

Belgium set to extend right-to-die law to children (Update)

February 11 2014, by John-Thor Dahlburg



In this photo taken on Feb. 7, 2014, Belgian professor and doctor, Gerlant Van Berlaer, poses at the University Hospital UZ in Brussels. Belgium, one of the very few countries where euthanasia is legal, should take the unprecedented step this week of abolishing age restrictions on who can ask to be put to death. Dr. Gerlant van Berlaer, a prominent Brussels pediatrician, said the beneficiaries should be teenage boys and girls who are in the advanced stages of cancer or other terminal illnesses, and suffering unbearable pain. Under current law, they must let nature take its course_or wait until they turn 18 and can ask to be euthanized. The Belgian Senate voted 50-17 on Dec. 12 to amend the country's 2002 law on euthanasia to also apply it to minors, but only under certain additional conditions, including the need for parental consent and the

requirement that any minor desiring euthanasia demonstrate a "capacity for discernment" to a psychiatrist and psychologist. The House of Representatives, the other chamber of Parliament, is scheduled to debate on Wednesday, Feb. 12, 2014 whether to agree to the changes, and vote on them Thursday. Passage is widely expected. (AP Photo/Yves Logghe)

Belgium, one of the very few countries where euthanasia is legal, is expected to take the unprecedented step this week of abolishing age restrictions on who can ask to be put to death—extending the right to children.

The legislation appears to have wide support in the largely liberal country. But it has also aroused intense opposition from foes—including a list of pediatricians—and everyday people who have staged noisy street protests, fearing that vulnerable children will be talked into making a final, irreversible choice.

Backers like Dr. Gerland van Berlaer, a prominent Brussels pediatrician, believe it is the merciful thing to do. The law will be specific enough that it will only apply to the handful of teenage boys and girls who are in advanced stages of cancer or other terminal illnesses and suffering unbearable pain, he said.

Under current law, they must let nature take its course or wait until they turn 18 and can ask to be euthanized.

"We are talking about children that are really at the end of their life. It's not that they have months or years to go. Their life will end anyway," said Van Berlaer, chief of clinic in the pediatric critical care unit of University Hospital Brussels. "The question they ask us is: 'Don't make me go in a terrible, horrifying way, let me go now while I am still a

human being and while I still have my dignity."

The Netherlands already allows euthanasia for children as young as 12, providing their families agree.

The Belgian Senate voted 50-17 on Dec. 12 to amend the country's 2002 law on euthanasia so that it would apply to minors, but only under certain additional conditions. Those include parental consent and a requirement that any minor desiring euthanasia demonstrate a "capacity for discernment" to a psychiatrist and psychologist.

The House of Representatives, the other chamber of Parliament, is scheduled to debate on Wednesday whether to agree to the changes, and vote on them Thursday. Passage is widely expected.

King Philippe, Belgium's constitutional head of state, must sign the legislation for it to go into effect. So far, the 53-year-old monarch and father of four has not taken a public position, but spokesman Pierre De Bauw said that is not unusual. "We never give any comment on any piece of legislation being discussed in Parliament," De Bauw said Tuesday.

Though one opinion poll found 75 percent of Belgians in favor, there has been a vocal opposition.



In this photo taken on Feb. 7, 2014, Belgian doctor Marc Van Hoey speaks with the Associated Press at his practice in Antwerp, Belgium. Belgium, one of the very few countries where euthanasia is legal, should take the unprecedented step this week of abolishing age restrictions on who can ask to be put to death. Dr. Marc Van Hoey, a general practitioner who is president of the Right to Die Association in the region of Flanders, also is in favor of the legislation. Euthanasia, he said, sometimes becomes the kindest and most caring option. The Belgian Senate voted 50-17 on Dec. 12 to amend the country's 2002 law on euthanasia to also apply it to minors, but only under certain additional conditions, including the need for parental consent and the requirement that any minor desiring euthanasia demonstrate a "capacity for discernment" to a psychiatrist and psychologist. The House of Representatives, the other chamber of Parliament, is scheduled to debate on Wednesday, Feb. 12, 2014 whether to agree to the changes, and vote on them Thursday. Passage is widely expected. (AP Photo/Yves Logghe)

"We are opening a door that nobody will be able to close," Andre Leonard, the archbishop of Mechelen-Brussels and chairman of the Episcopal Conference of Belgium, told The Associated Press. "There is

a risk of very serious consequences in the long term for society and the meaning we give to life, death and the freedom of human beings."

Etienne Dujardin, 29, a notary employee and father, has been among those staging protests as the debate in the House of Representatives nears. He doesn't believe safeguards proposed under the new law are watertight enough to protect youngsters who may be incapacitated by disease.

"If you take three psychiatrists, one of them will end up approving (euthanasia)," Dujardin said. "In the name of promoting freedom for children, we're letting someone else decide."

This week, an "open letter" carrying the names of 160 Belgian pediatricians was issued to argue against the new law, claiming there is no urgent need for it and that modern medicine is capable of soothing the pain of even the sickest children.

The doctors also said there was no objective way of providing that children possess the "discernment" to know what euthanasia means.

Van Berlaer, 45, was not one of the signatories. Very sick children who are surrounded by other ill and dying people are not like other youngsters, and mature quickly_too quickly, he said. They may look on as friends or neighbors in their ward die because they can no longer breathe or swallow, and come to realize what lies ahead for them.

In such cases, Van Berlaer said, a child may want to say goodbye to classmates and family, and ask if he or she can stop living.

"The thing is that it is an ultimate act of humanity and even love for the patients, minors in this case, that we at least listen to this question and think about why they would ask such a difficult thing," Van Berlaer said.

"And it will never be easy, even if the law changes now, things won't be easier."

By his estimate, only a handful of Belgian children, all in the teenage years, would be able each year to make use of the lifting of age restrictions. "If there is still a possible medical treatment, they will not be allowed to ask for euthanasia," the Brussels pediatrician said.

The discernment clause, he said, should bar the law from applying to young children.

Dr. Marc Van Hoey, a general practitioner who is president of the Right to Die Association in the region of Flanders, also is in favor of the legislation. Euthanasia, he said, sometimes becomes the kindest and most caring option.

"I've seen quite a lot of persons dying in—how do you say in proper English—agony?" said Van Hoey. "If you see somebody who died in pain, you see his face completely with a kind of expression where you see the pain on the face.

"I never saw that when I gave someone euthanasia he or she asked for," the doctor said.

Besides Belgium, the only other countries to have legalized euthanasia are two of its neighbors, the Netherlands and Luxembourg, said Kenneth Chambaere, a sociologist and member of the End-of-Life Care research group at the Free University Brussels and University of Ghent.

In the Netherlands, children between 12 and 15 may be euthanized with parents' permission, while those who are 16 or 17 must notify their parents beforehand. Luxembourg limits the practice to legal adults 18 and older.

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