

# *Assisted Suicide & Euthanasia*

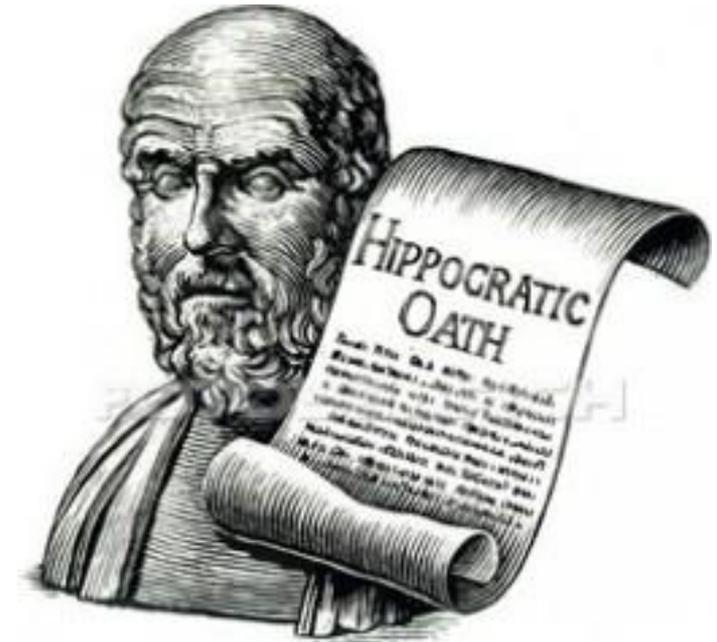
Cape Town - April 18, 2016  
*St. Mary's Cathedral  
Pastoral Centre*

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# Preamble

- **“To please no one will I prescribe a deadly drug, nor give advice which may cause his death”**. Oath of Hippocrates of Kos, 5<sup>th</sup> BC
- => Assisted Suicide and Euthanasia: not just a ‘modern’ ethical issue...



# Introduction - 1

- **Legislation**

The Netherlands: “Wet toetsing levensbeëindiging op verzoek en hulp bij zelfdoding” (2001/2002)  
(Termination of Life on Request and Assisted Suicide – Review Procedures)

Belgium: “Wet betreffende de euthanasie - Loi sur l’euthanasie” (2002)  
(Law on Euthanasia)

Grand Duchy of Luxemburg: “Législation reglementant les soins palliatifs ainsi que l’euthanasie et l’assistance au suicide” (2009)

# Introduction - 2

- **Terminology**
  - Assisted Suicide = active involvement in a person ending his/her own life
  - Euthanasia = “intentionally terminating life by someone other than the person concerned, at the latter's request”.
- **Reported Numbers**
  - NL: 4188 in 2012; 4829 in 2013; 5306 in 2014  
(estimated requests pro year: 27.000 – 33.000)
  - BE: 1133 in 2011; 1430 in 2012; 1807 in 2013

# Current debate in the Netherlands 1

- **Citizens initiative “Voltooid leven” – 120.000 signatures** (May 2010)
- **Proposal for a bill “Out of free will”** (March 2012)
  - Autonomy of patient without medical reference
  - ‘Completed life’ or ‘Ready with life’: subjective but because of existential suffering
- **KNMG**: change of law unnecessary, but preference for ‘assisted suicide’
- **Committee Schnabel** (2016) : no need to change the law

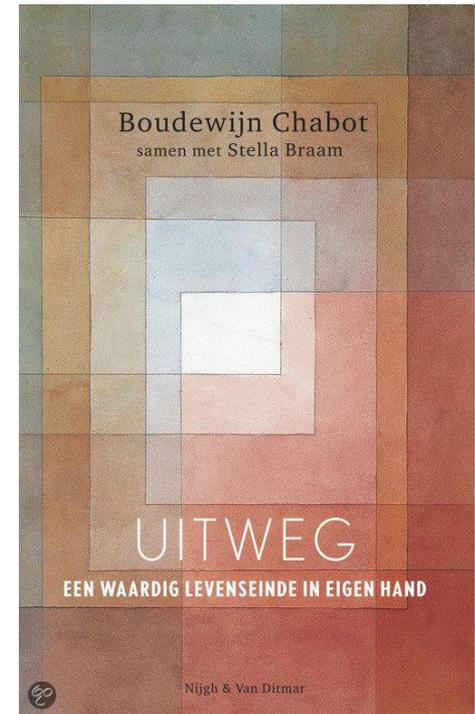
# Current debate in the Netherlands 2

- **End of Life Clinic** (2012)
  - Euthanasia request within limits of the law, but not granted by own MD
  - ‘On location’ of patient
  - Period of acquaintance & ‘checks and balance’
  - 2014: 1035 // 232
  - 2015: 1234 // 365



# Current debate in the Netherlands 3

- **Auto-euthanasia: *Exit*** (B. Chabot)
  - End one's own life in a humane way  $\leftrightarrow$  'violence' / mutilation
  - Not 'in individual isolation'
  - Provide reliable and precise information:
    - Medications
    - Self-starvation
    - 'Helium-method'



# Current debate in the Netherlands 4

- **Dutch Society for Voluntary End of Life**
  - Self determination as central notion
  - Living will, non-reanimation declaration (token)
  - Discussion to abolish the legislation ~ 15 years without abuse...



# Current debate in Belgium 1

- **Change with regard to underage patients**
  - Impact of casuistry ~ age 10 → 17
  - Not the 'Dutch model': 12 → 15; 16 → 17
  - => No age defined but criterion of 'Competence to discern' what such a request means
  - Extensive exchange with child psychologist / psychiatrist
  - Agreement of parents needed
  - Singed into law on March 3, 2014 by king Philip

# Current debate in Belgium 2

- **Relationship between Palliative Care and Euthanasia?**
  - Public debate sparked by Marc Desmet, palliative care doctor for more than 20 years and Jesuit
  - Enemies; neighbours, friends...?



# Current debate in Belgium 3

- **Enemies**

- 'Dogmatic': absolute incompatible => forbidden!
- Refusal to discuss border areas or 'exceptions'
- In case of persistent request: withdrawal of palliative team & referral of patient
  
- Desmet: probably majority (~ Catholic Church; European Association of Palliative Care; ...)

# Current debate in Belgium 4

- **Neighbours**
  - 'Pragmatic': maintain difference but respect each other
  - Centrality of patient ~ take request serious
  - Euthanasia only in the context of palliative care and as ultimate means (~ 'lesser evil')
- Desmet: accompany patient until the very end but does not himself apply euthanasia

# Current debate in Belgium 5

- **Friends**
  - 'Programmatic': both are equal alternatives
  - The 'programme': broaden the legislation
  - Absolute respect for the request of patients
  - Provocative with regard the limits of the law
- Desmet: a reversal of the 'dogmatic' position
- JJ: from autonomy to 'ego-nomy' and 'duty' of MD? ( $\leftrightarrow$  'conscience clause')

# By way of conclusion

- “In the Netherlands, the evil of euthanasia is well regulated” (Msgr. Philippe Bär OSB, former bishop of Rotterdam, March 2002)
- Euthanasia and Assisted Suicide: bring an end to life / or / shortening of debilitating dying process?
  - The dead end street of therapeutic obstinacy (↔ “How doctors die...”)
  - Explore and deepen ‘neighbour’ model for theoretical and practical reasons ~ ethics of care