


## Socio-environmental disaster - Public prosecutor's office, civil defense and the guarantee of rights

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### ABSTRACT

The present study aims to present a new way of observing risk management and disaster management, seeking to understand better integration between agencies, and in the specific case of this article, the direct relationship between the Public Ministry and the Public Ministry. In this new perspective, the focus is on better guaranteeing fundamental rights, since it deals with disaster actions and is directly linked to the Public Ministry in terms of protecting the fundamental rights of people affected by various forms of socio-environmental disasters. It is worth noting that this new approach has a new way of articulating agencies in favor of better defending the fundamental rights of victims, but with a bias towards including disaster prevention and mitigation actions.

**Keywords:** Civil Protection and Defense, Public ministry, Risk management, Disaster Management, Public Disaster Management.



## INTRODUCTION

This article aims to bring a new perspective of risk management and disaster management, through the integration and articulation between Civil Protection and Defense agencies, the community and the Public Prosecutor's Office, from a perspective focused on guaranteeing fundamental rights.

As institutions that seek the ideal of reducing the number of deaths and those affected by socio-environmental disasters, promoting the actions provided for in Law No. 12,608/2012 and Law No. 14,750/2023, accidents and disasters are an integrated field of action between the Public Prosecutor's Office and the Civil Defense bodies, today, of Protection and Civil Defense, possible and necessary, so that prevention, mitigation and resilience are instruments to guarantee rights.

Likewise, community participation is essential and in no way can it be excluded from the decision-making process, especially so that social capacities are strengthened, so that civil protection and defense actions are planned based on the hearing and needs of the recipients, under penalty of being inefficient. Civil Protection and Defense must develop a product provided for by law, which efficiently promotes the link between society and public authorities. This link can be well developed with community support through the calls by professionals in the area of civil protection and defense centers (NUPDEC), which has a similar foundation in Brazil (2012).

It also addresses the fragility of the financing of preventive and risk mitigation measures and the importance of municipal civil defense funds and their councils, according to SEGUIN (2012). From this point of view, there is no vertical and efficient system for transferring resources, in view of municipal responsibility in various actions such as prevention and mitigation. The municipal responsibility for applying resources in these actions is notorious, but in the face of the challenges, it is practically impossible to solve these zeugmas without the support of other federative entities.

Therefore, it is about the development of a culture of resilience and some successful initiatives in the Municipality of Petrópolis, which will be addressed in this study that will serve as a basis for a more accurate look at municipal actions related to the major areas listed in the research.

## OBJECTIVE

The objective of this paper is to reflect on the extent to which the Public Prosecutor's Office and Civil Protection and Defense can form institutional and community arrangements to strengthen prevention, mitigation, preparedness, response and reconstruction actions in the field of disasters, under the bias of guaranteeing rights.



## METHODOLOGY

The methodology applied is exploratory, with a bibliographic and documentary survey, using practice and stimuli to the understanding of the theme in the context of risk management and socio-environmental disasters SEDREZ (2013).

## DEVELOPMENT

### THE PUBLIC PROSECUTOR'S OFFICE, THE ENVIRONMENT AND CIVIL PROTECTION AND DEFENSE

The Public Prosecutor's Office<sup>1</sup>, according to the Constitution of the Federative Republic of Brazil, is the permanent institution, essential to the jurisdictional function of the State, and is responsible for the defense of the legal order, the democratic regime and the unavailable social and individual interests.

And it is also the Constitution, which in article 129, III, entrusts the Public Prosecutor's Office with the defense of the Environment, in addition to other diffuse and collective rights, giving it instruments such as civil inquiry and public civil action to guarantee these rights. In this context, the socio-environmental disaster and risk management are inserted as a bias in the performance of the Prosecutors of Justice, especially the Prosecutors of Justice of collective protection of the environment and citizenship.

In the protection of the environment, disaster emerges as an element of study and action, as it represents the complete disintegration of the environment, affecting not only its natural or built elements, but above all affecting fundamental rights, such as life, health and safety of people. In this context, prevention and preparedness actions should be viewed with as much concern as response and reconstruction, according to Law No. 14,750/2023. BRAZIL (2023).

Thus, when the Constitution protects the environment so that it is balanced, as stated in article 225, what is being protected is not only the fauna, flora, air, water, soil, or even the city and its essential functions, but primarily the right to a healthy quality of life of the people is being guaranteed. For this and future generations, it is the quality of life of man that is the most relevant good and the greatest protection of environmental law. What is meant is that man is the center of environmental protection.

It is in this vein that environmental law is understood as a fundamental human right of the third generation. For Fiorillo (2001),<sup>2</sup> the environment is aimed at the satisfaction of human needs, the human person is the recipient of environmental law, which does not prevent the protection of life in all its forms. Says the author:

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<sup>1</sup>Art. 127 of the Federal Constitution

<sup>2</sup> FIORILLO, Celso Antônio Pacheco. Curso de Direito Ambiental Brasileiro. Saraiva. 2ª. Ed. P. 15..



If the National Environmental Policy protects life in all its forms, and it is not only man who has life, then everyone who has it is protected and protected by environmental law, and it is certain that a good, even if it is not alive, can be environmental, insofar as it can be essential to the healthy quality of life of man. since in an organized society he is the addressee of any and all norms.

Understanding the environment in an anthropocentric way, placing man and his dignity as the center of environmental protection, we come to the conclusion that the ecological and collective dimension of human dignity emerges in the context of the preservation of life, of the healthy quality of life of man.

From Pico Della Mirandola, in his work "The Dignity of Man", to Kant, in "Groundwork of the Metaphysics of Morals", the dignity of the human person is a concept subject to constant transformation due to the succession of historical events and social, economic and political changes. Nowadays, ecological values and environmental protection have become inseparable from the principle of human dignity. A minimum level of environmental quality is fundamental for the existence of human life with dignity, and for our species to develop its full potential in a situation of social and existential well-being<sup>3</sup>

Sarlet (2009)<sup>4</sup> mentions the collective dimension as one of the dimensions of human dignity. Says the author:

Even if it is possible – in line with the previous developments – to maintain that the dignity of the person is, in some way, linked (also) to the human condition of each individual, there is no way to disregard the necessary communitarian (or social) dimension of this same dignity of each person and of all persons, precisely because they are recognized as equal in dignity and rights (in the enlightened formula of the Universal Declaration of 1948) and because of the fact that in this condition they live together in a different way. community. Moreover, as already announced, the ontological (although not necessarily biological) dimension of dignity itself assumes its full meaning in the context of the intersubjectivity that marks all human relationships and, therefore, also the recognition of the values (as well as fundamental principles) socially consecrated by and for the community of human persons.

In this context, taking into account the constitutional mission of the Public Prosecutor's Office, guardian of social interests, it is not difficult to reach the conclusion that civil protection and defense actions, recommended in the National Policy for Civil Protection and Defense, according to Laws No. 12,608/2012 and 14,750/2023 BRAZIL (2012 and 2023), are part of the set of protection of fundamental rights and, which, as a consequence, interact with ministerial action. It is explained:

Civil protection and defense is not defined in one body. In fact, civil protection and defense is a set of preventive, relief, assistance, and reconstructive actions aimed at avoiding or minimizing the

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<sup>3</sup> DE SÁ, Octávio Augusto Machado. Dignidade humana em sua dimensão ecológica. Disponível em: <file:///C:/Users/Membro%20Home/Downloads/unisantos\_seer,+CAP8-135-154.pdf>. Accessed on: 02/14/2024.

<sup>4</sup> SARLET, Ingo Wolfgang (org). Dimensões da Dignidade. Ensaios de Filosofia do Direito e Direito Constitucional. Livraria do Advogado. 2ª. Ed. P.23/24.



effects of socio-environmental disasters and those resulting from technological accidents, in addition to reestablishing social normality.

Law 12.608/12 defines civil protection and defense as:

A set of prevention, preparedness, response and recovery actions aimed at avoiding or reducing the risks of accidents or disasters, minimizing their socioeconomic and environmental impacts and restoring social normality, including the generation of knowledge about accidents or disasters; (Included by Law No. 14,750, of 2023).

To carry out these actions, the National Civil Defense Policy law structured a system (SINPDEC), whose central body is the National Secretariat of Civil Defense, an agency linked to the Ministry of National Integration, in addition to other bodies at the national, state and municipal levels, such as the State and Municipal Secretariats of Civil Defense; The Civil Protection and Defense Council; bodies that are part of sectoral policies, public and private entities and, last but not least, communities.

Law 12.608/12 provides:

Art. 11. The SINPDEC will be managed by the following bodies:

I - advisory body: CONPDEC;

II - central body, defined in an act of the Federal Executive Branch, with the purpose of coordinating the system;

III - regional, state and municipal civil protection and defense agencies; and

IV - sectoral bodies of the three (3) spheres of government.

Sole paragraph. Voluntary community organizations or other entities with significant role in local civil protection and defense actions may participate in SINPDEC.

Thus, even though the Public Prosecutor's Office is not expressly mentioned in Law 12.608/12 among the members of the SINPDEC, it is necessary to recognize that due to its constitutional mission and considering that civil protection and defense actions are aimed at guaranteeing fundamental rights, especially socio-environmental rights, it seems clear that the institution can act together with the Civil Protection and Defense agencies. in the promotion of fundamental rights and guarantees, especially those related to the prevention and mitigation of disaster risks.

As stated elsewhere, the Public Prosecutor's Office has the mission of guaranteeing fundamental rights such as life, safety, health, a balanced environment, among other unavailable collective and individual rights, which are included in civil protection and defense actions, therefore, the institution has a lot to contribute, whether in the judicial or extrajudicial sphere, to the issue of disasters and risk reduction.

It is understood that civil protection and defense is not an organ, but a system and a duty of all and all spheres. Thus, everyone has its function, its prerogatives and its attributions. Today, it is still understood that civil society has an important role in this process.



## SOCIO-ENVIRONMENTAL DISASTERS

The Brazilian Classification and Codification of Disasters (Cobrade), described in Ordinance 260 of the Ministry of Regional Development, of February 2, 2022, is a list of what has been instituted as natural and technological disasters, subdividing them into groups and subgroups, with their typology and definition. For example: Group - Geological. Subgroup - Mass movement. Type - Sliding. Subtype - Landslide of soil and/or rock. Definition - They are rapid movements of soil or rock, presenting a well-defined rupture surface, of relatively short duration, of masses of soil generally well defined in terms of their volume, whose center of gravity moves down and out of the slope. Often, the first signs of these movements are the presence of fissures, according to DO NASCIMENTO (2022).

And how do you define disaster? Law 12,608/12, which establishes the national policy for civil protection and defense, with the recent changes addressed in Law 14,750/23, brought a legal concept of disaster. The law defines a disaster as:

Result of an adverse event, of natural origin or induced by human action, on vulnerable ecosystems and populations that causes significant human, material or environmental damage and economic and social losses; (Included by Law No. 14,750, of 2023).

Now, knowing that disaster, in the legal concept, is the result of the adverse event (threat) and vulnerability and that the natural threat cannot be avoided, it seems to us that the field of prevention and mitigation of disaster risks, as well as the search for the resilience of a city, through the strengthening of capacities and reduction of vulnerabilities, whether through structural or non-structural actions, it is a task that is incumbent not only on the Civil Defense Secretariat, but on society as a whole and, consequently, on the Public Prosecutor's Office, which defends social interests by constitutional determination, according to BECK (2022).

Normative Instruction MDR 36/20, according to BECK (2022), defines vulnerability as the socioeconomic or environmental exposure of a scenario subject to the threat of the impact of a natural, technological or anthropogenic adverse event and threat as a potential natural, technological or anthropic event, with a high possibility of causing human, material and environmental damage and public socioeconomic losses and Private.

More recently, Law No. 14,750/23 added to Law No. 12,608/12 the legal concept of vulnerability, treating it as the physical, social, economic, or environmental fragility of a population or ecosystem in the face of an adverse event of natural origin or induced by human action included by Law No. 14,750/2023, according to BRASIL (2023).

It should be noted that the disaster will not necessarily be triggered in scenarios of social and economic vulnerability, but may happen even in scenarios where there is a total absence of social fragility. In any case, vulnerability must always be present, even if only under the environmental



aspect (geographical, geological, hydrological vulnerability, etc.). The mega disaster in the mountainous region in 2011 is an example of this. As a rule, both vulnerabilities (social and environmental) occur in the disaster, which is why the nomenclature that seems more appropriate to us is "socio-environmental disaster".

The disaster, therefore, is not an end in itself, but rather the result of the event (natural or technological threat) on a scenario of vulnerability, which represents a complete disorganization of the territory, compromising all the social functions of the city (art. 182, CF): that of inhabiting, that of circulating (mobility), of leisure, of work; it also compromises essential services; it overwhelms the health, environmental and housing systems; It destroys assets, dreams, families, lives. All these consequences of the disaster are within the scope of action of the Public Prosecutor's Office and Civil Protection and Defense.

If the premise is the guarantee of fundamental rights, especially life, one cannot think of action only in the post-disaster period. Prevention is an important principle of environmental law, since damage to the environment is usually difficult or impossible to repair and is also one of the phases of disaster risk management.

In this line of reasoning, it seems to us that if the threat or adverse event cannot be avoided (although the threat can be identified and monitored), it is necessary to reduce vulnerability, exposure to risk, increase communities' understanding of the dangers to which they are exposed, i.e., their perception of risks.

It is in the interest of both the Public Prosecutor's Office and the Civil Protection and Defense, especially the Civil Defense Secretariat, that the damage caused by future disasters has the least possible impact on the lives and property of the inhabitants, on the functions of the city, on the environment, on the economy, among other types of disorganization generated by the disaster. It also allows the reestablishment of normality in the shortest possible time.

However, the impacts of the disaster on people and the city can only be reduced when prevention and risk mitigation measures are systematically implemented; when vulnerabilities are reduced and local coping capacity is increased, so that despite the intensity of the phenomena, the number of dead and affected people is as low as possible.

Eduardo Marandola Jr. and Álvaro de Oliveira D'antona (2014), citing HOGAN (2010), in the work Coordinated by CARMO and VALENCIO (2014), called Human Security in the context of disasters, recall that:

Vulnerability has been presented as a promising concept in this sense, as it incorporates, in addition to the areas and populations at risk, also their capacities and strategies for coping with adverse situations, incorporating other elements in addition to the material conditions for understanding the situations of families and households at risk. More than that, vulnerability has been shown to be a heuristic concept to deepen the sense of security and protection in contemporary society, functioning as its reverse, thus allowing its confrontation



to mean the promotion of security and sustainability, in its virtuous sense (HOGAN et al., 2010).<sup>5</sup>

It is intriguing to observe in the post-disaster period a great mobilization for relief actions, for the reestablishment of essential services, planning of emergency works for reconstruction, so that the city can return to having its essential functions restored, in addition to guaranteeing assistance and health care for those affected.

But it is curious, to say the least, to note that the "Achilles heel", i.e., prevention, is constantly forgotten and in the same way the measures of mitigation and preparation for the disaster are forgotten, until a new event occurs. However, it is these actions that will reduce, over time, the violation of fundamental rights. It is the resignification of facing the disaster that will make it possible to place man, his life, his dignity and his patrimony at the center of concerns and actions.

To relegate these measures to the background is an incongruity, it is a constant mistake, since prevention is cheaper than reconstruction. It is estimated that for every one (1) dollar invested in disaster prevention and preparedness, three (3) dollars are saved in reconstruction. The UN, for example, already states that four dollars are saved in resilient structures, compared to reconstruction.<sup>6</sup> The beginnings of Japanese legislation also contribute to this process. KOBIYAMA (2004) reports that it is possible to compare that for every R\$ 1.00 spent on prevention and mitigation, R\$ 50.00 is saved on response and reconstruction. (evaluate if it fits)

In global projections of climate change and increasingly frequent extreme events<sup>7</sup>, there is a need to think more about prevention and mitigation than about response and reconstruction. At the heart of the discussion of climate change, disasters have gained importance because they deal directly with the consequences for the affected countries. The worsening of the climate change situation, the acceleration of global warming, the recent extreme heat waves and the intensification of mass movement phenomena caused by heavy rains raise an alert not only for Brazil, but for the whole world. It is necessary to invest more in prevention and mitigation than in post-disaster actions.

However, we still see, through empirical means, the actions of prevention and mitigation. In general, planning has focused on response and reconstruction measures, as well as the financing of actions. It is a logic that needs to be reversed, not only for economic reasons, but above all because it is with prevention, preparation and mitigation, it is repeated, that a greater number of deaths and those affected by the disaster will be avoided.

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<sup>6</sup> Available at: < Resilient infrastructure is four times more cost-effective than rebuilding after disasters | UN News > Accessed on: February 12, 2024.

<sup>7</sup> Available at: < Facts about the Climate Emergency | UNEP - UN Environment Programme >. Accessed: February 12, 2024.





In this field of action, we see infinite possibilities for actions that converge to the missions of the Civil Defense Secretariat and the Public Prosecutor's Office, which can save lives, such as: identifying the need to expand, prepare and strengthen the so-called NUDECs or NUPDECs; tangibility and efficiency of contingency plans with greater integration between spheres of government; establishing the reliability of the monitoring, warning and alarm system; escape routes and support points planned for users and with community participation; environmental education focused on disaster prevention; induction of public policies and financing of actions; identification of areas that cannot be occupied or urban sprawled in municipal risk reduction plans, compatible with the Master Plan, among others.

In all these actions, the Public Prosecutor's Office can be an agent of social transformation in partnership and articulation with the Civil Protection and Defense agencies, mutually strengthening each other, especially in Municipalities where Civil Defense is only remembered at the time of the disaster.

On the subject of financing risk prevention and mitigation actions, it is worth mentioning that the Action Manual entitled "Socio-environmental Disasters and Climate Change produced by the CNMP (2024)",<sup>8</sup> pointed out a serious failure in the financing of preventive actions. As noted:

The National Fund for Public Calamities, Protection and Civil Defense (Funcap) has an accounting and financial nature and its purpose is to fund, in whole or in part, prevention actions in risk areas, as well as the recovery of areas affected by disasters that have the emergency situation or the state of public calamity recognized.

In this case, the law provides for the transfer (of a mandatory nature) of Funcap resources directly to the funds constituted by the States, Federal District and Municipalities, without the need to enter into an agreement or other legal instruments.

It is important to note that Funcap, originally instituted by Law No. 12,340/2010, was later and partially regulated by Law No. 12,983/2014. However, by repealing provisions of the previous law, the latter law added that "the transfer of Funcap resources must comply with the provisions of the regulation" (article 9, paragraph 3). This regulation was not published until the launch of this Manual, which has hindered the implementation of the National Fund from a practical and effective point of view.

Parallel to the necessary regulation mentioned, there is the fact that, even with a legal provision, it is not possible to count on the appropriations set forth in the Annual Budget Law (LOA) of the Union (budget already suffers from contingencies and is practically all committed to response actions, including additional credits) or to donations (due to the lack of a donation culture in Brazil). Thus, currently, the fund has no resources.

As if that were not enough, there is also weakness in the National Council for Civil Protection and Defense, since it is a merely advisory council, however, the healthy criticism we make is that the Council also needs to be deliberative, it must have decision-making power.

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<sup>8</sup> Available at: <final\_Mudanas-Clinticas---MANUAL-v3.pdf (cnmp.mp.br)> Accessed on: February 12, 2024.



See Decree No. 10,593, of December 24, 2020, in its Art. 14. CONPDEC is a collegiate body of a consultative nature, part of the structure of the Ministry of Integration and Regional Development, according to BRASIL (2020).

It is reaffirmed that the logic of financing civil protection and defense actions to reduce disaster risks should be inverted to encompass mainly prevention measures, according to DUTRA, A.C.D.; M.; KEMPERS, G. C. V. (2022). If there is no funding for preventive and mitigating actions, how can we reduce risk? Now, each and every action has a cost, which is why civil protection and defense agencies need secure budgetary sources to face the fulfillment of all stages of risk management.

Just to give an example, there are serious structural problems in cities, in general, such as disorderly occupation in areas susceptible to disaster, which need investments. It is unlikely that an inland municipality will be able to obtain enough budget to finance mitigation actions, especially when the subject is disorderly occupation in multiple areas, as urban mitigation and relocation measures are, as a rule, costly.

Even city planning and ordering actions, in order to prevent new occupations in risk areas (prevention), depend on costly studies and important plans to integrate the revisions of master plans, as an instrument for prohibiting new occupations in inappropriate areas, combined with intelligent supervision to curb disrespect.

In this area, that of financing, there is also the possibility of integrating the Civil Defense Secretariats with the Public Prosecutor's Office, especially for the creation of laws on municipal civil defense funds, in order to enable the transfer of resources on a regular basis and, thus, the funding of programs and projects aimed at civil protection and defense actions.

Although the national fund is not regulated, the municipal fund law may provide for other sources of revenue, which will certainly help in mitigation and prevention measures, in addition to which the previously established fund will be able to receive a transfer from the national fund as soon as possible.

## THE DENATURATION OF THE DISASTER

Often, in the phase that follows the damaging event, there is an attempt to blame nature, especially the hydrological cycle, because, in most cases, it is either the excess or the scarcity of water, the cause attributed to most natural disasters, according to DUTRA, A.C.D.; BLAUDT, L. M. ; KEMPERS, G. C. V. (2023)

But disaster is conceptualized as the result of adverse events, natural, technological, or of anthropic origin, on a vulnerable scenario exposed to threat, causing human, material, or



environmental damage and consequent economic losses, according to DUTRA, A.C.D.; M.; KEMPERS, G. C. V. (2023)

In this aspect, not only the reduction of social and environmental vulnerability must be considered to mitigate the impacts of the disaster on people's lives, but also the need for an assertive vision of municipal governments for adequate urban development, as the current population is already more urban than rural and is on a growth trend.

In this sense, TAVARES and FERREIRA (2020):

Considering the impacts of precipitation as solely natural phenomena is certainly a mistake, since the process of accelerated and (dis)organized urbanization ends up creating conditions that potentiate these impacts. As Monteiro (1991, p.9) puts it, "landslides would not be calamitous in our cities if part of their inhabitants were not induced to spontaneous, precarious forms of urbanization in dangerous places". In this sense, considering the urban site on which cities are built and receive climatic inclement weather is fundamental, because "the urban space is identified from the site, maintaining intimate relations with the immediate regional environment in which it is inserted, TAVARES AND FERREIRA (2020, p.20).

That said, for example, heavy rain cannot be considered solely as an efficient cause of disaster. It is one of the causes, but not the only one. What is meant is to blame nature, it is not an admissible discourse.

Thus, once the threats are identified and the vulnerabilities and exposure to risk are mitigated, combined with better urban planning, the adverse impacts of a disaster will be less aggressive. In other words, even if extreme weather events are more intense and frequent due to climate change, the human, material, and environmental damage, and the economic losses resulting from it will still be less significant.

However, as long as nature continues to be blamed, public policies, especially civil protection and defense, will not be a priority in succeeding governments.

## **RESULT OF THE INSTITUTIONAL INTERACTION BETWEEN THE PUBLIC PROSECUTOR'S OFFICE AND CIVIL PROTECTION AND DEFENSE AND OTHER BODIES**

In addition to prevention and mitigation measures, we must also think about strengthening local capacities. Forming resilient communities, capable of returning to their equilibrium after suffering some type of disaster is a task that cannot be achieved only through measures taken by the Government, but through joint, integrated work between the Government and the community.

The United Nations (UN) defines resilient cities as those capable of "resisting, absorbing, adapting and recovering from the effects of a hazard in a timely and efficient manner, according to DUTRA, A.C.D.; M.; KEMPERS, G. C. V. (2022)



The MCR 2030 initiative emerged from the Third UN World Conference on Disaster Risk Reduction, held in Sendai, Japan (2015), with the aim of achieving, over the next 15 years, "a substantial reduction in disaster risks and in the loss of lives, livelihoods and health, as well as economic, physical, social assets, cultural and environmental frameworks of people, companies, communities and countries", and the SENDAI 2015/2030 framework was then established, according to SILVEIRA, L. T. C. et al. (2013).

The objective of the Sendai Framework, although focused on disaster risk prevention and reduction, ends up contributing to another global action plan, the 2030 agenda, in particular to the Sustainable Development Goals 11 (SDG11), which aims to "Develop inclusive, safe, resilient and sustainable cities and human settlements", through the involvement of local leaders and with the mobilization of support for developing countries through international cooperation for the provision of means of implementation according to their national priorities, in addition to the urban agenda, according to SILVEIRA, L. T. C. et al. (2013).

The Sendai Framework (2015) brings seven goals for the evaluation of global progress, which will only be achieved by strengthening local leadership and capacities and which aim to:

- 1) substantially reduce mortality by 2030;
- 2) substantially reduce the number of people affected worldwide by 2030;
- 3) reduce direct economic losses from disasters relative to global gross domestic product (GDP) by 2030;
- 4) substantially reduce disaster damage to basic infrastructure and the disruption of basic services such as health facilities and education, including by increasing their resilience by 2030

But it also aims to substantially increase:

- 5) substantially increase the number of countries with national and local disaster risk reduction strategies by 2020;
- 6) substantially intensify international cooperation with developing countries through adequate and sustainable support to complement their national actions for the implementation of this framework by 2030; and
- 7) substantially increase the availability of and access to early warning systems for various hazards and disaster risk information and assessments for the people by 2030.

In the search for resilience, there is a strong field for integrated action of Civil Protection and Defense and the Public Prosecutor's Office, between these and other institutions and communities, especially in view of the perspective of reducing the number of deaths and those affected by disasters and in the articulation of other sectoral policies involved (health, assistance, housing), through the strengthening of local capacities.



It should not be forgotten, moreover, that the Public Prosecutor's Office can act not only in civil inquiries and public civil actions, but also as an inducer of public policies, instituting administrative procedures and monitoring the implementation of these policies, and in this respect it can contribute greatly to the effectiveness of rights.

The issue of disaster is complex and multidisciplinary and the confrontation of this issue cannot be fragmented, and cohesion of ideas and actions is necessary. There is a need for constant integration, institutional and community arrangements in dealing with the issue, otherwise less progress will be made than one could.

A simple and successful example in terms of local social capacity is the strengthening of community leaders for civil protection and defense actions, through the creation and training of community civil defense centers (NUDECs or NUPDEC'S).

NUPDECs are evidence that not only governments need to understand risk scenarios, threats, vulnerabilities and exposure, but above all those who live in this scenario, as a way to increase social capacity for resilience.

A very successful example was the one used in Petrópolis, with the creation of the NUDEC of the Cuiabá Valley, where the active community strongly contributes to civil protection and defense actions, knowing the risks and articulating ways of self-protection. This NUDEC has been structuring and strengthening every year, since the disaster that occurred in the Mountain Region in 2011, according to BECK (2023).

But undoubtedly, the strengthening of local capacities can also come from institutional unity. As an example of articulation and new institutional arrangements, it is worth sharing an initiative of the State Institute of the Environment-RJ (INEA), in partnership with the Public Prosecutor's Office of Rio de Janeiro.

From the disaster that occurred in the Mountain Region in 2011, as a paradigm shift for risk management and disaster management in the country, to frank discussions between the Public Prosecutor's Office and the environmental authority on the need to mitigate flood impacts of the rivers in the Cuiabá Valley region, in view of the degradation of the slopes in the region, INEA developed a "pilot project", based on technical studies for the implementation of reforestation of degraded areas, especially Legal Reserve areas and permanent protection areas (APP), aiming to reduce sediment transport to the region's watercourses, according to BECK (2023).

The initiative is undoubtedly an innovation, insofar as reforestation projects have always been thought of in times of water scarcity, in view of the ecosystem services of forests, but it is a novelty to think of reforestation as a potential hydrological regulator in times of excess water.



Well, although led by INEA (environmental agency), the initiative is evidently also an action of civil protection and defense and the construction of a resilient city, because it reflects on the mitigation of disaster risk, through nature-based solutions.

This institutional arrangement involving INEA and the Public Prosecutor's Office was made possible by a public civil action, which did not end the issue, but opened doors for joint thinking of possible solutions to the problem of degraded slopes in a round river basin, therefore susceptible to flooding.

Along these lines, it is necessary to recognize that the strengthening of institutional capacities is not only important for coping with the disaster at the time of the event, especially for the execution of measures planned and validated in a contingency plan for the response, but above all for measures that precede the event, involving institutions and communities, in mitigation, prevention, preparedness and resilience.

## CONCLUSIONS

In view of the complexity of the effects that disasters bring to human, social, environmental and urban relations, there is a need for constant integration of institutions so that not only the post-disaster is in the context of action planning, but above all, for prevention and mitigation measures, which must be considered the most important measures to be carried out to avoid disasters. reducing costs and saving lives.

The Public Prosecutor's Office, as the guardian of social interests and guarantor of fundamental collective rights, can and should collaborate with civil protection and defense actions in an early and prudent manner, in favor of guaranteeing rights, especially in a context of disasters and risk reduction, to the extent that the disaster affects several fundamental rights.

In this context, risk prevention and mitigation are measures that should be prioritized in civil protection and defense interventions, not only because of their cost-effectiveness, but also because of their efficiency in reducing the number of deaths and those affected, inverting the logic of financing actions, usually focused on response and reconstruction actions. The focus of investments should be on measures that result in the reduction of vulnerabilities and exposure, placing the human being and respect for his dignity at the center of any and all actions.

Disasters are the result of an extreme event on a vulnerable scenario, which disaggregates and compromises the social functions of the city, in addition to compromising human security, therefore, it is essential to debate the integration of other agents, in addition to the Civil Defense Secretariats, aiming to find solutions to this serious structural problem, in search of the ideal of reducing the number of deaths and those affected.



In this sense, the Public Prosecutor's Office, Civil Protection and Defense and the agents of the other sectoral policies involved (health, assistance and housing), as they have common objectives, must increasingly integrate themselves to understand the structural problem as a whole, without fragmentation, to identify vulnerabilities and possible solutions. It is also necessary to develop a culture of resilience and prevention, which include actions in schools and universities to guarantee the future of this process on a continuous basis, as well as a breeding ground for new contributions.

In addition, the Public Prosecutor's Office, more than an inspector of actions, can be a partner of Civil Protection and Defense in the implementation of public policies that aim to ensure the effective quality of life of the population.

Still about disasters, the nomenclature "natural disasters" was reflected, with a better understanding of the use of the term "socio-environmental disasters". To the extent that, although disasters are classified as natural or technological, the terminology "natural disasters" does not necessarily reflect the phenomenon, insofar as other aspects such as the process of urbanization and human occupation (artificial environment) contribute significantly to the number of deaths and affected and, consequently, to the expressiveness of the damages and losses borne by the individual, for the community of people, for the environment and for the city. Therefore, the terminology "socio-environmental disasters" is more appropriate.

It is concluded that increasing resilience involves, in the first place, the strengthening of social and community capacities. Those suffering the effects of the disaster must be at the center of discussions and involved in decision-making.



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