

European rights court mulls whether to let French quadriplegic die (Update)

January 7 2015

Europe's human rights court on Wednesday heard arguments on whether a man in a vegetative state should be taken off life support, in a case that has torn his family apart and ignited a fierce euthanasia debate in France.

Vincent Lambert, 38, who was left severely brain damaged and quadriplegic as a result of a 2008 road accident, has for months been at the centre of a judicial tug-of-war over his right to die.

And after fighting it out in French courts, his family is hoping that Europe's rights laws will shed light on whether he should be kept alive, or allowed to die.

The lawyer for Lambert's parents, Jean Paillot, told the court on Wednesday: "His health situation is stable, and could even improve," noting that he "has started swallowing on his own again."

Lambert "is receiving no medicines, and is not attached to any machines", Paillot added.

Madeleine Munier-Apaire, representing the side of Lambert's wife Rachel, called for the case to be thrown out, saying: "No third party, not even a father or a mother, can assume another's right to life."

The legal drama began in January 2014 when Lambert's doctors, backed by his wife and six of his eight siblings, decided to cut off the

intravenous food and water keeping him alive in line with a 2005 passive euthanasia law in France that allows life support to be withheld.

His 33-year-old wife, who like him is a psychiatric nurse, said he would never have wanted to be kept alive artificially, while doctors said their patient was "suffering".

However, his deeply devout Catholic parents, half-brother and sister won an urgent court application to stop the plan.

In an appeal, the French supreme administrative court, known as the State Council, ordered three doctors to draw up a report on Lambert's condition and in June ruled that the decision to withdraw care from a man with no hope of recovery was lawful.

Lambert's parents then took the case to the Strasbourg-based European Court of Human Rights (ECHR), which ordered France to keep Lambert alive while they decided whether the State Council's decision was in line with the European Convention on Human Rights.

"Not letting Vincent Lambert go would be a lack of respect," a former doctor at the hospital where he is being kept, Eric Kariger, said Tuesday.

Rachel Lambert told AFP in an earlier interview that her husband would "never have wanted to be kept in this state."

"Keeping him alive artificially, it is unbearable compared to the man he was."

'Stop this madness'

But to his parents, stopping treatment would be tantamount to

euthanasia.

"I hope the ECHR will be able to stop this madness. Vincent is not at the end of his life, he is handicapped," his mother Viviane Lambert told AFP when she arrived in Strasbourg late Tuesday.

"They are trying to make us say we don't want him to go, but it is not at all the case, we don't want him to be snuffed out," said the staunch Catholic who insists her faith has nothing to do with her efforts to keep her son alive.

Their lawyer Paillot earlier said that stopping intravenous nourishment would be an "inhumane and degrading" violation of Lambert's right to life, and that his condition would "improve if he was receiving better care".

The ECHR is expected to take up to two months to deliver its judgement in the case, one of several stirring passions among supporters and opponents of euthanasia.

Euthanasia is illegal in France but Francois Hollande pledged in his 2012 presidential campaign to look into the issue.

In December lawmakers unveiled proposals for a bill that would allow doctors to place terminally-ill patients into a deep sleep until they died.

Critics slammed the move as masking euthanasia as sedation, while the pro-euthanasia camp was disappointed the proposal steered clear of assisted suicide, a practice that allows a doctor to provide patients with all the necessary lethal substances to end their life but lets them carry out the final act.

Lawmakers are due to debate the issue this month.

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