



NORTHWESTERN UNIVERSITY SCHOOL OF LAW

**THE LEGALIZATION OF EUTHANSIA: A COMPARISON BETWEEN THE  
NETHERLANDS AND THE UNITED STATES**

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**I. EUTHANASIA AND PHYSICIAN-ASSISTED SUICIDE IN THE  
NETHERLANDS**

Euthanasia and physician assisted suicide (PAS) have existed in the Netherlands for more than thirty years under the directives and criteria created by the medical community, the courts, and the public prosecutor's office. This set of guidelines protected those physicians who performed euthanasia or PAS from prosecution, but this protection had an informal character. This changed on April 1st of 2002, when the States General (the Dutch version of the American Congress) passed the Dutch Termination of Life on Request and Assisted Suicide (Review Procedure) Act (the Act).<sup>1</sup> This Act gave euthanasia and PAS the Dutch government's seal of approval, something its advocates have long been waiting for.

On March of 2005, we conducted research focused on the regulation of end-of-life decisions in the Netherlands. We interviewed physicians, politicians, members of regional review committees to which cases are reported, public prosecutors, the Dutch

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<sup>1</sup> See Termination of Life on Request and Assisted Suicide (Review Procedures) Act, available at <http://www.nvve.nl/english/info/euthlawenglish.pdf> (accessed May 6, 2005).



association for voluntary euthanasia,<sup>2</sup> among others. This paper is the result of this research from a comparative law perspective in which we explain the Dutch system and analyze the prospect of an American approach to this controversial issue.

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<sup>2</sup> Nederlandse Vereniging voor een Vrijwillig Levenseinde (NVVE) (Right to Die Society of the Netherlands).