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Institution: Inter-American Commission on Human Rights  
Session: Hundred Twenty-Sixth Regular Session (16 – 27 October 2006)  
Title/Style of Cause: People Detained in the 76th Police Precinct in Niteroi v. Brazil  
Doc. Type: Decision on Precautionary Measures  
Dated: 19 October 2006  
Citation: 76th Police Precinct v. Brazil, Inter-Am. C.H.R., OEA/Ser.L/V/II.127, doc. 4 rev. 1, Ch. III, para. 14 (2006)

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14. On October 19, 2006, the IACHR granted precautionary measures in favor of approximately 400 people detained in the 76th Police Precinct in Niterói, Rio de Janeiro, because of the unsanitary conditions and the inhumane, degrading and cruel treatment to which they were exposed. The information available states that the approximately 400 beneficiaries are held in cells designed for 140 persons, with an average of 14 detainees in cells that measure 2m x 3m, with no activities and the right to use a bathroom only once every 24 hours. Amongst those detained in the above-mentioned police precinct are some that were caught in flagrante delicto, some who are in preventive custody, some who have been sentenced, members of rival criminal gangs, and no criteria are applied in order to separate the prisoners according to categories that might ensure the appropriate protection of their lives and physical integrity. Furthermore, there are no beds and persons must sleep on the floor or alternatively in hammocks because of the overcrowding. It is alleged that hygiene conditions are unreliable, as well there is a high risk of fire; and lack of medical care. Given the situation of risk to the beneficiaries, the IACHR requested that the Brazilian State adopt the measures necessary to protect the lives and physical integrity of the persons detained in the 76th Precinct, including the transfer of those sentenced to penitentiaries; a substantial reduction in numbers; medical care for all beneficiaries; and report on action taken to investigate the events that gave rise to the precautionary measures. The Commission is monitoring the beneficiaries' situation.