

Children's right to die affirmed in Belgium

by [Jennifer Collins](#) and [Sumi Somskada](#)

This article appears in the [January 22, 2014](#) issue.

A long-running debate over a child's right to die is coming to a head after the passage of a bill by Belgium's upper house of parliament agreeing to extend the country's euthanasia law to children.

Belgian senators voted 50-17 in favor of the bill in early December. If adopted by the lower house, the measure will make Belgium the first country to allow euthanasia for children who are terminally ill and living with "constant and unbearable physical suffering." The child would have to submit a written request for the procedure, have a "capacity for discernment" and obtain consent from his or her parents.

Conservative lawmakers said they feared the legislation could be abused and argued that it would be difficult to determine whether a child is sufficiently able to make such a decision alone.

Christian, Muslim and Jewish religious leaders in Belgium condemned the bill as trivializing death and setting society on a dangerous path.

"In the actual proposal of the law, it says that only capable minors can decide on euthanasia—but there is no instrument to measure this capability," said lawmaker Els Van Hoof of the Christian Democratic and Flemish Party.

Van Hoof added that children are treated in criminal and civil law as incapable of making certain informed decisions. They do not vote and are not subject to the same punishments as adults for breaking the law, she pointed out.

But supporters of the legislation said children in such situations are mature enough to make decisions. They added that a psychologist would evaluate the child's capacity for decision making.

“There is an independent commission which is competent to evaluate cases of euthanasia in our country,” said Philippe Mahoux, a Socialist Party senator and the bill’s main sponsor. “For ten years, the commission had no abuses reported.”

Still, Charles Foster, a British lawyer who specializes in medicine, said it was difficult to establish even in adults whether the person making the euthanasia request was fully informed and free from influence. The area is “difficult to police” and was one of the issues raised during parliamentary debates on assisted suicide legislation in England, he said.

Belgium passed legislation legalizing euthanasia in 2002 and in 2012. The mainly secular country, which has a strong Roman Catholic tradition, is one of a few European countries to allow some form of assisted dying.

Euthanasia for adults is permitted in Luxembourg and in special cases for terminally ill patients ages 12 or older in the Netherlands. Switzerland has allowed assisted suicide by doctors since the 1940s, offering the service in clinics such as Dignitas. Still, euthanasia remains illegal there.

Under Belgian law, parents of terminally ill children can opt for palliative sedation, in which high doses of sedatives are prescribed at the end of the patient’s life. Food and liquids are then withdrawn to speed up death, which normally occurs within hours or days.

Van Hoof said the palliative alternatives and treatment options available are sufficient to relieve the physical suffering of terminally ill children.

But Mahoux disagreed. “Palliative care sometimes isn’t sufficient,” he said. “When the cancer is in the final phase, when no remission is possible, some minors suffer too much and ask for euthanasia.”

Foster, who holds a doctorate in bioethics, said he was “concerned that the legislation will have a corrosive effect on the medical profession. If you turn a profession of healers into a profession of executioners, that’s going to change the nature of the profession and the nature of the people who go into the profession,” he said. —RNS