

Suicidio medicalmente assistito e interventi normativi regionali: alcuni pregi – e alcune questioni irrisolte – della sentenza della Corte costituzionale n. 204/2025

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Medically Assisted Suicide and Regional Legislation: same Merits – and some Unresolved Issues – of Constitutional Court Judgement n. 204/2025

Abstract: This paper examines Italian Constitutional Court judgment no. 204/2025, which defined the constitutional limits of regional legislation on medically assisted suicide (MAS) in its review of Tuscany Regional Law no. 16/2025. It highlights several strengths of the decision, while also identifying important unresolved issues. The Court affirms the concurrent regional competence in the protection of health, thereby allowing procedural gaps arising from the absence of national legislation to be addressed without encroaching fundamental rights. Nevertheless, problematic issues remain, particularly regarding the implementation of MAS, including its characterization as an enforceable procedure that does not qualify as the provision of medical treatment and the distinction drawn between MAS and euthanasia in the strict sense. The analysis shows how these issues raise significant questions for legal theory and contribute to a necessary interdisciplinary debate.

Keywords: Medically assisted suicide, Italian Constitutional Court, Euthanasia, Individual self-determination, Legal analysis.

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