

FACTSHEET 29: The Law on Voluntary Euthanasia and Physician - Assisted Dying in Luxembourg

In February 2008 the Luxembourg Chamber of Deputies adopted the Law on the Right to Die with Dignity, with a conscience vote 30 to 26, with three abstentions. The law covers both physician-assisted dying and voluntary euthanasia. The physician must ensure that:

- the patient is legally competent at the time of the request,
- the patient has authorisation of parents or legal guardian if between the ages of 16-18 years,
- the request is voluntary, well thought out and repeated, and does not result from external pressure,
- the patient suffers from an incurable condition and is constantly in unbearable physical or mental pain, and
- the patient respects all the conditions and procedures prescribed by the law.

The physician is also required to:

- inform the patient of their health status, life expectancy, possible alternative therapies and their consequences, including palliative care, and
- be convinced that from the perspective of the patient, there is no other acceptable solution. This conclusion must be based on several meetings with the patient to determine that the physical or psychological suffering is persistent, with repeated requests to die.
- obtain a second physician's opinion to verify that the condition is incurable.

Other provisions of the law include:

- the request to die must be in writing and may be through a living will if the patient is suffering from a serious and incurable and irreversible accidental or pathological condition, and is unconscious;
- the request may be revoked at any time;
- a National Commission of Control and Evaluation is established to assess the implementation of the law, with the physician providing an official declaration to the commission within four days of implementing the law;
- no physician is obliged to assist a patient through voluntary euthanasia or physician-assisted dying.

References and further reading:

1. Atwill, N (Law Library of Congress Global Legal Monitor)
http://www.loc.gov/lawweb/servlet/lloc_news?disp3_l20540280_text
2. World Federation of Right to Die Societies <http://www.worldrtd.net/>
3. Association pour le Droit de Mourir dans la Dignite- Letzebeurg, a.s.b.l, (unofficial translation)
http://admdl.woltt.net/data/the_law.pdf