

Anti-euthanasia Ruling Hailed as Major Victory

Parliamentary Assembly of the Council of Europe Sets Forth Principles

BRUSSELS, Belgium, JAN. 26, 2012 ([Zenit.org](http://www.zenit.org)).- A decision by the Parliamentary Assembly of the Council of Europe (PACE) to pass a resolution that calls for the prohibition of euthanasia, is being hailed as a major pro-life victory.

In a communiqué today, the European Centre for Law and Justice (ECLJ) reported that the resolution passed, setting the principle: "Euthanasia, in the sense of the intentional killing by act or omission of a dependent human being for his or her alleged benefit, must always be prohibited." This is the first time in recent decades that euthanasia has been so clearly rejected by a European political institution, the council explained.

It is a major victory in the battle to defend life and the ECLJ noted that it came a year after the European Court asserted that there is no right to euthanasia or assisted suicide under the European Convention. The resolution should also have an impact on a forthcoming decision by the European Court in the case of Koch v. Germany, concerning a ban on assisted suicide in Germany, said Grégor Puppinck, Director of the ECLJ.

The purpose of the resolution (No 1859/2012), passed Wednesday, is to define the principles that should govern the practice of "living wills" or "advance directives" in Europe.

The "living wills" or "advance directives" are aimed at enabling patients to express in advance their wishes regarding medical intervention or treatments, in case they are not able to express their preferences at the time of the intervention. The directives may apply, for example, when there is doubt about whether to resuscitate a patient or to continue to use extraordinary means to maintain someone alive.

Because these "living wills" or "advance directives" are open to many abuses, and can be a backdoor for introducing euthanasia or assisted suicide into legislation, the PACE has made a list of principles on how to govern this practice in the 47 states of the Council of Europe.

According to the ECLJ the list is based on principles elaborated in three documents previously adopted in the Council of Europe, including the convention on human rights and biomedicine (Oviedo Convention), which legally binds the majority of member states. Because of growing concerns about euthanasia, the Assembly judged it is necessary to state explicitly the basic principle that intentional killing must always be prohibited.

"This resolution is a clear indication that the growing majority of Europeans is opposed to euthanasia," said Puppinck.

Even if this resolution is not legally binding on member states, it has a real influence on the legislative process and on the judicial process, especially on the case-law of the European Court of Human Rights, the ECLJ communiqué stated.