

SAIMUN 2017 Research Report

Committee: Human Rights Council

Issue: The question of utilising euthanasia in health care system

Student Officer: Hye Ryeong (Ann) Hwang, Deputy President

1. Description of Issue

Euthanasia is the intentional termination of a person's life to relieve one from pain. The United Nations has not directly involved itself in the issue of euthanasia and there is no resolution on this controversial topic passed. The Article 55 of the UN Charter states that "the United Nations shall promote universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion." The term 'human rights' can be interpreted differently and the UN defines it as "the right of life, liberty, and the security of person" and each position towards euthanasia is arguing with this. Proponents assert that each individual has the right of liberty regarding one's life so, not legalising euthanasia is the limitation of one's right. However, opponents believe that euthanasia is taking the right of life away from terminally ill patients if it is used to kill them. The United Nations does not restrict euthanasia neither is in favour of it and therefore the decision about the legalisation of euthanasia is left to each country itself until now.

2. Definition of Key Terms

Euthanasia

The intentional termination of a person's life to relieve one from pain

Active Euthanasia

A person, for example a doctor, directly causes the death of a patient

Passive Euthanasia

Euthanasia is brought by omission for example, by withdrawing treatment

Indirect Euthanasia

Providing treatment which is to reduce pain but which long-term effect is to cause a patient's death sooner.

Non-voluntary Euthanasia

The patient is unable to ask for euthanasia because he is for example in a coma. An appropriate person needs to make the decision on the patient's behalf in accordance with living will or previously expressed wishes

Voluntary Euthanasia

Where a person makes a conscious decision to die and asks for help to do this

Involuntary Euthanasia

Where a person is killed against their expressed wishes.

Assisted Suicide

Intentionally and directly providing the means of death to another person so that the person can use that means to commit suicide

Dignity

The value that a human has simply by existing, not because of any property.

Living will

A document stating what a patient wants in regard to medical treatment and euthanasia

Futile treatment

A treatment that is considered to be completely ineffective

3. Timeline of Key Events

Event	Description
1828	Earliest American officially illegalised assisted suicide
1905	Bills to legalize euthanasia were defeated in Ohio
1925	Two countries in South America set laws accepting euthanasia as legal
1935	The Voluntary Euthanasia Legislation Society (VELS) was founded in England to control a full range of medical services at the end-of-life.
1937	Voluntary Euthanasia act was introduced in the US senate
1938	Euthanasia Society of America (ESA) was founded in New York. Its goal is to gain legal acceptance for the 'right' to kill vulnerable human being.
1942	Switzerland legalised Euthanasia
1952	The British and American societies petition the United Nations Commission on Human Rights to announce the right of incurable sufferers to euthanasia
1968	Rep. Walter S. Sackett, MD. introduced unsuccessful 'right to die' legislation in Florida. However, it was opposed by advocates for mentally retarded children.
1972	The first national hearings on Euthanasia was held by the US Senate Special Commission on Aging (SCA).

1974	Society for the right to die was founded, reenergizing campaign to seek euthanasia laws
1990	US congress passed the Patient Self-Determination Act
1997	US supreme court ruled that there is not an essential right to die
2001	Netherlands legalised euthanasia
2008	Luxembourg legalised assisted suicide and euthanasia
2014	Belgium legalised Euthanasia for terminally and incurably ill children
2015	South Africa allowed assisted suicide for terminally ill man
2016	Physician-assisted suicide became legal in Canada

4. Positions of Key Member Nations and Other Bodies on the Issue

Albania

Assisted suicide has been legal in Albania since 1999. This gave terminally ill patients a choice to have euthanasia. If the patient is unable to give consent because they are in coma, their family must take the decision. However, euthanasia and assisted suicide are still controversial due to the involvement of the church.

The Netherlands

The Netherlands was the first country in the world to legalise euthanasia. The requirements for euthanasia are very strict in the Netherlands, only applied to patients with a terminal

condition who are suffering from unbearable pain. Also, the patient has a full control of their request.

Philippines

Euthanasia is illegal due to the predominance of the religious communities, hindering the ratification of the Euthanasia Bill. In 1997, the Philippines Senate considered passing a bill to legalise passive euthanasia but it was strongly opposed by the country's Catholic Church. Currently, doctors who assist a patient to die can be imprisoned.

United States

Passive euthanasia is legal as patients are allowed to refuse treatment if they are willing to, but active euthanasia is still illegal in all 50 states. Assisted suicide is legal in only five states: Vermont, Oregon, Montana, Washington, and New Mexico. As federal government has been hesitating to be involved in the debate on end of life laws, laws regarding euthanasia are debated among American lawmakers and the American population as a whole.

Viewpoint of World Medical Association (WMA)

WMA strongly opposes the act of euthanasia as it is in conflict with basic ethical principles of medical practice. It states that "Physicians-assisted suicide, like euthanasia, is unethical and must be condemned by the medical profession. Where the assistance of the physician is intentionally and deliberately directed at enabling an individual to end his or her own life, the physician acts unethically. However, the right to decline medical treatment is a basic right of the patient and the physician does not act unethically even if respecting such a wish results in the death of the patient." (WMA, 2005) WMA highly encourages all National Medical

Associations and physicians to try not to participate in euthanasia even though national law allows it.

Christian's viewpoint

The Bible says: "And inasmuch as it is appointed for men to die once and after this comes judgement." It basically says that only God can appoint people to die, showing that euthanasia is an act that denies God his sovereign right to appoint who dies when. They also believe that we should make a terminally ill patient as comfortable as possible during his process of dying, not hastening his death.

Christians also argue that it would be wrong to conclude that patients would be better off dead as they have equal intrinsic value of living even though they are in a vegetative state, seriously damaged, or have mental handicaps.

The Roman Catholic church (belongs to the Christian church) considers euthanasia as morally wrong. The church has said that: "nothing and no one can in any way permit the killing of an innocent human being, whether a foetus or an embryo, an infant or an adult, an old person, or one suffering from an incurable disease, or a person who is dying." (Roman Catholic church, 1980)

5. Suggested Solutions

Encourage the establishment of the United Nations Palliative Care organisation

Some poor families choose euthanasia instead of expensive palliative care or other treatment against death-threatening diseases since that is what the families have the funds for. The main aim of this organisation would be strengthening the member states' efforts in developing

palliative care services in their countries, especially LEDCs. The organisation would do this by providing funds and giving advice on palliative sedation to all health ministries in the world that are struggling with a successful putting of palliative sedation in place.

Implement a tight government monitoring system

States could allow only the use of a specified range of methods where their ethical natures have been analysed for patients who choose to go through euthanasia. The government can put some strict criteria such as limiting the use of euthanasia only to terminally ill patients with disease that cannot be cured, requiring consent from both the patients and their family members.

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