



# World Right-to-Die Newsletter

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**PRESIDENT'S REPORT****JACOB KOHNSTAMM**

## TOKYO: Living Wills Among Ways for Dignified Death

The 15th Biennial Conference of our World Federation, held in Tokyo from September 30 to October 3, 2004

was an overall success. Our Japanese colleagues from Japan Society for Death with Dignity (JSDD)—and their WF board member Dr. Michio Arakawa in particular—have taught all “overseas” visitors an unequalled lesson in hospitality; moreover, a programme was presented in which many of the participants, if not all, could select their own interests socially and in terms of the program content. Our Japanese friends apparently also knew how to influence the weather gods in such a way that not many of the international guests were aware that Japan was racked this fall by a successive series of typhoons and earthquakes!

The board of WFRtDS and all visitors from all over the world who participated in the 15th World Congress, are most grateful for the excellent way the hosts of JSDD have performed their tasks.

On the deliberations and decisions during the delegates' meeting you can read separately in this newsletter so I will not go into these now. I would only like to memorialise the way I was chosen to be your new President. Of course, I seriously prepared my presentation as a candidate, since it is not a sinecure to succeed Michael Irwin who has directed

the WFRtDS the past two years in such an exemplary way. But, also, my opponent for the presidency was no one less than Derek Humphry, in my eyes one of the “godfathers” of our movement.

Naturally, I also have—as a politician—earned my credits in the history of euthanasia, through my 25-year-long involvement as chairman of a political party, as member of the Dutch parliament and as member of the Dutch Government. I have proven both in deed and in writing to be a strong and loyal advocate for the legalisation of euthanasia in the Netherlands. But my contributions—especially internationally seen—to the endeavours that bind us, are wiped out by all Derek's actions in this field in the past. It was finally Derek's intervention itself during the session that saw me, and not Derek, elected. In his presentation he himself made a passionate and heartfelt plea not to choose him, but myself. That's how it happened. (*Also, see the letter from Juana Betancor, who had been the Vice President of the WF, page 5.*)

In this, my first president's report, I would certainly like to call your attention to the following, mainly on the basis of our meetings and mutual discussions in Tokyo.

Each of us is active in one way or the other in achieving our main ambition as WFRtDS: the possibility for an individual to finally be allowed, both in practice and by law, to make a decision in what way, and when, he or she may leave life. Sidney Rosoff reminded us during the

*Continued on page 3*



# New Board for World Fed



Top Row: Richard MacDonald, Derek Humphry, Juan Mendoza-Vega, Libby Drake, Annalies Plaisant, Michio Arakawa  
Bottom row: Cynthia St. John, Jacqueline Herremans, Faye Girsh, Jacob Kohnstamm, Michael Irwin

Elected as president of the World Federation of Right to Die Societies for 2004-6 was **Jacob Kohnstamm**, of the Netherlands, and as vice-president, **Jacqueline Herremans** of Belgium. Both are attorneys.

Mr. Kohnstamm is chairman of Right-to-Die NL (NVVE), the second largest such organization in the world after the Japanese group. Aged 54, he spent 25 years as a politician, helping to mould the Dutch euthanasia laws, and is now full-time chairman of the Dutch Data Protection Authority.

Ms. Herremans, who will become president at the next world conference to be held in Toronto in 2006, is currently president of the Association for the Right to Die With Dignity, in Brussels. Since Belgium passed its Euthanasia laws in 2002, she has been a member of the Federal Commission of Control and Evaluation on the Law on Euthanasia.

**Annelies Plaisant**, of End-of-Life Choices-Florida, was re-elected treasurer of the World Federation, and **Libby Drake** (UK) continued as Secretary, a post she has held for the past six years.

**Faye Girsh** (End-of-Life Choices, USA) was elected newsletter editor

in succession to **Derek Humphry** (President of ERGO, USA), who became an honorary board member in recognition of his 25 years of service to the World Federation.

**Dr. Michael Irwin**, Board member of FATE (Scotland) serves as Past-President as does **Dr. Richard MacDonald** (Medical Director, End-of-Life Choices. At-large members include **Cynthia St. John**, Board member Death with Dignity Canada; **Dr. Michio Arakawa**, Board Member Japan Society for Dying with Dignity, and **Dr. Juan Mendoza-Vega**, Board member DMD-Colombia.

## Three New Organizations Join WF

New member organizations elected to the World Federation of Right-to-Die Societies at its conference in Tokyo on October 3 were:

1. **Libera Uscita**, Rome, Italy  
(Interim member)  
Alessandra Sannella
2. **Final Exit Network**,  
Atlanta, Georgia, USA  
Earl Wettstein
3. **SAVES**, Durbin, South Africa  
(re-admitted after lapsed  
membership) Louise Pallett

There are currently 40 member groups in the World Federation, with membership in each society

ranging from 20 to 105,000.

## Member Society Changes

**OLD MEMBER:** Contact has been resumed with The Indian Society to Die with Dignity which is currently conducting an essay competition for college students on the rights of the individual in matters related to death.

**MERGERS:** End-of-Life Choices (formerly The Hemlock Society USA) merged with Compassion in Dying. The new organization will be called Compassion and Choices and will continue to be based in Colorado and Oregon. Both organizations are WF members.

In New Zealand the Voluntary Euthanasia Society of Wellington merged with the Voluntary Euthanasia Society (Auckland) Inc. The new national organization will be known as the Voluntary Euthanasia Society of New Zealand Inc. Its office will be in Auckland.

## WF Board Decisions

- A working group of the Board has been formed to develop uniformity on the terminology and definitions around End of Life decisions. It will report to the 2006 biennial conference.
- The maximum a Member Society would pay in fees annually would increase from US\$250 to US\$1000. The fee is based on 1% of the society's income. The minimum would now be \$50.

*Continued on page 3*

The *World Right-to-Die Newsletter* is published twice a year by the World Federation of Right-to-Die Societies, a 25-year old international organization composed of societies promoting choice and dignity at the end of life.

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Continued from page 2

### New Board for World Fed

- A new category of Associate Membership is now available for organizations which support the World Federation but which are mainly active in a related field, such as human rights.
- An emergency motion can be presented by a Member Society at the biennial meeting, if it has the approval of the Executive (of the Board of directors), and its debate has the support of at least two-thirds of the Members present.
- If the Board considers that a decision should be made urgently regarding an important issue that affects the by-laws, and it more than



Alessandra Sannella,  
*Libera Usclita, Rome, Italy*



Louise Pallett, SAVES,  
Durbin, South Africa

six months until the next biennial meeting, the Secretary will send a motion to a Member Societies for voting. A motion will be deemed as carried if agreed by a majority of Members who have voted (provided that at least two-thirds of the total membership has voted.

Continued from page 1

### President's Report: Tokyo

conference in his impressive speech, of the words of the Tokyo Declaration of 1976.

The exact translation of this ambition may and will differ in every region or country because it depends on local political and public conceptions. It is totally clear to me that the strength we can develop as an international organisation is completely dependent on whether we are successful in not only giving our internal differences a name and debating them, but also whether we accept these as unavoidable.

I personally will not shrink in getting these internal differences on the agenda of our meetings—apart from the “warm bath of mutual understanding” that is so typical for our congresses. The differences in vision and strategy concern the question of where the bounds of the interpretations of the main objectives lay, as formulated in 1976 in Tokyo as “*the right to die with dignity*”. Not only to appreciate these differences together and give them value judgments but to recognize more clearly what main objective binds us, so that we can join forces in our mutual fight—with respect for the existing differences in the specific consequences.

That is why I would like to plead for the installation of an international data bank containing relevant and recent juridical case descriptions and keep that bank up to date by constant members input; and to have this data bank available on our WF web site, ordered by region and or country. In this way, I am sure, one can in the best possible manner get information on where the different regions and countries stand in the discussions, what problems arise in specific situations, how the discussion develops and what strategic choices apply. In other words: every member organization can get information on the identical elements in the joint struggle from the site, can see the differences as to content and the possible choices made in strategy.

*Unity in variety*—that should be our motto!

Excerpts from other papers given at the Tokyo conference will be presented in later issues.

## NEWS FROM AROUND THE WORLD

### USA

Although former Attorney-General John Ashcroft was told clearly in three different court decisions that his 2001 edict to punish doctors who prescribed barbiturates under the Oregon Death with Dignity Act (ODDA) was not within his purview, the Bush Administration has taken his challenge to the Supreme Court. The issue is whether the administration of drugs described in the Federally Controlled Substance Act should be regulated by the states or by the Department of Justice. The ODDA has been in effect since November 1997; no abuses have been reported.

### CANADA

A Canadian great-grandmother, Evelyn Martens from Victoria, charged with aiding and abetting the suicides of two terminally ill women in 2002, was acquitted by a jury after a prolonged preliminary hearing in 2003 and a recent trial. Testimony, even from prosecution witnesses, made it clear that both women had carefully planned their self-deliverance and that they were clearly suffering unbearably from their illnesses.

Martens admitted to being at the bedside of both women; she was entrapped by a RCMP officer who posed as the goddaughter of one of the women tearfully wanting to know if the woman had died peacefully.

### SCOTLAND

A proposal modeled after the Oregon Death with Dignity Act has been introduced in Scotland by the youngest member of its Parliament, 30-year-old Jeremy Purvis. Friends at the End (FATE) is supporting this model because the patient is in complete control and a physician is only the “instrument” who writes the prescription. Disability groups who fear that physicians would give “euthanasia injections” would be less threatened.



# First Marilynne Seguin Award to Colombia's Beatriz Gomez



Milena Gomez, Beatriz Gomez and Dr. Juan Mendoza-Vega (current president of DMD-Colombia).

The presentation of the first Marilynne Seguin Award to Beatriz Gomez, founding member and long-time President of Fundacion Pro Derecho A Morir Dignamente (DMD) of Colombia was made at the banquet for attendees on the final night of the Conference.

Gomez was selected because of her more than 30 years of commitment and contribution to the death with dignity movement which started when she lived in New York and was active with the Society for the Right to Die. In 1980, when she returned to Colombia, she founded DMD, the only right-to-die organization in Latin America. DMD pioneered living wills and was influential in the 1997 Constitutional Court decision which overturned a prohibition against assisting suicide (though no enabling legislation has been passed to carry it out.)

In 1999 Gomez was presented with a special medal struck in her name by Colombia's Congress for her long service in the cause of a dignified death.

Beatriz Gomez exemplifies many of the stellar attributes shown by the late Marilynne Seguin during her many years as founder and leader of Canada's Dying With Dignity Society based in Toronto. *"Both Marilynne and Beatriz, who knew and respected one another for many years, have been the inspiring leaders in their countries efforts to bring choice to those near the end of life. Each displayed compassion and caring as well as dedication to the goal of bringing legal changes that might permit control and choice for patients as death approached,"* said Dr. Richard MacDonald, Past President of the World Federation, in bestowing this award.

Gomez, now suffering from

macular degeneration, received a standing ovation as she was awarded the Memorial plaque and a prize of \$2000, which she will be donating to DMD of Colombia. In her acceptance speech Gomez indicated not only her admiration for Seguin's pioneering work but also for her planned death when she was ravaged by prolonged illness. Gomez was accompanied to the conference by her daughter, a doctoral student at

Columbia University and professor of Urban Studies in Colombia.

The award was made possible through a bequest to the World Federation by Marilynne Seguin. Dr. Michio Arakawa graciously translated for the Japanese members present.

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## The History of the World Federation

By Sidney Rosoff

*This is an excerpt of a speech by Sidney Rosoff, the first president of the World Federation about how the organization got its start.*

In the year 1935, in Great Britain, a small group of advanced thinking individuals, recognizing that an individual needed some protection against negative advance of medical technology, founded the very first Euthanasia Society. That creative step was repeated in the United States three years later with the formation of the Euthanasia Society of American. As we understand the issue today, it really is an international one.

The impetus for the internationalization of the movement came in 1976 with a letter from Dr. Tenrei Ota, president of the Japan Euthanasia Society inviting

all known organizations concerned with the right to die to attend an international conference in Tokyo.

The five countries who were represented—the United Kingdom, the Netherlands, Australia, the Philippines and the United States—met to discuss the state of the movement.

It was an historic invitation which culminated four years later in the formation of the World Federation of Right to Die Societies at Oxford in England.

I was privileged to be elected the first president of this new body and was instructed to draw up the organization's first set of By-Laws, taking advantage of my experience as a lawyer familiar with the process.

That first meeting has been well

*Continued on page 6*

