

## **Brazil: Sao Paulo's juvenile detention system -- A human rights crisis, not a public security issue**

The Sao Paulo state government is ignoring federal legislation protecting the rights of young offenders, and abandoning hundreds of adolescents to torture, ill-treatment and cruel, inhuman and degrading conditions of detention, a new Amnesty International report says.

The state's juvenile detention system, Foundation for the Well-Being of Minors (FEBEM), collapsed into crisis last October when years of overcrowding and ill-treatment led to a series of violent riots in one of FEBEM's detention centres. Since then the promised reforms have not been delivered by the authorities.

"Even the warders admit that violence against inmates is the norm," said Julia Rochester, Researcher on Brazil. "Everyone who goes into these detention centres -- lawyers, judges, health and safety inspectors, parliamentarians, human rights activists -- comes out reporting beatings, humiliation, untreated illness, overcrowding, poor hygiene and complete inactivity. The government's refusal to acknowledge the root causes of the current crisis is astounding."

Amnesty International's report, **A Waste of Lives**, concludes that the Sao Paulo government is trying to shift attention away from torture and ill-treatment in order to pander to public fears about violent crime. Despite almost weekly reports of beatings of large numbers of boys, the authorities continue to characterize the crisis purely as a public security issue.

Millions of reais have been spent on installing security equipment, but issues such as institutionalized violence, chronic understaffing, poor training and insufficient basic hygiene supplies are being sidestepped.

Since the crisis, the Sao Paulo government has embarked on a series of transfers of large numbers of adolescents into the adult prison system and into hastily constructed new units. During these transfers boys have been forced to run gauntlets of warders and police armed with sticks. In one incident alone a forensic expert examined 80 boys and found marks and bruises from beatings.

Punishments in FEBEM's overcrowded and under-staffed detention centres are arbitrary and often designed to humiliate. A simple offence, such as speaking during a meal, may result in punishments ranging from confiscation of toothbrushes - often the only personal item a boy has - to severe beatings.

In the absence of clear rules and regulations governing discipline, punishments are meted out at the whim of warders, often to an entire wing of detainees. Several boys have died in recent years following beatings by warders. In one incident a boy died when warders set fire to a dormitory, in order to force out inmates who had barricaded themselves in. Boys have also died at the hands of fellow-inmates when FEBEM has lost control of detention

units.

In the last ten years, parliamentary commissions of inquiry, human rights commissions and children's rights organizations have put forward numerous reports detailing violations and making concrete proposals for reform. These have not only been largely ignored by the government, but official statements to the media have sought to shift the blame for the crisis onto some of these children's rights advocates, by publicly accusing them of inciting riots.

Brazil's celebrated Statute of the Child and Adolescent (ECA), launched ten years ago, regulates the treatment of young offenders in line with international standards. Supported by Sao Paulo's juvenile court, Public Prosecutors have brought two civil actions and nine petitions against the Sao Paulo government and FEBEM in the last eight years. They have called for young offenders' basic human rights to be guaranteed and for juvenile detention units to be brought into line with the law.

The government has appealed in every single case, and in all but one case, the State Appeals Court has supported the government by upholding the appeal. "The ECA is clearly being broken, and hundreds of boys are being tortured and ill-treated. It is outrageous that the higher court should allow the government to circumvent the law like this," Julia Rochester said.

Amnesty International is calling on the Sao Paulo government to take immediate steps to address the human rights crisis in FEBEM. These should include disciplinary measures against FEBEM staff involved in torture and ill-treatment, as well as the recruitment and training of sufficient staff, and an immediate investment in infrastructure to end overcrowding and poor hygiene.

The Federal Government should urgently undertake a review of the application of the ECA throughout Brazil and take action to address its failure to protect the basic human rights of young offenders.

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For more a copy of the report "A Waste of Lives" or more information please call Amnesty International's press office in London, UK, on +44 20 7413 5566  
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