



Zurich-Forch, 9 February 2022

A note from DIGNITAS – To live with dignity – To die with dignity

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## **Review of the year 2021 and outlook for 2022**

### **Consolidating the international legal work;**

### **Suicide attempt prevention remains at the core of the advisory work**

**In 2021, the long-standing international legal commitment of the non-profit membership association “DIGNITAS – To live with dignity – To die with dignity” was continued and consolidated. In the operational area, the comprehensive advisory work for individuals seeking help and suicide attempt prevention remained at the core of DIGNITAS' activities. In 2022, the association will continue to engage in work to ensure quality of life until the end, self-determination and real freedom of choice, combined with individual responsibility and advance planning – in Switzerland and internationally.**

“DIGNITAS – To live with dignity – To die with dignity” (abbreviated: “DIGNITAS”) is a non-profit membership association. Through its activities it empowers people to self-determinedly shape their life in regard of health and end of life and moreover to decide on the manner and time of their own end in life. This is especially significant in countries where such freedom does not yet exist. With open-outcome advisory work on suicide attempt prevention, advance directives, palliative care and accompanied suicide DIGNITAS offers its members, their families, and others who are interested the necessary basis for decision-making. The DIGNITAS team consists of 34 part-time employees in advisory work, accompanying, member administration, bookkeeping, law and politics, communications and the board. Additionally, the association is supported by several external experts in the fields of medicine, law, IT and auditing.

## **Overview**

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## **2021: Consolidating the international legal work and a new legal case in France**

DIGNITAS persistently pursued its international legal and political activities in 2021. The association's aim is to enforce the human right and freedom of every individual to decide on the manner and time of his or her own end of life, as confirmed, in principle, by the Swiss Federal Supreme Court in 2006 and the European Court of Human Rights in 2011<sup>1</sup> and adhered to by further courts.

The legal work of the two DIGNITAS associations in Switzerland and Germany led to lifting the ban on professional assistance in suicide by the German Federal Constitutional Court on 26 January 2020, and in Austria the Constitutional Court declared the blanket prohibition on assisted suicide unconstitutional in its judgement of 11 December 2020 in a court case commissioned by DIGNITAS. Assisted suicide is now legal in both countries. It is now a matter of helping to ensure that the two remarkable court judgments are implemented in conformity with the constitution, so that citizens can exercise the right to a self-determined end of life in their country.

After the lifting of the ban, the association DIGNITAS-Germany set up the structures necessary for preparing and implementing professionally accompanied suicide. It is providing this service based on the many years of practical experience of the Swiss DIGNITAS association, in cooperation with German doctors and a team of staff. In addition, it is committed to ensuring that any future law on assisted suicide does not unduly restrict the regained self-determination of German citizens over their own end of life.

Also in Austria, DIGNITAS will now share its many years of experience in preparing and implementing assisted suicide as well as suicide attempt prevention, advance health care planning and palliative care. The most important goal is to ensure that persons who meet the criteria defined by the "Federal Law on Establishing Advance Directives for Assistance in Suicide", which entered into effect on 1 January 2022, have access to professional help.

In 2021, DIGNITAS also started legal action in France against the ban on assisted suicide. On 22 September 2021, a French lawyer, on behalf of DIGNITAS, applied to the "Conseil d'État" (Council of State) for the ban on the medication sodium pentobarbital to be lifted, so that in the future persons with residence in France can make use of their right to a self-determined end of life in their own country. The judgment is expected in the next few months. As part of its political work, DIGNITAS participated in an advisory and supportive role in a number of debates on end-of-life choice regulations, including in the UK, Jersey, and Scotland.

The legal-political work of DIGNITAS (court judgments, reports, submissions, comments, etc) is documented at [www.dignitas.ch](http://www.dignitas.ch).

### **Suicide attempt prevention at the core of advisory work**

The prevention of suicide attempts is at the core of the comprehensive advisory work of DIGNITAS. Only by taking a person seriously in his or her desire to end their suffering and life for whatever reason, openly exploring all options and offering a real emergency exit and thus enabling an open-outcome conversation, is it possible to prevent a rise in the pressures resulting from hopelessness and despair which could otherwise lead someone to attempt a high-risk lonely suicide.

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<sup>1</sup> Judgment by the ECtHR of 20 January 2011, case Haas v. Switzerland, <http://hudoc.echr.coe.int/eng?i=001-102940>

In 2021, DIGNITAS continued to receive dozens of e-mails, letters and calls every day from all over the world. About one third of the daily telephone advisory work is provided to non-members who receive free-of-charge initial advice. Individuals seeking help often lack the information they need to make a decision about different ways and options to improve their quality of life. Accompanied suicide is only one topic among others. With open-outcome advisory work on suicide attempt prevention, advance directives, palliative care and accompanied suicide, DIGNITAS offers its members, their families and others who are interested the necessary basis for decision-making. Questions around SARS-CoV-2 were the exception, and there were no accompanied suicides related to it.

### **Further information on the association's activities**

DIGNITAS finances its activities mostly through membership fees. As of the end of 2021, DIGNITAS counted 11,024 members<sup>2</sup>.

Individuals who become members of DIGNITAS do not usually do so because they want to die but because they want to support the broad activities of the association and to have the safety of choice. Less than 3% of all DIGNITAS members make use of an accompanied suicide; 212 individuals in 2021<sup>3</sup>. In recent years, less than 50% of all DIGNITAS members whose request for an accompanied suicide was assessed by a Swiss physician independent of DIGNITAS actually chose to make use of their “last human right”.

Advisory work, as well as preparing and carrying out an accompanied suicide is very labour-intensive and complex, especially with individuals from outside Switzerland. The costs associated with it cannot always be fully borne by the members themselves. Sometimes, even the 80 Swiss Francs annual membership subscription is a hurdle. As a charitable, non-profit member society DIGNITAS is open to all persons, irrespective of their financial situation. If need be, based on its statutes, DIGNITAS reduces or even completely waives fees on reasoned request. In 2021, DIGNITAS granted 98,080 Swiss Francs in reduction of fees.

DIGNITAS attaches great importance to quality in all of its processes. These are continuously reviewed and adjusted as necessary. In addition to the customary examination of each assisted suicide in Switzerland by the public prosecutor's office in cooperation with the police and forensic service, following each assisted suicide DIGNITAS submits a standardised questionnaire to the persons involved to gather feedback, criticism and praise. The questionnaires are analysed and published in quality reports<sup>4</sup>.

The auditing firm BDO AG, which is also the organisation's official finance controlling body, carried out a review of the 2020 annual financial statements of DIGNITAS and found them to be without fault. The auditing complements the activities of an independent tax lawyer, as well as the tax authorities, which monitor DIGNITAS' bookkeeping.

In most Western countries, the vast majority of the population wishes to have access to professionally supported accompanied suicide<sup>5</sup>. To this day, many national laws, jurisdictions and health systems do

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<sup>2</sup> [http://www.dignitas.ch/index.php?option=com\\_content&view=article&id=32&Itemid=72&lang=en](http://www.dignitas.ch/index.php?option=com_content&view=article&id=32&Itemid=72&lang=en)

<sup>3</sup> [http://www.dignitas.ch/index.php?option=com\\_content&view=article&id=32&Itemid=72&lang=en](http://www.dignitas.ch/index.php?option=com_content&view=article&id=32&Itemid=72&lang=en)

<sup>4</sup> [http://www.dignitas.ch/index.php?option=com\\_content&view=article&id=24&Itemid=64&lang=en](http://www.dignitas.ch/index.php?option=com_content&view=article&id=24&Itemid=64&lang=en)

<sup>5</sup> [http://www.dignitas.ch/index.php?option=com\\_content&view=article&id=70&Itemid=138&lang=en](http://www.dignitas.ch/index.php?option=com_content&view=article&id=70&Itemid=138&lang=en)

not sufficiently take this wish into consideration. DIGNITAS contributes to remedying this situation by providing information and advice to political decision-makers, public officials, private institutions and the public.

DIGNITAS' extensive know-how on suicide attempt prevention, safeguarding quality of life and self-determination in regard of one's own end of life is appreciated and drawn upon both in Switzerland and worldwide. In addition to the daily comprehensive and open-outcome advisory work with individuals seeking help, DIGNITAS makes its experience from over 20 years of international efforts available to interested parties in Switzerland and abroad, through speeches, presentations, panel discussions, receiving experts and delegations from Switzerland and abroad etc.

Providing supporting information for specialized articles, reports and documentaries is part of this engagement, just as much as responding to countless inquiries by school pupils, undergraduates, PhD students, doctorates, researchers, journalists and other interested parties.

### **Outlook on 2022**

Quality of life until the end, self-determination and real freedom of choice combined with individual responsibility and advance planning are values which are not available as a matter of course. Even though assisted suicide and/or voluntary euthanasia have become possible within a certain framework in a number of countries in recent years, or soon will be, in many countries religiously affiliated moralists, self-proclaimed experts and alleged pro-lifers take every opportunity to deny citizens human rights, patient autonomy and self-determination, putting power over questions of life and death even more firmly in the hands of the church, medicine and politics. From a liberal perspective, it is important to regulate only where it is actually necessary for the safe exercise of a right, and to ensure that laws do not restrict the very right they claim to grant. In Switzerland too, fundamental freedoms and human rights have to be defended and enforced again and again in order to counter conservative and patronising forces. In 2022, DIGNITAS will continue its work for implementing and safe-guarding self-determination and genuine freedom of choice "in last matters", for the prevention of suicide attempts and for a dignified life and end in life in general.

### **Key figures at a glance**

Date of foundation of the member society:	17 May 1998
Employees as of end of 2021:	34 (all part-time)
Members as of end of 2021:	11,024 (incl. DIGNITAS-Germany)
Accompanied suicides in 2021:	212
Investment in international legal further development 2021:	CHF 79,588
Reduction and exemption of fees in 2021:	CHF 98,080
Minimum annual subscription:	CHF 80
Membership fee for an accompanied suicide:	CHF 2,500 (exception: reduction / exemption)
Donations in 2021:	CHF 41,490

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#### **BACKGROUND:**

**DIGNITAS – To live with dignity – To die with dignity** was founded in May 1998 with the aim, through international legal and political work, to make the proven Swiss model of freedom of choice, self-determination and personal responsibility in life and at life's end also accessible to individuals abroad.

DIGNITAS' advisory concept – combining palliative care, suicide attempt prevention, advance directives/decisions and assisted dying – offers a basis for good decision-making to shape life until the end.

Through litigation, DIGNITAS obtained a judgment of the European Court of Human Rights in 2011 acknowledging the right/freedom of a competent individual to decide on the manner and time of his or her own end in life and confirming this to be protected by Article 8 of the European Convention on Human Rights.

DIGNITAS has been engaged in many lawsuits in Europe and Canada, and has provided in-depth submissions and received visits by expert and parliamentary committees from Great Britain, Australia, Canada, etc. when laws were discussed and planned for the protection of a patient's autonomy and human dignity.

The founder of the charitable DIGNITAS organisation is Ludwig A. Minelli, an attorney-at-law specialising in human rights. The team of DIGNITAS consists of 34 part-time employees and it is supported by several external experts in the fields of medicine, law, IT and auditing.