



## Vincent Lambert: request for interim measures rejected

The European Court of Human Rights has today, on 20 May 2019, decided to reject the request for interim measures submitted to it on the same day in the case of **Lambert and Others v. France (application no. 21675/19)**.

On 20 May 2019 members of Vincent Lambert's family asked the European Court of Human Rights under Rule 39 of the Rules of Court to indicate to the French State the immediate application of the interim measures demanded of France by the UN Committee on the Rights of Persons with Disabilities (UNCRPD) on 3 May 2019.

The Court observed that on 30 April 2019 it had decided, having regard to the circumstances, to reject the requests for interim measures submitted to it. The Court today pointed out that the applicants had submitted no new evidence such as to induce it to change its position.

The applicants, Pierre Lambert, Viviane Lambert, David Philippon and Anne Tuarze, are respectively the father, mother, half-brother and sister of Vincent Lambert.

Vincent Lambert sustained serious head injuries in a road-traffic accident on 29 September 2008, which left him tetraplegic and in a state of complete dependency. In 2014 his condition was described as vegetative.

The request, by the parents, a half-brother and a sister of Vincent Lambert, had been submitted following the fourth collegial procedure for the withdrawal of treatment, initiated in 2017.

In a decision of 9 April 2018 the doctor in charge of Vincent Lambert had decided to withdraw the patient's artificial nutrition and hydration and to combine this stoppage with deep and continuous sedation. Several members of Vincent Lambert's family made an urgent application to the Administrative Court seeking a stay of execution of that decision. After ordering an expert's assessment, the Châlons-en-Champagne Administrative Court dismissed their application on 31 January 2019. The applicants then took their case to the *Conseil d'État*, which dismissed their appeal on 24 April 2019.

### Decision of the Court

On 30 April 2019 the Court had decided, in the light of the circumstances, to refuse the interim measure requests submitted to it by the applicants, seeking a stay of execution of the decision of the *Conseil d'État* of 24 April 2019 and the prohibition of Vincent Lambert's removal from France.

The Court had pointed out that in a [Grand Chamber judgment](#) of 5 June 2015 it had found that there would be no violation of Article 2 of the Convention in the event of implementation of the *Conseil d'État* judgment of 24 June 2014 authorising the withdrawal of Vincent Lambert's artificial nutrition and hydration.

Today, on 20 May 2019, the Court pointed out that the applicants had submitted no new evidence such as to induce it to change its position.

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Measures under Rule 39 of the [Rules of Court](#) are decided in connection with proceedings before the Court, without prejudging any subsequent decisions on the admissibility or merits of the case. The Court grants such requests only on an exceptional basis, when the applicants would otherwise face a real risk of irreversible harm. For further information, see [the factsheet on interim measures](#).

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**The European Court of Human Rights** was set up in Strasbourg by the Council of Europe Member States in 1959 to deal with alleged violations of the 1950 European Convention on Human Rights.