

# Euthanasia can be justified, says Italian court in major judgment

By Nick Squires in Rome

EUTHANASIA is justified in cases where a person is suffering from an irreversible condition and "intolerable" pain, Italy's constitutional court has ruled in a landmark decision.

The court said that, in certain circumstances, anyone who "facilitates the suicidal intention ... of a patient kept alive by life-support treatments and suffering from an irreversible pathology" should not be punished.

The ruling was strongly criticised by the Catholic Church but applauded by right-to-die activists and some politicians.

In its judgment, the court said that assisted dying should be allowed if a patient had an irreversible condition which caused him or her severe physical and psychological suffering.

The court made the decision after considering the case of Marco Cappato, a right-to-die activist who was accused of assisting the suicide of a 40-year-old

DJ who was left a tetraplegic after a horrific car accident in 2014.

Fabiano Antoniani, better known as DJ Fabo, took his own life at a Swiss euthanasia clinic in 2017.

He had been left profoundly disabled by the crash, as well as blind and

*Fabo's body had become a cage, and he lived in that prison for two years and nine months'*

in need of assistance to eat and breath.

Mr Cappato welcomed the ruling, saying that "as of today, all of us in Italy are freer". In a trial in Milan, he was facing up to 12 years in jail for "instigating or assisting suicide" but is now likely to be acquitted.

The DJ's former girlfriend also hailed the court's judgment, saying that it meant his suffering had not been for nothing. "Fabo's body had become a

cage, and he lived in that prison for two years and nine months. If a person in these conditions dreams of dying at home, I find it profoundly unfair that someone else should say no," said Valeria Imbrogno.

But the Italian Bishops' Conference called the judgment a "grave decision" which violated the sanctity of life.

"I don't understand how you can talk of freedom. This is creating the preconditions for a culture of death," said Monsignor Stefano Russo, the secretary general of the Catholic body.

The court's decision divided politics. It was supported by members of the centre-Left Democratic Party, who together with the populist Five Star Movement formed a new coalition last month.

But Matteo Salvini, the leader of the hard-Right League who was interior minister and deputy prime minister until his coalition with Five Star imploded last month, said he would never agree to "suicide by law".

Daily Telegraph 27.9.2019