

+ RECOMMENDATIONS

(VI) Concrete measures aimed at the families of the 4D's irregular settlements should be taken at all government levels to:

(a) Develop urban planning policies that implement sustainable urban drainage systems, addressing public disasters like flooding.

(b) Create robust inter-federative housing policies for the low-income populations to address both the quantitative housing deficit (new housing to replace current uninhabitable dwellings) and the qualitative housing deficit (inadequate housing that needs improvements), ensuring universal access to safe and affordable drinking water supply and sanitation systems. Also, in order to promote an urban policy capable of meeting the full development of the social functions of the city, guaranteeing the right to sustainable cities, understood as the right to urban land, housing, environmental sanitation, urban infrastructure, transportation and public services, work and leisure, for present and future generations.

(VII) The government should publicly support inter-federative housing policies and urban planning regulations that ensure adequate housing as part of the right to a decent standard of living, with special attention to diverse groups, including Black people, people with disabilities, women, youth, Indigenous peoples, and LGBTQIAPN+ individuals.

(VIII) The government must take all necessary measures to meet the targets of the UN's 2030 Agenda of Sustainable Development Goals (SDGs), guaranteeing universal access to adequate housing, basic services and urban infrastructure.

(IX) The forced evictions of vulnerable 4D communities must be stopped, with legal proceedings must be referred to the Regional Commission for Land Solutions of the Rio Grande do Sul Court of Justice (CRSF/TJRS), in order to mediate and guarantee alternative housing options in the territory.



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THE 4D CASE

The **ARTICULATION FOR THE MONITORING OF HUMAN RIGHTS IN BRAZIL (AMDH)**, under the coordination of the MNDH, PAD, and FEACTION Brasil, monitors human rights violations through the Human Rights in Action project (DH em Ação), promoting monitoring and advocacy regarding the **4th District (4D) of Porto Alegre, Rio Grande do Sul, Brazil**, in partnership with the **CENTER FOR ECONOMIC AND SOCIAL RIGHTS (CDES)**.

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THE 4D CASE

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CONTEXT

The **4th District (4D)** is an urban area in **Porto Alegre**, primarily consisting of irregular settlements/occupations on public or private land that was previously unused or underutilized, now occupied by numerous families living in extreme vulnerability. Although many of the urban areas within 4D are officially designated as Special Areas of Social Interest (AEIS), they have been awaiting public housing, land-title regularization, and urban planning policies for decades. This situation suggests intentional neglect aimed at reducing property values, allowing the real estate sector to acquire large portions of the 4D area for gentrification, offering lucrative benefits to the real estate market.

In addition to uncertain land ownership and the lack of essential public services, thousands of families living in these settlements endure inadequate housing conditions: their homes are built with non-durable materials, there are no private bathrooms, and overcrowding is common. Residents are also deprived of basic urban infrastructure: they have limited access to water and electricity, no access to sanitation, and no sustainable urban drainage systems for rainwater.

In May 2024, the vast majority of families in these 4D settlements lost what little they had, becoming homeless and displaced, as a result of the extreme weather event caused by extraordinarily high volumes of rain that hit RS and caused the worst ever flooding of the Guaíba river/lake, leaving part of the city of Porto Alegre under water, including the 4D region.

According to data from the Porto Alegre City Hall, the May 2024 floods affected 160,210 people and damaged 39,422 buildings throughout the city. Of these, 47,391 people were affected in the 4D neighborhoods (Farrapos, Floresta, Humaitá, Navegantes, and São Geraldo), representing 29.6% of the total. [*]

However, the excessive rainfall alone did not cause this level of destruction. The homes of thousands of families were flooded and destroyed by the rains due to negligence, omission and dereliction of duty by the state, especially the city administration, which failed to properly maintain the flood protection system. The system showed deficiencies, such as inadequate floodgate sealing and pre-existing faults in the drainage infrastructure, with only 4 out of 23 rainwater pumping stations functioning when the flooding began. Even weeks later, after the water had receded in most areas, several parts of the 4D remained flooded, but no urgent measures were taken to drain the water, unlike other parts of the city where mobile pumps were deployed. All this, combined with the absence of a preventive action plan to mitigate the damage caused by the flood, worsened an already dire situation, resulting in immeasurable and in many cases irreversible social, psychological and economic impacts.

HUMAN RIGHTS VIOLATIONS

The families living in the irregular settlements of the 4D continue to suffer systematic violations of their rights. This is largely due to the lack of effective measures to ensure the city's social functions are fully developed. In essence, the city government has failed to guarantee their right to an adequate city and a healthy environment, which includes access to urban land, housing, environmental sanitation, urban infrastructure, transportation, public services, work and leisure.

These families, already neglected by public policies that should ensure their human right to the city, have seen their lives devastated by the flood. The flood revealed the deep socio-environmental inequalities and injustices faced by the poor, marginalized populations of 4D. For many, rebuilding will be a daunting task, as they have lost everything, including their homes and belongings.

RECOMMENDATIONS

(I) The Brazilian government must ensure broad community participation in decision-making and oversight of resource allocation as part of the Recovery and Reconstruction Program for the areas affected by the May 2024 floods in Porto Alegre and Rio Grande do Sul.

(II) The Brazilian government should guarantee the right to free, prior, and informed consultation regarding resettlement policies for residents of 4D.

(III) Resettlement programs should prioritize keeping affected residents in the 4D region.

(IV) The government should implement the Climate Emergency Work Fronts Program, employing those affected by the climate event to act as agents of solidarity, with wages funded by the Federal Government and support from Civil Society Organizations active in the area of labor, employment and income, and professional qualification.

(V) Legislative efforts to weaken environmental and urban laws, including the Brazilian Forest Code, the Rio Grande do Sul State Environmental Code, and the Porto Alegre Urban Environmental Development Master Plan (PDDUA), should be halted.



4TH
DISTRICT
(4D) OF
PORTO
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