

United Nations Human Rights Council, 41st Session (24 February to 20 March 2020)

Item 4: General Debate

Speaker: British Humanist Association Representative, Tallulah Gordon¹

In all but a small minority of states worldwide, it is not possible for those with incurable health problems and who are of sound mind to access a medically-assisted death if it is their persistent wish to do so. By depriving them of the ability to have a choice over the manner and timing of their death, such people are denied the right to self-determination and respect for their decisions as ascribed by Articles 1, 3(a) and 17 of the UN CRPD.

The case of *Carter v. Canada*, which legalised assisted dying in 2015, stated the prohibition forced the incurably suffering to face the dilemma of either 'continuing to suffer or exposing others to criminal sanctions' and, in many cases, to seek inhumane ways of ending their lives.² Legal restrictions deny people the right to 'respect for inherent dignity (and) individual autonomy, including the freedom to make one's own choices'.³

We believe that sensible and stringent safeguards can be introduced to ensure that those who request an assisted death have made a clear decision, free from coercion, to do so. There is overwhelming evidence, in countries where assisted dying is legal, that safeguards are effective. In the Australian state of Victoria, all assisted dying cases since its legalisation have been compliant with safeguards.⁴

We call on member states to recognise that far from protecting the value of vulnerable persons, preventing the incurably suffering from accessing an assisted death if they choose discriminates against the right to dignity and individual autonomy for those who want an assisted death, and therefore diminishes their status and quality of life. Member states should seek to legalise assisted dying, subject to robust safeguards.

Thank you.

¹ Humanists UK is the operating name of the British Humanist Association.

² *Carter v. Canada* (Attorney General), 2012 BCSC 886

<https://bccla.org/wp-content/uploads/2012/06/Carter-v-Canada-AG-2012-BCSC-886.pdf>

³ United Nations, *Convention on the Rights of Persons with Disabilities*, 13 December 2006.

<https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities/convention-on-the-rights-of-persons-with-disabilities-2.html>

⁴ Voluntary Assisted Dying Review Board, *Report of operations June to December 2019*, February 2020.

https://www.bettersafecare.vic.gov.au/sites/default/files/2020-02/VADRB_Report%20of%20operations%202019-2020.pdf