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BRAZIL: Abusive body searches will be forbidden in prisons of Rio

Geneva, 11 march 2015. The World Organization Against Torture (OMCT) and Justiça Global (JG) welcome the approval of the draft bill 77/2015 that abolishes notoriously abusive body searches to the visitors of the criminal justice prisons in the state of Rio.

The bill co-authored by the members of the local parliament Marcelo Freixo (from the left wing PSOL party) and Jorge Picciani (from the right wing PMDB party) was approved this Tuesday, March 10, and changes the way to conduct body searches for visitors of the penitentiary system in the State of Rio de Janeiro. According to the new law, the searches will be conducted through electronic security equipment, such as metal detectors and corporal scanners, abolishing the manual body search.

Several human rights bodies have condemned intimate body searches, known for their abusive, humiliating and degrading nature. In Rio they consist in obliging prisoner relatives, including children and elderly people, in days of visitation, to remove their clothes, squat down several times in front of a mirror and endure manual cavity searches of their genitals.

The OMCT and JG, with the presence of an invited member of the United Nations Subcommittee for the Prevention of Torture, Emilio Gines, held a meeting last week, during OMCT's mission to the country, with the president of the Rio Parliament Mr. Picciani, requesting his draft bill to be voted by the Parliament. OMCT and Justicia Global had highlighted that the way the humiliating and arbitrary nature of the searches carried out victimize the family of prisoners, and creates obstacles for them to visit children deprived of liberty, violating their right to family life.

“What characterizes abusive body searches is the violation of the human dignity and the extension of human rights violations present in the prison system and juvenile justice system to the relatives of the detainees. In several cases, the adult detainee and the child deprived of liberty ask for the end of the family visits so their relatives won't have to go through this humiliating and degrading process. The abusive body search manifest itself as a complex violation that reaches different people in several rights such as privacy, family life, among others, being a State mechanism for the production of trauma, abandonment and violence.” Said Natália Damazio, from Justiça Global, member of the SOS torture network.

“The approval of this draft bill is an important step that should pave the way for similar laws in all states of Brazil, and including juvenile detention units. These

searches have a record of abuse and have been considered by the United Nations and the Inter-American Commission on Human Rights as inhuman and degrading treatment, that may amount to torture, depending on the circumstances.” Says Carolina Bárbara, coordinator of child rights activities at OMCT.

The OMCT and JG calls upon the government of the state of Rio de Janeiro to sanction the new law that abolishes abusive body searches in the prison system and to the Parliament of the state of Rio de Janeiro (Assembléia Legislativa) to approve the PL 76/15 that extends the measure to the juvenile justice system.

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