



HUMAN RIGHTS REPORT ON THE CLIMATE TRAGEDY OF MAY 2024 IN THE STATE OF RIO GRANDE DO SUL - BRAZIL

EXECUTIVE SUMMARY

Centro de Direitos Econômicos e Sociais – CDES

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Passo Fundo

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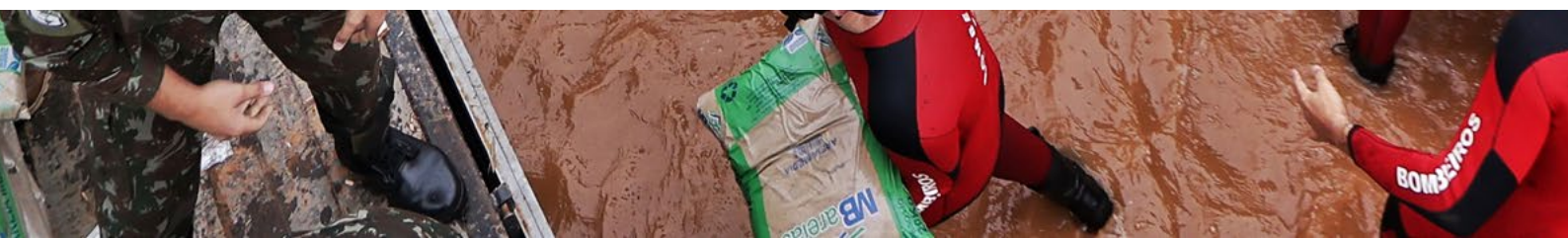


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1 The context of the climate tragedy



In April and May 2024, the state of Rio Grande do Sul (RS) experienced a climate tragedy due to approximately 800 mm of rainfall within a short period — a record volume never before seen in the state. This unprecedented deluge severely impacted the watersheds of several rivers, resulting in massive landslides, torrents, and widespread flooding. According to reports from Agência Brasil at the time¹, the consequences were as follows:

[...] The Civil Defense of Rio Grande do Sul announced on Monday, May 8, that the number of fatalities caused by the heavy rains in April and May had risen to 182. An updated report shows that 31 people remain missing. The data further indicates that 2.398 million people were affected by the climate disaster, representing 22.04% of Rio Grande do Sul's population, which, according to the 2022 census by the Brazilian Institute of Geography and Statistics (IBGE), was 10,882,965. The flood caused damage in 478 of Rio Grande do Sul's 497 municipalities, or 96.18% of the total. At the peak of the crisis, more than 626,000 people were forced to leave their homes, either temporarily or permanently, and seek shelter with relatives, friends, or in emergency shelters.

In addition, 700 schools across the state were affected, with over 400 suffering varying degrees of damage, ranging from total destruction to minor damage. Essential services, including nurseries, hospitals, transportation systems, schools, and health centers, were also destroyed. The devastation resembled a war zone, with large areas of the state left in ruins.

The extreme weather that caused the flooding was the result of a specific combination of factors, including intense heat in other parts of Brazil and a cold front that stalled over Rio Grande do Sul, resulting in unprecedented rainfall. This excess water drained into the Jacuí Delta region and the Caí, Sinos, and Gravataí rivers, ultimately reaching Porto Alegre. In the first week of May, the Guaíba River received an influx of 14.2 trillion liters of water, according to the Hydraulic Research Institute (IPH) at the Federal University of Rio Grande do Sul (UFRGS). With such an overwhelming volume of water, the flood protection system for the entire metropolitan region—which has been increasingly compromised in recent years—was unable to

¹ Available at: <https://agenciabrasil.etc.com.br/geral/noticia/2024-07/numero-de-mortos-por-caoa-das-chuvas-no-rs-sobe-para-182>. Visited: August 22, 2024.

protect the cities, which were overwhelmed by the torrents. In just one week, more than 400 municipalities in RS were affected, with entire regions submerged and vulnerable to continuous, unrelenting downpours.

It is important to note that Rio Grande do Sul had already been grappling with extreme weather events since the previous year. In September and November 2023, severe rains in the Taquari Valley resulted in 52 deaths. Cities like Muçum and Encantado, which had already been devastated, were once again badly affected by the rains in April and May 2024.

Media coverage of the disaster revealed a crisis that will demand long-term attention from the authorities, likely lasting months or even years. The scale of destruction has been compared to previous catastrophic events, such as the Brumadinho disaster. A major point of criticism has been the poor maintenance and neglect of flood protection infrastructure: for instance, Porto Alegre's system, which dates back to the 1970s, was cited as a factor contributing to the city's devastation. Critics pointed to government officials who, by ignoring warnings and failing to conduct necessary maintenance, exacerbated the crisis, as shown in the timeline below.



2 Timeline



APRIL 29 ● **First red alert issued by the National Meteorological Institute**

Heavy rain and hail fell in the Rio Pardo Valley and the central region of the state, triggered by a mass of warm air that blocked the cold front over the South, causing unstable weather conditions to persist across the state.

APRIL 30 ● **First casualties recorded**

By this date, five people had already lost their lives in the towns of Paverama, Pântano Grande, Encantado, and Santa Maria. Eighteen people were reported missing, and 77 municipalities had been affected by the floods. In terms of infrastructure, two bridges had collapsed, isolating two cities.

MAY 1 ● **State of public calamity declared**

Floodwaters had impacted 114 municipalities and displaced 19,000 people, leading Rio Grande do Sul to declare a state of public calamity. Landslides intensified, cutting off the state's second-largest city from the capital. Roads were closed, and the rupture of a water main created a massive wave that swept across the highway. In the mountains, 200 people were rescued after a barrier collapsed.

MAY 2 ● **Cities become stranded**

The number of fatalities increased, with 19 deaths reported within 24 hours. Entire towns became unreachable, complicating rescue efforts. More than 4,500 people were left homeless across the state.

The dam at the power plant in Bento Gonçalves collapsed, triggering the evacuation of families. Civil Defense issued an alert that the Guaíba River was nearing flood stage and was expected to overflow.

MAY ● Porto Alegre: the epicenter of the climate tragedy

3

The Guaíba River rose to 4.77 meters, flooding the Porto Alegre Historic District. The bus station was submerged, and metropolitan public transport was suspended. In Canoas, the third-largest city in the state, 60% of the area was affected. Civil Defense issued an alert about the dam rupture in Bento Gonçalves, advising the evacuation of seven municipalities. The death toll had reached 39, with 68 people still missing.

MAY ● Physical access and communications cut off

4

The death toll surpassed that of the environmental disaster of September 2023. Public facilities such as schools, health centers, and administrative offices sustained damage. Over 400,000 homes lost power, and 186 municipalities had no Internet or telephone service. More than one million households lacked access to water.

MAY ● Disaster response in a war-like scenario

5

The state government organized efforts to receive donations, with international channels also opened. Civil society mobilized to collect and sort donations, while rescue operations intensified. The disaster had claimed 78 lives, with 175 injured across 341 municipalities. The number of people affected reached 840,000. In Porto Alegre, 67 neighborhoods were without water, as four of the city's six water treatment plants were out of service. In Sarandi, a neighborhood with 91,000 residents, flooding occurred after a water containment barrier broke.

MAY ● Porto Alegre International Airport closed indefinitely

6

The Guaíba River rose to 5.33 meters. Porto Alegre International Airport was closed indefinitely. The number of affected municipalities increased to 497, with 85 confirmed deaths. In downtown Porto Alegre, flooding worsened due to failures in the rainwater pumping system. Concerns over the risk of electric shock prevented the drainage of water, with only 4 out of 23 pumps in operation.

MAY ● Unprecedented facts and figures

7

By this date, 208,000 people had been left homeless across Rio Grande do Sul, with around 50,000 in shelters and 1.5 million directly affected in 401 of the state's 497 municipalities. In Porto Alegre, the Guaíba River stood at 5.28 meters. The mayor's office reported that over six tons of garbage had accumulated due to transport and logistics disruptions. Downstate, the Patos Lagoon was rising, causing flooding in the cities of Pelotas and Rio Grande.

MAY ● A new cold front announced

8

A new cold front was forecast, expected to bring more rain, strong winds, and lightning. In Rio Grande do Sul, more than 500,000 people were without access to water, and in Porto Alegre, 85% of the population was suffering from the collapse of the water supply system. In the flooded neighborhoods, residents were afraid to leave their homes, fearing robbery. The National Force deployed its first troops to the state.

MAY ● Evacuation and reports of abuse and violence

9

The climate catastrophe was accompanied by reports of sexual abuse in shelters and donation scams, including records of misappropriation. However, the work of countless volunteers stood out. They were involved in all areas, from rescue operations to managing shelters, collecting donations, preparing food, and providing psychological support.

MAY ● Widespread destruction and fading hope

10

Ten days after the floods began, Rio Grande do Sul had 126 confirmed deaths, 141 people missing, and 756 injured. A total of 1.9 million people across 441 municipalities were affected; 340,000 people were left homeless, and 71,000 were in shelters. In Porto Alegre, a humanitarian corridor was established near the Bus Station to ensure the arrival of emergency vehicles and donations, relieving pressure on the only other access to the city via Highway RS 118.

MAY ● The rains return and there are new alerts**11**

Heavy rains returned, and the National Center for Natural Disaster Monitoring and Alerts (CEMADEN) issued a very high-risk alert for geo-hydrological events. The number of people affected surpassed two million, with 136 deaths, 125 missing, 806 injured, and 537,000 displaced. Rescuers saved 75,000 people and 10,000 animals. The Multipurpose Aerodrome Vessel Atlântico and the Frigate Defensora arrived in the state with 154 tons of donations to support rescue and relief efforts.

MAY ● New records and new alerts**12**

Civil Defense issued flood warnings for the Caí and Taquari Valleys, as well as the Antas River, all of which had reached flood stage once again. Continuous heavy rainfall in the mountains and northern regions of Rio Grande do Sul raised fears of rising river levels. In Caxias do Sul, part of a bridge over the Caí River collapsed, and a landslide claimed the life of a civil servant in another area of the city. In Porto Alegre, three shelters for women and children were opened. The Guaíba River rose by ten centimeters, while the Taquari River surged by 60 centimeters in one hour in Roca Sales and Muçum. Floods were also recorded in Lajeado, Rio Grande, and Canoas, where new evacuation alerts were issued for seven neighborhoods.

MAY ● Unsuccessful responses and the advancing flood**13**

Porto Alegre's city hall announced plans to construct a temporary settlement for around 10,000 people, while also trying to hold back the advancing waters of the Guaíba River—now exceeding five meters once again—using sandbags next to the floodgates along Mauá Avenue. In the southern part of the city, the Lami neighborhood was evacuated after water overtook the waterfront and reached homes, cutting off water, electricity, and Internet connections. A rainwater pumping station was partially restored, bringing the number of functioning pumphouses to eight out of a total of 23. In Caxias do Sul, further evacuations displaced another 200 families due to the risk of landslides. Even as emergency and rescue operations continued and floodwaters kept rising, pressure mounted on governments to take concrete action on climate change mitigation. The state government promised to develop a plan to rebuild and present it within a few days.

MAY ● Foul odors and proliferation of rats**14**

In Porto Alegre, the water treatment plant serving 150,000 households across 21 neighborhoods had been out of service for 11 days. The Guaíba River had risen to 5.25 meters. In downtown Porto Alegre, where floodwaters still covered parts of the streets, there was a strong foul odor and a widespread presence of rodents. The company managing Salgado Filho Airport announced that operations would remain suspended until September. Due to the disaster, National Social Security Institute (INSS) branches in 11 cities, including Porto Alegre, remained closed, disrupting essential services to the population. In the mud-covered cities of the Taquari Valley, clean-up efforts were underway. Although the rain had briefly subsided, cold weather presented a new challenge for maintaining shelters and assisting those left homeless. The Federal Government decided to appoint an extraordinary minister to oversee the reconstruction of the state of Rio Grande do Sul.

MAY ● The waters recede**15**

The Federal Government returned to the state to assess the climate tragedy, and announced new relief measures. In Porto Alegre, the water treatment plant was reconnected, with supply gradually being restored in the 21 affected neighborhoods. However, many areas were still without access to water. After negotiations between the Federal Government and Fraport (the company responsible for operating Porto Alegre airport), the Canoas Air Base was prepared to receive commercial flights. Water levels receded in downtown areas, and hospitals began taking steps to resume operations, though this was expected to take at least 20 days. The Taquari, Caí, and Gravataí Rivers' levels fell, while the Sinos River remained stable. The Guaíba River remained steady at 5.18 meters, but flooding continued in the northern neighborhoods and the Historic District. As of that date, Civil Defense recorded 149 deaths, 108 missing persons, and 538,000 displaced individuals in Rio Grande do Sul since the onset of the disaster.

MAY ● Provisional cities announced

16

The state government announced the construction of four provisional towns to house those made homeless by the floods in Porto Alegre, Canoas, Guaíba, and São Leopoldo. At this point, 77,000 people were still living in shelters across the state. Due to the complete shutdown of Salgado Filho International Airport, regional airports in Caxias do Sul, Pelotas, Santa Maria, Passo Fundo, Santo Ângelo, and Uruguaiana began offering additional routes. Metropolitan train services, which had been suspended since May 3, announced that operations would not resume anytime soon. In Porto Alegre, the receding waters revealed dead animals and debris, though large parts of the northern city remained flooded. Meanwhile, rising water levels in the São Gonçalo Canal and the Patos Lagoon in the southern region of the state continued to be a cause for concern.

MAY ● Inadequate recovery initiatives

17

Water shortages continued to affect Porto Alegre, and many parts of the city remained flooded because the water could not be properly drained. To address this, one of the floodgates in the Mauá wall was opened to allow the water to recede more quickly—an unprecedented action, as the structure was originally designed to keep water out, despite its failure. Communities in the southern part of the city remained isolated. In the city of Rio Grande, 600 people were rescued by Civil Defense, and access to beaches was restricted in São Lourenço. The State Government announced the creation of a Secretariat for the Rebuilding of the State of Rio Grande do Sul, and the Federation of Industries of Rio Grande do Sul (Fiergs) requested R\$100 billion from the Federal Government to help the sector recover.

MAY ● Volunteers and temperatures drop

18

The number of volunteers, which had been high in the first three weeks following the climate tragedy, dropped significantly across all cities. In Porto Alegre, the city administration reopened volunteer registration and issued public calls to encourage continued participation in humanitarian aid efforts. Additional floodgates were opened in an attempt to speed up the drainage of the Guaíba River. In the cities of Gravataí and Cachoeirinha, located in the metropolitan area, 3,500 people were staying in shelters. Meanwhile, temperatures dropped significantly across different parts of the state.

MAY ● Floodwater remains trapped in cities

19

In Porto Alegre, 13,000 people remained in shelters. In the metropolitan area, at least 70,000 were still without water and nearly 200,000 were without power. The first floating drainage pump, loaned by the São Paulo state sanitation company, was installed in the capital to help drain the trapped water. Additional pumps were also installed in Canoas and São Leopoldo. In the city center, affected residents were instructed to place rubble outside their homes for collection and cleanup, though many streets still had no water or power. More than five tons of rubble and debris were collected in the city of Novo Hamburgo. In Gramado, located in the mountainous region, the number of evacuation points increased from 16 to 26, following the announcement of heavy rain across the entire state.

MAY ● Rio Grande do Sul government accused of relaxing environmental legislation

20

Affected cities gradually resumed their activities, with thousands of people still in shelters and no prospect of returning home. In the southern part of the state, the city of Pelotas was on high alert, and the first death from leptospirosis was confirmed in the Valleys region. The death toll from the climate disaster reached 157 in Rio Grande do Sul. Nationally, the state government of Rio Grande do Sul faced criticism for relaxing the state's environmental code in 2019 (with 480 changes), changing the pesticide law in 2021 to allow the use of chemicals banned in their countries of origin, and passing a law in April 2024 permitting the construction of dams for irrigation in Permanent Preservation Areas.

MAY ● Outskirts of Porto Alegre remain underwater**21**

In Porto Alegre, residents of the Sarandi, Humaitá, Vila Farrapos, and Anchieta neighborhoods were still unable to return to their homes, which remained flooded. The same situation occurred in the 4th District, an area with a significant number of informal settlements. Many residents from the islands and northern parts of Porto Alegre, whose homes were destroyed, were still living in shacks and cars along the roadside. Public complaints persisted regarding the shortcomings in the Guaíba River's water containment system, drainage, water collection, and supply. Stains on buildings in the capital's historic district showed that the water had reached a height of 1.80 meters in that area.

MAY ● Debris left behind by the flood**22**

Garbage accumulating on city streets became an urgent health concern. The lack of infrastructure for collection and disposal had made many neighborhoods unsanitary. The Porto Alegre city administration signed an emergency contract with a landfill in neighboring Gravataí, in the metropolitan area, to dispose of between 70,000 and 180,000 tons of solid waste generated by the floods. However, this was insufficient for the volume of garbage left behind. Protests in the outskirts of the city highlighted the ongoing flooding and the lack of government response to the affected communities.

MAY ● Flooding from the sewers**23**

Heavy rains once again hit the metropolitan area of Porto Alegre, causing flash floods in various parts of the capital and spreading panic among the population. This time, the water did not come from the Guaíba River but instead surged out of culverts in previously affected areas and into new areas, such as parts of the south side that had not been impacted before. The chaos was worsened by garbage and rubble left out for collection on dry ground. Ten children and seven staff members were stranded at a daycare center in the south and had to be rescued. Cleanup efforts at the Public Market were interrupted, and the mayor of Porto Alegre blamed the excessive rainfall, emphasizing the need to overhaul the city's flood prevention system. The drainage grid was clogged with sand and silt, highlighting ongoing failures and a lack of maintenance. Civil society groups filed a request with the City Council for the mayor's impeachment. In the Taquari Valley, floating footbridges in Lajeado and Candelária were swept away by the current due to the renewed rains.

MAY ● Relapses, garbage and protests**24**

The dike in the northern part of Porto Alegre overflowed again, as it had at the onset of the climate disaster. Water levels rose by 20 to 40 centimeters in the Anchieta, Humaitá, Sarandi, Vila Farrapos, and 4th District neighborhoods, which were hit the hardest and are home to the most vulnerable populations. More than 7,000 tons of debris were collected in the city, and the estimated total volume across the state reached nearly 50 million tons, according to a study by the Hydraulic Research Institute of the Federal University of Rio Grande do Sul (IPH-UFRGS). Protests erupted in Canoas and Porto Alegre, highlighting the lack of response from local authorities.

MAY ● More accusations against the city administration amid floods**25**

The rupture of a water main in the Sarandi neighborhood led to a shutdown of the water supply for 14 neighborhoods in northern Porto Alegre. The mayor commissioned a preliminary investigation into actions taken following warnings in 2018 and 2023 about poor maintenance at rainwater pumping stations. More than 20 days after the flood, less than half of the drainage pumps—only 11 out of 23—were operational. At that time, the state had recorded four deaths from leptospirosis, 84 confirmed cases, and 800 under investigation, in addition to the 166 fatalities caused by the climate disaster up to that point.

The tragic events faced by the population of Rio Grande do Sul highlighted the negligence of public authorities in preventing and responding to such large-scale disasters. The need for effective and sustainable measures to enhance cities' resilience to extreme events became clear. Inadequate environmental policy and dismantled environmental laws were aggravating factors in the disaster.

The extensive nature of the event calls for a region-specific assessment of the territorial and institutional context to fully understand the impacts on affected populations.



3 Insufficient public redress policies

Technical visits conducted by the human rights organizations involved in this report to communities affected by successive climate disasters in the state of Rio Grande do Sul reveal that the Brazilian state is unprepared to address the severe consequences of climate change.

There has been some progress in national legislation concerning climate change, as evidenced by federal laws such as No. 12.187 of December 29, 2009, which establishes the National Policy on Climate Change (PNMC); No. 14.904 of June 27, 2024, which outlines guidelines for climate change adaptation plans; No. 12.604 of April 10, 2012, which establishes the National Civil Protection and Defense Policy (PNPDEC), including the National Civil Protection and Defense System (Sinpdec) and the National Civil Protection and Defense Council (Conpdec). However, these legislative measures have not been effectively implemented in the areas they are meant to protect. Despite the existence of a national code of conduct with concepts, guidelines, instruments, and numerous measures, these elements have not reached the affected territories and have not contributed to reducing the human rights violations experienced by many people in Rio Grande do Sul.

Locally, both in cities and throughout the state of Rio Grande do Sul, this national legislation on climate change faces pressure from state and municipal regulations that relax environmental protection requirements for rivers, streams, and floodplains. These local rules also make land-use planning more flexible, allowing housing and industrial developments in unsuitable locations, such as flood-prone areas.

The most serious issue, however, is the inadequacy of public policies—at municipal, state, and federal levels—to provide immediate assistance to those affected and displaced by climate disasters.

3.1 Information and participation

The issue of information and participation is prominently highlighted by those affected as a serious violation of human rights. The catastrophe in RS directly impacted more than 600,000 people, who were

displaced from their homes by floods and torrents. For this large group, timely and accurate information is crucial for exercising their rights and organizing their response to the disaster. However, the reality is the spread of fake news and rumors through social media and messaging apps. This misinformation ranges from false reports of new dam and levee breaches to incorrect claims about bank accounts receiving donations.

Similarly, there is a notable lack of organized processes and spaces for involving those affected by the disaster. Public authorities have a responsibility to organize and support those in a state of calamity, as well as to provide clear and accurate information. Unfortunately, the opposite has occurred in this climate disaster, with authorities developing response policies without fully understanding the needs of those affected. As a result, some areas receive excessive donations of food, clothing, and other goods when they are no longer needed. For instance, there were numerous cases where homes were flooded, and the primary need was for basic items like beds, as all their furniture had been destroyed².

It is essential for victims to have access to clear, accurate, and truthful information and to participate in determining their own recovery through public redress and rebuilding policies. This aligns with the Escazú Agreement: the Regional Agreement on Access to Information, Public Participation, and Access to Justice in Environmental Matters in Latin America and the Caribbean.

3.2 Social vulnerability and climate vulnerability

Regarding the social benefits provided to those affected, it has become evident that the welfare policy relies on the same criteria used for assessing social vulnerability on a daily basis. In other words, only individuals enrolled in CadÚnico or those already receiving social benefits, such as Bolsa Família, are eligible for government assistance. This has created a significant issue in the affected areas, as many families who lost their homes have formal employment and do not rely on government subsidies, thus being excluded from the benefits designed for climate disaster victims. Social programs such as “Volta por Cima”³ and “Pix”⁴, sponsored by the RS state government, as well as “Auxílio Canoense Reconstrução”⁵ (in the city of Canoas), not only require beneficiaries to be enrolled in the CadÚnico registry but also mandate that they participate in debris cleanup efforts in their city.

The benefits derived from the extraordinary withdrawal of the Severance Indemnity Fund (FGTS) and the federal government’s “Rebuilding Aid” are exceptions in this case. The FGTS allows workers to withdraw their own funds early, while the “Rebuilding Aid” does not require the affected person to be in a situation of social vulnerability. However, technical visits reveal that the “Rebuilding Aid,” intended for those whose homes are located in flooded areas as indicated by INPE satellites, has also faced criticism. There are delays

2 Available at: <https://www.correiodopovo.com.br/not%C3%ADcias/cidades/associa%C3%A7%C3%A3o-sapucaense-faz-oficina-para-constru%C3%A7%C3%A3o-de-camas-destinadas-aos-atingidos-pela-enchente-1.1508550>. Visited: August 21, 2024

3 Available at: <https://sosenchentes.rs.gov.br/voltaporcima>. Visited: August 21, 2024.

4 Available at: <https://www.defesacivil.rs.gov.br/estado-inicia-repasse-de-recursos-do-pix-para-atingidos-por-desastres>. Visited: August 21, 2024.

5 Available at: <https://sistemas.canoas.rs.gov.br/auxilio-canoense>. Visited: August 21, 2024.

in issuing the benefit, with many applications remaining “under analysis” indefinitely. Additionally, there is no consensus on eligibility, as some homes affected by the disaster are not in the officially designated flooded areas.

It is evident that social vulnerability is being prioritized over climate vulnerability. In practice, people affected by climate events are being overlooked, despite having lost their homes, furniture, and belongings, and needing to rebuild their lives. Social programs fail to recognize these individuals as victims of the climate disaster. This issue highlights the shortcomings of the National Climate Change Policy, which has been in place since 2009, and the lack of effective programs and actions to address such situations.

3.3 Right to the city and deterritorialization

While human rights violations can stem from various issues, the right to adequate housing is the most significant violation resulting from the climate disaster that struck Rio Grande do Sul in May 2024. Such disasters have a tragic impact on cities, predominantly affecting poor communities that, unable to afford proper housing, are forced to seek shelter in the most vulnerable and unprotected areas. These areas lack the necessary public investment to ensure safety and habitability. The situation is worsened by the absence of public housing policies not only for constructing new homes but also for improving housing and infrastructure (urbanization) and ensuring the safety of these areas. Historically, public authorities have neglected this population, but the challenges posed by climate change have exacerbated the dangers and increased the risk of death for these individuals.

In response to these violations, the Federal Government launched the “Minha Casa Minha Vida Rebuilding Program”⁶, a set of measures designed to provide housing for those who lost their homes in the floods. The program includes building new homes for families earning between one and three times the minimum wage, offering full financing for lower-income families and partial financing for others. Additionally, the program provides funding for purchasing new or used homes already built anywhere in the state of Rio Grande do Sul.

Despite being a quick solution to address the urgency faced by affected families (who often remain in public shelters for extended periods or in precarious conditions with relatives), the immediate option to purchase a new or used home anywhere in the state of Rio Grande do Sul can lead entire communities to leave their longtime neighborhoods. The compulsory displacement caused by the disaster forces those affected to sever the ties they have built over a lifetime in their local area. These ties are crucial for various aspects of life, including income-generating work, social relations, and access to health and social services. Another significant concern is the risk of climate gentrification. This refers to the forced displacement of people affected by climate events to other areas, while previously at-risk regions are revitalized and recovered to be made available for market and real estate speculation.

The opposite approach can be considered more pragmatic through the creation of a public benefits program aimed at repairing affected homes. Technical visits revealed that the ceilings and roofs of these

⁶ Available at: <https://www.gov.br/cidades/pt-br/aceso-a-informacao/acoes-e-programas/habitacao/programa-minha-casa-minha-vida/mcmv-reconstrucao>. Visited: August 21, 2024.

houses were damaged by the flood and require repair, as do all the frames (doors and windows, typically made of wood). Implementing this simple measure would help ensure that affected residents can remain in their original areas.

Furthermore, the concept of safe housing and risk prevention is more crucial than ever in the context of climate disasters. Living with the impacts of climate change without protection against the risks of torrents and floods necessitates a serious discussion about the spaces in cities that are designated for both nature and people, through participatory territorial and urban planning. It is also essential to encourage the reopening of city and state-run schools and daycare centers affected by the climate disaster. This will help guarantee access to education for children and adolescents and enable adults to return to work, knowing their children are being cared for.

Climate adaptation measures are increasingly urgent in this context, as cities must plan land use with climate change risks in mind. They need to establish special areas of social interest to relocate large groups of people from risky areas. In essence, cities should be designed in a pluralistic and democratic manner, rather than solely focusing on profitability. Failure to adapt cities to climate change results in violations of the human rights of those affected by extreme events, as evidenced by the cases discussed. The role of Civil Defense in cities must be strengthened to reduce risks for poor communities and those living under constant threats such as floods and landslides. Additionally, there needs to be specific redress policies in place for climate disasters. Public authorities should also develop immediate public policies and human rights standards to address disasters caused by extreme weather events.

3.4 The need to improve federal relations

Another crucial aspect of the redress and rebuilding policy is the need for effective coordination among federal, state, and municipal governments throughout the rebuilding process. Despite the investments announced by the federal government and the establishment of the Ministry of Rebuilding in Porto Alegre, these efforts may fall short if state and municipal governments are not well-coordinated.

In other words, resources and social programs must effectively reach the areas, people, and communities affected by climate disasters. It is important to recognize that while the legal state of public calamity reduces bureaucracy, smaller towns often struggle to meet the essentials of their work plans to secure funds for emergency work. This struggle can be due to severe impacts from the floods or a lack of administrative capacity. This issue is particularly prevalent in the hinterland of Rio Grande do Sul, which was hard-hit by the floods.

One potential improvement would be to establish a federative rebuilding office—either physical or virtual—where federal, state, and municipal governments can coordinate efforts. This would help ensure that work plans are effectively developed and that resources are directed to the areas and people who need them.



4 Climate justice and human rights: the silence regarding climate responsibilities



The climate disaster in RS has prompted public authorities to urgently seek fair compensation for those affected by the devastation and flooding. While the policies implemented are crucial, they need significant improvement to ensure that the human rights of the affected population are fully protected.

Additionally, these government policies and measures do not address climate justice—specifically, holding accountable those responsible for causing climate change and rectifying the damage inflicted on affected populations. It is essential for the government to be held accountable for failing to implement effective climate mitigation and adaptation policies. Moreover, there needs to be progress in holding greenhouse gas emitters accountable.

The poorest half of the global population, comprising 3.5 billion people, is responsible for only 10% of the carbon emissions attributed to individual consumption. In contrast, the richest 10% of the world's population are responsible for half of these emissions⁷.

States must ensure that companies responsible for or contributing to human rights violations related to climate change bear the costs of remedying these issues. In line with the general obligation of states to protect human rights and the “polluter pays” principle, states must take measures to ensure that fossil fuel and agribusiness companies cover the costs of mitigation and adaptation and address human rights violations linked to climate change. Additionally, states should collaborate to establish international funding mechanisms that ensure polluters contribute, such as through taxes on fossil fuels or climate pollution.

The goal of mitigation set by the Paris Agreement, of limiting the temperature increase to 1.5 °C above pre-industrial levels, should guide the interpretation of States' obligations under the American Convention. This means that all measures adopted by states must focus on low-carbon development that is resilient to climate change, in line with the Paris Agreement's principle of maximum ambition.

⁷ HUMAN RIGHTS COUNCIL. *Climate change and poverty*: Report of the Special Rapporteur on extreme poverty and human rights. Geneva, June 2019. Available at:

The Brazilian government is failing to meet its commitments under the Paris Agreement and its own targets outlined in the 2009 National Policy on Climate Change. For instance, one goal was to reduce deforestation in the Amazon by 80% compared to 1996-2005 levels. However, deforestation in the region is increasing at alarming rates, as reported by data from the National Institute for Space Research (INPE)⁸.

8 INPE. *Incremento de desmatamento Amazônia*. Brasília, 2024. Available at <http://terrabrasilis.dpi.inpe.br/>. Visited:



5 Recommendations to the Brazilian Federal Government, the Rio Grande do Sul State Government and City Governments



Shelter and social benefits

1. CITY GOVERNMENTS, in coordination with the GOVERNMENT OF THE STATE OF RIO GRANDE DO SUL, must ensure decent shelter, assistance, and access to the basic necessities essential to preserving human dignity, which is a fundamental principle of human rights. The floods have caused displacement, material, and emotional losses, significantly impacting the dignity of those affected.
2. CITY ADMINISTRATORS who hastily remove people from shelters without properly assessing the safety and adequacy of their new accommodations should be held accountable for their actions.
3. CITY GOVERNMENTS should effectively identify those affected by conducting active searches led by social workers. This process must promote transparency in the management of federal resources and ensure the effective participation of civil society.
4. The CITY, STATE, and FEDERAL GOVERNMENTS must promptly acknowledge that all individuals affected, regardless of their income, are entitled to aid or social assistance programs, particularly ensuring access to safe shelters and clean water.
5. AUTHORITIES must address gender disparities and specific vulnerabilities in their disaster response efforts. Women, children, the elderly, and other vulnerable groups often face additional challenges during such crises, necessitating a sensitive and inclusive approach.
6. A permanent task force should be established to help recover personal documents for migrants, as this is an essential step in providing relief.
7. The FEDERAL, STATE, and CITY GOVERNMENTS must guarantee food security for those affected by regularly distributing staple foods and hygiene kits to registered families and individuals. Additionally, they should URGENTLY establish soup kitchens in the affected areas.

Access to public services

8. CITY GOVERNMENTS and the GOVERNMENT OF THE STATE OF RIO GRANDE DO SUL must ensure access to drinking water and basic sanitation, which are fundamental human rights. Flooding compromises water quality and sanitation infrastructure, increasing the risk of disease. It is therefore imperative to provide those affected with access to clean water and proper sanitation.
9. CITY GOVERNMENTS, the GOVERNMENT OF THE STATE OF RS, and the FEDERAL GOVERNMENT should extend agreements that exempt affected individuals from water and electricity charges.
10. CITY GOVERNMENTS, the GOVERNMENT OF THE STATE OF RS, and the FEDERAL GOVERNMENT should oversee clean-up efforts in affected areas to prevent the spread of vectors and diseases. Additionally, the environmental damage caused by industrial waste must be assessed and mitigated.
11. CITY GOVERNMENTS and the GOVERNMENT OF THE STATE OF RS must ensure that necessary repairs are made to state-run, city-run and preschools in the affected communities, so that residents have effective access to education.

Information and participation

12. CITY GOVERNMENTS, the GOVERNMENT OF THE STATE OF RIO GRANDE DO SUL, and the FEDERAL GOVERNMENT must ensure transparency in the management of public resources and promptly disclose any plans approved by the Federal Government Authorities must be accountable to the public, providing clear information about the use of funds.
13. CITY GOVERNMENTS, the GOVERNMENT OF THE STATE OF RIO GRANDE DO SUL, and the FEDERAL GOVERNMENT should ensure that those affected have access to detailed information about assistance procedures, rebuilding efforts, and other measures taken by the authorities.
14. CITY GOVERNMENTS, the GOVERNMENT OF THE STATE OF RIO GRANDE DO SUL, and the FEDERAL GOVERNMENT must guarantee that affected individuals are actively involved in decision-making processes. It is essential to involve them in planning reparation actions to respect their right to participate and address their needs effectively. Setting up a social participation council is recommended.

Housing and relocations

15. CITY GOVERNMENTS, the GOVERNMENT OF THE STATE OF RIO GRANDE DO SUL, and the FEDERAL GOVERNMENT must ensure that relocation policies have clear criteria, prioritizing the most vulnerable and avoiding decisions based solely on random selection.

16. CITY GOVERNMENTS must provide subsidized rent benefits with clear information on who will pay the rent to the landlord and when the funds will be released. Additionally, a permanent housing solution must be guaranteed.
17. The FEDERAL GOVERNMENT should ensure that real estate loans are covered by insurance in the event of total or partial destruction of the mortgaged home.
18. The FEDERAL GOVERNMENT should guarantee safe housing for those affected, preferably within the same area where they lived before the climate disaster.
19. The FEDERAL and STATE GOVERNMENTS should establish a public program to provide benefits for repairing damaged homes.

Risk prevention

20. The FEDERAL, STATE, and CITY GOVERNMENTS must ensure necessary protection and civil defense measures. This includes reconstructing dikes with higher capacities than current ones, building more powerful pumphouses in locations that are not prone to flooding, and creating flood warning systems to ensure safe housing for residents.
21. The FEDERAL, STATE, and CITY GOVERNMENTS must also implement the risk prevention and civil protection plans outlined in Law No. 12.608 of April 10, 2012.

Legal assistance

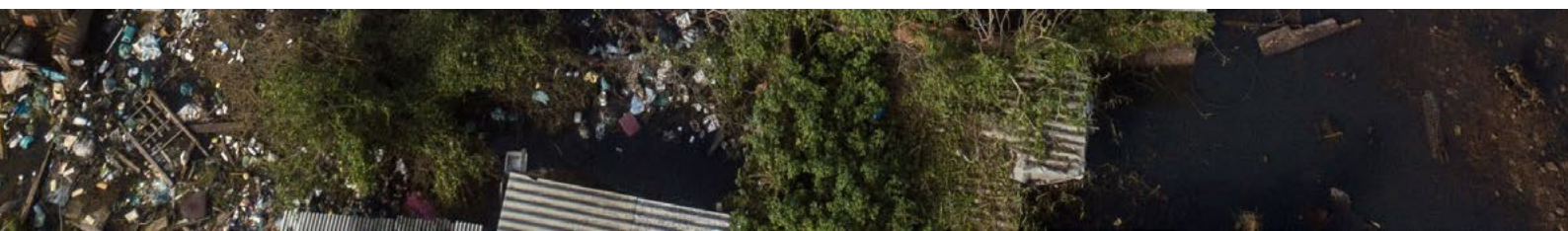
22. The STATE PUBLIC DEFENDER'S OFFICE should ensure mobile legal assistance in the affected areas to provide residents with access to justice and appropriate reparations for both material and non-material damages.

The environment

23. The GOVERNMENT OF THE STATE OF RS should review all state environmental legislation that contributed to the climate disaster in Rio Grande do Sul.
24. The GOVERNMENT OF THE STATE OF RS should identify all business activities in the state that potentially generate carbon emissions and are not committed to reducing greenhouse gas emissions.
25. The RS STATE GOVERNMENT, in collaboration with AGENCIES IN THE JUSTICE AND ACCOUNTING SYSTEMS, should establish a working group to develop state legislation that creates a policy for reducing greenhouse gas emissions and holds companies accountable for the environmental damage caused by their emissions during the climate disaster.



6 Recommendations to the Brazilian State



26. An economy free from fossil fuels should be ensured. This includes adopting diverse, clean, and efficient energy sources.
27. The economic model currently in use should be reviewed for its short-term viability in the context of the climate emergency. The economic dependence on fossil fuels by extractive industries, for instance, should be studied and publicly debated to explore alternative growth models aligned with climate needs.
28. Priority should be given to stimulating and investing in the production and dissemination of scientific and educational information about the causes, risks, and impacts of the climate emergency. Efforts should also focus on investigating and countering those who deny the climate changes.
29. Mechanisms and measures for accessing information and participating in environmental issues should be subject to regular monitoring, reporting, and evaluation to ensure their effectiveness and improvement.
30. Access to climate justice must be ensured. Justice in climate and energy transition matters should be accessible through effective, timely, public, transparent, and impartial procedures, adhering to the principle of progression and the highest international standards for protecting access rights, including those set by the Escazú Agreement.
31. It must be guaranteed that adaptation measures will not replace necessary repairs for climate damage.
32. Adaptation measures should include the creation, expansion, and delineation of areas of critical environmental importance to ensure water sources, climate regulation, and disease control, among other ecosystem services and functions. Human economic activities in these areas will be prohibited, except for those sustainably conducted by local communities. The establishment of these areas must respect the rights to territory and self-determination of the indigenous and quilombola peoples residing there.

33. Adaptation measures should be guaranteed to work in urban and rural planning and land use management. The issuance of environmental or other permits for business or construction projects, as well as the design of housing solutions and the licensing of urban developments, should be contingent upon assessing their climate impacts and verifying their suitability under extreme climate conditions.
34. The right to compensation for climate damage and loss must be guaranteed. This obligation includes taking all necessary measures to ensure that victims of human rights violations resulting from the climate crisis receive reparation, encompassing restoration, compensation, satisfaction, rehabilitation, and non-repetition.



7 Recommendations to the international community



35. Support and solidarity should be guaranteed to the Brazilian State and, especially, to the territories and vulnerable communities affected by climate disasters. This includes creating solidarity networks and empowering communities and civil society organizations focused on climate change.
36. Countries that signed the 2015 Paris Agreement should ensure that climate change remains a global priority. This involves establishing bilateral and multilateral agreements aimed at climate mitigation and adaptation actions, such as the 2018 Escazú Agreement.



8 Recommendations to the UN system



37. The Special Rapporteur on the Right to Adequate Housing should oversee the monitoring of ongoing reparation and relocation actions by the Brazilian State, ensuring they align with international human rights standards.
38. A working group should be established, comprising the signatory organizations of this report, the Climate Change Report, and the Brazilian State. This group would aim to enhance Brazilian legislation on climate mitigation and adaptation.
39. The Special Rapporteur on the Right to Development should ensure that the Brazilian State is monitored to improve the production chain and reduce economic dependence on fossil fuel extraction industries. This includes pursuing alternative growth models that align with climate needs.

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