

The crime of participation in suicide and related issues (with an emphasis on euthanasia)

Abstract

This thesis deals with the crime of participation in suicide according to the provisions of Article 144 of the Criminal Code and related aspects such as euthanasia, suicide or the privileged act of killing on request. As it is not a very frequent crime with a maximum of only a few cases per year, it does not receive much attention. On the contrary, the related issue of euthanasia is an issue that is now being debated in a number of countries with a view to its possible legalisation, or at least the adoption of the privileged act of killing on request.

The main research question is an analysis of the provision in question, an assessment of the current state of euthanasia, assisted suicide and suicide. An integral part of the work is to reflect on possible solutions and to answer the question whether active direct euthanasia or assisted suicide should be legalized in the Czech Republic, and under what conditions.

The thesis is divided into four main chapters, of which *de lege ferenda* considerations are always an integral part.

The introductory chapter is devoted to euthanasia in detail - space is devoted to the definition of fundamental terms, the division of euthanasia and its history, the connection with constitutional, civil and especially criminal law, and the main arguments in favour or against possible legalization are also presented. Towards the end of the introductory chapter, the reader can get acquainted with foreign legislation, i.e. legislation in countries where euthanasia or assisted suicide is already legalised.

The second chapter deals with the crime of participation in suicide. This chapter discusses the systematic classification in the current Criminal Code, the historical development, all the features of the crime, including related case law and comparison with foreign countries. Statistical data will also be presented, showing how many times a given crime is committed each year, who is usually the perpetrator, and what sentence the perpetrator has been sentenced to.

The third chapter, devoted to suicide, introduces the most important terms, familiarises the reader with society's view of this serious socio-pathological phenomenon, the connections with criminal law and statistical data.

The last chapter aims to present a comprehensive solution to the problem of euthanasia. Thus, a proposal for a special law to allow assisted dying is presented, as well as possible changes to a special part of the Criminal Code.

Keywords: euthanasia, suicide, participation in suicide