



# Comisión Nacional de los Derechos Humanos

## México

### **Recommendation 030/2010**

The following is a synopsis of the recommendation emitted by the CNDH . The complete version may be consulted on this institution's web page.

**Mexico City, June 2nd, 2010**

**Subject: About the case of V1's Death and the Violation of his Right to Health Protection**

**Authority Responsible:**

**General Director of Mexican Petroleum (PEMEX)**

Q1's complaint was received at the National Commission on the 12th of May 2009 and in it he stated that at approximately 19:34 hours on November 27th 2008, V1 entered the emergency room of the Mexican Petroleum Northern Central Hospital (HCN-PEMEX) in Mexico City suffering from abdominal pain. He continued by saying that even though medical personnel had the results of a series of studies which V1 was subjected to, and from which it was possible to determine the cause of her pain, as and from 22:22 hours of that same day, it wasn't until approximately 00:30 hours of the following day that she was diagnosed with a "ruptured tubal pregnancy" and a surgical intervention was requested due to the urgency and the risk of death. This delay of over two hours in the diagnosis by medical staff of the Emergency Room led V1 to go into an acute hypovolemic shock caused by loss of blood; finally provoking a cardio-respiratory seizure which ended her life.

From the logical juridical analysis performed on the entirety of the evidence which makes up file of complaint number CNDH/2/2009/2255/Q, the National Commission accredited violations to the human rights to life and health protection, to the detriment of V1. This was caused by the inadequate medical attention she received from civil servants assigned to the Mexican Petroleum Northern Central Hospital (HCN-PEMEX).

In light of these events, the Mexican National Human Rights Commission issues the following Recommendations:

First. Instruct whomever it may concern so that the necessary measures are taken to repair the damage and harm inflicted upon the relatives of V1 or anyone who proves to be lawfully entitled, as a result of the institutional responsibility incurred upon by civil servants of the Mexican Petroleum Northern Central Hospital, based on the considerations mentioned within this recommendation and sending proof of compliance to the National Commission.

Second. Provide a comprehensive human rights and public health services education and training program for the staff of the Mexican Petroleum Northern

Central Hospital in order to make the public service offered both by medical and infirmary personnel becomes one which conforms to the legal framework and the principles of federal public service, guaranteeing the execution of precise intervention protocols, therefore avoiding events such as the ones which led to the issuance of this recommendation. The National Commission must be notified once this has been done.

Third. Collaborate amply with the Mexican National Human Rights Commission in the processing of the complaint which this public organization presents before the Internal Control Body of Mexican Petroleum against the PEMEX civil servants who participated in the events mentioned in this case, sending any evidence requested to the human rights protecting body, as well as proof of compliance.

Fourth. Adequately collaborate with the investigations derived from the formal complaint which the Mexican National Human Rights Commission presents before the Attorney General's Office in light of these events, given that those involved are federal civil servants. It must also forward any proof of compliance requested on to the National Commission.