

FACTSHEET 04: Voluntary Euthanasia in the Netherlands to 1999

In the Netherlands, in common with many other countries, the following is regarded as sound medical practice:

- to withhold or withdraw treatment which is unduly burdensome and/or futile from a dying patient even though this may hasten death;
- to provide medication to a dying patient to relieve suffering even when a foreseeable consequence is to hasten death.

A doctor who deliberately induces the death of a patient, or assists in the suicide of a patient commits a criminal offence. However, over the last 16 years or so, the Dutch judicial system, in consultation with the Royal Dutch Medical Association, developed arrangements under which such a doctor would not be prosecuted provided certain guidelines and procedures were followed.

The Dutch Parliament formalised these arrangements in 1994, thus acknowledging that in certain circumstances deliberately inducing the death of a patient and assisting in the suicide of a patient should also be regarded as sound medical practice. However, the Dutch Parliament decided that these practices were to remain criminal offences.

The guidelines are:

- Only a doctor may administer a lethal dose and individual doctors are free to refuse.
- There must be an explicit request from the patient that leaves no room for doubt that the patient wishes to die.
- The patient's decision must be well-informed, free and enduring.
- There is no acceptable alternative (to the patient) to improve his or her condition.
- The doctor must exercise due care in making the decision and consult another independent medical doctor.
- The doctor must notify the authorities of the circumstances.

Under the arrangements the doctor inducing death or providing assistance to suicide does not issue a death certificate. Instead the doctor informs the local medical examiner by completing an extensive questionnaire. The medical examiner then reports to the district attorney. The district attorney only prosecutes if the doctor has departed from the above guidelines.

A nation-wide study of "medical decisions concerning the end of life (MDEL)", (ie treatment decisions in which life may perhaps be shortened) was carried out in 1990. The study was repeated in 1995 and an evaluation of the notification procedure for doctor-assisted death was also undertaken. The results of these studies became available late in 1996.

The 1995 studies affirmed the careful practice of voluntary euthanasia by Dutch doctors (See [Fact Sheet 17 - Voluntary Euthanasia in the Netherlands - An Update](#)).