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Is euthanasia allowed?

Euthanasia is the termination of life by a physician at the patient's request. The aim is to end unbearable suffering with no prospect of improvement. Physician-assisted suicide also falls under this definition. Only under certain conditions is euthanasia not considered an offence.

Conditions

It is not an offence for physicians to perform euthanasia, provided they comply with the due care criteria specified in the Termination of Life on Request and Assisted Suicide (Review Procedures) Act and report each case after it has been carried out. In accordance with the due care criteria the physician must, among other things, be satisfied that the patient's request for euthanasia is voluntary and well-considered and that his suffering is unbearable with no prospect of improvement.

Euthanasia can be performed only at the patient's own request, not at the request of relatives or friends.

Physician not obliged to perform euthanasia

Physicians are not obliged to grant a request for euthanasia. A physician who does not want to perform the procedure himself should discuss this with the patient and may decide to refer him to another physician.

Assessing due care

A physician who has performed a euthanasia procedure must report this to the municipal pathologist. Both the notifying physician and the municipal pathologist must report on the case to the regional euthanasia review committee.

Should the committee find that the notifying physician did not act with due care, it will refer the case to the Healthcare Inspectorate (IGZ) and the Public Prosecution Service (OM). The latter may decide to prosecute the physician.

Physicians can use the model notification form and the model report form for termination of life on request or assisted suicide, which can be downloaded from the website of the regional euthanasia review committees. The forms cannot be ordered by post.

Not euthanasia

The following types of cases do not fall under the Termination of Life on Request and Assisted Suicide (Review Procedures) Act:

- the physician discontinues or does not start a medical procedure at the patient's request;
- the physician desists from performing a procedure that is medically pointless;
- the physician tries to relieve a patient's distress by administering increasingly strong medication that has the additional effect of shortening life (palliative sedation).

Euthanasia and non-residents

A physician who performs euthanasia should be convinced that the due care criteria of the Termination of Life on Request and Assisted Suicide (Review Procedures) Act are met.

This means that the physician has to have sufficient knowledge concerning the patient's medical history to be able to assess whether the patient's suffering is unbearable and without prospect of improvement. In addition, the physician has to be convinced that the patient's request is voluntary and well-considered.

This concerns a complex and multi-faceted assessment, and it is up to the physician to decide whether this is possible in case of a request done by a person who does not reside in the Netherlands and has only recently arrived here.