁰⁷²

640. According to available information, Mexico's public debt was at a historically high level, reaching 17.1 trillion pesos at the end of November 2024. Most of the debt, 82.7%, corresponded to domestic obligations, while the rest was derived from foreign debt. Likewise, the financial cost of debt grew by 4.3% in real terms, reflecting the impact of restrictive financial conditions in the global context.¹⁰⁷³ In this sense, REDESCA stresses the importance of debt management strategies being designed with a human rights approach, ensuring that the fiscal measures adopted do not negatively affect access to rights such as health, education and social security, especially in the most vulnerable sectors of the population.

D. Democracy and guarantee of ESCER

641. In 2024, Mexico advanced in social participation in environmental issues, strengthening its democracy and aligning itself with the commitments of the Escazú Agreement. There are initiatives that reflect a growing commitment of Mexican society to get involved in environmental decision-making, strengthening participatory democracy. However, challenges remain, such as the need to guarantee safe environments for environmental defenders and ensure that citizen participation effectively influences public policy.

642. In this context, REDESCA takes note of the information provided during the 189th Period of Sessions of the IACHR by civil society organizations, which expressed their concern about the criminalization and harassment suffered by environmental defenders protesting against business activities in different regions of the country. These organizations reported the existence of acts of corruption and state capture, and where the protection measures implemented by the authorities for defenders are not effective. They also denounced the militarization of ongoing megaprojects.¹⁰⁷⁴ REDESCA recalls the State's obligation to adopt measures to protect human rights defenders and to comply with the national and international legal system that prevents the violation of human rights in the context of business activities.

643. In 2024, Mexico continued to face significant challenges in protecting environmental defenders and managing megaprojects that affect diverse communities. One example that has come to REDESCA's attention is the case of Wilbert Alfonso Nahuat Puc, an environmental defender in Yucatan, who was subject to criminalization due to his opposition to projects affecting the local environment. Some

¹⁰⁷⁰ Instituto Nacional de Estadística y Geografía (INEGI), [Indicador Oportuno de la Actividad Económica, January 2024](#), February 19, 2024.

¹⁰⁷¹ Forbes Mexico, [Unemployment in Mexico remains unchanged in third quarter of 2024](#), December 2, 2024

¹⁰⁷² IDC Online, [Tax changes for businesses to consider in 2024](#), January 10, 2024

¹⁰⁷³ Ministry of Finance and Public Credit (SHCP), [Public Finances and Public Debt as of November 2024, Press Release No. 79](#), December 30, 2024

¹⁰⁷⁴ IACHR, 189th Period of Sessions, Regional: Situation of human rights defenders, February 29, 2024

organizations reported that, despite pursuing legal avenues to defend his territory and rights, Nahuat Puc faced judicial processes that seek to discourage and dismantle the defense of the environment.¹⁰⁷⁵

644. In relation to the right to education, the Special Rapporteurship underscores the importance of increasing the budget. This increase should be oriented towards reaching the average levels of educational investment of the member countries of the Organization for Economic Cooperation and Development (OECD), of which Mexico is a member. According to this organization, in 2020, OECD countries spent an average of 5.1% of their Gross Domestic Product from primary to tertiary education. In Mexico, the proportion allocated corresponded to 4.5% of GDP.¹⁰⁷⁶ In turn, Mexico spends around \$3,239 dollars per capita for each full-time student, which is equivalent to 18% of GDP per capita, while the average investment per student in OECD countries is \$12,647 dollars, which is below the average expenditure per student in OECD countries, which is equivalent to 27% of GDP per capita.¹⁰⁷⁷

24. NICARAGUA

645. Regarding the promotion and protection of ESCER, the Office of the Special Rapporteur highlights that Nicaragua has ratified key international instruments, such as the American Convention on Human Rights, the Protocol of San Salvador and the Escazú Agreement. In addition, in 2021, the country denounced the Charter of the Organization of American States (OAS), which implies its withdrawal from this organization. During 2024, the Office of the Special Rapporteur on ESCER has continued to receive information that evidences the persistence of violations to the ESCER of the population. In this context, the situation of expulsion and denationalization affecting a significant number of Nicaraguans continues to be of concern.

646. According to the World Bank, the poverty rate in Nicaragua, measured with the US\$3.65 a day threshold, decreased to 12.5% in 2023, from 13.1% in 2022.¹⁰⁷⁸ However, the World Food Program (WFP) reports that the national prevalence of poverty is 24.9%.¹⁰⁷⁹ While IMF has warned that, although the estimated poverty rate continues to decline, it remains above the regional average.¹⁰⁸⁰ It is important to keep in mind that the methodologies and thresholds used to measure poverty may vary among institutions, which may lead to differences in estimates.

A. Climate emergency and environmental protection

647. In the context of the global climate emergency, Nicaragua faces high vulnerability to recurrent natural hazards such as droughts, hurricanes, floods and earthquakes. These extreme weather conditions not only put the lives and assets of the population at risk, but can also undermine progress in the fight against poverty and food insecurity. The destruction of agricultural infrastructure and the displacement of communities aggravate the situation, hindering access to basic resources and limiting development opportunities. The influence of the *El Niño* phenomenon in early 2024 led to record temperatures. This increased heat exacerbated droughts and reduced rainfall, negatively affecting agricultural production and food security.

648. Deforestation continued to be a critical problem. Vital areas such as the Bosawás Biosphere Reserve were devastated by fires and agricultural expansion, threatening biodiversity and contributing to the

¹⁰⁷⁵ Article 19, [Stop the criminalization of Wilbert Alfonso Nahuat Puc in Yucatán](#), November 4, 2024. La Silla Rota, [El comisario maya que podría ir a prisión por defender su comunidad](#), 12 November 2024. Utsil Kuxtal, [Exigimos un alto a la criminalización de Wilberth Nahuat Puc, subcomisario de Santa María Ch'í y defensor ambiental y comunitario](#), 6 November 2024.

¹⁰⁷⁶ OECD, [Education at a Glance 2023, Country Note: Mexico](#), 2023, p. 4.

¹⁰⁷⁷ OECD, [Education at a Glance 2023, Country Note: Mexico](#), Already cited. P. 4.

¹⁰⁷⁸ World Bank, [Nicaragua Overview](#), last updated: October 8, 2024.

¹⁰⁷⁹ World Food Programme (WFP), [Draft strategic plan for Nicaragua \(2024-2029\)](#), March 12, 2024.

¹⁰⁸⁰ IMF, [2024 Article IV Mission Staff Final Statement for Nicaragua](#) November 22, 2024.

loss of forest cover.¹⁰⁸¹ According to Global Forest Watch, from 2001 to 2023, Nicaragua lost 652,000 hectares of primary rainforest, representing 35% of its total tree cover loss during the same period and a 32% decrease in primary rainforest.¹⁰⁸²

649. Similarly, it is noted that in March, the Secretariat of the Green Climate Fund (GCF) decided to cancel the financing of US\$64.1 million for the project "Bio-CLIMA: Integrated Climate Action to Reduce Deforestation and Strengthen Resilience in the Bosawás and Río San Juan Biospheres in Nicaragua (FP146)", as a result of non-compliance with policies and procedures on environmental and social safeguards.¹⁰⁸³ In this regard, in June 2021, the GCF Independent Redress Mechanism received complaints alleging, among others, the lack of adequate consultation of indigenous and Afro-descendant communities, and non-compliance with accredited standards by the Central American Bank for Economic Integration, as the accredited entity, and the Nicaraguan State, as the executing entity. In its decision, the GCF Secretariat decided to work together with the entities to develop a clear strategy to conclude the project in an orderly and responsible manner, including informing all stakeholders on the ground and managing the expectations of those who would have been the beneficiaries had the project been implemented.

650. REDESCA recalls the State's duty to consult and seek the consent of people whose rights could be affected by programs and projects that imply a risk of significant environmental damage. Such programs and projects include those aimed at mitigating greenhouse gases and adapting to the impacts of climate change.¹⁰⁸⁴

B. Business and human rights

651. In 2024, according to available information, Nicaragua faced significant challenges at the intersection of business activities and human rights. In the extractive sector, especially in mining, practices were observed that raise serious human rights concerns. The creation of "special development regimes" granted fiscal, legal and budgetary independence to certain territories, with the aim of attracting foreign investment. This measure raised concerns about legislative opacity and the possible infringement of the rights of local communities, as well as the environmental impact of mining concessions granted in these areas.¹⁰⁸⁵

652. REDESCA notes that in Nicaragua many indigenous and Afro-descendant communities of the Northern and Southern Caribbean Coast struggle with hunger, malnutrition and constant invasions of their territories by armed settlers who come from other territories of Nicaragua to extract gold and cut down forests to convert them into pasture areas for extensive cattle ranching.¹⁰⁸⁶ These circumstances generate situations of insecurity for the physical integrity and life of the indigenous and Afro-descendant populations, forcing them to abandon their uses and tenure of their traditional territories, such as hunting, fishing and traditional medicine areas, among others. In this regard, according to reports from civil society, there are a total of 209 mining concessions between those granted and those in the application process, covering more than 2.5 million hectares, which represents 21.6%¹⁰⁸⁷ of the country's land surface.

653. During the 190th period of sessions of the IACHR, the petitioning organizations denounced to the IACHR the increase in violence against the Miskitu and Mayangna communities on the Northern Caribbean Coast of Nicaragua in the face of the advance of the activities of public and private extractive companies. In

¹⁰⁸¹ Onda Local, [Este es el panorama climático en Nicaragua 2024 bajo la influencia de El Niño](#), January 8, 2024. El País, [Central America burns: forest fires scorch thousands of hectares of forests](#), 15 April 2024. Onda Local, [Nicaragua: Régimen pide dinero para conservar bosques, pero deja que sean destruidos](#), 23 de noviembre de 2024.

¹⁰⁸² Global Forest Watch, [Nicaragua Deforestation Rates & Statistics](#), Information accessed on October 25, 2024.

¹⁰⁸³ Green Climate Fund, ["Update on FP146: Bio-CLIMA Integrated climate action to reduce deforestation and strengthen resilience in BOSAWÁS and Río San Juan Biospheres"](#), March 07, 2024.

¹⁰⁸⁴ IACHR-REDESCA, [Resolution 3/2021](#). Climate Emergency: Scope of Inter-American Human Rights Obligations, adopted by the IACHR on October 31, 2021, para. 13.

¹⁰⁸⁵ El País, [Ortega divides Nicaragua into special development regimes: opaque legislation zones created with a view to China](#), December 3, 2024.

¹⁰⁸⁶ Information provided by civil society organizations. Confidential. REDESCA archive.

¹⁰⁸⁷ Information provided by civil society organizations. Confidential. REDESCA archive.

particular, they highlighted how large and small-scale activities affected the lives of these communities, limiting their access to economic, social, cultural and environmental rights.¹⁰⁸⁸ In addition, the petitioning organizations highlighted the increase in mining concessions granted by the State to foreign companies in indigenous territories without any type of control or submission to a process of free, prior and informed consultation. For example, in areas such as Mayangna Sauni As, mining concessions have reached 41% of their territory. They also indicated that the State has allowed the advance of the agricultural frontier and extensive cattle ranching, in many cases through palm monoculture. In addition, forestry and mining companies linked to the government have been promoted, causing environmental degradation and facilitating the colonization of indigenous territories.

654. Agribusiness also presented challenges in terms of ESCER protection. Global economic pressures contributed to the rising costs of agricultural inputs, posing new challenges for the rural sector and food systems. Family farming, which is fundamental to the country's food security, was particularly affected, increasing its vulnerability to climatic and economic phenomena.¹⁰⁸⁹

655. It worth mentioning that another activity that has a significant impact on the environmental rights of indigenous communities and the protection of biosphere reserves is illegal cattle ranching. The expansion of extensive cattle ranching has led to increased deforestation, resulting in the loss of primary rainforests and the extinction of various species. The cattle ranching model, focused on short-term profits and controlled by a few, has led to water pollution and climate alteration, seriously compromising biodiversity.¹⁰⁹⁰

656. Available information reveals that the expansion of cattle ranching as a development model in Nicaragua has had a profound impact on the occupation of communal lands and the creation of cattle routes, causing the displacement of indigenous communities from their ancestral territories, generating tensions and conflicts.¹⁰⁹¹ At the same time, the arrival of new economic actors has altered traditional ways of life, compromising the food security of these communities and eroding their cultural practices. In addition, their relationship with the land is threatened, affecting their identity and social cohesion.

C. Fiscal and economic policies

657. According to civil society, the cost of the basic food basket in Nicaragua has exceeded the wages set by the Ministry of Labor and the unions. In this regard and according to the information received, in 2017, the basket cost 13,331 córdobas (USD 443), and by August 2024, it would have increased to 20,559 córdobas (USD 560).¹⁰⁹² For its part, the National Minimum Wage Commission established an average salary of USD 320, while the real salary is only USD 196.¹⁰⁹³

658. According to the IMF, the fiscal policies developed by the country have contributed to a stable reduction in the public debt to GDP ratio, as well as to the accumulation of reserves. According to the same source, fiscal and external surpluses have been key factors in this positive trend, said institution also recommended the adoption of additional fiscal measures to finance higher social spending and strengthen fiscal transparency.¹⁰⁹⁴

¹⁰⁸⁸ IACHR, Thematic Hearing, [Nicaragua: Indigenous Peoples of the Northern Caribbean Coast and Violations of Freedom of Religion](#), 190th regular session, Washington, DC, United States, July 16, 2024.

¹⁰⁸⁹ World Food Programme (WFP), [Draft strategic plan for Nicaragua \(2024-2029\)](#), March 12, 2024.

¹⁰⁹⁰ Amazonas Magazine, [Challenging Borders. Illegal cattle ranching and colonization in Miskitu territory in the Nicaraguan Caribbean](#), October 21, 2024.

¹⁰⁹¹ Amazonas Magazine, [Challenging Borders. Illegal cattle ranching and colonization in Miskitu territory in the Nicaraguan Caribbean](#), October 21, 2024.

¹⁰⁹² INIDE, [Value of the Basic Caste](#), August 2024.

¹⁰⁹³ Center for Inter-American Legal Assistance on Human Rights (CALIDH), Report on the Situation of Human Rights in Nicaragua January-July 2024, August 2024, para. 91.

¹⁰⁹⁴ IMF, [2024 Article IV Mission Staff Final Statement for Nicaragua](#), November 22, 2024.

659. REDESCA has noted that, according to studies conducted by civil society organizations, the International Financial Institutions continued to provide financial support to Nicaragua, despite persistent allegations of human rights violations and democratic deterioration in the country. According to a report by the Institute on Race, Equality and Human Rights, as of that date, the World Bank, the Inter-American Development Bank and the Central American Bank for Economic Integration supported 97 projects in Nicaragua, with a total approval of US\$5.082 million. This report underscores the need for IFIs to strengthen their human rights due diligence and emphasizes the importance of these institutions aligning their operations with international human rights standards and considering the impact of their investments on the political and social situation in the country.¹⁰⁹⁵

660. This Rapporteurship takes note of the approval of the Annual Law of the General Budget of the Republic for 2024, which allocates 52.8% to poverty eradication and social programs in areas such as health, education, transportation, infrastructure, water and sanitation, housing construction and citizen security, in addition to guaranteeing subsidies for transportation and energy.¹⁰⁹⁶ However, civil society organizations point out that serious difficulties persist in guaranteeing ESCER, especially for vulnerable groups such as indigenous peoples. In particular, the Miskito and Mayangna communities face significant obstacles in accessing health services, including shortages of medicines, lack of medical personnel and precarious health infrastructures.¹⁰⁹⁷

661. According to information provided in the framework of the 191st period of sessions of the IACHR, the proliferation of Special Economic Zones in Latin America and the Caribbean is generating a situation of urgent concern in terms of human rights and the existing regulatory frameworks still present shortcomings in their approach. In particular, organizations requesting the hearing stated that there are at least 107 Special Economic Zones in Central America, many of which are located in Nicaragua.¹⁰⁹⁸ They noted that these regulatory frameworks can be characterized by relaxed rules regarding the formation and/or operation of companies, accelerated or simplified environmental reviews, exceptions to labor regulations, exemptions from customs duties, reduced taxes, and others. In addition, they indicated that these structures undermine the democratic sovereignty of States, limiting their capacity to protect human rights, including access to information, labor, territorial and environmental rights, and the rights of indigenous and Afro-descendant communities. In addition, they facilitate tax evasion, promote impunity and contribute to money laundering and corruption by reducing transparency and restricting access to justice.¹⁰⁹⁹

D. Democracy and guarantee of ESCER

662. In 2024, the IACHR denounced the massive closure of civil and religious organizations in Nicaragua, noting that this situation is possible due to the subordination of all powers to the Executive, which evidences a situation incompatible with democratic principles and human rights.¹¹⁰⁰ Specifically, the socio-political crisis in the country led to the closure of more than 170 civil society organizations dedicated to the defense and protection of the environment. This situation weakened independent oversight of natural resources and limited conservation actions.¹¹⁰¹

¹⁰⁹⁵ Institute on Race, Equality and Human Rights, [Report: Impact of International Financial Institutions in Nicaragua](#), July 2024. Swissinfo, [NGO criticizes financial institutions for supporting the Ortega regime in Nicaragua](#), July 4, 2024.

¹⁰⁹⁶ Ministry of Finance and Public Credit, [National Assembly approves the Annual Law of the General Budget of the Republic 2024](#), December 7, 2023.

¹⁰⁹⁷ Information provided by civil society organizations. Confidential. REDESCA archive.

¹⁰⁹⁸ IACHR, Thematic Hearing, "[Regional: Impact of Special Economic Zones and Low Financial Transparency Jurisdictions on Fiscal Justice and Climate Change](#)," 191st regular session, Washington, DC, United States, November 14, 2024, information provided by requesting organizations in the framework of the hearing.

¹⁰⁹⁹ IACHR, Thematic Hearing, cited above, Washington, DC, United States, November 14, 2024, information provided by petitioning organizations in the framework of the hearing.

¹¹⁰⁰ Inter-American Commission on Human Rights (IACHR), [The IACHR condemns the massive closure of civil society and religious organizations in Nicaragua](#), August 22, 2024.

¹¹⁰¹ IPS Noticias, [Nicaragua runs out of independent environmentalists due to democratic crisis](#), March 2024.

663. Additionally, REDESCA notes with concern the lack of transparency of the Nicaraguan government with regard to environmental information. Despite the fact that the Law of the Environment and Natural Resources establishes the State's obligation to provide relevant data, civil society notes that reports on the state of forests and tree cover, as well as on the quality of surface and deep waters¹¹⁰² have not yet been published. This lack of information includes the environmental impact of projects implemented on the Caribbean Coast, which is especially critical for indigenous peoples. In particular, they claim that large-scale mining development represents a significant threat, the effects of which have not been properly assessed or communicated to the affected communities.

664. Likewise, the legal status of the University of Health Sciences and Renewable Energies (UCSER) was cancelled for alleged non-compliance with the laws that regulated it.¹¹⁰³ According to the observations of the United Nations Expert Group "in the Nicaraguan university sector there are no longer autonomous institutions, the authorities have repressed any organized movement and any critical voice of students and university professors".¹¹⁰⁴ REDESCA warns with concern that the university sector is in a critical situation, marked by arbitrary restrictions on academic freedom. There is constant harassment and intimidation of student groups opposed to the government, which generates an atmosphere of fear that undermines participation and the free exercise of their rights. Added to this is the persecution of academic authorities and teachers, who denounce abuses and indoctrination by the government in retaliation for their work in the promotion of critical and free thought.¹¹⁰⁵ This situation not only significantly compromises the educational development of present and future generations, but also undermines the fundamental principles of university autonomy and the right to quality education.

665. The Special Rapporteurship on ESCER has taken note of two reforms to Law No. 89 "Law of Autonomy of Higher Education Institutions". The first, which grants broad powers to the National Council of Universities (CNU) over decisions made in higher education institutions, such as budgetary matters. In this regard, the lack of budget allocated to higher education in Nicaragua is a matter of concern, as it is known that the CNU suffered a 56% cut in its budget for 2024¹¹⁰⁶. The second reform is linked to the decision of the Government of Nicaragua to impose the obligation to assume the payment of public services, such as water and electricity, to public universities and technical education centers, altering fundamental elements of the financing and operation of educational institutions.¹¹⁰⁷ By transferring costs to universities, the reform not only compromises their financial stability, but also significantly undermines their autonomy, limiting their ability to operate independently and adapt to the academic needs of their communities.

666. With respect to guaranteeing the labor rights of expelled persons, the decision of the National Council for Administration and Judicial Careers of the Supreme Court of Justice to permanently disqualify the licenses of exiled lawyers and notaries public who, after the deprivation of their nationality, are considered "foreigners" by the government and do not have the legal capacity to practice their profession in the country was reported.¹¹⁰⁸ For its part, the United Nations Group of Experts on Human Rights in Nicaragua identified three types of violations of the right to social security of persons arbitrarily deprived of their nationality in Nicaragua. Firstly, there are cases of retired elderly persons whose pensions were confiscated; secondly, there are those who, being of retirement age and with their weeks of contributions, were unable to apply for their pension due to the deprivation of their nationality; finally, there are persons who, although they had been contributing to the Nicaraguan Social Security Institute and had not reached retirement age, lost both their

¹¹⁰² Information provided by civil society organizations. Confidential. REDESCA archive.

¹¹⁰³ La Gaceta Nicaragua, [Ministerial Agreement No. 08-2024-OSFL](#), February 16, 2024.

¹¹⁰⁴ UN, General Assembly, Human Rights Council, [Report of the Group of Experts on Human Rights on Nicaragua](#), A/HRC/55/27, 28 February 2024, para. 111.

¹¹⁰⁵ Confidencial, "[Aulas de Nicaragua se quedan sin maestros: 'Todos los días hay renunciados'](#)", 06 July 2024.

¹¹⁰⁶ Aula Abierta, [Newsletter](#), June 2024.

¹¹⁰⁷ 100% Noticias, "[Universidades estatales de Nicaragua pagarán servicios públicos, tras reforma a Ley de Educación Superior](#)", September 25, 2024.

¹¹⁰⁸ Confidencial, "Justicia suspends 'definitively' 25 lawyers denationalized by Ortega", May 11, 2023.

contributions and their weeks of contributions.¹¹⁰⁹ Along the same lines, the Group of Experts has identified the arbitrary confiscation of property by the Government as a pattern of violation implemented since 2018, particularly against arbitrarily detained persons, as well as the confiscation of bank accounts.¹¹¹⁰ In this regard, the IACHR and REDESCA have indicated that the confiscation of property and assets and the arbitrary deprivation of nationality constitute an arbitrary and disproportionate criminal sanction against persons identified as opponents of the Nicaraguan government.¹¹¹¹

667. Similarly, REDESCA follows with extreme concern the conditions of persons arbitrarily deprived of their liberty. In particular, information has been received about deplorable detention conditions, which include unsanitary conditions in the cells; lack of access to drinking water; insufficient and unhealthy food; lack of timely and specialized medical attention and lack of medicines.¹¹¹² This situation has led to the granting of precautionary measures by the IACHR.¹¹¹³ According to reports from civil society, among the persons detained for political reasons there are 24 elderly persons with chronic diseases such as hypertension, diabetes, Parkinson's, allergies and other severe illnesses whose lives are at risk due to the conditions of detention and the lack of medical attention.¹¹¹⁴ In addition to lacking adequate medical treatment, the detainees do not receive the diet necessary for their health conditions, which contributes to an even greater deterioration of their physical condition.¹¹¹⁵ The information provided to this Rapporteurship details that persons deprived of liberty are forced to receive vaccinations without being informed of the type of medication they receive or the dosage administered. In addition, the reuse of syringes and other equipment to administer both vaccines and serums is reported, which raises serious concerns regarding the safety and health of these persons.¹¹¹⁶

668. With regard to women deprived of their liberty, the Committee on the Elimination of Discrimination against Women expressed its concern about gender-based violence, isolation and precarious conditions of detention. These include situations of overcrowding, inadequate prison infrastructure - both for women and their children - as well as lack of access to drinking water, hygiene products and appropriate health care. Additionally, the Committee warned about the degrading treatment experienced by detained lesbian, bisexual, and transgender women due to the lack of consideration for their specific needs, which further exacerbates their vulnerability and exposure to abuse. For its part, the OHCHR in its report failed to document any case in which the authorities have provided preventive health care services to arbitrarily detained women,

¹¹⁰⁹ UN, General Assembly, Human Rights Council, Report of the Group of Experts on Human Rights on Nicaragua, [Violations of the human rights to freedom of movement and nationality](#), A/HRC/55/CRP.3, 29 February 2024, para. 161.

¹¹¹⁰ UN, General Assembly, Human Rights Council, Report of the Group of Experts on Human Rights on Nicaragua, [Violations of the human rights to freedom of movement and nationality](#), A/HRC/55/CRP.3, 29 February 2024, para. 154-156

¹¹¹¹ IACHR, Press Release No. 061/23, [Nicaragua: IACHR and REDESCA Express Concern About Violations of Property and Social Security Rights](#), April 14, 2023.

¹¹¹² IACHR, Press Release No. 132/24, [Nicaragua: IACHR urges guaranteeing the life and integrity of persons arbitrarily detained and their immediate release](#), June 11, 2024.

¹¹¹³ IACHR, Press Release no. 243/24 [IACHR Grants Precautionary Measures to Eddie Moisés González Valdivia in Nicaragua](#), Washington, D.C., October 07, 2024; Press Release no. 188/24 [IACHR Grants Precautionary Measures to Three Persons Deprived of Liberty in Nicaragua](#), Washington, D.C., August 20, 2024; Press Release no. 177/24 [IACHR Grants Precautionary Measures to Three Persons Deprived of Liberty in Nicaragua](#), Washington, D.C., August 06, 2024; Press Release no. 145/24. [145/24 - IACHR asks IACHR Court to extend provisional measures for 25 persons deprived of liberty in Nicaragua](#), Washington, D.C., June 20, 2024; Press Release no. [142/24 - IACHR grants precautionary measures to nine persons deprived of liberty in Nicaragua](#), Washington, D.C., June 18, 2024; Press Release no. [127/24 - IACHR grants precautionary measures to Walner Ruiz Rivera, in Nicaragua](#), Washington, D.C., June 5, 2024; Press Release no. [78/24 - IACHR grants precautionary measures to Walner Blandón and others from the "Puerta de la Montaña" church, in Nicaragua](#), Washington, D.C., April 25, 2024; Press Release no. [47/24 - IACHR grants precautionary measures to Carlos Alberto Bojorge Martínez, in Nicaragua](#), Washington, D.C., March 6, 2024; Press Release no. [44/24 - IACHR grants precautionary measures to Eddy Castillo Muñoz, Nelly López García and Juan Carlos Baquedano, in Nicaragua](#), Washington, D.C., March 2, 2024; Press Release no. [8/24 - IACHR grants precautionary measures to 8 persons deprived of liberty in Nicaragua](#), Washington, D.C., January 4, 2024; Press Release no. [4/24 - IACHR grants precautionary measures to Freddy Antonio Quezada, in Nicaragua](#), Washington, D.C., January 2, 2024; Press Release no. [3/24 - IACHR grants precautionary measures to Abdul Montoya Vivas and his family, in Nicaragua](#), Washington, D.C., January 2, 2024.

¹¹¹⁴ Mechanism for the Recognition of Political Prisoners, [List of Political Prisoners in Nicaragua](#), June 2024.

¹¹¹⁵ UN, Human Rights Council, Report of the United Nations High Commissioner for Human Rights, [Situation of human rights in Nicaragua](#), A/HRC/57/20, 02 September 2024, para. 49.

¹¹¹⁶ Center for Inter-American Legal Assistance on Human Rights (CALIDH), Report on the Situation of Human Rights in Nicaragua January-July 2024, August 2024, para. 145.

such as Papanicolaou tests, breast cancer screening practices and gynecological tests in general, despite the fact that these services are regularly offered in community programs throughout the country.¹¹¹⁷

669. Regarding the Nicaraguan public health system, REDESCA received information that evidences since 2018 a significant deterioration caused by massive layoffs, exodus of specialists and training of health personnel outside the academic cloisters.¹¹¹⁸ In addition, situations of control and surveillance over health personnel persist both by pro-government unions and Ministry of Health officials, and a deterioration of their working conditions such as salaries below the value of the basic basket of goods, suppression of incentives and labor exploitation.¹¹¹⁹

25. PANAMA

670. With respect to international commitments in the area of ESCER, Panama has ratified the American Convention on Human Rights and its Protocol of San Salvador, which establishes specific standards on ESCER. It is also a signatory to the Escazú Agreement.

671. In 2024, Panama continued to face significant poverty challenges, especially in rural and comarcal areas. According to World Bank 2023 data, in the indigenous comarcas, 76% of the population lives in poverty, evidencing a marked inequality in the distribution of resources and opportunities.¹¹²⁰ Furthermore, according to official data, the Multidimensional Poverty Index for Children and Adolescents revealed that 475,498 minors, that is, one out of every three, are in a situation of multidimensional poverty in the country.¹¹²¹ Although there has been progress in reducing overall poverty from 19% in 2018 to 14.8% in 2022, significant disparities persist that require continued attention.¹¹²²

672. Despite a decreasing trend in inequality in Panama over the last decade, the country still faces significant challenges in this area. On the other hand, Panama's Gini coefficient was 0.51 in 2022¹¹²³, making it the third most unequal country in Latin America.¹¹²⁴ This persistent inequality underscores the need for more effective public policies that promote an equitable distribution of wealth and opportunities for the entire population.

A. Climate emergency and environmental protection

673. Panama faces significant challenges in terms of climate emergency and environmental protection. Climate change has intensified the frequency and intensity of extreme weather events, such as droughts and torrential rains, which directly affect critical infrastructure, such as the Panama Canal, an aspect that will be discussed further below.¹¹²⁵ In addition, key sectors such as tourism, agriculture, infrastructure and human settlements are particularly vulnerable to these climate changes. To address these challenges,

¹¹¹⁷ UN, Human Rights Council, Report of the United Nations High Commissioner for Human Rights, [Situation of human rights in Nicaragua](#), A/HRC/57/20, 02 September 2024, para. 50.

¹¹¹⁸ Center for Inter-American Legal Assistance on Human Rights (CALIDH), Report on the Situation of Human Rights in Nicaragua January-July 2024, August 2024, para. 104.

¹¹¹⁹ CALIDH, cited above, paras. 105-114.

¹¹²⁰ Banco Mundial, [Panamá: del crecimiento a la prosperidad](#), 21 de octubre de 2024.

¹¹²¹ Ministerio de Desarrollo Social de Panamá (MIDES), [Ministerio de Desarrollo Social presenta el segundo informe del Índice de Pobreza Multidimensional de Niños, Niñas y Adolescentes](#), 28 de junio de 2024.

¹¹²² Gabinete Social de Panamá, [Panamá avanza en la lucha contra la pobreza multidimensional](#), May 2, 2024. Republic of Panama and UNDP, [Multidimensional Poverty Index at the National Level 2019 and 2022](#), Edition 2024.

¹¹²³ Statista, [Gini coefficient income distribution inequality in Panama 2000-2022](#), March 2024.

¹¹²⁴ Statista, [Income distribution inequality based on Gini coefficient in Latin America as of 2022 by country](#).

¹¹²⁵ The Guardian, "Resilient" Panama faces climate crisis as it threatens canal, says Juan Carlos Navarro, November 7, 2024. Reuters, [Threatened by climate change, Panama Canal has big plans to deal with drought](#), December 2, 2024.

Panama has launched an Interactive Climate Risk Atlas, an essential tool for developing effective and sustainable adaptation strategies.¹¹²⁶

674. REDESCA takes note of the severe drought that afflicted Panama during 2023 and until May 2024 when the rainy season began, which led the government to declare a state of environmental emergency due to high temperatures, evaporation and lack of water, as a preamble to the El Niño phenomenon.¹¹²⁷ In this regard, an international scientific study points out that the El Niño phenomenon is associated with low precipitation levels in Panama, while global warming makes El Niño-related rainfall patterns less predictable and generates higher levels of evaporation of water reserves.¹¹²⁸ According to available information, this would be observed in the case of Gatun Lake, main hydrological reserve of the Panama Canal where the drought resulted in very low water levels causing major disruptions to the global shipping industry transiting the Canal from late 2023 to May 2024.¹¹²⁹ Indeed, as a result of this situation, the authorities were forced to restrict both the number and size of ships crossing the Canal, which had impacts not only on the global economy but also on the Panamanian economy by generating a decrease in the income derived from the daily crossing of ships.¹¹³⁰

675. In turn, the available information indicates that the rainfall deficits that impacted the Panama Canal's water bases also affected the population living and working in the Gatun Lake area, including indigenous, Afro-Panamanian and other rural communities that have limited access to basic services such as water, electricity and sanitation. These communities were affected both in relation to their daily water consumption and agricultural work.¹¹³¹

676. In this regard, REDESCA stresses the importance of developing comprehensive policies to address the low water levels in the hydrological reserve linked to the Panama Canal and to prevent and address the effects associated with climate change, establishing special protection mechanisms for the populations most affected by the effects of climate change.

677. Linked to the above, the Office of the Special Rapporteur on ESCER notes that, as part of the effects of climate change and the El Niño phenomenon, and according to reports consulted, Panama's infrastructure faces significant risks that could have negative effects on the economy and the well-being of the population. Regarding the latter, it has been pointed out that the increasing temperatures registered in the country, which result in droughts, could impact the capacity of hydroelectric plants to generate energy, or produce strong disruptions because they could reduce the availability of water required for their operation and also affect their cooling systems.¹¹³² In turn, floods resulting from extreme rains following droughts could generate floods that could also affect the infrastructure and operating capacity of hydroelectric plants, which would also jeopardize the country's ability to generate enough electricity to meet the needs of the population and the country's economy.¹¹³³ Faced with these challenges, REDESCA reiterates the importance of adopting mitigation and adaptation measures to face the climate emergency and reduce the vulnerabilities linked to its effects.

678. On the other hand, the Office of the Special Rapporteur on ESCER is concerned about the deforestation process facing the country. According to a report by the Ministry of Environment, in just two years, Panama has lost 352,873 hectares of forest and other wooded land, representing 4% of the country's

¹¹²⁶ Ministry of Environment of Panama (MiAMBIENTE), [Launch of interactive climate risk atlas as a key tool for climate change adaptation](#), December 2, 2024.

¹¹²⁷ Swissinfo.ch, [Panama extends environmental emergency due to prolonged drought until May 2024](#), 28 December 2023.

¹¹²⁸ World Weather Attribution, [Low water levels in Panama Canal due to increasing demand exacerbated by El Niño event - World Weather Attribution](#), May 1, 2024.

¹¹²⁹ The New York Times, [Panama Canal Drought Slows Cargo Traffic](#), January 26, 2024; The New York Times, [Climate Risks Loom Over Panama Canal, a Vital Global Trade Link](#), August 25, 2024.

¹¹³⁰ World Weather Attribution, [Low water levels in Panama Canal due to increasing demand exacerbated by El Niño event - World Weather Attribution](#), May 1, 2024.

¹¹³¹ World Weather Attribution, [Low water levels in Panama Canal due to increasing demand exacerbated by El Niño event - World Weather Attribution](#), May 1, 2024.

¹¹³² International Renewable Energy Agency, [The energy sector of Panama: Climate Change adaptation challenges](#), 2024. P. 6.

¹¹³³ International Renewable Energy Agency, [The energy sector of Panama: Climate Change adaptation challenges](#), cited above. P. 6.

forest cover.¹¹³⁴ The provinces most affected by this situation are Veraguas, which has lost 37.6% of its forest mass, Coclé, which has lost 18%, and Darién, where the loss is 15.9%. Although 67.15% of Panamanian territory is still covered by forests, the situation described is significant because it has put at stake the biodiversity, watersheds and ecological sustainability of these areas, as well as the viability of the communities and fauna living there.¹¹³⁵

B. Business and human rights

679. In 2024, Panama faced significant challenges in terms of business and human rights, most notably the process that has led to the closure of the *Cobre-Panama* mine.¹¹³⁶ This mine was the largest in Central America and one of the largest in the world and employed more than 7,000 people, while its activity represented between 4% and 5% of the country's GDP.¹¹³⁷ However, for years it has been questioned for its environmental effects. Nearly a dozen environmental monitoring reports indicated that the activities of the open-pit mine were having an impact on water due to "ineffective erosion and sedimentation control measures" which were causing damage to natural ecosystems and to populations dependent on the water bodies that were being affected by discharges of "dangerous contaminants, heavy metals and disease-causing pathogens".¹¹³⁸

680. On October 20, 2023, a law-contract was published that allowed the mining company to continue mining for 20 more years, with the possibility of extending the contract for an additional 20 years.¹¹³⁹ The renewal of the contract with the mining company produced strong social protests, the largest the country had faced in decades, in which citizens complained about the environmental consequences of the contract and also considered that the mine should leave more resources to the State. In this context, the Supreme Court determined that the law renewing the contract was unconstitutional, due to the absence of a public bidding process, insufficient citizen participation and the violation of articles of the country's Constitution regarding the protection of health and a healthy environment, among other reasons.¹¹⁴⁰ Regarding the closure of the Cobre Panama Mine, however, REDESCA is concerned about reports from that more than 6,000 mine workers have been left without work after the closure of the mine, with only maintenance personnel remaining. Additionally, these reports indicate that some 40,000 people depended on the mine for their income.¹¹⁴¹ In this regard, it urges the State to seek solutions that guarantee the protection of the environment and sustainable work alternatives for the people whose livelihoods depended on it.

C. Fiscal and economic policies

681. With respect to economic and fiscal policies, REDESCA notes that, after a sharp decline in GDP in the context of the pandemic, the economy has shown a significant recovery, which is reflected in a 7.3% growth during 2023 largely derived from a recovery in the construction sector, as well as in the consumer, retail and wholesale trade, transportation and logistics sectors.

682. By the end of 2024, however, the International Monetary Fund projected that GDP would be 2.5% due to the closure of the *Cobre-Panama* mine and the slowdown in other sectors that had grown after the

¹¹³⁴ La Estrella de Panamá, [Panama loses more than 350,000 hectares of forest in two years](#), August 20, 2024.

¹¹³⁵ La Estrella de Panamá, [Panama loses more than 350,000 hectares of forest in two years](#), cited.

¹¹³⁶ BBC News World, [Why Panama's huge copper mine shut down after massive protests remains an "urgent matter" to be resolved](#), August 16, 2024.

¹¹³⁷ CNN Español, [The Government of Panama announces the beginning of the "orderly closure" of the Cobre-Panama mining company](#), December 15, 2023.

¹¹³⁸ Mongabay, [Ruling against mining in Panama: "The people in the streets were key in saying that we want a green, sustainable country and development for all."](#) December 5, 2021.

¹¹³⁹ BBC News Mundo, [Court declares unconstitutional the millionaire mining contract that sparked massive protests in Panama](#), November 28, 2023.

¹¹⁴⁰ BBC News Mundo, [Court declares unconstitutional the millionaire mining contract that sparked massive protests in Panama](#), cited above.

¹¹⁴¹ BBC News World, [Why Panama's huge copper mine shut down after massive protests remains an "urgent matter" to be resolved](#), August 16, 2024.

pandemic.¹¹⁴² In this regard, REDESCA highlights the relevance of seeking sustainable development alternatives for the country considering that the mine was a relevant source of resources and employment, but also had a direct impact on the rights to health and a healthy environment.

683. In turn, the Office of the Special Rapporteur on ESCER takes note of the progress shown by Panama in reducing the fiscal deficit from 10% of GDP in 2020 to 3% in 2023, in line with the Fiscal and Social Responsibility Law.¹¹⁴³ It also takes note regarding the drop in the unemployment rate, which in 2020 reached 18.5% and at the end of 2023 was 7.4%.¹¹⁴⁴ By the end of 2024, however, it is projected that the unemployment rate could reach 8.3% due to the economic slowdown and the closure of the Cobre-Panama Mine.¹¹⁴⁵ In this context, REDESCA emphasizes the need for fiscal and economic reactivation measures to include strategies to protect employment and guarantee the ESCER of affected workers, especially those in vulnerable situations.

684. In 2024, Panama's public debt would have experienced an increase. At the end of September, the public debt balance would have totaled \$51,812.79 million, which represents an increase of \$2,043.07 million (4.11%) compared to the first quarter of the year.¹¹⁴⁶ Despite this increase, the ratio of public debt to GDP, according to available information, showed a downward trend, going from 64.7% in 2020 to 56.4% at the close of 2023.¹¹⁴⁷ In this context, REDESCA highlights the importance of aligning debt management and fiscal consolidation strategies with the protection of ESCER, ensuring that adjustment policies do not compromise access to basic services or increase existing inequalities in the country.

D. Democracy and guarantee of ESCER

685. In 2024, Panama has demonstrated a significant commitment to citizen participation in environmental issues. In June, the country presented the National Action Strategy for Climate Empowerment, the result of extensive consultations supported by the European Union through the Euroclima Program. This strategy seeks to involve various stakeholders in the fight against climate change.¹¹⁴⁸

686. On the other hand, the Office takes note of the request made during the 191st session of the IACHR by the Ombudsman of Panama and a group of petitioners from the islands of Casaya, Casayeta and Bolaños in the Las Perlas Archipelago, with a majority population of Afro-descendant origin, with respect to guaranteeing their rights to land ownership, as well as access to water and electricity, health services and education, based on Panamanian law and the principles of the Inter-American Human Rights System.¹¹⁴⁹ According to the petitioners, although the State had guaranteed them the right to land on these islands for their habitation and agricultural use, the municipality of Balboa did not respect this right and gave these lands in concession to tourism development companies while they were deprived of their rights to health, education, access to electricity and water, which has caused many of its inhabitants to leave, so that the population living on these islands went from 250 inhabitants to 80. In this regard, the Office of the Special Rapporteur welcomes the willingness shown by the Panamanian State during the session held for this purpose during the 191st Period of Sessions of the IACHR to address the needs of this population and find a solution aimed at redressing their rights.

687. REDESCA takes note of a report by the Ombudsman's Office, based on a tour of 15% of the country's schools and surveys conducted in 449 educational centers.¹¹⁵⁰ The report reveals persistent

¹¹⁴² International Monetary Fund, [IMF Executive Board Concludes 2024 Article IV Consultation with Panama](#), June 27, 2024.

¹¹⁴³ International Monetary Fund, [IMF Executive Board Concludes 2024 Article IV Consultation with Panama](#), already cited. P.1.

¹¹⁴⁴ International Monetary Fund, [IMF Executive Board Concludes 2024 Article IV Consultation with Panama](#), cited above. P.1.

¹¹⁴⁵ Comptroller's Office.gob.pa, [National Directorate. National Directorate of Economic and Financial Advisory](#).

¹¹⁴⁶ Martes Financiero, [Learn about the key challenges surrounding Panama's public debt](#), October 22, 2024.

¹¹⁴⁷ La Estrella de Panamá, [Panama's public debt to GDP ratio shows a downward trend, according to the CNC](#), October 19, 2024.

¹¹⁴⁸ Ministry of Environment of Panama, [Panama adopts national strategy to promote citizen participation in the fight against climate change](#), June 18, 2024.

¹¹⁴⁹ IACHR, 191st Period of Sessions, Panama: Situation of the Afro-descendant population in the Casaya, Casayeta and Bolaños Islands, November 15, 2024.

¹¹⁵⁰ Ombudsman's Office, [Informe de Inspección de Centros Educativos 2024](#), May 22, 2024. P. 109.

structural shortcomings that affect several ESCER, including the right to education, access to water and health, reflecting problems accumulated over the years.¹¹⁵¹ According to the information referred to, in these educational centers there are deficiencies in the provision of basic services, including access to drinking water due to the absence of reserve tanks and electricity. They also face a shortage of teaching and administrative staff, and a lack of furniture and equipment, as well as insufficient classrooms and laboratories, among other problems.¹¹⁵² In this regard, the Office stresses the need for the State to adopt the necessary measures to address these problems and guarantee the ESCER of children and adolescents and school personnel.

688. The Office of the Special Rapporteur on ESCER has taken note of reports on the lack of access to health care faced by the migrant population in the Darien region. According to a PAHO report, migrants transiting through this region face challenges such as lack of access to emergency medical services, prenatal care, and care related to chronic diseases.¹¹⁵³ In addition, they face lack of access to sanitation and potable water and risks that can have a significant impact on their health such as adverse environmental conditions, high levels of violence and exploitation, and exposure to infectious diseases.¹¹⁵⁴ REDESCA reminds the State of its obligation to protect the rights to health, life and physical integrity of persons in conditions of human mobility.

689. In turn, the Office has also received information that refers to the effects linked to irregular migration that has turned indigenous and forest areas into places of high flows of people with an impact on the livelihoods of local communities. According to the Ombudsman's Office, this has resulted in the contamination of rivers, and the loss of biodiversity in the Darien due to waste production in unmanageable areas.¹¹⁵⁵ REDESCA highlights the relevance of addressing both situations, those of local communities and migrants, from a human rights perspective and in accordance with Inter-American standards.

690. In this regard, REDESCA takes note of the request made by the Ombudsman's Offices of Panama and Colombia during the 191st period of sessions of the IACHR regarding the need to adopt a regional action to establish mechanisms for the attention and protection of the population in conditions of human mobility, with a differentiated approach to meet the needs of the most vulnerable populations.¹¹⁵⁶ At that session, the Panamanian Ombudsman's Office stressed that the volume of people passing through the Darién jungle has been growing considerably, and requested the presence of the Colombian army and a greater presence by the Colombian and Panamanian States to protect the people passing through, as they are continually exposed to rape, robbery, extortion and other acts by organized crime, in addition to the risks they face due to the difficult environmental and climatic conditions in the area.¹¹⁵⁷ In this regard, the Office joins the call for regional action to address the needs and protect the rights of people in conditions of human mobility that transit through the Colombian-Panamanian jungle.

26. PARAGUAY

691. Regarding significant international treaties in the area of ESCER in the region, the country has ratified the American Convention and the Protocol of San Salvador, but has not yet ratified the Escazú Agreement, despite having been one of the signatory countries. The main challenge now lies in advancing towards ratification of the pending instrument and concentrating efforts on achieving full implementation of the standards established in the aforementioned norms of the Inter-American system.

¹¹⁵¹ Ombudsman's Office, [Informe de Inspección de Centros Educativos 2024](#), p. 109.

¹¹⁵² Ombudsman's Office, [Informe de Inspección de Centros Educativos 2024](#), cited above, p. 109.

¹¹⁵³ Pan American Health Organization, [Paho report highlights urgent need to improve access to health for migrant populations in the Darien Region](#), 15 October 2024.

¹¹⁵⁴ Pan American Health Organization, [Paho report highlights urgent need to improve access to health for migrant populations in the Darien Region](#), cited above.

¹¹⁵⁵ Ombudsman's Office, [Report on the Situation of Human Rights in Panama](#), January-April 2024. P.12.

¹¹⁵⁶ IACHR, 191st Session, Regional Session: Rights of people in human mobility in the Colombian-Panamanian jungle, November 13, 2024.

¹¹⁵⁷ IACHR, 191st Period of Sessions, Session Regional: Rights of persons in human mobility in the Colombian-Panamanian jungle, already cited.

692. The Office of the Special Rapporteur on ESCER has observed that, for the year 2023, it was estimated that the Paraguayan population living in multidimensional poverty was 17.19%, with a significantly higher incidence in rural areas, where it reached 33.09%, compared to 7.50% in urban areas of the country.¹¹⁵⁸ The percentage of people living in multidimensional poverty decreased in the period 2022 - 2023, at the national level, from 19.68% to 17.19%. This trend was observed in both urban and rural areas, and the incidence in rural areas went from 37.44% to 33.09%. In terms of monetary poverty, in 2023, 22.7% of the population lived below the national poverty line and 4.9% below the national extreme poverty line; in turn, it was observed that people living in rural areas were monetarily poorer than those living in urban areas.¹¹⁵⁹

693. The Special Rapporteurship on ESCER highlights the importance of addressing inequality in Paraguay. According to the latest data from the National Institute of Statistics, the Gini index for 2023 was 0.446, reflecting a slight decrease with respect to 2022 (0.451), suggesting progress in reducing inequality, although challenges persist in this area.¹¹⁶⁰

A. Climate emergency and environmental protection

694. Paraguay faces significant challenges in terms of climate emergency and environmental protection. The ecological and climate crisis, according to the information received, is especially indigenous, peasant and urban communities. This situation underscores the need for decisive action to protect both these groups and their natural environment.¹¹⁶¹ In response to these vulnerabilities, the Paraguayan State has intensified its efforts to improve the transparency and quality of environmental data. The First Biennial Transparency Report highlights advances in the national greenhouse gas inventory and in areas of adaptation and vulnerability. In addition, national adaptation and mitigation plans have been developed in line with international commitments, such as the goal of reducing greenhouse gas emissions by 20% by 2030.¹¹⁶²

695. According to available information, one example of the consequences of the climate crisis is the significant decrease in the flow of the Paraguay River, which reached record levels in October 2024. This situation has generated tensions between fishermen and farmers in the Ñeembucú region, due to the use of water for irrigation of rice crops, which aggravates water scarcity and affects local livelihoods.¹¹⁶³ In relation to the historically low level of the Paraguay River, REDESCA notes that the lack of rainfall is preventing the recharge of aquifers, which could jeopardize the supply of drinking water, given that 80% of this comes from subway sources.¹¹⁶⁴

696. In terms of access to potable water, recent National Statistic Institute data has been noted, which reveals that 91.9% of households nationwide have access to improved water. Disaggregating the data by urban and rural areas, a gap in access to the service is observed in rural areas: while in urban areas 97.4% of households have access to improved sanitation and 94.2% of households have access to improved water, in rural areas access is 80.3% and 88.2% respectively.¹¹⁶⁵ The water and sanitation deficit mainly affects marginalized peri-urban and rural areas, as well as poor populations.¹¹⁶⁶ The Office of the Special Rapporteur on ESCER has noted that according to some reports there are people who still drink water extracted from wells, surface water and even rainwater, with no guarantee as to its quality.¹¹⁶⁷ This situation results in an important group of the population remaining vulnerable to waterborne diseases, which are a major cause of morbidity in

¹¹⁵⁸ Instituto Nacional de Estadística Paraguay (INE), [Boletín Técnico: Índice de Pobreza Multidimensional \(IPM\) Paraguay 2023](#), July 24, 2024.

¹¹⁵⁹ INE, [Main Results: Monetary Poverty and Income Distribution EPHC 2023](#), March 26, 2024.

¹¹⁶⁰ INE, [Income inequality EPHC 2017, 2022 and 2023](#), May 2024.

¹¹⁶¹ Codehupy, [Paraguay en llamas: Camino sostenido de crisis ecológica, ambiental y climática](#), 2024.

¹¹⁶² United Nations Framework Convention on Climate Change (UNFCCC), [Paraguay's First Biennial Transparency Report \(BTR1\)](#), 2024.

¹¹⁶³ Reuters, [Paraguay's Drying River Stokes Water Tensions Between Fishers and Farmers](#), October 17, 2024.

¹¹⁶⁴ Ministerio del Ambiente y Desarrollo Sostenible Paraguay (MADES), [Bajante del río Paraguay en alerta: Cuidemos nuestros recursos hídricos](#), September 30, 2024; Agencia Brasil, [Río Paraguay registra mínimo histórico en año más seco del Pantanal](#), October 14, 2024.

¹¹⁶⁵ INE, [INE provides data on access to improved water and improved sanitation](#), March 22, 2024.

¹¹⁶⁶ Gobierno Nacional Paraguay, [Plan Nacional de Desarrollo Paraguay 2030: Avances y actualización](#), 2021.

¹¹⁶⁷ World Bank, [Water and sanitation, efficiency, quality, access and sustainability](#), 2023

the population.¹¹⁶⁸ The lack of rainfall and the consequent drop in river level has also affected navigation. According to available information, several vessels have transported carrying smaller volumes of cargo than usual, generating delays and longer travel times.¹¹⁶⁹

697. The Office of the Special Rapporteur on ESCER takes note of other effects of the climate emergency in Paraguay, reflected in extreme events such as floods, fires and droughts that affect infrastructure, agricultural production and access to drinking water.¹¹⁷⁰

698. According to the information gathered, in Asunción and the Metropolitan Area, the main climatic hazards are determined by hydrometeorological phenomena, which normally cause flooding. REDESCA has taken note of information indicating that rainwater flooding is accentuated due to the lack of drainage infrastructure and the waterproofing of soils.¹¹⁷¹ Its consequences would be increasingly high and costly for the municipal patrimony and the patrimony of the inhabitants, as well as causing eventual loss of human lives.¹¹⁷² The importance of taking into account the differentiated effects that climate emergencies have on populations is emphasized, recognizing the vulnerability of certain groups to environmental and climate impacts.¹¹⁷³

699. On the other hand, the impacts of forest fires in Paraguay have been monitored.¹¹⁷⁴ In September alone, forest fires affected more than 353,000 hectares nationwide, including 181,000 hectares in the Chovoreca area.¹¹⁷⁵ Some reports state that forest fires, often caused by inadequate agricultural practices in the context of the advance of the agricultural frontier, destroy large areas of native forest, affecting not only native fauna and flora, but also water sources and local climatic cycles.¹¹⁷⁶ REDESCA recalls that these fires not only devastate vast areas of biodiversity, but also have a serious impact on the human rights of the most vulnerable communities, including indigenous, Afro-descendant, tribal and peasant communities, whose economic, social, cultural and environmental rights, survival and connection to the territory depend on increasingly fragile ecosystems.¹¹⁷⁷

700. At the same time, civil society organizations have documented the increase in deforestation as a consequence of the expansion of the agricultural-commercial frontier, which has an impact on natural reserves, Amazonian forests and indigenous territories.¹¹⁷⁸ In this context, REDESCA has noted that several Ayoreo leaders visited the National Congress to demand urgent measures against deforestation.¹¹⁷⁹ The loss of native forests puts ecosystems at risk through habitat degradation and contamination, modifying nutrient cycles, altering the hydrological regime, decreasing water retention and infiltration capacity, increasing soil erosion and sedimentation, and increasing drought levels, among others.¹¹⁸⁰

¹¹⁶⁸ Inter-American Development Bank (IDB), [El sector de agua potable y saneamiento en Paraguay: Evolución y perspectivas](#), August 2022, p. 22; INE, [Tasa de mortalidad de menores de 5 años](#), 2024; Ministerio de Salud Pública Paraguay, [Enfermedades transmitidas por agua y alimentos \(ETA\)](#), 2024.

¹¹⁶⁹ Reuters, [South America's Rivers Hit Record Lows as Brazil Drought Impact Spreads](#), September 9, 2024.

¹¹⁷⁰ Ministry of Public Health and Social Welfare Paraguay (MSPBS), [Flood Report: medical assistance to families affected by floods](#), April 25, 2024.

¹¹⁷¹ MSPBS, [Flood report: medical assistance to flood-affected families](#), April 25, 2024.

¹¹⁷² Coordinadora de Derechos Humanos del Paraguay (CODEHUPY), [Derechos Humanos Paraguay 2023](#), December 2023, p. 269.

¹¹⁷³ Inter-American Court of Human Rights, [Request for an Advisory Opinion on Climate Emergency and Human Rights to the Inter-American Court of Human Rights from the Republic of Colombia and the Republic of Chile](#), January 9, 2023.

¹¹⁷⁴ National Forestry Institute of Paraguay (INFONA), [INFONA reveals forest fire damage data for the months of September and October](#), October 11, 2024.

¹¹⁷⁵ INFONA, [Statistical data on forest fires during the first weeks of September](#), September 20, 2024.

¹¹⁷⁶ INFONA, [INFONA extends the deadline for total suspension of authorization of burning permits to prevent forest fires](#), December 4, 2024.

¹¹⁷⁷ REDESCA, Press Release RD218/24, [REDESCA urges urgent action on environmental crisis in South America caused by forest fires](#), September 17, 2024.

¹¹⁷⁸ CODEHUPY, [Human Rights Paraguay 2023](#), December 2023, p. 207.

¹¹⁷⁹ CODEHUPY, [Ayoreo leaders visited the National Congress to demand urgent measures against deforestation](#), July 18, 2024.

¹¹⁸⁰ MADES, [Fourth National Communication of Paraguay to the United Nations Framework Convention on Climate Change](#), September 2023; CODEHUPY, [Human Rights Paraguay 2023](#), December 2023, p. 207.

701. The Office of the Special Rapporteur on ESCER warns that deforestation and forest fires contribute significantly to the emission of greenhouse gases, such as carbon dioxide and methane, released during the burning and decomposition of plant biomass. These processes not only increase the concentration of these gases in the atmosphere, but also weaken the resilience of ecosystems by reducing their capacity to mitigate and adapt to the effects of climate change. As a result, the territory becomes more vulnerable to extreme weather events, such as droughts, floods and heat waves, exacerbating the environmental and social risks associated with climate change.

702. In this regard, REDESCA has received information from civil society organizations on the water shortage situation in the Paraguayan Chaco region.¹¹⁸¹ The Office has observed that during the months of April, May and June there was a lack of rainfall in the Chaco region, which affected the indigenous communities living in the region.¹¹⁸² This, added to the expansion of the agricultural frontier, has reduced the soil's capacity to retain water, causing greater erosion and the loss of fertile layers, affecting the capacity of ecosystems to absorb and filter rainwater.¹¹⁸³

703. REDESCA is concerned about the significant increase in the number of dengue cases in Paraguay, where the epidemiological scenario of dengue is on the rise.¹¹⁸⁴ In this regard, there is a relationship between climate change and increased rainfall, which has favored the expansion of the *Aedes aegypti* mosquito, the main vector of dengue.¹¹⁸⁵ During the 2023-2024 period, more than 100,000 cases and 132 deaths were detected.¹¹⁸⁶

704. Food insecurity in Paraguay is closely linked to the climate emergency facing the country. Extreme weather events, such as prolonged droughts and heat waves, have negatively affected agricultural production, decreasing food availability and putting the population's food security at risk. According to the Food and Agriculture Organization of the United Nations¹¹⁸⁷, in 2023, around 24% of Paraguayan households experienced moderate or severe food insecurity, a situation that is aggravated in rural areas.¹¹⁸⁸ In turn, during the period 2020-2022, Paraguay experienced a prevalence of undernourishment of 4.2%, which was equivalent to approximately 300,000 people affected by hunger.¹¹⁸⁹ According to available information, the reduction in precipitation and the increase in average temperatures, projected for the coming decades, could increase soil aridity, further affecting the agricultural sector and, therefore, the availability of food. These adverse climatic conditions not only impact the production of essential crops, but also exacerbate tensions between different productive sectors, such as fishermen and farmers, due to competition for increasingly scarce water resources.¹¹⁹⁰

705. REDESCA has noted that on October 12, 2023, the President of the Republic of Paraguay signed and promulgated Law 7190/2023 on Carbon Credits.¹¹⁹¹ This law provides the country with a specific regulatory framework for the development of projects that generate carbon credits to be traded in international markets, whether mandatory or voluntary. In this context, the Office of the Special Rapporteur

¹¹⁸¹ CODEHUPY, [Ecocide in the Chaco: Not one more permit, not one less tree...](#), September 17, 2024

¹¹⁸² SWI (swissinfo.ch), [Paraguayan Indians demand water and food in the face of intense drought in the Chaco region](#), June 21, 2024.

¹¹⁸³ CODEHUPY, [Ecocide in the Chaco: Not one more permit, not one less tree...](#), September 17, 2024

¹¹⁸⁴ MSPBS, [Dengue: extreme actions urged to control mosquito-transmitting mosquito breeding sites](#), November 22, 2024.

¹¹⁸⁵ MSPBS, [Dengue: rains favor conditions for breeding of the transmitting mosquito...](#), November 8, 2024

¹¹⁸⁶ MSPBS, [Dengue epidemic period ends with more than 100,000 accumulated cases](#), July 26, 2024.

¹¹⁸⁷ FAO, [Data on Paraguay in the Regional Overview of Food Security and Nutrition 2023](#), November 15, 2023; FAO, [Data on Paraguay in the Regional Overview of Food Security and Nutrition 2023](#), November 15, 2023. INE, [In Paraguay 24.6% of households experienced moderate food insecurity](#), October 16, 2024.

¹¹⁸⁸ INE, [En Paraguay 24.6% of households experienced moderate food insecurity](#), October 16, 2024.

¹¹⁸⁹ FAO, [Data on Paraguay in the Regional Food Security and Nutrition Outlook 2023](#), November 15, 2023.

¹¹⁹⁰ Reuters, [Paraguay's Drying River Stokes Water Tensions Between Fishers and Farmers](#), October 17, 2024.

¹¹⁹¹ Ministry of Industry and Commerce Paraguay (MIC), [Executive enacted the law "On Carbon Credits", with the objective of having a more sustainable nation](#), October 2023.

has received information from various civil society organizations that highlight the absence of articles that guarantee the protection of the environment and human rights.¹¹⁹²

B. Business and human rights

706. REDESCA has observed several significant challenges related to the activities of various business sectors at Paraguay. These challenges include the occupation of indigenous communities' territories, the expansion of monocultures and deforestation, which have a major impact on communities that have been structurally and historically victims of forms of discrimination, especially indigenous communities.¹¹⁹³

707. Available information documents an expansion of cattle ranching for export, as well as of forestry plantations and the agribusiness model to the detriment of peasant and indigenous agriculture, which has led to intensive water use, combined with deforestation and pollution practices that pose risks to the future availability of drinking water and the health of aquatic ecosystems.¹¹⁹⁴ According to recent studies, agriculture and livestock are consuming 68% of the country's total freshwater.¹¹⁹⁵ This situation not only threatens biodiversity and ecosystem health, but also represents a serious threat to local communities that depend on these environments for their livelihoods and culture. In addition, and according to data from the National Forestry Institute, between 2004 and 2022, Paraguay lost 162,719 hectares of native forest in the Eastern region, largely due to soybean expansion. This deforestation has had a direct impact on indigenous communities, who see their territories reduced and their livelihoods threatened.¹¹⁹⁶

708. The Office of the Special Rapporteur on ESCER expresses its concern about the predominant agricultural production model in Paraguay, centered on soybean crops and the excessive use of pesticides. According to available information, the impacts include damage to human health due to the high levels of contamination in waterways, air, soil and food associated with the use of these chemicals. This situation also seriously affects biodiversity and ecosystems, posing serious threats to public health and the environment.¹¹⁹⁷ In addition, recent academic research in that country has supported the existence of a relationship between exposure to these chemicals and congenital malformations in the child population.¹¹⁹⁸

709. The Office has taken note of reports that this situation is disproportionately affecting the peasant and indigenous population, including children, adolescents and women of reproductive age, who have seen losses in their territories, social and judicial conflicts.¹¹⁹⁹ In Paraguay, several studies have shown a causal relationship between agricultural areas with increased use of pesticides and congenital malformations and cell damage in the child population.¹²⁰⁰ In addition, the UN Special Rapporteur on Toxic Substances and Human Rights had pointed out that the excessive use of pesticides in Paraguay is poisoning the country and seriously affecting the life and health of the population, highlighting the lack of compliance with pesticide control laws.¹²⁰¹

710. In 2024, according to available information, Paraguay has faced significant challenges due to the advance of extractive industries, especially in the Paraguayan Chaco. The expansion of oil, natural gas and lithium exploration and exploitation projects has generated concerns about deforestation and the violation of

¹¹⁹² Mongabay, [Paraguay wants to sell carbon credits: its own law may be a goal against it...](#) January 18, 2024

¹¹⁹³ CODEHUPY, [Human Rights Paraguay 2023](#), December 2023, p. 288.

¹¹⁹⁴ CODEHUPY, [Human Rights Paraguay 2023](#), December 2023, p. 287 - 290.

¹¹⁹⁵ Universidad Nacional de Asunción, [Science, Reality and Partnerships as Catalysts for Full Access to Water](#), March 22, 2024.

¹¹⁹⁶ Mongabay, [Paraguay advances in logging as soy producers oppose new measures against deforestation](#), December 2024.

¹¹⁹⁷ Centro de Estudios Legales y Sociales (CELS), [Por la tierra - Paraguay](#), November 27, 2024.

¹¹⁹⁸ Mesquita Ramírez, M. N., & Cabral de Bejarano, M. S. (2024). [Children's health and the environment. Pesticide exposure of vulnerable populations](#). *Pediatrics (Asuncion)*, 51(2), 115-126.

¹¹⁹⁹ HRC, 54th session, [Report of the Special Rapporteur on the human rights implications of the environmentally sound management and disposal of hazardous substances and wastes](#), Marcos Orellana A/HRC/54/25/Add.3, 7 July 2023, para. 57.

¹²⁰⁰ HRC, 54th session, [Report of the Special Rapporteur on the human rights implications of the environmentally sound management and disposal of hazardous substances and wastes](#), Marcos Orellana A/HRC/54/25/Add.3, 7 July 2023, para. 57.

¹²⁰¹ UN Special Rapporteur on Toxic Substances and Human Rights, [Paraguay: alarming increase in use of pesticides compromises human rights, says UN expert](#), October 14, 2022.

the rights of indigenous communities.¹²⁰² The Office has received information on environmental impacts in the eastern region of Paraguay due to the lack of adequate treatment of hazardous waste from gold mining in Paso Yobái, Guairá department. Several studies have revealed high levels of mercury contamination in fish in streams and in mine workers in Paso Yobái.¹²⁰³ These toxic substances also affect communities living near areas of development of economic activities that use toxic inputs, such as mining or agriculture, as they suffer chronic exposure to environmental contamination.¹²⁰⁴ Likewise, environmental degradation is observed to increase the vulnerability of communities to poverty by having a negative impact on agricultural production and drinking water sources.¹²⁰⁵

711. Also in 2024, technology companies, especially those involved in cryptocurrency and digital platforms, would have a significant impact. According to available information, Paraguay would be an attractive country for cryptocurrency mining due to its abundant hydroelectric power and competitive electricity tariffs. However, this activity has generated significant concerns in terms of energy consumption, its environmental impact and carbon footprint.¹²⁰⁶ REDESCA has also monitored the situation of digital platform workers in Paraguay. According to ILO data, the most widespread sectors in the Paraguayan digital platform market are those corresponding to transport and delivery.¹²⁰⁷ In this regard, it is noted that there is still a lack of regulation and adequate working conditions for this group of workers. It has been noted that, although a legislative initiative has been presented with a view to regulating this type of services, the project is still pending in Congress.¹²⁰⁸

C. Fiscal and economic policies

712. In 2024, Paraguay experienced remarkable economic growth, with GDP projected at around 4%, driven by dynamism in sectors such as domestic trade, financial services and manufacturing. This economic progress was accompanied by a reduction in the fiscal deficit to 2.6% of GDP. In addition, inflation remained close to the Central Bank of Paraguay's target of 4%, reflecting macroeconomic stability.¹²⁰⁹

713. REDESCA notes the persistent situation of labor informality in the country. According to data from INE, the proportion of employed people classified as informal was 62.1% in 2023, representing a slight year-on-year decrease, while in 2022 the informal employment rate was 63.4%.¹²¹⁰ By area of residence, the non-agricultural employed population living in rural areas is the most affected by informality. An analysis by sex shows that the female informality rate is higher than the male rate, both at the urban and rural levels; by 2023, 65% of employed women worked in an informal occupation, while 59.7% of men were in the same situation.¹²¹¹

¹²⁰² Iniciativa Amotocodie, [El Chaco Paraguayo en la mira](#), April 17, 2024. Última Hora, [La prospección de petróleo y gas se retoma en el segundo semestre](#), April 28, 2024

¹²⁰³ Business & Human Rights Resource Center, [Paraguay: Public Prosecutor's Office files charges against the mining company Che Uru S.A. for cyanide contamination of the Silva Kue stream](#), January 12, 2024

¹²⁰⁴ HRC, 54th session, [Report of the Special Rapporteur on the human rights implications of the environmentally sound management and disposal of hazardous substances and wastes](#), Marcos Orellana A/HRC/54/25/Add.3, 7 July 2023, p. 4, para.16.

¹²⁰⁵ HRC, 54th session, [Report of the Special Rapporteur on the human rights implications of the environmentally sound management and disposal of hazardous substances and wastes](#), Marcos Orellana A/HRC/54/25/Add.3, 7 July 2023, p. 4, para.16.

¹²⁰⁶ TEDIC, [Todo lo que tenés que saber sobre la criptomonería en Paraguay: Energía, regulación y controversias](#), November 6, 2024. Barron's, [Cryptomining in Paraguay: the law of the jungle in the country of cheap energy](#), September 4, 2024. ABC Color, [El impacto ambiental de las criptomonedas y sus posibles soluciones sustentables](#), November 19, 2024

¹²⁰⁷ International Labour Organization (ILO), [Challenges for decent work: Work on digital platforms in Paraguay](#), 2021.

¹²⁰⁸ Paraguayan Information Agency (IP), [Ministry of Labor and MIC analyze labor legislation for mobility and delivery platforms](#), November 29, 2023.

¹²⁰⁹ IMF, [IMF Mission Concludes Visit to Paraguay for the Fourth Review of the Policy Coordination Instrument and Second Review under the Resilience and Sustainability Facility](#), November 13, 2024. International Monetary Fund, [Paraguay: Final Staff Statement on the 2024 Article IV Consultation, Third Review of the Policy Coordination Instrument and First Review of the Resilience and Sustainability Fund](#), May 8, 2024

¹²¹⁰ INE, [Informal Occupation 2017, 2022 and 2023 EPHC 2023](#), June 2024.

¹²¹¹ INE, [Informal Occupation 2017, 2022 and 2023 EPHC 2023](#), June 2024, p. 10.

714. The Office received information from civil society on the challenges faced by domestic workers in the country. In Paraguay, formalization in the domestic sector has historically been low. Despite various legislative initiatives that have sought to promote formalization, statistics show that formalization remains limited, with 94.9% of domestic workers working informally.¹²¹² Within the information received on the situation of this group of workers, challenges have been observed with respect to the full guarantee of labor rights, within which a precariousness of wages and a wage gap compared to other groups of workers is observed.

715. On the other hand, child labor continues to be a serious challenge in Paraguay, especially in rural areas, where almost half of the children and adolescents between 5 and 17 years of age work, including 42.6% of those under the legal working age (14 years), and 58% of adolescents perform hazardous tasks.¹²¹³ The situation of children and adolescents in “Criadazgo”, a type of unpaid domestic work, on which there is a lack of recent data on its magnitude, is particularly noteworthy. The latest available data from 2011 estimate that approximately 47,000 children and adolescents were in this situation.¹²¹⁴ In this context, REDESCA values positively the draft bill “De Criadazgo” which proposes a National Protection Program for children in this situation.¹²¹⁵

716. Regarding the financing of health services, it is observed that Paraguay does not reach the minimum standard of investment recommended by the Pan American Health Organization to ensure universal coverage.¹²¹⁶ In this regard, during a thematic hearing before the IACHR in the framework of the 190th period of sessions, civil society organizations stated that the Paraguayan State is not complying with its obligation to guarantee access to health services and social security to persons.¹²¹⁷ Available information shows the existence of inequality gaps in the care and access to the public health system in Paraguay, caused by the lack of sufficient investment and inefficient use of resources. The figures provided reveal that more than 70% of the Paraguayan population does not have any health insurance, so they are treated by the Ministry of Public Health, while 19% have health insurance through the Social Security Institute, which is only for formal workers, and 5.9% have private insurance.¹²¹⁸

717. In line with the above, workers in the informal economy tend to face greater difficulties with respect to the full exercise of the right to health, as there is a direct relationship between access to health insurance, employment status and income. It has been noted that according to reports from civil society organizations, four out of ten Paraguayans (41.7%) did not receive free medicines and one out of three people living in poverty had to pay for their medicines.¹²¹⁹ REDESCA has noted the unequal territorial distribution of resources and their concentration in the central department and, in particular, in the country's capital and urban areas.¹²²⁰ This observation points to structural and systemic challenges that continue to impede the full exercise of the right to health, including lack of basic supplies, medicines and unsanitary conditions.¹²²¹

718. In relation to the right to food, the Special Rapporteur on ESCER welcomes the enactment of Law 7264/24, which implements the Zero Hunger Program in Schools.¹²²² Through this program, the National School Food Fund (FONAE) is created, which allows for better traceability of the origin and destination of resources, and the National School Food Council (CONAE), which will have the function of regulating the provision and administrative and operational controls, accountability and oversight.¹²²³ The initiative of the

¹²¹² ILO, [Paid Domestic Work in Latin America and the Caribbean, 10 years after Convention No. 189](#), November 16, 2021, p. 107.

¹²¹³ Gobierno Nacional Paraguay, [Plan Nacional de Desarrollo Paraguay 2030: Avances y actualización](#), 2021, p. 59.

¹²¹⁴ INE, [INE, UNFPA and UNICEF project research on criadazgo in Paraguay](#), March 15, 2023; INE, [INE, UNFPA and UNICEF project research on criadazgo in Paraguay](#), March 15, 2023.

¹²¹⁵ Legislative Branch Honorable Chamber of Deputies, [In discussion finalize details of the draft bill “De criadazgo”](#), July 12, 2024.

¹²¹⁶ Amnistía Internacional, [Paraguay: The health debt](#), May 6, 2024.

¹²¹⁷ IACHR, Public Hearing, [190th Period of Sessions, Paraguay: Situation of the Right to Health](#), July 8, 2024.

¹²¹⁸ Amnistía Internacional, [Paraguay: The Health Debt](#), May 6, 2024, p. 5.

¹²¹⁹ Amnistía Internacional, [Paraguay: The Health Debt](#), May 6, 2024, p. 6.

¹²²⁰ CODEHUPY, [Urge improvements in Paraguay's Health System: “The lives of thousands of people are at risk”](#), July 23, 2024.

¹²²¹ ABC Paraguay, [Health crisis: lack of supplies and medicines exposes patients to precarious conditions](#), December 1, 2024.

¹²²² Sistema de Información Legislativa Paraguay, [Ficha técnica de la Ley 7264](#), August 6, 2024.

¹²²³ Government of Paraguay, [Zero Hunger in Schools](#), 2024.

"Ñangareko" platform is welcomed, which will allow citizens to have greater control over the implementation of the mechanism for the provision of school meals through the Zero Hunger program.¹²²⁴

D. Democracy and guarantee of ESCER

719. Citizen participation in environmental matters is an essential component to guarantee democracy and the protection of ESCER. The Office of the Special Rapporteur on ESCER is aware that the country has established mechanisms for the inclusion of society in environmental decision-making, such as the public hearings organized by the Ministry of Environment and Sustainable Development.¹²²⁵ However, at the same time, in November 2024, new legislation was enacted regarding non-profit organizations in Paraguay, which has generated deep concerns among civil society and international human rights organizations, as it would introduce disproportionate administrative burdens, the use of vague terms such as "public utility" and "social interest", opens the door to restrictive interpretations that could threaten freedom of association and expression, as well as disproportionate sanctions, such as the disqualification of directors for up to five years and the suspension of activities of the organizations.¹²²⁶

720. REDESCA recommends that Paraguay should move forward with the ratification of the Escazú Agreement, in order to have an adequate instrument to guarantee an enabling environment for citizen participation and the work of civil society on environmental issues, thus ensuring the strengthening of democracy and the protection of ESCER in the country.

721. Regarding the challenges in access to justice, REDESCA received information on the challenges faced by human rights and environmental defenders in the absence of adequate mechanisms for protection, access to justice and reparation for communities impacted by various business activities, among others. In this context, the United Nations Special Rapporteur on the human rights implications of hazardous substances and wastes warned that the State has not fully complied with the rulings of the Human Rights Committee in the cases of Colonia Yerutí and Campo Agua'ë.¹²²⁷

722. The Office of the Special Rapporteur on ESCER welcomes the creation of the Special Commission to implement specific measures aimed at strengthening educational institutions and complying with the judgments handed down by the Inter-American Court of Human Rights in favor of the Sawhoyamaxa, Yakye Axa and Xákmok Kásek indigenous communities, located in the Paraguayan Chaco, by the Ministry of Education and Science.¹²²⁸ Likewise, it welcomes the progress in relation to the fulfillment of commitments with the Yakye Axa indigenous community in Presidente Hayes, as part of the monitoring of compliance with judgments of the Inter-American Court of Human Rights issued in 2005 and 2010 on territorial rights of indigenous peoples.¹²²⁹

723. REDESCA welcomes the initiative of the Paraguay + Verde Project, which seeks to strengthen government institutions to implement the National Low Carbon and Sustainability Strategy, reduce greenhouse gas emissions, and adequately manage forest resources and environmental services.¹²³⁰ In the framework of this project, REDESCA welcomes the process of prior consultation with the communities, creating spaces for

¹²²⁴ Ministry of Social Development Paraguay, ["Ñangareko" will allow greater control in the provision of school meals Zero Hunger](#), September 16, 2024.

¹²²⁵ Ministry of Environment and Sustainable Development. [Public hearings on environmental impact projects with citizen participation](#), November 27, 2024.

¹²²⁶ Office of the Special Rapporteur for Freedom of Expression, [Concern over the approval of the bill regulating NGOs in Paraguay](#), October 18, 2024. The Guardian. [Paraguay's new law could shut down NGOs and silence critics, opponents warn](#), 19 November 2024.

¹²²⁷ HRC, 54th session, [Report of the Special Rapporteur on the human rights implications of the environmentally sound management and disposal of hazardous substances and wastes](#), Marcos Orellana A/HRC/54/25/Add.3, 7 July 2023.

¹²²⁸ Agencia de Información Paraguaya (IP), [MEC creates Special Commission that will attend to the ruling of the Inter-American Court of Human Rights in favor of indigenous communities in educational matters](#), September 19, 2024.

¹²²⁹ Ministry of Public Works and Communications Paraguay, [Paraguay advances in the fulfillment of commitments with indigenous communities of the Chaco](#), September 19, 2024.

¹²³⁰ FAO, [Paraguay +Verde: an initiative for sustainable forest management](#), April 1, 2024.

dialogue to reach consensus in collective decision-making, in accordance with national and international law.¹²³¹

27. PERU

724. In relation to international treaties relevant to ESCER, Peru has ratified key instruments such as the American Convention on Human Rights and its Protocol of San Salvador. However, although the country signed the Escazú Agreement, focused on guaranteeing public participation, access to information and environmental justice in the region, to date it has not advanced in its ratification, which limits its commitment to the protection of environmental defenders and the promotion of environmental justice in the context of growing ecological and social challenges.

725. According to official data from the National Institute of Statistics and Informatics¹²³², in 2023 monetary poverty -that is, people residing in households whose per capita expenditure is insufficient to acquire a basic food and non-food basket- reached 29% of the population, which is equivalent to 9 million 780 thousand people. This percentage represents an increase of 1.5% compared to 2022 and an increase of 8.8% compared to the pre-pandemic stage of 2019. For its part, the percentage of the population living in extreme poverty -that is, those people who are members of households whose per capita expenditure is below the cost of the basic food basket- was 5.7%.¹²³³ The Office also notes a marked disparity between rural and urban areas.¹²³⁴ In rural areas, poverty reached 39.8% of the population, which means that almost 4 out of 10 people live below the poverty line. In contrast, in urban areas, poverty affected 26.4% of the population.¹²³⁵

726. In 2024, inequality in Peru remains a significant concern. According to the National Inequality Perception Survey, 80% of the population considers inequality between rich and poor to be very serious or somewhat serious, and 60% believe that it has increased in the last two years.¹²³⁶ In addition, 51% of respondents perceive economic inequality to be high. As for the Gini Index, which measures inequality in income distribution, the World Bank reported a value of 0.40 for Peru in 2022, placing it in the top third of countries with the highest degree of inequality.¹²³⁷

A. Climate emergency and environmental protection

727. REDESCA notes that Peru faces significant challenges related to the impacts of climate change, which affect the guarantee of ESCER. In 2024, the country experienced extreme weather events that have compromised food security, health and access to basic resources for the population.

728. For example, according to available information, an unprecedented drought in the Peruvian Amazon affected more than 420,000 children, disrupting their education and limiting access to clean water and food.¹²³⁸ Furthermore, in the region of Piura, the Poechos reservoir, crucial for water supply and agriculture, reduced its capacity to historic lows, putting agricultural production and human consumption at risk. These events demonstrate Peru's vulnerability to climate change and the need to implement effective adaptation and mitigation policies to protect the ESCER of its inhabitants.¹²³⁹

¹²³¹ FAO, [Paraguay + Verde: Yalve Sanga indigenous community begins consultation process to join the Environmental Services Regime](#), July 18, 2024; Ministry of Environment and Sustainable Development Paraguay, [Indigenous communities conserve their forests](#), November 18, 2024.

¹²³² National Institute of Statistics and Informatics (INEI), [Peru: Evolution of Monetary Poverty 2014-2023](#), May 2024.

¹²³³ INEI, already cited, May 2024, pp. 63-64.

¹²³⁴ INEI, already cited, May 2024, p. 98.

¹²³⁵ NEI, cited above, May 2024, p. 98.

¹²³⁶ Oxfam and Instituto de Estudios Peruanos (IEP), [II Encuesta nacional de percepción de desigualdades 2024](#), Lima, June 2024.

¹²³⁷ World Bank. Gini Index (World Bank Estimate). Available at: <https://data.worldbank.org/indicator/SI.POV.GINI>.

¹²³⁸ El País. [Stop going to school because the river dries up: more than 420,000 children have been affected by the drought in the Amazon](#). Published on November 8, 2024.

¹²³⁹ El País. [From floods to a deep drought: climate change takes its toll on northern Peru](#). Published on December 6, 2024.

729. In a context of water stress as a product of climate change, REDESCA is concerned that 73.7% of the population lacks secure access to water, according to information published by the National Institute of Statistics and Informatics.¹²⁴⁰ This figure represents an increase of 1.6% over the previous year and 5.2% compared to 2019. The situation is even more serious in rural areas, where 97.5% of the population faces a lack of safely managed water.¹²⁴¹ This data highlights the inequality in access to basic services, since, in urban areas, although also problematic, the percentage reaches 67.8%.¹²⁴²

730. Faced with this panorama, REDESCA calls on the State to adopt effective and differentiated measures to ensure equitable access to drinking water. The human right to water imposes an obligation on the State to guarantee access to safe and sufficient water as an unavoidable condition for the satisfaction and exercise of several human rights, such as the right to life, to personal integrity, to health, among others.¹²⁴³

731. The floods that occurred in February and March 2024 led the government to declare a state of emergency in different regions of the country as a result of the damages suffered.¹²⁴⁴ According to available information, more than 8,700 people from indigenous and rural communities in the Peruvian Amazon, including at least 3,700 children, were affected by the rains, which damaged schools, health centers and destroyed crops. One of the most affected areas was the department of Ucayali where communities were already facing limited access to basic services and living under precarious conditions.¹²⁴⁵

732. Another challenge facing the country is related to the increase in forest fires, a phenomenon that not only endangers the environment, but also people's lives and health. It is worth noting that, according to available information, the forest fires that occurred in September 2024 alone caused at least 23 deaths and 219 people injured, destroying around 4,000 hectares of crops and more than 9,000 hectares of forest.¹²⁴⁶ This situation led authorities to declare a state of emergency in the regions of Amazonas, San Martín, Ucayali, Lambayeque, Cajamarca and Huánuco.¹²⁴⁷ Fires, driven by extreme weather conditions, deforestation and the expansion of the agricultural frontier, are causing severe material damage, endangering biodiversity and affecting the communities that depend on these territories for their survival. Although REDESCA recognizes the efforts of the National Government and the Armed Forces in fire mitigation and extinction actions against natural disasters,¹²⁴⁸ the State must adopt preventive and adaptive measures in the face of the growing threat of this type of phenomena. In addition, it must advance awareness campaigns on the prevention of forest fires and the necessary actions to mitigate them.¹²⁴⁹

733. Another effect of climate change is the increase in the incidence and spread of vector-borne diseases such as dengue. As of October 2024, Peru reported a total of 234 deaths and 261,415 confirmed cases of dengue. These figures represent a 7% increase compared to the same period in 2023, underscoring the severity of the situation. Even more concerning is that these numbers reflect a 251% increase compared to the average of the past five years.¹²⁵⁰ In this context, REDESCA takes note of the State's acquisition of vaccines against the disease.¹²⁵¹ Additionally, it commends the State for adopting the 2024 Dengue Prevention and Control Plan to strengthen its strategy to reduce the incidence and fatality rate of cases, implementing multiple

¹²⁴⁰ National Institute of Statistics and Informatics, [Peru: Evolution of Monetary Poverty 2014-2023](#), May 2024, p.180.

¹²⁴¹ Instituto Nacional de Estadística e Informática, already cited, May 2024, p.181.

¹²⁴² Instituto Nacional de Estadística e Informática, already cited, May 2024, p.181.

¹²⁴³ REDESCA, Press Release No. RD056, [REDESCA urges to guarantee the right to water and sanitation in the face of the climate emergency and the impact of certain business activities in the Americas](#), March 22, 2024.

¹²⁴⁴ Government of Peru, Diario Oficial El Peruano, [Supreme Decree N° 027-2024-PC](#), March 14, 2024.

¹²⁴⁵ Save the Children, [INTENSE RAINS AND FLOODS CLOSE SCHOOLS, DESTROY CROPS IN THE PERUVIAN AMAZON](#), March 21, 2024.

¹²⁴⁶ Infobae, ["Incendios forestales: ya son seis las regiones declaradas en emergencia por siniestros y muertes se elevan a 23"](#), September 27, 2024.

¹²⁴⁷ El Comercio, ["Gobierno declara en emergencia por 60 días las regiones Lambayeque, Cajamarca y Huánuco debido a los incendios forestales"](#), September 25, 2024.

¹²⁴⁸ Government of Peru, ["Minister of Defense coordinates actions against forest fires in the northern regions of Peru"](#), September 24, 2024.

¹²⁴⁹ REDESCA, Press Release No. RD280, [REDESCA urges urgent action on environmental crisis in South America caused by forest fires](#), September 17, 2024.

¹²⁵⁰ PAHO, [Epidemiological Alert](#), October 7, 2024.

¹²⁵¹ Ministerio de Salud, [Resolución Ministerial](#), 19 de agosto de 2024.

actions at the national level, such as larval control, identification and elimination of potential mosquito breeding sites, as well as fumigation campaigns in the most vulnerable areas.¹²⁵²

734. In relation to projects and plans for the energy transition, the State informed REDESCA that it is working on the development of various initiatives.¹²⁵³ These include the preparation of the National Energy Plan to 2050, which will include prospective scenarios and operational actions to guide long-term policies in the energy sector, and the updating of the Reference Plan for Efficient Energy Use to 2050, which aims to promote the rational and efficient use of energy in all its stages, with a view to guaranteeing supply, improving competitiveness and reducing environmental impact.

735. REDESCA welcomes the adoption of Law No. 30754, Framework Law on Climate Change, as well as its regulations, especially highlighting the progress it represents in terms of comprehensive climate change management.¹²⁵⁴ According to the legal framework, it promotes a participatory, transparent and inclusive planning approach, aimed at the design, implementation, monitoring, evaluation, reporting and dissemination of policies, strategies, plans, programs and projects aimed at reducing the country's vulnerability to the effects of climate change, mitigating emissions and increasing GHG removals.

B. Business and human rights

736. Peru has made efforts to align business activities with international human rights standards, an example of which is the development of actions aimed at implementing its National Action Plan on Business and Human Rights 2021-2025.¹²⁵⁵ However, the information for the year 2024 shows that significant challenges persist.

737. For instance, several reports analyzed by REDESCA highlight a series of difficulties related to the activities of extractive industries in the country. This is the case of the reports that refer to the serious impacts caused by repeated oil spills, such as the one that occurred in the sea of Ventanilla in January 2022, caused by the company Repsol. In this regard, the lack of progress in environmental remediation and civil reparation by the responsible company is of concern. According to publicly available information, the compensation offered to the victims would continue to be insufficient, leaving many people without the necessary help to rebuild their livelihoods.¹²⁵⁶ Likewise, according to available information, the administrative and judicial process would advance at a slow pace, since of the 15 administrative sanctioning processes opened against Repsol, only five have been resolved so far and although fines of 56 million dollars were imposed, the company has paid only 8 million dollars.¹²⁵⁷

738. The Office of the Special Rapporteur on ESCER has learned of a serious incident that occurred on October 3, 2024, when an oil spill at kilometer 11 of the North Branch of the Norperuvian Pipeline, in the Loreto region of Peru, contaminated the waters of the Pastaza River, a tributary of the Amazon River, near the border with Ecuador. This environmental disaster would have severely affected several communities of the Achuar and Kichwa peoples in the district of Andoas. According to information provided to REDESCA, the spill has put both the local ecosystem and essential water sources for these communities at serious risk, leaving their inhabitants without access to drinking water and food, and exacerbating health problems in the area. The Special Rapporteur on ESCER has been informed of an increase in diarrheal diseases in all of these communities due to the consumption of water unfit for human consumption. This environmental disaster has put both the

¹²⁵² Ministry of Health, [Resolución Ministerial](#), August 19, 2024.

¹²⁵³ Ministry of Health, [Ministerial Resolution](#), February 3, 2024.

¹²⁵⁴ State of Peru, Note Verbale No. 7-5-M/226, in response to the Letter of Request for Information in light of Article 41 of the ACHR, No. IACHR/REDESCA/013-24, December 3, 2024, on file with REDESCA.

¹²⁵⁵ Ministry of Justice and Human Rights, [National Action Plan on Business and Human Rights \(PNA\) 2021-2025](#).

¹²⁵⁶ Mongabay, [Balance negativo en remediación y reparación civil para Repsol dos años después del mayor derrame de petróleo en costas peruanas](#), 31 de enero de 2024.

¹²⁵⁷ Mongabay, [Cuentas pendientes: más de 47 millones de dólares en multas siguen impagas por Repsol a dos años del derrame de petróleo en mar peruano](#), 13 de mayo de 2024.

local ecosystem and the health of the population at serious risk, further deepening the social and environmental challenges they face.¹²⁵⁸

739. REDESCA has also taken note of the oil spill at the Talara Refinery, operated by the state-owned Petroperu, which seriously affected the coasts of northern Peru, especially Las Capullanas beach in Lobitos, in December 2024. This new incident allegedly occurred during maneuvers prior to the loading of crude oil on the vessel Polyaigos, resulting in the contamination of at least 10,000 square meters of sea surface. This event caused significant damage to marine life and affected tourist areas in the region. In response, the Peruvian government declared a 90-day environmental emergency in the affected area, with the objective of implementing recovery and remediation actions to mitigate the contamination and protect the health of the population. According to available information, environmental organizations and local communities criticized the company's response, pointing out that the safety measures were inadequate and that the reaction was late.¹²⁵⁹

740. This new spill underscores the need for stricter supervision and the implementation of more rigorous safety protocols in oil operations in Peru, in order to prevent future environmental disasters and protect both the marine ecosystem and the communities that depend on it. In this regard, REDESCA reiterates its willingness to provide technical assistance to help strengthen the policies and measures necessary to ensure the protection of human rights and the environment, in compliance with applicable Inter-American standards.

741. In the framework of the 189th session, the civil society organizations expressed their concern about the negative effects that business activities generate in terms of social conflict, environmental deterioration and human rights violations, especially for people and groups in situations of vulnerability.¹²⁶⁰ They pointed out that these impacts are directly related to the expansion of mining concessions in the country, which already cover 30 million hectares, equivalent to more than a fifth of the country's territory. In addition, they highlighted a worrying context of environmental and labor flexibilization which, added to the ineffectiveness of the national authorities in the oversight of business activities, has allowed companies to operate without due restrictions. The organizations maintained that this situation has led to an increase in human rights violations, exacerbating the pre-existing vulnerabilities of the affected people.¹²⁶¹

742. The Office of the Special Rapporteur on ESCER takes careful note of the enactment of Law 31.973, which modifies the Forestry and Wildlife Law in Peru, while expressing its concern about the risk it would represent for the country's indigenous peoples. In this regard, it notes that the modification of Article 38 of the previous law eliminates important requirements, such as the land qualification process before the Ministry of Agrarian Development and Irrigation and the request for a change of land use from forestry to agrarian before the National Forestry and Wildlife Service (SERFOR). In practice, this could allow for the automatic rezoning of forest land to agricultural use, even if it has a forestry vocation. The United Nations Special Rapporteur on the Rights of Indigenous Peoples expressed his concern about the new law and the possibility that this legislative modification could negatively affect and simplify the environmental certification procedures of large companies operating in indigenous territories, as it deregulates logging activity.¹²⁶²

743. Also, the Office has taken note of information according to which indigenous peoples in the Peruvian Amazon reportedly face threats due to illegal activities such as drug trafficking, mining and illegal logging, which invade and deplete their territories. Since 2014, there have been multiple murders of indigenous leaders, leading to forced displacement and a human rights crisis in the region. Affected

¹²⁵⁸ Information provided to REDESCA by people affected by the spills, November 06, 2024.

¹²⁵⁹ El País. [An oil spill affects the coasts of northern Peru and damages marine life in the region](#). December 23, 2024. Reuters. [Peru declares environmental emergency after oil spill](#). Published on December 26, 2024.

¹²⁶⁰ IACHR, Thematic Hearing, 189th Session, [Regional: Business Impacts on Human Rights and the Environment](#), Washington, D.C., United States, March 1, 2024.

¹²⁶¹ IACHR, cited above, Washington D.C., United States, March 1, 2024.

¹²⁶² Office of the United Nations High Commissioner for Human Rights, Special Rapporteur on the rights of Indigenous Peoples, [Communiqué](#), January 26, 2024.

communities are demanding greater state protection and international cooperation to address this emergency.¹²⁶³

744. An important milestone in the protection of human rights and the environment has been the pronouncement of the Inter-American Court of Human Rights in the case "Inhabitants of La Oroya vs. the State of Peru", which declared the international responsibility of the Peruvian State for the violation of several fundamental rights, including the right to a healthy environment, health, personal integrity, life with dignity and access to information.¹²⁶⁴ This judgment recognizes the State's failure to comply with its duty to protect the community of La Oroya from pollution caused by mining business activities. It also sets a historical precedent and at the same time establishes an important precedent in the region, underlining the need for adequate supervision of corporate activities by the States to guarantee the effective protection of environmental and human rights. In this sense, the Court's decision becomes a key reference in the area of business and human rights, highlighting the need for a more rigorous regulatory framework to ensure the protection of the environment and people from the impacts of business activities. REDESCA is at Peru's disposal to support its efforts to implement Inter-American standards on business and human rights.

C. Fiscal and economic policies

745. The Office takes careful note of the approval of the State's public budget for 2024, which has among its priorities the improvement of education; health; the sanitation, housing and urban development program; and the social protection and poverty alleviation program.¹²⁶⁵ However, according to available information, although the Peruvian government has begun to implement measures in economic and fiscal terms to improve the guarantee of ESCER, funding for climate issues would still be limited, according to available information. Budget plans often do not adequately reflect the costs associated with essential adaptation measures, highlighting the need for improved territorial planning¹²⁶⁶. The Special Rapporteur on ESCER considers that scaling up investments in climate change adaptation and resilience could not only generate significant increases in potential output, but also help save fiscal resources in the long term. This would allow Peru not only to better face current challenges, but also to position itself more solidly in the face of future climate contingencies.

746. In 2024, Peru's public debt experienced significant variations. At the end of the first quarter, gross public debt represented 32.3% of GDP, a reduction of 0.6 percentage points compared to the end of 2023. This decrease is mainly attributed to a reduction in domestic debt.¹²⁶⁷ However, by the end of the third quarter of 2024, gross public debt increased slightly to 32.6% of GDP. This increase was mainly due to new sovereign bond placements and the issuance of a bond maturing in 2043 by the Metropolitan Municipality of Lima.¹²⁶⁸ In this context, REDESCA stresses the importance of ensuring that financing and debt strategies are compatible with the protection of ESCER, ensuring that fiscal consolidation measures do not compromise access to essential services or deepen social inequalities.

747. On the other hand, REDESCA emphasizes the need to address the phenomenon of corruption with a human rights approach, incorporating principles of non-discrimination, equality, accountability, access to justice, transparency and participation. In this regard, note is taken of the commitment made by the authorities in the fight against corruption and inequality,¹²⁶⁹ as well as the implementation of several anti-corruption frameworks, including the designation of integrity officers in public institutions, the creation of

¹²⁶³ El País. [Amazonía en emergencia: un mandato de acción desde los pueblos indígenas](#), October 24, 2024.

¹²⁶⁴ IACHR Court. Case of Inhabitants of La Oroya v. Peru. Preliminary Objections, Merits, Reparations and Costs. Judgment of November 27, 2023. Series C No. 511.

¹²⁶⁵ Ministry of Economy and Finance, [Guía de Orientación al Ciudadano de la Ley de Presupuesto Público para el Año Fiscal 2024](#), January 2024.

¹²⁶⁶ IMF, [Peru: Staff statement at the conclusion of the 2024 Article IV mission](#), March 21, 2024.

¹²⁶⁷ Banco Central de Reserva del Perú (BCRP), [Study Note No. 35-2024](#), 2024.

¹²⁶⁸ Banco Central de Reserva del Perú (BCRP), [Study Note No. 35-2024](#), 2024.

¹²⁶⁹ Presidency of the Republic of Peru, [President Boluarte reaffirms commitment to fight poverty, corruption and insecurity](#), June 7, 2024.

digital platforms to receive complaints from citizens and a registry of beneficial owners. In the face of these, it is necessary to prioritize their implementation and support through the necessary resources.¹²⁷⁰

748. The rate of informality in the labor market has been reported to reach more than 71% of the population, according to the ILO.¹²⁷¹ In turn, according to the information analyzed, the proportion of informal employment disproportionately affects women, with a rate of 74.3%, compared to 69.5% for men.

D. Democracy and guarantee of ESCER

749. In relation to citizen participation in environmental decision-making, it is essential to recognize the crucial role played by environmental and territorial defenders. In this regard, REDESCA expresses its concern that Peru is among the ten most dangerous countries in the world for environmental defenders. According to recent reports, between 2012 and 2023, there were 58 murders of these people who fight for the protection of their communities and the environment.¹²⁷² Some of these murders have occurred in a context where forestry concessions have been granted to third parties outside the local communities, without guaranteeing the rights of participation, consultation and free, prior and informed consent.¹²⁷³ REDESCA recalls that the lack of protection not only puts the lives of those who defend the territory at risk, but also undermines the ability of communities to influence decisions that directly affect their environment and well-being.

750. REDESCA also received information on acts of threats and harassment affecting indigenous communities and human rights defenders in the context of activities related to logging, illegal mining and drug trafficking.¹²⁷⁴ In this regard, it has been indicated that these actions are aimed at silencing critical voices and perpetuating a state of impunity, which aggravates the situation of vulnerability of these communities and jeopardizes their right to defend their territories and natural resources. Of particular concern is the unprotected situation of the Wampís communities in the face of the advance of illegal mining in the Santiago river basin. The communities state that their claims are being neglected and demand firmer and more concrete measures from state authorities to stop these illegal activities and protect their ancestral lands.¹²⁷⁵

751. REDESCA recalls that the energy transition is a crucial process to address climate change that must be carried out in a responsible manner and taking into consideration the communities that could be affected, with a broad social dialogue, and an adequate assessment of environmental and socioeconomic impacts. In this regard, during the 189th session several applicant organizations raised the impact of the growing carbon credit markets on the rights of indigenous peoples and local communities.¹²⁷⁶ More specifically, they pointed out that these mechanisms are applied without the necessary environmental and social safeguards, which can lead to land dispossession and the alteration of their way of life. An outstanding example is the case of the Kichwa people in the San Martín region, who, following the creation of the Cordillera Azul National Park (PNCAZ), have reportedly seen their territorial rights affected in 29 native communities. Additionally, they add that since 2008, the PNCAZ has traded carbon credits without consulting the affected communities. The communities denounce the lack of transparency in the management of the resources, as they do not receive information on the destination of the funds generated, let alone obtain part of these credits.¹²⁷⁷

752. In terms of guaranteeing the right to education, the Office highlights the implementation of 10,000 new scholarships in the Beca 18 program and 4,000 in the Beca Permanencia program. In addition, the

¹²⁷⁰ IMF, [Peru: Staff statement at the conclusion of the 2024 Article IV mission](#), March 21, 2024.

¹²⁷¹ ILO, [Continuous Employment Survey Repository: ILO-STATISTICS. Microdata processing](#), last accessed 19 October 2024.

¹²⁷² Global Witness, *Silenced Voices*, September 2024, p. 16.

¹²⁷³ IACHR, Thematic Hearing, 190th Period of Sessions, [Regional: Attacks and Criminalization of Environmental Defenders](#), Washington, D.C., United States, July 9, 2024.

¹²⁷⁴ IACHR, Thematic Hearing, 189th Period of Sessions, [Regional: Situation of human rights defenders](#), Washington, D.C., United States, February 29, 2024.

¹²⁷⁵ Mongabay, [Wampís communities cornered in Peru: illegal mining crews operate on 30 sectors of the Santiago River](#), February 27, 2024.

¹²⁷⁶ IACHR, Thematic Hearing, ["Impact of Carbon Market Expansion on Indigenous Peoples and Local Communities."](#) 189th regular session, Washington, D.C., United States, February 28, 2024.

¹²⁷⁷ IACHR, cited above, Washington, D.C., United States, February 28, 2024.

Special Rapporteur on ESCER notes that a program of academic leveling and socio-emotional support will be implemented for the beneficiaries of Beca 18. In the area of health, emphasis is placed on investment in the prevention and control of cancer, the continuity of universal health insurance and improvement in the coverage of rare or orphan diseases. It also includes budgetary incentives to improve the management and quality of health care, as well as to revalue the work of professionals in the sector. Also included are programs to facilitate access to housing for the population or to strengthen food programs for the most vulnerable people.¹²⁷⁸

753. On the other hand, in relation to situations of discrimination against the LGBTIQIA+ community. According to information received by civil society organizations in the framework of the 190th session, trans persons in Peru suffer discrimination in the area of health, such as abuse of power, poor treatment and lack of sensitivity on the part of medical personnel. In the field of education, they face hostile and discriminatory environments.¹²⁷⁹ For its part, the State reaffirmed its commitment to the fight against discrimination against trans persons and reported on initiatives in the area of ESCER.¹²⁸⁰

754. REDESCA has also noted with concern reports of the lack of availability of medicines and medical supplies in State pharmacies and drugstores, which would prevent part of the population from accessing essential medical treatments.¹²⁸¹ According to the information analyzed, this shortage has led many users of the health system to spend their own money to purchase drugs in private establishments, which not only represents a considerable economic burden, but also creates inequalities in access to medical care.¹²⁸² The shortage of drugs in health facilities would not only have posed a significant challenge for patients and their families, but would also call into question the ability of the health system to ensure universal access to health care. In this context, the State is urged to adopt the necessary measures to guarantee unrestricted access to health care, ensuring the accessibility and affordability of medicines and supplies.

28. DOMINICAN REPUBLIC

755. In the framework of the specific instruments relevant to the protection of ESCER, it is noted that the State has ratified the American Convention but has not done the same with the Protocol of San Salvador or the Escazú Agreement. REDESCA urges the Dominican Republic to consider ratifying the latter international instruments.

756. REDESCA positively values the progress in the fight against poverty, according to official information, monetary poverty decreased from 34.3% in the second quarter of 2020 to 19.0% in the second quarter of 2024, the lowest ever recorded in the country.¹²⁸³ In parallel, according to available information, the Gini index, which had decreased from 41.9 in 2019 to 37 in 2022, increased slightly to 38.4 in 2023, reflecting persistent inequalities.¹²⁸⁴ In this sense, REDESCA recalls that decreasing inequality must be a priority to promote more inclusive development, strengthen social cohesion and ensure equitable access to opportunities for the entire population.

A. Climate emergency and environmental protection

757. In 2024, the Dominican Republic continued to face significant challenges related to climate change and environmental protection. The country is highly vulnerable to extreme natural phenomena, such as hurricanes, floods, and droughts, due to its geographic location and geological conditions. According to the

¹²⁷⁸ Ministry of Economy and Finance, cited above, January 2024.

¹²⁷⁹ IACHR, Thematic Hearing, 190th Period of Sessions, [Peru: Human Rights of Trans Persons](#), Washington, D.C., United States, July 10, 2024.

¹²⁸⁰ IACHR, already vitiated, Washington, D.C., United States, July 10, 2024.

¹²⁸¹ Peru21, [Shortages at Minsa](#), March 31, 2024.

¹²⁸² Apoyo Consultora, [Los peruanos gastan más de lo que deberían en medicamentos por el desabastecimiento en el sistema de salud público](#), September 16, 2024.

¹²⁸³ Ministry of Economy, Planning and Development, [Quarterly Bulletin of Monetary Poverty in the Dominican Republic](#), April-June 2024, April 2024, p. 6.

¹²⁸⁴ World Bank, [Poverty & Equity Brief: Dominican Republic](#), October 2024, cited above, para. 1.

World Bank, climate change impacts are expected to affect labor productivity, health, and agricultural yields in the country by 2050.¹²⁸⁵

758. REDESCA notes that the Dominican Republic, in December 2024, in its declaration before the International Court of Justice on the obligations of States in relation to climate change, reaffirmed its commitment as a party to the main international climate treaties, including the United Nations Framework Convention on Climate Change and the Paris Agreement. The country highlights that, as a Small Island Developing State, it faces extreme vulnerabilities to the adverse impacts of climate change, such as sea level rise and extreme weather events that threaten its biodiversity, economy and food security. The Dominican Republic emphasizes that States have the obligation to adopt effective measures to mitigate greenhouse gas emissions and protect the rights of present and future generations, in accordance with the principles of international environmental law and human rights.¹²⁸⁶

759. In 2024, the Dominican Republic advanced in its environmental management, climbing from 89th place in 2022 to 72nd place in the Environmental Performance Index, according to the Vice Ministry of Climate Change and Sustainability. This progress reflects efforts in sustainability policies and climate change adaptation.¹²⁸⁷ However, the country continues to face significant environmental challenges. The proliferation of sargassum on Caribbean coasts has affected tourism and the marine ecosystem. In response, measures such as the collection and processing of sargassum for use in bioproducts have been implemented, although the associated costs represent a considerable financial challenge.¹²⁸⁸

760. In addition, according to available information, overfishing and climate change threaten key species for marine ecosystems, such as the parrotfish, which is fundamental for the health of coral reefs and the formation of white sand beaches. To protect this species, permanent closures and other conservation measures have been established.¹²⁸⁹ These events underscore the need to strengthen climate change mitigation and adaptation strategies in the Dominican Republic, as well as to promote the conservation of its natural resources to ensure sustainable development.

761. REDESCA notes that the Dominican Republic implemented several actions during 2024 in the face of the negative effects of Hurricane Fiona, including incorporating affected families into the "Supérate" program, making them beneficiaries of money transfers and using digital technologies to expedite the distribution of aid.¹²⁹⁰

762. The Special Rapporteurship on ESCER welcomes the fact that the Dominican Republic and the European Union (EU) signed in May an agreement to boost the green and inclusive economy in the Caribbean country, which involves 13 million euros; the three priority sectors are sustainable transport, water and solid waste management and digital transition.¹²⁹¹

763. REDESCA notes that according to information from the World Bank, agriculture, despite being a key sector in the economy, faces challenges due to unsustainable practices that generate deforestation, soil erosion and water pollution, while agricultural irrigation consumes 82% of available water.¹²⁹² The agency predicts that the Dominican Republic's coastal marine ecosystems will be greatly affected by climate change, especially by events such as coastal flooding, sea level rise, erosion, coral bleaching and loss of mangroves. According to the same source of information, deforestation is one of the main environmental problems in the Dominican Republic, making regions susceptible to desertification and droughts. Vulnerable populations that depend on forest and coastal ecosystems for their livelihoods will be affected by the disappearance of cloud

¹²⁸⁵ World Bank, [Taking Action on Climate Change in the Dominican Republic](#), April 30, 2024.

¹²⁸⁶ Dominican Republic, [Written Submission of the Dominican Republic](#), July 4, 2024, pages 1-2, 13-17, 22-27.

¹²⁸⁷ Ministry of Finance of the Dominican Republic, [Coyuntura Fiscal - Junio 2024](#), August 2024.

¹²⁸⁸ El País, [Dominican Republic, a small laboratory to experiment with sargasso solutions](#), September 25, 2024.

¹²⁸⁹ HuffPost, [World's whitest beaches are droppings of a key fish for the planet](#), 2024.

¹²⁹⁰ World Bank, [Dominican Republic: A climate change-proof social protection system](#), May 28, 2024.

¹²⁹¹ News sin, [EU and DR sign agreement to boost green economy](#), 29 May 2024.

¹²⁹² World Bank, [Dominican Republic Climate and Development Report](#), November 2023, P. 12, Para. 6.

forests, home to many endemic species, due to land use change, fires and also to the increase in temperature and reduction of humidity levels as a consequence of climate change.¹²⁹³

B. Business and human rights

764. In 2024, the Dominican Republic faced significant challenges at the intersection of business activities and human rights. At a public hearing during the 191st Session of the IACHR, civil society representatives shared information pointing out that social impacts are occurring in Special Economic Zones (SEZs), regions in which beneficiary companies receive significant tax incentives, in several countries, including the Dominican Republic, where more than half of the SEZs in the Caribbean are located.¹²⁹⁴ In the same vein, a World Bank report stresses the need for the State to review the practices carried out in SEZs to minimize environmental impacts and ensure sustainability.¹²⁹⁵

765. The Office of the Special Rapporteur on ESCER expresses its concern regarding information gathered indicating that six communities -Jurungo, Jobo Claro, Las Lagunas, El Naranjo, La Cerca and La Piñita- near the Pueblo Viejo mine have been relocated, which has affected their access to drinking water and basic services.¹²⁹⁶ According to the same information, this population has also suffered damage to their health, crops and livestock due to mining activities, as well as risks related to the proximity of the El Llagal tailings dam.¹²⁹⁷ This population is reportedly protesting against the expansion of the mining project which, according to information, foresees further displacement of communities and the construction of another tailings dam, three times larger than the current one, which, in the event of a breach, could affect the tourist coasts of Nagua and Samaná.¹²⁹⁸ Since 2011, the communities have been receiving bottled water for drinking and food preparation, initially supplied by the company and, subsequently, by the government.¹²⁹⁹ According to media reports, the Ministry of Mining has stated that according to the analysis carried out, there was no direct impact on the health of people and livestock due to the current mining operations in the area.¹³⁰⁰

C. Fiscal and economic policies

766. The Dominican Republic experienced significant economic growth from 2005 to 2019, with an average annual growth rate of 5.7%, well above the Latin American and Caribbean average of 2.5%.¹³⁰¹

767. In 2024, the Dominican Republic experienced an increase in its public debt. At the end of June 2024, the Non-Financial Public Sector debt reached US\$55,730.2 million, representing 44.9% of GDP. Of this amount, external debt constituted US\$38,775.6 million (31.2% of GDP), while domestic debt totaled US\$16,954.6 million (13.7% of GDP).¹³⁰²

768. REDESCA notes that, according to the State, as of September 2024, 1,496,618 families were receiving the Bono Alimentate, which had increased from RD 825 to RD 1,650 per month. Likewise, 1,340,672 households were benefited with the Bonogás Hogar, the amount of which increased from RD 228 to RD 470

¹²⁹³ World Bank, [Dominican Republic Climate and Development Report](#), November 2023, already cited, P. 24, Para. 1.

¹²⁹⁴ Inter-American Commission on Human Rights, [Regional: Impact of Special Economic Zones and Low Financial Transparency Jurisdictions on Fiscal Justice and Climate Change](#), November 14, 2024.

¹²⁹⁵ World Bank, [Dominican Republic Climate and Development Report](#), November 2023, page 62.

¹²⁹⁶ MiningWatch Canada, [Communities in the Dominican Republic Demand Government Immediate Relocation Away from the Mine](#), September 11, 2024. The Guardian, ["É uma barbárie": por que centenas de famílias estão pedindo para serem removidas desta mina de ouro na República Dominicana?](#), May 21, 2024.

¹²⁹⁷ MiningWatch Canada, [Communities in Dominican Republic Demand Government Immediate Relocation Away from Mine](#), cited above, September 11, 2024.

¹²⁹⁸ Comité Nuevo Renacer, Espacio Nacional por la Transparencia de la Industria Extractiva and Observatorio Dominicano de Políticas Públicas de la UASD, [Comité Nuevo Renacer Letter](#), September 11, 2024, P. 2, Para. 3º.

¹²⁹⁹ MiningWatch Canada, [Communities in the Dominican Republic Demand Government Immediate Relocation Away from the Mine](#), September 11, 2024.

¹³⁰⁰ The Guardian, ["É uma barbárie": por que centenas de famílias estão pedindo para serem removidas desta mina de ouro na República Dominicana](#), May 21, 2024, para. last.

¹³⁰¹ World Bank, [Poverty & Equity Brief: Dominican Republic](#), October 2024, para. 1.

¹³⁰² <https://www.hacienda.gob.do/wp-content/uploads/2024/08/Coyuntura-Fiscal-Junio-2024.pdf>

per month. Additionally, more than 500,000 low-income families had access to the Bonoluz, which increased from RD 692 to RD 1,450 per month, demonstrating a commitment to the welfare of the most vulnerable communities.¹³⁰³ Furthermore, the country's social information system is under the responsibility of the Presidency of the Republic, while the social registry is managed by another ministry, standing out as a decentralized governance approach to social policy management.¹³⁰⁴

769. The Special Rapporteur on ESCER notes that the Dominican Republic has reportedly made progress in the fight against corruption. However, according to information from civil society, the country has few non-governmental organizations dedicated to transparency and the fight against corruption, and it is therefore necessary to strengthen these organizations.¹³⁰⁵

D. Democracy and guarantee of ESCER

770. In 2024, the Dominican Republic made progress in promoting citizen participation in environmental decision-making, recognizing the importance of involving society in sustainable environmental management. For example, in April 2024, the Ministry of Environment and Natural Resources held a series of workshops aimed at environmental service providers, decision makers and technical staff of the ministry. The objective was to provide training on the implementation of the "Methodological Guide for the Incorporation of Climate Change Adaptation Considerations in the Environmental Impact Assessment (EIA) Process". This initiative seeks to ensure that development projects include proactive measures against the effects of climate change, thus promoting greater environmental resilience.¹³⁰⁶

771. REDESCA has taken note of reports of the constant threats faced by Afro-Dominican activists who, while defending human rights and the environment, are subject to intimidation and aggression. These actions seek to silence critical voices and limit citizen participation in the protection of the natural environment and the promotion of social justice.¹³⁰⁷

772. The Office of the Special Rapporteur on ESCER recognizes that the Dominican Republic has made considerable progress in reducing undernourishment, from 8.7% in 2020 to 4.6% in 2024, according to information from the country.¹³⁰⁸ However, it is of concern that the exclusive breastfeeding rate is only 16%.¹³⁰⁹ However, the Rapporteurship recognizes the efforts to increase breastfeeding, such as the implementation and supervision of Law No. 8-95, which declares the Promotion and Encouragement of Breastfeeding a national priority.¹³¹⁰

773. REDESCA has taken note of the information provided at a public hearing during the 189th Period of Sessions of the IACHR, in which representatives of civil society denounced the precarious conditions of persons deprived of liberty in the country, such as overcrowding, poor food, insufficient medical care, lack of provision of medicines, almost no access to drinking water, lack of hygiene and lack of political interest to carry out a prison reform. For its part, at the hearing the State affirmed that it is expanding and improving spaces for persons deprived of liberty, in addition to implementing health, education and labor policies.¹³¹¹

¹³⁰³ Presidency of the Dominican Republic, [Government social programs, through Supérate, achieve economic independence for 142,292 Dominicans](#), September 9, 2024.

¹³⁰⁴ Economic Commission for Latin America and the Caribbean (ECLAC), Social Panorama of Latin America and the Caribbean 2024, LC/PUB.2024/10-P, 2024, p. 218.

¹³⁰⁵ Americas Society/Council of the Americas and Control Risks), [Anti-Corruption Capacity Index \(CCC\) 2023](#), June 2023, page 17.

¹³⁰⁶ Ministry of Environment and Natural Resources of the Dominican Republic, [Medio Ambiente capacita en incorporación de consideraciones de adaptación al cambio climático en el proceso de evaluación de impacto ambiental](#), 2024.

¹³⁰⁷ El País, ["Prohaitiano asqueroso, te vamos a fusilar": the constant threats to Afro-Dominican activists](#), September 28, 2024.

¹³⁰⁸ Presidency of the Dominican Republic, [FAO Representative in the DR congratulates President Abinader on the country's significant progress in reducing levels of undernourishment from 8.7% in 2020 to 4.6% in 2024](#), October 3, 2024.

¹³⁰⁹ Presidency of the Republic, [Ministry of Health reinforces initiatives to increase the rate of exclusive breastfeeding](#), August 1, 2024.

¹³¹⁰ Presidency of the Republic, [Ministry of Health reinforces initiatives to increase the rate of exclusive breastfeeding](#), August 1, 2024.

¹³¹¹ IACHR, [Public Hearing Dominican Republic: Human Rights of Persons Deprived of Liberty](#), February 29, 2024.

774. The Office of the Special Rapporteur on ESCER takes note of the State's support, together with the International Organization for Migration, for Radio Globalízate, which, among other things, disseminates information about human rights, access to employment, health care, education and banking services through digital platforms and the Special Residency Agreements for the Venezuelan community.¹³¹²

29. SAINT KITTS AND NEVIS

775. In the framework of the specific instruments relevant to the protection of ESCER, it is noted that the State is not a party to the American Convention or the Protocol of San Salvador. However, it is noted that it has ratified the Escazú Agreement.

776. The Office of the Special Rapporteur on ESCER recalls that, according to a study conducted in 2022, 21% of the population of St. Kitts and Nevis is living in poverty.¹³¹³

777. REDESCA also recalls the importance of generating updated information on poverty measurements, the absence of which continues to be a difficulty in evaluating the country's progress in this area. The formulation and updating of this data also allows the design of social policies that respond to the needs of the population, including vulnerable populations.

A. Climate emergency and environmental protection

778. In the context of climate emergency, REDESCA notes the imminent risk that the country could suffer significant damage from natural disasters and coastal erosion due to its geographical position.¹³¹⁴ The Special Rapporteur on ESCER takes note of the workshop co-organized by FAO and UNICEF that focused on the issues of how social protection can help mitigate and adapt to climate change and strengthen resilience to natural disasters.¹³¹⁵ On the other hand, the Rapporteurship notes that, in order to address the seasonal decrease in rainfall, the State took measures to mitigate water scarcity and highlighted the importance of water conservation.¹³¹⁶

779. The Special Rapporteur on ESCER is concerned about the increase in mosquito-borne diseases such as dengue, Zika and chikungunya.¹³¹⁷ REDESCA notes that this increase in the levels of mosquito vectors has occurred after the hurricane season, which has increased the risk of outbreaks of these diseases.¹³¹⁸

780. REDESCA takes note of the State's willingness to collaborate in health and renewable energy projects in the Caribbean region as reflected in the signing of a document for the construction of a new climate-smart hospital and the agreement to start the construction of a solar energy plant, highlighting its importance and urgency.¹³¹⁹

781. It also recognizes the workshop organized by FAO and AMEXCID in June on solar (micro) irrigation systems to improve efficiency in access to water and renewable energy.¹³²⁰ The Special Rapporteur recognizes the efforts of St. Kitts and Nevis to continue promoting the transition to renewable energy and environmental sustainability, reflected in the launch of the Caribbean Center of Excellence in Research,

¹³¹² UN News, [Venezuelan voices create cultural bridges in the Dominican Republic](#), May 15, 2024

¹³¹³ OACH, [St. Kitts & Nevis: Country Profile \(as of May 2022\)](#), July 13, 2022.

¹³¹⁴ World Bank, Four things you should know: Climate change & Small Island Developing States-by the numbers, <https://blogs.worldbank.org/en/climatechange/four-things-you-should-know--climate-change---small-island-devel>, June 06, 2024.

¹³¹⁵ FAO <https://www.fao.org/americas/events/event-detail/strengthening-caribbean/en>, May 15, 2024.

¹³¹⁶ Caribbean News Weekly (CNW), [St Kitts and Nevis water service schedule ensures access amid dry season](#), April 09, 2024

¹³¹⁷ SKN Vibes, [Vigilance urged over mosquito-borne diseases](#), July 09, 2024

¹³¹⁸ SKN Vibes, [Vigilance urged over mosquito-borne diseases](#), July 09, 2024, cited above.

¹³¹⁹ SKNIS, [Prime Minister Dr. Drew discusses further collaboration with ODC following CECI visit](#), June 26, 2024.

¹³²⁰ SKNIS, [SKN farmers gain knowledge on innovative technologies from FAO and AMEXCID solar pump irrigation systems workshop](#), June 5, 2024

Innovation and Job Training: *The Clarence Fitzroy Bryant College* that will focus on training in the installation of solar PV panels and maintenance of electric vehicles.¹³²¹

782. On the other hand, REDESCA welcomes initiatives to strengthen agricultural resilience, including the delivery of more than 100 1000 gallon water tanks to local farmers as part of the Drought Resilience and Irrigation Project, which seeks to help farmers meet the challenges of climate change and increase local food production and reduce the food import bill by 25% by 2025.¹³²² In the same vein, REDESCA notes the creation of a new laboratory to strengthen food security by offering services such as the development and testing of crops resistant to climate change, improving yields and nutritional value.¹³²³

C. Business and human rights

783. The economy of St. Kitts and Nevis is heavily dependent on tourism. In 2024, the government announced a series of projects aimed at diversifying the economy, including investments in agriculture and education, funded through the Citizenship by Investment program. These projects aim to reduce dependence on tourism and promote more sustainable development.¹³²⁴

784. REDESCA stresses the importance of technological innovation and digital transformation for sustainable development, recognizing the State's technological advances in support of the fight against climate change and environmental protection. In particular, it highlights the project of the company *Leclanché*, which seeks to implement technological innovations in the State through the use of solar energy and battery storage systems. This project aims to generate more than 30% of the island's electricity demand, achieving a reduction in CO2 emissions of up to 20%.¹³²⁵

785. Likewise, the Special Rapporteur on ESCER welcomes innovation in the energy sector, highlighting the activation of the sustainable energy storage system in tourism projects such as the *Sunset Reef Resort*, which aims to operate 100% on renewable energy.¹³²⁶ REDESCA recognizes that this initiative represents an advance towards the goal of turning the country into a sustainable island state, while promoting economic development.

C. Fiscal and economic policies

786. REDESCA takes note of the implementation of the Citizenship by Investment Program, which has been key to the country's economic and fiscal stability, allowing the country to obtain additional revenues to the government budget.¹³²⁷

787. The Office also takes note of the amendment of the Limited Partnerships Act of St. Kitts and Nevis that aims to align with international standards established by the Financial Action Task Force (FATF) and the Caribbean Financial Action Task Force (CFATF) in order to increase corporate transparency and prevent the use of corporate structures for illicit activities.¹³²⁸ The Special Rapporteur on ESCER recalls that, in order to ensure respect for human rights in the context of business activity, without prejudice to the

¹³²¹ SKNIS, [Establishment of the Caribbean Center of Excellence at CFBC to boost St. Kitts and Nevis' sustainable development](#), April 9, 2024.

¹³²² SKNIS, [Ministry of Agriculture to distribute over 100 water tanks to farmers boosting agricultural resilience in St. Kitts](#), June 24, 2024.

¹³²³ SKNIS, [Ministry of Agriculture launches state-of-the-art plant diagnostic laboratory to enhance food safety and crop production in St. Kitts and Nevis](#), March 15, 2024.

¹³²⁴ <https://www.rifitrust.com/es/la-ciudadania-economica-de-san-cristobal-y-nieves-evolucion/>.

¹³²⁵ Leclanché, [Leclanché provides battery energy storage system for largest solar and storage project in the Caribbean](#), December 4, 2024.

¹³²⁶ SKNIS, [Activation of Sustainable Energy Storage System Moves St. Kitts and Nevis Closer to Becoming a Sustainable Island State](#), March 20, 2024.

¹³²⁷ Observer News, [St. Kitts And Nevis Achieves Remarkable Economic Turnaround With Surplus In 2023](#), March 6, 2024.

¹³²⁸ Saint Christopher and Nevis, [Limited Partnerships Limited Partnerships \(Amendment\) Act, 2024. No. 15 of 2024. Gazette No. 43 of 2024](#), July 25, 2024.

development or existence of related public policies, it is necessary for States to adapt the corresponding regulatory framework and legislation from a human rights approach.¹³²⁹

788. REDESCA also takes note of the Livelihoods Improvement Family Transformation Program (LIFT), which seeks to benefit people with monthly deposits of EC\$250 and EC\$600 for a period of nine to eighteen months.¹³³⁰ REDESCA appreciates and recognizes that the program is intended to especially support people with disabilities, single-parent families and unemployed families.¹³³¹

D. Democracy and guarantee of ESCER

789. The country has been involved in regional initiatives to improve community participation in natural resource management and the implementation of sustainable practices, actions that are part of the implementation of the Escazú Agreement.

790. With regard to access to the health system, the Special Rapporteurship on ESCER notes the signing of an agreement to build the JNF General Hospital with the *Overseas Engineering and Construction Company* of Taiwan.¹³³² This hospital will be part of an initiative to establish a "health city" in the region.¹³³³ REDESCA welcomes the fact that this project is focused on improving both accessibility and public health in the region as well as promoting environmental sustainability through the use of renewable energy.

791. Regarding the guarantee of labor rights, this Rapporteurship highlights the launch of the online campaign of the St. Kitts and Nevis Workers Union under the slogan "*Workers Matter First*," which aims to amplify the voice of workers and foster a culture of defense of their rights.¹³³⁴ Also, the Special Rapporteur takes note of the 2024 Contributory Pension Plan, which in July began distributing retroactive pension payments from January to auxiliary government employees.¹³³⁵

792. On the other hand, with respect to the right to education, REDESCA notes that the government has made significant progress in education, introducing tools that allow digital learning in the country's schools¹³³⁶. In the same vein, it appreciates that St. Kitts and Nevis is developing educational opportunities with international programs with the aim of preparing and training students in climate change and sustainable development of the country.¹³³⁷

30. SANTA LUCIA

793. In the legal framework of the specific instruments relevant to the protection of ESCER, it is noted that the State is not a party to the American Convention or the Protocol of San Salvador. However, it is noted that it has ratified the Escazú Agreement. From the perspective of strengthening the protection of ESCER in the national context, it is recommended that the State ratify these key international instruments of the Inter-American system.

794. REDESCA notes that according to the *Oxford Poverty and Human Development Initiative*, 1.9% of the population of St. Lucia lives in multidimensional poverty, while an additional 1.6% of the population is

¹³²⁹ IACHR and REDESCA, [Report Business and Human Rights: Inter-American Standards](#), OEA/Ser.L/V/II IACHR/REDESCA/INF.1/19 November 1, 2019, para. 111.

¹³³⁰ WIC News, [St. Kitts and Nevis opens LIFT portal tomorrow, aims to support low-income families](#), June 16, 2024.

¹³³¹ WIC News, [St. Kitts and Nevis opens LIFT portal tomorrow, aims to support low-income families](#), June 16, 2024, cited above.

¹³³² Caribbean News Global, [St Kitts - Nevis to establish comprehensive 'health city'](#), June 24, 2024.

¹³³³ Writeups 24, [Prime Minister Terrance Drew unveils Budget 2024 for St Kitts and Nevis](#), December 15, 2023.

¹³³⁴ The Labour Spokesman, [Workers' Union launches online campaign ahead of Labour Day](#), April 22, 2024.

¹³³⁵ Times Caribbean Online, [St. Kitts and Nevis pension payments commence for retired government auxiliary employees](#), July 26, 2024.

¹³³⁶ SKNIS, [Cabinet touts education transformation in St. Kitts and Nevis](#), September 12, 2024.

¹³³⁷ Times Caribbean Online, [Citizens of St. Kitts and Nevis can now further their education in Germany: Groundbreaking MoU signed with Hamburg University of Technology](#), October 11, 2024.

considered vulnerable to this situation.¹³³⁸ Likewise, based on the Gini Index of 43.7 in 2015, for Saint Lucia, the latest available data, it can be stated that income inequality in the country is high, reflecting an unequal distribution of wealth in the country.¹³³⁹ However, the importance of having updated data in this regard is reiterated.

A. Climate emergency and environmental protection

795. St. Lucia is highly vulnerable to the effects of climate change, including more frequent and severe hurricanes, as well as coastal erosion.

796. REDESCA appreciates the measures implemented by the State in conjunction with the Water and Sewerage Company, to efficiently manage the water supply¹³⁴⁰ due to the low production in the supply network, which seeks to equitably distribute water in several communities affected by the decrease in flow at the abstraction points.¹³⁴¹

797. Likewise, the Special Rapporteur on ESCER welcomes the *Patience Water Supply Redevelopment Project* initiative in St. Lucia funded by the Caribbean Community Development Fund, which seeks to install 22 kilometers of pipelines, improving access to potable water for approximately 1,729 consumers in the communities.¹³⁴²

798. In the same vein, REDESCA takes note of the initiatives implemented by the Caribbean Public Health Agency to plan for water security in the Caribbean, which aims to strengthen the security and resilience of the water system through climate-resilient water security plans that manage the sustainability of water and ecosystems in various Caribbean islands.¹³⁴³ Similarly, the Special Rapporteur on ESCER appreciates the USD 29 million UBEC project adopted by the State, which seeks to stimulate economic recovery by supporting marine and coastal resilience. As part of this initiative, 500 1000-gallon water tanks were distributed to increase irrigation capacity and livestock production.¹³⁴⁴

799. On the other hand, REDESCA positively values the efforts that have been made in the country, such as the update of the National Energy Policy of Saint Lucia for the period 2023-2030.¹³⁴⁵ According to this policy, Saint Lucia seeks a transition towards a modern, sustainable and secure energy sector, with a focus on cost minimization, local participation and energy security.¹³⁴⁶ The Rapporteurship welcomes plans to establish a reliable and resilient energy sector that decarbonizes thermal applications, reduces energy intensity and prioritizes renewable energy measures.¹³⁴⁷

800. In terms of food security, REDESCA notes with interest the UBEC initiative, which seeks to improve food security and the sustainability of livestock production in Saint Lucia¹³⁴⁸. In the same vein, the Rapporteurship recognizes the "Soil Doctors" training program in St. Lucia, organized by FAO and in

¹³³⁸ Oxford Poverty and Human Development Initiative (OPHI), [Global MPI Country Briefing 2024: Saint Lucia \(Latin America and the Caribbean\)](#), October 2024.

¹³³⁹ World Bank, [Poverty and Equity Briefs](#), 2024.

¹³⁴⁰ Government of St. Lucia, [Improvement of Water Truck Service by WASCO](#), February 29, 2024.

¹³⁴¹ Government of St. Lucia, WASCO Water Management Plan, July 01, 2024; Government of St. Lucia, [Impact of the Dry Season on Water Supply in the South](#), April 12, 2024.

¹³⁴² Government of Saint Lucia, [Sod turned on Patience Water Supply Redevelopment Project](#), March 12, 2024

¹³⁴³ CARPHA, [World Environment Day 2024: Land restoration, desertification and drought resilience](#), June 04, 2024; St. Lucia Times, [CARPHA Emphasizes Caribbean Water Safety Planning](#), June 05, 2024

¹³⁴⁴ Government of St. Lucia, [Livestock Farmers Receive Water Tanks](#), April 23, 2024.

¹³⁴⁵ Government of Saint Lucia, Saint [Lucia National Energy Policy, from 2023 to 2030, action plan](#), October 2023.

¹³⁴⁶ Government of Saint Lucia, [National Energy Policy 2023-2030](#), July 1, 2024; Ministry of Sustainable Development, Energy, Science and Technology, [Saint Lucia launches National Energy Policy 2023 - 2030](#), May 10, 2024.

¹³⁴⁷ Government of Saint Lucia, Saint [Lucia National Energy Policy, from 2023 to 2030, action plan](#), October 2023.

¹³⁴⁸ Office of Prime Minister, [Unleashing the Blue Economy of the Caribbean \(UBEC\) Project launches tomorrow](#), April 10, 2024; Ministry of Agriculture, [New Animal Breeds Land in Saint Lucia Under CERC- UBEC Project](#), June 11, 2024.

collaboration with various entities, carried out in November 2023, which aims to equip participants with expertise in assessing soil health and implementing sustainable practices on the island.¹³⁴⁹

B. Business and human rights

801. REDESCA takes note of the Green Climate Fund Readiness Project submitted by the State to enhance the National Adaptation Plan. This project, valued at US\$1.7 million, aims to develop adaptation measures in education, tourism, and infrastructure sectors, as well as strengthen the evidence base and enhance private sector participation in climate adaptation. It is expected to increase St. Lucia's climate resilience and facilitate the transition from planning to implementation of adaptation actions.¹³⁵⁰

802. In this regard, REDESCA takes note of the activities undertaken by Sandals Regency La Toc Golf Resort and Spa Saint Lucia and its EarthCheck certification, recognizing its waste management and recycling collaboration in the region.¹³⁵¹

803. Similarly, he notes Global Ports Holding's initiative in conjunction with the Government of Saint Lucia that includes a \$135 million investment in infrastructure improvements at the ports of Castries and Soufrière, boosting employment and local economic development.¹³⁵²

C. Fiscal and economic policies

804. REDESCA notes that public debt in St. Lucia stood at US\$1.8 million, representing 74.5% of the country's Gross Domestic Product in 2023.¹³⁵³ Along these lines, the State's actions to promote economic growth through fiscal policies that include the elimination of withholding tax on government contracts up to EC\$10,000, VAT exemptions on essential products and tax reductions on the importation of hybrid and electric vehicles are noted with interest.¹³⁵⁴

805. The Special Rapporteur notes Saint Lucia's commitment to improving its physical infrastructure by allocating an initial investment of EC \$200 million in roads, bridges and public buildings by 2024-2025.¹³⁵⁵

806. REDESCA welcomes the fact that St. Lucia recorded a decrease in unemployment rates, with an average rate of 11.25% up to June of this year.¹³⁵⁶ In this same context, the Special Rapporteur appreciates the State's policy to implement the first living wage of EC\$6.52 per hour and has increased pensions to EC \$500 for NIC pensioners and \$725 for government pensioners.¹³⁵⁷

D. Democracy and guarantee of ESCER

807. St. Lucia has shown an active commitment to participation in environmental decision-making. The organization of the RedLAC 2024 Congress on the island reflects its leading role in promoting conservation and sustainable development in the region. This event has brought together diverse actors to discuss and

¹³⁴⁹ Government of St. Lucia, [Sustainable Soil Management Training](#), January 12, 2024

¹³⁵⁰ NAP Global Network, [PRESS RELEASE | Saint Lucia launches Green Climate Fund project to accelerate national adaptation plan process](#), February 12, 2024.

¹³⁵¹ St Lucia Times, [Sandals Regency La Toc: A Pillar of Sustainability](#), news, March 3, 2024.

¹³⁵² St Lucia Times, [GPH Project to Boost Employment in Castries/Soufriere](#), May 15, 2024.

¹³⁵³ Expansion, [Public Debt in Santa Lucia](#), 2023.

¹³⁵⁴ Government of Saint Lucia, [Government Implements Tax-Friendly Policies to Boost Economic Growth](#), April 11, 2024.

¹³⁵⁵ Government of Saint Lucia, [The 2024-2025 Budget Policy Address: A People-Centric Economy-Boosting Approach...](#) April 25, 2024

¹³⁵⁶ Office of the Prime Minister, [Saint Lucia registers historically low quarterly unemployment figures for first half of 2024](#), October 01, 2024.

¹³⁵⁷ Office of the Prime Minister, [Saint Lucia's first-ever minimum wage takes effect](#), August 07, 2024; St. Lucia Times, [Saint Lucia About To Implement Historic Minimum Wage](#), May 24, 2024.

coordinate actions in favor of the environment, encouraging citizen participation and collaboration between different sectors.¹³⁵⁸

808. REDESCA is concerned about the increase of various diseases in St. Lucia such as gastroenteritis¹³⁵⁹ and respiratory diseases including COVID-19, Influenza A and B, and respiratory syncytial virus (RSV).¹³⁶⁰

809. Regarding access to and guarantee of education, this Rapporteurship notes that, according to the most recent information, in 2022, Saint Lucia allocated 4.2% of its GDP to public spending on education, which represented an increase of 0.58 percentage points over the 3.63% recorded in 2020.¹³⁶¹

810. In the same, REDESCA welcomes the announcement by the State that EC\$ 22.5 million would be allocated in 2024-2025 to rehabilitate 16 public schools, as well as the creation of 20 smart classrooms¹³⁶², as well as that grants of EC\$2500 would be provided to 93 pre-schools and four secondary schools would be transformed into specialized technical institutes¹³⁶³. This Rapporteurship also takes note of the *"One Laptop Per Child"* initiative which aims to provide a new portable device to every secondary school student in St. Lucia.¹³⁶⁴

31. SURINAM

811. Suriname is a party to the American Convention on Human Rights and the Protocol of San Salvador, but has not yet ratified the Escazú Agreement. Ratification of this treaty would represent a key step forward in the protection of ESCER, particularly with regard to access to information, public participation and environmental justice.

812. REDESCA notes that, according to a World Bank report published in October 2024, based on 2022 data, approximately 46.5% of the population of Suriname lives in multidimensional poverty, according to the national methodology taken into account by that institution.¹³⁶⁵ On the other hand, the Human Development Report of October 2024, based on data that would be from 2018, indicates that 2.9% of the population is considered poor in multidimensional terms according to international standards, and an additional 4.0% is vulnerable to this condition.¹³⁶⁶ Likewise, the Inter-American Development Bank (IADB) has pointed out that the main causes contributing to poverty in the country include deficiencies in skills and education, shortage of skilled workers and inadequate coverage of social assistance, factors that disproportionately affect women, girls and boys.¹³⁶⁷

813. Suriname's Gini index was 39.2 in 2022 the last data that could be accessed, which evidences a significant level of inequality, reflecting the need for public policies to reduce this socioeconomic gap.¹³⁶⁸

A. Climate emergency and environmental protection

814. Suriname is extremely vulnerable to natural hazards, such as extreme weather conditions, and the socio-economic impact of these events is exacerbated by climate change. The Office of the Special

¹³⁵⁸ <https://redlac.org/en/santa-lucia-anfritriona-del-congreso-redlac-2024/>

¹³⁵⁹ Government of Saint Lucia, [Reported Cases of Gastroenteritis in Saint Lucia Reaches Outbreak Levels](#), June 6, 2024.

¹³⁶⁰ St Lucia Times, [CMO Cites Personal Responsibility As Respiratory Illnesses Spike](#), February 01, 2024.

¹³⁶¹ Expansion, [Saint Lucia, Public Spending](#) - Education, 2022.

¹³⁶² Office of the Prime Minister, [Educating Our People for a Better Future](#), June 05, 2024

¹³⁶³ Office of the Prime Minister, [Educating Our People for a Better Future](#), cited above.

¹³⁶⁴ Office of the Prime Minister, [Educating Our People for a Better Future](#), cited above.

¹³⁶⁵ World Bank, [Suriname Country Economic Memorandum: Towards Sustainable Growth and Improved Welfare](#), October 2024.

¹³⁶⁶ UNDP, [Human Development Report 2024 - Multidimensional Poverty Index \(MPI\) for Suriname](#), October 2024.

¹³⁶⁷ Inter-American Development Bank (IDB) [Joint IDB-World Bank report highlights ways to reduce poverty in Suriname](#), July 18, 2024, cited above.

¹³⁶⁸ World Bank, [Poverty & Equity Brief](#), October 2024.

Rapporteur on ESCER is concerned about the challenges posed by the climate crisis in Suriname, with water security being one of the most critical issues¹³⁶⁹. In this context, this Rapporteurship is closely following the severe droughts recorded in the country in the last 25 years, which are said to be the most severe and have significantly impacted agriculture and water supply¹³⁷⁰. The persistent drought has led to extremely low river levels, making transportation and access to essential resources difficult.

815. In this context, REDESCA notes that the greatest threats to water security are generated by climate change and have been reflected in phenomena such as floods, heavy rains and droughts.¹³⁷¹ In the same vein, the Special Rapporteur notes the efforts being made by the State to manage access to water for the population, as well as support for water projects in the region, which seek to use resources in a sustainable manner and provide access to safe and clean drinking water, protecting the environment.¹³⁷²

816. The Office of the Special Rapporteur on ESCER is concerned about the socio-environmental impacts of illegal gold mining in Suriname, which continues to expand and generate serious impacts on ecosystems and the rights of indigenous peoples. According to information gathered, the use of mercury in gold mining has contaminated water bodies essential for the subsistence of indigenous communities, increasing the risks to human health and the environment. Likewise, the uncontrolled expansion of this activity has caused accelerated deforestation and degradation of primary forests, threatening biodiversity in the region.¹³⁷³ REDESCA recalls that States have the obligation to guarantee the right to a healthy environment and to adopt effective measures to prevent, mitigate and repair the damage caused by illegal mining, ensuring the effective participation of affected communities in environmental decision-making.

817. REDESCA takes note of the advances in renewable energy training funded by the IADB, which include certifications to employees and operators in the provision of renewable energy to promote energy efficiency in rural and urban areas¹³⁷⁴, as well as installation of solar systems in the villages of Wanhatti and Baku.¹³⁷⁵

818. Similarly, REDESCA highlights Suriname's measures to promote the use of electric vehicles and green energy, such as the suspension of the import tax for certain electric vehicles, and a 90% partial exemption on solar energy systems, which only pay 10% of the duty due.¹³⁷⁶ These policies reflect an effort by the government to support environmental sustainability and renewable energy.¹³⁷⁷

B. Business and human rights

819. REDESCA takes note of the economic policy implemented in Suriname, especially in the districts of Coronie and Nickerie, which stand out as an example of strategic partnership between the State, the private sector and local farmers.¹³⁷⁸ With a focus on sustainable development and food security, this initiative would seek to prepare more than 15,000 hectares of agricultural land for diversified crops, including coconut, fruits and livestock, in addition to rice production in specific areas. In alignment with CARICOM's goal of a 25% reduction in food imports by 2025, the project strengthens local resilience to climate change by promoting innovative farming techniques and adaptive infrastructure.¹³⁷⁹ Public-private collaboration is essential in this

¹³⁶⁹ Auae Opus, [Climate Outlook for Suriname: January 2024 - June 2024](#), n.d.

¹³⁷⁰ CCTV, [Severe drought in Suriname to reduce its crop yield](#), March 27, 2024.

¹³⁷¹ Auae Opus, [Climate Outlook for Suriname: January 2024 - June 2024](#), n.d.

¹³⁷² Republik Suriname, [Drinkwater treatment plant Matta in gebruik genomen](#), 2024

¹³⁷³ Pulitzer Center, [Suriname: gold in the mud](#), November 14, 2023.

¹³⁷⁴ Government of Suriname, [Medewerkers NH, ROS and EBS ontvangen certificaat voor training in hernieuwbare energie](#), 2024.

¹³⁷⁵ Government of Suriname, [NH tekent drietal contracten inzake hernieuwbare energievoorziening en energie-efficiëntie](#), 2024.

¹³⁷⁶ Government of Suriname, [Regering van Suriname bevordert milieuvriendelijke voertuigen en groene energie](#), 2024.

¹³⁷⁷ Government of Suriname, [Regering van Suriname bevordert milieuvriendelijke voertuigen en groene energie](#), 2024.

¹³⁷⁸ Government of Suriname, [Coronie en Nickerie bereiden zich voor op investeringen agrarische sector](#), 2024.

¹³⁷⁹ Government of Suriname, [Coronie en Nickerie bereiden zich voor op investeringen agrarische sector](#), 2024.

context, with shared investments generating economic, social and environmental benefits for the region and strengthening the country's export capacity to the Caribbean market.¹³⁸⁰

820. REDESCA has taken note of information that foreign companies from the United States and France will invest US\$10 billion to extract oil off the coast of Suriname, marking the largest investment in the country's history. Production is expected to begin in mid-2028, with an estimated output of around 220,000 barrels per day. Available information also raises concerns about governance and potential environmental impact.¹³⁸¹

821. Also according to available information, Suriname is seeking financial compensation for its environmental conservation efforts through the trading of sovereign carbon credits, specifically Internationally Transferred Mitigation Outcomes (ITMOs). The government plans to require fossil fuel companies operating in the country to purchase ITMOs to offset their emissions, in order to generate demand and financial support for forest conservation.¹³⁸² Suriname's indigenous and tribal communities have raised criticisms of this government carbon credit program. These communities claim that the government implemented the program without adequate consultation with them, despite the fact that their ancestral territories are fundamental to the forest conservation that underpins these credits. In addition, community leaders point out that the lack of prior consultation violates their right to free, prior and informed consent, and express concern about the absence of clear mechanisms for filing complaints or participating in the management of the program.¹³⁸³

822. The Office closely observes concessions to mining and logging companies in indigenous and Afro-descendant territories, which have contributed to environmental deforestation. For example, in 2023, the Chinese company Zijin Mining bought Rosebel, a huge open-pit gold mine in Brokopondo, northeast Suriname, from the Canadian company Iamgold. Some, but not all, of the mining operations overlap the Saamaka lands.¹³⁸⁴ The environmental impact of mining operations includes uncontrolled deforestation, pollution by toxic substances, impairing local communities' access to their traditional livelihoods and threatening the sustainability of the forests.¹³⁸⁵

823. In addition, REDESCA notes that mining and logging concessions have reportedly generated conflicts and divisions within indigenous communities due to the lack of free, prior and informed consultation.¹³⁸⁶ The Special Rapporteur on ESCER recalls that, "when it comes to large-scale development or investment plans that would have a major impact within the territory [...], the State has the obligation not only to consult [...], but also to obtain their free, informed and prior consent, according to their customs and traditions".¹³⁸⁷ This context reinforces the urgent need for public policies that reconcile economic development with the protection of the rights of indigenous and tribal communities, in accordance with international law and regional commitments to environmental protection and human rights.

C. Fiscal and economic policies

824. Suriname's economy showed real GDP growth projected at 3% for 2024, with inflation falling to 12.2% by the end of the same year. The country relies heavily on revenues from mineral resources, which

¹³⁸⁰ Government of Suriname, [Coronie en Nickerie bereiden zich voor op investeringen agrarische sector](#), 2024.

¹³⁸¹ AP News, [French and US companies to invest \\$10 billion to extract oil off Suriname's coast](#), October 1, 2024. Reuters, [TotalEnergies to sign \\$10 billion investment in Suriname's first offshore project this week](#), September 30, 2024.

¹³⁸² Financial Times, [TotalEnergies and US partner to invest \\$10bn in Suriname offshore oil project](#), September 30, 2024.

¹³⁸³ Mongabay, [Indigenous communities sidelined for Suriname's new carbon credit program, critics say](#), August 21, 2024.

¹³⁸⁴ The Guardian, ['Dirty political games': Suriname is selling its gold and timber - at the cost of tribal land rights](#), 21 February 2024.

¹³⁸⁵ The Guardian, ['Dirty political games': Suriname is selling its gold and timber - at the cost of tribal land rights](#), 21 February 2024.

¹³⁸⁶ CIRAD, [Deforestation in Suriname: the contradictions of the "greenest country in the world"](#), July 10, 2024.

¹³⁸⁷ I/A Court H.R., Case of the Saramaka People v. Suriname. [Case of the Saramaka People v. Suriname. Preliminary Objections, Merits, Reparations and Costs](#). Judgment of November 28, 2007. Series C No. 172, para. 134.

accounted for 11.9% of GDP in 2024. However, central government debt remains high at 95.4% of GDP, despite efforts to consolidate public finances and reduce domestic and external debt levels.¹³⁸⁸

825. On the other hand, the Special Rapporteur takes note of the disbursement of 62 million dollars granted to Suriname by the IMF with the aim of restoring fiscal and debt sustainability through fiscal consolidation and debt restructuring.¹³⁸⁹ REDESCA stresses the importance of aligning debt management and fiscal sustainability strategies with the protection of ESCER.

D. Democracy and guarantee of ESCER

826. As documented, Suriname faces significant environmental challenges, especially in relation to illegal gold mining, deforestation and fossil fuel exploitation, which directly affect indigenous and tribal communities. These environmental conflicts underscore the need to strengthen public participation and ensure access to justice in environmental matters. In this context, the country's progress towards ratification and effective implementation of the Escazú Agreement would be key. This would imply adopting legislative and administrative measures that strengthen the rights of access to information, public participation and environmental justice, as well as guaranteeing a safe environment for environmental defenders.

827. Regarding the guarantee of the right to health, REDESCA has taken note of reports that account for a set of conditions in the State's national health system, which could have consequences on the population, especially the most vulnerable people, such as children and adolescents.¹³⁹⁰ In this framework, the Office notes the insufficiency of medical services, linked to the current limited budget that has resulted in a scarce availability of hospital care, a reduced capacity for patients, a shortage of medical personnel and a lack of blood, aspects that have hindered access to health for the population.¹³⁹¹

828. In relation to the hospital sector, REDESCA observes an increase in the outflow of medical personnel from the country, which has had a serious impact on the quality of medical care by generating a shortage of medical personnel and reducing the capacity of the health service, especially in neonatal intensive care departments.¹³⁹²

829. Regarding the right to education, REDESCA highlights the initiative of the Ministry of Labor, Employment and Youth Affairs of Suriname to carry out computer training for young people in the pursuit of sustainable development, enabling them to develop essential computer skills for online studies or remote work.¹³⁹³

32. SAINT VINCENT AND THE GRENADINES

830. St. Vincent and the Grenadines is not a party to the American Convention or the Protocol of San Salvador but has ratified the Escazú Agreement. To strengthen the protection of ESCER at the national level, it would be key for the State to reevaluate its position on the ratification of the aforementioned inter-American instruments, thus advancing in the guarantee of human rights.

¹³⁸⁸ International Monetary Fund, [IMF Executive Board Concludes 2024 Article IV Consultation and Eighth Review Under the Extended Fund Facility for Suriname](#), December 18, 2024.

¹³⁸⁹ IMF, [IMF Country Report, No. 24/97 Suriname](#), April 25, 2024.

¹³⁹⁰ Starniewus, [Solution for Acute Emergency in the Pediatric Department of AZP](#), August, 27, 2024; Suriname Herald, [Three babies died at AZP due to limited capacity](#), August, 24, 2024.

¹³⁹¹ ABC Suriname, [Concerning healthcare situation presented by the medical staff board of AZP](#), August, 27, 2024; Suriname Herald, [Pediatric Intensive Care Unit AZP dismantled](#), August, 26, 2024; De Ware Tijd, [Situation critical due to shortage of healthcare personnel](#), August, 28, 2024.

¹³⁹² Suriname Herald, [Three babies died at AZP due to limited capacity](#), August, 24, 2024; Starniewus, [Solution for Acute Emergency in the Pediatric Department of AZP](#), August, 27, 2024.

¹³⁹³ Government of Suriname, [Computervaardigheden onder jongeren in Coronie vergroot](#), 2024.

831. The most recent data available, from May 2023, indicated that 30% of the population experienced severe food insecurity, according to the Food Insecurity Experience Scale¹³⁹⁴. Updated poverty data is not available, but based on the latest data from 2008 and based on the national poverty line, 30.2% of the population is considered to be in poverty.¹³⁹⁵

832. REDESCA acknowledges the importance of generating updated information on poverty measurements, as its absence remains a challenge in assessing the country's progress in this area. The formulation and updating of this data also allows for the design of social policies that respond to the needs of the population, including vulnerable ones.

A. Climate emergency and environmental protection

833. The Office of the Special Rapporteur, aware of the challenges posed by the climate crisis in the country, takes note of the situation in Saint Vincent and the Grenadines, which has been severely impacted by climatic events such as hurricanes, droughts, and coastal erosion. In this context, the passage of Hurricane Beryl caused significant damage, with losses estimated at between 20% and 25% of the country's GDP.¹³⁹⁶ In addition, REDESCA notes that 90% of homes were severely damaged or destroyed, with significant damage to roofs and the structure of buildings¹³⁹⁷ with losses of up to 80% and 100% in certain crops in the region.¹³⁹⁸ REDESCA takes note of the preventive measures taken by the State, such as the closure of schools and businesses, as well as the opening of shelters for victims.¹³⁹⁹

834. In the same vein, REDESCA expresses its concern about the severe drought in San Vicente, which has affected more than 150 villages, causing a shortage of drinking water due to the low flow of rivers.¹⁴⁰⁰ The Special Rapporteur notes that the Central Water and Sewerage Authority has implemented a day-and-night rotation system for water supply in several communities due to low river flows, ensuring water rationing.¹⁴⁰¹ REDESCA also highlights the Ministry of Agriculture's project to provide water tanks to farmers throughout the country who continue to face drought conditions. A Drought Preparedness Committee has been established by the Cabinet, with representatives from various agencies.¹⁴⁰²

835. REDESCA also welcomes the efforts being made by Saint Vincent and the Grenadines to implement measures to strengthen agriculture, livestock, irrigation and fishing, such as the National White Potato Production Program, which seeks to improve food security,¹⁴⁰³ and the distribution of water tanks to farmers as support for the drought season facing the country.¹⁴⁰⁴ Similarly, the Special Rapporteur notes that support has been provided with the delivery of 116 irrigation systems to farmers as part of a \$10 million project financed by the World Bank that seeks to food production and strengthen agricultural resilience in the face of climate change.¹⁴⁰⁵

B. Business and human rights

836. REDESCA takes note of the demonstration of irrigation systems carried out at the Wallilabou and Orange Hill agricultural facilities, where anti-food insecurity irrigation kits were installed. This initiative,

¹³⁹⁴ World Bank, [Macro Poverty Outlook: St. Vincent and the Grenadines](#), 2023, P. 2.

¹³⁹⁵ World Bank, [Macro Poverty Outlook: St. Vincent and the Grenadines](#), 2023, P. 1.

¹³⁹⁶ Witness News, [Hurricane Beryl left loss and damage of 20-25% of GDP in St. Vincent](#), October 04, 2024

¹³⁹⁷ OCHA, Grenada, [St Vincent and the Grenadines: Hurricane Beryl Flash Update No. 02](#), July 02, 2024; St Vincent Times, [Time Frame to Restore Power in Southern Grenadines Unknown](#), news, July 2, 2024.

¹³⁹⁸ St. Vincent Times, [Hurricane Beryl's destruction a result of climate inaction: PM](#), news, July 5, 2024.

¹³⁹⁹ IMF, [St. Vincent and the Grenadines: Article 4 Consultation 2024-Press Release Report](#), July 22, 2024, p. 98.

¹⁴⁰⁰ St. Vincent Times, [St. Vincent Water Crisis](#), May 14, 2024.

¹⁴⁰¹ St. Vincent Times, [St. Vincent Water Crisis](#), cited above

¹⁴⁰² Ministry of Agriculture, Forestry, Fisheries, Rural Transformation, Industry and Labour, [Project to Provide Water Tanks to Farmers](#), February 28, 2024.

¹⁴⁰³ Ministry of Agriculture of St. Vincent and the Grenadines, [Farmers Support Company Will Be Enhancing Its Operations](#), 2024.

¹⁴⁰⁴ Ministry of Agriculture, Forestry, Fisheries, Rural Transformation, Industry and Labour, [Ministry of Agriculture on a Mission to Provide Water Tanks for Farmers Islandwide](#), February 28, 2024.

¹⁴⁰⁵ St. Vincent Times, [MoA to Distribute Irrigation Systems to Farmers in Region 2](#), June 27, 2024.

aimed at farmers, seeks to teach how to install and maintain irrigation systems, improving agricultural productivity and sustainability through the optimal use of water. It also aims to increase crop yields and strengthen a resilient agricultural sector in the face of food insecurity, promoting sustainable development.¹⁴⁰⁶

837. The Special Rapporteur highlights the efforts of St. Vincent and the Grenadines to strengthen its fishing industry as part of its strategy to ensure food security in the country. Under the Food Insecurity Project, funded by the World Bank, and the framework of the Unleashing the Blue Economy of the Caribbean (UBEC) Project, the State has implemented innovative and sustainable measures to develop a fast and efficient food production system.¹⁴⁰⁷ This initiative, led by the Ministry of Agriculture in collaboration with the Ministry of Finance, Economic Planning and Information Technology, responds to emerging challenges related to food security by mobilizing the fisheries sector as an essential pillar to improve economic and social resilience.¹⁴⁰⁸ The Rapporteurship underlines the importance of this approach in guaranteeing the right to adequate food in the context of human rights.¹⁴⁰⁹

B. Economic and fiscal policies

838. REDESCA notes positively the strong post-pandemic recovery of St. Vincent and the Grenadines with a projected growth of 4.9% in 2024 driven mainly by tourism sectors, infrastructure investments, and port modernization.¹⁴¹⁰

839. However, according to available information, St. Vincent and the Grenadines' fiscal revenue is constrained by payments to service the public debt, which has reached high levels in recent years. According to 2023 data, public debt stood at 87.14% of GDP, increasing from 84.66% in 2022.¹⁴¹¹ The high debt burden restricts the government's ability to invest in critical areas, such as climate resilience and social programs.

840. Also, the Special Rapporteur notes that St. Vincent and the Grenadines adopted a Disaster Risk Financing Strategy, developed with the support of the World Bank.¹⁴¹² The main objective of this strategy is to prepare the country to better cope with the impacts of natural disasters.¹⁴¹³ Among the actions already underway are: improving disaster data collection and management, as well as the administration of financial resources related to emergencies.¹⁴¹⁴ In addition, work is underway to create a special US\$20 million fund with the World Bank, called the Catastrophe Deferred Disbursement Option, which will allow the country to quickly access resources in the event of an emergency. These measures are in addition to the existing Contingency Fund, Caribbean Disaster Insurance and other savings set aside for emergencies. The objective is to ensure that St. Vincent and the Grenadines is better prepared to respond to future disasters and strengthen its resilience.¹⁴¹⁵

841. The Special Rapporteur highlights that the country is carrying out reforms to improve the efficiency of the fiscal system, including the modernization of the tax administration, improving equity in public spending, as well as in infrastructure to increase competitiveness and resilience to natural disasters and climate change.¹⁴¹⁶

¹⁴⁰⁶ St. Vincent Times, [UBEC CERC Food Insecurity Project Empowers Farmers in SVG.](#), June 04, 2024

¹⁴⁰⁷ Government of St. Vincent and the Grenadines, [Food Security Project](#), 2024.

¹⁴⁰⁸ Government of St. Vincent and the Grenadines, [Food Security Project](#), 2024.

¹⁴⁰⁹ Government of St. Vincent and the Grenadines, [Food Security Project](#), 2024.

¹⁴¹⁰ IMF, [St. Vincent and the Grenadines: Article 4 Consultation 2024-Press Release Report](#), July 22, 2024, p. 2.

¹⁴¹¹ Expansion Datasmacro, [St. Vincent and the Grenadines - Public Debt](#), 2024.

¹⁴¹² IMF, [St. Vincent and the Grenadines: Article 4 Consultation 2024-Report of Press Release](#), cited above, P. 11.

¹⁴¹³ IMF, [St. Vincent and the Grenadines: Article 4 Consultation 2024-Report of Press Release](#), cited above, P. 11.

¹⁴¹⁴ IMF, [St. Vincent and the Grenadines: Article 4 Consultation 2024-Report of Press Release](#), cited above, P. 11.

¹⁴¹⁵ IMF, [St. Vincent and the Grenadines: Article 4 Consultation 2024 - Press Release Report](#), cited above, p. 11.

¹⁴¹⁶ IMF, [St. Vincent and the Grenadines: Article 4 Consultation 2024 - Press Release Report](#), cited above, p. 11.

D. Democracy and guarantee of ESCER

842. The Rapporteurship notes positively the significant advances in the health sector, highlighting the construction of the Acute Care Hospital, which seeks to improve health services, including cardiology, neurology and invasive surgery, among others.¹⁴¹⁷

843. REDESCA highlights the actions of the State of St. Vincent and the Grenadines in promoting access to health by encouraging people to get tested to find out their HIV/AIDS status. This initiative seeks to ensure that those living with the virus have access to the medicines they need to live longer and healthier lives, underscoring the importance of adherence to treatment. In this regard, the Rapporteurship highlights the efforts of the Ministry of Health and the Environment to make medicines widely accessible to affected persons. In addition, it is urged to continue strengthening awareness campaigns to reduce the increase in cases among adolescents and young adults, thus ensuring the effective protection of the right to health within the framework of human rights.¹⁴¹⁸

844. Regarding labor conditions, REDESCA highlights the policies implemented in 2024 to improve the labor situation, emphasizing that the minimum wage increase and wage adjustments in the public sector,¹⁴¹⁹ in which, in cases of sectors such as agriculture, hospitality and domestic services, increases could be up to 75% in some cases.¹⁴²⁰ In addition, the Rapporteurship appreciates that public sector workers received a 2% wage increase in 2024, with the effect of improving working conditions in the country.¹⁴²¹

33. TRINIDAD AND TOBAGO

845. Trinidad and Tobago is a party to the American Convention on Human Rights but has not ratified the Protocol of San Salvador or the Escazú Agreement. To strengthen the protection of ESCER in the country, it would be key for the State to reevaluate its position on the ratification of these international instruments.

846. According to the Multidimensional Poverty Index 2023, 0.6% of Trinidad and Tobago's population lives in multidimensional poverty, while an additional 3.7% is considered vulnerable to this condition. The intensity of deprivation, which represents the average deprivation among persons in multidimensional poverty, is 38.0%. The MPI value, which adjusts the proportion of the population in multidimensional poverty by deprivation intensity, stands at 0.002.¹⁴²² It is important to note that these data are based on the 2011 Multiple Indicator Cluster Survey, indicating the need to update the statistics to reflect the current situation.¹⁴²³

847. The available indicators reflect a relatively low level of multidimensional poverty in comparison with other countries in the region, although challenges persist in specific areas that require attention to continue making progress in reducing poverty and improving living conditions.

A. Climate emergency and environmental protection

848. Trinidad and Tobago faces significant environmental and climatic challenges stemming from its status as an island state with heightened vulnerability to the effects of climate change. The country is experiencing rising temperatures, changes in precipitation patterns and rising sea levels, which exacerbate its exposure to extreme weather events such as flooding, severe storms and coastal erosion. These conditions

¹⁴¹⁷ Searchlight, [Government Signs Agreement to begin work on Acute Referral Hospital](#), August 02, 2024.

¹⁴¹⁸ Gov.VC, [Vincetians Urged To Get Tested So They Can Know Their Status](#), May 12, 2024.

¹⁴¹⁹ One News, [No less than \\$1,000 per month for full-time workers, wages council says](#), January 07, 2024.

¹⁴²⁰ Witness News, [New \\$50 minimum wage comes into effect March 1](#), January 08, 2024.

¹⁴²¹ One News, [Budget 2024: Civil servants to get 2 percent salary increase, pay less income taxes](#), Jan. 09, 2024.

¹⁴²² UNDP, [Multidimensional Poverty Index 2023 Trinidad and Tobago](#), October 02, 2024.

¹⁴²³ Oxford Poverty and Human Development Initiative (OPHI), [Global MPI Country Briefing 2023: Trinidad and Tobago \(Latin America and the Caribbean\)](#), University of Oxford, 2023.

affect key sectors such as agriculture, infrastructure and water security, especially impacting coastal and rural communities.

849. REDESCA takes note of the twenty-seventh meeting of the Council of Foreign and Community Relations of the Caribbean Community (CARICOM), held on May 23-24, 2024, with the participation of the State of Trinidad and Tobago. During the meeting, the ministers discussed a document aimed at assessing and strengthening hemispheric relations, addressing the climate emergency and promoting urgent actions, also highlighting the importance of financing for adaptation and mitigation of its impacts.¹⁴²⁴

850. REDESCA regrets the impact of the oil spill in Tobago at the beginning of the year, which wreaked havoc on the island's coasts, leading the government to declare a state of "national emergency."¹⁴²⁵ In this regard, the difficulties faced by the State to contain the spread of the oil that reached several beaches on the southwest coast of the island stand out. In turn, the UN reallocated resources to support clean-up and mitigation efforts, while long-term environmental and economic damages are being assessed.¹⁴²⁶ Approximately 1,000 volunteers joined the government to clean up the spill, which has reached level two and may require international assistance.¹⁴²⁷ REDESCA highlights the ecological impact assessment of the Tobago oil spill by the Institute of Marine Affairs, which aims to assess the ecological impact of the February 7 oil spill near Cove Bay. To this end, samples have been collected for oil fingerprint analysis and monitoring of dissolved and dispersed hydrocarbons, seeking to restore the affected sites to pre-incident levels.¹⁴²⁸ The Special Rapporteur also regrets the oil spill in Tobago in June 2024. It notes that four months after the oil reached the shores of Tobago, a new spill has been detected coming from the Gulfstream barge, which capsized near the Cove Eco Industrial Park.¹⁴²⁹

851. REDESCA takes note of the serious environmental and social impacts of the recent oil spills in Tobago and highlights the need to strengthen prevention, response and remediation mechanisms for these disasters. In this regard, it recommends that the State strengthen environmental regulation, update and improve its contingency plans, ensure the participation of affected communities and promote international cooperation for a more effective response. It also emphasizes the importance of ensuring accountability and full reparation of damages, to avoid the repetition of these events and protect the rights of the people and ecosystems impacted.

852. REDESCA is concerned about the decline of the agricultural population in Tobago and the impacts this could have in terms of food insecurity. According to Tobago's Food Security Division, of the 4,037 registered farmers in the country, only 343 are currently active.¹⁴³⁰

853. The Special Rapporteur highlights the need for international collaborative actions and the adoption of sustainable agricultural practices in Tobago to address the challenges of climate change. In this regard, it highlights the workshop organized by various entities including MIATD and THA, which brought together local farmers to learn methods to make their crops more resilient to the global rise in temperatures and extreme weather patterns. Climate change is affecting the ecological balance essential to agriculture, threatening crop production and the basis of food systems. In this regard, REDESCA emphasizes the importance of adopting sustainable and collaborative agricultural practices to mitigate the adverse effects of climate change on agriculture and ensure food security in the region.¹⁴³¹

¹⁴²⁴ CARICOM, [COMMUNIQUE issued at the conclusion of the 27th Meeting of the Council for Foreign and Community Relations \(COFCOR\)](#), May 24, 2024.

¹⁴²⁵ El País, [Tobago oil spill](#), February 24, 2024.

¹⁴²⁶ Prensa Latina, [UN team collaborates in response to oil spill in Trinidad and Tobago](#), February 24, 2024.

¹⁴²⁷ Newsday, [Oil spill news reaches international waters](#), February 12, 2024.

¹⁴²⁸ Newsday, [IMA probes eco-impact of oil spill: Petit Trou Lagoon affected](#), February 12, 2024.

¹⁴²⁹ TT Weather Center, [Tobago Oil Spill: Oil Slick Nearing Grenada's Waters Again](#), June 13, 2024.

¹⁴³⁰ Newsday, [Tobago's farming population in decline](#), January 25, 2024.

¹⁴³¹ Newsday, [Tobago Farmers Urged to Innovate Adopt Sustainable Practices](#), January 31, 2024.

B. Business and human rights

854. Trinidad and Tobago's economy, highly dependent on oil and gas production, faces risks associated with the global energy transition and the reduction of greenhouse gas emissions.¹⁴³² In response to these challenges, the country has implemented policies to strengthen climate adaptation and mitigation. Trinidad and Tobago's National Adaptation Plan establishes a framework for managing the risks associated with climate change, integrating strategies in key sectors such as coastal resources, agriculture and food security, water resources, human health, biodiversity, infrastructure and financial services.¹⁴³³ However, challenges remain in the effective implementation of these policies and in integrating a human rights approach into the climate response.

855. In addition, the Central Bank of Trinidad and Tobago has highlighted that climate change mitigation and adaptation policies carry significant risks for commodity exporters such as Trinidad and Tobago, especially in relation to the global energy transition.¹⁴³⁴

856. REDESCA stresses the importance of taking into account Inter-American standards of protection on Business and Human Rights in national legislation, mainly considering the need to promote responsible business practices, especially in key sectors such as the energy and mining industries. In this regard, REDESCA urges the government of Trinidad and Tobago to incorporate specific legislation on Business and Human Rights.

C. Fiscal and economic policies

857. In 2024, Trinidad and Tobago's sovereign debt situation has shown an increase. According to data from the Central Bank of Trinidad and Tobago, government debt reached 113.479 billion Trinidadian dollars (TTD) in August 2024, up from TTD 113.448 billion recorded in July 2024.¹⁴³⁵

858. REDESCA highlights the efforts made by Trinidad and Tobago to achieve a sustained economic recovery, as confirmed by the recent IMF report. The IMF's 2024 mission, which included detailed analysis of economic data and meetings with several key stakeholders, predicted a positive medium-term outlook for the country's economy. Among the factors that will drive this growth are potential gas projects and structural reforms. In addition, the IMF emphasizes the importance of diversifying the economy and maintaining a predictable fiscal policy to ensure long-term sustainable growth. This assessment underscores Trinidad and Tobago's commitment to economic stability and the implementation of effective policies to meet current and future challenges.¹⁴³⁶

D. Democracy and guarantee of ESCER

859. REDESCA notes reports referring to vulnerable communities, including low-income and indigenous groups, are disproportionately affected by environmental degradation and lack the resources needed to adapt to climate change. These communities often have limited access to basic services such as health care, education and financial support, making them more susceptible to the adverse effects of climate change and hindering their participation in environmental decision-making.¹⁴³⁷

860. It has also been raised as a difficulty that the main media outlets in the country do not prioritize coverage of environmental issues and climate change. When these issues are addressed, it is generally

¹⁴³² International Monetary Fund (IMF), [Trinidad and Tobago: 2024 Article IV Consultation-Press Release; Staff Report; and Statement by the Executive Director for Trinidad and Tobago](#), IMF Country Report No. 24/150, 2024.

¹⁴³³ Government of Trinidad and Tobago, [National Adaptation Plan \(NAP\) 2024](#), United Nations Framework Convention on Climate Change, 2024.

¹⁴³⁴ Central Bank of Trinidad and Tobago, [The Impact of Climate Change on the Balance of Payments](#), March 2024.

¹⁴³⁵ Trading Economics, [Trinidad and Tobago - Government Debt](#), 2024.

¹⁴³⁶ Ministry of Finance, [IMF Confirms that Trinidad and Tobago is Undergoing a Sustained Economic Recovery](#), March 2024.

¹⁴³⁷ Caribois, [Exploring the Climate Crisis in Trinidad and Tobago: A Focus on Adaptation and Mitigation](#), December 2024.

from a national perspective, without delving into local impacts or the voices of affected communities.¹⁴³⁸ This lack of information would limit public awareness and the capacity of communities to mobilize around environmental issues.

861. REDESCA encourages Trinidad and Tobago to strengthen and deepen its public policies to ensure effective social participation in decision-making on environmental and climate issues. In this regard, it is essential to consider the ratification of the Escazu Agreement as a key instrument to ensure access to information, public participation and environmental justice, thus promoting a more inclusive and sustainable approach to environmental governance in the country.

34. URUGUAY

862. Regarding the ratification of key international instruments for the protection of ESCER, Uruguay has ratified the American Convention on Human Rights, the Protocol of San Salvador and the Escazú Agreement. These commitments reflect the country's commitment to international human rights standards and underscore the importance of focusing efforts on ensuring their effective implementation through comprehensive and sustainable public policies.

863. The Office of the Special Rapporteur has observed that, according to official data from the National Statistics Institute (INE), poverty among individuals was around 9.1% in the first half of 2024, which shows a decrease compared to the first half of 2023 (10.4%).¹⁴³⁹ In turn, the total number of households below the poverty line was 6.4%, representing a slight improvement compared to 2023 (7.2%).¹⁴⁴⁰ However, there was a slight increase in the indigence indexes in the country.¹⁴⁴¹ Without detriment to the above, when analyzing the poverty gap by gender, a feminization of poverty is observed in the country, with an increase in the percentage of households below the poverty line when refers to those headed by women.¹⁴⁴² At the same time, there is a higher prevalence of poverty among the Afro-descendant population in the country.¹⁴⁴³

864. REDESCA observes how child poverty represents a structural problem in Uruguay, which translates into violations of the enjoyment and exercise of human rights, which has a direct impact on the guarantee of the ESCER of this population group. This situation has materialized, among other aspects, in higher rates of food insecurity, as well as in barriers to access to education and quality urban services, among other effects.¹⁴⁴⁴ According to UNICEF data, one out of every five children and adolescents in Uruguay lives in households below the poverty line, which represents at least 150,000 children and adolescents.¹⁴⁴⁵ In view of this situation, REDESCA welcomes the enactment of the draft Law on Guarantees for Early Childhood and Adolescence (Law No. 20.376), which aims to promote guarantees for the development, care and comprehensive protection of children and adolescents, as well as the effective fulfillment of their rights.¹⁴⁴⁶

865. The Office of the Special Rapporteur highlights the importance of addressing inequality in Uruguay in the context of ESCER.¹⁴⁴⁷ The Gini index, which measures income inequality, has not been reduced

¹⁴³⁸ LatAm Journalism Review, [Citizen journalists seek to fill environmental reporting gap in Trinidad and Tobago](#), January 22, 2024.

¹⁴³⁹ Instituto Nacional de Estadística Uruguay (INE), [Estimación de la pobreza por el método del ingreso Primer semestre 2024](#), September 24, 2024; INE, [Estimación de la pobreza por el método del ingreso primer semestre 2023](#), September 28, 2023.

¹⁴⁴⁰ INE, [Estimation of poverty by the income method first semester 2023](#), September 28, 2023.

¹⁴⁴¹ INE, [Estimation of poverty by the income method First semester 2024](#), September 24, 2024.

¹⁴⁴² Ministry of Social Development (MIDES), [Gender Statistics 2022](#), March 20, 2024.

¹⁴⁴³ United Nations Human Rights Council (HRC) - Working Group on the Universal Periodic Review, 46th session, [Uruguay Compilation of information prepared by the Office of the United Nations High Commissioner for Human Rights](#), 21 February 2024, A/HRC/WG.6/46/URY/2, para. 17.

¹⁴⁴⁴ UNICEF, [Análisis de la Pobreza Infantil en Uruguay y Propuestas de Políticas](#), July 24, 2024.

¹⁴⁴⁵ United Nations Children's Fund (UNICEF), [Análisis de la Pobreza Infantil en Uruguay y Propuestas de Políticas](#), July 24, 2024.

¹⁴⁴⁶ National Directorate of Official Printing and Publications (IMPO), [Law No. 20376 - Creation of Guarantees for Early Childhood and Adolescence](#), October 2, 2024.

¹⁴⁴⁷ United Nations in Uruguay, [Annual Results Report 2023](#), May 13, 2024.

in recent years, remaining at around 40 points. Although this level is among the lowest in Latin America, it is still high compared to other countries outside the region.¹⁴⁴⁸

A. Climate emergency and environmental protection

866. Uruguay faces significant challenges in terms of climate emergency, as evidenced by recent events such as the drought of 2022-2023, which affected more than 60% of the national territory and caused significant economic losses, in addition to compromising the supply of drinking water in various regions, among other aspects that will be addressed in the following paragraphs. These challenges underscore the need for Uruguay to strengthen its climate change adaptation and mitigation policies, ensuring the protection of its natural resources and the resilience of communities in the face of future adverse climate events.

867. Regarding access to drinking water, REDESCA notes that 99% of the Uruguayan population has this right guaranteed and the country exceeds 90% coverage in sanitation.¹⁴⁴⁹ However, as a result of the 2023 water crisis, the country's vulnerability has been highlighted, especially in Montevideo and its metropolitan area, in the face of the water emergency and the drinking water supply crisis. This is due to the increase in the frequency and severity of droughts in the country and the meteorological events that affect the availability and quality of water. The Special Rapporteur welcomes the start of the first stage of the universal sanitation project, which will bring this service to 61 localities in Uruguay and is expected to benefit 160,000 people, improving their quality of life.¹⁴⁵⁰

868. The Office of the Special Rapporteur has closely followed the impact of extreme weather events in Uruguay, noting that floods are the most frequent and most impactful events in the country. Over the last decade, hundreds of thousands of people were displaced due to this extreme event.¹⁴⁵¹ Within this framework, the National Emergency System declared an emergency phase for 25 days due to adverse weather events that affected twelve departments and generated displacement of people.¹⁴⁵² The disproportionate impact of these events on the most vulnerable communities in the face of increasing climate risks is a cause of concern.

869. On the other hand, REDESCA is concerned about the significant increase of dengue cases in Uruguay. It is estimated that climate change has favored the expansion of the *aedes aegypti* mosquito, which has led Uruguay to experience record daily infections, with the figures for 2024 being the highest recorded in the country, at least in this century.¹⁴⁵³ The Special Rapporteur urges the Uruguayan State to adopt effective adaptation and prevention measures, particularly in the elimination of mosquito breeding sites and in the promotion of public health, to protect the most vulnerable groups and thus mitigate the impact of these outbreaks on the population.¹⁴⁵⁴

870. In 2024, the prevalence of moderate or severe food insecurity was estimated at 13.7% of households, while the estimate of moderate or severe food insecurity in individuals corresponded to 15.1%.¹⁴⁵⁵ In this regard, food insecurity was mainly concentrated in households in the first income quintile, where moderate or severe food insecurity reached 33.4% and severe food insecurity 6.4%.¹⁴⁵⁶ The figures were

¹⁴⁴⁸ World Bank, [Uruguay: Overview...](#) April 2, 2024

¹⁴⁴⁹ HRC- Working Group on the Universal Periodic Review, 46th session, [National report submitted under Human Rights Council resolutions 5/1 and 16/21*](#), 7 February 2024, A/HRC/WG.6/46/URY/1, para. 121.

¹⁴⁵⁰ Ministry of Environment of Uruguay, [Se inician las obras para universalizar el saneamiento en el país](#), July 29, 2024.

¹⁴⁵¹ National Emergency System (SINAE), [Floods](#), 2024.

¹⁴⁵² SINAE, [Adverse Events Situation Report - Initiates Recovery Phase \(05/04/24\)](#), April 5, 2024.

¹⁴⁵³ El País Uruguay, [El año récord del dengue: avanza en Uruguay. llega a los CTI y esperan más casos antes del frío](#), 7 April 2024; Ministerio de Salud Pública, [MSP coordina acciones con Sinae ante casos de dengue en Uruguay](#), 6 March 2024; Ministerio de Salud Pública, [Informe semanal arbovirosis transmitidas por Aedes aegypti...](#), 5 April 2024

¹⁴⁵⁴ Infobae, [Uruguay experiences record number of severe dengue patients but rules out vaccination](#), April 8, 2024.

¹⁴⁵⁵ Instituto Nacional de Estadística, [Tercer informe nacional de prevalencia de inseguridad alimentaria en hogares](#), November 2024, p. 17.

¹⁴⁵⁶ Instituto Nacional de Estadística, [Tercer informe nacional de prevalencia de inseguridad alimentaria en hogares](#), November 2024, p. 19.

higher, in turn, in those households where children under 6 years of age lived, compared to those households without children under 6 years of age, regardless of the region of the country considered. When analyzing food insecurity by geographic areas at the household level, a significantly lower prevalence of moderate or severe food insecurity was found in Montevideo compared to the interior of the country, where higher levels of food insecurity were recorded in the central and southeastern regions (Flores, Durazno, Florida, Lavalleja, Maldonado, Rocha) and in the northeastern region (Artigas, Tacuarembó, Rivera, Cerro Largo and Treinta y Tres).

B. Business and human rights

871. REDESCA has monitored progress on the Arazatí Project, which proposes to use the Río de la Plata as a source of water for drinking water treatment and supply for the Montevideo metropolitan area.¹⁴⁵⁷ The initiative involves the construction of a raw water intake in the Arazatí beach area in the department of San José, a drinking water treatment plant, a fresh water reservoir and a treated water pipeline that would cross the Humedales del Santa Lucía protected area to the Melilla dam and from there to the Cuchilla Pereira tanks, the latter two of the metropolitan supply system, in the department of Montevideo.¹⁴⁵⁸ It also includes the construction of a site for the final disposal of the dehydrated sludge generated as a result of the drinking water treatment process. In this regard, various statements have been made by civil society organizations regarding the lack of environmental impact studies and the absence of guarantees for open and inclusive public participation.¹⁴⁵⁹

872. In view of this situation, the Institute of Ecology and Environmental Sciences of the University of the Republic, as well as the Working Group on Environment and Human Rights of the UNESCO Chair on Human Rights of the University of the Republic have expressed their concern about irregularities in the aspects related to social participation and access to public information in the environmental authorization procedure of the Arazatí-Neptuno project. They also reported obstacles to the effective participation of the academic community in the in-depth analysis of the technical-scientific aspects of the environmental impact study of the Neptune-Arazatí project.¹⁴⁶⁰

873. In the context of business activities and the guarantee of human rights, the Office of the Special Rapporteur takes note of the progress of the project for the construction of a green hydrogen plant by the company HIF Global, in the town of Paysandú. The initiative is close to the proposed protected area known as Islas del Queguay, an area considered a high priority for conservation, which poses a possible threat to biodiversity.¹⁴⁶¹ In relation to this project, several communications from civil society have been analyzed regarding the lack of access to environmental information on the project, which has resulted in a court ruling that condemns the Executive Branch to provide all environmental information contained in the memorandum of understanding and its annex signed between the Oriental Republic of Uruguay and the HIF Uruguay Company on February 28, 2024.¹⁴⁶²

¹⁴⁵⁷ Ministry of Environment, [Ministerio de Ambiente aprueba la Autorización Ambiental Previa al Proyecto Arazatí](#) Ambiente, December 9, 2024.

¹⁴⁵⁸ Ministry of Environment Uruguay, [Arazatí Project](#), 2024.

¹⁴⁵⁹ National Human Rights Institution of Uruguay (INDDHH), [Resolution No. 1195 /2023](#), February 14, 2023; La Diaria, [Presentaron acción judicial contra el proyecto Neptuno](#), August 12, 2024; Redes Amigos de la Tierra, [Comments by REDES-Amigos de la Tierra on the Environmental Feasibility Report on the Location and proposed category of the Arazatí project](#), August 2, 2023.

¹⁴⁶⁰ Universidad de la República Uruguay (UDELAR), [Declaración de Cátedra UNESCO DDHH de la Udelar sobre el derecho a participación en la Audiencia Proyecto Arazatí-Neptuno](#), September 25, 2024; UDELAR, [Declaración del Instituto de Ecología y Ciencias Ambientales sobre el estudio del proyecto Neptuno-Arazatí](#), September 30, 2024.

¹⁴⁶¹ Uruguay Presidency, [Government signed memorandum of understanding to build green hydrogen plant in Paysandú](#), February 28, 2024; El País Uruguay, [Zona de Islas del Queguay va rumbo a ser área protegida y mira de reojo a posible vecina: planta de HIF Global](#), November 21, 2024.

¹⁴⁶² Montevideo Portal, [Justicia ordena al gobierno a dar información sobre el proyecto de hidrógeno verde de HIF](#), June 26, 2024; El País Uruguay, [Juez obliga al gobierno a brindar información ambiental del acuerdo para construir planta de hidrógeno verde](#), June 26, 2024; Ámbito Financiero, [Ambientalistas vuelven a la justicia para exigir al gobierno información sobre el acuerdo con HIF Global](#), August 20, 2024.

874. REDESCA has also followed up on information regarding the implementation of the Tambor project for the production of green hydrogen in Uruguay, which evidences significant challenges in terms of human rights and the environment. Despite the importance of this initiative in the transition to a more sustainable economy, according to available information, shortcomings have been identified in the effective participation of local communities, such as Tambores, in decision-making process. According to a survey conducted in 2024, 77.3% of the population in the area of influence has not participated in planning instances, reflecting a concerning discrepancy between the recognized right to participation and its effective implementation. In addition, the inhabitants expressed concerns about the impact of the project on water availability, given the high water demand of the green hydrogen production process.¹⁴⁶³ These concerns highlight the need to strengthen mechanisms for free, prior and informed consultation, and to ensure that project benefits are equitable, without compromising access to essential resources such as water and the environment.

875. In relation to the environmental impacts linked to the pulp industry in Uruguay, the Special Rapporteurship is concerned about reports of environmental impacts caused by the spill of 4,000 liters of 50% caustic soda in the Port of Montevideo in July 2024.¹⁴⁶⁴ This incident would follow previous spills, including the discharge of alkaline effluents into the Arroyo del Sauce. Environmental impact studies by the Ministry of Environment show that the spill in the Arroyo del Sauce caused significant damage to aquatic life, with losses to flora and fauna and impacts to other users of the creek.¹⁴⁶⁵ These incidents have led to the imposition of sanctions and fines on the Finnish pulp mill UPM-Kymmene Corporation.¹⁴⁶⁶ It is important for the Uruguayan State to strengthen its regulatory role to ensure compliance with corporate human rights obligations and international standards

876. REDESCA also takes note of the report presented by the Ministry of Environment of Uruguay on the rivers and streams of the Binational Basin of Laguna Merín, the largest body of water in Uruguay, which revealed the presence of high levels of water pollution due to possible anthropogenic pollutants.¹⁴⁶⁷ In this sense, water contamination and the limitation of its access have become one of the main demands of civil society. In Laguna Merín, several processes and common goods of importance for conservation, social, heritage, and productive aspects coincide. Additionally, two of the main artisanal ports in the country's continental waters are located there, both in terms of volume and the diversity of species landed.¹⁴⁶⁸ REDESCA is concerned about the expansion of the agricultural-commercial frontier and the use of agrochemicals in these practices. Contamination of surface and groundwater and soil is often a consequence of poor effluent management, leading to the proliferation of vectors and landscape degradation.¹⁴⁶⁹ These practices could have an impact on natural reserves, as well as health problems in communities and ecosystems, due to the presence of agrochemicals in water.¹⁴⁷⁰ Currently, the area is divided between intensive anthropic uses, as well as natural uses or extensive cattle ranching.¹⁴⁷¹ In this context, a dispute over access, use and management of common goods has become evident, revealing a confrontation of interests and valuations in the lagoon.¹⁴⁷²

877. In this regard, the Office of the Special Rapporteur recalls that States have the obligation, within their jurisdiction, to regulate, supervise and oversee activities that may significantly affect the

¹⁴⁶³ UNESCO Chair of UDELAR; CENUR Noreste, Tacuarembó, [Report of results of the H2V survey and Tambor Project](#), 2024.

¹⁴⁶⁴ Ministerio del Interior Uruguay, [Dirección Nacional de Bomberos: Inspección por derrame en terminal portuaria UPM](#), 31 July 2024.

¹⁴⁶⁵ Ministry of Environment - National Environmental Observatory, [Informe anual de control operacional y desempeño ambiental planta celulosa UPM Paso de los Toros \(UPM II\)](#), June 28, 2024, p. 6.

¹⁴⁶⁶ La Diaria, [UPM spilled pollutants again on Sauce stream and hid information from the Ministry of Environment for eight days](#), August 5, 2024.

¹⁴⁶⁷ Ministry of Environment, [Monitoring of water quality in the Laguna Merín Basin 2023](#), 2024.

¹⁴⁶⁸ Revista Uruguaya de Antropología y Etnografía, [Problemáticas socioambientales en el territorio hidrosocial de laguna merín: aportes desde la interdisciplina](#), November 22, 2022.

¹⁴⁶⁹ Redes Amigos de la Tierra Uruguay, [Cuenca de la Laguna Merín - Uruguay Aportes para la discusión ciudadana](#), 2012.

¹⁴⁷⁰ La Diaria, [Algo grave está pasando en la cuenca de laguna Merín: investigación muestra histórica afectación de los territorios por el agronegocio](#), March 14, 2023.

¹⁴⁷¹ Ministry of Environment, [Monitoring of Water Quality in the Laguna Merín Basin](#), 2023.

¹⁴⁷² Revista Uruguaya de Antropología y Etnografía, [Problemáticas socioambientales en el territorio hidrosocial de laguna merín: aportes desde la interdisciplina](#), November 22, 2022.

environment within or outside their territory; in addition to establishing contingency plans, in order to have safety measures and procedures to minimize the possibility of major environmental accidents and mitigate the significant environmental damage that could be generated.¹⁴⁷³ Companies must comply with all environmental laws in force and make clear commitments in line with their responsibility to respect human rights; implementing due diligence processes with respect to human rights and the environment, in order to determine, prevent and mitigate their environmental impact, and allow for the remediation of the negative effects on human rights that they may have caused or contributed to cause.¹⁴⁷⁴ At the same time, it reiterates the importance of States ensuring spaces for participation and transparency prior to adapting their regulatory frameworks, in which the position of those whose rights may be threatened or affected is seriously taken into account.¹⁴⁷⁵

878. The Special Rapporteurship has monitored the project for the construction of a global data center by Google in the department of Canelones.¹⁴⁷⁶ The Rapporteurship observed that, although negotiations began in 2019, in July 2024 the Uruguayan government approved the Prior Environmental Authorization (AAP) for its installation.¹⁴⁷⁷ Sectors of civil society expressed concerns regarding the environmental impact of the project¹⁴⁷⁸ and some have carried out a citizen campaign to demand greater social and environmental impact studies from the company, prior to the implementation of the project.¹⁴⁷⁹

879. Likewise, the bill formally entitled “Goods delivery services or urban and paid passenger transportation”, aimed at regulating work on digital platforms, has been followed. According to available information, this initiative, which was approved by the Chamber of Deputies in July 2024, seeks to establish a regulatory framework to provide labor protection to people who carry out activities through these platforms.¹⁴⁸⁰ The situation of workers on digital platforms in the country has been observed, where it is recorded that 46% of digital platform delivery workers work more than 58 hours a week, exceeding the maximum allowed by law.¹⁴⁸¹ REDESCA recalls that, in the framework of strengthening legislation, practices and public policies to promote labor rights, a human rights approach should be adopted, in accordance with the systematization of Inter-American standards carried out by REDESCA and IACHR.¹⁴⁸²

880. Finally, with regard to aspects related to the activities of technology companies, the Office of the Special Rapporteur welcomes the adoption of the Montevideo Declaration, which promotes the consolidation of a regional approach to the governance of artificial intelligence (AI) in Latin America and the Caribbean.¹⁴⁸³ The Declaration proposes five lines of work that refer to governance and regulation, talent and future of work, protection of vulnerable groups, environment, sustainability and climate change, and infrastructure, focusing on the promotion and protection of human rights, fundamental freedoms and dignity of people, ensuring an inclusive and sustainable technological development.¹⁴⁸⁴

¹⁴⁷³ IACHR - REDESCA, [Resolution 3/2021: Climate Emergency: Scope of Inter-American Human Rights Obligations](#), December 31, 2021, p. 22, para. 40.

¹⁴⁷⁴ IACHR - REDESCA, [Resolution 3/2021: Climate Emergency: Scope of Inter-American Human Rights Obligations](#), December 31, 2021, p. 23, para. 46.

¹⁴⁷⁵ IACHR - REDECA, [Business and Human Rights: Inter-American Standards](#), November 1, 2019, p. 64, para. 111.

¹⁴⁷⁶ Uruguay XXI, [Google confirmed the construction of a global data center in Uruguay](#), November 1, 2023.

¹⁴⁷⁷ Infobae, [Uruguay authorized the construction of a Google data center that will employ up to 800 people](#), July 25, 2024.

¹⁴⁷⁸ Amnesty International Uruguay, [Citizen Campaign to demand further studies to Google for its Datacenter project](#), March 25, 2024.

¹⁴⁸⁰ Parlamento del Uruguay Cámara de Representantes, [Servicios de bienes o transporte urbano y oneroso de pasajeros - Tutela del trabajo desarrollado mediante plataformas digitales](#), July 16, 2024.

¹⁴⁸¹ Foundation for the Development and Promotion of Labor and Social Security Law, [46% of delivery drivers work over 58 hours per week, which exceeds the maximum allowed by law](#), April 1, 2024.

¹⁴⁸² IACHR - REDESCA, [Compendium on Labor and Trade Union Rights. Inter-American Standards](#), (OEA/Ser.L/V/II, Doc. 331/20), October 30, 2020.

¹⁴⁸³ Uruguay Presidency, [Digital Government: Montevideo Declaration highlights Uruguay's progress in the use of artificial intelligence](#), October 4, 2024.

¹⁴⁸⁴ Agency for Electronic Government and the Information and Knowledge Society, [Artificial Intelligence: Approval of the Montevideo Declaration](#), October 4, 2024.

C. Fiscal and economic policies

881. For its part, REDESCA closely monitors the situation of the solidarity, informal and care economies in the country. In this regard, it has been noted that the informality rate in the country is lower than the average for the region (21%). However, when the figures are broken down by department, it is observed that in the departments with the highest levels of informality, nearly four out of every ten workers are employed without social security coverage.¹⁴⁸⁵ During its promotional visit, the Office of the Special Rapporteur received information on the challenges to the ESCER of vulnerable groups such as recyclers, street vendors and workers on digital platforms. Among the main difficulties are the limited recognition of labor rights, insufficient access to housing and basic services, and inadequate social security coverage for those in the informal sector.

882. REDESCA urges the State to design strategies that promote the transition from informal to formal employment, in line with ILO Recommendation No. 204.¹⁴⁸⁶ In this transition, social security, maternity protection, decent working conditions and a minimum wage that takes into account the needs of workers and considers relevant factors, including, among other aspects, the cost of living and the general level of wages in the country, should be progressively extended in law and in practice to all persons in the informal economy. In light of the above, efforts should be intensified to ensure universal social security coverage.¹⁴⁸⁷

883. The Office of the Special Rapporteur has observed that the care sector represents 3.5% of the total number of employed persons and is strongly feminized (95.8% of employed persons are women).¹⁴⁸⁸ Among those employed in this sector, there is a higher proportion of young people between 14 and 24 years of age and those aged 65 and over, compared to the total number of employed.¹⁴⁸⁹ In addition, REDESCA has observed that 61.4% of women's total workload is unpaid work, while men's unpaid work occupies 35.9% of their working time.¹⁴⁹⁰ This overload of unpaid work results in a lower participation in the labor market of women living in poor households.¹⁴⁹¹ Likewise, official figures show that the participation rate of women in care work and domestic tasks is 87.3%, while the participation rate for men is 75.6%.¹⁴⁹² The Rapporteurship recalls that care tasks produce economic value and contribute directly to the GDP of the countries, in the case of Uruguay the contribution is 23.8% (according to data from 2022).¹⁴⁹³ However, it is noted that annual investment in care is only 0.3% of GDP.¹⁴⁹⁴

884. REDESCA recognizes that, with the approval of the Care Law (No. 19,353) Uruguay became the first country in the region to establish a National Integrated Care System (SNIC), recognizing care as a social right.¹⁴⁹⁵ However, the Office of the Special Rapporteur has received information on the difficulties derived from the insufficient financing of the system.¹⁴⁹⁶ REDESCA highlights the importance of strengthening the SNIC with public resources, in line with the recommendations of the Working Group of the Universal Periodic Review of the UN Human Rights Council.¹⁴⁹⁷

885. Despite some positive trends observed in recent decades, such as the increase in women's participation in the labor force, the Office of the Special Rapporteur notes that barriers still persist in terms of

¹⁴⁸⁵ INE, [Labor market by geographic area of residence](#), September 11, 2024.

¹⁴⁸⁶ ILO, [Recommendation 204 - Recommendation on the transition from the informal to the formal economy](#), 1 June 2015.

¹⁴⁸⁷ HRC - Working Group on the Universal Periodic Review, 46th session, [National report submitted under Human Rights Council resolutions 5/1 and 16/21*](#), 7 February 2024, A/HRC/WG.6/46/URY/1, p. 7, para. 50.

¹⁴⁸⁸ MIDES, [Gender Statistics 2022](#), March 20, 2024, p. 7.

¹⁴⁸⁹ MIDES, [Gender Statistics 2022](#), March 20, 2024, p. 7.

¹⁴⁹⁰ MIDES, [Presentation of Time Use and Unpaid Work Survey](#), March 28, 2023.

¹⁴⁹¹ MIDES, [Gender Statistics 2022](#), March 20, 2024, p. 14.

¹⁴⁹² Amnesty International, [2023 Annual Report expanded chapter Uruguay: Uruguay loses ground on human rights](#), 2024.

¹⁴⁹³ La Diaria, [Laura Pautassi: "Uruguay cannot afford not to strengthen its Care System"](#), April 26, 2024.

¹⁴⁹⁴ Search, [UN Women proposes a "solidarity fund" of general contributions for the Care System similar to Fonasa](#), October 29, 2024.

¹⁴⁹⁵ IMPO, Law No. 19353, [Creation of the National Integrated Care System \(SNIC\)](#), December 8, 2015.

¹⁴⁹⁶ UDELAR, [Foro Nacional de Cuidados: desafíos del SNIC desde la perspectiva de la sociedad civil](#), April 26, 2024.

¹⁴⁹⁷ HRC - Working Group on the Universal Periodic Review, 46th session, [Summary of stakeholder submissions on Uruguay - Report of the Office of the United Nations High Commissioner for Human Rights](#), 13 February 2024, A/HRC/WG.6/46/URY/3.

wage discrimination, where women earn 76% of the total income earned by men.¹⁴⁹⁸ Likewise, official figures have shown that women have an unpaid workload that almost doubles the hours dedicated by men, in this sense, 61.4% of the total workload of women is unpaid work, while among men this occupies 35.9% of their work time.¹⁴⁹⁹ This, combined with the lack of public services for the care of dependent persons, forms a vicious circle that has a negative impact on women's autonomy.¹⁵⁰⁰

D. Democracy and guarantee of ESCER

886. REDESCA welcomes the approval of the First National Human Rights Plan (2023-2027) in Uruguay, which seeks to comply with international commitments and obligations established in national legislation. This plan establishes the basis for the continued development of national human rights plans, guaranteeing the promotion, protection and accountability in relation to the human rights of all people.¹⁵⁰¹

887. With regard to the situation of the DESCA in the context of human mobility, the Office of the Special Rapporteur welcomes the creation of the "Residency by Arraigo" Program, which seeks to provide a legal and humanitarian solution for those persons who entered the country through an authorized migration control point requesting asylum, currently reside in the territory and are unable to request or obtain legal residency.¹⁵⁰²

888. The Rapporteurship has observed that, despite significant efforts, gender inequalities persist as a critical challenge in Uruguay. The prevalence of violence and discrimination against women reflects a structural problem that requires an urgent response.¹⁵⁰³ In turn, the low representation of women and other groups in decision-making spaces hinders progress towards a more inclusive and equitable democracy.¹⁵⁰⁴

889. In view of the existing gender gap in the social security system, the division of labor between men and women, the limited access of women to work, and the lack of equity with men with respect to wages and the distribution of household chores, the Rapporteurship joins the recommendations of the United Nations Human Rights Committee and the Committee on the Elimination of Discrimination against Women, who urged the State to reduce the wage gap between men and women, and to accelerate the process of implementing the measures contemplated in the National Strategy for Gender Equality 2030 in the executive, legislative and judicial branches.¹⁵⁰⁵

890. Finally, the Office of the Special Rapporteur expresses its concern about the persistent discrimination against people of African descent and indigenous peoples in the areas of education, employment, health and public life.¹⁵⁰⁶ It has been observed that, despite the approval of Law 19.122 of August 21, 2013, which represented a milestone in Uruguay, there are still several absences and challenges that hinder its full and effective implementation.¹⁵⁰⁷ In this line, recent UNICEF data reveal that Afro-descendant children are in a worse situation than their non-Afro-descendant peers, with the educational environment being the first where situations of racial discrimination are experienced.¹⁵⁰⁸ In view of this structural situation, REDESCA

¹⁴⁹⁸ UN Women, [Uruguay](#), 2024; MIDES, [Gender Statistics 2022](#), March 20, 2024, p. 7.

¹⁴⁹⁹ MIDES, [Presentation of Time Use and Unpaid Work Survey](#), March 28, 2023.

¹⁵⁰⁰ UN Women, [Uruguay](#), 2024.

¹⁵⁰¹ HRC - Working Group on the Universal Periodic Review, 46th session, [National report submitted under Human Rights Council resolutions 5/1 and 16/21* - Report of the Office of the United Nations High Commissioner for Human Rights](#), 13 February 2024, A/HRC/WG.6/46/URY/3.

¹⁵⁰² UNHCR, [Uruguay: Decree No. 138/024 - The Rooted Residency Program is created](#), May 15, 2024.

¹⁵⁰³ El Observador, [Denuncias por violencia de género en Uruguay: más de 35.000 casos en 2024, con 19 femicidios hasta octubre](#), 29 November 2024.

¹⁵⁰⁴ Parliament of Uruguay, [Women and Political Participation: Presentation of Results](#), March 5, 2024; UN Women, [Nearly 80% of women politicians surveyed have suffered or witnessed some type of gender-based violence in this area](#), October 22, 2024.

¹⁵⁰⁵ HRC - Working Group on the Universal Periodic Review, 46th session, [Uruguay Compilation of information prepared by the Office of the United Nations High Commissioner for Human Rights](#), A/HRC/WG.6/46/URY/2, 21 February 2024, paras. 48 and 49.

¹⁵⁰⁶ HRC - Working Group on the Universal Periodic Review, 46th session, [Uruguay Compilation of information prepared by the Office of the United Nations High Commissioner for Human Rights](#), 21 February 2024, A/HRC/WG.6/46/URY/2, para. 18.

¹⁵⁰⁷ INDDHH, [Report on 10 years of compliance with Law 19.122. Desafíos de su implementación](#), July 23, 2024.

¹⁵⁰⁸ UNICEF Uruguay, [Afro-descendant boys and girls suffer racial discrimination from the early school years](#), July 23, 2024.

urges the Uruguayan State to review the corresponding legislation from a gender and ethnic-racial perspective.¹⁵⁰⁹ This includes the adoption of all necessary measures to recognize and give greater visibility to indigenous peoples in Uruguay, as well as to combat the stereotypes and prejudices that affect these communities.

35. VENEZUELA

891. In the framework of specific international instruments for the protection of ESCER, it is noteworthy that Venezuela would not be a party to the American Convention on Human Rights, after denouncing it on September 10, 2012, effective September 10, 2013.¹⁵¹⁰ Likewise, on April 28, 2017, Venezuela denounced the Charter of the Organization of American States (OAS), marking its withdrawal from the organization. In addition, it is noted that the State has not ratified the Escazú Agreement, limiting its commitment to international standards in terms of access to justice, citizen participation and protection of environmental defenders.

892. The country continues to face a political, social, economic and humanitarian crisis, with serious repercussions on the ESCER of the population. According to reports by the United Nations Special Rapporteur on the Right to Food, 82% of the population lives in poverty and 53% in extreme poverty.¹⁵¹¹ In turn, according to the results obtained from the National Survey of Living Conditions 2023, conducted by the Andrés Bello Catholic University, 51.9% of the population lives in multidimensional poverty.¹⁵¹²

893. Available information shows that the country is experiencing a collapse of the health system and significant limitations in guaranteeing ESCER, including the right to food. Hyperinflation, with a rate close to 190% in 2023, the informal dollarization of the Venezuelan economy and the price of fuel further weaken the purchasing capacity of households, whose income is clearly insufficient to purchase a basic food basket and are in a situation of survival.¹⁵¹³

A. Climate emergency and environmental protection

894. Venezuela faces a high vulnerability to climate change, manifested in phenomena such as prolonged droughts, heavy rains and landslides. These adverse conditions have resulted in emergencies affecting housing, food production, electricity generation and biodiversity. Between 2016 and 2022, the country recorded approximately 83,000 internal displacements due to flood-related disasters. In addition, the persistent drought has compromised hydroelectric generation, which represents 70% of the national energy matrix.¹⁵¹⁴

895. REDESCA has taken note of the loss of the last glacier in Venezuela, the Humboldt, located in the state of Mérida.¹⁵¹⁵ This information has been recognized by the International Climate and Cryosphere Initiative network of scientists, who have stated that Venezuela and Slovenia are the first two countries to lose their glaciers in modern times. The ice field of the glacier became too small, stagnating at approximately 0.01 kilometers, which no longer allows it to be classified as a glacier.¹⁵¹⁶

896. REDESCA has also been following the effects of Hurricane Beryl, which has caused the Manzanares River to overflow its banks in Venezuela, resulting in flooding in the state of Sucre. Local

¹⁵⁰⁹ HRC - Working Group on the Universal Periodic Review, 46th session, [Uruguay Compilation of information prepared by the Office of the United Nations High Commissioner for Human Rights](#), 21 February 2024, A/HRC/WG.6/46/URY/2, para. 18.

¹⁵¹⁰ Presidency of the Bolivarian Republic of Venezuela, [Communication](#), April 27, 2017.

¹⁵¹¹ United Nations, [UN Expert Calls for Human Rights, Not Charity, to End Hunger and Malnutrition](#), February 14, 2024.

¹⁵¹² Universidad Católica Andrés Bello, [Encuesta Nacional de Condiciones Vida 2023](#), March 2024.

¹⁵¹³ United Nations, [UN Expert Calls for Human Rights, Not Charity, to End Hunger and Malnutrition](#), February 14, 2024.

¹⁵¹⁴ BBC, [The disappearance of Venezuela's last glacier is a mirror of what will happen in Colombia and Ecuador](#), May 27, 2024.

¹⁵¹⁵ Correo del Caroní, [The last glacier in Venezuela is already history](#), March 18, 2024.

¹⁵¹⁶ BBC, [The disappearance of Venezuela's last glacier is a mirror of what will happen in Colombia and Ecuador](#), May 27, 2024.

authorities confirmed two deaths, five people missing and some 6,000 homes affected.¹⁵¹⁷ In this context, information was also received on the impacts suffered by indigenous communities, such as the Wayúu, who suffered losses of up to 10 hectares of crops.¹⁵¹⁸

897. Similarly, note is taken of the information on the more than 11,000 outbreaks of heat and fires that have been recorded in Venezuela in the first quarter of the year.¹⁵¹⁹ The Special Rapporteur notes its concern about the impacts of droughts on the ESCER of the population and takes note of the concern expressed by the United Nations Special Rapporteur on the right to food, who stressed that climate change is hitting indigenous communities particularly hard, giving as an example the water shortages affecting the Wayú people.¹⁵²⁰ REDESCA points out that this situation is even more worrying considering that water has a deep and vital meaning for the Wayúu people, both in cultural and practical terms. Water is linked to harmony with the land and natural cycles, and its scarcity or contamination is seen as a direct threat to their existence and well-being.

898. Among the main environmental challenges facing Venezuela, REDESCA includes accelerated deforestation, contamination of water bodies and illegal mining. In the last 40 years, more than 7 million hectares of natural cover have been lost, affecting biodiversity and contributing to soil degradation. In Venezuela, the regions of Bolívar, Zulia, Monagas, Amazonas and Anzoátegui accounted for 57% of all the total loss of tree cover between 2001 and 2023.¹⁵²¹

899. The contamination of rivers and lakes, exacerbated by frequent oil spills, has damaged aquatic ecosystems and affected the health of local communities. Mining exploitation, especially in the Orinoco Mining Arc, has generated significant environmental damage and social conflict, including forced displacement and human rights violations.¹⁵²² These environmental challenges are compounded by the lack of access to reliable information and the limited implementation of effective conservation policies, making it difficult to adequately respond to the ecological and climatic threats facing the country.¹⁵²³

900. Reports of lack of access to water and sanitation are alarming.¹⁵²⁴ REDESCA takes note of data provided stating that 4.3 million people in Venezuela lack access to safe drinking water, while 27% of the population receives water less frequently than once a month,¹⁵²⁵ and 69% of the population suffers from a general lack of water supply.¹⁵²⁶

901. REDESCA expresses its deep concern about the serious food insecurity crisis in the country. According to Hum Venezuela, in 2023, 91.6% of households resorted to survival strategies to feed themselves, while 45.2% of the population, equivalent to approximately 13 million people, experienced food insecurity.¹⁵²⁷ Likewise, 25.7% of households eat less than three meals a day and 22.8% report having gone entire days without eating.¹⁵²⁸ This situation is aggravated by the inadequacy of government programs to address the food crisis, which, in addition to being politically conditioned, do not address the structural causes of hunger.¹⁵²⁹

¹⁵¹⁷ El Clima, [Hurricane Beryl leaves two dead and causes flooding in eastern Venezuela](#), July 2, 2024.

¹⁵¹⁸ Efecto Cocuyo, [PC Zulia rescues Wayuu children swept away by river flooding](#), July 07, 2024.

¹⁵¹⁹ National Aeronautics and Space Administration (NASA), [Smoke covers Venezuela](#), April 10, 2024.

¹⁵²⁰ United Nations, press release, Venezuela: [UN expert calls for Human Rights, not charity, to end hunger and malnutrition](#), February 14, 2024.

¹⁵²¹ Global Forest Watch, [Venezuela](#), 2024.

¹⁵²² Mongabay, [Environmental challenges for Venezuela should be part of the 2024 presidential race](#), January 16, 2024. Infobae, [Más de 20 ONG alertaron que varios ecosistemas de Venezuela enfrentan graves amenazas y daños](#), June 6, 2024.

¹⁵²³ Mongabay, [Environmental challenges for Venezuela should be part of the 2024 presidential race](#), January 16, 2024.

¹⁵²⁴ PROVEA, [Derecho al Ambiente Sano: Informe 2023. Situación de los Derechos Humanos en Venezuela](#), April 30, 2024, p. 11; [PROVEA, Derecho al Ambiente Sano, Informe 2023. Situación de los Derechos Humanos en Venezuela](#), April 30, 2024, p. 4.

¹⁵²⁵ UNICEF, [Humanitarian Situation Report No.1, Reporting Period 1 January to 30 June 2024](#), August 15, 2024, p. 6.

¹⁵²⁶ HumVenezuela, [Follow-up Report on the Complex Humanitarian Emergency in Venezuela](#), November 2023, p. 16.

¹⁵²⁷ HumVenezuela, [Follow-up report on the complex humanitarian emergency in Venezuela](#), November 2023, p. 30.

¹⁵²⁸ Amnesty International, [The State of the World's Human Rights: April 2024](#), April 23, 2024, pp. 474 and 278.

¹⁵²⁹ United Nations, [UN Expert Calls for Human Rights, Not Charity, to End Hunger and Malnutrition](#), February 14, 2024.

902. In this context, there have also been complaints about the low quality of the food provided through the Local Supply and Production Committees (CLAP),¹⁵³⁰ which is reflected in the alarming decline in nutritional indicators and in millions of people affected by malnutrition.¹⁵³¹ The problems of malnutrition disproportionately affect indigenous peoples, in part due to environmental degradation and extractive activities carried out in their territories.¹⁵³²

B. Business and human rights

903. REDESCA expresses its deep concern over the serious human rights impacts of the exploitation of mineral resources in the Orinoco Mining Arc, particularly on the human rights of indigenous peoples. These communities suffer from a significant deterioration in their means of subsistence, the precariousness of their way of life and multiple violations of their rights.¹⁵³³ In this context, as indicated by the Committee on the Elimination of Racial Discrimination, the establishment of the Orinoco Mining Arc National Strategic Development Zone has led to the militarization of indigenous territories and the implementation of military operations without carrying out free, prior and informed consultations, as required by international law. In addition, abuses and human rights violations committed by state agents, including members of the National Armed Forces, as well as by non-state armed groups were reported.¹⁵³⁴

904. Likewise, the contamination of hybrid resources caused by gold mining continues to have a serious impact on the health and traditional lifestyles of indigenous communities, while significantly aggravating the alteration of ecosystems.¹⁵³⁵ Violations have also been reported affecting children, adolescents, women, indigenous people and workers in the region, mainly due to mercury poisoning,¹⁵³⁶ as well as serious health effects, including chronic allergies, lung damage, renal, respiratory and cardiac failure, complications in pregnancy, among others.¹⁵³⁷ In addition, the accumulation of mercury has been identified in edible plants essential to the region, such as yucca and ají, which puts the food security of these communities at risk.¹⁵³⁸ Illegal mining would also be one of the main causes of vegetation loss in the southern Orinoco, with a reduction of up to 520,900 hectares between 2000 and 2020¹⁵³⁹ and the cause of multiple forms of violence and exploitation, including human trafficking, sexual slavery and extrajudicial executions.¹⁵⁴⁰

905. In 2024, REDESCA has expressed its concern about the situation in the Orinoco Mining Arc. In a press release they highlighted the serious impacts of illegal mining and other illicit activities on the life, health and survival of the Yanomami people. Together with the IACHR, they pointed out that the presence of illegal and armed mining groups has increased violence, spread infectious diseases and deteriorated the environment in the regions of Amazonas, Bolívar and Delta Amacuro. In addition, they emphasized the need for the Venezuelan State to adopt immediate and effective measures to protect the affected indigenous communities,

¹⁵³⁰ Hum Venezuela, [follow-up report on the complex humanitarian emergency in Venezuela](#), November 2023, p. 26.

¹⁵³¹ Voice of America, [Gusanos y telarañas: Las polémicas bolsas de alimentos que da el gobierno de Venezuela y que nadie quiere comer](#), June 05, 2024.

¹⁵³² OHCHR, [Situation of human rights in the Bolivarian Republic of Venezuela: Report of the United Nations High Commissioner for Human Rights. A/HRC/56/63](#), 28 June 2024, para. 24.

¹⁵³³ PROVEA, [Derecho de los Pueblos Indígenas. Informe 2023. Situación de los Derechos Humanos en Venezuela](#), September 27, 2023, p. 3.

¹⁵³⁴ CERD, [Concluding observations on the combined twenty-second to twenty-fourth periodic reports of the Bolivarian Republic of Venezuela. CERD/C/VEN/CO/22-24](#), 23 August 2024, para. 22.

¹⁵³⁵ PROVEA, [El dolor de las familias es inmenso. El ocaso en la tierra de los Warao](#), April 20, 2024.

¹⁵³⁶ Clima21, [El crimen lento: situación de los grupos vulnerables frente a la contaminación por mercurio en la Amazonía venezolana](#), March 30, 2024, p. 5.

¹⁵³⁷ Centro de Documentación e Información Bolivia (CEDIB), [Illegal Gold Mining: Impacts on Human Rights and Biodiversity in the Amazon](#), October 2024. P. 34.

¹⁵³⁸ Centro de Documentación e Información Bolivia (CEDIB), [Illegal Gold Mining: Impacts on Human Rights and Biodiversity in the Amazon](#), October 2024. P. 34, already cited.

¹⁵³⁹ Centro de Documentación e Información Bolivia (CEDIB), [Illegal Gold Mining: Impacts on Human Rights and Biodiversity in the Amazon](#), October 2024. P. 33, already cited.

¹⁵⁴⁰ OHCHR, [Report of the Independent International Fact-Finding Mission on the Bolivarian Republic of Venezuela](#), A/HRC/51/43, 20 September 2022.

prevent, investigate and punish actions that threaten their integrity, and guarantee transparency of information on the situation in the Orinoco Mining Arc.¹⁵⁴¹

906. In the same vein, REDESCA has taken note of the existence of military operations to stop illegal mining in protected areas¹⁵⁴² and expresses its concern about the disproportionate impact on the rights of indigenous peoples and reiterates that efforts to prevent environmental destruction in protected areas must comply with international human rights law.

907. For its part, REDESCA is concerned about the situation in Lake Maracaibo, which has faced serious problems in recent years due to oil spills. These spills have a negative impact on communities in the region, due to the excess of crude oil in the water and its consequences on the food chain, affecting more than 5,000 workers in the fishing sector.¹⁵⁴³ From January to August, approximately 35 spills were reported, which has had serious consequences for the ecosystem and the economy of the region. In addition, there are concerns about the effects on the health of the surrounding communities, who could be consuming food contaminated with toxic substances derived from these spills.¹⁵⁴⁴

908. REDESCA takes notes of reports that two of these departments, Bolívar and Amazonas, are home to the largest number of illegal mining hotspots, including the case of Yapacana National Park.¹⁵⁴⁵ In fact, there are allegations that illegal mining continues in these areas despite military presence and despite the authorities having declared Yapacana National Park in Amazonas State "free of illegal mining" in September 2023.¹⁵⁴⁶

C. Fiscal and economic policies

909. Despite official figures indicating a 5% GDP growth in 2023, high inflation and the devaluation of the Venezuelan currency continued to restrict the purchasing power of the population, disproportionately affecting vulnerable groups and communities, including people living in urban poverty and rural areas.¹⁵⁴⁷ REDESCA notes the accumulated inflation in Venezuela between January and September of this year, registered at 30.4%¹⁵⁴⁸, as well as the drastic devaluation of the minimum wage, which prevents the population from having access to basic necessities.¹⁵⁴⁹

910. In 2024, according to available information, Venezuela's public debt reached critical levels, estimated at approximately US\$161 billion, which represents 166% of the country's GDP. This indebtedness implies that each Venezuelan citizen has a per capita burden of around US\$ 5,600.¹⁵⁵⁰ The Venezuelan public debt situation in 2024 reflects a combination of high levels of indebtedness, protracted defaults and incipient efforts to address the financial crisis, amid a highly challenging economic and political environment.

D. Democracy and guarantee of ESCER

911. In Venezuela, the weakening of the rule of law and the progressive concentration of power in the Executive have generated a context of severe restrictions to civil and political rights, which directly affects the guarantee of ESCER. The instrumentalization of state institutions to restrict the political participation of

¹⁵⁴¹ IACHR and REDESCA, [Venezuela must protect the Yanomami people from the advance of illegal mining and other illicit activities](#), 21 October 2024.

¹⁵⁴² United Nations, [Situation of human rights in the Bolivarian Republic of Venezuela](#), A/HRC/56/63, 28 June 2024.

¹⁵⁴³ El Nacional, [Maracaibo, la capital petrolera símbolo de la decadencia de Venezuela](#), July 21, 2024; CODHEZ, [Boletín #5. Situación de los derechos humanos en el Zulia, derecho a la salud y situación ambiental en Maracaibo](#).

¹⁵⁴⁴ El País, [A new PDVSA oil spill contaminates Venezuelan Caribbean beaches](#), August 20, 2024.

¹⁵⁴⁵ Mongabay, [Environmental challenges for Venezuela should be part of the 2024 presidential race](#), January 12, 2024.

¹⁵⁴⁶ United Nations, [Situation of human rights in the Bolivarian Republic of Venezuela](#), A/HRC/56/63, 28 June 2024.

¹⁵⁴⁷ Superintendencia Nacional Agroalimentaria (Sunaval), [Informe sobre el crecimiento del sector agroalimentario en Venezuela](#), January 16, 2024. Central Bank of Venezuela (BCV), [Consumer Statistics](#), 2024. Central Bank of Venezuela (BCV), [Official Exchange Rate of the BCV](#), 2024.

¹⁵⁴⁸ Infobae, [Venezuela inflation rises 0.6% in September and reaches 3.4%, says autonomous entity](#), October 7, 2024.

¹⁵⁴⁹ Efecto Cocuyo, [Salaries and credits, the "sacrificed" in Venezuela's anti-inflationary policy](#), July 9, 2024.

¹⁵⁵⁰ Crónica Uno, [Venezuela's public foreign debt stands at US\\$5,600 per capita](#), January 2, 2024.

the opposition, the systematic repression of dissident voices and the limitations on access to information have deepened the democratic crisis in the country.

912. In this context, REDESCA notes with concern the increasing difficulties faced by indigenous communities, civil society organizations and local communities in Venezuela to participate in environmental decision-making. During the year 2024, information has been received that shows risks of repression and criminalization faced by indigenous leaders and environmental activists, who, by raising their voices in defense of their territories and rights, are exposed to threats, arbitrary detentions and violence. According to the Venezuelan Observatory of Social Conflict (OVCS), in July 2024, 1,311 protests were registered, 90% of which were related to the demand for civil and political rights, reflecting a generalized discontent with the restrictions imposed on the exercise of political rights and citizen participation.¹⁵⁵¹

913. In addition, the approval of the so-called "Law for the Control, Regularization, Performance and Financing of Non-Governmental and Related Organizations" in August 2024 has intensified the siege around NGOs and non-profit civil associations. This legislation imposes strict controls on the activities and sources of financing of these organizations, significantly limiting civic space and hindering the work of defending human and environmental rights.¹⁵⁵²

914. REDESCA urges the Venezuelan State to guarantee a safe and enabling environment for the active participation of civil society in environmental issues, respecting and protecting the rights of indigenous and local communities, and ensuring that their voices are heard and integrated in the formulation and implementation of public policies that directly affect their lives and territories.

915. REDESCA has also noted that on February 15, 2024, the Government of Venezuela announced the suspension of the Letter of Understanding signed with the United Nations Office for Human Rights, requesting the staff of the Office to leave Venezuela within 72 hours.¹⁵⁵³ This announcement was made one day after the press conference held by the Special Rapporteur on the right to food after his visit to Venezuela.

916. Finally, it notes the government's call to use the VenApp application to denounce protesters who question the re-election. REDESCA urges technology companies to assume their responsibility in the protection of human rights and to carefully evaluate the impact of their tools. The use of this application facilitates the denunciation of those exercising their right to freedom of expression and poses serious risks of abuse and repression, in a context where hundreds of people have been victims of arbitrary detentions and have lost their lives.¹⁵⁵⁴

917. REDESCA notes that serious obstacles persist in guaranteeing the right to education, academic freedom and university autonomy. One of these obstacles is the insufficient remuneration of the staff of these institutions, whose salaries do not allow them to have an adequate standard of living. During 2023, it was recorded that 83% of professors would earn less than 325 USD per month, despite the fact that the cost of the basic food basket was estimated at 531.95 USD.¹⁵⁵⁵ In this regard, it has been noted that 27% of professors and 18% of students live in households with food poverty,¹⁵⁵⁶ while about 26.5% of the academic community has reduced their meals to less than three times a day.¹⁵⁵⁷

¹⁵⁵¹ Observatorio Venezolano de Conflictividad Social (OVCS), [Conflictividad social en Venezuela durante julio de 2024](#), July 2024.

¹⁵⁵² El País, [Venezuela closes the siege around NGOs with a new oversight law](#), August 15, 2024.

¹⁵⁵³ United Nations, [The Deputy High Commissioner updates the Human Rights Council on Venezuela](#), March 19, 2024.

¹⁵⁵⁴ Amnesty International, [Venezuela: Tech companies set a dangerous precedent](#), August 7, 2024.

¹⁵⁵⁵ University Observatory Survey, [Encuesta sobre condiciones de vida de la población universitaria de Venezuela - ENOBU](#), September 26, 2024, p. 8; El Diario, [Cendas: canasta alimentaria familiar se ubicó en 531.95 dólares en diciembre](#), January 16, 2024.

¹⁵⁵⁶ Observatory of Universities Survey, [Survey on Living Conditions of the Venezuelan University Population - ENOBU](#), September 26, 2024, p. 14.

¹⁵⁵⁷ Observatory of Universities Survey, [Encuesta sobre condiciones de vida de la población universitaria de Venezuela - ENOBU](#), September 26, 2024, p. 10, cited above.

918. In this context, there has been a 40% decrease in school attendance, mainly attributed to the lack of personnel due to low salaries. In addition, the difficult living conditions in the country have forced many students to abandon their studies in order to contribute to the economic support of their families.¹⁵⁵⁸ According to UNICEF data, 75% of teachers and 61% of students have considered dropping out of university due to the precariousness.¹⁵⁵⁹

919. REDESCA also highlights the concerning impacts of the mosaic schedule implemented in the country, which would limit face-to-face classes in schools to two or three days per week for each grade. This measure has deepened educational inequalities, disproportionately affecting students from lower income families.¹⁵⁶⁰ This situation not only compromises the quality of education received by students, but also reflects the difficulties in guaranteeing adequate salaries for teachers, who even have difficulty covering daily transportation to their workplaces.¹⁵⁶¹

920. In addition to the difficulties already mentioned, there are other barriers to access to education. According to Hum Venezuela, 74.6% of the 28,000 schools in the country face infrastructure problems, 73.4% lack constant access to electricity and 80.9% do not have a regular supply of drinking water.¹⁵⁶² These conditions have led 87% of teachers to perceive that their institutions are stagnant or regressing, 85% report that toilets do not work and 91% regret the lack of access to drinking water.¹⁵⁶³

921. REDESCA notes with deep concern the persistent reports of criminalization, persecution, harassment and arbitrary detentions directed against members of the educational community and human rights defenders for political reasons.¹⁵⁶⁴ These actions not only constitute a violation of the rights to access to education and university autonomy, but also undermine the exercise of freedom of expression. In this regard, information has been received that, just in the context of the presidential elections in Venezuela, from July 28 to September 30, 2024, 51 incidents of reprisals against university professors and students, the arbitrary detention of 31 university students, the expulsion of 71 students from the Universidad Nacional Experimental de la Seguridad and the cancellation of the passport of a university professor were recorded, affecting a total of 156 members of the university community in the context of the presidential elections and the subsequent protests.¹⁵⁶⁵ Civil society organizations have expressed their alarm over specific cases, such as that of professor Rocío San Miguel, who has been detained since February 9, 2024 under accusations of alleged links to conspiracy plots and attempted assassination.¹⁵⁶⁶

922. In relation to the guarantee of labor rights, the Office of the Special Rapporteur is concerned about the hostile environment faced by human rights defenders, particularly those dedicated to the defense of labor and trade union rights. Thus, acts of persecution, intimidation, harassment and various forms of violence against trade unionists and workers have been reported.¹⁵⁶⁷ In addition, the International Trade Union Confederation has highlighted that Venezuela is among the 13 countries in the world with the worst guarantees

¹⁵⁵⁸ UNICEF, [Humanitarian Situation Report No. 1: January 01, 2024 to June 30, 2024](#), p. 2.

¹⁵⁵⁹ UNICEF, [Humanitarian Situation Report No. 1: January 1, 2024 to June 30, 2024](#), p. 19, cited above.

¹⁵⁶⁰ REDESCA, Meeting with civil society organizations PROVEA and Radio Fe Alegría, held on May 9, 2024, on file with REDESCA.

¹⁵⁶¹ PROVEA, [Amazonas: Venezuelan children cross the Orinoco to receive a better education in Colombia](#), July 16, 2024.

¹⁵⁶² Hum Venezuela, [Monitoring Report on the Complex Humanitarian Emergency in Venezuela](#), November 2023, p. 42.

¹⁵⁶³ UNICEF, [Humanitarian Situation Report No. 1: January 01, 2024 to June 30, 2024](#), p. 27.

¹⁵⁶⁴ El Espectador, [John Álvarez, el estudiante que duró cuatro meses preso, fue liberado en Venezuela. December 23, 2024; Aula Abierta, Detención de la profesora y defensora de derechos humanos Rocío San Miguel vulnera también la libertad académica y la democracia](#), February 13, 2024

¹⁵⁶⁵ Aula Abierta, Executive summary: violations of academic freedom and university autonomy in Latin America, October 2024. Information received by REDESCA-IACHR.

¹⁵⁶⁶ Aula Abierta, Executive summary: violations of academic freedom and university autonomy in Latin America, October 2024. Information received by REDESCA-IACHR.

¹⁵⁶⁷ OHCHR, [Situation of human rights in the Bolivarian Republic of Venezuela: Report of the United Nations High Commissioner for Human Rights, A/HRC/56/63](#), 28 June 2024, para. 33.

in terms of labor rights, including the right to strike, collective bargaining, unionization, access to justice, freedom of expression and association, among others.¹⁵⁶⁸

923. Likewise, it should be noted that insufficient salaries to cover basic needs not only affect educational workers, but the majority of the working population, who receive a minimum salary of 130 bolivars per month, an amount that has not been adjusted since 2022.¹⁵⁶⁹ This precariousness also reaches pensioners, who also receive insufficient income. In this context, it is reiterated that salaries and pensions must guarantee a dignified life. As a reflection of these shortcomings, only in the first half of 2024, 2,383 demonstrations were recorded, 70% of which focused on the demand for economic, social, cultural and environmental rights.¹⁵⁷⁰

924. Regarding access to the right to health, the collapse of the health system persists, millions of people do not have access to basic services due to the shortage of essential supplies, medicines and medical equipment,¹⁵⁷¹ as well as the lack of access to water¹⁵⁷² and the shortage of health personnel in hospitals.¹⁵⁷³ According to UNICEF, 75% of health centers in the country lack doctors and 74% are understaffed with nurses.¹⁵⁷⁴ In addition, 90% of patients are forced to bring their own medical supplies to receive health care.¹⁵⁷⁵

925. For its part, the Office of the United Nations High Commissioner for Human Rights reported that, between May 1, 2023 and April 30, 2024, the country's hospitals faced a shortage of approximately 35% in medical equipment and supplies, as well as 27.2% of essential medicines to treat common diseases such as diabetes, convulsions and respiratory infections. This crisis is differentially and disproportionately affecting diverse groups, including indigenous peoples, rural communities and people living with HIV.¹⁵⁷⁶

926. REDESCA is concerned about the low vaccination rate in the country, where only 50.5% of 5-year-old children have received the corresponding vaccines, according to available information.¹⁵⁷⁷ The lack of guaranteed access to health care has resulted in the death of at least 85 children in the last seven years, who died while waiting for a transplant due to the suspension of the Organ and Tissue Procurement System in Venezuela.¹⁵⁷⁸ This situation has been aggravated by the lack of access to public information, as the State has still not published the weekly epidemiological bulletin since 2016, which hinders the proper identification of critical areas of the public health sanitary system in Venezuela.¹⁵⁷⁹

927. Note is taken of the Global Fund grant that will finance the Malaria, Tuberculosis and HIV-AIDS Project 2024-2026. It aims to help meet the antiretroviral drug needs of at least 70,000 people, including women and children across the country.¹⁵⁸⁰ REDESCA regrets that people living with HIV face not only a shortage of diagnostic tests and specialized personnel, but also stigmatization and discrimination.

¹⁵⁶⁸ International Trade Union Confederation, [2024 ITUC Global Rights Index. The World's Worst Countries for Workers](#), p. 14.

¹⁵⁶⁹ EFE, [Minimum wage in Venezuela, two years in free fall](#), March 17, 2024

¹⁵⁷⁰ [Observatorio Venezolano de Conflictividad Social, Conflictividad social en Venezuela en el primer semestre de 2024](#), July 24, 2024.

¹⁵⁷¹ PROVEA, [Right to Health, Report 2023. Situation of Human Rights in Venezuela](#), September 27, 2023

¹⁵⁷² Amnesty International, [The State of the World's Human Rights: April 2024](#), April 23, 2024, p. 474. 474.

¹⁵⁷³ PROVEA, [Right to Health, Report 2023. Situation of Human Rights in Venezuela](#), September 27, 2023.

¹⁵⁷⁴ UNICEF, [Humanitarian Situation Report No. 1: January 01, 2024 to June 30, 2024](#), p. 2.

¹⁵⁷⁵ Amnesty International, [The State of the World's Human Rights: April 2024](#), April 23, 2024, p. 474. 474.

¹⁵⁷⁶ OHCHR, [Situation of human rights in the Bolivarian Republic of Venezuela: Report of the United Nations High Commissioner for Human Rights, A/HRC/56/63](#), 28 June 2024, para. 16.

¹⁵⁷⁷ El Nacional, [Vaccine shortage in Venezuela: vaccination is at 50.5%](#), June 24, 2024

¹⁵⁷⁸ PROVEA, [Three children die in the first 15 days of 2024 at the I. M. de los Ríos Hospital](#), January 17, 2024.

¹⁵⁷⁹ El Nacional, [Falta Boletín Epidemiológico Semanal dificulta evaluación de cobertura de vacunación](#), April 24, 2024

¹⁵⁸⁰ UNDP, [With 2nd Global Fund Grant, UNDP Launches Malaria, TB and HIV/AIDS Project for 2024-2026](#), February 29, 2024.

CHAPTER III: CONCLUSIONS AND RECOMMENDATIONS

928. This report analyzes current trends in the situation of economic, social, cultural and environmental rights in the region, based on the monitoring conducted by REDESCA during 2024. This analysis is framed within the guidelines established in the 2024-2026 Work Plan, which seeks to institutionalize axes and priorities for action to address key challenges and protect the human rights of the most vulnerable populations. Despite progress, it is noted that a significant number of countries have not yet signed or ratified essential regional instruments, such as the American Convention on Human Rights, the Protocol of San Salvador and the Escazú Agreement. Ratification of these instruments is crucial, as they reinforce the commitment of States to the comprehensive protection of ESCER at the regional level, promote international cooperation and establish effective mechanisms for the implementation and supervision of public policies aimed at respecting and guaranteeing these rights.

929. Therefore, REDESCA urges States to move forward in signing and ratifying these treaties, recognizing their fundamental role in promoting fairer, more equitable and sustainable societies.

930. Despite progress in reducing poverty in some States, poverty remains a critical problem that reflects the need for continued efforts to ensure the full enjoyment of ESCER. According to ECLAC, in 2023 the poverty rate in Latin America stood at 27.3%, equivalent to 172 million people, while extreme poverty affected 10.6% of the population, or 66 million people. Although these figures represent an improvement over previous years, they still reflect the difficulties in guaranteeing decent living conditions for broad sectors of the population.¹⁵⁸¹

931. Meanwhile, inequality, which is an endemic problem in the region, not only persists but remains one of the highest in the world. Between 2014 and 2023, the Gini index barely fell from 0.471 to 0.452, evidencing the limited effectiveness of income redistribution policies. In turn, the distribution of wealth is even more unequal: the richest 10% of the population concentrates 66% of total wealth, while the richest 1% monopolizes 33%.¹⁵⁸² Based on this information, REDESCA expresses its concern about the persistence of inequality in the region, which, beyond its structural dimensions, is deeply rooted in social perceptions and cultural frameworks that normalize and perpetuate these disparities.

932. In this context, the Office of the Special Rapporteur emphasizes that, although poverty reduction is a fundamental step, it is imperative that States adopt comprehensive measures to reduce inequality, including progressive tax reforms, the strengthening of social protection systems and the implementation of public policies aimed at the economic and social inclusion of the most vulnerable sectors.

933. It is also necessary to recognize that inequality continues not only because of economic factors, but also because in many cases it is not perceived as an injustice by those who suffer from it or by those who benefit from it. The way in which societies frame and understand inequality influences the capacity for social transformation, given that the identification of inequality as a problem and the perception that it is modifiable are necessary conditions for combating it. In some way, by addressing the logics that lead to social acceptance or tolerance of inequality, more effective public policies can be designed to challenge these narratives and promote greater equity.

934. Consequently, REDESCA emphasizes that public policies should not only reduce poverty and combat inequality, but also seek to transform the narratives and structures that sustain inequality, promoting mechanisms for citizen participation and strengthening access to economic, social, cultural and environmental

¹⁵⁸¹ ECLAC, [Regional poverty rate, which increased with the pandemic, has been reduced to a level similar to that of 2019](#), January 23, 2024.

¹⁵⁸² ECLAC, [Regional poverty rate, which increased with the pandemic, has been reduced to a level similar to that of 2019](#), January 23, 2024.

rights.

935. The report highlights that the climate emergency has devastating effects on the environment and on human rights, affecting access to a healthy environment, drinking water and adequate food. These challenges are not only independent issues, but also aggravate the situation of people in relation to the enjoyment of ESCER, especially for those belonging to groups historically subject to structural discrimination. For example, climate change intensifies water scarcity, affecting millions of people in water-stressed countries, many of whom are small-scale farmers already facing difficulties in meeting their basic needs. In addition, some groups, such as women, indigenous peoples and migrants, are disproportionately affected by climate impacts, exacerbating existing inequalities. These realities underscore the need for States to adopt public policies and institutional initiatives with a comprehensive approach that reflects the interconnectedness of these issues. Without sustainable development that addresses both the causes and effects of the climate emergency and promotes environmental regulation and protection, it will be impossible to effectively overcome poverty and inequality.

936. The energy transition in the region poses significant challenges, particularly with regard to the construction of large infrastructure, the development of wind farms in the territories of local communities and indigenous peoples, and the increasing extraction of critical minerals essential for renewable energy technologies. While diversification of the energy matrix is a key step to reduce dependence on fossil fuels and mitigate climate change, this transformation cannot replicate the mistakes of the past, where development projects have generated irreversible environmental impacts and human rights violations. In this sense, States must guarantee that the energy transition is fair and sustainable, ensuring the effective participation of affected communities in decision-making and respecting their rights to territory, prior consultation and self-determination. Likewise, the exploitation of critical minerals must be carried out under strict environmental and human rights standards, avoiding the contamination of water sources and the degradation of fragile ecosystems. Only with a comprehensive approach that reconciles economic development with environmental protection and community rights will it be possible to move towards an energy model that does not perpetuate inequalities or reproduce the extractive practices that have caused serious socio-environmental conflicts in the region.

937. REDESCA underscores the need to promote responsible business activity that respects and guarantees human rights in the hemisphere. It is essential that companies, in all their dimensions and sectors, adopt practices aligned with international human rights standards, including Inter-American human rights standards, as well as the United Nations Guiding Principles on Business and Human Rights. This implies not only avoiding negative impacts, but also actively contributing to the protection of human rights. Likewise, business activities must be carried out in an environment that fosters democratic values, guarantees social participation and respects the diversity and interculturality that characterizes the region. To this end, REDESCA encourages States to adopt effective regulatory and institutional frameworks, incorporating due diligence and accountability mechanisms, ensuring oversight of companies and facilitating access to justice for those affected by human rights violations in this context.

938. The challenges facing the region are significant, and many communities find themselves in situations of extreme vulnerability to the adverse impacts of some business activities. The lack of effective regulation, weak monitoring mechanisms and the absence of effective access to justice are aspects that must be considered. In this context, REDESCA reaffirms the importance of States adopting urgent measures to guarantee corporate due diligence, access to information, prior consultation with affected communities and full reparation in cases of ESCER violations.

939. REDESCA urges that the States of the region harmonize their fiscal and economic policies with human rights principles in order to promote equity and ensure inclusive participation in development. The lack of integration of a human rights-based approach in fiscal management has perpetuated cycles of structural inequality and social exclusion in the region. In this context, REDESCA highlights the need to move towards progressive tax reforms and tax justice mechanisms, recognizing taxation as a fundamental tool for reducing

inequality and guaranteeing ESCER. In many countries in the region, tax systems continue to be regressive, with a high dependence on indirect taxes that disproportionately affect lower-income sectors, while large fortunes and transnational corporations benefit from tax incentives or tax avoidance and evasion practices.

940. REDESCA reaffirms that the strengthening of democracy in the region is a fundamental pillar for the effective guarantee of ESCER. However, it is equally necessary to recognize that the guarantee of ESCER is an indispensable condition for the existence of a genuine democratic debate and to prevent democratic erosion. Effective access to rights such as education, health, decent housing, decent work and a healthy environment not only has an impact on the quality of life of the population, but also determines their real capacity to participate in democratic processes. Poverty, inequality and structural exclusion limit the opportunities of millions of people to fully exercise their citizenship, affecting their access to information, their ability to organize and mobilize, and their influence on public decision-making. In contexts of economic crisis and social precariousness, the most vulnerable populations face additional barriers to participating in political and electoral processes, which weakens democratic representation and deepens inequalities.

941. On the other hand, the absence of inclusive and redistributive economic and social policies generates a breeding ground for citizen discontent and disenchantment with democratic institutions. When States do not effectively guarantee ESCE rights, distrust in democracy as a system of government increases, which can lead to the weakening of the rule of law and the emergence of authoritarian narratives that promise immediate solutions without guaranteeing rights or democratic processes. The instrumentalization of the social crisis to restrict civic space, the persecution of community leaders and the criminalization of social protest are concrete examples of how the lack of guarantees in terms of ESCER can contribute to democratic erosion.

942. In particular, REDESCA has noted the persistence of significant obstacles to social participation in environmental decision-making in the region. Despite regulatory advances in some countries, local communities, indigenous peoples and other vulnerable groups face barriers that limit their ability to influence environmental and climate crisis mitigation policies. These challenges include lack of access to information, inadequate or non-existent prior consultation, and the absence of effective accountability mechanisms. In this context, the Office of the Special Rapporteur emphasizes the urgency of strengthening the normative framework and guaranteeing the effective implementation of the right to participation, promoting the democratization of environmental decision-making and guaranteeing inclusive and rights-based environmental governance.

943. The Office of the Special Rapporteur reiterates its deep concern about the violence and criminalization faced by environmental defenders and other activists who promote climate justice and the defense of ESCER in the region. In several countries, indigenous leaders, journalists and members of civil society organizations have been targeted, threatened and criminalized because of their opposition to extractive projects or for denouncing human rights violations linked to corporate activities. Despite international calls for their protection, the measures implemented by States continue to be insufficient and, in some cases, impunity for these attacks persists.

944. In this context, REDESCA stresses the need for States to adopt a comprehensive approach in their democratic strengthening strategies, ensuring that the protection of ESCER is a priority within their governance agendas. The inclusion of public policies that reduce inequality gaps, promote citizen participation and guarantee access to essential goods and services is key to consolidating democracies that are resilient, participatory and respectful of human rights.

945. With respect to the different topics highlighted in this report, based on REDESCA's Work Plan 2024-2026, the following trends and recommendations were identified:

I. CLIMATE EMERGENCY AND ENVIRONMENTAL PROTECTION

946. The recognition of the right to a healthy environment as a human right has advanced significantly in the framework of the Inter-American Human Rights System especially since the recognition of its autonomous and enforceable nature by the Inter-American Court of Human Rights in exercise of its advisory jurisdiction in 2017, as well as by subsequent judgments that have held different States in the region responsible for violation of this right. However, the environmental policies of the States still present important challenges in guaranteeing this right. In this context, REDESCA has highlighted the need for States to adopt human rights approaches in their environmental policies, ensuring that decisions on natural resource exploitation, climate finance and economic development do not result in setbacks for environmental protection or violations of the rights of vulnerable communities.

947. The climate emergency and global warming recorded worldwide have made more evident than ever the need for the States of the region to act in a coordinated and decisive manner to prevent and mitigate its impacts. In September 2024, the World Meteorological Organization (WMO) indicated that the global average temperature in 2024 was exceeding the record recorded in 2023. As a result, the levels of greenhouse gases would show an increase in 2024 with respect to the record levels recorded in 2023, generating a significant increase in temperature. At the same time, although ocean heat remained at levels comparable to 2023, when it reached its highest level, high temperatures were still being recorded, albeit with a slowdown from the previous year.¹⁵⁸³

948. Cumulative global warming has intensified extreme weather and climate events in the region, including prolonged droughts, heat waves, forest fires, torrential rains, floods, longer hurricane seasons and the disappearance of glaciers. These manifestations of climate change have serious consequences for the protection and guarantee of ESCER in the Americas. More intense and prolonged hurricane seasons have caused devastation in coastal communities, exacerbating the vulnerability of populations already at risk and generating forced displacement. The combination of these extreme weather events undermines the effective realization of ESCER, increasing poverty, food insecurity and inequalities in the region.

949. In 2024, the region witnessed the disappearance of the Humboldt glacier in the Venezuelan Andes, an event that exemplifies the accelerated loss of glaciers in tropical areas due to global warming. Glaciers act as critical freshwater reserves, constantly releasing water resources that are essential for human consumption, agriculture and hydroelectric power generation. Their disappearance puts water availability at risk, especially in regions already facing water challenges. For example, in Bolivia, the loss of the Tuni Condoriri glacier threatens drinking water supply and energy production for the cities of La Paz and El Alto, affecting approximately 4 million people.¹⁵⁸⁴ In addition, the reduction of glaciers has a negative impact on agriculture, as it reduces the availability of water for irrigation, affecting crop production and, therefore, food security. In Peru, the disappearance of glaciers has led to the contamination of rivers with heavy metals, damaging agricultural land and the health of local communities.¹⁵⁸⁵ The disappearance of the Humboldt glacier and other glaciers in the region underscores the urgency of implementing effective climate change mitigation and adaptation policies to protect water resources and ensure water, food and energy security.

950. The hurricane season in the Americas during 2024 was exceptionally active and devastating, influenced by climatic factors such as the La Niña phenomenon and the warming of Atlantic waters. Hurricanes such as Beryl, Helene, Milton, Kirk and Leslie not only caused the death of hundreds of people, but also generated large-scale forced displacements and significant damage to infrastructure, leaving thousands of people vulnerable. The frequency of these catastrophes also contributes to perpetuating continuous cycles of indebtedness for the reconstruction of areas devastated by these disasters, which in turn limits the capacity of countries to invest in sustainable development measures, including those focused on climate resilience. The

¹⁵⁸³ WMO, [2024 is on track to become the warmest year ever observed as long as global warming temporarily exceeds 1.5 °C](#), November 11, 2024.

¹⁵⁸⁴ UNEP, [Glacier melt destabilizes life in South America](#), 2024.

¹⁵⁸⁵ El País, [La lucha de los campesinos peruanos para sanar sus tierras enfermas por el cambio climático](#), October 12, 2024.

devastation caused by hurricanes disproportionately affects developing countries and, in particular, small island states, whose economies, highly dependent on agriculture and tourism, are especially vulnerable to these extreme events.

951. In 2024, forest fires significantly impacted numerous countries in the Americas. Increased heat waves and prolonged droughts have exacerbated the risks, allowing these fires to spread and become uncontrollable, even affecting the Pantanal in the Mato Grosso do Sul region of Brazil, the world's largest wetland. Although the G20 is responsible for 80% of global greenhouse gas emissions,¹⁵⁸⁶ North America and South America were the regions that contributed the most to global emissions from fires this year.¹⁵⁸⁷ In particular, fires in the Brazilian Amazon and Pantanal released 176.6 megatons and 18.8 megatons of carbon, respectively, the highest emissions recorded by the Copernicus Atmosphere Monitoring Service worldwide.¹⁵⁸⁸ The Pantanal region experienced unprecedented forest fires, with carbon emissions estimated at 18.8 megatonnes over the year.¹⁵⁸⁹ In addition, the Brazilian Amazon suffered its highest number of fires in 14 years, with burned areas that double the average of the last decade.¹⁵⁹⁰

952. Although forest fires represent an environmental tragedy, partly aggravated by the negative effects of climate change, it is crucial to highlight the anthropogenic causes that contribute significantly to these events. These include high rates of deforestation, extensive agriculture and illegal mining activities. These practices disproportionately affect vulnerable populations, especially indigenous peoples who depend on forests for their survival. Deforestation, driven primarily by agricultural and livestock expansion, is one of the main causes of forest cover loss. This expansion often involves the burning of forested areas to clear land for crops or grazing, which increases the risk of forest fires. REDESCA believes it is necessary to address these anthropogenic causes by implementing sustainable natural resource management policies, promoting responsible agricultural practices, and strengthening surveillance and control of illegal activities. Only through an integrated approach that considers both environmental and socioeconomic factors will it be possible to mitigate the impact of forest fires and protect the most vulnerable populations.

953. These fires not only devastated unique ecosystems, but also affected air quality over large areas, with concentrations of fine particulate matter PM2.5 exceeding World Health Organization guidelines for months. According to some estimates seven million air pollution-related deaths occur each year in the Americas,¹⁵⁹¹ including respiratory and cardiovascular diseases, although air pollution can also have effects on the eyes, brain, reproductive organs and premature aging. Populations most vulnerable to the effects of smoke from fires include the elderly, people with pre-existing heart or respiratory diseases, pregnant women, children and children.

954. REDESCA reiterates its deep concern over the serious environmental crisis caused by forest fires in the region, whose intensity and frequency have increased due to climate change, deforestation and the expansion of the agricultural frontier. These fires have devastated millions of hectares, affecting strategic ecosystems such as the Amazon, the Pantanal and the Cerrado, and have generated direct impacts on the human rights of indigenous, peasant and Afro-descendant communities. In addition to the destruction of biodiversity and carbon sinks, the fires have caused forced displacements, serious health impacts due to air pollution and loss of livelihoods. In the face of this crisis, REDESCA has urged States to adopt urgent prevention, mitigation and adaptation measures, including the updating of contingency plans, the strengthening of environmental governance and the allocation of sufficient funding to address these disasters with a climate justice approach.

¹⁵⁸⁶ UNCC, [Today more than ever, climate leadership is needed in Latin America and the Caribbean: Simon Stiell](#), September 11, 2024.

¹⁵⁸⁷ WMO, [2024 is on track to become the warmest year ever observed as long as global warming temporarily exceeds 1.5 °C](#), November 11, 2024. Infobae, [America recorded exceptional wildfire activity in 2024, according to Copernicus](#), December 5, 2024.

¹⁵⁸⁸ EFE, [Wildfires in America: A year of environmental and humanitarian devastation](#), December 12, 2024.

¹⁵⁸⁹ EFE, [Wildfires in America: A year of environmental and humanitarian devastation](#), December 12, 2024.

¹⁵⁹⁰ Financial Times, [Wildfires sweep Amazon as Brazil suffers worst drought on record](#), September 29, 2024. El País, [El fuego devora Sudamérica y dispara las emisiones de efecto invernadero a cifras récord](#), September 29, 2024.

¹⁵⁹¹ PAHO, [PAHO to present a new Air Quality and Health Roadmap for the Americas by 2025](#), August 9, 2024.

It also calls for regional cooperation to address the transboundary effects of the pollution generated, ensuring coordinated and effective responses to this emergency.¹⁵⁹²

955. It has also been of concern to the Special Rapporteur to observe the way in which, in South America, forest fires were the subject of false news that distorted the magnitude and causes of the fires, making it difficult to coordinate international and local efforts to contain them.¹⁵⁹³

956. Climate hazards have intensified multiple stressors in the region, generating significant negative impacts on livelihoods, especially for people living in poverty. The increased frequency and intensity of extreme weather events have contributed to reduced agricultural yields, destruction of homes and loss of livelihoods, deepening the vulnerability of millions of people. In addition, climate shocks have exacerbated food insecurity due to reduced food availability, deterioration of arable land and volatility in commodity prices.

957. Climate change has also severely affected health systems, as hurricanes, floods and heat waves have damaged hospital infrastructures, hampered the distribution of medicines and overwhelmed emergency services. In this context, countries in the region have reported more than 12.6 million cases of dengue and 7,700 deaths in 2024, almost three times more than in 2023. More than 21,000 of these cases have been severe. Rising global temperatures allow the mosquito vector to expand its habitat into regions previously too cold, while extreme rainfall generates more breeding sites with stagnant water. In addition, droughts followed by rainfall encourage water storage in vulnerable areas, including uncontrolled urbanized areas, increasing human exposure. These dynamics prolong transmission seasons and hinder control efforts, while facilitating the emergence of more aggressive variants of the virus. In 2024, the Americas faced the largest dengue epidemic since 1980.¹⁵⁹⁴

958. REDESCA reiterates its concern over the alarming increase in dengue cases in the region, a public health crisis that disproportionately affects vulnerable populations. The expansion of the disease, driven by factors such as climate change and insufficient control measures, aggravates existing inequalities and jeopardizes the right to health and the lives of millions of people. In this regard, the Rapporteurship urges States to strengthen prevention and equitable access to health services, including vaccination strategies based on the best available scientific evidence. It also urges the strengthening of epidemiological surveillance, the elimination of mosquito breeding sites and the collection of disaggregated data to improve the health response. It is essential that the policies adopted incorporate a human rights approach, prioritizing equality, non-discrimination and the protection of communities most exposed to the impacts of dengue in the Americas.¹⁵⁹⁵

959. Likewise, climate disasters have affected the right to education. In 2024, temporary school closures due to hurricanes, forest fires and intense heat waves interrupted access to education for thousands of children in the region. In addition, worsening climate impacts have contributed to an increase in forced displacement and migration, with devastating effects on the social and economic stability of many communities. Although these effects are difficult to quantify in their entirety, it is clear that the States of the region must reinforce their efforts to address the impacts of the climate emergency and strengthen environmental protection. This requires the implementation of resilient public policies that integrate adaptation and mitigation strategies, prioritizing the protection of the most vulnerable groups and promoting sustainable solutions to ensure food security, health and the right to education in the context of the climate crisis.

960. REDESCA expresses its deep concern about the crisis of access to water and sanitation in the region, exacerbated by climate change and the intensive exploitation of natural resources. Water scarcity, contamination of water sources and the prioritization of commercial use over human consumption have

¹⁵⁹² REDESCA, [REDESCA urges urgent action on environmental crisis in South America caused by forest fires](#), September 17, 2024.

¹⁵⁹³ France 24, [Social networks burn after fake news about forest fires in South America](#), October 7, 2024.

¹⁵⁹⁴ PAHO, [PAHO highlights increase in cases of dengue, Oropouche and avian influenza in the Americas, and recommends control measures](#), December 10, 2024.

¹⁵⁹⁵ REDESCA, [REDESCA urges to ensure fair access and preventive measures against dengue in the region](#), April 26, 2024.

severely impacted vulnerable communities, especially indigenous, Afro-descendant and rural peoples. The lack of adequate access to drinking water and sanitation not only affects health and food security, but also compromises the exercise of other fundamental rights. In this sense, REDESCA urges States to adopt urgent and sustainable measures that guarantee the protection of water resources, prioritizing the human right to water over economic interests and ensuring the effective participation of communities in its management and distribution.¹⁵⁹⁶

961. The Office of the Special Rapporteur emphasizes that, in most countries of the Americas, strategies for adaptation and mitigation of the effects of global warming face a serious lack of funding, which significantly limits the capacity to respond to climate crises. In light of this situation, REDESCA urges that the National Adaptation Plans developed by the States of the region not only have the necessary resources, but also that they be designed and implemented in an inclusive manner, with a clear and viable roadmap. It is essential to ensure the active participation of the people directly affected by the climate emergency, including indigenous peoples and local communities, whose traditional knowledge is essential for developing holistic and sustainable solutions. In addition, these plans must incorporate an approach based on the defense and protection of human rights, ensuring that public policies are equitable, sustainable and respectful of human dignity.

962. REDESCA also highlights the importance of complying with the decisions adopted by the States during COP 29 on Climate Change, in which it was agreed to triple the amount of financing for developing countries to address this phenomenon, increasing the amount from US\$100 billion per year to US\$300 billion per year. However, REDESCA stresses that even this amount is likely to be insufficient to meet the growing and urgent needs during 2024. It therefore calls for honoring the commitment to mobilize the joint efforts of different actors from both the public and private sectors, as well as international organizations and donors to increase funding to combat the climate emergency. Likewise, the Special Rapporteur emphasizes the need for carbon markets to operate with strict human rights and environmental sustainability criteria, avoiding negative impacts on vulnerable communities. In this regard, REDESCA urges States to consolidate these advances at the next climate summit in Belem, Brazil, ensuring that climate strategies are equitable, inclusive and effective in the protection of ESCER in the Americas.¹⁵⁹⁷

963. In this context, the Special Rapporteur also highlights the advances and challenges in the integration of human rights in the protection of biodiversity in the framework of COP16, underlining the urgency of adopting a rights-based approach in the implementation of environmental agreements. The creation of a subsidiary body for the participation of indigenous peoples and local communities, as well as the recognition of the role of Afro-descendant communities in conservation, represent significant steps towards more inclusive environmental governance. However, the lack of agreements on financing and implementation mechanisms remains a critical concern. In this regard, REDESCA urges States to strengthen international cooperation and guarantee adequate resources for biodiversity conservation, ensuring that the strategies adopted respect the rights of communities and promote environmental sustainability and social justice.¹⁵⁹⁸

II. BUSINESS AND HUMAN RIGHTS

964. The IACHR and the Inter-American Court of Human Rights have established that States have the obligation to guarantee the effectiveness of the human rights enshrined in the Inter-American instruments, even in the sphere of relations between individuals. This duty implies that States must prevent, investigate, punish and redress human rights violations committed in the context of business activities. In this sense,

¹⁵⁹⁶ REDESCA, [REDESCA urges to guarantee the right to water and sanitation in the face of climate emergency and the impact of certain business activities in the Americas](#), March 22, 2024.

¹⁵⁹⁷ REDESCA, [Human rights and climate justice in the COP29 agreements](#), December 2, 2024.

¹⁵⁹⁸ REDESCA, [REDESCA at COP16: Progress and Challenges in the Protection of Biodiversity with a Human Rights Approach](#), November 6, 2024.

REDESCA emphasizes the need for States to strengthen their legal frameworks, public policies and practices to prevent corporate abuses and ensure that such abuses are adequately sanctioned and repaired.

965. Inter-American jurisprudence has emphasized that States must not only refrain from violating human rights, but also take positive measures to protect individuals from abuses perpetrated by non-State actors, including businesses. This requires States to enact and enforce laws that oblige companies to exercise human rights due diligence by assessing and addressing the negative impacts of their operations. It is also essential that accessible mechanisms are in place to enable victims to obtain justice and remedy. REDESCA urges States to take a proactive role in regulating and monitoring business activities, ensuring that human rights are respected, and effective remedies are provided in cases of abuse. This is essential to ensure the protection of human rights in the context of business operations and to promote a culture of accountability and respect in the corporate sector.

966. The information presented in this report demonstrates the serious impacts that some business activities continue to have on communities and the environment in the region. In particular, extractive industries, agribusiness, the food industry and the technology sector have generated multiple impacts on the ESCER. The intensive exploitation of natural resources without adequate environmental and social controls has resulted in the degradation of ecosystems, the accelerated loss of biodiversity and the displacement of local and indigenous communities. In addition, there has been an increase in water, air and soil contamination, particularly in areas where extractive and agro-industrial industries operate. The environmental impact of these activities also extends to climate change, given the increase in greenhouse gas emissions from deforestation, mining, intensive cattle ranching and the use of fossil fuels in industrial processes. The resulting environmental degradation has exacerbated the precariousness of livelihoods, food insecurity and the vulnerability of historically marginalized populations.

967. During 2024, numerous abuses associated with the extractive sector were reported in various countries in the region. The activities of extractive industries, such as mining, oil and gas extraction, and agribusiness, while representing a significant source of employment, have caused serious environmental problems and human rights violations. The cases documented in this report underscore the need for States to implement robust regulatory frameworks to ensure that both traditional extractive activities and renewable energy projects are carried out in a manner that respects human rights and protects the environment.

968. The large-scale use of land for extractive activities continues to generate socio-environmental conflicts in many countries in the region, disproportionately affecting indigenous peoples, peasant communities and Afro-descendants, whose livelihoods depend intrinsically on their territories. REDESCA has received multiple reports of human rights violations against these groups, highlighting the frequent absence of free, prior and informed consent in the implementation of extractive projects. The loss of their lands not only implies physical dispossession, but also the destruction of sacred sites and the interruption of essential cultural and economic practices, which negatively impacts their ESCER. In addition, the Special Rapporteur has been informed that, even under initiatives aimed at creating carbon credits, indigenous peoples have been forcibly displaced and evicted from their territories. This situation reflects a worrying trend where mechanisms designed to mitigate climate change end up perpetuating environmental and social injustices. REDESCA considers it imperative that States adopt effective measures to guarantee the respect and protection of the territorial rights of these groups, ensuring genuine consultation processes and free, prior and informed consent before the implementation of any project that may affect their lands and ways of life.

969. Communities opposing mining on their lands and territories often face violence, threats and intimidation, especially when it comes to illegal mining. Latin America remains one of the most dangerous regions for human rights defenders, especially those protecting the environment, land and territory. In addition, the lack of participation and access to information on the impact of business activities continues to be a significant obstacle to respect for the human rights of these communities. The lack of transparency in the mining industry and the lack of adequate prior consultation aggravate the situation, preventing affected communities from fully exercising their rights and protecting their territories. Communities resisting mining

on their lands and territories are often victims of violence, threats and intimidation. Such concerns also extend to the extraction of minerals critical to the energy transition.

970. On November 15, 2024, during the 191st session of the IACHR, a public hearing entitled "Impacts of mineral extraction in the context of energy transition" was held. In this session, REDESCA received information from representatives of national and regional organizations, along with members of communities and indigenous peoples, who presented updated data on how the increase in demand and extraction of critical minerals, such as lithium and copper, has generated serious human rights issues in Latin America. Participants highlighted that, although these minerals are essential for renewable energy technologies, their exploitation has negatively affected the rights of indigenous peoples and local communities, access to a healthy environment, and the rights to environmental information, citizen participation and access to justice.¹⁵⁹⁹

971. REDESCA reiterates that the energy transition must be implemented with a human rights approach, ensuring that policies and projects in this area do not reproduce patterns of rights violations or deepen structural inequalities. The growing demand for critical minerals for the transition has generated negative impacts on local and indigenous communities, particularly in the lack of free, prior and informed consultation and the impact on their territories. Likewise, the installation of renewable energy projects, such as wind and solar farms, has given rise to socio-environmental conflicts in different countries in the region. In this context, REDESCA emphasizes the need for States to establish effective regulatory frameworks and oversight mechanisms for energy companies to adopt due diligence measures, respect the rights of affected communities and ensure transparency in their operations.¹⁶⁰⁰

972. Mining in many countries in the region has had devastating effects on the environment. The inappropriate use of toxic substances, such as mercury and cyanide, has led to the contamination of water resources and soils, with catastrophic consequences for biodiversity. In addition, massive deforestation, driven in part by illegal mining activities, has contributed to the degradation of Amazonian forests, with gold mining being a major cause of degradation after deforestation. The lack of adequate control by States often exacerbates this situation, facilitating practices such as money laundering and perpetuating structural corruption.

973. During the 188th Session of the IACHR, REDESCA received information that evidenced the connection between illicit extractive activities, organized crime and adverse impacts on vulnerable populations in the region. In this context, both the Commission and the Office of the Special Rapporteur expressed their deep concern about the prevailing situation. Recognizing that these activities are often financed by illicit capital flows, REDESCA urges States to strengthen their control entities in order to increase their capacity to control, monitor and, when necessary, sanction such illicit activities. This institutional strengthening is essential to protect the human rights of affected communities and to effectively combat the structural corruption that facilitates these practices.

974. Extractivist development models, focused on the expansion of agribusiness, continue to promote land concentration and the implementation of monocultures, to the detriment of small farmers. According to an Oxfam report, more than 50% of productive land in Latin America is in the hands of 1% of the largest farms, with Colombia being an extreme case where 0.4% of farms concentrate more than 67% of such land.¹⁶⁰¹ This dynamic not only displaces rural communities, but also generates highly precarious labor conditions in the agroindustrial sector. Cases of forced labor, human trafficking and modern forms of slavery have been documented in several countries in the region. In addition, the improper use of agrochemicals in these monocultures has had a negative impact on the right to health of local communities. In this context, it is imperative that States implement public policies that promote sustainable agricultural practices, protect labor rights and guarantee the health of vulnerable populations.

¹⁵⁹⁹ IACHR, [Thematic hearing on the impacts of mineral extraction in the context of energy transition](#), 191st session, November 15, 2024.

¹⁶⁰⁰ REDESCA, [Earth Day: REDESCA calls for a just energy transition for a sustainable future.](#), April 22, 2024

¹⁶⁰¹ Oxfam, [1% of farms concentrate more than 50% of productive land in Latin America](#), January 29, 2024.

975. Finally, REDESCA reiterates that companies, in addition to playing a key role in sustainable economic development, can be fundamental agents for the promotion and guarantee of human rights and the realization of ESCER. To this end, it is essential that they adopt business models based on respect for human rights. This includes the prohibition of child labor and forced labor, as well as the obligation to consult and respect the rights of local communities and indigenous peoples through free, prior and informed consultation processes. Likewise, companies must adopt policies and practices that promote environmental sustainability, ensuring that their operations do not contribute to the degradation of ecosystems or undermine the rights of present and future generations.

976. In the context of the increasing digitalization and automation of different processes in our societies, REDESCA takes note of the impacts of the activities of technology companies on ESC rights. As well as the debates around the impact of emerging technologies on human rights, particularly in relation to artificial intelligence (AI) and its potential to reproduce and deepen structural inequalities if not implemented with adequate safeguards.

III. FISCAL AND ECONOMIC POLICIES

977. States have the obligation to adopt progressive measures for the full realization of ESCER, ensuring that their economic and fiscal policies are consistent with the principles of equality and non-discrimination, as established by Inter-American human rights standards.

978. In a context where economic inequality continues to increase, economic and fiscal policies play a central role in guaranteeing and realizing ESCER. Equitable distribution of public resources, progressive taxation and adequate social spending are essential elements for reducing poverty and inequality, as well as for guaranteeing universal access to basic services such as education, health, social security, water and sanitation. However, structural challenges persisted in the region in 2024 that limit the capacity of States to effectively finance these rights.

979. REDESCA stresses that despite current economic challenges, such as low Gross Domestic Product growth rates and high levels of public debt in the region, it is imperative that States ensure the availability of reasonable resources to guarantee the effective enjoyment of ESCER, in terms of progressivity. According to the Economic Commission for Latin America and the Caribbean, the economies of Latin America and the Caribbean are projected to grow by 2.2% in 2024 and 2.4% in 2025, reflecting a persistent *trap of low capacity to grow*.¹⁶⁰² Moreover, public debt levels remain high, with a regional average of 69.8% of GDP in 2022, albeit with significant variations across countries.¹⁶⁰³ In this context, REDESCA emphasizes the obligation of States to mobilize and efficiently manage available resources, prioritizing investment in key sectors such as health, education and social protection, in order to fulfill their human rights commitments and ensure the well-being of their populations.

980. Despite progress in some countries to combat poverty, Latin America and the Caribbean remains one of the most unequal regions in the world. One of the factors perpetuating this inequality is the regressive structure of tax systems, characterized by a low tax burden on higher-income sectors and an excessive reliance on indirect taxes, such as VAT, which disproportionately affect lower-income populations. In addition, the widespread granting of tax exemptions and tax benefits to large corporations and high-income individuals undermines the capacity of States to generate the resources needed for social investment and the fulfillment of fundamental rights. In this regard, REDESCA reiterates the importance of States adopting

¹⁶⁰² ECLAC, [Economies of Latin America and the Caribbean maintain growth and will expand 2.2% in 2024 and 2.4% in 2025](#), April 18, 2024.

¹⁶⁰³ Statista, [Public debt in Latin America as a percentage of Gross Domestic Product \(GDP\) in 2024](#), 2024.

progressive tax reforms, including taxes on income, wealth and large corporations, which will strengthen the fiscal capacity of countries without disproportionately affecting the most vulnerable sectors.

981. Fiscal policy transcends its function as an economic tool. The way in which States mobilize, distribute and regulate resources through taxation directly influences the guarantee of ESCER. However, despite the growing recognition of the relationship between taxation and human rights, many tax systems in the Americas continue to be designed and implemented without a comprehensive human rights approach. This implies compliance with standards of information production, participation and accountability. Lack of fiscal transparency benefits powerful economic actors and undermines democratic participation and accountability. REDESCA urges States to strengthen transparency measures, improve fiscal cooperation mechanisms and ensure that tax policies are aligned with their obligation to mobilize the maximum available resources for the progressive realization of ESCER.

982. In the framework of the 191st period of sessions of the IACHR, REDESCA participated in the thematic hearing "Impact of Special Economic Zones and Jurisdictions with Low Financial Transparency on Tax Justice and Climate Change". During the session, it was reported that special economic zones and jurisdictions with low financial transparency facilitate tax evasion and avoidance practices, weakening the ability of States to collect essential revenues. This decrease in fiscal resources compromises the implementation of effective public policies to address the climate crisis and guarantee ESCER. REDESCA urges States to strengthen their regulatory frameworks and oversight mechanisms to combat these practices, promoting transparency and access to information, as well as tax justice criteria that ensure the adequate financing of environmental initiatives and the comprehensive protection of human rights in the region.¹⁶⁰⁴

983. In the last year, several countries in the region implemented fiscal austerity measures that have negatively affected the guarantee of ESCER. The reduction in spending on health, education and social protection has had a direct impact on the population, especially on people living in poverty and on groups that have been historically and structurally discriminated against, such as women, indigenous peoples, Afro-descendants and people with disabilities. REDESCA reiterates that States must comply with the obligation to guarantee the availability of maximum resources for the realization of ESCER and adopt fiscal consolidation measures that do not compromise access to human rights. In this sense, it is essential to apply a human rights approach in the formulation and execution of the public budget, ensuring that fiscal decisions do not generate setbacks in the protection of ESCER.¹⁶⁰⁵

984. Fiscal policies and sovereign debt management directly affect the capacity of States to comply with their human rights obligations, especially with regard to ESCER. In several countries in the region, the application of austerity measures linked to structural adjustment programs and the prioritization of debt servicing over social spending have reduced access to essential services such as health, education and housing, disproportionately affecting the most vulnerable populations. The lack of human rights impact assessments in debt and fiscal adjustment decisions continues to be a challenge in the region, affecting the ability of States to formulate socially inclusive economic policies. REDESCA insists on the need for States to adopt normative frameworks and methodological tools that ensure that any economic reform complies with the principles of non-regressivity and maximum use of available resources, in accordance with Inter-American and international human rights standards

985. The climate emergency has generated new challenges for fiscal policies in the region, forcing States to develop strategies that integrate environmental sustainability into their economic planning. REDESCA stresses that any fiscal reform in environmental matters must incorporate a climate justice approach, ensuring that the costs of the transition do not fall on the most vulnerable sectors. States must also strengthen their

¹⁶⁰⁴ IACHR, [Thematic Hearing on the Impact of Special Economic Zones and Jurisdictions with Low Financial Transparency on Fiscal Justice and Climate Change](#), 191st Session, November 14, 2024.

¹⁶⁰⁵ REDESCA, [REDESCA calls on States to combat poverty and inequality with effective economic and fiscal policies](#), October 17, 2024.

capacity to attract international climate finance and ensure that adaptation and mitigation funds are used efficiently and transparently.

986. In the context of the COP29, REDESCA has reiterated the urgency of adopting firm commitments on climate finance with a human rights-based approach. The insufficiency of financial resources to mitigate and adapt to climate change has been one of the main barriers to ensure an effective response to environmental impacts in the region, disproportionately affecting vulnerable communities. REDESCA emphasizes that financing mechanisms must be aligned with the principles of climate justice and common but differentiated responsibilities, ensuring that the States with the highest historical emissions make ambitious commitments to strengthen climate resilience in developing countries. It also calls for ensuring that climate finance is accessible, equitable and targeted to populations facing the greatest risks, avoiding that the costs of the climate crisis fall on those who have contributed the least to its origin. In this regard, the Rapporteurship urges States to mobilize resources to strengthen the Loss and Damage Fund and adopt concrete measures for a just energy transition that prioritizes emissions reductions without compromising the rights of affected communities.¹⁶⁰⁶

987. REDESCA is concerned about the risk of possible reductions in non-contributory social protection spending in the face of moderate or even low growth in some countries in the region and high levels of public debt. In addition, in scenarios of low economic growth, informality rates could increase. In this context, the Office of the Special Rapporteur has taken note of the persistence of high levels of labor informality in the region, which disproportionately affect women, indigenous peoples, Afro-descendants, migrants and other vulnerable groups. According to the ILO, approximately 48% of workers in Latin America are in the informal economy, with rates exceeding 70% in some countries. This reality deepens structural inequalities and restricts access to fundamental labor rights, including freedom of association and collective bargaining. In this context, REDESCA has urged States to adopt policies that promote the formalization of employment, in line with ILO Recommendation No. 204, and to ensure that workers in the informal economy enjoy the same rights and protections as those in the formal sector. It also emphasizes the need to strengthen regulatory frameworks and oversight mechanisms to eliminate discriminatory practices and regulatory barriers that impede the organization and representation of these workers, ensuring their full inclusion in the formulation of labor and economic policies.¹⁶⁰⁷

988. Another challenge that States must overcome is the high levels of corruption that not only undermine democratic stability, but also deprive States of the resources needed to fulfill their obligations to protect and guarantee ESCER. The 2023 Anti-Corruption Capacity Index, which is the most recent data available, showed a decrease in the region's average score for the first time since 2020. In ten of the fifteen countries surveyed, scores fell to varying degrees.¹⁶⁰⁸ Therefore, REDESCA urges States to improve measures to combat corruption based on the principles of the Inter-American Convention against Corruption and adopt measures for the prevention, criminalization and punishment of those who engage in this practice, as well as access to information and the promotion of participation to strengthen accountability.

989. The lack of transparency in financial flows and the existence of money laundering and tax evasion mechanisms particularly affect developing countries, where tax resources are limited and investment in public policies depends largely on tax collection. In this regard, States are urged to adopt stricter regulatory frameworks for financial transparency, strengthen international cooperation mechanisms and ensure that multinational companies operate under principles of fiscal responsibility and respect for human rights.

990. REDESCA therefore urges States to review their regulatory and fiscal frameworks to ensure that their economic policies are not only financially sustainable, but also from a human rights perspective. This implies the adoption of progressive tax policies, financial transparency measures, combating illicit capital flows

¹⁶⁰⁶ REDESCA, [COP29: REDESCA urges strong commitments on climate finance with a human rights approach](#), 11 November 2024.

¹⁶⁰⁷ REDESCA, [Joint Declaration on the Promotion of the Rights of Assembly and Association for Workers in the Informal Economy](#), April 30, 2024.

¹⁶⁰⁸ Americas Society/Council of the Americas, Control Risks, [The Anti-Corruption Capacity Index \(CCC\) 2023](#), 2023, p. 2.

and greater regulation of privileged tax regimes. It is essential to promote responsible and transparent fiscal governance that ensures the effective participation of civil society and the most vulnerable sectors. This approach is key to prevent economic decisions from exacerbating inequalities in the region. In particular, it is essential to ensure that fiscal consolidation does not result in setbacks in the guarantee of rights, but rather in the adoption of measures that ensure economic growth that guarantees equitable access to ESCER.

IV. DEMOCRACY AND GUARANTEE OF ESCER

991. Democracy and the guarantee of economic, social, cultural and environmental rights (ESCER) are intrinsically related. In its Work Plan, REDESCA has recognized that the full exercise of ESCER is a necessary condition for the consolidation of democracy and the rule of law. Without these rights, democracy is reduced to a procedural mechanism that does not guarantee substantive equality or the effective participation of all people.

992. Democracy requires societies where all people can exercise their rights in conditions of equality and dignity. Democratic systems that do not guarantee access to basic material conditions tend to erode and generate crises of representation and legitimacy. Social exclusion and structural inequality affect effective political participation, reinforcing patterns of marginalization that hinder the construction of just and equitable societies. The lack of equitable access to ESCER, such as education and health systems, restricts the ability of citizens to influence public deliberation.

993. Climate change and the environmental crisis have deepened inequalities and political exclusion in the region. Forest fires, pollution and biodiversity loss disproportionately affect the aforementioned groups, reducing their capacity to influence environmental policymaking. The weakening of prior consultation and social participation mechanisms has generated tensions and conflicts in many countries in the region. REDESCA urges States to strengthen transparency in environmental decision-making, ensure access to information and guarantee that the voice of affected communities is duly considered in projects that impact their territories and livelihoods.

994. In 2024, REDESCA has documented an increase in violence against environmental defenders in the region. Impunity in these cases remains alarming. The lack of effective protection for human rights defenders generates a deterrent effect on citizen participation and the denunciation of ESCER violations. In this sense, REDESCA urges States to implement effective protection measures, guarantee access to justice and adopt prevention policies, in line with Inter-American human rights standards and the Escazú Agreement.

995. The weakening of democratic controls makes it easier for companies and private interests to operate without respecting the rights of affected communities. The concentration of economic power has allowed the advance of extractivist practices that aggravate inequality and affect the right to water, land and a healthy environment. State capture by private interests is a threat to democracy and the rule of law.

996. There are studies that refer to the relationship between the extreme concentration of wealth and the weakening of social rights, facilitating the capture of the State by private interests, reducing the capacity of citizens to influence decision-making.¹⁶⁰⁹ High levels of inequality have generated governance models where economic elites concentrate political power, weakening the regulatory capacity of States and limiting equitable access to public resources.

997. Fiscal policies cannot be viewed exclusively from an economic perspective; their design and implementation have a direct impact on the quality of democracy. Lack of transparency regarding economic

¹⁶⁰⁹ Oxfam, [State Capture and Rising Inequality in Latin America and the Caribbean](#), 2021.

and fiscal policies affects trust in institutions and perpetuates structural inequalities. REDESCA urges States to strengthen citizen participation in the design of these policies.

998. REDESCA stresses the importance of an intercultural approach in the creation and management of public policies, such as education, health and housing, as well as respect for free, prior and informed consultation in relation to indigenous and other tribal peoples, in line with the American Declaration on the Rights of Indigenous Peoples and ILO Convention 169 on Indigenous and Tribal Peoples. In this regard, it is essential that States implement effective participation mechanisms, with full respect for inter-American standards, that allow indigenous and tribal peoples to be protagonists in the definition, implementation and evaluation of public policies that affect them, guaranteeing the full exercise of their collective rights and self-determination. It is also essential that these policies be designed with a differentiated and intersectional approach, considering the multiple forms of discrimination faced by women, indigenous peoples, persons with disabilities, and other vulnerable groups.

999. REDESCA emphasizes that education and academic freedom play an important role in the formation of people who respect diversity and democratic values and act in favor of solutions that contribute to social cohesion and justice. In this regard, REDESCA draws the attention of the States to the importance of strengthening programs that allow for the comprehensive development of children and adolescents.¹⁶¹⁰ It also emphasizes the importance of guaranteeing academic freedom in universities and other educational centers, which also plays a key role in the consolidation of democratic societies.

1000. As has been expressed, democratic erosion is not only the context in which environmental and social crises have occurred in the Americas, but also a factor that deepens their impact and hinders their response. While attention is focused on political instability, restrictions on civic space and the weakening of democratic institutions, the dynamics of wealth concentration and the expansion of extractive activities that devastate territories and displace communities persist. The lack of effective controls and institutional weakness, aggravated by corruption and state capture, allow unsustainable practices in agribusiness, mining and deforestation to advance with impunity, exacerbating inequality and the climate crisis. Faced with this panorama, it is urgent for REDESCA to strengthen democracy as an essential pillar for the guarantee of ESCER, as well as to consolidate the guarantee of ESCER as a minimum condition for a plural and effective public debate, essential for a democracy that transcends the merely formal.

¹⁶¹⁰ ECLAC, [Social Panorama of Latin America and the Caribbean, 2024](#), LC/PUB.2024/21, Santiago, 2024, already cited, P. 117.