

AN INQUIRY ON LEGALIZING EUTHANASIA: “THE MERCY KILLING”

by

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ABSTRACT

Euthanasia often alluded to as mercy killing is a medically assisted slaying in which a doctor is being empowered to induce death in a patient who is potentially in prolonged pain due to illness. There has been a prolonged discussion in the global arena concerning legal issues on euthanasia. Recently a number of global regions have validated the praxis of euthanasia. These regions permit this practice of mercy killing on patients who have lost any desire for survival or are in hardships from a end-stage malady. The current investigation was taken to explore the praxis of euthanasia in distinct global nations and the legislations they have framed for this purpose. The United Nations has also shown a serious concern over the human rights laws while performing euthanasia. It was inferenced through this inquiry that though euthanasia is validated by many global nations, various intellectuals, jurists and religious experts suggest this practice of self killing as inhuman and should be invalidated.

Keywords : Euthanasia, Mercy Killing, Terminal Illness, Chronic Pain, Death, Assisted Suicide

1. INTRODUCTION

The act of merciful dying is not novel. It's a human psychology that a person who has been or is hardship from a end-stage malady or severe chronic throb and has no option of any ministration often wishes to die. The end-stage disease or malady is a stage in a person where there is no hope to restore health through medical prescriptions and death shall occur eventually¹. Severely sick individuals with critical handicaps, chronic mental illness or chronic pain often fell burdening their life to their family or nursing personnel and do not will to continue any medications and often like to end their lives². The behest made by the sufferers to the physician for assisting them to die rather than to live with pain or the terminal disease is cited as euthanasia³. The locution 'euthanasia' was coined by Francis Bacon in 1605⁴. The act of mercy killing is not new and has been in praxis since ancient times. In ancient Greek times, poets and philosophers adopted the term dying well or good demise to address a type of demise which is quick and with no long-time hardships⁵. However in the present regime the term euthanasia is used for demise that is caused by intervention of any other individual. The enactment of euthanasia has been in contentions since its inception. The act of euthanasia is broadly rated into two sorts⁶. One of the types of euthanasia is active euthanasia in which a patient suffering from a terminal illness or chronic pain is given a shot of a lethal chemical by a physician to end life⁷. Active euthanasia is further rated into three sorts' viz. voluntary, non-voluntary and in-voluntary⁸. The other type of euthanasia is alluded to as passive euthanasia in which the physician prescribed medication is withdrawn for the sufferer or the disease sufferer⁹. Various studies on euthanasia with respect to the majority of the global

¹ Brenda Moretta Guerrero. "Terminal Illness" In: Goldstein, S., Naglieri, J.A. (eds) Encyclopedia of Child Behavior and Development. Springer, Boston, MA. (2011). https://doi.org/10.1007/978-0-387-79061-9_2889

² Birgit Berggrensson. Life without rights: Human rights or neighborly love. Universal Publishers, Inc, Boca Raton, USA. (2021). <https://www.bookpump.com/upb/pdf-b/7343644b.pdf>

³ Lawrence A. Frolik and Alison Barnes. Elder Law: Cases and Materials. LexisNexis Group Carolina Academic Group. (2011). ISBN: 978-1-63282-449-3

⁴ Harold Y. Vanderpool. Palliative Care: The 400- year quest for a good death. McFarland & Company, Inc. Publisher, North Carolina, US. (2015). <https://hamdir.ir/wp-content/uploads/2019/11/1-21.pdf>

⁵ James D. Wright. International Encyclopedia of the Social & Behavioral Sciences (Second Edition). Elsevier, pp. 280-284. (2015). <https://doi.org/10.1016/B978-0-08-097086-8.11016-5>

⁶ Kalaivani Annadurai, Raja Danasekaran and Geetha Mani. Euthanasia: right to die with dignity. J. Family Med. Prim. Care. 3: 477–478. (2014). <https://doi.org/10.4103/2249-4863.148161>

⁷ *Ibid*

⁸ *Ibid*

⁹ *Ibid*

religions have also been conducted to obtain a religious consensus¹⁰. Most of the major global religions do not support the praxis of euthanasia¹¹. In the present study the notable evidences and legislations worldwide concerning to euthanasia have been studied.

2. REVIEW OF LITERATURE

In the primitive past, Greeks and Romans tolerated the praxis of peuricide euthanasia and self killing¹². The healers of the pagans executed fetecide along with mercy killing in the Greek and Roman reign¹³. Two thinkers of the English Renaissance viz. Thomas More and John Donne promoted euthanasia or aided dying¹⁴. The published work of Mores in 1516 alluded to as ‘utopia’ describes a society that officially legalized assisted dying¹⁵. Likewise in 1647 John Donne in his written pamphlet called as ‘Biathanatos’ describes self homicide as not a sin¹⁶. In 1866 Bullar in a medical journal of Britain suggested using chloroform to decrease pain during the death of four dying patients¹⁷. In fact Bullar along with Warren suggested using ether, morphine on the dying patients to relieve them from the pain¹⁸. In the year 1870 SD Williams explained the facts of euthanasia while addressing a club in Britain¹⁹. However going out of the way Williams recommended the intentional use of medications for any sufferer. The intentional use of medications for aided dying recommended by Williams was rejected by various intellectuals of that time suggesting its misuse. In 1879 the Medical Union of South Carolina

¹⁰ Graham Grove, Melanie Lovell and Megan Best. Perspectives of Major World Religions regarding Euthanasia and Assisted Suicide: A Comparative Analysis. J. Relig. Health. 66:4758–4782. (2022). <https://doi.org/10.1007/s10943-022-01498-5>

¹¹ Angeliki Ziaka. Euthanasia in the major world religions. Rebelatory Ethics. 9:73-79. (2015). http://ethics.isramags.ir/article_16640_771b486ba98bc88c585d584b78815276.pdf

¹² Ian Dowbiggin. A concise history of euthanasia: Life, Death, God, and Medicine”. Rowman & Littlefield Publishers, USA. (2007). https://books.google.co.in/books?id=CNigO7gMGkUC&pg=PP5&source=gbs_selected_pages&cad=2#v=onepage&q&f=false

¹³ Harshita Tripathi. Right to die with dignity: A legal right. Supremo Amicus, 6:128-136. (2018). <https://supremoamicus.org/wp-content/uploads/2018/07/A11.pdf>

¹⁴ David Albert Jones. Did Thomas More and John Donne Advocate Assisted Suicide?. Church Life J. (2021). <https://churchlifejournal.nd.edu/articles/did-thomas-more-and-john-donne-advocate-assisted-suicide/>

¹⁵ *Ibid*

¹⁶ *Ibid*

¹⁷ Jeroen Hasselaar. Medical and ethical aspects of palliative sedation practice in the Netherlands: From controversy to guideline and beyond”. (2009). <https://repository.ubn.ru.nl/bitstream/handle/2066/87635/87635.pdf?sequence=1&isAllowed=y>

¹⁸ Thomas A Shannon. Death and Dying: A Reader. Rowman & Littlefield Publisher, US. (2004). https://www.google.co.in/books/edition/Death_and_Dying/KOx2-f6Kz9EC?hl=en&gbpv=1

¹⁹ Ezekiel J. Emanuel. The history of euthanasia debates in the United States and Britain. Ann. Intern. Med. 121:793–802. (1994). <https://doi.org/10.7326/0003-4819-121-10-199411150-00010>

discussed the issues on active euthanasia²⁰. The physician assistance in dying sufferers in pain was opposed by various physicians during the 1870s and 1880s²¹.

The concept of euthanasia was a matter of discussion during 1890s in Germany²². In 1895 an American lawyer Albert Bach in a conference expressed his views in support of euthanasia²³. In the year 1895 in a Journal of New York, describing euthanasia by homicide exhibits that in the Medico Legal Congress conducted in New York many physicians indirectly accepted that they had been involved in mercy killing²⁴. In 1899 Simon Baldwin during the address in a Journal of Social Sciences justified euthanasia²⁵. During 1906 a bill to legalize euthanasia was laid down in the legislature of the Ohio State of US that was rejected²⁶. In a newspaper editorial of the New York Times of 6 January 1906 comments on euthanasia of Charles Eliot Norton were published²⁷. Dr Millard proposed a legislative bill in support of euthanasia in Britain²⁸. In 1935 the Voluntary Euthanasia Society of Britain was established by the association of eminent physicians and common men²⁹. In 1936 the bill on euthanasia was debated in the House of Lords and was finally rejected³⁰. Williams and Kamisar in the late 1950s revived the discussions on the ethical aspects of euthanasia³¹. After World War Two a comprehensive debate on euthanasia was carried in 1952 and then in 1969 that was solely

²⁰ Linda L. Emanuel. Regulating how we die: The ethical, medical and legal issues surrounding physician-assisted suicide. Harvard University Press, London, England. (1998). ISBN: 9780674666542

²¹ Emanuel, *Supra note*, 19

²² Susan Benedict and Linda Shields. Nurses and Midwives in Nazi Germany: The Euthanasia Programs. Taylor & Francis, US. (2014). ISBN: 9780415896658

²³ Milton J. Lewis. Medicine and Euthanasia, Medicine and Care of the Dying: A Modern History. New York, Oxford University Press. (2006). <https://doi.org/10.1093/acprof:oso/9780195175486.003.0007>

²⁴ Clark Bell. Medico-Legal Studies. Medico Legal Journal. Volume 5. New York. US. (1898). <https://archive.org/details/28320490RX5.nlm.nih.gov/page/n4/mode/lup?view=theater>

²⁵ Stanley Fredrick Root. Proceeding of the American Associations. J. Soc. Sci. 37. American Social Science Association. Boston, New York. (1900). https://archive.org/stream/journalsocialsc22russgoog/journalsocialsc22russgoog_djvu.txt

²⁶ Ezekiel J. Emanuel and Steven Joffe, Assisted Suicide and Euthanasia.. In: Kufe DW, Pollock RE, Weichselbaum RR, et al., editors. Holland-Frei "Cancer Medicine". 6th edition. Hamilton (ON): BC Decker. Canada. (2003). <https://www.ncbi.nlm.nih.gov/books/NBK13381/>

²⁷ Emanuel, *Supra note*, 19

²⁸ HANSARD (1803-2005). Voluntary Euthanasia (Legalisation) Bill. [H.L.]. HL Deb 01 December 1936. 103: cc465-505. UK Parliament. (1936). <https://api.parliament.uk/historic-hansard/lords/1936/dec/01/voluntary-euthanasia-legalisation-bill-hl>

²⁹ Teresa Chikako Maruyama. Hospice Care and Culture: A comparison of the Hospice Movement in the West and Japan. Routledge, New York, USA. (1999). ISBN: 9781138319271

³⁰ Parliamentary Unit. 1936- Archbishop Lang and the Voluntary Euthanasia (Legislation) Bill. The Church of England in Parliament. (2015). <https://churchinparliament.org/2015/09/18/1936-archbishop-lang-and-the-voluntary-euthanasia-legalisation-bill/>

³¹ Deborah J. Nyman, Leonid A. Eidelman and Charles L. Sprung. Euthanasia. 12(1): 85-96. (1996). [https://doi.org/10.1016/S0749-0704\(05\)70216-5](https://doi.org/10.1016/S0749-0704(05)70216-5)

rejected³². During the timeline of 1970 and 1980 the debates on euthanasia increased dramatically³³. Oregon State of US became first to legalize assisting suicide³⁴. In 1988 in one of the publications of the journal of American Medical Association “It’s over Debbie” it was confronted by the physician communities that they have been practicing physician assisted dying³⁵.

3. RESULTS

3.1 Significant Global Evidences on Euthanasia

3.1.1 Case: In Re Quinlan 70 N.J. 10 Mar. 31 1976³⁶

In this case a twenty one year old girl named Karen Ann Quilan was hospitalized in a critical coma condition and was subjected to a ventilator. The physician attending her declared that she would remain in a coma. After a term of five months her parents beg to expel the ventilator that was objected by the physicians. The parents of Quilan approached the court of law in New Jersey but the judge denied the removal of the ventilator. Moving further Quilan’s parent moved to the Supreme Court of New Jersey and the court of law reversed the verdict affirming that the Quilan has the right to privacy that included her ventilator should be removed.

3.1.2 Case: Cruzan v. Director Missouri Dept of Health 497 Us 261 June 25 1990³⁷

In this case Nancy Beth Cruzan met with an accident that led her to be in an inactive life state. Even after many months of artificial life support her state of life activity did not change. Her parents offered to withdraw the life sustenance system that kept her alive however the hospital administration rejected their offer asking the courts approval for such removal of life support system. The state trial court gave a nod to termination of the life supporting system and the Superior Law Court of Missouri also upheld the trial court of law judgment.

³² Stuart J. Youngner and Gerrit K. Kimsma. Physician-Assisted Death in Perspective: Assessing the Dutch Experience. Cambridge University Press, UK. (2012). ISBN: 9781107007567

³³ Wally Morris. A time to die: A biblical look at end of life issues. Ambassador International, USA. (2014). ISBN: 978-1-62020-245-6

³⁴ *Ibid*

³⁵ Gary E. Jones and Joseph P. DeMarco. Bioethics in context: Moral, legal and social perspective. Broadview Press, Ontario, Canada. (2016). ISBN: 9781554812349

³⁶ ProCon.ORG. Landmark euthanasia and medical aid in dying court cases (2022). <https://euthanasia.procon.org/legal-precedentshttps://euthanasia.procon.org/legal-precedents>

³⁷ *Ibid*

3.1.3 Case: Washington v. Glucksberg 521 US 702 June 26 1997³⁸

In this case Glucksberg and his associates filed a case against the State of Washington concerning banning of doctor assisted death in their suit. It was stated that banning such practice is against the fourteenth amendment that provides liberty of individuals' interest. The court of district passed the judgment that such a ban was unconstitutional. However the Superior Law Court overruled the verdict stating that doctor assisted suicide doesn't violate the fourteenth amendment.

3.1.4 Case: People v. Kevorkian No 221758 Nov 20 2001³⁹

Thomas Youk who was a fifty two years old man was being ill due to 'Lou Gehrigs' infection. On being requested by Youk his physician Jack Kevorkian inoculated a lethal drug into his body resulting in his death. The full act was being filmed by Dr Kevorkian. The court of law during the trial observed the video showing the act of assisting death to the patient. The court held that the physician had committed a second degree murder stating the act as a mercy killing. The court of appeals of Michigan also affirmed the conviction.

3.1.5 Case: Bush V Schiavo No Sc04-925 Sep 23 2004⁴⁰

Since 1990 Theresa Schiavo has been in an inactive state. On October 15, 2003 the Second District Court of Law of Florida ordered for removal of her nutritional intakes. In the year 2003 on October 21, Jeb Bush the Governor signed a law that formed an act by executing an order no. 03-201 with respect to stay the withholding of nutritional intake by Theresa Schiavos. Her husband along with her guardians further challenged the act in the Court Of Circuit and the court of law ordained in his favour which was affirmed by the Supreme Court of Florida

3.1.6 Case: Gonzales V Oregon Docket 04-623 Jan 17 2006⁴¹

Oregon in the year 1997 passed an act that favoured physician assisted death in 2001. John Ashcroft US Attorney General declared the act of physician assisted death is against the Controlled Substances Act of 1970 and also threatened to cancel the physician practicing

³⁸ *Ibid*

³⁹ *Ibid*

⁴⁰ *Ibid*

⁴¹ *Ibid*

licenses. In return Oregon sued the Attorney General in Federal District Court. Both the District and Ninth Circuit Court in their verdict stated that Ashcroft action was not legal. Even the Superior Law Court of US held in its decision, the Controlled Substances Act does not give authority to the Attorney General to prohibit or ban the utilization of restricted substances for physician assisted death.

3.1.7 Case: Mortier V Belgium 7801717⁴²

In this case the mother of Tom Mortier underwent the process of euthanasia in the year 2012 as she was suffering from a severe mental disorder that was untreatable. In this case Tom Mortier claimed that neither he nor his family was informed about the process. He filed a case in the court of law depicting that the state violated the human rights law of the European Convention that declares the right to life of individuals. In Belgium after 2002 an adult citizen has the legal right to undergo euthanasia. However the European Court of Justice gave the judgment in the favour of Tom Mortier stating that Belgium actually failed to establish the circumstances under which Godelieva de Troyer was given physician assisted killing.

3.1.8 Case of Marieke Vervoort⁴³

A world famous para-olympian Marieke Vervoot was suffering from seizures and chronic pain in her legs. She was a gold medalist at the 2012 Olympics held in London. She signed the mandatory papers and decided to end her life by euthanasia. She being a citizen of Belgium was legally privileged to undergo euthanasia.

3.1.9 Case of Tine Nys⁴⁴

Tine Nys was a thirty eight year old woman who had undergone euthanasia. She was suffering from chronic psychiatric disorder that triggered her to attempt various suicide attempts. She approached the physicians to undergo euthanasia that was legitimate under the Belgium legislation. She received euthanasia in 2010. The house individuals were not agreed by

⁴² Ilaria Bertini. Mortier v. Belgium: A Landmark Decision on Euthanasia in the case of mental illness. UK Human Rights Blog. (2022). <https://ukhumanrightsblog.com/2022/10/24/mortier-v-belgium-a-landmark-decision-on-euthanasia-in-the-case-of-mental-illness/>

⁴³ Lynsey Addario. The personal toll of photographing a story about euthanasia. The New York Times. (2019). <https://www.nytimes.com/2019/12/06/reader-center/marieke-vervoort-euthanasia.html>

⁴⁴ Elian Peltier. Belgium acquits three doctors in landmark euthanasia case. The New York Times. (2020). <https://www.nytimes.com/2020/01/31/world/europe/doctors-belgium-euthanasia.html>

the approval of her physician assisted death and they approached the court. The court acquitted the three physicians intricated in the euthanasia of Tine Nys.

3.1.10 Case of Victor Escobar⁴⁵

Victor Escobar was a 60 year man suffering from chronic ailment that inhibited him from breathing. In 1997 Columbia depenalised mercy killing. However in 2021 the High Court of Columbia further elaborated the legislation of right to solemn demise concerning individuals not classified under terminal diseases. Escobar chose for euthanasia publicly through the landmark decision of the Columbian court of law.

3.1.11 Case of Janice Hunter⁴⁶

Janice Hunter who was 74 years old was suffering from leukemia. She had a married relationship with his husband for over 50 years. She was in severe suffering due to the end -stage illness for which she asked his husband to kill her. David hunter performed mercy killing of her wife. David was arrested and charged with murder of his wife. However his defense lawyers argued in the court to charge him with assisted suicide that was rejected. This is still pending in the court. It is important to consider that Cyprus has no legality for euthanasia.

3.1.12 Case of David Goodall⁴⁷

David Goodall was a scientist from Australia who was seeking help for assisted dying as his body was deteriorating due to the age of 104. In his home country due to his condition not falling under terminal disease he was refused for euthanasia. For this purpose Goodall migrated to Switzerland to commit physician assisted suicide.

4. DISCUSSION

4.1 Global Legal Scenario of Euthanasia

⁴⁵ Joe Parkin Daniels. Colombia euthanasia cases prompt regional debate. The Lancet. 399: P348. (2022). [https://doi.org/10.1016/S0140-6736\(22\)00098-8](https://doi.org/10.1016/S0140-6736(22)00098-8)

⁴⁶ Annie Charalambous. British man assisting sick wife to die expected to plead guilty to manslaughter on Tuesday. in-cyprus. (2022). <https://in-cyprus.philenews.com/news/local/british-man-assisting-sick-wife-to-die-expected-to-plead-guilty-to-manslaughter-on-tuesday/>

⁴⁷ NDTV. Australian Scientist, 104, Wanted Death for Birthday. He Committed Assisted Suicide. World News. (2018). <https://www.ndtv.com/world-news/104-year-old-australian-scientist-david-goodall-commits-assisted-suicide-in-switzerland-foundation-1850340>

Worldwide only few international locations have legitimized aided demise but their range has been growing lately⁴⁸. The praxis of each self-administered, medicine-assisted self murder and euthanasia wherein a doctor executes licit capsules upon desired have been culprit within the Netherlands, Belgium and Luxembourg since the 2000s, and has been practiced in Switzerland with most effective in the former since the 1980s⁴⁹. Colombia legitimized euthanasia in 2015 and aided self killing, and each types additionally have become legal in Canada in 2015⁵⁰. In the beyond years Spain, Austria and New Zealand have made euthanasia and aided self killing licit. Comparable legal guidelines additionally got here into out run in several Australian states starting with Victoria in 2019 and Western Australia in 2021⁵¹. The last states within the US except for the northern territory will roll out these legal guidelines during the relaxation of 2022 and into 2023⁵².

In America the primary states to legalize aided self demise were Oregon in 1994, Washington in 2008, Montana in 2009 and Vermont in 2013⁵³. The quantity of states who followed the exercise has risen currently while it became legalized in California and Colorado in 2016, Hawaii New Jersey and Maine in 2019 and New Mexico in 2021⁵⁴. Active euthanasia remains illegal in the US⁵⁵. In Italy and Germany country wide parliaments are forthwith grappling with legislating aided self demise after High Court docket instances had been decided in choosing proponents of the practice⁵⁶. At the same time as Germany has been refusing to dispense deadly capsules regardless of the excessive court decision. The first individual in Italy died with the help of self-administered medications in June 2022⁵⁷. Like the types of assisted dying who qualifies for them varies extensively around the arena ranging from sufferers who are deemed terminally ill or those who are afflicted by a degenerative disease to folks that

⁴⁸ Katharina Buchholz. Assisted Dying: Where Assisted Suicide is legal. Statista. (2022). <https://www.statista.com/chart/28133/assisted-dying-world-map/>

⁴⁹ *Ibid*

⁵⁰ *Ibid*

⁵¹ *Ibid*

⁵² *Ibid*

⁵³ *Ibid*

⁵⁴ *Ibid*

⁵⁵ *Ibid*

⁵⁶ *Ibid*

⁵⁷ Crispian Balmer. Italy sees first assisted suicide after years of court battles. REUTERS. (2022). <https://www.reuters.com/article/italy-assisted-suicide-idUSL1N2Y30ZZ>

are in excessive pain or are considered incurably sick. The legally assisted suicide worldwide in geographic domain is being represented in the figure1 below.

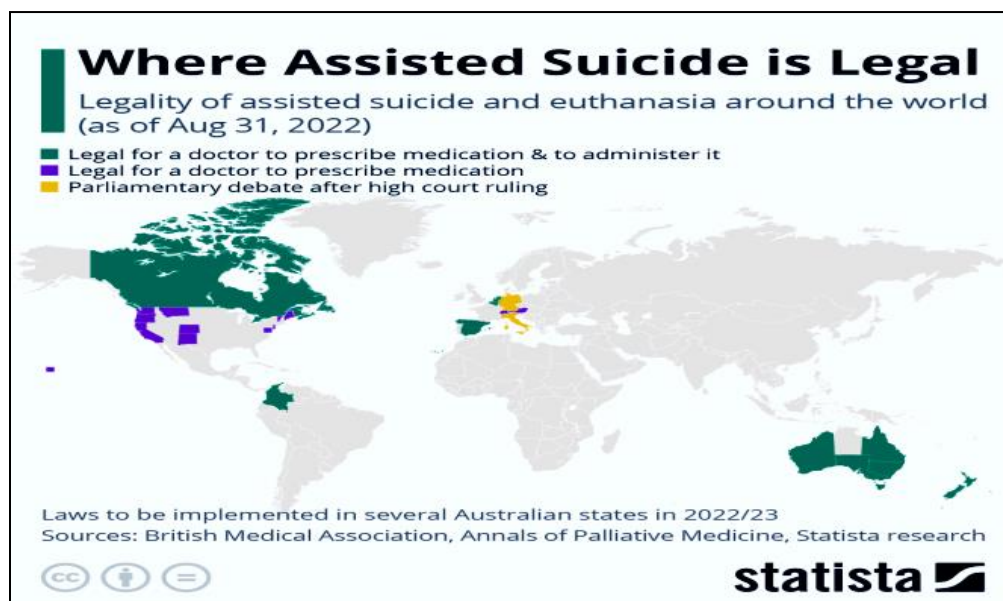


Figure 1. Legally Assisted suicide in the globe (Source: <https://www.statista.com>)

4.1.1 Euthanasia in Australia

In the year 1995 the northern geographic region of Australia ratified euthanasia by passing the privileges of Terminally Ill Act⁵⁸. However in 1997 this act was repealed⁵⁹. In order to licit medically aided demise a voluntary aided demise bill was set up in the year 2013 that was rejected⁶⁰. In 2019, Victoria State of Australia, doc aided demise was legalized⁶¹. In 2019 Voluntary Assisted Dying Act 2017 was allowed⁶². In 2019 Voluntary Dying Act was

⁵⁸ Tracee Kresin, Jacinta Hawgood, Diego De Leo and Frank Varghese. Attitudes and Arguments in the Voluntary Assisted Dying Debate in Australia: What Are They and How Have They Evolved Over Time? *Int. J. Environ. Res. Public Health*. 18: 12327. (2021). <https://doi.org/10.3390/ijerph182312327>

⁵⁹ Sharon I Fraser and James W Walters. Death--whose decision? Physician-assisted dying and the terminally ill. *Western J. Med.* 176: 120–123. (2002). <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC1071682/>

⁶⁰ Kresin, *Supra note*, 58

⁶¹ Courtney Hempton and Catherine Mills. Constitution of "The Already Dying": The Emergence of Voluntary Assisted Dying in Victoria. *J. Bioeth. Inq.* 18: 265–276. (2021). <https://doi.org/10.1007/s11673-021-10107-1>

⁶² Victoria. Voluntary assisted dying. Department of Health. (2022). <https://www.health.vic.gov.au/patient-care/voluntary-assisted-dying>

established⁶³. The medically aided self demise was allowed for terminal diseased individuals by self inoculation of legal drugs or inoculation by physician.

4.1.2 Euthanasia in Austria

In Austria euthanasia could lead to a punishment of five years' incarceration⁶⁴. But in the year 2020, the judicature of Austria affirmed that guidelines on euthanasia were infringing the privileges of individuals and thus decided to lift the embargo on euthanasia. The leadership of Austria licit euthanasia in 2022 for those who are terminally or chronically ill⁶⁵. However certain obligation before euthanasia was permitted was made mandatory, like terminal illness and a twelve week waiting tenure⁶⁶.

4.1.3 Euthanasia in Belgium

In 2002 the Belgium Act on euthanasia was enforced that was second in the globe⁶⁷. It allows voluntary euthanasia required for those suffering from chronic illness, mental infirmity and even to children with age barriers⁶⁸.

4.1.4 Euthanasia in Canada

In 2014 in Quebec Canada, Bill 52 was approved, that legalized doc aided dying⁶⁹. On 2016 Bill c-14 was approved through Canadian Senate attaining aided self demise and euthanasia licit effective at once and governing clinical useful resources in demise and euthanasia⁷⁰. The regulation decriminalizes the doc aid in demise by specific amendments in the criminal code⁷¹.

⁶³ Courtney Hempton. Voluntary assisted dying in the Australian state of Victoria: an overview of challenges for clinical implementation. *Ann. Palliat. Med.* 10:3575–3585. (2021). <https://doi.org/10.21037/apm-20-1157>

⁶⁴ Christoph Knill, Christian Adam and Steffen Hurka. On the road to permissiveness: Change and convergence of moral regulation in Europe. Oxford University Press, UK. (2015). ISBN: 978-0-19-874398-9

⁶⁵ Angelo Bottone. In Austria pharmacies are now allowed to sell suicide drugs. Iona Institute. (2022). <https://ionainstitute.ie/in-austria-pharmacies-are-now-allowed-to-sell-suicide-drugs/>

⁶⁶ *Ibid*

⁶⁷ Sigrid Dierickx, Luc Deliens, Joachim Cohen and Kenneth Chambaere. Euthanasia in Belgium: trends in reported cases between 2003 and 2013. *Can. Med. Assoc. J.* 188:E407–E414. (2016). <https://doi.org/10.1503/cmaj.160202>

⁶⁸ Shanthi Van Zeebroeck. Kill First, Ask Questions Later: The Rule of Law and the Belgian Euthanasia Act of 2002. *Statut. Law Rev.* 39:244–257. (2018). <https://doi.org/10.1093/slr/hmx007>

⁶⁹ Owen Dyer. Quebec passes right-to-die law. *Can. Med. Assoc. J.* 186: E368. (2014). <https://doi.org/10.1503/cmaj.109-4830>

⁷⁰ Government of Canada. Legislative Background: Medical Assistance in Dying (Bill C-14) (2016). <https://www.justice.gc.ca/eng/rp-pr/other-autre/ad-am/ad-am.pdf>

⁷¹ *Ibid*

4.1.5 Euthanasia in China

In China article 232 and 233 prohibits physician aided demise and euthanasia⁷². There is both opposition and defense in terms of euthanasia in China and the National People's Congress or NPC in China has not taken effective decisions concerning to euthanasia⁷³.

4.1.6 Euthanasia in Colombia

In Columbia in 1997 the judicature reviewed the mercy killing aspects depicted in the article 326 that describes that those who are involved in assisting in the dying of farther individual shall be prone for incarceration for a term of six months to three years⁷⁴. In Columbia the judgment c-239 in the year 1997 decriminalized euthanasia⁷⁵. The judgment t-970 in the year 2014 exhibits certain significant elements for modulate euthanasia that include end stage illness, a physician for aiding and a request for information with respect to the sufferer⁷⁶.

4.1.7 Euthanasia in Denmark

The behave of euthanasia and physically aided demise is not licit in Denmark⁷⁷. However there have been several debates over this in Denmark's parliament in the year 1997 and 2003⁷⁸. It's reported in the Lancet, around one percent of the demise being occurring in Denmark are being supported by administration of legal drugs, through the health care centres⁷⁹. It was made evident in 2022 by a Danish physician Svend Lings who was chargeable in physically aided self

⁷² Wendy Zeldin. China: Case of Assisted Suicide Stirs Euthanasia Debate. The Library of Congress. (2011). <https://www.loc.gov/item/global-legal-monitor/2011-08-17/china-case-of-assisted-suicide-stirs-euthanasia-debate/>

⁷³ Jitender Jakhar, Saanniya Ambreen and Shiv Prasad.. Right to Life or Right to Die in Advanced Dementia: Physician-Assisted Dying. Front. Psychiatry. 11: 622446. (2021). <https://doi.org/10.3389/fpsyt.2020.622446>

⁷⁴ Lynda Lynda Lopez Benavides. The right to die with dignity in Colombia. Forensic Res. Criminol. Int. J. 6:426-429. (2018). <https://medcraveonline.com/FRCIJ/FRCIJ-06-00239.pdf>

⁷⁵ *Ibid*

⁷⁶ *Ibid*

⁷⁷ Johan Ilvemark , Bård Dahle and Lars-Erik Matzen. Questionnaire-based survey suggests majority of Danish geriatricians are against euthanasia. Dan. Med. J. 63: A5187. (2016). https://content.ugeskriftet.dk/sites/default/files/scientific_article_files/2018-11/a5187.pdf

⁷⁸ Michael Cook. Denmark quietly debates euthanasia. End of Life Issues. BioEdge. (2012). <https://bioedge.org/end-of-life-issues/denmark-quietly-debates-euthanasia/>

⁷⁹ Judith A.C. Rietjens, Paul J. van der Maas, Bregje D. Onwuteaka-Philipsen, Johannes J.M.van Delden and Agnes van der Heide. Two Decades of Research on Euthanasia from the Netherlands: What Have We Learnt and What Questions Remain? Bioethical Inq. 6:271–283. (2009). <https://doi.org/10.1007/s11673-009-9172-3>

demise⁸⁰. For this act Ling was prosecuted and imprisoned for sixty days⁸¹. Though he approached the European judicature of human rights, the judicature upheld the Danish judicature decision depicting the European Convention on Human Rights does not guarantee to aid to demise⁸².

4.1.8 Euthanasia in Finland

In Finland in the year 2021 the ETENE or the National Advisory Board on Social Welfare and Health Care Ethics released a statement that self demise assistance is not unlawful⁸³. In Finland there are a series of debates and still the attitude on euthanasia and doctor aided demise is not clear in the therapeutic arena⁸⁴.

4.1.9 Euthanasia in France

In France a law concerning to euthanasia was approved in 2016 that permitted privileges on Continuous Deep Sedation or CDS to patients with atrocious or terminal illness⁸⁵. This law was created with respect to the patient's right by the parliament by avoiding any legislation on doctor aided demise⁸⁶. After the enactment of the statute CDS became requested advised and carried out in various medicate units, skilled nursing units and also in residences⁸⁷.

4.1.10 Euthanasia in Germany

⁸⁰ ECHR. Doctor's conviction for assisted suicide of patients because he published a suicide guide! No violation of the freedom of expression. Judgment, *Lings v. Denmark* 12.04.2022 (app no. 15136/20). (2022). <https://www.echr.caselaw.com/en/echr-decisions/doctors-conviction-for-assisted-suicide-of-patients-because-he-published-a-suicide-guide-no-violation-of-the-freedom-of-expression/>

⁸¹ *Ibid*

⁸² Alliance. European Court Ruling on Human Rights: There is no such thing as a rights to assisted suicide. (2022). <https://www.alliancevita.org/en/2022/04/european-court-ruling-on-human-rights-there-is-no-such-thing-as-a-right-to-assisted-suicide/>

⁸³ Michael H. Plumer and Margaret C. Cecil. Leaving Early: The Reality of Assisted Suicide and Euthanasia in 2022. In (Ed.), Supportive and Palliative Care and Quality of Life in Oncology [Working Title]. IntechOpen. (2022). <https://doi.org/10.5772/intechopen.105989>

⁸⁴ Reetta P. Piili, Pekka Louhiala, Jukka Vänskä, and Juho T. Lehto. Ambivalence toward euthanasia and physician-assisted suicide has decreased among physicians in Finland". BMC Medical Ethics. 23: 71. (2022). <https://doi.org/10.1186/s12910-022-00810-y>

⁸⁵ Ruth Horn The 'French exception': the right to continuous deep sedation at the end of life. J. Med. Ethics. 44: 204-205. (2018). <http://dx.doi.org/10.1136/medethics-2017-104484>

⁸⁶ Sandrine Bretonniere and Veronique Fournier. Continuous deep sedation until death: first national survey in France after the 2016 law promulgating it. J. Pain Symptom Manag. 62: e13–e19. (2021). <https://doi.org/10.1016/j.jpainsymman.2021.03.009>

⁸⁷ *Ibid*

In 2020 a Germany courtroom overturned the embargo with respect to the law of 2015 on skilful furnished aided self demise in an effort to permit sufferers to pursue the strategy from docs⁸⁸. The Highest Court in Germany does not restrict the ratification of aided self demise to those who are tolerating from end stage malady⁸⁹. As long as a person is of legal age and mental capacity to give consent the authorization is valid in all stages and incidents of life⁹⁰. All of the suggestions mentioned during the 2015 legislative discussions about section 217 of the German Criminal Code are more extensive than this permission⁹¹.

4.1.11 Euthanasia in India

In India section 309 of the Indian Penal Code criminalizes the act of committing suicide. With the approval of the Mental Healthcare Act or MHCA section 115 of the act decriminalizes the attempt to dying by suicide thereby decline the stress on the victim⁹². In the instance of Aruna Ramchandra Shanbaug v Union of India 2011 the Supreme Court of India decided that since she was in a coma vigil there were no chances through medical treatment for her to recover therefore the court allowed to withdraw the life support system from her and allowed passive euthanasia⁹³. However the court rightly disapproved the practice of active euthanasia through injection of lethal drugs⁹⁴.

4.1.12 Euthanasia in Ireland

Doc aid in demise and euthanasia are affirmed as unlawful entrenched by the law of Ireland⁹⁵. In a bill of 2020 dying with dignity was permitted in Ireland's parliament but was declined by suggesting that it has various technical faults⁹⁶.

⁸⁸ Urban Wiesing. The Judgment of the German Federal Constitutional Court regarding assisted suicide: a template for pluralistic states? J. Med. Ethics. 48: 542-546. (2022). <http://dx.doi.org/10.1136/medethics-2021-107233>

⁸⁹ *Ibid*

⁹⁰ *Ibid*

⁹¹ *Ibid*

⁹² Laxmi Naresh Vadlamani and Mahesh Gowda. Practical implications of Mental Healthcare Act 2017: Suicide and suicide attempt. Indian J. Psychiatry. 61: S750-S755. (2019). https://doi.org/10.4103/psychiatry.IndianJPsychiatry_116_19

⁹³ *Ibid*

⁹⁴ *Ibid*

⁹⁵ Ciaran Clarke, Mary Cannon, Norbertas Skokauskas and Pauline Twomey. The debate about physician assisted suicide and euthanasia in Ireland- Implications for psychiatry. Int. J. Law Psychiatry. 79: 101747. (2021). <https://doi.org/10.1016/j.ijlp.2021.101747>

⁹⁶ *Ibid*

4.1.13 Euthanasia in Israel

The legality of therapeutic care of chronic ill patients is imparted in the Patients' Rights Act of 1996 and Dying Patient Act 2005⁹⁷. The Dying Patient Act allows an individual to behest or deny cure⁹⁸. However in the year 2014 passive euthanasia was licensed by the Tel Aviv district judicature⁹⁹. Some other bills with respect to doc aided dying or 'Sabbath Clock' were laid down in the parliament of Israel but yet to sanction¹⁰⁰.

4.1.14 Euthanasia in Italy

In 2022 in parliament of Italy a majority of members approved the draft law no 3101 concerning doc aided dying¹⁰¹. The previous law with no 219 of the year 2017 restricts the act of assisted dying¹⁰². The rule no 242 of 2019 privileges non punishability for assisting self demise with respect to the guidelines enshrined by the constitutional judicature¹⁰³. There has been a societal pressure concerning to assistance in self demise in Italy like that being faced in European nations.

4.1.15 Euthanasia in Japan

In Japan no law specifically deals with euthanasia¹⁰⁴. The act of doctor aided demise in Japan is a crime. 'Songenshi' or dying with dignity is alluded to as passive euthanasia in Japan. In the case of the Tokyo University Hospital in 1995, a doctor was observed guilty of doc aided dying for his patient tolerating from myeloma¹⁰⁵. The judicature in its verdict suggests that passive euthanasia is legal if there are precise nick associated with it, the sufferer is near to death, illness

⁹⁷ Moran Bodas, Baruch Velan, Giora Kaplan, Arnona Ziv, Carmit Rubin and Kobi Peleg. Assisted life termination and truth telling to terminally ill patients – a cross-sectional study of public opinions in Israel. *Isr. J. Health Policy Res.* 9. (2020). <https://doi.org/10.1186/s13584-020-00419-9>

⁹⁸ *Ibid*

⁹⁹ B.U.Rajavelan. Euthanasia. Legal Service India. E-Journal. <https://www.legalserviceindia.com/legal/article-7518-euthanasia.html>

¹⁰⁰ *Ibid*

¹⁰¹ G. Ricci, F. Gibelli and A. Sirignano. Editorial – From ruling No. 242/2019 of the Constitutional Court to the Italian law on medically assisted death: a complex transition. *Eur. Rev. Med. Pharmacol. Sci.* 26:4546-4549. (2022). <https://www.europeanreview.org/wp/wp-content/uploads/4546-4549.pdf>

¹⁰² *Ibid*

¹⁰³ *Ibid*

¹⁰⁴ Katsunori Kai. Euthanasia and death with dignity in Japanese Law. *Waseda Comp. L. Rev.* 27. (2007). <https://www.waseda.jp/folaw/icl/assets/uploads/2014/05/A02859211-00-000270001.pdf>

¹⁰⁵ *Ibid*

is end stage, chronic pain and the individual sufferer expresses to die¹⁰⁶. However in yet different instance of euthanasia called the Kawasaki Kyodo Hospital Case 2005, in which the doc was punished with incarceration as of article 199 of the criminal code¹⁰⁷. The doc was found guilty of not taking permission from the patient before any medical action on the sufferer and therefore was charged with homicide.

4.1.16 Euthanasia in Luxembourg

In Luxembourg doc aided demise has been termed legal since 2009¹⁰⁸. The law permits euthanasia only when the malady is end-stage or the pain is unbearable¹⁰⁹. Patients of legal age and willing to elect euthanasia are licensed after signing and dating the document¹¹⁰. In case an individual who is not permanently unable to perform his activities can nominate any other persons for signing and dating the document with two witnesses¹¹¹.

4.1.17 Euthanasia in Mexico

In Mexico spirituality and religion are the key element that holds the societal structure therefore a comprehensive view on euthanasia with reference to legal context is difficult to obtain¹¹². In Mexico most of the individuals follow the catholic religion and the Catholic Church doctrine depicts the safeguarding of the right of the living¹¹³. In 2008 Mexico City adopted the Advance Directive Law that permitted individuals to withdraw life support in cases of chronic or terminal illness¹¹⁴. However in the majority of the cities in Mexico the praxis of mercy killing is interdict.

4.1.18 Euthanasia in Netherlands

¹⁰⁶ *Ibid*

¹⁰⁷ *Ibid*

¹⁰⁸ Martin Jonsson. Euthanasia and assisted suicide in Luxembourg RTL Luxembourg. (2019). <https://today.rtl.lu/life/health-and-fitness/a/1354883.html>

¹⁰⁹ *Ibid*

¹¹⁰ *Ibid*

¹¹¹ *Ibid*

¹¹² Alejandro Gutierrez Castillo and Javier Gutierrez Castillo. (2018) Active and Passive Euthanasia: Current Opinion of Mexican Medical Students. *Cureus*.10:e3047. (2018). <https://doi.org/10.7759/cureus.3047>

¹¹³ Grove, *Supra note*, 10

¹¹⁴ Albinson Linares and Noticias Telemundo. These people want to die: Will their countries allow euthanasia? NBC NEWS. (2021). <https://www.nbcnews.com/news/latino/people-want-die-will-countries-allow-euthanasia-rcna3307>

In Netherlands euthanasia and doc aided death had been licit on Apr 1, 2002 with the aid of the termination of life on behest and Aided Self Demise Act for Dutch residents of twelve year and above¹¹⁵. According to the Groningen Protocol of 2005, the newly born with chronic illness or sufferings with no further therapeutic cure possible can opt for euthanasia with the permission from the parents and consultation of doc¹¹⁶.

4.1.19 Euthanasia in New Zealand

In New Zealand the term aided demise is used as aided self demise and voluntary euthanasia¹¹⁷. The End of Life Choices Act was laid in New Zealand parliament in 2015 then finally passed in the year 2019¹¹⁸. The act was enforced in the year 2021¹¹⁹. This act highlights the licit structure for aided demise, its eligibility and significant safeguards¹²⁰.

4.1.20 Euthanasia in Norway

Euthanasia and medically aided killing are unlawful in Norway¹²¹. In the novel general civil penal code of Norway that was enforced in 2015, the prohibition of euthanasia is maintained under section 276¹²². Nonetheless with respect to penal code of 2009, section 278 of Norway, if anyone sympathetically kills someone who's terminally unwell or who for other reasons are near loss of life, the penalty can be set beneath the minimal or mild penalty than is required through section 275 and 274¹²³. As dealt in section 275 the punishment for homicide is incarceration¹²⁴.

4.1.21 Euthanasia in Philippines

¹¹⁵ Alliance Vita. Euthanasia in the Netherlands. Publication. Euthanasia and Suicide News. (2017). <https://www.alliancevita.org/en/2017/11/euthanasia-in-the-netherlands/#:~:text=Euthanasia%20became%20legal%20in%20the,on%20April%201st%202002>

¹¹⁶ *Ibid*

¹¹⁷ Rosemary Frey and Deborah Balmer. The views of Aotearoa/New Zealand adults over 60 years regarding the End of Life Choice Act 2019. J. Relig. Health. 61:1605–1620. (2022). <https://doi.org/10.1007/s10943-021-01359-7>

¹¹⁸ *Ibid*

¹¹⁹ Ministry of Health. The End of Life Choice Act 2019. New Zealand Government. (2022). <https://www.health.govt.nz/our-work/life-stages/assisted-dying-service/about-assisted-dying-service/end-life-choice-act-2019>

¹²⁰ *Ibid*

¹²¹ Hege Hol, Solfrid Vatne, Aud Orøy, Anne Marie Mork Rokstad, Øivind Opdal. Norwegian Nurses' Attitudes Toward Assisted Dying: A Cross-Sectional Study. Nurs. Res. Rev. 12: 101-109. (2022). <https://doi.org/10.2147/NRR.S363670>

¹²² Lars Johan Materstvedt. The Norwegian Medical Association's lack of clarity on << active help in dying >>. Tidsskr Nor Lægeforen. 136:1248-1250. (2016). DOI:10.4045/tidsskr.16.0428

¹²³ LOVDATA. The Penal code. (2022). https://lovdata.no/dokument/NLE/lov/2005-05-20-28/*#*

¹²⁴ *Ibid*

In June 1997 the Philippine parliament took into consideration a bill to legitimize passive euthanasia¹²⁵. The bill was not promoted in the senate in the Philippines. In 2013 Senate Bill 1887 on passive euthanasia was filed to legit it¹²⁶.

4.1.22 Euthanasia in Portugal

In Portugal under article 134 of the penal code killing at request is forbidden and that shall count for punishment for three years¹²⁷. Likely in article 135 of the penal code prohibits aided self demise that shall also drive a three years punishment¹²⁸. Both euthanasia and doc aided demise is banned in Portugal¹²⁹. In the year 2020 five bills concerning to euthanasia and aided self demise were laid down in the Portuguese parliament that were merged into a single bill and that was ratify by the parliament in 2021¹³⁰. The president of Portugal blocked the bills in 2021 by suggesting the words of the bills are not appropriate¹³¹. The bills are expected to be laid down again in the parliament and further proceed to the president. On December 9, 2022 Portugal parliament ratified doc aid in demise for the third time¹³².

4.1.23 Euthanasia in Russia

Euthanasia is particularly prohibited by way of the health care of Russian citizens law handed in 1993¹³³. In Russia neither euthanasia nor doctor aided self demise is permitted. Conducting an

¹²⁵ Claire Wallerstein. Philippines considers euthanasia bill. Brit. Med. J. 314: 1641. (1997). <https://doi.org/10.1136/bmj.314.7095.1641i>

¹²⁶ Senate of the Philippines. An act recognizing the fundamental right of adult persons to decide their own health care, including the decision to have life-sustaining treatment withheld or withdrawn in instances of a terminal condition or permanent unconscious condition. 16th Congress Senate Bill No.1887. Natural Death Act. Filed on October 24, 2013 by Defensor Santiago, Miriam. (2013). <https://legacy.senate.gov.ph/lisdata/1812315368!.pdf>

¹²⁷ WFRTDS. Portugal. "Legal situation". World Federation Right to Die Societies. <https://wfrtds.org/portugal/>

¹²⁸ *Ibid*

¹²⁹ *Ibid*

¹³⁰ *Ibid*

¹³¹ WFRTDS. Portuguese president rejects euthanasia bill for 2nd time". World Federation Right to Die Societies. (2021). <https://wfrtds.org/portuguese-president-rejects-euthanasia-bill-for-2nd-time/>

¹³² WFRTDS. Portugal's parliament approved MAID legislation". World Federation Right To Die Societies. (2022). <https://wfrtds.org/portugals-parliament-approved-maid-legislation/>

¹³³ Kishan Gupta and Ishita Chaturvedi. The critical analysis of passive euthanasia as a converging need in India. Manupatra Articles. (2022). <https://articles.manupatra.com/article-details/THE-CRITICAL-ANALYSIS-OF-PASSIVE-EUTHANASIA-AS-A-CONVERGING-NEED-IN-INDIA>

active praxis of euthanasia is a crime in the criminal law of Russia¹³⁴. On the contrary passive euthanasia in Russia, licit regulations have certain inconsistencies¹³⁵.

4.1.24 Euthanasia in South Africa

In 2015 end stage ill individual Stransham-Ford applied for euthanasia before the judicature and it was judged that he has the constitutional safeguard on the right to die with dignity¹³⁶. However the superior judicature of South Africa set aside the judgment of the high court stating that after the demise of ford it was no use to lay down the decision¹³⁷. It was also highlighted in the courts judgment that in all conditions not always assisted dying is unlawful¹³⁸. In 2018 a draft bill alluded to as the National Health Amendment Bill was introduced that depicts health care guidelines that also included decision making concerning to end of life¹³⁹.

4.1.25 Euthanasia in Spain

In 2011 Spain drafted a bill alluded to as death with dignity bill concerning to euthanasia and physician assisted suicide that depicts withdrawal of prescription or life supporting tools¹⁴⁰. After ten long years, in Spain in 2021 Spanish legal intellectuals approved the bill of legalizing euthanasia¹⁴¹. The parliament of Spain approved both the doc aid of demise and euthanasia for Spanish adult nationals or licit residing individuals encountering from terminal or atrocious illness¹⁴². This law is subjected to the ambience of making a request in a full conscious state before undergoing euthanasia¹⁴³.

4.1.26 Euthanasia in Sweden

¹³⁴ Viktor Shestak and Margarita Dyachenko, M.V. On certain aspects of legal regulation of euthanasia in Russian and foreign criminal law. Actual issues of the fight against crime: Materials Prepared for the Second Correspondence International Scientific-Practical Conference (15 May 2020). https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3613800

¹³⁵ *Ibid*

¹³⁶ Carl Kotzé and Johannes L. Roos.. End-of-life care in South Africa: Important legal developments. S. Afr. J. Psychiatr. 28: a1748. (2022). <https://doi.org/10.4102/sajpsychiatry.v28i0.1748>

¹³⁷ *Ibid*

¹³⁸ *Ibid*

¹³⁹ *Ibid*

¹⁴⁰ Plumer, *Supra note*, 83

¹⁴¹ *Ibid*

¹⁴² *Ibid*

¹⁴³ *Ibid*

In Sweden many physicians have shown a positive move, is of the view to have a debate in the Swedish parliament over physician aided self demise¹⁴⁴. In the current scenario physician aided self demise is not clear and physicians if involved in such act are risking, losing their practicing licenses¹⁴⁵.

4.1.27 Euthanasia in Switzerland

In 1918 the description by the Swiss Federation government in the first penal code exhibits that self demise is not unlawful¹⁴⁶. In Switzerland those who choose to die may be permitted to do so with the help of a professional, provided that person executed the deed is capable of making his own decisions and is not acting selfishly¹⁴⁷. In 2014 a Swiss political individual left his life with assisted suicide through suicide assisting organization viz. EXIT¹⁴⁸. According to article 115 of penal code of Switzerland suicide assistance is only a crime if has a motive of selfishness moreover article 115 doesn't interpret the requirements of any physician or chronic illness¹⁴⁹. As mentioned in article 114 of the penal code of Swiss murder requested by the victim is tagged as less severe but remains illegal¹⁵⁰. In 2001 a bill concerning barring physician from self demise aid was rejected¹⁵¹.

4.1.28 Euthanasia in Turkey

In today's turkey religion is one of the most important factors in determining society's attitudes towards euthanasia¹⁵². Therefore human life is sacred and it would be wrong to terminate it due

¹⁴⁴ Niels Lynøe, Anna Lindblad, Ingemar Engstrom, Mikael Sandlund and Niklas Juth.. Trends in Swedish physicians' attitudes towards physician-assisted suicide: a cross-sectional study. BMC Medical Ethics 22: 86. (2021). <https://doi.org/10.1186/s12910-021-00652-0>

¹⁴⁵ *Ibid*

¹⁴⁶ Samia A. Hurst and Alex Mauron. Assisted suicide and euthanasia in Switzerland: allowing a role for non-physicians. Brit. Med. J. (Clinical research ed.). 326: 271–273. (2003). <https://doi.org/10.1136/bmj.326.7383.271>

¹⁴⁷ Marie-Estelle Gagnard and Samia Hurst. A qualitative study on existential suffering and assisted suicide in Switzerland. BMC Medical Ethics .20:1-8. (2019). <https://doi.org/10.1186/s12910-019-0367-9>

¹⁴⁸ Sibilla Bondolfi. Why assisted suicide “normal” in Switzerland. SWI swissinfo.ch. (2020). <https://www.swissinfo.ch/eng/why-assisted-suicide-is-normal-in-switzerland-/45924614>

¹⁴⁹ Hurst and Mauron, *Supra note*, 146

¹⁵⁰ *Ibid*

¹⁵¹ *Ibid*

¹⁵² Demitris Theofanidi and Fatma Mecek. Euthanasia: a Healthcare Debate from a Greek-Turkish Perspective. Int. J. Caring Sci. 9:321-329. (2016). http://www.internationaljournalofcaringsciences.org/docs/31_Thofanidis_original_9_1.pdf

to severe deformity or despair of the condition even if requested by the patient or guardian¹⁵³. A doctor and a doctor of dental medicine in turkey are mandated by the code of medical deontology article 14, to give patients the necessary medical care, save their lives and lessen or halt their agony even if it is not possible to save their health¹⁵⁴. Additionally the ban on euthanasia is the main topic of article 13 of the patients' code of rights, positive law and constitutional law are the primary defenders of the right to life¹⁵⁵. The physical integrity of the individual shall not be violated except under medical necessity and in instances prescribed by law and shall not be exposed to scientific or medical experimentation without his/her agreement, the 17th article of the constitution of the Republic Of Turkey declares¹⁵⁶.

The question of whether some operations that take place in the realm of health are true or not have sparked many ethical and legal disputes the right to life is protected by articles 81, 83 84 and 85 of the criminal law of the republic of turkey¹⁵⁷. Aided demise is regulated by changes to Turkish criminal law article 84¹⁵⁸. This leads to the conclusion that helping to carry out an active euthanasia or demise should be punished. The major barrier to active euthanasia is article 262 of Turkish criminal law and depending on how the person's life was ended, active euthanasia activities are frequently classified as aided suicide or premeditated murder¹⁵⁹. The prohibition on euthanasia is covered in article 13 of the Bill of Patients' Rights and this article asserts that a person cannot waive their right to life even if doing so would violate their medical condition¹⁶⁰. It is said that one cannot give up on a person's right to life regardless of the circumstance including when it is a medical necessity, no life can be taken regardless of a desire from oneself or another¹⁶¹.

4.1.29 Euthanasia in Britain

¹⁵³ *Ibid*

¹⁵⁴ Ozturk Hulya and Demirsoy Nilufer. The ban on euthanasia in the regulations of patients' rights: An evaluation from the viewpoints of patients, doctors, nurses. Niger. J. Clin. Pract. 24:1052-1060. (2021). https://njcponline.com/citation.asp?issn=1119-3077;year=2021;volume=24;issue=7;spage=1052;epage=1060;aulast=Ozturk;aid=NigerJClinPract_2021_24_7_1052_321968

¹⁵⁵ *Ibid*

¹⁵⁶ *Ibid*

¹⁵⁷ *Ibid*

¹⁵⁸ *Ibid*

¹⁵⁹ *Ibid*

¹⁶⁰ *Ibid*

¹⁶¹ *Ibid*

In the suicide act of 1961 under section 2 aided dying in England and Wales are unlawful. Under this act if any individual is charged with assisting suicide or helped suicide of another individual it may draw imprisonment of 14 years¹⁶². The Coroners and Justice Act 2009 in addition clarified the illegality of aided self demise and amended the Suicide Act 1961¹⁶³. In Northern Ireland aided self demise is unlawful underneath the Criminal Justice Act 1966 and in Scotland the exercise is not particularly illegal but the ones supporting suicide may be charged with murder¹⁶⁴. Lord Joffe in 2004 laid down a bill on assisted dying for the end -stage illness¹⁶⁵. The House of Lords committee on intervening this bill depicted that certain considerations should be taken into account¹⁶⁶. The consideration includes transparent description of voluntary euthanasia and aided demise. The action of physician while performing the type of euthanasia, terminal illness should be the qualification for this praxis, mental ability of the individual undergoing euthanasia, suffering is bearable or unbearable, assistance for euthanasia is complementary rather alternative waiting period between the application for voluntary euthanasia or aided demise and the day of action provide sufficient safeguarding of docs involved in euthanasia and should screen the regulations concerning to pain relieving by physicians¹⁶⁷.

4.1.30 Euthanasia in America

Euthanasia in the US is only applicable for ill animals and for humans it is banned in its major states¹⁶⁸. As of June 2021 the states that permit euthanasia are Oregon, Washington DC, Hawaii, Colorado, New Jersey, California, Washington and Vermont¹⁶⁹.

4.1.31 Euthanasia in Uruguay

In 2020 a bill regards to euthanasia and doc aided self demise was laid down in the parliament of Uruguay¹⁷⁰. As aided self demise is unlawful in Uruguay, article 37 of the penal code of 1933

¹⁶² *Ibid*

¹⁶³ *Ibid*

¹⁶⁴ *Ibid*

¹⁶⁵ *Ibid*

¹⁶⁶ *Ibid*

¹⁶⁷ *Ibid*

¹⁶⁸ Legal Information Institute. Euthanasia. (2021). <https://www.law.cornell.edu/wex/euthanasia#:~:text=Euthanasia%20is%20more%20commonly%20performed,Jersey%2C%20California%2C%20and%20Vermont>

¹⁶⁹ *Ibid*

¹⁷⁰ Ana Maria Núñez. Is There a Need for a Code of Ethics for Nurses in Uruguay? *Enfermería: Cuidados Humanizados*. 11: e3057. (2022). DOI: 10.22235/ech.v11i2.3057

due to aided self demise or euthanasia in the global nations 2021 is being exhibited in figure 3 below.

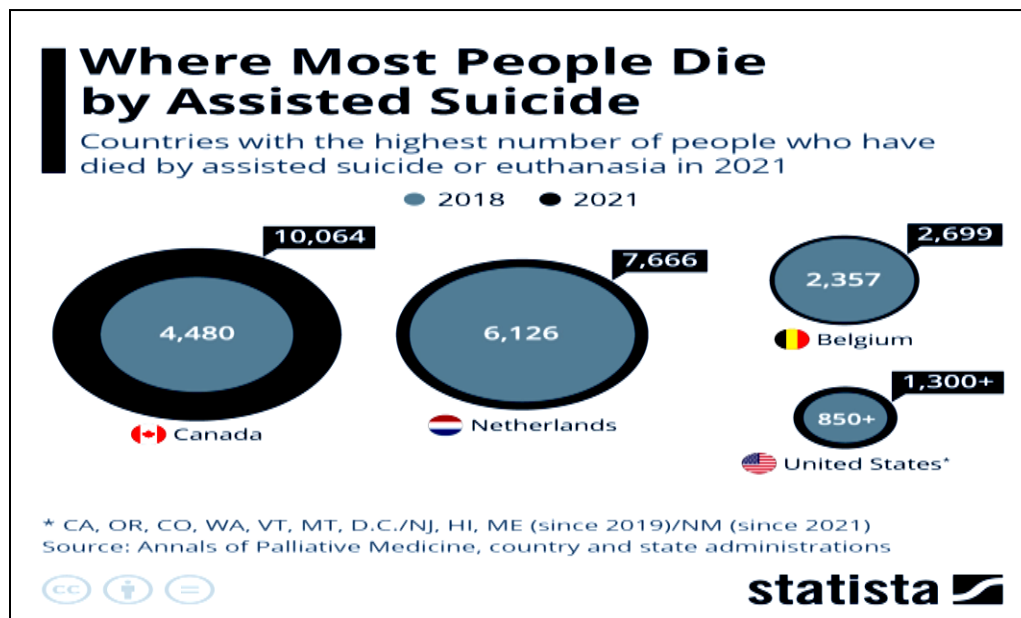


Figure 3. Global Nations with maximum volume of deaths with assisted dying or euthanasia. (Source: <https://www.forbes.com>)

While the social and political debate round euthanasia and physician-assisted suicide stays fierce and unremitting regulation for assisted loss of life has extended drastically in Europe, America and Australia over the last 20 years¹⁷³. In the year 2021 United Nations intellectuals depicted that it's an alarming situation in the globe that legislations concerning medically aided demise being accessed for disabled ambience that include old age¹⁷⁴. The UN experts also implied that it shall not be a good decision that could lead to the ending of lives due to any individual belonging to a race, minority, gender or sex facing any suffering on account of such status¹⁷⁵. Disability should never be the grounds for any individuals to end their life directly or indirectly¹⁷⁶. It was also depicted by the UN officials that as mentioned in article 10 of the UN Convention, the privileges of individuals with disabilities empower them to enjoy their right to life and equality like

¹⁷³ Parliamentary Unit, *Supra note*, 30

¹⁷⁴ United Nations. Disability is not a reason to sanction medically assisted dying -UN expert". United Nations Human Rights Office of the High Commissioner. (2021). <https://www.ohchr.org/en/press-releases/2021/01/disability-not-reason-sanction-medically-assisted-dying-un-experts>

¹⁷⁵ *Ibid*

¹⁷⁶ *Ibid*

others¹⁷⁷. It was also evaluated by the UN expert that legislative norms for those who are neither chronically ill nor suffering from a terminal disease narrow the quality of life with disability¹⁷⁸. It was also suggested by the UN that no state should support the ending of life of those who are not in end stage malady or chronic illness¹⁷⁹.

CONCLUSION

The experience of legalized euthanasia demonstrates that a slippery slope is unavoidable in every case. No matter how stringent the law appears to be intended to be, it will always fail to safeguard society's most vulnerable citizens as well as medical professionals and the general public. The instances highlighted in the present inquiry depict the phenomenon of rising euthanasia demand after it becomes legal. All the jurisdictions where euthanasia has been legalized, routinely ignored and violate laws and protections, and even when they are exposed, these violations are rarely prosecuted. The very existence of such a statute invites aided self demise and euthanasia to be viewed as commonplace aspects of medical care. Therefore, it is crucial to resist any push to legalize euthanasia based on both ethical and practical concerns. Empiric hardship is adroit. Law givers and right-to-die organizations have to covey the canvass of what makes as decent the profusion of empirical hardship infer the necessitate of a very tailored solicitude. A finer discern of what it is contrived of could furnish a toolbox to individuals perturbed by these behest, aiding them to inspect it in order to offer suffering people a wider range of alternatives.

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¹⁷⁷ *Ibid*

¹⁷⁸ *Ibid*

¹⁷⁹ *Ibid*