

Zurich-Forch, 17 May 2023

Communiqué by DIGNITAS – To live with dignity – To die with dignity

25 years “DIGNITAS – To live with dignity – To die with dignity”

On Wednesday, 17 May 2023 the Swiss non-profit member association “DIGNITAS – To live with dignity – To die with dignity” celebrates its 25th anniversary. In the 25 years of its operation, the association has advised tens of thousands of individuals on their end-of-life options and has achieved significant successes regarding freedom of choice and self-determination in life and at the end of life – in Switzerland and worldwide.

DIGNITAS looks back on 25 successful years in which the association has achieved much more than anyone dared to dream when it was founded on 17 May 1998. Today, dozens of people and their loved ones from all over the world who are looking for help, experts in politics, law and medicine, students, researchers and more, seek the experience and expertise of DIGNITAS every day. The association has also contributed in numerous countries to asserting people's right to freedom of choice and self-determination over their own end of life. No one should have to travel to Switzerland to make use of this right; the association remains committed to this goal.

The early days of DIGNITAS and pioneering work in the prevention of suicide attempts

On 16 May 1998, the general assembly of Exit (Swiss German part) in Zürich took place. The director of Exit at the time, Peter Holenstein, had proposed to the board of Exit that the organisation should engage in the reduction of the number of suicides and suicide attempts. His visionary proposal was met with incomprehension and vehement rejection, a tumult ensued and Holenstein was voted out of office. Having lost, that small group of visionaries decided to stick to the concept of suicide attempt prevention and to put it in practice with a new member's society. Overnight, attorney-at-law Ludwig A. Minelli wrote the statutes, and on Sunday 17 May 1998 “DIGNITAS – To live with dignity – To die with dignity” was founded. One day later, the organisation was operational.

The prevention of suicide attempts is still today the core of DIGNITAS' comprehensive advisory activities: If a person is taken seriously in their wish to end their own suffering and life for whatever reason, they can inform themselves about all possible options in an open-outcome discussion, and if they are shown a real emergency exit, the pressure of hopelessness and despair is reduced as well as the likelihood of a risky lonely suicide attempt.

Every day, DIGNITAS receives dozens of e-mails, letters, and calls 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 decisions about different ways and options to improve their quality of life. With open-outcome advisory work on suicide attempt prevention, advance health care directives, palliative care and physician-supported accompanied suicide, DIGNITAS offers its members, their families and others who are interested the necessary basis for decision-making. Accompanied suicide is only one topic among others.

Today, suicide attempt prevention is an acknowledged part of the activities of assisted dying organisations, just as much as advisory work for palliative care, advance health care directives, etc. In its publication “National Strategy Palliative Care 2013-2015”, referring to the Federal Council report “Palliative care, suicide prevention and organised assistance with suicide” of June 2011, the Swiss Federal Office of Public Health FOPH states that [in Switzerland] “...nowadays, in society primarily suicide assistance organisations are seen to be a possibility to ensure self-determination at the end of life”. DIGNITAS is among the pioneers of this development.

Milestones in Court

DIGNITAS noted its first significant legal success on 3 November 2006: in the court case of a DIGNITAS member, the Swiss Federal Supreme Court acknowledged the right of an individual to decide on the time and manner of their own end in life as a protected by the European Convention on Human Rights. The case was taken further to the European Court of Human Rights which confirmed this key verdict on 20 January 2011. In this judgment, for the first time, the freedom and right to decide on one's own end of life was recognised as a human right.

For many years, DIGNITAS has also been committed to the right to a self-determined end of life in *Germany*; an important success for DIGNITAS was the judgment of the Federal Administrative Court of Germany (Bundesverwaltungsgericht) in Leipzig on 2 March 2017. The Court acknowledged that severely ill individuals should not be barred from access to the means for ending their suffering and life by their own action. At the same time, this highest German Administrative Court acknowledged the right of a severely and incurably ill individual to decide for themselves on the time and manner of their end in life. DIGNITAS spent many years working on this court case and, with this judgment, cracked the wall built on paternalism and the violation of human rights which had been set up by German politics in 2015. The breakthrough in Germany finally came on 26 February 2020: the legal work of the two DIGNITAS associations in Switzerland and Germany, and some other individuals and organisations, led to the annulment of the ban on professional assistance in suicide by the German Federal Constitutional Court. Since then, in Germany assisted suicide has been possible again.

DIGNITAS was able to achieve a further success in *Austria*: on 11 December 2020, in a court case commissioned by DIGNITAS, the Austrian Constitutional Court declared the blanket ban on assisted suicide to be unconstitutional. Due to this, as of 1 January 2022 assisted suicide became legal in Austria under certain conditions.

Milestones in politics and further development of law

DIGNITAS shares its knowledge and experience in public inquiries for law projects, in parliamentary debates, the preparation of court cases, political initiatives, and more. As early as 2005, DIGNITAS welcomed a delegation of the UK House of Lords Select Committee on Assisted Dying for the Terminally Ill Bill who wished to learn from the experience of DIGNITAS with regard to legalising assisted dying. Representatives of parliaments and commissions from many other countries followed.

DIGNITAS also participated in the precedent case which, in 2015, led to the Canadian Supreme Court declaring the prohibition of assisted suicide to be unconstitutional. This judgment paved the way to legalising medical assistance in dying (MAiD). Another remarkable success DIGNITAS contributed to was the 2017 vote of the Parliament of Victoria, Australia for the “Voluntary Assisted Dying Bill”. Today, voluntary assisted dying is legal in all states of Australia.

In Switzerland too, where physician-supported accompanied suicide has been an established practice for almost 40 years now, it is essential to continue ensuring freedom of choice and to shape the conditions for individuals to be able to decide for themselves about the end of their life and to be professionally advised, supported, and accompanied for this purpose if they so wish. On 15 May 2011, DIGNITAS with its allies celebrated a double victory in a Zürich Cantonal people’s vote: the people of Zürich confirmed by 85% and 78% respectively to allow activities in the field of accompanied suicide as well as the efforts to provide this freedom to individuals from outside Switzerland to continue.

Ready for the next 25 years

“DIGNITAS – To live with dignity – To die with dignity” says thank you to all its members, supporters, employees and co-thinkers for their loyalty and the power they give the organisation to implement the idea of real freedom of choice and self-determination combined with self-responsibility in life and at life’s end internationally. DIGNITAS also says thank you to the critics who challenge the organisation repeatedly. DIGNITAS has learned a lot from them, and without them the association would not have become what it is today.

The board of DIGNITAS and the more than 30 part-time employees, as well as supportive external experts from diverse fields are looking into the future with confidence. Profound socio-political, legal, and medical know-how, advisory competence, a worldwide network, and unrelenting creative drive make DIGNITAS a unique organisation that will continue to pursue its goals in the coming years with commitment, imagination, and tenacity – in Switzerland and internationally.

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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.