



# Comisión Nacional de los Derechos Humanos

## México

### **Recommendation 68/2011**

*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, November 24th, 2011**

**MATTER: ON THE CASE OF V1'S DEATH IN DETENTION CENTER NUMBER 5 "ORIENTE" IN VILLA ALDAMA, VERACRUZ.**

**RESPONSIBLE AUTHORITIES: PUBLIC SECURITY SECRETARY AND CONSTITUTIONAL GOVERNOR OF THE STATE OF VERACRUZ**

The National Human Rights Commission opened the file CNDH/3/2010/4773/Q after receiving on September 1, 2010, the complaint document from Q1, who affirmed that on February that year his brother V1 was transferred from Detention Center Number 4 "Noroeste" in Tepic, Nayarit to Center Number 5 "Oriente" in Villa Aldama, Veracruz, signaling that Vi was severely ill or had died. It should be mentioned that V1 had been transferred on March 4, 2010 and, when entering, informed the medical personnel that he had had leukemia for 5 years and was prescribed with the drug Glivec; notwithstanding, there were not lab studies made to confirm this information and, if true, continue the treatment prescribed. On April 27, 2010, V1 was feeling increasingly sick, but it was not until 15 or 16 hours later that they gave him an intramuscular medicament, presenting complications later and dying that same day. The corresponding initial inquiry started without the penitentiary authorities providing the victim's relatives' information to notify his death. Also, the death certificate was made with information of a negligently performed necropsy. At the end, the Office of the Attorney agreed to start the corresponding process to bury the body in the common grave of the municipal grave yard of Perote, Veracruz "for health reasons", and on December 2, 2010 decided on the reservation to initial inquiry 1. After analyzing the evidence contained in the file, the CNDH reported violations of V1's human rights, specifically of rights to health protection, legality and legal security; likewise, the relatives' rights in the last two categories were also violated by members of the Decentralized Prevention and Rehabilitation Administrative Office of the Public Security Secretariat and members of the Detention Center Number 5 "Oriente" in Villa Aldama, Veracruz, who authorized the transfer to a penitentiary institutions that did not have sufficient conditions to provide medical attention to V1, without presenting the detainee's file of the Detention Center of precedence; they did not provide due medical attention nor did they made the corresponding medical file and blocked his relative's localization to notify his death. On their part, personnel of

the Attorney's Office of the state of Veracruz violated the rights to legality and legal security, as well as to law enforcement of V1's relatives by not getting the correct elements to determine the cause of death and locating the relatives, negligently practicing a necropsy and elaborating a death certificate with doubtful information. Based on this, the CNDH issued Recommendation 68/2011.

<http://www.cndh.org.mx/Recomendaciones>