

Switzerland (1998-)

Euthanasia is illegal in Switzerland. However the phrasing of the article in the Swiss Penal Code prohibiting assisting suicide has allowed organisations such as Dignitas, Eternal Spirit (*lifecircle*) and Exit to offer assisted suicide.

[Article 115](#) reads “Any person who for selfish motives incites or assists another to commit or attempt to commit suicide shall, if that other person thereafter commits or attempts to commit suicide, be liable to a custodial sentence not exceeding five years or to a monetary penalty”.¹

Increasing number of deaths

The qualifier, “for selfish motives” effectively allows Dignitas to offer assisted suicide to all comers on a “cost recovery” basis. Dignitas has assisted in 2771 suicides from [1998-2018](#).² It charges between [7500 and 10500 Swiss francs](#) plus VAT (roughly equivalent to between \$A10,000 and \$A15,000) for an assisted suicide.³

The number of assisted suicides carried out by Dignitas in 2018 was 221, up 148% from 2009. Only 6.5% of assisted suicides carried out by Dignitas have been of Swiss residents. The remaining 93.5% have involved suicide tourism, including for 32 Australians (five of these in 2018).

[Eternal Spirit Foundation](#) and its associated organisation *lifecircle* was founded in 2011. It also offers assisted suicide to foreigners as well as Swiss residents. No statistics are available to date. Assisted suicide is offered to anyone who does “not accept to be nursed without hope of improvement” or who has a disease which is “incurable and clearly leads to reduction in quality of life, although it does not lead to death in the near future.”⁴ Western Australian, [David Goodall](#), was assisted to commit suicide at its Basel clinic in May 2018⁵. Goodall was not terminally ill and had no major disease, so assisted suicide is apparently being offered also for those “tired of life”.

Another Swiss organisation, Exit, limits its assistance in suicide to Swiss residents. In [2015](#), Exit was responsible for 782 deaths by assisted suicide, up 345 from 583 in 2014.⁶ Of the 734 assisted suicides involving Exit in [2017](#) one in four (25%) were for “old age poly morbidities”, similar to the “stack of old age disorders” in the Netherlands.⁷

Assisted suicides of Swiss residents rose dramatically from just 48 in 1998 to 965 in [2015](#) an increase

¹ <http://www.admin.ch/ch/e/rs/3/311.0.en.pdf>

² <http://www.dignitas.ch/images/stories/pdf/statistik-ftb-jahr-wohnsitz-1998-2018.pdf>

³ <http://www.dignitas.ch/images/stories/pdf/informations-broschuere-dignitas-e.pdf>

⁴ https://www.lifecircle.ch/pdf/lifecircle_Information_brochure.pdf

⁵ <https://www.bbc.com/news/world-europe-44069885>

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https://www.exit.ch/news/news/details/?tx_ttnews%5Btt_news%5D=152&cHash=2374c9336f67d187c26894410340b40d

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https://www.exit.ch/news/news/details/?tx_ttnews%5Btt_news%5D=216&cHash=0ab4fefdb4d30e51ec8b854cbaf12e8a

of 66% from 583 in 2013.⁸ There is no age limit for assisted suicide and between 2010 and 2014 thirteen people under 35 years of age died by assisted suicide.

Deaths from assisted suicide represented 1.5% of all deaths of Swiss residents in [2017](#).⁹

Limited screening for depression

[Swiss psychiatrist Thomas Schlaepfer](#), a specialist in depression, is disturbed by the way Dignitas operates. "If somebody flies into Zurich Airport, is brought into an interview for an hour and prescribed medication, that's totally wrong," he says. "That's ethically wrong. Legally, it might be OK in Swiss law, but ethically it's wrong."

Schlaepfer says it is "totally impossible" to find out in a brief visit or two whether someone is of sound mind. Dignitas chief Minelli, however, claims to have no doubts about what he is doing: "Ah, it is not knowing," he says. "It is feeling, and that is much better than knowing."

Dignitas has also helped people with mental illnesses such as schizophrenia to die. Minelli argues that mentally ill people have the same right to take their own lives as others: "You can't say and you shouldn't say that mentally ill people should not have human rights."

But Schlaepfer says suicidal tendencies are often a symptom of mental illness and can be treated. "In this office," he says, "many people said, 'I'm totally depressed; I want to end my life' and weeks later this opinion was changed."

Public prosecutor Andreas Brunner believes the law is dangerously unregulated, giving him little room to act. "These days, everyone - even you or me, we - can make assisted suicides," says Brunner, noting that nothing - not even a medical degree - is required to start an organization that helps people kill themselves."¹⁰

Non terminal illnesses, mental illness and disabilities

Dignitas has assisted the suicides of people with nonterminal diseases such as [Crohn's disease and rheumatoid arthritis as well as quadraplegics](#).¹¹ Research [published in the Journal of Medical Ethics](#) showed that 21.2% of all those of various nationalities ending their lives at Dignitas had a non-fatal illness.¹²

Between [1998 and 2009 Exit assisted](#) 71 people to die on the grounds of depression and 24 people to die because they were blind.¹³

In 22 cases (3%) of assisted suicide by Swiss residents in 2014 [depression](#) was stated as the only

⁸ <https://www.bfs.admin.ch/bfsstatic/dam/assets/3742836/master>

⁹ https://www.swissinfo.ch/eng/euthanasia_assisted-suicide-group-exit-registers-ten-thousand-new-members-/43896292

¹⁰ <https://www.cbsnews.com/news/switzerlands-suicide-tourists-12-02-2003/>

¹¹ <http://www.guardian.co.uk/society/2009/jun/21/dignitas-suicide-clinic-britons>

¹² <http://jme.bmj.com/content/34/11/810>

¹³ <http://www.telegraph.co.uk/news/worldnews/europe/switzerland/9170059/Almost-300-assisted-suicides-in-Switzerland-per-year.html>

“concomitant disease”.¹⁴

Assisted suicide for all

A [2014 study of assisted suicides in Switzerland](#) found that there was a “higher rate among people living alone and the divorced”. Study leader, Professor Matthias Egger, commented that “Social isolation and loneliness are well known risk factors for non-assisted suicides and our results suggest that they may also play a role in assisted suicide.” 16% of death certificates did not register an underlying cause. A previous study of suicides by two right-to-die organizations showed that 25% of those assisted had no fatal illness, instead citing “weariness of life” as a factor.¹⁵

In [2014 the General Assembly of Exit](#) voted to extend the provision of assisted suicide to the elderly who had no terminal illness. The statutes now refer to “the right to the freely responsible death of a very old person wishing to die”.¹⁶

Another Swiss organisation [ERAS](#) is campaigning for every person, **including healthy young people**, to be able to easily access lethal barbiturates for the purpose of suicide.¹⁷

In [2018](#) the Swiss Academy of Medical Sciences added to the scope of those for whom doctors may offer assisted suicide “Patients whose desire to die is not primarily attributable to a medical condition”.¹⁸ However, the Swiss Medical Association (FMH) has [rejected](#) incorporating this expansion of scope in its ethical code.¹⁹

Faulty diagnosis

It was only after the family of retired Italian magistrate Pietro D’Amico, aged 62, insisted on an autopsy that he was [found not to have a terminal illness at all](#), despite being given such a diagnosis by both Italian and Swiss doctors prior to undergoing assisted suicide at a clinic in Basel, Switzerland.

Effect on families

Like any suicide assisted suicide can profoundly affect surviving family members and friends. A [2011 study](#) found that witnessing death by assisted suicide impacts the mental health of family members and friends. About 20% of respondents had full or partial PTSD and 16% had symptoms of depression after about 19 months after the death. Witnessing the unnatural death of a significant has a strong impact on the bereaved, which **may lead to severe mental health problems** at 14 to 24

¹⁴ <https://www.bfs.admin.ch/bfsstatic/dam/assets/3902308/master>

¹⁵ <https://medicalxpress.com/news/2014-02-people-wealthier-areas-women-die.html>

¹⁶

http://www.swissinfo.ch/eng/swiss_news/Exit_members_vote_to_broaden_assisted_suicide_services.html?cid=38653642

¹⁷ <https://www.verein-eras.ch/>

¹⁸ https://www.samw.ch/dam/jcr:25f44f69-a679-45a0-9b34-5926b848924c/guidelines_sams_dying_and_death.pdf

¹⁹

https://www.fmh.ch/files/pdf21/Medienmitteilung_Aerztekammer_befuerwortet_eine_partnerschaftliche_Tarifrevision.pdf

months post-loss.²⁰

Conclusion

Switzerland's experiment with exempting from the law on assisted suicide all actions not proven to be undertaken for "selfish motives" has unleashed a seemingly unstoppable expansion of the practice to cover all - both suicide tourists and locals - who request it.

Other jurisdictions should learn from this fatally flawed experiment and maintain or enact a comprehensive prohibition on any acts of assisting, encouraging or instructing in suicide and a social program of suicide prevention for all.

²⁰ https://www.zora.uzh.ch/id/eprint/48670/1/Wagner_et_al_Death_by_request_in_Switzerland-V.pdf