

Landmark ruling in Argentine death-with-dignity case

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Relatives of an Argentine man who has been in a vegetative state for over 20 years can disconnect him from life support, the Supreme Court said Tuesday in a landmark ruling that divided the country.

The court insisted this did not amount to euthanasia, which is illegal in the traditionally Catholic country that is the birthplace of Pope Francis.

Rather, the ruling stems from a 2012 law that allows people to state in advance what they want done with them if they become incapacitated or terminally ill, the court said.

In this case, the ruling was unprecedented because there was no written record of what the man wanted so the court let his siblings speak and decide for him.

Marcelo Diez suffered a motorcycle accident in 1994 at age 30 and has been in a vegetative state since, breathing with a respirator and receiving nourishment through a tube.

He cannot communicate and does not respond to any kind of stimulus.

His brothers and sisters argued that Diez had always warned them that in a situation like this he would not want his life prolonged artificially.

Some in Argentine society have opposed letting him die and created a Facebook page entitled "Don't kill Marcelo Diez."

The Supreme Court said Diez's family can vouch for what he would have wanted, were he able to communicate.

Family lawyer Lucas Pica called it "a sad story from beginning to end."

"He could not express his will because the traffic accident prevented him. In this case consent is given by the closest relatives, who knew what his will was," Pica said.

Diez's siblings filed suit in 2013 after the 2012 Patients' Right Law had been passed, seeking that he be allowed to die with dignity. A provincial court agreed.

But prosecutors dealing with cases of incapacitated people stepped in, saying the siblings had no legal grounds to stand on.

The Catholic Church also weighed in. It argued that disconnecting a person in a vegetative state amounted to passive euthanasia and "the crime of abandonment."

Argentina has often been at the vanguard of change on sensitive social issues in South America.

It legalized gay marriage in 2010, for instance, although abortion remains illegal except in cases where the life or health of the mother is in jeopardy.

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