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# **Hearing on blood transfusion administered to a Jehovah's Witness against her will**

**Watch [HERE](#) the video recording of the Grand Chamber hearing in the case *Pindo Mulla v. Spain* (Application no. 15541/20)**

[Registrar of the European Court](#) (10.01.2024) - On 10 January, the European Court of Human Rights held a Grand Chamber hearing in the case of Pindo Mulla v. Spain (Application no. 15541/20).

The case concerns blood transfusions administered to the applicant, a Jehovah's Witness, despite her refusal to undergo a blood transfusion of any kind (full blood, red blood cells, white blood cells, platelets or blood plasma).

### ***The case***

The applicant, Rosa Edelmira Pindo Mulla, is an Ecuadorian national who was born in 1970 and lives in Soria (Spain). She is a Jehovah's Witness. A core tenet of her religious beliefs is her absolute opposition to blood transfusions and the donation and storage of blood and blood products.

Following medical tests carried out in July 2017, Ms Pindo Mulla was advised to have surgery. She subsequently issued three documents: an advance directive, a lasting power of attorney and an informed consent document. Each recorded her refusal to undergo a blood transfusion of any kind (full blood, red blood cells, white blood cells, platelets or blood plasma) in any healthcare situation, even if her life was in danger, but that she would accept any medical treatment that did not involve the use of blood.

On 6 June 2018, Ms Pindo Mulla was admitted to Soria Hospital. The following day, due to haemorrhaging, she was transferred by special ambulance to a hospital in Madrid.

Upon learning that the applicant was a Jehovah's Witness, anaesthesiologists at that hospital contacted the duty judge for instructions on what to do. The duty judge, who did not know the identity of the patient, nor her precise wishes, and in the absence of concrete information on her state of health, authorised all medical or surgical procedures that were needed to save her life.

Surgery was performed that day and blood transfusions were administered to Ms Pindo Mulla, who had not been informed of the duty judge's order, despite still being conscious when she was taken to the operating theatre. The parties dispute, however, whether she was fully lucid at that time.

This decision of the duty judge was upheld on appeal and her subsequent amparo appeal was declared inadmissible by the Constitutional Court.

### ***Procedure***

The application was lodged with the European Court of Human Rights on 13 March 2020. Relying on Articles 8 (right to respect for private life) and 9 (freedom of thought, conscience and religion) of the European Convention on Human Rights, the applicant complains that while her refusal of certain medical treatment had been, in her view, clearly established in many official documents, they were ignored by the national authorities.

On 16 April 2021 the Spanish Government was given notice of the application, with questions from the Court. A [statement](#) of facts is available in English on the Court's website.

The Chamber to which the case had been allocated relinquished jurisdiction in favour of the Grand Chamber on 4 July 2023.

The French Government and the European Association of Jehovah's Witnesses were granted leave to intervene in the written proceedings as third parties.

After the hearing the Court began its deliberations in private. Its ruling in the case will, however, be made at a later stage.