



PRESS RELEASE

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German National Ethics Council presents Opinion on advance directives

After several months of intensive deliberations, the National Ethics Council is publishing its *Opinion on advance directives* this Thursday.

The recommendations on advance directives form part of a comprehensive Opinion on the ethical, legal and social background to, and the reality of, end-of-life care which is currently being drawn up by the National Ethics Council.

The Council emphasizes that the debate on the scope and binding nature of advance directives does not call into question the ban on euthanasia.

A mentally competent person must have the right to make an advance directive providing for acceptance or refusal of medical treatment in the event of his or her no longer being mentally competent at some future date.

Statutory regulation of the conditions and scope of an advance directive is desirable in the interests of legal certainty. The powers of legal representatives and attorneys should be specified at the same time.

In the view of the majority of the members of the Council, the relevant legislation should make it clear that an advance directive is binding on doctors and nursing staff and that the scope and binding nature of an advance directive are not confined to certain phases of the patient's illness.

The legislation should provide that an advance directive, in order to be legally valid, must be drawn up in writing or documented in comparably reliable form.

The legislation should in addition clearly specify that, with very few exceptions, signs of a will to live in a person who is no longer mentally competent invalidate the binding nature of an advance directive refusing treatment.

The German text of the Opinion *The Advance Directive: an Instrument of Self-Determination* can be accessed online at: <http://www.ethikrat.org/stellungnahmen/stellungnahmen.html>

An English version will be available shortly.

The German National Ethics Council

The German National Ethics Council's task is to provide a forum for interdisciplinary discourse between the natural sciences, medicine, theology and philosophy, and the social and legal sciences.

It expresses views on ethical issues relating to new developments in the field of the life sciences and on their consequences for the individual and society.

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