

Report of REDESCA's Working Visit to Bolivia

Impacts of Wildfires on Economic, Social, Cultural and Environmental Rights and Biodiversity



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IMPACTS OF WILDFIRES ON ECONOMIC, SOCIAL, CULTURAL AND ENVIRONMENTAL RIGHTS AND BIODIVERSITY

REPORT OF REDESCA'S WORKING VISIT TO BOLIVIA

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INTER-AMERICAN COMMISSION ON HUMAN RIGHTS

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CHAPTER I

INTRODUCTION

I. INTRODUCTION

A. Preliminary considerations

1. The Office of the Special Rapporteur on Economic, Social, Cultural and Environmental Rights (REDESCA or Special Rapporteurship) of the Inter-American Commission on Human Rights (IACHR), headed by Special Rapporteur Javier Palummo and accompanied by a technical team made up of professionals from the Rapporteurship itself and the Executive Secretariat of the IACHR, conducted a working visit to the Plurinational State of Bolivia (hereinafter, the State of Bolivia or Bolivia) from December 9 to 11, 2024. The preliminary observations derived from this visit were published on December 18, 2024 through a press release.¹ During the visit, REDESCA carried out a series of activities in the cities of La Paz, Santa Cruz de la Sierra and San Ignacio de Velasco, including a fly-over of the most affected areas in the Chiquitanía region.

2. This report is the result of the analysis of available information and information gathered through meetings held with government authorities at the national, departmental and municipal levels, including the Vice President of the Plurinational State of Bolivia, the Minister of Environment and Water, authorities from the Ministry of Foreign Affairs, the Ministry of Justice and Institutional Transparency, the Ministry of Cultures, Decolonization and Depatriarchalization, the Ministry of Defense, the National Institute of Agrarian Reform, the Ombudsman's Office, the Attorney General's Office, the Governor of the department of Santa Cruz and the Mayor of San Ignacio de Velasco.

3. There were also opportunities for exchanges with: leaders of indigenous peoples, members of rural communities, environmental defenders, volunteers and community brigades, civil society organizations, and representatives of international cooperation agencies. The field visit, especially the trip to the most affected regions, made it possible to gather testimonies and experiences in the field, enriching the official information provided during the visit.

4. REDESCA expresses its gratitude to the Plurinational State of Bolivia for the invitation extended and for the collaboration provided during the visit, particularly to the Ministry of Foreign Affairs and the Permanent Mission of Bolivia to the Organization of American States (OAS), whose support was essential for the preparation and implementation of the planned activities. In addition, the Office of the Special Rapporteur recognizes and deeply appreciates the valuable contributions of the affected communities, indigenous peoples, civil society organizations, and environmental and territorial defenders who shared their testimonies, experiences, and analyses, which were essential for understanding the magnitude of the impacts and formulating recommendations with a human rights-based approach.

B. Purpose of the visit

5. The objective of the visit was to examine the effects of forest fires in Bolivia during the year 2024 on ESCER, with special attention to their impact on the environment, health, education, livelihoods, access to natural resources, and the rights of indigenous peoples and rural communities. The effects on biodiversity, territories, and ecosystems were also assessed in the context of a region seriously affected by the worsening climate crisis. The mission also sought to identify the structural factors that contributed to the magnitude of fires, and to gather direct and situational information on the measures adopted by the State and other relevant actors to address this environmental emergency.

6. The purpose of the visit was also to identify positive experiences, structural challenges and opportunities for improvement in prevention, mitigation, response and remediation, paying special attention to the differentiated impacts on indigenous peoples, rural communities and other groups in situations of vulnerability. All of this from an approach based on human rights, climate justice and ecosystem sustainability. The Office of the Special Rapporteur recognizes that forest fires are a phenomenon of complex socioecological systems, in which socioeconomic, political, cultural, institutional and biophysical factors converge in an

¹ REDESCA/IACHR, [REDESCA presents preliminary observations of the working visit to Bolivia](#), 18 December 2024.

interrelated manner.² This understanding requires approaches capable of addressing not only the visible manifestations of fire, but also its structural and contextual causes.

7. Through this working visit and this report, REDESCA formulates a series of recommendations aimed at environmental protection public policies and guaranteeing ESCER; and promoting an effective, sustainable and inclusive State response to the growing challenges arising from climate change. In addition, the Office of the Special Rapporteur reaffirms its commitment to maintain a permanent and constructive dialogue with the State of Bolivia, with a view to supporting the development of institutional capacities, promoting the active participation of affected communities and improving coordination between the different levels of government, civil society and international organizations involved in the protection of human rights in contexts of environmental crisis.

8. REDESCA highlights the relevance of having shared spaces for dialogue with representatives of the State, civil society, affected communities, and international organizations throughout the mission. The exchange of information and perspectives was key to formulating recommendations to strengthen emergency response, sustainable recovery and the protection of ESCER in the context of climate change. The information gathered during the visit was essential to the analysis carried out by the Special Rapporteur and to support the recommendations presented at the end of this document.

C. Development of the working visit

9. As previously indicated, the working visit took place in the cities of La Paz, Santa Cruz de la Sierra and San Ignacio de Velasco. The agenda included a series of meetings to examine the effects of the forest fires on the ESCER, biodiversity, territories and ecosystems, as well as to review the state measures adopted to prevent, mitigate and respond to this emergency.

10. In La Paz, the delegation held meetings with the Vice President of the State, the Minister of Environment and Water, and authorities from the Ministries of Defense, Foreign Affairs, Justice, and Culture; and with representatives of the National Agrarian Reform Institute (INRA), the Attorney General's Office and the Ombudsman's Office. These meetings addressed issues such as inter-institutional coordination in risk management, applicable regulations on land use and fire control, warning and response mechanisms, and the State's obligations regarding the differentiated impacts on indigenous and rural communities and other vulnerable groups.

11. An open dialogue was also held on human rights, environmental justice and forest fire prevention, convened by the Ministry of Foreign Affairs, with the participation of international organizations, cooperation agencies and civil society organizations. The activity culminated with a press conference at the beginning of the working visit, which was attended by a significant number of journalists from local media.

12. Later, in Santa Cruz de la Sierra, a meeting was held with civil society organizations, with the participation of delegations from social movements, people defending the environment and natural resources, leaders of indigenous peoples from different regions of the country affected by the forest fires. This meeting made it possible to receive direct information on the territorial impacts and barriers faced by communities defending the environment.

13. The third day of the visit included a flyover facilitated by the State of the areas most severely affected by the fires -including the municipalities of Concepción, Ascensión de Guarayos, Urubichá and San Ignacio de Velasco- and a working day in the latter city. There, the Special Rapporteur and his team held meetings with mayors of the impacted municipalities, incident commanders and indigenous authorities, and

² Carmenta, R., L. Parry, A. Blackburn, S. Vermeylen, and J. Barlow, Understanding human-fire interactions in tropical forest regions: a case for interdisciplinary research across the natural and social sciences, Ecology and Society 16(1): 53, 2011; Devisscher, T., E. Boyd, and Y. Malhi, Anticipating future risk in social-ecological systems using fuzzy cognitive mapping: the case of wildfire in the Chiquitania, Bolivia, Ecology and Society 21(4):18, 2016; Kirschner, J. A., J. Clark, and G. Boustras, Governing wildfires: toward a systematic analytical framework, Ecology and Society 28(2):6, 2023.

with representatives of affected communities. They discussed the characteristics of the response, the impacts on livelihoods, health, water and education, and community strategies for resilience and adaptation. The day concluded with a meeting with authorities of the Autonomous Departmental Government of Santa Cruz and its Risk Management Directorate. All these activities allowed REDESCA to gather fundamental inputs for the analysis of the structural factors that aggravate the fires and for the formulation of recommendations with a focus on human rights, climate justice and ecosystem sustainability.

CHAPTER II

**FOREST FIRES, CLIMATE EMERGENCY
AND TERRITORIAL TRANSFORMATIONS**

II. FOREST FIRES, CLIMATE EMERGENCY AND TERRITORIAL TRANSFORMATIONS

A. Forest fires in the year 2024

15. Forest fires in Bolivia have shown an increasing trend in the last two decades, affecting vast extensions of territory and causing serious environmental and social impacts. The years 2004, 2005 and 2010 registered the highest number of burned areas in Bolivia, exceeding 3 million hectares each year.³ In 2010, the historical national record of 4 million hectares burned in 2024 was surpassed by 6 million hectares.⁴ Subsequently, in 2019, the affected area reached 5.3 million hectares, marking a further significant increase.⁵ Notwithstanding the seriousness of the aforementioned background, the forest fires that occurred in 2024 in Bolivia reached an unprecedented magnitude, causing a devastating impact on various strategic ecosystems in the country. Taking into account different available sources, the Office of the Special Rapporteur estimates that it is possible to affirm that the area affected by forest fires in Bolivia in 2024 would have exceeded 10 million hectares.⁶

16. The affected areas harbor unique biodiversity and are essential for maintaining ecosystem services such as carbon capture, watershed protection, and the preservation of endangered species. Many of these territories represent not only Bolivia's cultural and linguistic diversity, but also vital ecosystems that have been protected and sustainably managed by indigenous peoples for centuries.

17. In addition to the historical nature of the area impacted and the severity of the damage, in the fires of 2024 it has been observed that hot spots began to occur earlier than usual, which also reflects a change in the temporal pattern. In fact, since May 2024, a rapid and abrupt increase of hot spots was detected in the country. According to available data, 2,955 hot spots were recorded in May, 16,230 in June, 53,893 in July, 129,947 in August and 39,190 up to September 9.⁷ A particularly alarming fact, provided by authorities, indicates that while in previous years the fire advanced at an average of 1.5 km per day, this year it reached 3.5 km per day, due to favorable wind and drought conditions.⁸

18. According to information updated as of December 9, 2024 by the Vice Ministry of Civil Defense, within the framework of the working visit, the departments directly affected by forest fires were: Beni, Cochabamba, Chuquisaca, La Paz, Pando and Santa Cruz, the latter being the hardest hit, as the flames devastated approximately 7.3 million hectares, approximately 65% of the total area affected nationwide.⁹ Municipalities reporting damage include: San Matías, San Ignacio de Velasco, Puerto Quijarro, Ascensión de Guarayos, San Miguel, Roboré, Puerto Suárez, San Ramón, San Antonio de Lomerío, Concepción, San José, San Rafael. These areas faced significant losses in both environmental and socioeconomic terms, affecting rural communities, their livelihoods and the ecosystems that sustain their subsistence.

19. According to information gathered during the visit, the types of areas affected by the 2024 forest fires vary significantly between departments. In the case of Santa Cruz, damage was mainly concentrated in public lands and forest cover areas, with severe impacts on biodiversity and forest ecosystems. In contrast, in

³ Fundación Amigos de la Naturaleza, Chapter: Burns and forest fires, In Reporte de incendios y quemas en Bolivia (pp. 8-16). FAN Bolivia, 2015.

⁴ Fundación Amigos de la Naturaleza, Incendios y quemas en Bolivia: análisis histórico desde 2000 a 2013, June 2014.

⁵ Friends of Nature Foundation, National Wildfire Report, September 25, 2019.

⁶ Infobae, Bolivian Government reported that almost 10 million hectares were devastated by forest fires, Infobae, October 13, 2024; La Razón, Government reports almost 10 million hectares affected by forest fires, October 13, 2024; Fundación Tierra, Bolivia: fire consumed more than 10.1 million hectares, 58% correspond to forests, 2024; Centro de Estudios Jurídicos e Investigación Social, Informe 2024: Focos de calor y cicatrices de incendios en territorios indígenas, December 2024; Instituto Boliviano de Investigación Forestal, Determinación de áreas afectadas por incendios forestales en Bolivia, periodo junio - octubre 2024.

⁷ Ombudsman's Office, Plurinational Constitutional Resolution 233/2024 - Popular Action, October 14, 2024.

⁸ Notes from the meeting with the Minister of Environment and Water during the visit; Minister of Environment and Water, <https://www.mmaya.gob.bo/2024/12/09/ministro-de-medio-ambiente-sostiene-una-reunion-con-la-relatoria-especial-de-la-cidh-para-evaluar-la-respuesta-a-la-tesis-de-los-incendios-forestales-en-bolivia/> Minister of Environment holds a meeting with the IACHR Special Rapporteur to evaluate the response to the forest fire crisis in Bolivia, December 9, 2024.

⁹ See also: France 24, Bolivia: more than 7 million hectares burned in Santa Cruz, the largest environmental disaster in the region, France 24, September 28, 2024; Bajo Mi Sombrero Verde, Forest fires in Bolivia 2024: a disaster that marks history, 2024

the department of Beni, most of the affected area -approximately 70%- corresponded to pastures, mostly located in small and medium-sized private properties. At the national level, it is estimated that around 40% of the burned land corresponds to forests, while the remaining 60% corresponds to pastures, which were already weakened by the prolonged drought that affected the country.¹⁰

20. According to official information provided during the visit, 46% of Bolivian territory is covered by forests, most of it in the Amazon basin. Twenty-four percent of the forests are protected under the National System of Protected Areas. In addition, Bolivia is home to 405 indigenous territories, of which 347 are located in the *tierras altas* (highlands) and 58 in the *tierras bajas* (lowlands), covering 21% of the country's total area.¹¹

21. Furthermore, according to information provided in the context of the visit, the forest reserves most affected by the 2024 fires are located in Iténez, Bajo Paragua, Eva Mosetenes, Chore and Iturralde. Also, several Ramsar sites, designated for their importance as wetlands of international value, have suffered significant damage.¹² These include the Bañados del Izozog and Rio Parapeli, the Bolivian Pantanal, the Concepción Lagoons, and the Yata, Matos and Blanco rivers, ecosystems that play a crucial role in water regulation and as habitat for endemic and migratory species. The San Matías Integrated Management Natural Area, Otuquis National Park, Noel Kempff Mercado National Park, and the National Interest Project for the conservation of the Paraba Jacinto are among the Protected Areas of National Interest that have been seriously affected.¹³

22. The Indigenous Original Peasant Territories (Territorios Indígenas Originarios Campesinos) most affected by the 2024 forest fires comprise numerous communities distributed in different departments of the country, according to the information provided. These include: More, Joaquiniano, Cayubaba, Movima II, Tonama, Bajo Paragua, Monte Verde, Lomerío, Ayoreo-Area, Zapoco, Otuquis, Lecos de Larecaja, Polygon 6, Lecos de Apolo, Ayllu, Suelcayana, Tercero, Tacovo Mora, TICH, Yuracaré, Ace Catato, Tacana III, Movima-Yaminahua, Machineri, Araona, Tacana-Cavineño, Chacobo, Pacahuara, Multietnico II, Pacariza Community, Ayllu Limes and Puracas, Kaaguazú, Jacha Suyu, Pakajaqui, Isoso, Tacana I, APG-Yacuiba, Ayopaya, Timi, TIM, TIPNIS, Guarayos, Sirionó, Anichana, Baures and Mosetenes.¹⁴

23. In the so-called *tierras bajas* (lowlands), the indigenous territories are distributed in three main ecoregions: the Oriente, the Chaco and the Amazon. These areas have been severely affected by forest fires. According to the information received, the fire devastated more than 2.5 million hectares within indigenous territories, which represents approximately 20.6% of the total area of land titled in favor of indigenous peoples in the *tierras bajas* (lowlands). The most affected regions were the Oriente (Chiquitanía) and the Amazon (Norte Amazónico). In these areas, fires impacted 59% of the total area of eight indigenous territories.¹⁵

24. In the Chiquitanía, the damage was particularly severe: 92% of the forest in three indigenous territories - the Indigenous Territory of the Guarayo People, the Indigenous Territory of Monte Verde and the Indigenous Territory of Pantanal - was consumed by fire, equivalent to some 2 million hectares destroyed. In the Northern Amazon, the fires also wreaked havoc, affecting 33% of the forest cover of two indigenous territories -Chacobo-Pacahuara and Cavineño-, which represents about 100,000 hectares.¹⁶

¹⁰ Notes from the meeting with the Minister of Environment and Water during the visit.

¹¹ These data were provided by the Ministry of Cultures, Decolonization and Depatriarchalization during the visit.

¹² El Día, [Bolivia: wetlands of international importance, protected areas and primary forests affected by fire](#), October 2, 2024.

¹³ La Razón, [El fuego ingresó en siete áreas protegidas del país](#), 18 September 2024; Mongabay, [Incendios en Bolivia: más de 40 mil hectáreas quemadas dentro del Parque Nacional Noel Kempff Mercado](#), 8 September 2024.

¹⁴ Viceministerio de Defensa Civil, [Hay 54 comunidades en tres departamentos afectados por incendios forestales](#), 31 de agosto de 2024; En el mismo sentido información proporcionada por el Ministerio de Culturas, Descolonización y Despatriarcalización durante la visita.

¹⁵ Fundación Tierra & CEJIS, [Report 2024: Fires in Indigenous Territories](#), December 2024.

¹⁶ Centro de Estudios Jurídicos e Investigación Social (CEJIS), [Focos de calor y cicatrices de incendios en territorios indígenas de las tierras bajas de Bolivia](#), 2024.

B. Institutional Considerations and Climate Emergency

25. The political and institutional context in Bolivia is characterized by a complex configuration of autonomies, the result of often conflicting historical processes between the aspirations for self-government of the native indigenous peasant peoples and the demands for departmental autonomy, particularly from the eastern departments of the country. Although the Political Constitution of the State recognizes both forms of autonomy within the plurinational regime, the persistent tensions between the central government and certain regional leaderships reflect profound differences in the visions of the country. These differences are amplified by structural patterns of ethnic-racial discrimination and by demands for redistribution of resources that some sectors consider inequitable.¹⁷ This scenario, far from consolidating a coherent and cohesive institutional architecture, has contributed to social and political fragmentation that conditions the exercise of human rights, particularly in contexts of environmental crisis, such as the 2024 forest fires.

26. As considered by the IACHR, Bolivia has made significant progress in the protection and guarantee of human rights, including the rights of indigenous peoples and ESCER, especially after the promulgation of a new constitutional text and corresponding public policies based on the axes of decolonization, depatriarchalization and guarantee of ESCER. However, the implementation of this normative framework has encountered challenges that impede the full guarantee of constitutionally recognized rights; especially, the historical institutional weakness and political polarization.¹⁸

27. REDESCA emphasizes that Bolivia has recognized that people have the right to a healthy, protected and balanced environment in its Constitution, as well as the right to free, prior and informed consultation with affected populations in cases of natural resource exploitation.¹⁹ The normative and constitutional framework in the country includes fundamental elements of the ancestral cosmovision of the native indigenous peasant peoples, who recognize Mother Earth as a living, complex and interdependent system, of which human beings are just another part. This approach is reflected both in the Constitution and in the Law on the Rights of Mother Earth (Law No. 71/2010), which promotes a harmonious relationship with nature.

28. The country has also approved in 2023 a Plurinational Climate Change Policy.²⁰ This policy seeks to integrate climate change adaptation and mitigation actions, promoting the sustainable management of natural resources and the active participation of rural, peasant and indigenous communities. This policy is complemented by the commitments assumed in the framework of the Paris Agreement. In its Nationally Determined Contributions, the State of Bolivia committed, among other goals, to reduce deforestation by 80% by 2030.²¹

29. The Special Rapporteur recalls that, in accordance with the Paris Agreement and the principle of common but differentiated responsibilities, given that forest fires threaten forests as carbon sinks, States should integrate forest fires into their climate change adaptation and mitigation strategies. This includes their explicit incorporation in the Nationally Determined Contributions, and the adoption of public policies that address both the reduction of greenhouse gas emissions and the protection of carbon sinks, such as forests.

C. Deforestation and agribusiness expansion

30. Within the framework of the economic and social model enshrined in the Political Constitution of Bolivia, the centrality of the State in economic planning, respect for economic pluralism and recognition of the

¹⁷ IACHR, Social Cohesion: The Challenge for the Consolidation of Democracy in Bolivia, OEA/Ser.L/V/II., Doc.1/24, January 20, 2024, paras. 44, 45, 49, and 52.

¹⁸ IACHR, Social Cohesion: The Challenge for the Consolidation of Democracy in Bolivia, OEA/Ser.L/V/II., Doc.1/24, January 20, 2024.

¹⁹ Articles 33, 345.3, 347, 352 and 353; See also: IACHR, Social Cohesion: The Challenge for the Consolidation of Democracy in Bolivia, OEA/Ser.L/V/II., Doc.1/24, January 20, 2024, para. 32.

²⁰ Plurinational Authority of Mother Earth, Plurinational Climate Change Policy, La Paz, Bolivia, August 2023.

²¹ Plurinational State of Bolivia, Nationally Determined Contribution of the Plurinational State of Bolivia to the Paris Agreement 2021-2030, June 2022, where it refers to Target 11: "By 2030, reduce deforestation to 80% compared to the baseline".

community economy were established, incorporating principles such as *Vivir Bien* (Living Well) and criteria of social justice, gender and sustainability.²² However, during the working visit, the Special Rapporteur observed with concern a pattern of agribusiness expansion, accelerated deforestation processes, intensive land use and transformation of natural ecosystems into areas for monoculture crops and extensive cattle ranching. Despite advances in land titling with a gender perspective and social function, structural challenges persist related to the use of fire, authorized and illegal land deforestation, and the progressive weakening of traditional agroecological practices.

31. Between 2001 and 2023, according to the Global Forest Watch study Bolivia lost 7.97 million hectares of tree cover, equivalent to a 12% reduction compared to 2000 and generated approximately 3.68 gigatons of CO₂ emissions. Of this loss, 71% occurred in areas where the main drivers of degradation resulted in deforestation.²³ In particular, the loss of primary rainforest amounted to 4.19 million hectares, representing 54% of the total loss of tree cover and reducing the total extent of this ecosystem in the country by 10%. Likewise, a recent study has documented that between 2018 and 2022, agricultural and livestock expansion was responsible for 97% of deforestation in Bolivia, arguing that contrary to common perception, companies and medium-sized landowners are the major contributors to forest fires and deforestation, not indigenous or peasant communities.²⁴

32. According to available information, of the 7.97 million hectares of tree cover lost in Bolivia between 2001 and 2023, approximately 2.06 million hectares are attributed to forest fires, while 4.19 million hectares correspond to the loss of primary rainforest. During the same period, it is estimated that 71% of the total loss of forest mass was a direct consequence of deforestation processes. It is worth noting that 67% of the total deforested area in the country was concentrated in the department of Santa Cruz, which registered an accumulated loss of 5.36 million hectares, a figure substantially higher than the national average of 885 thousand hectares. These data show that Santa Cruz was not only the department most affected by forest fires in 2024, but also the most deforested during the last two decades.²⁵ Likewise, other data indicate that between 1985 and 2022, this region lost approximately 6.2 million hectares of forest cover, representing 79% of the total deforestation in the country during that period.²⁶

33. In recent decades, according to available information, Bolivia has experienced a notable increase in soybean production and extensive cattle ranching, especially in the department of Santa Cruz. Between 1986 and 2019, approximately 6.9 million hectares of forest were converted to pasture and soybean monocultures. In addition, between 2010 and 2022, the country lost about 3 million hectares of forest, with 57% of this area going to cattle expansion and 33% to mechanized agriculture.²⁷ Additionally, according to the Amazonian Network of Geo-referenced Socio-environmental Information, three out of every four hectares deforested in the Bolivian Amazon are used for cattle ranching.²⁸ In this context, the number of cattle ranches authorized for export grew by 44 % between 2019 and 2020, from 29 to 42, most of them located in the municipalities of Pailón, San Ignacio de Velasco, Charagua and El Carmen Rivero Torrez, where more than 20 % of the national deforestation between 2013 and 2019 is also concentrated.²⁹

²² IACHR, Social Cohesion: The Challenge for the Consolidation of Democracy in Bolivia, OEA/Ser.L/V/II., Doc.1/24, January 20, 2024, paras. 55 and 126.

²³ Global Forest Watch, Bolivia Monitoring.

²⁴ Oxfam, *A fuego y mercurio: Crisis ecológica y desigualdades en Bolivia*, October 2024.

²⁵ Global Forest Watch, Bolivia Monitoring.

²⁶ Mongabay Latam, Bolivia lost almost eight million hectares of forest and more than half of the glacier snow in 37 years, May 2, 2023.

²⁷ Centro de Estudios para el Desarrollo Laboral y Agrario, *Deforestation in Bolivia: cattle ranching and agribusiness accelerate forest loss in the Chiquitanía*, eju.tv, October 23, 2024; Centro de Investigación y Promoción del Campesinado, *"Carne VIP": Bolivia does not export meat, it exports fertile soil, water and future*, February 17, 2025.

²⁸ Centro de Investigación y Promoción del Campesinado, *"Carne VIP": Bolivia does not export meat, it exports fertile soil, water and future*, February 17, 2025.

²⁹ Mongabay Latam, *Livestock in Bolivia: exports expand, forests shrink*, February 21, 2021.

34. According to information gathered by civil society, authorizations for land clearing granted by the authorities experienced a notable increase, tripling between the periods 2011-2015 and 2016-2021.³⁰ Thus, the area authorized by the Authority for Social Control and Inspection of Forests and Land (ABT) for land clearing reached 212,000 hectares per year between 2016 and 2021, compared to the 76,000 hectares per year average recorded between 2011 and 2015.³¹

35. Parallel to the boom in export-oriented crops, such as soybeans, there has been a reduction in the cultivated area of commodities for domestic consumption. For example, corn production has declined in recent years, affecting the availability of this essential food in the Bolivian diet. In 2022, corn production fell for the fifth consecutive year, registering a 28% decrease compared to the previous year.³² Available information indicates that oilseed crops such as soybean would have grown in arable land from 12% to 46% between 1983 and 2022. On the contrary, arable land for cereals such as rice, wheat and corn, products consumed by the Bolivian population, would have decreased from 51% to 31% in the same period; tuber crops declined from 7% to 6%; and fruit crops decreased from 7% to 4%.³³

36. Available data show that the department of Santa Cruz has been the most deforested in Bolivia in the years leading up to the 2024 forest fires. Between 1985 and 2022, it lost approximately 6.2 million hectares of forest cover, representing 79% of the country's total deforestation in that period.³⁴ The expansion of the agricultural frontier through forest clearing has transformed the environment of numerous indigenous and peasant communities, which today find themselves isolated in the midst of large extensions of monocultures and pastures for cattle ranching.³⁵

D. Policies that encourage land use change

37. The expansion of agribusiness in Bolivia is closely linked to the increase in forest fires and deforestation, according to testimonies gathered during the visit, and various studies and reports from environmental organizations. This relationship is manifested not only in the expansion of the agricultural frontier, but also in public policies that have facilitated changes in land use, transforming forested areas into land suitable for agricultural activities, mainly for monoculture. In the meetings held during the visit, various sectors have called these regulations "incendiary laws", considering them responsible for the recurrent forest fires that have placed Bolivia among the countries with the highest incidence of forest fires in the world.³⁶ REDESCA has observed a tension between the establishment of economic development goals based on agro-industrial expansion, and the urgent need to protect natural resources and mitigate the effects of climate change.³⁷

38. The country's regulatory framework includes instruments such as the Land Use Plans (PLUS) that have been modified to legalize and regularize agricultural and livestock activities in regions such as Beni and Santa Cruz.³⁸ In particular, the PLUS 2019 introduced substantial changes in land use categories, affecting more than 3.6 million hectares, including indigenous territories, protected areas and biodiverse ecosystems such as

³⁰ Fundación Tierra, Deforestation 2016-2021. The irresponsible pragmatism of the Patriotic Agenda 2025, June 2022. Fundación Tierra, Authorizations for deforestation in Bolivia tripled in recent years, 24 June 2022.

³¹ Terra Foundation, Deforestation 2016-2021. The irresponsible pragmatism of the Patriotic Agenda 2025, June 2022.

³² Terra Foundation, Agricultural balance sheet 2022: production of major grains falls, December 15, 2022.

³³ Forestry Chamber of Bolivia, El imparable saqueo de los bosques en Bolivia ¿Quién devastan?, n/d

³⁴ Mongabay Latam, Bolivia lost almost eight million hectares of forest and more than half of the glacier snow in 37 years, May 2, 2023.

³⁵ The relationship between fires in Bolivia, the expansion of the agricultural frontier and legislation promoting fire use change has been documented and studied by the specialized scientific literature, see for example: Canavire, G., & Puerta, A., On the effects of wildfires on poverty in Bolivia, Journal of Development Economics, 175, 103494, 2025; Yifan He et al., Enact reforms to protect Bolivia's forests from fire, Science 387,255-255, 2025; Correa, Anne-Dominique, In Bolivia, behind the catastrophic fires, a race for agricultural growth, Le Monde, October 5, 2024.

³⁶ Fundación Solón, Las leyes incendiarias en Bolivia, February 20, 2020; Instituto de Estudios Avanzados en Desarrollo, Incendios y deforestación: las ocho normas que avivan el fuego en Bolivia, August 21, 2020.

³⁷ REDESCA 2024 Annual Report.

³⁸ Mongabay Latam, Bolivia: autorizan uso del fuego en tierras privadas y comunitarias en plena Amazonía, 25 June 2019; Centro de Estudios para el Desarrollo Laboral y Agrario, Beni: el cambio de uso de suelo que quiere llevar al departamento a la agroindustria, n/d.

várzea forests, humid savannas and wetlands. The instrument, according to the same information available, would have authorized the change of categories such as " *uso forestal maderable*" (timber forest use) to " *uso agropecuario extensivo*" (extensive agricultural and livestock use), allowing deforestation and other extractive activities in indigenous territories.³⁹

39. Various regulations have facilitated, directly or indirectly, the expansion of the agricultural frontier in territories with forest cover, particularly in the departments of Santa Cruz and Beni. These include Law No. 337 on Support for Food Production and Forest Restitution (2013) and Law No. 1171 on the Rational Use and Management of Fire (2019).⁴⁰ The first established an exceptional regime to regularize unauthorized land clearing carried out between 1996 and 2011, exempting from penalties those who took part in an agricultural production plan and partial reforestation of the affected area and allowing the deforested land to be cleared.⁴¹ The second law authorized the controlled use of fire under state supervision and established mechanisms for the exemption or cancellation of sanctions for previous illegal burnings. Both laws have encouraged the expansion of the agricultural frontier through the creation of new lands for agricultural activities of different scales: family, communal and industrial.⁴²

40. Law No. 741, enacted in September 2015, is considered one of the most controversial of the regulatory package known as "incendiary laws" in Bolivia. This norm authorized the clearing of up to 20 hectares of forest cover for agricultural activities on small properties and community or collective properties. Although its formal justification was to support food security and rural development, recent studies warn that the law opened the door to extensive land use without adequate environmental controls, facilitating the expansion of the agricultural and livestock frontier. According to recent academic analyses, this legal permissiveness contributed to the acceleration of the loss of forest cover and generated incentives for practices such as uncontrolled logging, directly affecting ecosystems and indigenous territories. The study states that, since the entry into force of this law and other similar regulations, the annual deforestation rate has increased significantly.⁴³ The available information also reflects the opinion of experts who have warned that this law has been exploited by private interests and land traffickers, to the detriment of forests and indigenous territories.⁴⁴

41. In addition to all the above laws, there are at least two Supreme Decrees of 2019. The first, Supreme Decree 3874, is aimed at establishing abbreviated procedures for the evaluation of soybeans for the production of biodiesel. For its part, Supreme Decree 3973 authorizes clearing in the departments of Beni and Santa Cruz for agricultural purposes. In both cases it has been argued that these regulations encourage further deforestation.⁴⁵

42. The forest fires of 2024 should be analyzed not only as consequences of extreme weather events, but also as a result of structural pressures linked to the land use pattern. The international literature on forest governance highlights the need to address the underlying causes of environmental degradation. Comparative experience shows that the most effective forest governance systems do not limit themselves to directly

³⁹ Centro de Estudios Jurídicos e Investigación Social, Análisis socioambiental del Plan de Uso del Suelo 2019 en territorios indígenas del departamento del Beni, December 2020.

⁴⁰ Bolivian laws No. 337 and No. 1171 were repealed by the Senate on September 12, 2024; however, according to the information gathered, for this repeal to become effective, approval by the Chamber of Deputies and enactment by the Executive Branch are still required.

⁴¹ Departmental Chamber of Mining of Cochabamba, Know which are the 'incendiary laws' that are still in force despite the environmental disaster, September 13, 2024.

⁴² Fundación Solon, Las leyes incendiarias en Bolivia, February 20, 2020.

⁴³ Burgoa Terceros, Rodrigo and Sofía Vera La Rosa, Impacto de las "leyes incendiarias" sobre las áreas forestal y agropecuaria en Bolivia: un análisis de control sintético, LAJED 42 (2024), pp. 77-105.

⁴⁴ Departmental Chamber of Mining of Cochabamba, Know which are the 'incendiary laws' that are still in force despite the environmental disaster, September 13, 2024.

⁴⁵ Burgoa Terceros, Rodrigo and Sofía Vera La Rosa, Impacto de las "leyes incendiarias" sobre las áreas forestal y agropecuaria en Bolivia: un análisis de control sintético, LAJED No. 42 (2024), pp. 77-105; Cámara Departamental de Minería de Cochabamba, Sepa cuáles son las 'leyes incendiarias' que siguen vigentes pese al desastre medioambiental, September 13, 2024.

protecting forest stands, they also regulate the factors that degrade them, including agro-industrial expansion and biomass demand.⁴⁶

E. Challenges in fire management and traditional practices

43. The Office of the Special Rapporteur has identified regulations that permit and control the use of fire to eliminate natural vegetation, a practice with a high risk of uncontrolled burning. Likewise, in the regions most affected by the fires, the practice of *chaqueo*, also known as slash-and-burn, is widespread. This is a traditional agricultural technique used mainly by indigenous and peasant communities to prepare the land prior to planting.⁴⁷

44. REDESCA has learned that the forest fires of 2023 rekindled the public debate in Bolivia on *chaqueo*, understood as a traditional agricultural practice used by peasant and indigenous communities, which forms part of ancestral knowledge and historical subsistence strategies. In recent years, different social sectors have expressed concern about the way in which the unregulated use of fire, together with a permissive regulatory framework and the lack of oversight, has been used by both small-scale producers and large agroindustrial enterprises, contributing to the expansion of the agricultural frontier and the increase in uncontrolled fires.⁴⁸

45. During the meetings held in the framework of the visit, especially with communities belonging to indigenous peoples, REDESCA gathered testimonies that emphasized the importance of differentiating between the ancestral use of fire as an agricultural technique and unsustainable practices associated with agroindustrial expansion. The communities emphasized that, according to their traditional knowledge, *chaqueo* is carried out in a controlled manner, respecting ecological cycles and with prevention criteria adapted to the natural environment. They denied their responsibility for the spread of large-scale forest fires, attributing these events to outsiders who have settled in the territories without knowing or applying appropriate fire management techniques, as well as to sectors linked to large agricultural and livestock enterprises. According to the information gathered, indigenous practices include careful land preparation, the selection of appropriate climatic conditions and the implementation of community surveillance mechanisms. In contrast, the unregulated expansion of the agricultural frontier has led to large-scale burning without minimum guarantees of environmental safety.⁴⁹

F. Possible intentional fires and land use conflicts

46. During REDESCA's visit, various sources - including local organizations, authorities and direct observations gathered in the field - pointed to the possible existence of intentionally set fires. While official investigations have not been completed in all cases, there is sufficient evidence that in many cases the fires were deliberately set.⁵⁰ The Special Rapporteurship takes note of the report provided by the authorities of the Attorney General's Office, in the framework of the visit that refers to the criminal proceedings for fires in Bolivia in 2024, on data collected up to November 25, 2024. This report informs about the criminal proceedings in the Departments of Beni and Santa Cruz, where 30 and 96 criminal proceedings were initiated respectively, totaling 126 in all.

⁴⁶ Stubenrauch, Jessica; Ekardt, Felix; Hagemann, Katharina; Garske, Beatrice, *Forest Governance: Overcoming Trade-Offs between Land-Use Pressures, Climate and Biodiversity Protection*, Springer, 2022.

⁴⁷ Bolivian Institute of Forestry Research, *Chaqueos and Forest Fires in Bolivia*, 2007; Sustainable Development Solutions Network Bolivia, *Deforestation and Forest Fires in Bolivia*, August 22, 2019.

⁴⁸ El País, *Amid deep drought, fires fuel controversy over chaqueo in Bolivia*, November 3, 2023.

⁴⁹ Terra Foundation, *Deforestation 2016-2021, The irresponsible pragmatism of the Patriotic Agenda 2025*, June 2022

⁵⁰ Bolivian Ministry of Environment and Water, *Gobierno inicia procesos penales por incendios en Santa Cruz y Beni*, 5 July 2024; Mongabay Latam, *Incendios forestales: Bolivia declara desastre nacional mientras otros seis países en Sudamérica sufren con el fuego*, 2 October 2024; EJU.TV, *La ABT activa 82 procesos penales por incendios ilegales en Bolivia*, 16 September 2024; ERBOL, *Hay 113 procesos penales en curso por ocasionar incendios forestales en Santa Cruz y Beni*, 8 October 2024; ERBOL, , 8 October 2024.

47. REDESCA takes note of the existence of a Computerized System for the Mandatory Registration of State Legal Proceedings and thanks the State for the information provided regarding activities undertaken to create coordination spaces and strategies to identify, prosecute, and sanction those responsible for the fires⁵¹, including information on the development of an Interinstitutional Protocol.⁵² Data were also provided on criminal proceedings related to the 2024 fires, particularly the 19 criminal cases in which the Office of the Attorney General is participating as a full legal party. Four criminal proceedings correspond to the Department of Beni, specifically in the municipalities of Trinidad (2), Baures (1), and San Ramón (1). Fifteen proceedings correspond to the Department of Santa Cruz, in the municipalities of Roboré (1), San Ignacio de Velasco (1), San Rafael (3), Guarayos (6), San José de Chiquitos (2), Puerto Suárez (1), and Portachuelo (1). The Office of the Attorney General is encouraged to follow up on the remaining 107 cases.

48. These official data show that dozens of investigations were initiated for environmental crimes - fire, environmental damage, etc. - especially in Santa Cruz and Beni where most of the destruction occurred. However, despite the existence of more than a hundred open cases, only four people had received convictions by the beginning of October, according to the information available.⁵³ Some journalistic investigations highlight the impunity gap in these cases. One report revealed that between July and October 2024, the ABT filed 120 criminal complaints for the fires, but only two cases, corresponding to four individuals, ended in convictions.⁵⁴

49. REDESCA stresses that, in accordance with international standards on human rights and environmental protection, it is the duty of the State to diligently, impartially and transparently investigate all allegations related to the possible intentionality of the fires, guarantee the punishment of those responsible and ensure that events of this nature are not repeated. At the same time, it stresses that prevention measures should be aimed at addressing the structural causes of these events, such as lack of oversight, improper land use and tensions over land ownership.

50. The 2024 fire season was also marked by situations of social conflict over indigenous lands and protected areas. Various reports indicate that groups took advantage of the chaos of the disaster to pressure, invade or dispute collective territories, exacerbating pre-existing tensions over land ownership. According to available information, in Santa Cruz, people were detained for illegal burnings to occupy other people's lands, according to statements by a high-level government authority.⁵⁵ Another report documents that the authorities found these individuals with heavy machinery and large quantities of fuel in the middle of a forested area, which would be evidence of an organized action for illegal clearing.⁵⁶ In the context of the visit, reports were also received about attempts to illegally occupy lands in community areas by groups that had taken advantage of the emergency situation. This would indicate that pressure on collective lands and protected areas increased in the context of the fires.

⁵¹ The State reported in its comments to this report on various activities carried out in the framework of protecting the rights of Mother Earth and the environment, including: the Interinstitutional Meeting for the Defense of the Rights of Mother Earth and the Environment, held in Santa Cruz on February 26 and 27, 2024; the signing of the framework cooperation agreement between the Office of the Attorney General and the Education and Cooperation Foundation (EDUCO) on July 3, 2024; the signing of an agreement with the Agro-Environmental Court on February 20, 2025; the meeting with the mission of forest forensic experts from France on February 11, 2025; participation in the development of the Action Protocol for the Forensic Investigation of Forest Fires, held in Santa Cruz from May 19 to 21, 2025; and the Latin American Conference of State Legal Departments and Attorneys General, held from June 4 to 5, 2025.

⁵² According to the information provided by the State in its comments to this report, the institutions involved include: the Office of the Vice President, the Ministry of Environment and Water, the Ministry of Rural Development and Lands, the Public Prosecutor's Office, the Bolivian Police, the National Service of Protected Areas, the Forest and Land Inspection and Social Control Authority, the National Institute of Agrarian Reform, the Technical and Scientific Investigation Institute of the Police University, and the Institute of Forensic Investigations, among others.

⁵³ ERBOL, [There are 113 criminal proceedings underway for causing forest fires in Santa Cruz and Beni](#), October 8, 2024.

⁵⁴ El Deber, [Los bosques se hacen cenizas en Bolivia y la justicia no castiga a los culpables](#), 2024.

⁵⁵ Mongabay Latam, [Forest fires: Bolivia declares national disaster as six other countries in South America suffer with fire](#) ", October 2, 2024.

⁵⁶ Correo del Sur, [Fire gives no respite in the country: 6.9 million hectares burned](#), October 1, 2024.

CHAPTER III

STATE RESPONSE

III. STATE RESPONSE

A. Emergency and disaster declarations

51. The institutional response to forest fires in Bolivia during 2024 was marked by a staggered sequence of emergency and disaster declarations at the municipal, departmental and national levels. According to the current legal framework, risk management competencies are distributed among the different levels of government, which requires a coordination effort to ensure an adequate response. However, during the working visit⁵⁷, REDESCA was able to verify that this institutional architecture, far from facilitating an articulated action, generated significant delays in the activation of response mechanisms, hindering the immediate attention of the most affected areas.

52. REDESCA has taken note of available information on risk management at the municipal level during the 2024 wildfires. According to official data, several municipalities in the department of Santa Cruz, including Roboré, San Matías, Concepción, San Ignacio de Velasco, San José, Puerto Suárez, Puerto Quijarro and San Rafael, issued municipal disaster declarations between June and July in response to the magnitude of the hot spots and the loss of forest cover. According to the current legal framework, the Annual Operational Plans of the municipalities must allocate part of their annual budget to risk management. In addition, in order to declare a disaster, local authorities must demonstrate that their operational and budgetary capacities have been exceeded, which enables them to request assistance from the departmental or national level. Despite these provisions, REDESCA received information on the existence of persistent structural limitations in the most affected municipalities, including financial restrictions, scarce technical equipment and weak inter-institutional articulation, especially in relation to forest fire prevention and control.

53. Emergency and disaster declarations at the departmental level began to be issued as of July 2024, as forest fires intensified in several regions of the country. In the case of the department of Santa Cruz - the most affected by the crisis-, the Governor's Office declared a Departmental Emergency on July 22, 2024, through Departmental Decree 458,⁵⁸ and later declared a Departmental Disaster on September 7, 2024, through Departmental Decree 464.⁵⁹ For its part, the Governor's Office of Beni issued its Declaration of Departmental Emergency on August 5, 2024, through Departmental Decree 10/2024,⁶⁰ and declared Departmental Disaster on September 6, 2024, through Departmental Decree 13/2024.⁶¹ In the case of the department of Pando, a Departmental Disaster Declaration was issued directly on October 7, 2024, through Departmental Decree 10/2024⁶² without evidence of a previous emergency declaration in that department.

54. Regarding the competencies of the central level of the State, current legislation establishes that the declaration of disaster or emergency at the national level is an exclusive power of the Executive Branch, exercised by the Presidency of the Plurinational State of Bolivia, upon recommendation of the National Council for Risk Reduction and Attention to Disasters and/or Emergencies (CONARADE).⁶³ This declaration proceeds only when an event, real or imminent, exceeds the operational and financial capacity of the affected subnational autonomous governments. In such circumstances, the Ministry of Defense, in coordination with the entities responsible for risk management at the central level and with the corresponding departmental and municipal authorities, must activate the inter-institutional action protocols foreseen to ensure a comprehensive, effective and timely response.

55. REDESCA notes that CONARADE recommended, at least officially, to the President the Declaration of National Emergency Situation on September 6, 2024 by Resolution 007/24. The Declaration of

⁵⁷ Special mention is made of the working visit conducted with the Vice Presidency of the Plurinational State of Bolivia.

⁵⁸ [Departmental Decree 458 /2024.](#)

⁵⁹ [Departmental Decree 464 /2024.](#)

⁶⁰ [Departmental Decree 10 /2024.](#)

⁶¹ [Departmental Decree 13 /2024.](#)

⁶² [Departmental Decree 10/2024.](#)

⁶³ [Law 602 on Risk Management](#) of November 14, 2014; [Supreme Decree 2342](#) , which regulates Law 602; [Law 2,140](#) , which regulates activities in risk reduction and attention to disasters and/or emergencies.

National Emergency Situation was adopted one day later, on September 8, 2024 by Supreme Decree 5219⁶⁴. In addition, the Declaration of National Disaster was made only on September 30, 2024 through Supreme Decree 5235.⁶⁵

56. The situations described in the previous paragraphs show a significant fragmentation in the governance of the response to forest fires in Bolivia. This would have been aggravated by the fact that, according to the current regulatory framework, the activation of response and assistance mechanisms at the central level depends on the prior declaration of an emergency or disaster at the municipal or departmental level, which introduces institutional delays in contexts that require urgent actions.⁶⁶ According to both international human rights law and international environmental law standards, States have the obligation to act immediately to minimize environmental damages derived from events such as forest fires.⁶⁷

57. The Special Rapporteur recognizes the historical, political and social aspects that structure the autonomous regimes in Bolivia, including the tensions between indigenous autonomies and departmental autonomies.⁶⁸ In this framework, REDESCA stresses that the recognition of autonomies should not be interpreted as an obstacle to guarantee an integral, articulated and effective state response to emergency situations such as forest fires. On the contrary, compliance with immediate and effective measures in the face of high-impact environmental events, as well as the effective protection and guarantee of the ESCER of the affected populations requires a shared commitment among all levels of government, respecting the principle of unity of the Plurinational State and, at the same time, promoting intergovernmental dialogue, territorial equity and the inclusion of the voices of indigenous peoples and rural peasant communities in decision-making.

B. Mitigation and control actions

58. In the context of the emergency caused by the forest fires, and despite the aforementioned limitations, the State activated inter-institutional coordination mechanisms between the different levels of government and entities specialized in risk management. Particularly noteworthy are the articulation efforts between the Vice-Ministry of Civil Defense, departmental governments, municipal authorities, and other technical bodies such as the National Meteorology and Hydrology Service, the ABT and the National Institute for Agricultural and Forestry Innovation, especially in damage assessment and monitoring of hot spots.

59. One of the main pillars of the response was the Vice-Ministry of Civil Defense, which led the operational coordination of mitigation actions, including the deployment of ground brigades and air support for fire control. The Armed Forces played a relevant role in control, transport and logistics operations, complemented by the intervention of volunteer and community firefighters, whose work was widely recognized by the communities consulted. Also, according to the information provided to the Special Rapporteur in the framework of the working visit, there was an important contribution of international cooperation, particularly through the provision of specialized aircraft, technical assistance, protection equipment, and training in integrated fire management, highlighting the support provided by countries such as Brazil, Canada, Chile, Spain, France, Peru, and multilateral organizations.⁶⁹

60. Regarding the assistance measures aimed at the population affected by the 2024 forest fires, REDESCA took note of the implementation of preventive evacuation operations in particularly exposed communities, with emphasis on indigenous territories and rural areas in isolation. According to official

⁶⁴ [Supreme Decree 5219](#).

⁶⁵ [Supreme Decree 5235](#). This Supreme Decree was rendered ineffective upon the signing of Supreme Decree No. 5408 on May 28, 2025.

⁶⁶ REDESCA thanks the State for the information provided in its comments to this report regarding the "Bolivia Nuestra Gran Casa Verde" campaign. This initiative aims to strengthen wildfire prevention, afforestation and reforestation of affected areas, as well as to promote partnerships with international cooperation, civil society organizations, universities, and the private sector.

⁶⁷ IACHR, Advisory Opinion OC-23/17 The Environment and Human Rights, November 15, 2017, para. 172.

⁶⁸ IACHR, Social Cohesion: The Challenge for the Consolidation of Democracy in Bolivia, OEA/Ser.L/V/II., Doc.1/24, January 20, 2024, paras. 44 and 45.

⁶⁹ Bolivian Ministry of Foreign Affairs, [Bolivia counts on international support to fight forest fires](#), September 8, 2024; Delegation of the European Union in Bolivia, [Team Europe delivers aid to Bolivia to fight forest fires](#), October 2, 2024.

information and testimonies gathered during the visit, humanitarian assistance mechanisms were activated that included the distribution of food, drinking water, basic hygiene kits, essential medicines, and the setting up of temporary shelters in safe areas. Health personnel were also mobilized to attend to medical emergencies, with special emphasis on the prevention and treatment of acute respiratory infections, which increased significantly among children, older persons, and people with chronic health conditions, due to the severe atmospheric pollution. REDESCA values these actions as part of the state's duty to guarantee the protection of rights in disaster contexts, emphasizing the importance of adopting an intersectional and territorial approach that ensures culturally appropriate responses focused on the rights of the most vulnerable populations.

61. According to available information, by the beginning of October 2024, the forest fires had had a major human impact, affecting more than 11,700 families and 746 communities, mainly in the Chiquitanía and Amazon regions. At least 68 municipalities reported damage and 34 of them declared a disaster situation, while several rural communities -including three located in the department of Santa Cruz- were evacuated as a precautionary measure.⁷⁰

62. During the 2024 forest fire emergency in Bolivia, according to information provided to REDESCA, the Joint Command for Response to Adverse Events (CCREA) deployed a total of 9,478 forest firefighters, integrating personnel from the Army (51 units), the Bolivian Air Force (18 units) and the Bolivian Navy (25 units). Mitigation actions included 845 operations, of which 328 were land-based, 173 aerial, 29 river-based, 11 with drones and 183 with the Bambi Bucket system. In addition, 3,845 water discharge operations were carried out, reaching a total volume of 4,871,620 liters. Rain stimulation actions were also carried out with 1,628 cartridges in 9 operations, and the use of the Guardian system allowed 65 operations with 532,000 liters of discharge. In total, the CCREA was able to mitigate 91 forest fires during the 156 days of continuous operation between June 3 and November 5, 2024.⁷¹ This interagency deployment reflects a significant effort in response to one of the worst environmental crises experienced by Bolivia.

63. In response to the emergency generated by the 2024 forest fires, Bolivia also intensified its international cooperation efforts, managing to articulate the support of various countries and multilateral organizations. According to official information, strategic alliances were established with the European Union, countries of the region and agencies of the United Nations system, particularly with the Pan American Health Organization (PAHO) and the World Health Organization (WHO). Among the main actions carried out with the aforementioned agencies, the declaration of an administrative emergency, which made it possible to finance the purchase of essential medicines, water purification tablets and the reproduction of risk communication materials⁷²

64. On September 7, 2024, the Ministry of Health and Sports issued a Health Alert due to high levels of air pollution caused by forest fires.⁷³ According to the Air Quality Monitoring network, during the first week of September 2024, critical levels of particulate matter were recorded in the municipalities of Trinidad, Santa Cruz, Cobija and La Paz. WHO Guidelines establish a limit of 45 µg/m³ in 24 hours, however, the values recorded on September 8 far exceeded this standard: Trinidad (815%), Santa Cruz (720%) and Cobija (1208%). In La Paz, the peak was reached on September 6 with a value 357% higher than recommended, reflecting a serious deterioration of air quality.⁷⁴

65. The Ministry of Health, through the Risk, Emergency and Disaster Management Unit, activated the National Health Plan for Emergencies and Disasters, Resolution 737/2023⁷⁵, which includes a specific contingency plan for forest fires. Since January 2024, early warning actions were implemented in risk areas, strengthening coordination with municipal health commissions and conducting damage assessments using

⁷⁰ Infobae, Bolivia reported that more than 11,700 families were affected by the forest fires, October 7, 2024.

⁷¹ Data provided by the authorities at a meeting held on December 10 in La Paz.

⁷² PAHO/WHO, Situation Report 2 - Forest Fires, Bolivia, September 2024.

⁷³ Ministry of Health and Sports, National Government issues National Health Alert to protect the health of the population from environmental pollution, September 7, 2024.

⁷⁴ PAHO/WHO, Situation Report 2 - Forest Fires, Bolivia, September 2024.

⁷⁵ Ministry of Health and Sports, Subnational governments have a health plan for emergencies and disasters for immediate attention strategies, October 25, 2023.

tools such as the EDANSalud App. In addition, fifteen rapid response teams were deployed in the department of Santa Cruz and six in other regions of the country.

66. Between April 8 and September 11, 2024, the Ministry of Health reported 7,507 medical attentions related to the effects of the fires, of which more than 7,000 were performed in Santa Cruz, 450 in Beni and 44 in Pando⁷⁶. The main causes of morbidity included conjunctivitis, lumbago, common cold, headache, acute pharyngitis, heat exhaustion, arterial hypertension, allergies, respiratory conditions and acute tonsillitis. Of the total, 5,242 were provided to men, with the population between 15 and 59 years of age being the most affected. These data reflect not only the physical impact of the crisis, but also the need for a continuous and coordinated response.

67. REDESCA appreciates the determined and committed effort of national, departmental and municipal authorities in mitigation, evacuation and humanitarian assistance during the emergency. The coordination between the Vice Ministry of Civil Defense, the Armed Forces, the fire departments -including volunteer brigadiers and community firefighters-, as well as the support of international cooperation, made it possible to deploy a response that was key to protect the lives of people in the most affected areas. Although some fatalities were reported, it can be affirmed that the actions of the State prevented the crisis from turning into a humanitarian tragedy on a larger scale.⁷⁷ Nevertheless, the Special Rapporteur observes that many of these responses were predominantly reactive, fragmented, and focused on fire suppression. That said, there is also evidence — albeit incipient — of structural preventive initiatives, which will be discussed further below. These reactive approaches, based primarily on emergency interventions, tend to overlook the structural causes driving the recurrence of wildfires, such as land-use change and unsustainable agrarian dynamics. In this regard, the Special Rapporteur has taken note of scientific studies that have documented how policies focused solely on emergency response are often ineffective and may even increase medium-term risks.⁷⁸

C. The environmental pause

68. On September 11, 2024, the Government of the Plurinational State of Bolivia issued Supreme Decree 5223, declaring an indefinite *environmental pause* as an emergency measure in response to the severity of the forest fires affecting various regions of the country.⁷⁹ The regulation established the temporary prohibition of burning, land clearing and changes in land use in public and protected areas affected by fires, suspending all authorizations issued by the ABT and prohibiting new ones. It also established that such lands may not be subject to authorizations, settlements, agricultural activities or titling for at least five years, in order to allow their ecological recovery and prevent incentives for destructive practices. At the same time, a Bill was submitted to criminalize the setting of fires, proposing sentences involving deprivation of liberty from 6 to 12 years.⁸⁰ Subsequently, in November 2024, President Luis Arce referred at the G20 Leaders Summit to the implementation of a 10-year environmental pause in the areas affected by fires, as part of a comprehensive reforestation and ecological restoration program.⁸¹

69. During the meetings held with local actors in the departments of Santa Cruz and Beni, REDESCA noted an ambivalent perception of the *environmental pause*. While some sectors of civil society and environmental organizations welcomed the intention to protect the affected ecosystems and prevent their misappropriation, several representatives of peasant and indigenous communities expressed concern about the effects of the measure on their daily lives. In particular, they pointed out the absence of prior consultation

⁷⁶ PAHO/WHO, *Situation Report 2 - Forest Fires, Bolivia*, September 2024.

⁷⁷ El País, *During 2024 fires caused three deaths in Tarija*, September 23, 2024.

⁷⁸ Kirschner, J. A., J. Clark, and G. Boustras, *Governing wildfires: toward a systematic analytical framework*, Ecology and Society 28(2):6, 2023; Bacciu, V., Sirca, C., & Spano, D. 2022, *Towards a systemic approach to fire risk management*, Environmental Science & Policy, 129, 37-44. Smith, C., J. Ainscough, R. S. Alare, A. R. Croker, K. M. De Freitas, J. D. A. Millington, J. Mistry, O. Perkins, K. Schreckenber, F. Seijo, H. J. Thompson, M. Valette, and K. Yadav, *How policy interventions influence burning to meet cultural and small-scale livelihood objectives*, 2024; Ecology and Society 29(1):35. Stubenrauch, Jessica; Ekardt, Felix; Hagemann, Katharina; Garske, Beatrice, *Forest Governance: Overcoming Trade-Offs between Land-Use Pressures, Climate and Biodiversity Protection*, Springer, 2022.

⁷⁹ Bolivia, Supreme Decree 5225, September 11, 2024.

⁸⁰ El País, *During 2024 fires caused three deaths in Tarija*, September 23, 2024.

⁸¹ El País, *During 2024 fires caused three deaths in Tarija*, September 23, 2024.

processes and the lack of compensatory measures or productive alternatives, especially in those areas where the use of fire is part of traditional agricultural practices.⁸² During the working visit, questions remained about the measures implemented to mitigate possible repercussions of this *environmental pause* on food security, especially for communities and indigenous peoples who depend on their traditional crops and modes of production for their livelihoods

70. Likewise, in the context of the Special Rapporteurship's field visit, active burning hotspots were observed in areas where the regulations should already be being applied. This situation shows a significant gap between the regulatory framework and its effective implementation in the territory. Institutional limitations were also identified in the monitoring and oversight of areas under *environmental pause*, which calls into question its deterrent capacity in the face of economic interests linked to land use change.

71. The Office of the Special Rapporteur considers that the *environmental pause* constitutes a necessary emergency measure in the context of the State's response to the devastation caused by the fires and may represent a valuable tool for the recovery of ecosystems and the prevention of new events in the short term. However, for this measure to have an effective impact on the protection of human rights and biodiversity, it is essential to complement it with strong monitoring mechanisms, community participation, technical and financial support, and a comprehensive ecological restoration strategy.⁸³ It is important to consider studies that have questioned the effectiveness of total fire suppression strategies, especially in regions such as the Chiquitanía, where the use of fire is part of traditional subsistence practices. Far from being effective, such measures can be counterproductive if they do not take into account the social and ecological dynamics of the territory.⁸⁴ On the contrary, participatory fire management experiences, based on the local knowledge of indigenous and rural communities, have demonstrated greater effectiveness in both fire risk reduction and livelihood protection, offering more sustainable paths adapted to the Bolivian socio-environmental context.⁸⁵ All of which would discourage measures such as the *environmental pause* as a long-term strategy.

D. Monitoring and early warning information mechanisms

72. During the working visit, REDESCA identified that Bolivia has institutional and regulatory instruments for risk management and the generation of early warnings in the context of environmental disasters, such as the Risk Management Law 602 of November 2014,⁸⁶ the provisions on risk management and attention to natural disasters of the Framework Law on Autonomies and Decentralization 031, and Supreme Decree 2342 that regulates Law 602.⁸⁷ There are also regulations and early warning systems at the departmental level. For example, the Autonomous Departmental Government of Santa Cruz has an early warning system for forest fires known as SATIF.⁸⁸ Notwithstanding the existence of initiatives such as those mentioned above, the working visit received allegations of weaknesses in the integration of these systems at

⁸² REDESCA received information from the State in its comments to the report regarding activities organized with the participation of civil society, including the Inter-Institutional Colloquium-Debate "How to Stop Wildfires and Deforestation in Bolivia?" held on July 10, 2024; a reforestation activity together with the Forest and Land Authority (ABT) in the community of Villa Apaña in the Municipality of Palca, carried out on February 21, 2025; and a tree-planting activity in the community of Belén, Camacho Province, La Paz Department, held on May 31, 2025, among others.

⁸³ The Special Rapporteurship takes note of the National Plan for Afforestation, Reforestation, and Integrated Forest Management, as well as the National Plan for the Restocking of Flora and Fauna, which includes three types of interventions: Passive Natural Regeneration, Assisted Natural Regeneration, and Assisted Restoration, in accordance with the information provided by the State in its comments to this report.

⁸⁴ Widespread fire suppression policies, applied without distinction between traditional uses and illicit activities, can have counterproductive effects: they encourage riskier clandestine burning, interrupt the intergenerational transmission of ancestral knowledge about fire management, and increase the accumulation of biomass, thus increasing the risk of catastrophic fires; see for example the analysis by: Smith, C., J. Ainscough, R. S. Alare, A. R. Croker, K. M. De Freitas, J. D. A. Millington, J. Mistry, O. Perkins, K. Schreckenberger, F. Seijo, H. J. Thompson, M. Valette, and K. Yadav, How policy interventions influence burning to meet cultural and small-scale livelihood objectives, Ecology and Society 29(1):35, 2024

⁸⁵ Devisscher, T., E. Boyd, and Y. Malhi, Anticipating future risk in social-ecological systems using fuzzy cognitive mapping: the case of wildfire in the Chiquitania, Bolivia, Ecology and Society 21(4):18, 2016.

⁸⁶ Risk Management Law 602 of November 2014.

⁸⁷ Supreme Decree 2342, which regulates Law 602.

⁸⁸ TELESUR, Convocan a reunión de emergencia para agosto próximo agosto por incendios en Santa Cruz, July 25, 2024

the subnational level, interoperability between platforms, real time updating of data and capacity for timely response.

73. REDESCA highlights that in May 2024, the prevention plan called *Lucho contra los Incendios* was presented, with the objective of consolidating and institutionalizing coordination mechanisms to execute efficient and timely actions in the prevention of illegal burning and forest fires⁸⁹ This plan was designed under an integral and participatory approach, seeking to involve various governmental and social actors. However, the information gathered on its implementation showed some weaknesses, such as insufficient preventive measures, lack of adequate resources, difficulty in finding consensus, lack of information to act in a timely manner and limited coordination spaces. REDESCA has been informed of the concerns expressed by civil society organizations regarding the lack of a comprehensive national fire management plan. According to these organizations, the current prevention plan appears to be a short-term contingency plan, with a mainly reactive approach.⁹⁰

74. Likewise, REDESCA took note of the existence of multiple contingency plans at different levels, such as the Departmental Policy for Integrated Fire Management and the Implementation Strategy of the Departmental Policy for Integrated Fire Management of the Autonomous Government of Santa Cruz or the Integrated Management Plan of San Matías or Otuquis.⁹¹ While it is considered valuable for departments and communities to have a fire management plan, as this can allow for more agile and effective responses at the local level, a national integrated fire management plan could help with better coordination, planning and information exchange between levels of government. Contingency plans are part of the adaptation actions that States must take to address the urgent situation or immediate needs of populations in the context of climate emergency. In its Advisory Opinion 23/17, the Inter-American Court of Human Rights (IACtHR) stated that contingency plans are useful for responding to environmental emergencies or disasters, which should include safety measures and procedures to minimize the consequences of such disasters.⁹²

75. REDESCA takes note that the State of Bolivia has a Forest Information and Monitoring System (SIMB)⁹³. This system allows for the generation of daily, monthly, or annual reports, as well as the monitoring and implementation of preventive actions in coordination with various institutions. SIMB is composed of three modules, including the Forest Risk Monitoring module, which in turn consists of two subsystems: the Hotspot Subsystem and the Burn Scars and Forest Fires Subsystem. The former is connected to FIRMS (Aqua, Terra, NPP, and SENTINEL sensors), updating every 2 to 3 hours, and automatically generating intersections of hotspots with protected areas, forest reserves, and different types of forests, providing statistical and geographic data at the national, departmental, provincial, and municipal levels. The latter uses satellite imagery to generate daily data on areas affected by fire.⁹⁴ Additionally, according to available information, Bolivia has air quality monitoring networks (Red MoniCA), managed by municipal governments and based on accessible technology.⁹⁵ These monitoring instruments are relevant for the planning, prevention, and management of environmental risks, in line with a recently approved 2025 Action Plan for the Prevention of Forest Fires⁹⁶

⁸⁹ See: Ministry of Environment and Water of Bolivia, Gobierno implementa el Plan de Prevención "Lucho Contra los Incendios".

⁹⁰ Ibarregaray, V., C. Pinto & N. Calderón, Community-based fire management in Bolivia: integrating people, knowledge and good practices, in: Tropical Forest Issues, No. 61, 2022.

⁹¹ Departmental Autonomous Government of Santa Cruz, Departmental Decree No. 451: Approves the Departmental Policy on Integrated Fire Management, April 18, 2024; Fundación para la Conservación del Bosque Seco Chiquitano (FCBC), Complementación al Plan de Manejo del Área Natural de Manejo Integrado San Matías 2008-2017; Fundación para la Conservación del Bosque Chiquitano (FCBC), Plan de Manejo del Parque Nacional y Área Natural de Manejo Integrado Otuquis 2013-2022.

⁹² IACHR., Advisory Opinion OC 23-17 The Environment and Human Rights, November 15, 2017, para. 171.

⁹³ Ministry of Environment and Water of Bolivia, Sistema de Información y Monitoreo de Bosques (SIMB).

⁹⁴ European Commission, Joint Research Center (JRC), Information Systems and Forest Fire Management in Latin America and the Caribbean, EUR 31610 EN, Luxembourg: Publications Office of the European Union, 2023.

⁹⁵ According to information from the Bolivian State, a national workshop was held in Cochabamba in June 2025 to assess and strengthen the Air Quality Monitoring Network (Red MoniCA), as well as to improve public access to reliable and timely environmental information.

⁹⁶ Bolivia, Comments on the Report of the Working Visit to Bolivia by the Special Rapporteurship on Economic, Social, Cultural and Environmental Rights (REDESCA), document dated June 23, 2025.

76. During visits to the affected regions, the Office of the Special Rapporteur noted the existence of traditional knowledge related to fire management, as well as community experiences in prevention and vigilance, especially among indigenous peoples who have historically cared for the forests and biodiversity. It is desirable that this knowledge be fully integrated into warning systems, State prevention strategies and contingency plans.

77. The Office of the Special Rapporteur considers these initiatives to be positive, but their sustainability, the training of local personnel, and effective coordination between levels of government must be ensured, especially to guarantee that the information generated translates into timely and coordinated preventive decisions. As well as active mechanisms for the dissemination of data, especially early warnings with recommendations for concrete measures to be adopted by the populations affected by the monitored events. The IACtHR has pointed out that the obligation of active transparency is especially relevant in cases of environmental emergencies in which the immediate and prompt dissemination of relevant information necessary to comply with the duty of prevention must be guaranteed.⁹⁷

E. Medium and long-term policies

78. The Special Rapporteur appreciates that, in response to the forest fires of 2024, the Plurinational State of Bolivia has begun to outline strategies with medium and long-term projection, aimed at ecological restoration, prevention of future disasters, building community resilience and adaptation to climate change. The adoption of the Indefinite *Environmental Pause* and the activation of regional platforms such as integrated fire management in the Amazon are important signs of political will.⁹⁸

79. Regarding *the Management of Recovery Policies and Strategies*, the State reported on Restoration Plans in protected areas, forest reserves and affected public lands. REDESCA welcomes the goals set, particularly natural restoration, reforestation with native species and seed dispersal in degraded areas in 3.6 million hectares. The Special Rapporteur received information on actions towards these goals, including the initiation of reforestation plans in some affected communities and the strengthening of local capacities through regional platforms that disseminate bulletins on active fires.

80. The REDESCA also highlights the launch of the *National Plan for the Replenishment of Flora and Fauna*, announced in November 2024, as part of the recovery strategies following forest fires. According to Supreme Decree No. 5225, this plan outlines a five-year roadmap for the restoration of at least six million hectares in protected areas, forest reserves, and affected public lands.⁹⁹ Additionally, based on information provided by the Bolivian State, other restoration-oriented measures have been promoted, including the development of the *National Plan for Afforestation, Reforestation, and Integrated Forest Management*. These initiatives include strategies such as natural regeneration (both passive and assisted), assisted restoration, and the implementation of agroforestry and silvopastoral systems, aiming to rehabilitate degraded soils, diversify sustainable rural production, and reduce vulnerability to environmental disasters. Finally, the Special Rapporteurship values the recent adoption of the *2025 Action Plan for the Prevention of Forest Fires*, approved by Ministerial Resolution No. 144/2025 dated May 26, 2025, which has been identified by the State as a key instrument for advancing fire prevention and strengthening integrated fire management in Bolivia.¹⁰⁰

81. Consistent with this commitment, Bolivia in November 2024 has advanced in the formulation of programmatic instruments such as the *Plurinational Strategy for Forests and Climate Change*, which would define priority lines of action aimed at halting deforestation and forest degradation, promoting integrated and sustainable forest development. This strategy would include concrete measures for ecological restoration,

⁹⁷ IACtHR., Advisory Opinion OC 23-17 The Environment and Human Rights, November 15, 2017, Series A No. 23, para. 222.

⁹⁸ The Amazon Network for Integrated Fire Management is supported by the Amazon Cooperation Treaty Organization (ACTO) and other international partners, and seeks to promote policies and mechanisms for environmental and forest governance with the active participation of local communities and indigenous peoples of the Amazon basin; See: Servicio Nacional Forestal y de Fauna Silvestre, MIDAGRI presides over the first regional meeting of the Amazon Network for Integrated Fire Management in Lima, June 5, 2024.

⁹⁹ Now El Pueblo, President launches national wildlife repopulation plan, November 9, 2024.

¹⁰⁰ Bolivia, *Comments on the Report of the Working Visit to Bolivia by the Special Rapporteurship on Economic, Social, Cultural and Environmental Rights (REDESCA)*, document dated June 23, 2025.

including afforestation and reforestation with native species, assisted natural regeneration, and the implementation of sustainable production systems. It would also provide for the strengthening of forest monitoring, the consolidation of inclusive territorial governance with the active participation of indigenous peoples and rural peasant communities.¹⁰¹

82. The Office of the Special Rapporteur has also taken note of the approval of Supreme Decree 5203 of 21 August 2024, which modifies the General Regulations of the Forestry Law and ABT Administrative Resolution 139-2024.¹⁰² REDESCA welcomes the approval of increases in the progressive and cumulative fines. According to the regulation, these fines vary according to the type of burning - authorized or illegal - and the classification of the type of land: protection land, permanent forest production land, land with forest cover suitable for various uses, rehabilitation land or immobilization land.¹⁰³ The Special Rapporteur hopes that this regulatory modification will contribute to put an end to a situation repeatedly pointed out during the visit, in which the structural difficulties for monitoring, surveillance and sanctioning -derived both from the vastness of the territory to be controlled and its complex access conditions- were aggravated by the application of fines with extremely low amounts as the only sanctioning response. However, it underscores the need to avoid exclusively punitive approaches and to move towards comprehensive policies that include prevention, environmental education, institutional strengthening and community participation.

83. In this context, the Office of the Special Rapporteur emphasizes that, in accordance with Inter-American standards on business and human rights, the State has the obligation to establish adequate regulatory frameworks and oversight mechanisms to ensure that business activities, especially those related to land use, agro-industrial production or the exploitation of natural resources, do not contribute directly or indirectly to the generation of forest fires or the degradation of ecosystems. Corporate due diligence requires companies to identify, prevent, mitigate, and account for actual or potential negative impacts on human rights, the environment, and climate change.¹⁰⁴ This due diligence must be reinforced in contexts of high environmental vulnerability, such as the regions affected by the fires in Bolivia, and also implies duties of transparency, consultation with communities and adaptation of their operations to the principles of precaution, sustainability and environmental justice.

84. REDESCA welcomes the Popular Action filed by the Ombudsman under Article 34 of the Constitution, which allows for legal action in defense of the right to the environment, without prejudice to the obligation of public institutions to act ex officio in the face of environmental violations. On September 11, 2024, the Ombudsman from the Peace Justice filed a Popular Action before the Departmental Court of Justice of La Paz against three ministers of State, three departmental governors and twelve municipal mayors, for failing to address forest fires in a timely manner. REDESCA also takes note of the decision of the Second Constitutional Chamber of the Departmental Court of La Paz, which decided to grant part of the requests made by the Ombudsman. REDESCA considers that this judicial decision is an important step towards the protection of the right to a healthy environment and the rights of the most affected communities, particularly indigenous peoples and protected areas.

85. Despite the aforementioned progress, Bolivia faces significant challenges to consolidate effective public policies on environmental and climate issues. Among the most urgent are the need for regulatory reforms to strengthen land use control, fire regulation, and the protection of forest areas and indigenous territories, as well as overcoming legal gaps and contradictions between environmental and productive norms. It is also necessary to overcome the existence of challenges in intergovernmental coordination between national, departmental and municipal levels, which, according to information received during the working visit, continues to be a significant obstacle to an effective and preventive response to climate disasters. These coordination difficulties are reflected, according to the information gathered in the

¹⁰¹ Ministry of Environment and Water (MMAyA) and Plurinational Authority of Mother Earth (APMT), Estrategia Plurinacional de Bosques y Cambio Climático: Gestión y Desarrollo Integral y Sustentable de los Bosques, Reducción de la Deforestación y Degradación, final draft version, November 6, 2024.

¹⁰² Supreme Decree 5203, August 21, 2024.

¹⁰³ Supreme Decree 5203, mentioned above.

¹⁰⁴ REDESCA/IACHR, Business and Human Rights: Inter-American Standards, November 1, 2019.

context of the working visit, in the fragmentation of emergency and disaster declarations, and in the delay in coordinated actions. In addition, there is a limited budget allocation for risk management and environmental restoration, especially in the most vulnerable municipalities.

86. REDESCA notes that the consolidation of medium and long-term public policies on ecological restoration, fire prevention and climate resilience will require, in addition to political will and adequate regulatory frameworks, sustainable financial resources. In this sense, access to international climate finance mechanisms -such as the Green Climate Fund or the Loss and Damage Fund- can represent a strategic tool to strengthen state and community capacities. This should be done under criteria of transparency, effective participation and prioritization of the most vulnerable territories.

CHAPTER IV

**IMPACTS OF FIRES ON ECONOMIC, SOCIAL,
CULTURAL AND ENVIRONMENTAL RIGHTS**

IV. IMPACTS OF FIRES ON ECONOMIC, SOCIAL, CULTURAL AND ENVIRONMENTAL RIGHTS

A. General framework

87. The forest fires of 2024 were one of the most serious environmental disasters in Bolivia's recent history, with widespread impacts on ESCER. The magnitude of tragedy caused the devastation of vast extensions of ecosystems and forests, forcing the displacement of rural peasant and indigenous communities.¹⁰⁵ These fires seriously compromised the livelihoods of the affected populations, as well as the effective access to human rights such as housing, health, education, food, drinking water and decent work.¹⁰⁶

88. The forest fires also generated significant atmospheric pollution with very serious consequences in the most affected regions, as well as repercussions both nationally and in neighboring countries. The burning of millions of hectares of forests and natural vegetation released large quantities of fine particles and other pollutants, deteriorating air quality in several Bolivian cities. Cities such as Santa Cruz de la Sierra, Cochabamba and La Paz, where air quality indices ranged from "very bad" to "extremely bad", representing a significant risk to human health.¹⁰⁷

89. Bolivia has ratified most of the major international human rights instruments that recognize ESCER, including the Protocol of San Salvador and the Escazú Agreement, the latter in June 2019. The country has also signed other important international instruments on environmental matters, reinforcing its commitment to the protection of human rights and environmental sustainability.¹⁰⁸ Likewise, as already analyzed, Bolivia has a constitutional and legal normative framework that recognizes the right to a healthy environment and that is appropriate for structuring an institutional design for the implementation of public policies for the protection of the environment and the confrontation of the climate emergency.

90. The link between large-scale environmental catastrophes and the guarantee of human rights has been repeatedly recognized by REDESCA. The intensification of extreme events such as forest fires, exacerbated by climate change, underscores the urgent need to integrate public policies for risk management and response to climate emergencies with a human rights approach. This integration must ensure that State actions are effective, equitable and sustainable, and that differentiated measures are adopted to protect the most vulnerable people and communities.

91. REDESCA and the IACHR, in its Resolution 3/2021 emphasized that environmental disasters compromise the full enjoyment of human rights, such as housing, food, health and access to drinking water, in addition to deepening structural inequalities and disproportionately impacting the most vulnerable groups.¹⁰⁹ This chapter examines the impacts of the fires on ESCER, identifying the challenges in guaranteeing these rights

¹⁰⁵ REDESCA/IACHR, REDESCA presents preliminary observations of the working visit to Bolivia, December 18, 2024.

¹⁰⁶ REDESCA/IACHR, REDESCA presents preliminary observations of the working visit to Bolivia, 18 December 2024.

¹⁰⁷ López Aguayo, María Elena; Melgar García, Varinia Melvy; Guzmán García, Patricia; Fernández Bazoberry, Nayra Yara, Evaluación del impacto de los incendios y la contaminación atmosférica en la salud en Cochabamba y Santa Cruz, Orbis Tertius UPAL, v. 8, n. 16, p. 123-138, 2024.

¹⁰⁸ For example: San Salvador Protocol, Escazu Agreement, Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal, Cartagena Protocol on Biosafety to the Convention on Biological Diversity, Convention on Biological Diversity, Convention on International Trade in Endangered Species of Wild Fauna and Flora, Convention on Migratory Species, Kyoto Protocol on Climate Change, Montreal Protocol on Substances that Deplete the Ozone Layer, RAMSAR Convention on Wetlands of International Importance especially as Bird Habitat, Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in Trade, Stockholm Convention on Persistent Organic Pollutants (POPs), United Nations Convention to Combat Desertification, United Nations Convention on the Law of the Sea, United Nations Framework Convention on Climate Change, International Covenant on Economic, Social and Cultural Rights, Convention on the Protection and Promotion of the Diversity of Cultural Expressions, Convention for the Safeguarding of the Intangible Cultural Heritage, Convention on the Protection of the World Cultural and Natural Heritage, International Convention on the Elimination of All Forms of Racial Discrimination, Convention on the Elimination of All Forms of Discrimination against Women -CEDAW, Convention on the Rights of the Child, International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, Convention on the Rights of Persons with Disabilities, Convention N°169 on Indigenous and Tribal Peoples.

¹⁰⁹ REDESCA/IACHR, Resolution 3/2021: Climate emergency: scope of inter-American human rights obligations, 2021.

and proposing recommendations for a sustainable and equitable recovery in line with human rights and the international commitments assumed by the country.

B. Right to a healthy environment

92. The right to a healthy environment is included among the rights protected by Article 26 of the American Convention, given the obligation of States to achieve the "integral development" of their peoples, which derives from Articles 30, 31, 33 and 34 of the OAS Charter.¹¹⁰ Furthermore, according to the Protocol of San Salvador, "[e]very person has the right to live in a healthy environment and to basic public services. The States Parties shall promote the protection, preservation and improvement of the environment".¹¹¹

93. The United Nations General Assembly has recognized the right to a clean, healthy and sustainable environment as a human right, highlighting its connection with other rights and with existing international law.¹¹² For its part, the Human Rights Council has indicated that States should implement policies to ensure the enjoyment of the right to a clean, healthy and sustainable environment, especially with regard to biodiversity and ecosystems.¹¹³

94. Furthermore, according to the jurisprudence of the IACtHR, the right to a healthy environment comprises a set of procedural and substantive elements. Among the procedural elements is access to justice. The substantive elements include air, water, food, ecosystem and climate. In these terms, the right to a healthy environment "protects the components of the [...] environment, such as forests, rivers, seas and others, as legal interests in themselves, even in the absence of certainty or evidence of risk to individuals"¹¹⁴. This corresponds to the State's obligation to protect nature both for its usefulness and impacts on human beings, as well as for its importance for other living organisms with which the planet is shared.¹¹⁵

95. The right to a healthy environment imposes a series of specific obligations on States, especially in the context of the climate emergency. These obligations include the adoption of regulatory and policy measures to prevent environmental degradation, pollution, biodiversity loss and the implementation of climate change mitigation and adaptation strategies. Similarly, States must require and approve social and environmental impact studies, and guarantee access to information, public participation and environmental justice for affected communities.¹¹⁶ In this context, given the principles of progressivity, non-regressivity, precaution and prevention, the State must advance in the creation and implementation of effective public policies that prevent and mitigate the damages caused by climate change, while guaranteeing the maintenance or expansion of the levels of environmental protection already established. It should be noted that, in compliance with their obligations to respect and guarantee, the States must ensure that both public and private entities respect, mitigate and account for the damage they may cause to the environment and climate.¹¹⁷

96. As previously noted in this report, the Political Constitution of Bolivia establishes that people have the right to a healthy, protected and balanced environment. This right seeks to guarantee that both present and future generations, as well as other living beings, can develop. Similarly, other constitutional principles contribute to strengthen environmental justice with a focus on the defense of Mother Earth.¹¹⁸

¹¹⁰ IACtHR., Advisory Opinion OC-23/17 The Environment and Human Rights, November 15, 2017, para. 57; IACtHR., *Asociación Lhaka Honhat (Nuestra Tierra) VS. Argentina*, Merits, Reparations and Costs, Judgment of February 6, 2020, para. 202.

¹¹¹ Additional Protocol to the American Convention on Human Rights in the Area of Economic, Social and Cultural Rights: "Protocol of San Salvador," November 17, 1988, OEA/Ser.A/44.

¹¹² United Nations General Assembly, The right to a clean, healthy and sustainable environment, Resolution 76/300, July 28, 2022.

¹¹³ United Nations, Human Rights Council, The right to a clean, healthy and sustainable environment, Resolution of 28 October 2021.

¹¹⁴ IACtHR., Advisory Opinion OC-23/17 The Environment and Human Rights, November 15, 2017, paras. 59, 62, 64 and 212.

¹¹⁵ IACtHR., *Case of the Inhabitants of La Oroya v. Peru*, Merits, Reparations and Costs, Judgment of 27 November 2023, Series C no. 140, para. 118; IACtHR., Advisory Opinion OC-23/17 The Environment and Human Rights, November 15, 2017, para. 57.

¹¹⁶ IACtHR., Observations of the Inter-American Commission on Human Rights and the Special Rapporteur on Economic, Social, Cultural and Environmental Rights on the Request for an Advisory Opinion on Climate Emergency and Human Rights submitted by the Republics of Chile and Colombia, December 18, 2023.

¹¹⁷ IACHR, Business and Human Rights: Inter-American Standards, Office of the Special Rapporteur on Economic, Social, Cultural and Environmental Rights, November 1, 2019, para. 247.

¹¹⁸ Ombudsman's Office and UNDP, Enfoques y cosmovisiones de la justicia ambiental en Bolivia, June 2024.

Additionally, the constitutional text guarantees the respect, compatibility and complementarity of human rights, the rights of Mother Earth and the rights of indigenous peoples and native peasant nations. Article 132, paragraph 10, establishes that the defense of the rights of Mother Earth, the strengthening of the culture of water, biodiversity, air, soil, forest, natural resources, the protection of ecosystems, the development of policies that promote sustainability and respect for nature as a whole, are competencies and attributions of the Central Government.

97. The Office of the Special Rapporteur highlights the existence of the so-called laws *for Living Well*. Among the most relevant laws are: Law 1333 on the Environment (1992); Law 071 on the Rights of Mother Earth (2010); Law 300, Framework Law on Mother Earth and Integral Development for Living Well (2012), which promotes integral development in balance with Mother Earth, guaranteeing the regeneration of its life systems and recovering local knowledge and ancestral knowledge; and Law 031, on autonomies and decentralization (2010), which grants the central level of the State exclusive competencies in environmental management, including the elaboration, regulation and execution of environmental management policies.

98. In the context of the 2024 forest fires, the environmental impacts were exceptionally serious, causing accelerated degradation of ecosystems, severe effects on water resources, high levels of pollution and a significant loss of biodiversity. The Office of the Special Rapporteur considers that the unprecedented magnitude of this disaster is evidence of massive environmental deterioration, the consequences of which have seriously compromised the right of all people to live in a healthy environment.

99. REDESCA considers it necessary to point out that, according to the observations gathered during the working visit, the environmental impacts of the fires that occurred in Bolivia in 2024 were aggravated by an institutional design that limits the State's capacity to provide a comprehensive and coordinated response to this type of phenomena. In particular, delays were identified in the adoption of emergency measures, attributable to regulatory barriers, fragmentation of competencies and difficulties in intergovernmental coordination.

100. The Office of the Special Rapporteur notes with concern that the environmental and social impacts of forest fires are also intensified by the current regulatory framework, which includes provisions that facilitate changes in land use, regulate the titling of previously deforested lands, and authorize the use of fire in agricultural activities. As documented in other sections of this report, these norms have been identified as structural factors that favor the expansion of the agricultural frontier to the detriment of strategic ecosystems and indigenous territories. During the visit, REDESCA expressed its concern about the continuity of this type of legislation and became aware of legislative initiatives aimed at promoting regulatory reforms. However, at the time of concluding this report, many of the structural weaknesses identified continue to exist, compromising efforts to ensure effective protection of the environment and human rights.

101. Likewise, although gold mining -especially in its illegal form, but also other forms that would fall within the scope of legality- is not directly and immediately linked to the forest fires that occurred in 2024, it is a structural source of environmental pressure that has a significant impact on deforestation, habitat fragmentation and ecosystem degradation. These transformations in land use contribute, indirectly but in a substantive way, to the increased risk of forest fires. During the visit, the Office of the Special Rapporteur received information on the serious impacts of this type of mining, particularly in the Bolivian Amazon, including the contamination of bodies of water by the intensive use of mercury, which affects the right to water, health and a healthy environment of indigenous and rural communities. This situation has generated cumulative adverse effects on the health, livelihoods and rights of indigenous peoples, posing a serious threat to their cultural and environmental integrity.¹¹⁹ REDESCA stresses that the expansion of this type of extractive

¹¹⁹ Oxfam, *A Fuego y Mercurio Crisis ecológica y desigualdades en Bolivia*, October 2024; United Nations, Summary of stakeholder submissions on the Plurinational State of Bolivia, A/HRC/WG.6/48/BOL/3, paragraph 72, 29 October 2024; United Nations Human Rights Council, Plurinational State of Bolivia, *Compilation of information prepared by the Office of the United Nations High Commissioner for Human Rights*, document A/HRC/WG.6/48/BOL/2, 18 November 2024.

activity represents an urgent challenge for the guarantee of ESCER and the protection of the country's strategic ecosystems.¹²⁰

102. In this regard, during the thematic hearing held before the IACHR in March 2025, various Bolivian civil society organizations denounced the lack of effective guarantees for the defense of the right to a healthy environment in contexts of high socio-environmental conflict. At the hearing, it was stated that the expansion of extractive projects in ecologically sensitive territories, without adequate processes of prior, free and informed consultation or timely access to environmental information, compromises the integrity of strategic ecosystems, water availability and biodiversity. Warnings were also issued regarding the risks and reprisals faced by environmental defenders in the exercise of their rights.¹²¹

103. The Office of the Special Rapporteur considers it essential to emphasize that effective climate planning must coherently articulate strategies for prevention, mitigation, adaptation and remediation, in order to respond in a comprehensive and sustainable manner to the challenges arising from climate change. All in accordance with the standards of Advisory Opinion OC-23/17 of the IACtHR, as well as Resolution 3/2021 of the IACHR and REDESCA.

104. In the aforementioned Advisory Opinion, the Court recognizes that States have the obligation to prevent significant environmental damage, which includes: regulating and requiring environmental and social impact studies¹²² before authorizing activities that may affect the environment; supervising and inspecting such activities during their execution; and establishing contingency plans with adequate safety measures and procedures to minimize the risk of environmental disasters and mitigate the damage that may occur. In addition, in cases of activities that may affect the territory of indigenous communities, environmental and social impact studies must respect the traditions and culture of the indigenous peoples.¹²³ The effective incorporation of these duties in public planning is essential to guarantee the protection of the right to a healthy environment and other interdependent rights, such as life, health, water, food and housing.

C. Biodiversity and ecosystem effects

105. The Office of the Special Rapporteur notes that Bolivia has ratified the Convention 169 of the International Labor Organization. It is also a party to key international instruments for the protection of biodiversity, such as the Convention on Biological Diversity (1992), the Convention on Wetlands of International Importance, especially as Waterfowl Habitat, known Ramsar Convention (1971), and the Minamata Convention on Mercury, which contains obligations regarding the reduction of the use, release and trade of mercury. In the Bolivian context, as mentioned above, the Minamata Convention is particularly relevant due to the boom in gold mining, an activity that uses mercury intensively

106. Forest fires in Bolivia have had a significant impact on the country's biodiversity, affecting dozens of endemic and endangered species. According to available information, in terms of fauna, about 28 endemic species of Bolivia were affected, along with at least 34 endangered species that suffered the effects of the fires that occurred last year.¹²⁴ Species affected include the blue-bearded parrot, Bolivian lorita, Anderson's oldfield mouse, tapir, flag bear, giant armadillo and spectral bat, among others.¹²⁵ REDESCA underscores the enormous environmental impact registered as a result of the fires, as well as the loss of biodiversity, which implies a violation of the right to a healthy environment.

¹²⁰ REDESCA/IACHR, REDESCA warns about the impact of illegal gold mining and urges to guarantee a healthy environment, March 18, 2025.

¹²¹ IACHR, Situation of the Human Rights of Environmental Defenders in Bolivia, Thematic Hearing of the 192nd Period of Sessions, March 7, 2025.

¹²² REDESCA has taken note that the Bolivian State has a current regulatory framework on Environmental Impact Assessment (EIA), pursuant to Environmental Law No. 1333 of 1992, and that, according to the information provided in the State's comments to this report, any activity involving the use of fire must include a specific plan approved by the ABT.

¹²³ IACtHR, Advisory Opinion OC-23/17 The Environment and Human Rights, November 5, 2017, Series A No. 23, para. 169.

¹²⁴ Andersen, Lykke E., Sergio Choque Sunagua, Alvaro Muñoz Quisberth, Alessandra Ortiz, Carla Olmos, Fabiana Argandoña, Impact of fires in Bolivia: a national analysis, December 8, 2023.

¹²⁵ Andersen, Lykke E., Sergio Choque Sunagua, Alvaro Muñoz Quisberth, Alessandra Ortiz, Carla Olmos, Fabiana Argandoña, cited above.

107. The loss of biodiversity of flora and fauna cannot be attributed solely to forest fires. Although these represent a significant threat, the main cause of habitat loss - and therefore of biodiversity - is deforestation, especially that associated with land-use change and the expansion of the agricultural frontier. As noted in this report, these dynamics are closely linked to regulatory frameworks and policies that promote or permit such processes, generating structural pressures on ecosystems.

108. Recent academic studies have documented that a typical *lowland* forest in Bolivia:

It is home to hundreds of tree species, as well as a large number of lianas, grasses, epiphytes, ferns and mosses [...] mammals, birds, reptiles and amphibians, as well as insects and other arthropods and a still little studied world of lichens, algae, bacteria, fungi and all kinds of microorganisms. However, this biodiversity is reduced to the extent that the forest is transformed for agricultural use. With deforestation, then, not only trees are eliminated, but an entire ecosystem with thousands of interconnected species. In particular, mechanized monoculture agriculture requires a virtual sterilization of the environment, where a hyperbiodiverse ecosystem is replaced by a crop with a few common plant species that manage to establish themselves.¹²⁶

109. The interdependence and indivisibility existing between human rights and the protection of the environment allow that, when determining State obligations, principles, rights and duties of international environmental law are integrated, which, as part of the international *corpus iuris*, contribute decisively to determine the scope of the obligations derived from the American Convention in this matter.¹²⁷ Therefore, in the framework of the obligations assumed under the Convention on Biological Diversity and also in view of the complementarity of this normative framework with international human rights law,¹²⁸ the Office of the Special Rapporteur recalls that States must adopt effective measures to conserve biodiversity and guarantee the sustainable use of ecosystems. Forest fires such as those that occurred in Bolivia in 2024 directly compromise this objective, affecting endemic species, critical ecosystem services and essential ecological processes. The lack of integrated risk management, prevention, restoration and monitoring policies represents a breach of the state's duty to protect biological diversity in the face of foreseeable threats.

110. In this context, REDESCA considers that both the fires of 2024 and previous deforestation and degradation processes, characterized by land use change and expansion of the agricultural frontier, together with mercury contamination caused by gold mining, are contributing to significant biodiversity loss. This situation must be addressed in order to guarantee the right to a healthy environment, among other human rights affected by these processes of deterioration. In this regards, REDESCA stresses that restoration strategies should include nature-based practices, reforestation with native species and recovery of ecological functions essential for the sustainability of rural peasant and indigenous life.

D. The right to participation and access to information

111. The right to participation and access to information are fundamental pillars for environmental governance and the realization of human rights in the context of the environmental crisis. Inter-American standards, developed from the *Claude Reyes vs. Chile* case, Principle 10 of the Rio Declaration on Environment and Development (1992) and the Escazú Agreement (2018) to which Bolivia is a party, emphasize the importance of transparency, access to justice and the inclusion of civil society in decision-making processes on environmental policies.¹²⁹

112. According to the information gathered in the context of the visit, the 2024 wildfires also revealed challenges in public access to environmental information and citizen participation in decisions related to environmental protection and emergency response. At the beginning and during the development of the emergency, several of the most affected local communities, as well as society in general, lacked timely and

¹²⁶ Vincent A. Vos, Silvia C. Gallegos, Stanislaw Czaplicki-Cabezas, Carmelo Peralta-Rivero, *Biodiversity in Bolivia: Impacts and implications of the bet on agribusiness*, in *Rural Worlds*, 15(1): 25-48, September 2020.

¹²⁷ IACtHR., Advisory Opinion OC-23/17 The Environment and Human Rights, November 15, 2017, Series A No. 23, para. 55.

¹²⁸ Zheng, X., *The Complementarity Between the Nagoya Protocol and Human Rights: Genetic Resources, Traditional Knowledge and the Rights of Indigenous Peoples and Local Communities*, Singapore, Springer, 2023.

¹²⁹ Instituto Clima e Sociedade and Centro Brasil no Clima, *State Yearbook on Climate Change*, January 30, 2025.

complete information on the evolution of hot spots, air pollution levels and health risks, and there was some delay in declaring a "health alert" for air pollution, when several cities already had dangerous air quality indices.

113. Likewise, in 2024 the country experienced citizen demonstrations motivated by the serious effects of air pollution caused by forest fires, especially in cities such as Santa Cruz, La Paz, El Alto and Cochabamba. These protests, driven by a population affected by the smoke and concerned about the impacts on public health and the environment, reflect a growing social demand for more effective responses, greater transparency in the management of the crisis and accountability on the part of the authorities¹³⁰

114. During the working visit, the Office of the Special Rapporteur received numerous testimonies expressing concern about the lack of timely and accessible information during the 2024 forest fires, particularly in relation to early warning systems, the evolution of hot spots, and State actions deployed in the affected territories. These demands came especially from indigenous communities, community leaders, environmental journalists and representatives of civil society organizations. At the same time, REDESCA notes with concern the proliferation of episodes of disinformation and data manipulation during the emergency. According to *Bolivia Verifica's* annual bulletin, at least 631 fake or misleading contents were registered in 2024, 94% of which turned out to be false or misleading; a considerable portion of them were linked to environmental issues and, in particular, to forest fires.¹³¹

115. The environmental crisis caused by the forest fires of 2024 tested the effectiveness of the exercise of the right to participation and access to information in Bolivia. Although important advances were made, such as the express recognition of these rights by different authorities and the opening of spaces for dialogue with affected communities and local stakeholders, the magnitude of the disaster also revealed limitations.

E. Access to water

116. The right to water is protected by Article 26 of the American Convention and derives from the norms of the OAS Charter.¹³²In particular, REDESCA notes that the OAS General Assembly, in its resolution 2349/07 of 2007, recognizes water as "essential for life and health" and "indispensable to be able to live a life with human dignity", as well as recognizes and respects "the ancestral use of water by urban and rural communities and indigenous peoples, within the framework of their uses and customs on the use of water, in accordance with the respective national legislations".¹³³

117. At the international level, it is emphasized that access to sufficient, safe, acceptable, affordable and economically viable water is essential for the realization of various human rights, including the rights to food, health, personal integrity and life.¹³⁴ Thus, the right to water is reaffirmed on the basis of the principle of indivisibility, interdependence and interrelatedness of all human rights.

118. During the working visit, REDESCA received information on significant impacts on the right to water in various regions of the country. It was noted that the massive loss of forest cover also caused interference with essential ecological functions, such as the capacity of soils to retain water. According to the testimonies gathered, the forest fires critically aggravated water scarcity, affecting both access to water for human consumption and its availability for agricultural and livestock activities. In addition, water resource contamination associated with the intensive use of agrochemicals and unsustainable agricultural practices has deteriorated water and soil quality and affected vulnerable aquatic ecosystems. This situation has had a direct

¹³⁰ Infobae, [Thousands of people protested in Bolivia's largest region against ecological disaster caused by fires](#), October 2, 2024; Agencia de Noticias Fides (ANF), [Protests against fires activated in at least seven cities, police gas activists in La Paz](#), September 11, 2024.

¹³¹ Bolivia Verifica, [La desinformación que marcó el 2024. Revive el anuario de Bolivia Verifica - Boletín 271](#), January 27, 2025.

¹³² IACtHR., Case of Indigenous Communities Members of the Lhaka Honhat Association (Nuestra Tierra) v. Argentina, Merits, Reparations and Costs, Judgment of February 6, 2020, Series C No. 400, paras. 222 and 223.

¹³³ OAS, Resolution, Water, health and human rights, AG/RES. 2349 (XXXVII-O/07), Adopted at the fourth plenary session, held on June 5, 2007.

¹³⁴ Committee on Economic, Social and Cultural Rights, Substantive issues arising in the implementation of the International Covenant on Economic, Social and Cultural Rights, [General Comment 15](#), E/C.12/2002/11, January 20, 2003.

impact on the health of communities, exacerbating the effects of the environmental crisis.¹³⁵ As a representative case, available information shows the situation in the region of San José de Chiquitos, in the department of Santa Cruz, where water reservoirs were severely compromised.¹³⁶

119. The available information also reflects the situation of the communities in San Ignacio de Velasco, where intensive agriculture and cattle ranching, together with the damming of water sources by private actors, have caused a reduction in water flow, and contamination due to the use of agrochemicals. The affected communities depend on cisterns for their water supply, which is sporadic and insufficient. Although Article 38 of Law 1333 imposes the responsibility to ensure a permanent and adequate water supply, and Municipal Decree 13/2019 of San Ignacio de Velasco establishes emergency protocols for water distribution in cases of drought, the inhabitants have expressed the lack of compliance with these norms. This situation has been referred to by various organizations that have documented the indiscriminate use of pesticides, the damming of water courses by private companies, and the ways in which the Chiquitano indigenous communities have been affected.¹³⁷

120. Likewise, the data collected in the framework of the working visit account for allegations of lack of access to information on water quality. According to the information received, SENASAG Administrative Resolution 041/2018, in its Article 45 provides that " [I] a information contained in the files of the PQUA records, will be public. However, SENASAG will refrain from disclosing information received, when the natural or legal person who has provided such information has requested its confidential treatment".¹³⁸

121. REDESCA has taken note of the programs that seek to achieve the universalization of drinking water services, basic sanitation in urban and rural areas and the protection of water resources: the Sectoral Program for Drinking Water for Small Communities, Sanitation in Rural Areas and Small Communities and Integrated Water Management in Urban Areas Program, Cities Program - Expansion and Improvement for Sustainable and Resilient Water Supply in Cities Program, Integrated Water Management in Urban Areas Program, MI AGUA Phase IV (Phase 1), MI AGUA Phase IV (Phase 2), "MI AGUA Phase V", "MI AGUA Phase V BEI," "Water and Sanitation Program for Intermediate and Minor Cities," "Water and Irrigation Program for Bolivia," "Water, Sanitation, Solid Waste and Storm Drainage Program" and "Lake Titicaca Sanitation Program".¹³⁹

122. The Special Rapporteur notes that the forest fires of 2024 significantly aggravated a pre-existing water crisis, compromising effective access to drinking water, especially in rural and indigenous communities. The loss of vegetation cover not only affected biodiversity and natural water cycles, but also reduced the water retention capacity of the soil and affected the quality of the resource by the entry of ashes, sediments and agrochemicals into bodies of water. Faced with these scenarios, REDESCA stresses that the right to water is indispensable for a dignified life and demands an urgent, intersectoral and structural response from the State, aimed at guaranteeing the availability, accessibility, acceptability, quality and sustainability of water.

F. Right to health

123. The right to health is widely recognized in the Inter-American Human Rights System and guaranteed in various normative instruments. Article XI of the American Declaration establishes the right to the preservation of health and well-being, while Articles 34 and 45 of the OAS Charter reaffirm the responsibility of States to promote adequate conditions to guarantee this right. The right to health is also protected by Article 26 of the American Convention¹⁴⁰ and Article 10 of the Protocol of San Salvador. Thus, the

¹³⁵ National Geographic, [Wildfires affect the water cycle: how they impact water quality](#), February 3, 2025.

¹³⁶ Ministry of Environment and Water, [Delivery of potable water in San José de Chiquitos](#), December 21, 2024.

¹³⁷ La Región, [Informe: agroquímicos y captura de agua en San Ignacio de Velasco atentan contra derechos humanos de comunidades indígenas chiquitanas](#), November 22, 2024.

¹³⁸ Plurinational State of Bolivia, [SENSAG Administrative Resolution No. 041/2018](#), April 10, 2018.

¹³⁹ United Nations, [National report submitted pursuant to Human Rights Council resolutions 5/1 and 16/21, A/HRC/WG.6/48/BOL/1](#), 16 October 2024, para. 69.

¹⁴⁰ IACtHR., Case of Manuela et al. v. El Salvador, Preliminary Objections, Merits, Reparations and Costs, Judgment of November 2, 2021, Series C No. 441, para. 182; Case of Poblete Vilches et al. v. Chile, Merits, Reparations and Costs, Judgment of March 8, 2018, Series

general obligation to protect health translates into the duty of the State to ensure people's access to essential health services, guaranteeing quality and effective medical care, as well as promoting the improvement of the health conditions of the population.¹⁴¹

124. The right to health is an indispensable human right for the proper exercise of other human rights. Every human being has the right to the enjoyment of the highest attainable standard of health that enables him/her to live in dignity, health being understood as not only the absence of disease or infirmity, but also a complete state of physical, mental and social well-being, derived from a lifestyle that allows people to achieve an integral balance.¹⁴²

125. The magnitude of the forest fires that occurred in Bolivia in 2024 had significant consequences on public health, mainly due to exposure to smoke and air pollution. PAHO/WHO¹⁴³ has pointed out that the smoke from the forest fires has significantly deteriorated air quality in the affected regions, causing a serious health risk. The pathologies identified by PAHO/WHO as consequences of air quality include conjunctivitis, throat and sinus irritation, increased severity of asthma, increased respiratory diseases such as acute respiratory infections and pneumonia, worsening of symptoms in people with chronic obstructive pulmonary disease, increased cases of acute diarrheal diseases, direct injuries, mental health problems, interrupted or reduced access to health services, and increased risk of cardiovascular and cerebrovascular morbidity and mortality. According to PAHO, this situation mainly affects vulnerable groups, such as people with pre-existing diseases and people in a situation of socioeconomic vulnerability.

126. Exposure to pollution from the fires triggered a multitude of public health problems. Respiratory and eye conditions increased dramatically. Hospitals and health centers treated thousands of patients for severe irritation of the eyes, throat, respiratory tract and gastrointestinal problems associated with smoke stress. In Santa Cruz alone, as of September 9, 6,053 patients had been treated for symptoms such as conjunctivitis, eye discomfort, headaches, respiratory difficulties, nausea and gastric irritation attributable to smoke inhalation.¹⁴⁴

127. During its visit, REDESCA received testimonies warning of the profound psychological impact that the 2024 forest fires have had on the affected communities. In line with PAHO's findings, it was noted that the destruction of homes, loss of livelihoods and forced displacement have caused serious mental health problems, especially in rural and indigenous areas¹⁴⁵. Disorders such as post-traumatic stress disorder, anxiety, depression or insomnia were repeatedly mentioned by those interviewed. Loss of property and forced displacement can have serious consequences for mental health, causing post-traumatic stress, depression and insomnia.¹⁴⁶

128. The Special Rapporteur emphasizes that, in the context of forest fires, the right to health implies concrete and immediate State obligations linked to the monitoring of air quality and timely information to the population. According to the precedent of the IACtHR's *La Oroya vs. Peru* case, States must establish environmental monitoring systems, adequately report on health risks, and guarantee public and transparent access to this data.¹⁴⁷

129. The wildfires of 2024 highlighted the limits of public health systems in the face of large-scale environmental crises. Despite the efforts deployed, significant gaps persist in the capacity to respond to health

C No. 349, paras. 106 and 110; and Case of the Miskito Divers (Lemonth Morris et al.) v. Honduras, Judgment of August 31, 2021, Series C No. 432, para. 80. Also, see: IACHR, Report No. 9/20, Case 13,378, Merits, Beatriz, El Salvador, March 3, 2020; and Report No. 330/20, Case 12,718, Merits, Community of La Oroya, Peru, November 19, 2020.

¹⁴¹ IACtHR., Case of Guachalá Chimbo et al. v. Ecuador, Merits, Reparations and Costs, Judgment of March 26, 2021, Series C No. 423, para. 101; and Case of Manuela et al. v. El Salvador, Preliminary Objections, Merits, Reparations and Costs, Judgment of November 2, 2021, Series C No. 441, para. 185.

¹⁴² IACtHR., Case of Cuscul Pivaral et al. v. Guatemala, Preliminary Objection, Merits, Reparations and Costs, Judgment of August 23, 2018, Series C No. 359, para. 105.

¹⁴³ Pan American Health Organization (PAHO), *Situation Report 2 - Forest Fires, Bolivia*, September 12, 2024

¹⁴⁴ Unitel, *Only in Santa Cruz on Monday there were 73 forest fires in 20 municipalities*, September 9, 2024.

¹⁴⁵ Pan American Health Organization (PAHO), *Public Health Situation Analysis of Forest Fires in South America*, February 6, 2025.

¹⁴⁶ Pan American Health Organization (PAHO), *Forest Fires*, 2025.

¹⁴⁷ Court H.R., Case of the Inhabitants of La Oroya v. Peru, Judgment of November 27, 2023, Series C No. 140, para. 354.

emergencies caused by air pollution. The Special Rapporteur emphasizes that the right to health implies not only access to medical care in critical situations, but also the prevention and mitigation of environmental determinants that affect collective health, especially in rural areas and indigenous territories where a specific response must be provided.

G. Right to housing

130. The right to adequate housing is widely recognized in the inter-American system, although it is not expressly provided for in the Protocol of San Salvador. The American Convention, the OAS Charter and the American Declaration establish parameters for its protection, emphasizing the need for state efforts to guarantee decent housing for all sectors of the population. In the context of the 2024 forest fires in Bolivia, the partial or total destruction of homes in rural and indigenous communities, as well as the provision of insufficient or precarious temporary shelters, demonstrated the need to adopt structural measures to guarantee the right to adequate housing for the most affected communities.

131. The 2024 wildfires left numerous families homeless. The fires not only devastated forests, but also reached indigenous and rural communities, destroying homes and entire settlements in some cases. In the municipality of Roboré, the flames invaded the communities of San Antonio Viejo and Nuevo, completely burning several houses built of wood and rustic materials.¹⁴⁸ Approximately 48 people, including more than 10 children, had to evacuate in emergency, rescuing only a few emergency belongings before their houses were devoured by fire. Similarly, in the community of Las Petas, San Matías, it was reported that a fire devastated ten family homes, leaving their occupants homeless.¹⁴⁹ In San Matías there are nine communities affected, with a total of 683 families and 12 homes completely destroyed by fire, in addition to the loss of crops, fodder, lack of water, damaged power poles that left homes without electricity.¹⁵⁰

132. During the visit, the Office of the Special Rapporteur received concerning information about the situation in the community of Palestina, where at least 40 families were forced to leave their homes due to the uncontrollable advance of the flames and the extreme levels of air pollution generated by the smoke.¹⁵¹ Although homes in Palestina did not collapse structurally, many people were forced to abandon their homes and were forced to sleep in communal shelters. In other localities, such as Riberalta, Beni department, there were reports of the destruction of more than 20 homes in an Amazonian community as a result of the fires that occurred in October.¹⁵² Indigenous peoples in the *tierras bajas* (lowlands) were also directly affected by the fires. In the case of the Monte Verde TCO, located in the Chiquitanía region, preventive evacuations were reported due to the proximity of the fire. At least 58 people -mostly women and children- were preventively evacuated to safe areas in order to protect their physical integrity due to the proximity of the fire.¹⁵³

133. It is evident that, beyond the material losses, thousands of people had to evacuate their homes preventively to protect their lives. For example, according to available information, in the Monte Verde Indigenous Territory in the Chiquitanía, more than 100 indigenous communities were affected; in some cases entire communities were evacuated when the fire advanced, abandoning their homes and belongings to avoid being affected by the flames.¹⁵⁴ At the national level, some sources have counted that more than 11,700 families and 746 communities were affected, mainly in the Chiquitania and Amazon regions. Many of these people lost their homes or were forced to seek temporary shelter in schools, churches and makeshift shelters, facing overcrowded conditions and lack of basic services¹⁵⁵

134. During the working visit, REDESCA received numerous testimonies from people in the affected communities, especially indigenous peoples and rural families, who expressed their concern about the State's

¹⁴⁸ La Patria, [Forest fires in Bolivia reach homes: 48 evacuated in Roboré](#), 2024.

¹⁴⁹ Correo del Sur, [Fire ravages homes in a community in San Matías](#), Santa Cruz, September 8, 2024.

¹⁵⁰ Los Tiempos, [Already 2 million hectares burned in the Santa Cruz region](#), August 27, 2024

¹⁵¹ ANF, [40 families evicted from their Palestinian community by smoke and fire spreads](#), September 7, 2024.

¹⁵² Euronews, [Intense forest fires ravage at least 20 homes in Riberalta, Bolivia](#), September 8, 2024.

¹⁵³ Brújula digital, [Evacuate families from Monte Verde TCO due to fires: several do not want to leave their homes](#), September 27, 2024.

¹⁵⁴ WWF Bolivia, [Environmental crisis in Bolivia: Fires ravage millions of hectares](#), September 20, 2024.

¹⁵⁵ Infobae, [Bolivia reported that more than 11,700 families were affected by the forest fires](#), October 7, 2024.

adequate response in terms of protecting the right to housing. Among the main complaints were the lack of culturally appropriate temporary shelters, the absence of reconstruction plans that take into account the territorial and symbolic link of indigenous peoples with their environment, and the insufficient technical and financial assistance for housing rehabilitation. The visit of the Office of the Special Rapporteur confirmed that the main victims of violations of the right to housing were indigenous peoples and rural families living in poverty.

H. Right to food

135. The right to food is widely recognized in the Inter-American Human Rights System as an essential element for human dignity and the realization of other rights. Although not explicitly mentioned in the American Convention, it is protected by Article 26 of that treaty, as well as by Article 12 of the Protocol of San Salvador, which establishes both the individual right to adequate nutrition and the obligations of States to improve methods of production, supply and distribution of food. In addition, the American Declaration and the OAS Charter reaffirm the importance of this right in the context of the preservation of health and well-being.

136. The IACHR and REDESCA have emphasized the need for effective public policies to guarantee food security, especially in scenarios of environmental and social crises that compromise equitable access to food. The right to adequate food protects people's access to food that allows them to be properly nourished and preserve their health. The right is exercised when people have physical and economic access, at all times, to adequate food - including culturally adequate food - or to the resources to obtain it.¹⁵⁶

137. The aforementioned loss of biodiversity has also had consequences on the resilience of local food systems. During the forest fires of 2024, fire ruined crops, pastures and wild food sources, decreasing the availability of food for many communities. In Chiquitanía and eastern Bolivia, numerous farming families lost their crops and food reserves. The fire devastated large areas of arable land and affected subsistence crops such as corn, yucca, plantain and rice, as well as fruit orchards and wild species essential to the local diet, such as motacú, asaf, and mushrooms. Similarly, subsistence hunting and fishing were paralyzed in several areas: animals fled or died, and rivers were polluted, depriving indigenous communities of their traditional protein from fish, lizards, wild pigs, among other sources. Many peasant and indigenous families were left without the food they themselves produced for their livelihoods and were forced to depend on external aid. In addition, long-term damage to soils and ecosystems may compromise future planting seasons, prolonging food insecurity. The loss of forest biomass had a direct impact on the livelihoods of indigenous peoples because it reduces their possibilities of obtaining food and decreases their income from the exploitation of timber from their management plans.¹⁵⁷

138. In cattle-raising communities, cattle and pigs were lost, trapped in the flames or affected by the smoke, and a large part of the forage pastures were burned. These losses not only affected livestock production, but also compromised the livelihoods of families. The lack of feed for livestock and the destruction of essential infrastructure have exacerbated the vulnerability of these communities to natural disasters. One publication noted that drought and fires formed a cycle that damaged the livelihoods of populations such as San Javier, where milk production fell by as much as 50-70% due to lack of pasture and water for cattle.¹⁵⁸ Similarly, the Santa Cruz Federation of Cattle Ranchers reported that more than 400,000 animals were in critical conditions due to the lack of fodder and water as a direct consequence of the fires.¹⁵⁹

139. According to information published by PAHO in September 2024, food was required for 10,000 families in the regions affected by the forest fires, especially in the departments of Santa Cruz and Beni.¹⁶⁰ In the same vein, the World Food Program (WFP) reported that its emergency operation aimed to reach some

¹⁵⁶ IACtHR., *Case of Indigenous Communities Members of the Lhaka Honhat Association (Nuestra Tierra) v. Argentina*, Merits, *Reparations and Costs*, Judgment of February 6, 2020, Series C No. 400, paras. 216 and 220.

¹⁵⁷ Agencia de Noticias Ambientales (ANA), *Pueblos indígenas esperan informe de la Relatoría Especial de la CIDH sobre su visita a Bolivia tras incendios forestales*, December 17, 2024.

¹⁵⁸ Infobae, *Forest fires hit production and tourism in Bolivia's Chiquitania region hard*, September 8, 2024.

¹⁵⁹ Brújula Digital, *Forest fires affect 400,000 head of cattle in Santa Cruz, 40 have already died*, August 19, 2024.

¹⁶⁰ Pan American Health Organization (PAHO), *Situation Report 2 - Forest Fires, Bolivia*, September 12, 2024

5,000 families, covering "at least half" of what the Government of Bolivia requested, which is 10,000 people affected by the forest fires, around 25,000 people.¹⁶¹

140. Cities also faced relevant indirect impacts on food security. The destruction of crops in regions severely affected by the fires, such as Santa Cruz and Beni, reduced the availability of basic agricultural products. This decrease in supply, in a context already marked by rising prices, would have contributed to higher food prices in urban markets, especially affecting the most socioeconomically vulnerable sectors.¹⁶² In addition, factors such as the lack of transportation due to fuel shortages and the increase in the cost of agricultural inputs aggravated the situation, reducing the profit margins of producers and limiting access to basic foodstuffs for urban communities.¹⁶³

141. In short, the 2024 forest fires in Bolivia had a significant impact on the right to food, both in the rural areas directly affected and in urban centers. The loss of crops, the death of animals and the deterioration of agricultural ecosystems deepened the food insecurity of communities already facing situations of vulnerability.

I. Right to education

142. The right to education is recognized in the American Convention, the Protocol of San Salvador, the American Declaration and the OAS Charter. These instruments establish both the individual dimension of the right to education and the state obligations to guarantee its progressive, universal and free access. Article 13 of the Protocol of San Salvador emphasizes the right of all persons to education, which should be oriented to the development of the dignity of the human person and should strengthen human rights.¹⁶⁴ Furthermore, this right is guaranteed not only by Article 26 of the American Convention, but also by Article 19 of this instrument which, among the special measures for the protection of children, includes "the right to education, which favors the possibility of enjoying a decent life and contributes to preventing unfavorable situations for the child and for society itself".¹⁶⁵

143. The fire emergency interrupted the normal development of education in large areas of the country, violating the right of children and adolescents to receive continuous and quality education. As a protective measure against atmospheric pollution, educational authorities suspended classes in at least six departments of Bolivia during the smoke peaks. Some rural schools were used as temporary shelters for evacuees or as aid collection centers, which modified their educational function, as occurred with the Suazo School in Roboré, which, although responding to the humanitarian emergency, prevented the normal operation of these spaces as educational centers.¹⁶⁶

144. It has been reported to REDESCA that on September 10, 2024, six departments in Bolivia - Santa Cruz, Beni, Pando, La Paz, Chuquisaca and Cochabamba - decided to change from face-to-face to virtual classes due to the intense smoke caused by forest fires in the region. The Minister of Education announced that this measure would be implemented in Cochabamba from Wednesday, September 11 to Friday, September 13, in response to the declaration of National Emergency made by the Government due to the high levels of air pollution. The first departments to comply with this change were Santa Cruz, Beni and Pando, the most affected by pollution. Subsequently, La Paz and Chuquisaca also joined the measure. On Monday night, the Minister of Education instructed the extension of the change of mode for La Paz and Chuquisaca, a decision that was ratified

¹⁶¹ Agencia EFE, Fires have a 'devastating' effect on the lives and food of indigenous communities, September 20, 2024.

¹⁶² Defensoría del Pueblo de Bolivia, Defensoría del Pueblo identifica al menos 5 productos que subieron de precio con mayor recurrencia entre agosto y diciembre de 2024, 6 January 2025; La Razón, La variación de precios en alimentos y bebidas en 2024 fue de 15.4%, reconoce el INE, 5 January 2025.

¹⁶³ Centro de Capacitación y Servicio para la Integración de la Mujer (Cecasem), Crisis in Bolivia and its impact on the most vulnerable communities, March 14, 2025.

¹⁶⁴ Additional Protocol to the American Convention on Human Rights in the Area of Economic, Social and Cultural Rights: "Protocol of San Salvador" 1988; (OAS. Official Records; OEA/Ser.A/44), art. 13.

¹⁶⁵ IACtHR., Juridical Condition and Human Rights of the Child, Advisory Opinion OC-17/02, Resolution of August 28, 2002, para. 84.

¹⁶⁶ Agencia EFE, Fires reach homes in Bolivia and 48 people are taken to a shelter, August 8, 2024.

by the Departmental Directorates of Education. Air quality in Santa Cruz, Pando and Beni was in "extremely bad" conditions.¹⁶⁷

145. The transition to online education revealed gaps in access to technology and the Internet, especially for students in rural or low-income areas. In addition, testimonies collected indicate that, in some cases, students helped to fight fires or take care of their brothers and sisters while adults in the family fought the fire, interrupting their educational process.

146. During the 2024 forest fire emergency, the suspension of classes in several departments was a health measure justified by the deterioration of air quality, especially in the most affected regions. While this decision was necessary to safeguard the health of students and teachers, the Special Rapporteur is concerned about its possible effects, such as the increased risk of school lag and dropout, particularly among students in rural communities and in situations of greater vulnerability.

J. Right to work and livelihood

147. The right to work is a fundamental pillar for guaranteeing human dignity and socioeconomic development and is recognized in Article 6 of the Protocol of San Salvador, the American Declaration and the OAS Charter. This right encompasses not only the opportunity to have access to decent and adequately remunerated employment, but also protection against forced labor and the implementation of systems to ensure economic stability and recovery in the face of crises. In the context of environmental disasters, guaranteeing the right to work becomes an even greater challenge, requiring public policies that protect affected workers, promote economic recovery and foster resilience strategies to avoid prolonged impacts on employment and the living conditions of affected populations.

148. The fires had serious economic consequences, affecting the right to work and decent livelihoods of many families. In rural areas, the destruction of crops and death of livestock meant the loss of agricultural employment for small farmers, day laborers and entire communities. Farming families who made their living from agriculture were left without crops to sell or inputs to work the land with, which has affected their present and future income. For example, communities in Concepción and San Ignacio de Velasco, traditionally dedicated to milk, cheese and crop production, saw how the combination of drought and fires hit the region's agricultural and livestock production.¹⁶⁸ In the Chiquitanía, several indigenous communities that managed forest management plans - timber and non-timber products - as a source of sustainable work, suffered significant impacts.¹⁶⁹

149. During the working visit, REDESCA received testimonies from *tierras bajas* (lowlands) indigenous peoples who recounted the total or partial loss of their traditional livelihoods as a result of the forest fires. Many of these communities depended directly on the forests for their livelihoods, through the cultivation and harvesting of fruits such as *açaí* and wild cacao, essential products for both food and income generation. The massive burning of fruit trees and native plants not only destroyed immediate resources, but also compromised the future livelihoods of the communities, as these trees require several years to produce fruit again.

150. The 2024 forest fires in Bolivia caused severe impacts on the right to work and livelihoods, especially in rural and indigenous communities. The destruction of farmland, pastures and natural resources directly affected essential productive activities such as family farming, livestock, native fruit gathering, beekeeping and other local economies dependent on the environment. In addition, many families who subsist on informal work linked to the sustainable use of forests saw their sources of income interrupted without adequate social safety nets.

¹⁶⁷ La Patria, [Six departments of Bolivia change to virtual classes due to smoke generated in forest fires](#), September 10, 2024.

¹⁶⁸ Infobae, [Forest fires hit production and tourism in Bolivia's Chiquitanía region hard](#), September 8, 2024.

¹⁶⁹ WWF Bolivia, [Environmental crisis in Bolivia: Fires ravage millions of hectares](#), September 20, 2024.

K. Cultural rights

151. Cultural rights are fundamental to preserving the identity and diversity of societies and are protected by Article 26 of the American Convention on Human Rights and expressly recognized in Article 14 of the Protocol of San Salvador. The immediate obligations of States in relation to these rights include the elimination of obstacles that prevent or limit the access of a person or community to their own culture, the possibility to carry out their cultural practices and to lead their way of life, including the prohibition of discrimination based on cultural identity, exclusion or forced assimilation.¹⁷⁰

152. The IACHR, REDESCA and the IACtHR have developed the scope of these rights, particularly in the context of indigenous peoples and traditional communities, recognizing the intrinsic relationship between the right to collective property and the preservation of their cultural practices. In this sense, the recognition and protection of cultural rights is essential to guarantee the dignity and self-determination of communities, promoting public policies that respect and foster cultural diversity and social inclusion.

153. The 2024 fires not only devastated material resources, but also caused profound damage to the country's tangible and intangible cultural heritage, severely affecting the cultural rights of entire communities, particularly indigenous peoples and rural peasant communities in the Chiquitanía, Amazon, and other *tierras bajas* (lowland) regions. For many of these communities, the link with the territory is not merely material, but constitutes the basis of their collective identities, spiritual practices, oral traditions, ancestral knowledge and ways of life.¹⁷¹

154. By destroying nature, the fires dealt a direct blow to these cultural expressions. Many indigenous communities consider certain natural sites - hills, long-lived trees, springs - as sacred places. For example, during the visit, the Chiquitano communities of Lomerío and Monte Verde expressed their concern to REDESCA about the loss of their *living sites* and the impact on their community practices.¹⁷² The destruction of forests, sacred sites, medicinal plants and traditional roads directly affects the exercise of the right to participate in their own cultural life. The Office of the Special Rapporteur considers that these impacts require State responses that recognize and repair not only material damage, but also symbolic and cultural damage, guaranteeing participatory and culturally appropriate processes for ecological and social restoration.

155. The main people affected were the indigenous peoples, whose way of life, languages and traditions are deeply linked to the land and biodiversity. In Bolivia, peoples such as the Chiquitanos, Ayoreos, Guaranos and Monko or Moxeños, among others from the *tierras bajas* (lowlands), directly experienced the forest fires. Among the cultural expressions affected is traditional indigenous medicine, based on ancestral knowledge passed down through generations. In many communities, the medicinal plants of the Chiquitano forest, fundamental to this practice, were largely destroyed by the fire.¹⁷³

156. Finally, the forest fires of 2024 revealed tensions between traditional cultural practices and the current regulatory framework. During the visit, indigenous leaders expressed concern about the treatment of ancestral practices such as the use of controlled fire, or *chaqueo*, used to prepare small plots for cultivation. Although this practice is an integral part of their way of living, after the environmental catastrophe many members of these communities reported feeling stigmatized, unjustly held responsible and subject to sanctions.¹⁷⁴ For indigenous peoples and rural peasant communities, the fires not only meant the loss of territories and livelihoods, but also a cultural tragedy that threatens their ways of living and relating to nature.

¹⁷⁰ Committee on ESC rights, General Comment No. 21, UN Doc. E/C.12/GC/21/Rev.1, May 17, 2010, para. 55.

¹⁷¹ CEJIS, *Focos de calor y cicatrices de incendios en territorios indígenas*. Santa Cruz de la Sierra: Centro de Estudios Jurídicos e Investigación Social, 2024.

¹⁷² ANA Bolivia, *Indigenous peoples await report from the IACHR Special Rapporteur on her visit to Bolivia after forest fires*, December 17, 2024.

¹⁷³ Filac, *Indigenous peoples of the Bolivian Amazon seek solutions to mercury poisoning of their territories*, September 6, 2024.

¹⁷⁴ ANA Bolivia, *Indigenous peoples await report from the IACHR Special Rapporteur on her visit to Bolivia after forest fires*, December 17, 2024.

CHAPTER V

DIFFERENTIATED IMPACTS

V. DIFFERENTIATED IMPACTS

157. REDESCA reaffirms that environmental disasters, such as the forest fires that occurred in Bolivia in 2024, disproportionately impact groups that already face structural conditions of exclusion, deepening their vulnerability and restricting the effective exercise of their rights. As established in IACHR Resolution 3/21 on the climate emergency, sectors subject to historical and structural forms of discrimination are generally the most exposed to the adverse effects of the climate crisis, despite having contributed minimally to its generation.

158. The consequences of the 2024 wildfires were not evenly distributed. This is the case, for example, of migrant persons or the LGBTI population, groups that face structural conditions of discrimination that may be aggravated in contexts of climate emergency, which reinforces the need for specific approaches in accordance with Inter-American standards.¹⁷⁵ The Special Rapporteurship found during its working visit that various sectors of the population faced severe impacts that were aggravated due to pre-existing conditions of exclusion, lack of protection or structural inequality. Although this chapter focuses on the groups for which more direct information has been collected, this does not imply an exhaustive characterization of all affected populations. The following sections present the main observations on these differentiated affectations, based on the information available and the circumstances surveyed during the visit. Although, as noted, the analysis does not pretend to be exhaustive, it does seek to highlight the need for responses oriented towards equity, inclusion and environmental justice from a human rights perspective.

A. Indigenous peoples

159. The Special Rapporteur observed the differentiated impacts that the 2024 forest fires had on indigenous peoples in Bolivia, especially in the regions of Chiquitanía, the Amazon and other *lowland* areas. During the working visit, information was received that showed how the destruction of key ecosystems - forests, water sources and fertile soils - has had consequences on their livelihoods, health, food security and the exercise of other rights. REDESCA notes that, because of fires and the climate crisis, indigenous peoples have suffered losses that are difficult to calculate. In addition, the expansion of agribusiness, policies associated with land use change, deforestation and forest fires have affected their way of life and their ancestral territories.¹⁷⁶

160. The IACHR in its report on ESCER of indigenous and Afro-descendant tribal peoples in Central American countries shows how the link between indigenous peoples and their territories conditions their very existence, which is why it emphasizes that special protection measures are necessary.¹⁷⁷ The Special Rapporteur recalls that the recognition, protection and guarantee of the rights of indigenous peoples over their territories and natural resources is an essential element for the exercise of self-determination and the very survival of indigenous peoples.¹⁷⁸

161. During the working visit, the Special Rapporteur collected testimonies and documentation on the impacts suffered by indigenous peoples in different regions of the country. Various indigenous and environmental organizations reported to REDESCA the serious impact on traditional food sources and the loss or contamination of water sources, among other phenomena that affected community health, particularly due to prolonged exposure to smoke and ash. Information was also received on internal displacement of the

¹⁷⁵ IACHR, Social Cohesion: The Challenge for the Consolidation of Democracy in Bolivia, OEA/Ser.L/V/II., Doc.1/24, January 20, 2024. Para. 196 et seq.

¹⁷⁶ Oxfam, *A Fuego y Mercurio Crisis ecológica y desigualdades en Bolivia*, October 2024.

¹⁷⁷ IACHR, *Inter-American Commission on Human Rights North Central America and Nicaragua Economic, Social, Cultural and Environmental Rights of Indigenous and Afro-descendant Tribal Peoples*, March 21, 2023.

¹⁷⁸ IACHR, Right to self-determination of indigenous and tribal peoples, OEA/Ser.L/V/II. Doc.413/21, December 28, 2021, para. 331.

indigenous population as a direct result of the expansion of the fire over their territories, with particularly serious consequences for women, older persons, as well as children and adolescents.¹⁷⁹

162. It should be noted that the fires also threatened indigenous peoples in voluntary isolation. The case of the Ayoreo people, who live in the dry forests of the Chaco, is paradigmatic. During the emergency, the degree of damage suffered by the uncontacted Ayoreo in their territory was unknown, generating enormous concern for their survival. The Bolivian justice system, at the request of the Ombudsman's Office, issued precautionary measures ordering the State to take urgent action to protect the integrity of the Ayoreo people in isolation, urging it to evaluate their situation and guarantee their protection from the fire.¹⁸⁰ This situation demonstrates the vulnerability of indigenous peoples in voluntary isolation to disasters: the destruction of their habitat by fire could force them into unwanted contact with the outside world, exposing them to disease and violence, and threatening their physical and cultural subsistence. It is worth mentioning that, regarding peoples in isolation or initial contact, the Bolivian constitutional framework has established measures to protect their individual and collective ways of life, including the right to remain in isolation and to the delimitation and legal consolidation of the territory they occupy and inhabit.¹⁸¹ REDESCA recalls the call made by the IACHR to the State of Bolivia to strengthen all legislative or administrative measures for the rights of indigenous peoples in voluntary isolation and initial contact on their ancestral lands and territories, guaranteeing their right to not be contacted and to the protection and integrity of their territories.¹⁸²

163. Likewise, the Office of the Special Rapporteur notes that the IACtHR, in 2025, has examined its first case regarding the particularities of the protection of the rights of indigenous peoples in voluntary isolation, in the *Case of the Tagaeri and Taromenane Indigenous Peoples v. Ecuador*.¹⁸³ In this case, the Court affirmed that the principle of no contact and respect for their choice to remain in isolation should be the fundamental premises to guide the analysis of state actions. Thus, fire prevention measures must safeguard the principle of non-contact, making it compatible with the State's other obligations.¹⁸⁴

164. The Office of the Special Rapporteur has noted that the displacement of indigenous peoples and peasant communities that depend on the forest for their livelihoods poses serious challenges in terms of food security, access to housing, sanitation and medicines, including those of traditional origin. The loss of land and natural resources not only compromises their subsistence economy, but also represents a direct threat to their survival, affecting multiple rights.¹⁸⁵

165. REDESCA considers it pertinent to recall that there are several conflicting aspects between the predominant production model in the affected regions and community agriculture systems based on collective land ownership. These tensions have resulted in growing social conflict between so-called intercultural groups, indigenous peoples, business sectors, and other local communities.¹⁸⁶ REDESCA also notes with concern reports of struggles for control of burned lands and the existence of situations of illegal land appropriation.

166. Finally, in the context of the forest fires, the Office of the Special Rapporteur highlights the work of the community brigades on indigenous lands and their role in the emergency. They should be provided with adequate funding, training and equipment. Due to their close ancestral relationship with the land and nature,

¹⁷⁹ La Patria, *Bolivia's indigenous peoples face extinction from forest fires*, September 18, 2024; Mongabay Latam, *Forest fires: Bolivia declares national disaster as six other countries in South America suffer with fire*, October 2, 2024.

¹⁸⁰ Defensoría del Pueblo de Bolivia, *En audiencia de Acción Popular por incendios forestales, justicia concede tres medidas cautelares a instancia de la Defensoría del Pueblo*, October 1, 2024.

¹⁸¹ Article 31 I and II.

¹⁸² IACHR, Social Cohesion: The Challenge for the Consolidation of Democracy in Bolivia, OEA/Ser.L/V/II., Doc.1/24, January 20, 2024, para. 148.

¹⁸³ IACtHR., *Case of the Tagaeri and Taromenane Indigenous Peoples v. Ecuador*, Preliminary Objection, Merits, Reparations and Costs, Judgment of September 4, 2024. Series C No. 537.

¹⁸⁴ IACHR, Social Cohesion: The Challenge for the Consolidation of Democracy in Bolivia, OEA/Ser.L/V/II., Doc.1/24, January 20, 2024, para. 148.

¹⁸⁵ La Patria, *Bolivia's indigenous peoples face extinction from forest fires*, September 18, 2024; Viceministerio de Defensa Civil, *Indígenas de la Amazonía boliviana sufren por el fuego, la migración y la escasez de agua y medicamentos*, September 19, 2024.

¹⁸⁶ Cambio16, *Detrás de los incendios forestales en Bolivia está la impunidad*, December 6, 2024. Muñoz Reyes, Rodrigo, *Incendios forestales, tráfico de tierras y crimen organizado*, Brújula Digital, 14 October 2024; Agencia de Noticias Ambientales, *UE alertó el 2024 de posible corrupción y fraude en el Sernap y no hubo cambios en la dirección*, 18 January 2025.

indigenous peoples possess valuable traditional knowledge for the prevention and control of fires and care of the environment.

B. Rural farming communities

167. Most of the fire was concentrated in rural areas of Santa Cruz, Beni and Pando, devastating agricultural and livestock areas. Vast areas of agricultural land were burned, including crops, pastures and local productive infrastructure. Consequently, after the emergency, many rural families faced food shortages and health problems, as their fields and grain reserves were burned, as well as air and water pollution.¹⁸⁷

168. A representative case is that of the Los Ángeles community in the Chiquitanía region, where the spring that supplied water to the population dried up completely as a result of forest fires and prolonged drought. Unable to access water and livelihoods, families were forced to leave the village and move to the nearest town. This type of displacement from rural areas to urban centers became a recurrent phenomenon in the context of the 2024 fires, giving rise to a new population of climate displaced people, an aspect that will be addressed in general terms in the conclusions chapter of this report.¹⁸⁸

169. In general terms, the Office of the Special Rapporteur was able to observe that the pre-existing conditions of rural poverty and lack of infrastructure have increased the effects of the emergency on these communities. This economic vulnerability implies that, in the face of a disaster, rural peasant communities have had a reduced capacity for resilience.

C. Girls and women

170. REDESCA notes that wildfires differentially affect women due to socioeconomic, cultural and gender factors. In the most affected communities, women face significant challenges, such as increased caregiving responsibilities and limited access to resources.¹⁸⁹

171. In addition, in the context of wildfires, exposure to smoke and toxic substances derived from wildfires also has a significant impact on the health of pregnant women, who are particularly vulnerable to ultrafine particles and carbon monoxide. These exposures can lead to premature births, low birth weight and even infant mortality.¹⁹⁰ In addition, the lack of access to menstrual hygiene products, coupled with the general health crisis, further complicates the living conditions of girls and adolescents. Available reports also register concerns about violence against women, especially girls.¹⁹¹

172. According to available information, the fires have had a particular impact on the livelihoods of women in the most affected communities. For example, in the indigenous territory of Monteverde, the burning of the Copaibo reserve - a tree that requires at least 25 years to reach maturity - represents a critical loss of livelihood and work for women in the long term, who depend on this resource to manufacture Copaibo water and oil, which they also use to treat diseases and to make shampoos, soaps or lip balms. Similarly, according to the same source of information, in the Palestinian Community of the Municipality of Concepción, the loss of Cursis coconuts, collected, crushed and ground by women to produce oil, has directly affected their ability to manufacture shampoos and rinse creams, reducing or eliminating their source of income and livelihood.¹⁹²

¹⁸⁷ The Guardian, [If not fire, we'll be killed by hunger: villagers continue to feel fallout from Bolivia's worst wildfires](#), 20 February 2025.

¹⁸⁸ The Guardian, [If not fire, we'll be killed by hunger: villagers continue to feel fallout from Bolivia's worst wildfires](#), 20 February 2025; See also: UNHCR, [UNHCR supports people affected by forest fires in Bolivia](#), 24 October 2024; IACHR, [Resolution No. 2/24: Resolution on climate change-induced human mobility](#), adopted on 26 December 2024, Document No. 252.

¹⁸⁹ Oxfam, *A Fuego y Mercurio Crisis ecológica y desigualdades en BOLIVIA*, Chapter 5.

¹⁹⁰ Pan American Health Organization (PAHO), [Public Health Situation Analysis of Wildfires in South America](#), February 6, 2025.

¹⁹¹ Vision 360, [Wildfires and climate change aggravate violence in Bolivia's girls](#), October 11, 2024. The Guardian, [If not fire, we'll be killed by hunger: villagers continue to feel fallout from Bolivia's worst wildfires](#), 20 February 2025.

¹⁹² Terra Foundation, [When the Fire Burns](#), December 2, 2024.

D. Children and adolescents

173. During the 2024 forest fires in Bolivia, at least 145,000 children and adolescents were directly affected by the environmental crisis, according to data published by UNICEF. Exposure to smoke, loss of homes and livelihoods, as well as the displacement of families, had a significant impact on their overall well-being. Cases of respiratory ailments, conjunctivitis, dehydration and diarrheal diseases were documented among the child population.¹⁹³ According to WHO reports, prolonged exposure to air pollutants in the context of wildfires can have chronic effects on the physical and cognitive development of children. Wildfire smoke can aggravate respiratory diseases that are highly prevalent in this population group.¹⁹⁴

174. The Office of the Special Rapporteur has taken note of reports that identified situations of high emotional stress and psychosocial trauma among children, particularly in those cases in which their families lost their homes and were forced to move to temporary shelters¹⁹⁵. In the face of these risks, UNICEF deployed urgent actions to strengthen local protection systems, including the prevention of violence against children and psychosocial support.¹⁹⁶ Different reports reported on the vulnerability of this population, in a context where the risks of gender-based violence, abuse and exploitation of children have intensified.¹⁹⁷

175. In addition, according to available information, the massive interruption of access to education affected more than 1,200 schools, with official recommendations to migrate to virtual classes, a measure that proved unfeasible in many rural areas due to the digital divide.¹⁹⁸ Air pollution from smoke and the hazardous environment forced the suspension of face-to-face classes in vast areas.

E. Older persons and persons with disabilities

176. During the visit, information was gathered regarding the severe impact of the crisis on older persons, who, in various regions, faced more significant obstacles to evacuate quickly, due to mobility limitations, pre-existing health conditions or their refusal to leave the homes where they have lived all their lives. In some communities, it was reported that children and older persons suffered the most from unbreathable air and lack of drinking water during the fires.¹⁹⁹ Similarly, PAHO reports that older persons were especially vulnerable to the effects of smoke and air pollution. Exposure to fine particles and toxic gases caused an increase in respiratory and cardiovascular diseases.²⁰⁰

177. Likewise, persons with disabilities have had to face a particularly challenging situation. The obstacles they often face - in accessibility, communication, medical care, etc. - are exacerbated in the context of the emergency. The absence of a universal design approach to risk management meant that many persons with disabilities were left out of early warnings or assistance. From a health standpoint, the massive air pollution and extreme stress also impacted people with certain chronic health conditions, as well as those who required continuity of treatment or medication.

F. Structural Inequality and Emerging Forms of Vulnerability

178. Poverty operated as a structural factor that intensified all the differentiated impacts observed during the 2024 wildfires in Bolivia. Rural, indigenous and peri-urban communities living in poverty were the hardest hit by the catastrophe, facing partial or total loss of livelihoods, limited access to essential services and

¹⁹³ UNICEF Bolivia, [Humanitarian Situation Report No. 1: Forest Fires](#), September 24, 2024.

¹⁹⁴ World Health Organization, [Air Pollution and Child Health](#), 2018.

¹⁹⁵ Educo, [The planet we share. Estudio sobre la relación entre el medio ambiente, los derechos y el bienestar de la niñez, adolescencia y juventud en áreas urbanas de Bolivia](#), 2022; UNICEF Bolivia, [Informe de Situación Humanitaria N.º 1: Incendios Forestales](#), September 24, 2024.

¹⁹⁶ UNICEF Bolivia, [Humanitarian Situation Report No. 1: Forest Fires](#), September 24, 2024.

¹⁹⁷ Save the Children Bolivia, [Our Hope: The Adolescents of This Generation](#), October 3, 2024; UNICEF Bolivia, [Humanitarian Situation Report No. 1: Forest Fires](#), September 24, 2024.

¹⁹⁸ UNICEF Bolivia, [Humanitarian Situation Report No. 1: Forest Fires](#), September 24, 2024. UNICEF, [Families affected by forest fires want their children to be able to return to school normally](#), September 19, 2024.

¹⁹⁹ El Diario, [Fire-generated pollution drives potential health crisis](#), 16 October 2024. La Región, [Forest fires devastate indigenous communities in Bolivia](#), 4 October 2024

²⁰⁰ PAHO, [Análisis de la Situación de Salud Pública ante los incendios forestales en Sudamérica](#), February 2025.

greater obstacles to recovery. This pre-existing condition of exclusion deepened the vulnerability of already discriminated populations and exposed the persistent nature of inequality in the context of climate emergencies.

179. In turn, recent studies show that forest fires can cause an increase of up to 8% in poverty levels in the year after the event -with effects that persist for at least two years-, mainly due to the reduction of labor income in the agricultural sector.²⁰¹ Poverty not only aggravates the impact of fires, but can also be fed back by them, generating a vicious circle of exclusion and deterioration of rights that needs to be addressed through fiscal and social protection policies.

180. In addition, the emergency highlighted the emergence or exacerbation of new forms of vulnerability associated with the climate crisis. The combination of massive fires, deforestation, and persistent droughts has destroyed fertile soils and entire ecosystems, leaving numerous communities without the means to produce their own food. This situation transforms previously self-sufficient populations into dependents of humanitarian aid, reducing their resilience to future extreme weather events.²⁰² As discussed in this report, it also leads to forced internal displacement. Finally, the crisis has highlighted the vulnerability of groups that were not previously perceived to be at risk. For example, inhabitants of cities such as Santa Cruz -which traditionally did not face forest disasters- were exposed to air pollution levels that were hazardous to their health.²⁰³

²⁰¹ Canavire-Bacarreza, G. J., Puerta-Cuartas, A., & Ramos, A., On the effects of wildfires on poverty in Bolivia. Journal of Development Economics, 175, 103494, 2025.

²⁰² RODRÍGUEZ SORIOCO, M, Cultivar y conservar: las lecciones tras las cenizas en las zonas más afectadas por el fuego en Bolivia, 17 March 2025.

²⁰³ Trigo, M. S. With "dangerous" air quality in Santa Cruz, Bolivia was among the three most polluted countries in the world, September 25, 2024.

CHAPTER VI

**SHARED REGIONAL IMPACTS AND
THE DUTY TO COOPERATE**

VI. SHARED REGIONAL IMPACTS AND THE DUTY TO COOPERATE

181. The forest fires in Bolivia in 2024 had a marked transboundary character, both in terms of their territorial extension and the environmental, social and health impacts they generated in neighboring countries.²⁰⁴ According to estimates made by the Office of the Special Rapporteur, in just the first two weeks of September of that year, approximately 7,300,000 hectares had been affected in the South American region. The most serious situations were in Bolivia and Brazil, especially on the border between the two countries. In Brazil, the Amazon, Cerrado, Mata Atlântica and Pantanal biomes were the most affected by forest fires in those weeks.²⁰⁵

182. Air pollution resulting from the fires in Bolivia had direct consequences on air quality in several Southern Cone countries. According to data from the *Copernicus Atmosphere Monitoring Service*, concentrations of fine particulate matter (PM_{2.5}) exceeded dangerous levels for human health for more than 150 days in regions of Bolivia and Brazil, with confirmed impacts on large areas of Paraguay, Argentina and Uruguay.²⁰⁶

183. In September 2024, the National Meteorological Service of Argentina issued warnings for the arrival of a dense smokescreen to the Buenos Aires Metropolitan Area, coming from fires in Bolivia, Brazil and Paraguay. This phenomenon reduced visibility and affected air quality, especially in the north and northwest of the province of Buenos Aires. The National Ministry of Health recommended precautions for people with respiratory and cardiovascular diseases, due to the risk posed by exposure to fine particulate matter.²⁰⁷ In Uruguay, the Uruguayan Institute of Meteorology confirmed that smoke from the forest fires in Bolivia reached the country, covering the entire national territory, including Montevideo. Grayish and reddish skies were reported, and warnings were issued about possible health effects, especially for people with respiratory conditions.²⁰⁸

184. In addition to air pollution, the 2024 wildfires significantly altered the hydrological cycle and water quality.²⁰⁹ The loss of vegetation cover can increase surface runoff and reduce infiltration, which favors the entrainment of large volumes of sediment, ash, and pollutants into water bodies. These materials can not only deteriorate surface and groundwater quality, but also affect aquatic biodiversity and generate cumulative impacts in downstream areas, even in neighboring countries, exacerbating the risks of sedimentation, eutrophication and ecosystem degradation.²¹⁰ This is especially relevant in regional terms, given that Bolivia occupies a strategic position on the South American water map, sharing transboundary basins with neighboring countries. Some studies have considered that an alteration of the hydrological cycle and water quality in regions such as the Chiquitanía may have implications beyond national borders, affecting water availability and quality in neighboring countries.²¹¹

185. This international dimension of the environmental crisis reinforces the need to integrate a regional environmental governance approach, in line with Inter-American standards and other multilateral

²⁰⁴ REDESCA takes note of the Eighth Meeting of the Latin America and Caribbean Forest Fires Experts Group (GEFF LAC).

²⁰⁵ REDESCA/IACHR, REDESCA urges urgent action on environmental crisis in South America caused by forest fires, September 17, 2024.

²⁰⁶ Copernicus Atmosphere Monitoring Service, CAMS Global Wildfires Review 2024: A Harsh Year for the Americas, December 5, 2024.

²⁰⁷ Infobae, Hasta cuándo continuará la presencia de humo y a qué zonas del país afectará, 10 September 2024; Página/12, Una cortina de humo negro avanza sobre el país, 10 September 2024.

²⁰⁸ La Diaria, Inumet confirmed that smoke from forest fires in Bolivia reached Uruguay and will cover the entire national territory, September 9, 2024.

²⁰⁹ Rodríguez, Y. and J. Fernandez, Transforming water management through fire management in the Chiquitania, Stockholm Environment Institute, October 31, 2024.

²¹⁰ Nasirzadehdizaji, R., and D. E. Akyuz, Predicting the potential impact of forest fires on runoff and sediment loads using a distributed hydrological modeling approach, in *Ecological Modelling*, vol. 468, 2022, art. 109959; Reale, Justin K; David J. Van Horn; Katherine E. Condon; and Clifford N. Dahm, The effects of catastrophic wildfire on water quality along a river continuum, in *Freshwater Science*, vol. 34, no. 4, 2015, pp. 1426-1442; Barjeste Vaezi, R., Martin, M. R., Hosseinpour, F., Impacts of wildfire smoke aerosols on radiation, clouds, precipitation, climate, and air quality, *Atmospheric Environment: Atmosphere and Oceans*, 100322, 2025.

²¹¹ International Union for Conservation of Nature, Bolivia: a key player in South America's transboundary waters, March 6, 2024.

instruments related to cooperation on environmental disasters, health, climate change and human rights. These instruments include the Advisory Opinion OC-23/17 of the IACtHR, the International Health Regulations, the Paris Agreement, and the Sendai Framework for Disaster Risk Reduction 2015-2030, among others that refer to the importance of international cooperation and coordination in these contexts, as well as the obligation to have a contingency plan to respond to environmental emergencies or disasters.²¹²

186. In general terms, the IACtHR has referred to the concept of "collective guarantee," emphasizing that it underlies the entire inter-American system, especially when the OAS Charter refers to the *solidarity* and good neighborliness of the States in the American continent. Additionally, it has emphasized that, in accordance with the collective guarantee mechanism, "it is incumbent upon all States of the inter-American system to cooperate with each other in good faith in order to comply with their international obligations, both regional and universal"²¹³.

187. Regarding environmental matters, the Court has emphasized that the duty to cooperate constitutes one of the concretions of the obligations of States to guarantee and respect the human rights of persons who, although they are outside their territory, could be affected by the activities carried out there.²¹⁴ Likewise, the IACtHR has referred to the *customary* nature of the obligation to *cooperate in environmental matters*, taking into account its recognition by arbitral tribunals,²¹⁵ the International Tribunal for the Law of the Sea,²¹⁶ and the International Court of Justice.²¹⁷ In this regard, it has pointed out that States have the *obligation to cooperate, in good faith*, to prevent, cease, mitigate and address environmental damage.²¹⁸

²¹² IACtHR, Advisory Opinion OC-23/17 The Environment and Human Rights, November 15, 2017, para. 171.

²¹³ IACtHR, Advisory Opinion OC-25/18 The Institution of Asylum and its Recognition as a Human Rights in the Inter-American Protection System, May 30, 2018. Series A No. 25, para. 199; IACtHR, Advisory Opinion OC-26/20 The Obligations in matters of Human Rights and the Charter of the Organization of American States, November 9, 2020, Series A No. 26, para.164.

²¹⁴ IACtHR, Advisory Opinion OC-23/17 The Environment and Human Rights, November 15, 2017, Series A No. 23, para. 182.

²¹⁵ IACtHR., Advisory Opinion OC-23/17 The Environment and Human Rights, November 15, 2017, Series A No. 23, para. 184; Arbitral Tribunal, Lac Lanoux case (France v. Spain), Decision of 16 November 1957, p. 308.

²¹⁶ IACtHR, Advisory Opinion OC-23/17 The Environment and Human Rights, November 15, 2017, Series A No. 23, para. 184; TIDM, MOX Plant Case (Ireland v. United Kingdom), Provisional Measures Order of 3 December 2001, para. 82.

²¹⁷ ICJ, Nuclear Tests Cases (Australia v. France) (New Zealand v. France), Judgments of 20 December 1974, paras. 46 and 49 respectively; Legality of the Threat or Use of Nuclear Weapons, Advisory Opinion of 8 July 1996, para. 102; Case of the Cellulose Plants on the Uruguay River (Argentina v. Uruguay), Judgment of 20 April 2010, para. 145.

²¹⁸ IACtHR, Advisory Opinion OC-23/17 The Environment and Human Rights, November 15, 2017, Series A No. 23, para. 185.

CHAPTER VII

CONCLUSIONS

VII. CONCLUSIONS

188. The Office of the Special Rapporteur recognizes the efforts made by the State of Bolivia to respond to the emergency caused by the forest fires of 2024. Through the different levels of government - municipal, departmental and national- institutional emergency and disaster mechanisms were activated, mobilizing human, technical and regulatory resources. In particular, it recognized that, faced with the unprecedented magnitude of the environmental emergency, the State deployed a set of actions that made it possible to avoid a humanitarian catastrophe of greater proportions. The work of the Vice-Ministry of Civil Defense, the Armed Forces, the departmental governments, the fire departments -including the community brigades organized by indigenous and peasant communities-, as well as international cooperation, which provided technology, supplies and fundamental technical support, are especially noteworthy. REDESCA emphasizes that in the context of the emergency response, specific humanitarian and health care measures were deployed to protect the health and lives of thousands of people.

189. The 2024 experience highlights the need to strengthen the risk and emergency governance system in Bolivia. Institutional fragmentation and disarticulation between levels of government were factors that slowed down actions. The Special Rapporteur emphasizes that autonomies should not be an obstacle to an articulated state response to emergencies such as forest fires. Guaranteeing ESCER in these contexts requires coordination between levels of government, respect for the unity of the State and the effective inclusion of indigenous peoples and peasant communities in decision-making.

190. The Office of the Special Rapporteur recognizes that the declaration of an environmental pause was a necessary measure in the face of the emergency. However, the information gathered during the visit revealed serious difficulties in its implementation, lack of prior consultation with the affected communities, and lack of adequate compensatory measures. Also, based on field work and scientific literature, this report questions the effectiveness and relevance of this type of measures beyond the emergency context, particularly because of their impact on indigenous peoples and peasant communities.

191. Fires in Bolivia and their impacts must be understood within the framework of structural conditions that have facilitated and aggravated them. The Office of the Special Rapporteur has pointed out the existence of regulations that allow land clearing and burning for agricultural purposes, contributing to deforestation and increased fire risk. In addition, the advance of a production model based on cattle and soybean expansion has generated a persistent tension between economic objectives and environmental sustainability. In this context, REDESCA recalls that the Bolivian State has an international obligation to prevent significant environmental damage, in accordance with Article 1.1 of the American Convention and the jurisprudence of the Inter-American Court. This obligation implies not only refraining from causing damage, but also regulating hazardous activities - such as extensive burning, land use change and agricultural expansion - through regulatory frameworks, monitoring systems and effective oversight mechanisms.

192. REDESCA stresses that state regulation is an unavoidable international obligation to guarantee the right to a healthy environment from a preventive perspective. This regulation must contemplate clear and effective norms on high-risk activities, such as the burning of vegetation, changes in land use and agricultural expansion in ecologically sensitive areas. In this context, the Office of the Special Rapporteur emphasizes that, in accordance with inter-American jurisprudence, environmental impact studies should be mandatory for any activity that could have a significant impact on the natural environment,²¹⁹ such as extensive agriculture, agricultural expansion in sensitive areas, and extractive projects, among other activities. In addition to assessing direct impacts, cumulative and synergistic effects should be considered, especially in contexts of high fire recurrence.

193. In this sense, REDESCA emphasizes that compliance with international standards on environmental monitoring requires that the responsible bodies have sufficient financial, human and technical resources to carry out effective supervision tasks. Inter-American jurisprudence has established that the lack

²¹⁹ IACtHR., Case of the Kaliña and Lokono Peoples v. Suriname, Judgment of November 25, 2015, paras. 214 and 221.

of state control over activities that generate environmental damage constitutes a violation of human rights, especially when it affects indigenous peoples.²²⁰ Therefore, it is essential to have a differentiated and reinforced control in collective territories, with active participation of the communities and effective mechanisms of denunciation and reparation.

194. The Office of the Special Rapporteur identifies as one of the main challenges the need to adopt a differentiated and culturally sensitive approach to fire management, going beyond strategies focused exclusively on fire suppression. To this end, the State must promote environmental governance that recognizes traditional knowledge, establishes clear controls against the indiscriminate use of fire, guarantees community participation, and respects the rights of indigenous peoples and rural peasant communities.

195. REDESCA notes with concern that, according to multiple sources gathered during the working visit and in subsequent information gathering, the 2024 fire season in Bolivia was marked not only by its magnitude, but also by consistent indications of deliberate actions with illicit ends. Testimonies and official data suggest that in many cases the fires were intentionally set to clear land for agricultural or livestock activities, to put pressure on collective territories, to facilitate irregular land appropriations or for political reasons. The opening of more than a hundred criminal proceedings for fires represents an institutional advance, but the limited number of convictions confirms the persistent challenges in terms of access to justice and combating environmental impunity.

196. The Office of the Special Rapporteur emphasizes that ongoing supervision, oversight, and monitoring are essential State responsibilities in addressing wildfires, particularly given the increase in extreme events linked to climate change. This requires not only the incorporation of new technologies and advanced predictive models, but also the strengthening of community-based early warning systems and the implementation of periodic supervision and inspection processes. These obligations must be accompanied by effective enforcement systems and sufficiently persuasive sanctions capable of preventing violations and ensuring the protection of the environment and human rights. REDESCA has identified significant progress made by the State of Bolivia in this regard; however, it is essential to continue these efforts, including by seeking international cooperation and technical assistance when necessary. In this context, the recent adoption of the 2025 Wildfire Prevention Action Plan may serve as a key tool to guide prevention efforts and strengthen integrated fire management in the country.

197. Also, the implementation of action plans to control air and water quality in the context of forest fires is an unavoidable obligation. These plans should include both mitigation measures for pollutants and restoration of water bodies, as well as the control of diffuse sources of pollution, such as agrochemical residues and particulate matter resulting from the fire. Such controls should be articulated with health alerts and protection protocols for the population, ensuring an effective response to episodes of acute air pollution.

198. REDESCA recalls that the right of access to environmental information is an essential pillar for the effective management of forest fires. The lack of timely, accurate and accessible information on the location, magnitude, causes and consequences of fires limits the population's ability to make informed decisions, protect their health and demand preventive and restoration measures. Likewise, the right to participation in environmental matters must be guaranteed at all stages of forest fire risk management, from the formulation of preventive policies to the planning of restoration actions. The State of Bolivia should reinforce its actions aimed at guaranteeing access to information and participation in accordance with Inter-American standards and the provisions of the Escazú Agreement.

199. The 2024 forest fires produced differentiated impacts on various sectors of the population, disproportionately affecting those who already faced structural situations of exclusion or vulnerability. The effects on rights such as health, a healthy environment, water, food, education and housing in these groups demonstrate the urgency of incorporating intersectional approaches based on human rights in the formulation and implementation of public policies for risk management and response to climate emergencies. The crisis also exposed the existence of new forms of vulnerability, such as forced displacement from rural communities

²²⁰ IACtHR., Advisory Opinion OC-23/17 The Environment and Human Rights, November 15, 2017, Series A No. 23, paras. 156 et seq.

to urban centers due to loss of livelihoods or access to water. These new vulnerabilities must give rise to adapted responses that enable the protection and guarantee of the rights of these populations through specific public policies. In line with IACHR Resolution 2/24, it is emphasized that states have the obligation to adopt legal, administrative and social measures to prevent forced displacement for environmental reasons, as well as to ensure the comprehensive protection of persons displaced by the effects of climate change.²²¹

200. REDESCA stresses that large-scale forest fires, such as those that occurred in Bolivia in 2024, can generate significant transboundary impacts - such as air pollution or shared biodiversity loss - that trigger international duties of cooperation. This duty recognized by Inter-American and international environmental law includes the timely notification of emergencies, the exchange of information, the adoption of joint measures, the protection of shared environmental assets, and contingency plans. The Special Rapporteur emphasizes that strengthening regional environmental governance mechanisms is essential to guarantee human rights and ecological sustainability in the face of increasingly complex crises.

²²¹ IACHR, Resolution No. 2/24: Resolution on Human Mobility Induced by Climate Change, adopted December 26, 2024, Document No. 252.

CHAPTER VIII

RECOMMENDATIONS

VIII. RECOMMENDATIONS

Based on the observations and conclusions of this report, REDESCA makes the following recommendations to the State:

1. Adopt a National Integrated Fire Management Plan with an adaptive, ecosystemic and intercultural approach that combines traditional and scientific knowledge, promotes the effective participation of indigenous peoples, peasant communities and private sector actors, and establishes clear mechanisms for coordination, cooperation and accountability among different levels of government. The plan should include community monitoring, differentiated protocols for traditional fire management, climate change strategies and periodic evaluation mechanisms.

2. Strengthen environmental governance through effective coordination and inter-institutional articulation mechanisms that overcome the current fragmentation between national, departmental, and municipal levels, and actively integrate territorial actors. This governance should encompass all phases of the risk management cycle: prevention, preparedness, and emergency response. In particular, it is recommended to: a) ensure that Emergency or Disaster Declarations trigger a coordinated, rapid, and effective response; and b) update and harmonize operational protocols for wildfire risk management, establishing clear procedures for communication, monitoring, immediate response, and recovery.

3. Eliminate regulatory and economic incentives that directly or indirectly favor land-use change, including fiscal instruments and provisions that facilitate land clearing, intensive agricultural expansion, or unregulated burning. This requires: a) repealing regulations that enable land clearing or burning practices in sensitive areas, as part of a redesign of agricultural and land tenure policy; and b) establishing clear restrictions on high-impact activities and controls on internal and external demand for products that put pressure on the agricultural frontier.

4. Establish the mandatory requirement for environmental and social impact assessments for any public or private activity that poses a significant risk of wildfires or environmental harm—such as burning, land-use change, large-scale agriculture, or agricultural expansion in sensitive areas. These assessments must include contingency plans, cumulative impact analyses, and effective participation of affected communities. This obligation should be complemented by periodic supervision and inspection processes, as well as by oversight mechanisms and sufficiently persuasive sanctions.

5. Establish, through legislative reforms and public policies, the mandatory requirement that companies operating in sectors affecting land use—such as agribusiness, mining, or environmental services—implement due diligence processes on human rights, the environment, and climate change. These processes must include the identification, prevention, mitigation, and accountability for actual or potential negative impacts, particularly in ecologically sensitive areas and Indigenous or campesino territories. The State is responsible for ensuring effective regulatory frameworks, adequate oversight, transparency in environmental information, and the effective participation of affected communities, in accordance with the principles of precaution, sustainability, and applicable Inter-American standards.

6. Strengthen national systems for environmental monitoring, early warning and forest fire risk management through sustained investment that incorporates new technologies, ensures data interoperability between institutional levels and provides reliable information on hot spots, fire location, climatic conditions and the evolution of critical events. These systems should include participatory mechanisms, especially in areas of high biodiversity and indigenous territories, articulating with community alert networks and local systems.

7. Ensure real-time, transparent, public dissemination of accurate and accessible environmental information—including ecological damage, air and water pollution, and restoration progress—through open digital platforms, culturally appropriate formats, and communication protocols that facilitate informed decision-making by the public, local communities, and institutional stakeholders.

8. Design an alternative to the *environmental pause* that is sustainable in the medium and long term, that instead of being based on fire suppression, develops a systemic and integrated approach to fire management, that articulates risk reduction with adaptation to climate change, that promotes adaptive governance, and strengthens the role of local communities in prevention, response and restoration of affected territories, in the context of the development of the National Integrated Fire Management Plan.

9. Declare ecological restoration as a national priority, providing it with legislative support, sustainable financing and differentiated strategies by territory, based on science, human rights and ancestral knowledge. Bolivia should adopt a policy that defines clear goals, funding sources, institutional responsibilities and periodic evaluation mechanisms, prioritizing critical areas due to biodiversity loss, impacts on livelihoods and strategic ecosystem function, such as indigenous territories, Ramsar areas, water recharge areas and biological corridors.

10. Investigate with due diligence, specialized personnel and forensic technologies all environmental crimes, especially the intentional fires of 2024, ensuring the effective punishment of those responsible. This action must be accompanied by the strengthening of structural prevention mechanisms that address risk factors linked to the uncontrolled expansion of the agricultural frontier, weak oversight and legal insecurity in land tenure.

11. Integrate a climate justice approach with an intersectional and differentiated perspective into legal frameworks and public policies, recognizing structural vulnerabilities and addressing the specific needs of Indigenous peoples, rural farming communities, women, girls, boys, older persons, persons with disabilities—particularly in the context of climate emergencies, where, for example, older persons face greater obstacles to evacuation, access to medical care, and the recovery of their livelihoods—, as well as other historically excluded groups. This includes adopting protection and compensation measures in response to higher risks and lower adaptive capacities, ensuring their effective participation in all phases of the risk management cycle—prevention, preparedness, response, and recovery—, and securing differentiated budget allocations, along with equitable access to ecological restoration, health care, water, housing, and livelihoods.

12. Guarantee access to water of adequate quality and in sufficient quantity for communities, especially those in areas of high vulnerability to the climate crisis and forest fires, adopting preventive measures for the conservation and sustainable management of water sources, protection of aquatic ecosystems and watersheds with a human rights approach.

13. Strengthen health care responses to environmental emergencies through protocols adapted to exposure to smoke, extreme heat, and air pollutants, including the enhancement of air and water quality monitoring systems, early health alerts, preventive measures, and targeted actions to protect groups in situations of vulnerability, in accordance with the right to health and a healthy environment.

14. Guarantee the right to adequate housing in post-disaster contexts, through reconstruction plans that incorporate criteria of cultural relevance, climate adaptation and effective participation of indigenous peoples and rural communities, ensuring conditions of habitability, security and territorial continuity.

15. Recognize the impact on the right to food as a direct consequence of the collapse of productive ecosystems caused by forest fires, and adopt urgent food security measures, including the protection of traditional agricultural systems, support for community production and the restoration of rural livelihoods, with a focus on human rights, sustainability and cultural relevance.

16. Guarantee the effective exercise of the collective rights of indigenous peoples, including their autonomy, respect for their territories and free, prior and informed consent, as well as the recognition of their own fire management systems, in accordance with their norms, institutions and cultural practices. Likewise, establish specific safeguards that prohibit the violation of their territories through illegal or harmful activities—such as unauthorized burning or land use change—, prioritizing their conservation as a preventive measure against forest fires.

17. Guarantee the comprehensive protection of indigenous peoples in voluntary isolation and initial contact through a differentiated approach that respects their decision of no contact and their right to territory, establishing effective safeguards that prevent any form of intrusion or harmful activity in their environments. These measures should consider their particular contexts and reinforce the intangibility of their territories, in accordance with the principle of self-determination and applicable international standards.

18. Recognize and address internal displacement due to climate change as an emerging form of vulnerability, adopting comprehensive measures to prevent uprooting, protect the rights of displaced persons and promote durable solutions with a territorial, cultural and human rights approach.

19. Ensure effective access to environmental and climate information through active transparency mechanisms, accessible, multilingual and culturally appropriate formats; and ensure the effective participation of communities in all phases of environmental management - prevention, response and restoration - through binding, inclusive and contextually appropriate procedures.

20. Establish effective mechanisms for access to environmental justice in the context of forest fires, including appropriate administrative and judicial procedures, and adopt specific regulatory frameworks for the protection of environmental defenders - particularly indigenous and community leaders - with guarantees of security, public recognition of their work, and their active participation in environmental policies.

21. Develop institutional and technical strategies to access international climate finance mechanisms -such as the Green Climate Fund and the Loss and Damage Fund- that strengthen state and community capacities for forest fire prevention, ecological restoration and climate resilience. This access must be guaranteed with effective participation, transparency in the use of funds and priority for the most vulnerable territories and communities. It is also recommended to evaluate the reform of the domestic tax system, with a human rights approach, to mobilize sustainable resources to support these policies.

22. Strengthen regional environmental governance through mechanisms of cooperation between States, including the development of joint protocols and the strengthening of existing platforms, to promote coordinated responses, in solidarity and respectful of human rights, to transboundary environmental crises. Likewise, effectively comply with the international duty to cooperate, through contingency plans, information exchange, joint alerts and coordinated actions for the protection of shared environmental assets, in accordance with inter-American jurisprudence and the principle of good faith.

REDESCA appreciates the efforts of the State of Bolivia in the face of the emergency generated by the forest fires of 2024, and emphasizes that the strengthening of environmental governance, structural prevention and ecological restoration are key to guaranteeing human rights in the face of the climate crisis. In this regard, the Office of the Special Rapporteur expresses its willingness to collaborate through a special follow-up mechanism to monitor progress, support the implementation of recommendations and promote a comprehensive and sustainable response.

