



European Association for Palliative Care
EAPC Onlus: Non profit-making Association
Non Governmental Organisation (NGO) recognised by the Council of Europe
Association Européenne pour les Soins Palliatifs
EAPC Onlus: Organisation à but non lucratifs d'utilité publique
ONG reconnue par le Conseil de l'Europe

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Milan, 1 December 2003

Ref: EAPC comment to report on Euthanasia of Mr. Marty, Doc. 9898

I contact you in my position as President of the European Association for Palliative Care (EAPC), NGO of the Council of Europe. The EAPC, which gathers a movement of about 50000 persons represented by 29 Associations in 19 different European Countries, will like to comment on the report on Euthanasia of Mr. Marty to be presented to the Parliamentary Assembly in the session of 24 to 30 January 2004.

The EAPC has carefully examined the report, both from a clinical and political point of view and considers it inappropriate for the actual situation.

As the EAPC represents the majority of people working in palliative care, the organisation takes the matter of euthanasia very serious. A taskforce studied the issue and produced recently a position paper: **Euthanasia and physician-assisted suicide: a view from an EAPC Ethics Task Force**" (Materstvedt et al) published in Palliative Medicine 2003, 17: 97-101 (see enclosed). The position paper is adopted by the EAPC board of directors and represents the official position of the EAPC. We ask the members of the Parliamentary Assembly to take this position into consideration when discussing the Marty report.

The Marty report in itself is inconsistent and mixes up several issues going from public opinion to clinical decision making. Assumptions are made and used as basis for argumentation without any knowledge of practice of the care for dying people. This report is turning the problem upside down. While the draft resolution itself starts with a plea for more research, it jumps to a plea for legalisation of Euthanasia.

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We ask the Parliamentary Assembly to take into the account the following statements and facts:

- Euthanasia, though it may be a part of practice in different countries, is an exception and should remain so.
- Exceptions are not a good base for legislation.
- End of life decisions can only be made when appropriate palliative care is given.
- Appropriate palliative care should therefore be available and accessible for the dying.
- Appropriate palliative care includes an appropriate infrastructure of palliative care institutions and specialized professionals.
- Specialized professionals and health care institutions require an appropriate knowledge infrastructure, i.e. a research and training programme.
- Every attempt to legalise euthanasia should therefore be proceeded by the development of good palliative care, meaning the development and financing of palliative care institutions, professionals and trainings.
- Any legislation regarding end of life decisions should be based on the practice of care and the needs of the patients.

In summary :

The EAPC considers it unethical to raise the discussion about legalisation of euthanasia for the terminally ill as long as patients do not receive appropriate palliative care in all European countries. We therefore urge the Council of Europe to put priority on improving palliative care in all European countries instead of wasting energy and resources on the issue of legalising euthanasia.

Sincerely yours

Stein Kaasa
EAPC President

cc.

Members of the EAPC Board of Directors

Maurice Chausson, Strasbourg, France, EAPC NGO liason officer

Lars Johan Materstvedt, Trondheim, Norway, Chair EAPC Ethics Task Force on Palliative Care and Euthanasia

Presidents of the 30 Associations Collective Members of the EAPC

Enclosures:

EAPC position paper: Euthanasia and physician-assisted suicide: a view from an EAPC Ethics Task Force" (Materstvedt et al) published in Palliative Medicine 2003, 17: 97-101



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