

'I want to rest in peace': Ecuador decriminalizes euthanasia

February 8 2024, by Santiago PIEDRA SILVA, Paola LOPEZ



This video grab taken via AFPTV via the Roldan family shows Paola Roldan and her husband Nicolas Suarez.

Ecuador decriminalized euthanasia on Wednesday, becoming the second Latin American country to allow the procedure, in response to a lawsuit brought by a terminally ill patient.

With seven of its nine judges voting in favor, the country's Constitutional Court opened the door for doctors to help an untreatable patient die without going to jail.

The penalty for homicide "cannot be applied to a doctor who performs an active euthanasia procedure in order to preserve the rights to a dignified life," the court ruling said.

The lawsuit was brought in August by Paola Roldan, suffering from [amyotrophic lateral sclerosis](#) (ALS), a progressive neurological condition also known as Lou Gehrig's disease.

In her complaint, Roldan contested an article of the Ecuadorian penal code, which considers the procedure a homicide carrying a sentence of between 10 and 13 years in prison.

"I want to rest in peace. What I experience is painful, lonely and cruel," Roldan, who is bedridden, told a court hearing in November via video link.

Following the ruling, she told a news conference that Ecuador is "a little more welcoming, freer and more dignified."

"The fight for [human rights](#) is never a paved road," she said.

'Free and informed decisions'

Ecuador follows in the footsteps of Colombia, which decriminalized euthanasia in 1997. Lawmakers in Uruguay and Chile are currently debating the issue, while Mexico has a so-called "good death" law, which lets the patient or their family opt out of [life support](#).

After studying Roldan's arguments, the court in this traditionally

conservative, majority-Catholic nation ruled that "it would be unreasonable to impose an obligation to stay alive on someone who is going through this situation."

"Every human being can make free and informed decisions when their personal development is affected, which... includes the option of ending the intense suffering caused by a serious and irreversible bodily injury or a serious and incurable illness," it said.

The court tasked the Health Ministry with drafting regulations for the procedure within two months. For its part, the Ombudsman's office would have to draft a bill on euthanasia within six months to be approved by Congress within a year.

But Roldan's lawyer Farith Simon on Wednesday insisted in a post on X, formerly Twitter, that "the sentence is immediately enforceable."

Roldan's father told reporters that he had mixed feelings about the outcome of the case.

There is the "satisfaction that Paola has been able to achieve a historic event, it is a legacy for Ecuadorian society," he said.

But his family has a "half-broken heart because there could be an outcome... which is the death of my daughter," he added. "We are supporting Paola."

Writing on social media Friday, when she learned that her case before the [high court](#) was in the final stage, Roldan said, "Several times I thought that I would not be able to see the fruits of this lawsuit, like someone who plants a tree so that someone else can sit under its shadow."

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