**TO:**  The United Nations Human Rights Committee

**FROM:**  Margaret Dore, Esq., MBA, President

Choice is an Illusion, a Nonprofit Corporation Opposed to Assisted Suicide and Euthanasia

**RE:** **Reject Paragraph 10**, Human Rights Committee Revised Draft of General Comment 36, on Article 6, International Covenant on Civil and Political Rights, on the Right to Life

**DATE:** October 6, 2017

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**I. RELEVANT UNITED NATIONS DOCUMENTS**

 **A. Article 6**

Article 6 of the International Covenant on Civil and Political Rights (ICCPR) states:

Every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life.

 **B. Paragraph 10**

The Human Rights Committee Revised Draft of General Comment 36, Paragraph 10, states:

[While acknowledging the central importance to human dignity of personal autonomy, the Committee considers that States parties should recognize that individuals planning or attempting to commit suicide may be doing so because they are undergoing a momentary crisis which may affect their ability to make irreversible decisions, such as to terminate their life. Therefore,] States should take adequate measures, without violating their other covenant obligations, to prevent suicides, especially among individuals in particularly vulnerable situations. At the same time, States parties [may allow][should not prevent] medical professionals to provide medical treatment or the medical means in order to facilitate the termination of life of [catastrophically] afflicted adults, such as the mortally wounded or terminally ill***,*** who experience severe physical or mental pain and suffering and wish to die with dignity. In such cases, States parties must ensure the existence of robust legal and institutional safeguards to verify that medical professionals are complying with the free, informed, explicit and, unambiguous decision of their patients, with a view to protecting patients from pressure and abuse. (Footnotes omitted).

**II. QUALIFICATIONS**

I am a attorney in Washington State USA where assisted suicide is legal. Our law is based on a similar law in the US State of Oregon. In the fine print, both laws allow euthanasia.

I have been working against assisted suicide and euthanasia since 2008. I have personally lobbied in opposition to assisted suicide/euthanasia in at least 15 US states and the United States Congress. I have also worked against assisted suicide and euthanasia in other countries, including Canada, Mexico, Australia and South Africa.

For more information, see [www.margaretdore.com](http://www.margaretdore.com), [www.margaretdore.org](http://www.margaretdore.org) and [www.choiceillusion.org](http://www.choiceillusion.org)

**III. PARAGRAPH 10 MUST BE REJECTED**

**A. Adoption of Paragraph 10 Is Contrary to Article 6, Which Provides That No One Shall Be Arbitrarily Deprived of His Life**

Oregon’s law went into effect in late 1997, followed by Washington’s law in 2009. Since then, three other US states and the District of Columbia have passed similar laws. Similar laws have also been rejected or failed to pass in at least 20 other US states.

I have personally read most if not all of these laws. In every case, they were sold as completely voluntary, but on close examination also allowed non-voluntary and involuntary killing. In short, “arbitrary,” non-voluntary killing is allowed.

The US laws are also not limited to people near death. For example, in Oregon, “terminally ill” is broadly interpreted to include chronic conditions such as insulin dependent diabetes.

Paragraph 10 says that “States parties [may allow][should not prevent]” voluntary assisted suicide and euthanasia for people such as the “terminally ill.”

With the above backdrop of what’s happening in US, such persons will include non-consenting people with decades to live. They will be arbitrarily deprived of life in contravention of Article 6.

For more detail, please see my analysis of a pending Oregon-style bill in the US State of South Dakota, which can be viewed at these

links:

**To view a pdf version, please go here:**

**Index:** https://choiceisanillusion.files.wordpress.com/2017/09/im-memo-index-09-08-17.pdf

**Memo**: https://choiceisanillusion.files.wordpress.com/2017/09/im-memo-09-08-17.pdf

**Appendix, Part 1:** https://choiceisanillusion.files.wordpress.com/2017/09/im-memo-appendix-part-1-of-2-09-08-17.pdf

**Appendix, Part 2:** https://choiceisanillusion.files.wordpress.com/2017/09/im-memo-appendix-part-2-of-2-09-08-17.pdf

**To view an html version, please go here:** http://www.choiceillusionsouthdakota.org/2017/09/updated-analysis-of-initiated-measure.html

**B**. **Paragraph 10 Redefines Killing as a Medical Treatment, Which by this Fact Alone Demands Caution in Going Forward**

In 1986, Robert Jay Lifton published his now classic analysis of the Holocaust: “The Nazi Doctors: Medical Killing and the Psychology of Genocide.”

Lifton’s premise was that “the medicalization of killing - the imagery of killing in the name of healing,” was crucial to what ultimately became a systematic genocide. He states:

 My argument in this study is that the medicalization of killing - the imagery of killing in the name of healing - was crucial to that terrible step. At the heart of the Nazi enterprise, then, is the destruction of the boundary between healing and killing.[[1]](#footnote-1)1

In Paragraph 10, we see a similar medicalization in which actively killing people is described as a medical treatment or as occurring through medical means.[[2]](#footnote-2)2 This fact alone demands caution in going forward.

Margaret Dore, Esq., MBA

Law Offices of Margaret K. Dore, PS

Choice is an Illusion, a nonprofit corporation

[www.margaretdore.com](http://www.margaretdore.com)

[www.choiceillusion.org](http://www.choiceillusion.org)

1001 4th Avenue, Suite 4400

Seattle, WA 98154

margaretdore@margaretdore.com

206 697 1217

1. 1 The Nazi Doctors: Medical Killing and the Psychology of Genocide,” Basic Books, page 14, paragraph 1. [↑](#footnote-ref-1)
2. 2 Paragraph 10 states:

 States parties [may allow][should not prevent] medical professionals to provide medical treatment or the medical means in order to facilitate the termination of life of [catastrophically] afflicted adults, such as the mortally wounded or terminally ill . . . . (Emphasis added). [↑](#footnote-ref-2)