

La L. n. 219/2017 a un anno dall'approvazione e i nuovi scenari aperti dall'ordinanza della Corte costituzionale n. 207/2018

PATRIZIA BORSELLINO

Act n. 219/2017 a Year after its Adoption and New Scenarios Opened by the Constitutional Court Ruling 207/2018

Abstract: After a preliminary overview of the implementation process of Act n. 219/2017 one year after its entrance into force, the current paper highlights the central role assigned to this Act by the Constitutional Court ruling n. 207/2018 dealing with the criminal proceeding against Marco Cappato as regards the allegedly assistance to commit suicide by Fabiano Antoniani. On one side, the paper assesses the Court ruling positively in relation to both its correct interpretation of Act n. 219/2017 and the proposal put forward of the need for a regulation governing assisted suicide based on the values inspiring the Act, though going beyond the circumstances ruled by it. On the other side, the paper raises some objections to the scenarios identified by the Court as being in need of a legislation

Keywords: Legal regulation, Constitutional Court, End of life decision, Patient's will, Assisted suicide.

notizie di POLITEIA, XXXV, 133, 2019. ISSN 1128-2401 pp. 84-92