

Right-to-die legislation in Italy: a tale of two parties

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Abstract

Over the course of the last two decades, Italy transitioned from having virtually no legislation concerning care-related decisions at the end of life to a complex legal framework characterised by legalisation of passive euthanasia and decriminalisation of assisted suicide. As also observed in other Catholic-majority countries, the bioethical debate on end-of-life care in Italy is strongly influenced by the consistent life ethic position of the Church. However, the Italian case is also uniquely characterised by the persistent impact of right-to-die campaigns from organisations affiliated with the Radical Party. The contrast between these actors polarised Italian society on several occasions and culminated in a major constitutional crisis in 2009. Beyond an interesting case study on the historical development of medical legislation, the Italian case is an important example of how hybrid legal frameworks on end-of-life care can develop from the intersection of civil disobedience campaigns, judicial rulings, and legislative interventions. In the future, similar historical trajectories may be followed by the legal systems of other Catholic-majority countries in Europe and the world.

“Life is a woman who loves you, wind in your hair, sunshine on your face, a night-time walk with a friend. Life is also a woman who leaves you, a rainy day, a friend who disappoints you. I am neither melancholic, nor a depressed maniac. Death horrifies me, but what I am left with is not life, merely the stubborn and senseless obstinacy to preserve some biological functions.”

Piergiorgio Welby, in his letter to President Giorgio Napolitano (22nd September 2006) (1)

Legal frameworks around end-of-life care have largely been developed by judicial systems via accumulation of legal precedents, with comparatively rarer legislative interventions. While this is of no surprise for common law systems like England, civil law systems in continental Europe have followed similar trajectories. The Italian case is of particular interest due to involvement in the bioethical debate of two contrasting actors: the Catholic Church and Radical Party.

The Church, mainly via the Italian Episcopal Conference (CEI), has repeatedly expressed its opposition to all forms of euthanasia, irrespective of patients’ wishes or mental capacity (2,3). In 1995, Pope John Paul II reaffirmed in the *Evangelium Vitae* encyclical that the Church only tolerates withdrawal of life-sustaining treatment when death is ‘imminent and inevitable’ (4). By contrast, campaigns in favour of legalisation of euthanasia have mainly been led by organisations affiliated with the Radical Party (PR). In 1984, PR member Loris Fortuna initiated the political debate around right-to-die legislation by introducing a first bill to legalise passive euthanasia (5,6). Since the presentation of a second bill in 2001, right-to-die campaigns in Italy have been mainly led by the Luca Coscioni Association for the freedom of scientific research (ALC), founded in 2002 by PR member and ALS patient Luca Coscioni to support embryonic stem cell research (7).

1998-2002: Legislative conundrums and the start of case-driven euthanasia legislation

Legislation on euthanasia in Italy is marked by a conflict between the Constitution (1948) and Criminal Code (1930). Article 32 of the Constitution states that ‘no one may be obliged to undergo any health treatment except under provisions of the law’ (8). However, the Criminal Code (CP) states that causing the death of another consenting individual (art. 579) or facilitating their suicide (art. 580) are punishable with up to fifteen years of incarceration (9). Like in other countries, a key point of contention among Italian legal scholars was thus whether consensual withdrawal of life-sustaining care amounts to abetting suicide. The question sprung to the front pages of national media in June 1998, when 50-year-old Ezio Forzatti entered the ICU of San Gerardo Hospital in Monza and, after threatening medical personnel with an

unloaded gun, turned off the ventilator of his wife Elena Moroni, who had been for several weeks in a coma due to cerebral oedema. At trial, Forzatti declared that he had abided by his wife's privately expressed wish not to remain in a state of prolonged unconsciousness and was sentenced to 6 years imprisonment for manslaughter (10). The ruling was appealed and in 2002 Forzatti was acquitted, as Moroni was judged to have 'already died' prior to withdrawal of ventilation (11). The ruling polarised Italian politics: while the centre-left viewed it as a call to develop laws to limit futile care in patients after brain death or persistent vegetative state (PVS), members of the centre-right government and of the Church, including bioethicist Cardinal Elio Sgreccia, defined it as a dangerous precedent in favour of the legalisation of euthanasia (12).

2006-2007: The Welby and Nuvoli cases and voluntary passive euthanasia

The case of PR activist and ALC co-president Piergiorgio Welby had the strongest impact on Italian right-to-die legislation and has been consistently cited in the global bioethical debate. Diagnosed at age 16 with an ill-defined form of muscular dystrophy (potentially severe facio-scapulo-humeral dystrophy) Welby had since the age of 52 required mechanical ventilation via permanent tracheostomy due to a respiratory crisis in July 1997 (13,14). In September 2006, Welby wrote to President Giorgio Napolitano asking for the right to die by withdrawal of life-sustaining care to be recognised for Italian citizens in similar circumstances (1). Napolitano's reply included a plea to Parliament for the issue to be debated (15). The only response was from Health Minister Livia Turco, who formally asked the High Council for Health Care (CSS) whether Welby's ventilation constituted a form of futile care in the face of imminent death, which the CSS denied (16). On 16th December 2006, the Civil Courts of Rome recognised Welby's right to refuse care but judged his request inadmissible due to absence of specific legislation to resolve the conflict between the Constitution and Criminal Code (17). Welby thus obtained euthanasia as a form of civil disobedience. On 20th December 2006, Welby died in the company of his wife Mina after anaesthetist Mario Riccio provided him with sedation and turned off his ventilator. The following day, Riccio declared his actions in a press conference with ALC members Marco Pannella, Marco Cappato, Emma Bonino, and Rita Bernardini (18).

The Welby case changed the legal framework on end-of-life care in Italy by establishing a key precedent. In February 2007, the Medical Association of Cremona closed their disciplinary action against Riccio, stating that his abidance by his patient's wishes could not be judged as a breach of the Medical Deontological Code (19). Riccio was also prosecuted under charges of consensual homicide (art. 579 CP) but acquitted in July 2007 as his duty to abide by patients'

decision to refuse treatment was judged to make him not punishable (art. 51 CP) (9,20). The ruling first established that a patient's right to refuse care included a right to passive euthanasia by refusal of life support. Indeed, only a few weeks beforehand the police in Alghero had had to intervene to stop ALC anaesthetist Tommaso Sciacca from turning off the ventilator of Giovanni Nuvoli, an ALS patient who had for months been campaigning for his right to die. Nuvoli thus went on a hunger strike that led him to his death on 23rd July 2007, on the day that the Welby ruling enshrined the right to voluntary passive euthanasia in Italian law (21).

The Church maintained its opposition to all forms of euthanasia during the Welby case. On 21st November 2006, the CEI restated the view of life as a 'non-disposable good' whose end cannot be freely determined and of euthanasia as 'diabolical deceit' masked by a 'veil of human pity' (22). After Welby's death Cardinal Camillo Ruini, Vicar General of the Rome Diocese, denied his family's wish for a religious funeral as Welby's intent had been repeatedly stated to the extent that granting a funeral would have amounted to introducing tolerance towards suicide in Catholic doctrine (23). Welby received a public secular funeral on 24th December 2006 (24).

2007-2009: The Englaro case and institutional conflict on non-voluntary euthanasia

The 2002 Forzatti ruling left many unresolved questions on end-of-life care for patients unable to provide consent. These came to the forefront of Italian societal debate with the case of Eluana Englaro, a woman from Lecco who spent 17 years in PVS after a car crash in 1992 at age 21. After Englaro's exit from coma into PVS, her parents asked for removal of artificial nutrition via nasogastric tube as in private Englaro had repeatedly stated that she saw death as preferable to survival in prolonged unconsciousness. Statements by Englaro's family and friends bearing witness to this were collated by her father Beppino into a request for withdrawal of artificial nutrition forwarded to the Civil Courts of Milan in 1999 (25). In October 2007, the Supreme Court ruled that artificial nutrition of PVS patients could be removed if clinical assessment was to judge any recovery of consciousness as not supported by evidence and if the patient's documented beliefs regarded PVS as incompatible with their 'idea of personal dignity' (26).

Based on this ruling, on 9th July 2008 the Milan Court of Appeals authorised Beppino Englaro to withdraw her daughter's artificial nutrition (25). Yet, both the nuns that cared for Englaro and the Lombardy region refused to interrupt Englaro's nutrition. Parliament voted in favour of a competence conflict with the Supreme Court, calling the ruling a 'substantially legislative act' (27). On 16th December 2008, Health Minister Maurizio Sacconi stated that healthcare

institutions willing to interrupt artificial nutrition would be removed from the National Health Service (28). Ultimately, after the European Court of Human Rights ruled that Englaro's family had taken all steps to ensure nutrition was removed lawfully, the Administrative Court (TAR) for Lombardy ordered that a facility be identified where Englaro could be allowed to die (29).

On 3rd February 2009, Englaro was transferred to a hospice in Udine where from 6th February a team of volunteer doctors and nurses began to gradually reduce her nutrition. That afternoon, however, the government led by Prime Minister Silvio Berlusconi, who had stated that Englaro looked healthy enough to 'hypothetically bear a child', issued a decree mandating artificial nutrition to all non-autonomous patients. President Napolitano refused to sign it, calling it unconstitutional (30-32). In response, the Council of Ministers converted the decree into a bill that was sent to the Senate for discussion in an emergency session on 9th February. The bill was never approved as debates were interrupted by the news of Englaro's death at 7:45 pm (33,34). A later autopsy confirmed that she had died of dehydration and that the extent of her cerebral injuries had made loss of consciousness irreversible. In January 2010, the Udine prosecutor's office therefore dropped the murder charges that had been pressed against both Englaro's family and her carers following her death (35).

The Englaro case caused an unprecedented conflict between branches of Italian administration, analogous to that of the Terri Schiavo case in the United States. The debate divided Italian society, with pro-choice (PR, ALC) and pro-life camps (CEI, Catholic organisations) staging several demonstrations. The key point of contention was whether artificial nutrition constituted a form of medical care, which patients would have a constitutional right to refuse, or rather a type of 'basic life support' that, according to the Church and the National Bioethics Committee (CNB), must be provided unless death is imminent (36). Notably, the CNB expressed this stance in 2005 and has since revised it, although even at the time it was in contrast with the US Supreme Court ruling on the Schiavo case, which had defined artificial nutrition as a medical treatment. The lengthy process that Englaro's family had to face for their daughter's wishes to be fulfilled further highlighted the normative vacuum on end-of-life care in Italy, initiating a decade-long journey towards the development of legislation on advanced healthcare directives (AHD – *testamento biologico*) for patients unable to consent.

2009-2017: Parliamentary progress and legalisation of passive euthanasia

The centrality of the Englaro and Welby cases in Italian society was not reflected in the political scene, as both the centre-left and centre-right camps tended to avoid a divisive topic like end-of-life care. In 2013, the ALC thus launched the ‘Legal Euthanasia’ citizen’s initiative in support of a bill integrating the Welby and Englaro rulings, which would have legalised passive euthanasia, decriminalised active euthanasia for patients with incurable diseases and introduced AHDs and lasting powers of attorney (LPA) for those wishing for euthanasia after irreversible loss of consciousness. The bill received over 60,000 signatures and was forwarded to the Chamber of Deputies in September 2013 but failed to be put to a vote before the dissolution of Parliament in 2018 (37,38).

In September 2015, ALC Treasurer and MP Marco Cappato also spearheaded the creation of a ‘parliamentary inter-group’ on AHDs, including 240 deputies and senators from the centre-left camp (39). The group put forward a bill introducing AHDs based on recommendations issued by the CNB, which was voted into law in December 2017 (40). The law (219/2017) legalised passive euthanasia, recognising the right of patients to refuse all care including artificial nutrition. It also introduced AHDs (*disposizioni anticipate di trattamento*) as documents that citizens can deposit in their municipality to express the wish to refuse any type of care in the future and to nominate an LPA to act as a proxy in interactions with the health service (41,42).

2017-2019: Assisted suicide – the Antoniani case and Cappato ruling

The 2017 law on passive euthanasia did not contain provisions regulating active euthanasia or assisted suicide (41). This led to a scenario akin to the current one in the United States and most European countries, with euthanasia only available to patients requiring life-sustaining care. The only option for patients wishing to obtain active euthanasia was to do so in Switzerland and it was one of these patients, Fabiano Antoniani (also known as ‘DJ Fabo’), that eventually led Italy to decriminalise assisted suicide.

Antoniani was a Milanese music producer left blind and tetraplegic by spinal cord trauma after a car crash in June 2014, at age 37. In January 2017, Antoniani sent several recorded messages to Parliament and President Sergio Mattarella asking for a vote on the 2013 ‘Legal Euthanasia’ bill, as he wished to die in his own country. Faced however with a lack of political responses, Antoniani contacted the ALC looking for support to obtain assisted suicide in Switzerland. On

26th February 2017, ALC treasurer Marco Cappato accompanied Antoniani and his family to a Dignitas clinic in Zurich, where he died after self-administering a lethal dose of pentobarbital (43). That same day, Cappato turned himself in to the police and asked to be tried under the charge of abetting suicide (art. 580 CP) in the hopes of forcing a normative change. The trial started in November 2017 but was suspended in February 2018 when the Criminal Courts of Milan referred the case to the Constitutional Court, asking for a constitutionality ruling on art. 580 of the CP (44,45). The Constitutional Court then postponed all decisions on the Cappato case to 24th September 2019 to give Parliament enough time to legislate on the matter (46).

In response to the Court's request, parliamentary debate on assisted suicide resumed in January 2019. While four separate bills to decriminalise or reduce punishments for assisted suicide were introduced, none of them was put to a vote before September, when the Constitutional Court intervened by ruling on the Cappato case (6,47). Defining article 580 of the CP as partly unconstitutional, the Court ruled that assistance to suicide is not punishable if patient's wish to die was formed 'autonomously and freely', because of 'irreversible disease causing intolerable physical or psychological suffering' that requires 'life-sustaining care' (48). Based on this ruling (242/2019), the Criminal Courts of Milan acquitted Cappato in December 2019 (49, 50).

The ruling was welcomed as a step forward by the ALC and other pro-euthanasia campaigners. It was first applied in July 2020, when the Criminal Courts of Massa acquitted Cappato and Mina Welby of the charge of abetting suicide for helping 53-year-old multiple sclerosis patient Davide Trentini obtain assisted suicide in Switzerland (51). Reactions from the Church were very negative. Pope Francis intervened restating that 'there is no right to arbitrarily dispose of one's life' and that medicine must 'reject the temptation to indulge patients' wish for death' (52). The CEI expressed its 'grave concern' and demanded that Parliament intervene to protect doctor and nurses' right to not engage in assisted suicide (53).

Since 2020: Ongoing issues and failed referendum on active euthanasia

Right-to-die legislation in Italy is still characterised by normative vacuums. The Cappato ruling did not clarify what treatment patients must receive for assistance to suicide to be unpunishable. The Trentini ruling specified that life-sustaining care encompasses all care 'whose interruption would lead to death', including medication (54). However, it is up to regional health services to determine if and how patients are allowed to die and, as assisted suicide is only decriminalised, patients must bear the cost. These issues were bespoken by the long

bureaucratic process that Federico Carboni, a 44-year-old tetraplegic man from Senigallia, faced to become the first case of assisted suicide in Italy (55). In September 2020, Carboni asked the regional health service for Marche to verify whether he met conditions for assisted suicide. After his request was denied, Carboni and ALC Secretary Filomena Gallo sued the health service, which in June 2021 was forced to conduct the assessment and determine the appropriate drug by the Courts of Ancona (55). After several specialist visits, the Ethics Committee for Marche concluded that Carboni met all conditions to access assisted suicide in November 2021 (56). On 9th February 2022, a commission named by the Marche health service defined the appropriate drug as 5 mg sodium thiopental (57). Carboni's last hurdle was the cost of self-infusion machinery (over €5,000), which the ALC covered through a fundraising campaign. On 16th June 2022, Carboni took his own life without fearing legal repercussions to those who had helped him fulfil his wish (58).

Physician-assisted dying in Italy remains precluded to patients incapable or unwilling to self-administer lethal drugs as the Cappato ruling did not alter the law on consensual homicide. In April 2021, the ALC started campaigning for a referendum aiming to legalise active euthanasia by decriminalising the crime of 'homicide of the consenting person' through a partial repeal of article 579 of the CP (59). The referendum proposal received over one million signatures in support but was declared inadmissible by the Constitutional Court in February 2022, as the lack of distinction between euthanasia and other forms of consensual death was seen to 'fail to ensure minimal constitutional protection of human life' (60).

Full legalisation of assisted suicide or active euthanasia would require *ad hoc* legislation to complement the 2017 passive euthanasia law. In July 2021 the Chamber of Deputies introduced a unified bill that integrated the 2019 Cappato ruling, detailing the steps patients would have to take to access assisted suicide (61). Importantly, the bill did not legalise active euthanasia, still excluded patients not on life-sustaining care (e.g. terminal cancer patients), and did not set time limits for decisions by regional healthcare services (62). Although the bill was approved by the Chamber in March 2022, it failed to be voted on by the Senate before Parliament was dissolved in July 2022. If any further development of right-to-die legislation in Italy is to occur, this will have to start anew in the next Parliament, elected in September 2022.

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References

- 1 Associazione Luca Coscioni. *Lettera aperta di Piergiorgio Welby al Presidente della Repubblica Giorgio Napolitano* (22nd September 2006). Available at: <https://www.associazionelucacoscioni.it/notizie/comunicati/gli-88-giorni-di-lotta-di-piero-welby>
- 2 Paul VI. *Pastoral Constitution On The Church In The Modern World — Gaudium et Spes*. Libreria Editrice Vaticana (1965). Available at: https://www.vatican.va/archive/hist_councils/ii_vatican_council/documents/vat-ii_cons_19651207_gaudium-et-spes_en.html
- 3 *Catechism of the Catholic Church*, 2nd edition. Libreria Editrice Vaticana (2012) Available at: https://www.vatican.va/archive/ENG0015/_INDEX.HTM
- 4 John Paul II. *Evangelium Vitae*. Libreria Editrice Vaticana (1995). Available at: https://www.vatican.va/content/john-paul-ii/en/encyclicals/documents/hf_jp-ii_enc_25031995_evangelium-vitae.html
- 5 Loris Fortuna et al. *Proposta di Legge: Norme sulla tutela della dignità della vita e disciplina della eutanasia passiva*. Camera dei Deputati (19th December 1984). Available at: https://documenti.camera.it/_dati/leg09/lavori/stampati/pdf/24050001.pdf
- 6 Luisiana Gaita. *Eutanasia legale, 40 anni di leggi incompiute e tentativi a vuoto del Parlamento: ecco perché il referendum è l'ultima chance in il Fatto Quotidiano* (4th July 2021). Available at: <https://www.ilfattoquotidiano.it/2021/07/04/eutanasia-legale-40-anni-di-leggi-incompiute-e-tentativi-a-vuoto-del-parlamento-ecco-perche-il-referendum-e-lultima-chance/6245584/>
- 7 Camera dei Deputati. *Proposta di legge di iniziativa popolare: legalizzazione dell'eutanasia*, (2001). Available at: <https://www.uaar.it/laicita/eutanasia/20e.html>
- 8 Senato della Repubblica. *Constitution of the Italian Republic* (1st January 1948). Available at: https://www.senato.it/documenti/repository/istituzione/costituzione_inglese.pdf
- 9 Gazzetta Ufficiale della Repubblica Italiana. *Codice Penale (Testo coordinato ed aggiornato del Regio Decreto 19 ottobre 1930, n. 1398)* (19th October 1930). Available at: <https://www.normattiva.it/uri-res/N2Ls?urn:nir:stato:regio.decreto:1930-10-19;1398>
- 10 *Condannato a 6 anni per eutanasia della moglie in la Repubblica* (20th June 2000). Available at: <https://www.repubblica.it/online/societa/eutanasia/condanna/condanna.html>
- 11 *Staccò il respiratore della moglie: assolto al processo d'appello in la Repubblica* (24th April 2002) Available at: <https://www.repubblica.it/online/cronaca/eutanasia/assolto/assolto.html>
- 12 *Eutanasia: politici ed intellettuali si dividono in Il Corriere della Sera* (24th April 2002). Available at: https://www.corriere.it/Primo_Piano/Cronache/2002/04_Aprile/24/eutanasiareazioni.shtml

- 13 Bock, M., Ciarrocchi, V. & Wiedermann, C. J. Case involving end-of-life decision issues in Italy. *Intensive Care Med* **33**, 1041-1042, doi:10.1007/s00134-007-0632-0 (2007).
- 14 Cinzia Scuto. *Mina Welby: Piergiorgio Welby, una vita per la libertà* in *MicroMega* (2009)
- 15 Associazione Luca Coscioni. *Risposta del Presidente della Repubblica, Giorgio Napolitano, alla lettera aperta di Piergiorgio Welby.* (23rd September 2006). Available at: <https://www.associazionelucacoscioni.it/notizie/comunicati/risposta-del-presidente-della-repubblica-giorgio-napolitano-alla-lettera-aperta-di-piergiorgio-welby>
- 16 Ministero della Salute. *Il dolore del Ministro per la morte di Welby.* (20th June 2006). Available at: <https://web.archive.org/web/20070110164902/http://www.ministerosalute.it/dettaglio/phPrimoPiano.jsp?id=366>
- 17 Tribunale di Roma – I Sezione Civile. *Ordinanza del 16 dicembre 2006.* (16th December 2006) Available at: <https://www.eius.it/giurisprudenza/2006/150>
- 18 Radio Radicale. *Conferenza Stampa dell'Associazione Luca Coscioni per annunciare la morte di Piergiorgio Welby.* (21st December 2006) Available at: <http://www.radioradicale.it/scheda/213998/conferenza-stampa-dell'associazione-luca-coscioni-per-annunciare-la-morte-di>
- 19 Radio Radicale. *Incontro con i giornalisti di Andrea Bianchi sul caso di Piergiorgio Welby.* (1st February 2007). Available at: <http://www.radioradicale.it/scheda/217008/incontro-con-i-giornalisti-di-andrea-bianchi-sul-caso-di-piergiorgio-welby>
- 20 *Welby, prosciolto il medico Riccio: "Aveva il dovere di assecondare il malato"* in *la Repubblica* (23rd July 2007). Available at: <https://www.repubblica.it/2007/07/sezioni/cronaca/welby-medico/welby-medico/welby-medico.html>
- 21 *"Giovanni si è lasciato morire di inedia": il dolore della moglie di Nuvoli* in *la Repubblica* (23rd July 2007). Available at: <https://www.repubblica.it/2007/07/sezioni/cronaca/welby-medico/nuvoli-morto-di-inedia/nuvoli-morto-di-inedia.html>
- 22 Conferenza Episcopale Italiana. *Messaggio per la 29ª Giornata per la vita del 4 febbraio 2007 - Amare e desiderare la vita.* (21st November 2006). Available from: http://banchedati.chiesacattolica.it/documenti/2006/11/00012185_messaggio_per_la_29_giornata_per_la_vita_.html
- 23 Vicariato di Roma. *Comunicato stampa in merito alla richiesta di esequie ecclesiastiche per il defunto Dott. Piergiorgio Welby.* (22nd December 2006) Available at: <http://www.romasette.it/uploads/57f117c3-14f6-e969.pdf>
- 24 Radio Radicale. *Funerale laico di Piergiorgio Welby.* (24th December 2006) Available at: <http://www.radioradicale.it/scheda/214148/funerale-laico-di-piergiorgio-welby>
- 25 Corte d'Appello – Milano – Sezione Civile. *Decreto del 9 luglio 2008.* (9th July 2008) Available at: https://it.wikisource.org/wiki/Decreto_Corte_d%27Appello_di_Milano_9_luglio_2008

- 26 Suprema Corte di Cassazione. *Sentenza n.21748/2007*. (16th October 2007) Available at: https://it.wikisource.org/wiki/Sentenza_Corte_di_Cassazione_n._21748-2007
- 27 Senato della Repubblica. *Documento XVI n. 1 - XVI Legislatura*. (25th July 2008). Available at: <https://www.senato.it/service/PDF/PDFServer/BGT/619543.pdf>
- 28 Maurizio Sacconi. *Atto d'indirizzo in materia di stati vegetativi, nutrizione e idratazione*. (16th December 2008). Available at: <https://federalismi.it/AppOpenFilePDF.cfm?artid=11811&dpath=document>
- 29 *Eluana, la Corte di Strasburgo respinge il ricorso delle associazioni in il Sole 24 ORE*. (22nd December 2008) Available at: <https://st.ilssole24ore.com/art/SoleOnline4/Italia/2008/12/eluana-strasburgo.shtml>
- 30 *Eluana, ancora polemiche. Scontro Governo-Quirinale in l'Unione Sarda* (9th February 2009) Available at: <https://web.archive.org/web/20140226132347/http://www.unionesarda.it/articoli/articolo/105065>
- 31 *Eluana, il governo approva il decreto. Stop di Napolitano: è incostituzionale in la Stampa* (7th February 2009). Available at: <https://web.archive.org/web/20090209073754/http://lastampa.it/redazione/cmsSezioni/politica/200902articoli/40753girata.asp>
- 32 Presidenza della Repubblica. *Il Presidente Napolitano non procede all'emanazione del decreto legge sul caso Englaro*. (6th February 2009). Available at: <https://web.archive.org/web/20090213210403/http://www.quirinale.it/Comunicati/Comunicato.asp?id=37892>
- 33 Senato della Repubblica. *Disegno di legge N. 1369*. (9th February 2009). Available at: https://www.senato.it/japp/bgt/showdoc/frame.jsp?tipodoc=Ddlpres&leg=16&id=393277&part=doc_dc-articolato_ddl
- 34 Senato della Repubblica. *Disegno di legge d'iniziativa dei senatori d'Alia e Fosson – Disposizioni in materia di accanimento terapeutico*. (6th February 2009). Available at: <https://www.parlamento.it/service/PDF/PDFServer/DF/209128.pdf>
- 35 *Eluana: il pm chiede l'archiviazione. "Non fu omicidio volontario" in la Repubblica* (28th November 2009) Available from: <https://www.repubblica.it/2009/11/sezioni/cronaca/englaro/englaro/englaro.html>
- 36 Comitato Nazionale per la Bioetica. *L'alimentazione e l'idratazione dei pazienti in stato vegetativo persistente* (30th September 2005) Available at: <https://bioetica.governo.it/pareri/pareri-e-risposte/lalimentazione-e-lidratazione-dei-pazienti-in-stato-vegetativo-persistente/>
- 37 Camera dei Deputati. *Proposta di legge d'iniziativa popolare – Rifiuto di trattamenti sanitari e liceità dell'eutanasia*. (13th September 2013). Available at: <http://documenti.camera.it/leg18/pdl/pdf/leg.18.pdl.camera.2.18PDL0001020.pdf>

- 38 *Eutanasia. Radicali depositano in Parlamento proposta di legge di iniziativa popolare in QuotidianoSanita.it* (13th September 2013) Available at: https://www.quotidianosanita.it/governo-e-parlamento/articolo.php?articolo_id=16904
- 39 Matteo Mainardi – Associazione Luca Coscioni. *Intergruppo parlamentare per le scelte di fine vita.* (9th March 2021). Available at: <https://www.associazionelucacoscioni.it/notizie/comunicati/intergruppo-parlamentare-le-scelte-fine-vita>
- 40 Comitato Nazionale per la Bioetica. *Parere – Disposizioni anticipate di trattamento.* (18th December 2003). Available at: https://web.archive.org/web/20170928005408/http://bioetica.governo.it/media/172222/p58_2_003_dichiarazioni_anticipate_trattamento_it.pdf
- 41 Gazzetta Ufficiale della Repubblica Italiana. *Legge 22 dicembre 2017, n. 219.* (22nd December 2017). Available at: www.gazzettaufficiale.it/eli/id/2018/1/16/18G00006/sg
- 42 Elisabetta Povoledo. *Italy to Allow Living Wills and the Refusal of End-of-Life Care in The New York Times* (14th December 2017). Available at: <https://www.nytimes.com/2017/12/14/world/europe/italy-living-will-end-of-life-right-to-die-assisted-suicide.html>
- 43 *"Dj Fabo è morto alle 11.40": il tweet di Marco Cappato in RaiNews.* (27th February 2017). Available at: <https://www.rainews.it/archivio-rainews/articoli/Eutanasia-Svizzera-Dj-Fabo-morto-alle-11-e-40-tweet-di-Marco-Cappato-134280ef-e4e5-4fa0-a4a6-150ba46cf2eb.html>
- 44 *Processo Cappato: dalla morte di Dj Fabo alla Consulta, le tappe del caso in la Repubblica* (24th October 2018). Available at: https://milano.repubblica.it/cronaca/2018/10/24/news/dj_fabo_aiuto_al_suicidio_consulta_marco_cappato-209848379/
- 45 I Corte d'Assise di Milano. *Ordinanza del 14 febbraio 2018.* (14th February 2018). Available at: https://1-jus.it/ordinanza-del-14-febbraio-2018-della-i-corte-d-assise-di-milano/#_ftn11
- 46 Ufficio Stampa della Corte Costituzionale. *Caso Cappato, vuoti di tutela costituzionale. Un anno al Parlamento per colmarli.* (24th October 2018) Available at: https://www.cortecostituzionale.it/documenti/comunicatistampa/CC_CS_20181024184707.pdf
- 47 *Eutanasia, 5s e Lega provano a mediare: verso ridefinizione dell'aiuto al suicidio in il Fatto Quotidiano* (5th June 2019) Available at: <https://www.ilfattoquotidiano.it/2019/06/05/eutanasia-5s-e-lega-provano-a-mediare-verso-ridefinizione-dellaiuto-al-suicidio/5234802/>
- 48 Corte Costituzionale. *Sentenza n. 242/2019.* (23rd December 2019) Available at: <https://www.associazionelucacoscioni.it/wp-content/uploads/2019/11/Corte-Costituzionale-242-2019-1.pdf>

- 49 I Corte d'Assise di Milano. *Sentenza nella causa penale a carico di Cappato Marco*. (23rd December 2019). Available at: <https://www.associazionelucacoscioni.it/wp-content/uploads/2021/08/sentenza-M.-Cappato.pdf>
- 50 Associazione Luca Coscioni. *Il processo a Marco Cappato, punto per punto*. Available at: <https://www.associazionelucacoscioni.it/processo-marco-cappato-punto-punto>
- 51 Associazione Luca Coscioni. *Davide Trentini: il processo contro Mina Welby e Marco Cappato*. Available at: <https://www.associazionelucacoscioni.it/davide-trentini-sul-procedimento-mina-welby-marco-cappato>
- 52 Pontifical Academy for Life. *Discorso del Santo Padre Francesco alla Federazione Nazionale degli Ordini dei Medici Chirurghi e degli Odontoiatri*. (20th September 2019). Available at: <https://www.academyforlife.va/content/pav/it/notizie/2019/questioni-sul-fine-vita.html>
- 53 *Dallo "sgomento" della Cei alla soddisfazione del Pd: "Salvaguardate umanità e dignità" in la Repubblica* (25th September 2019) Available at: https://www.repubblica.it/cronaca/2019/09/25/news/suicidio_assistito_le_reazioni_alla_sente_nza_della_consulta-236939014/
- 54 Corte d'Assise di Massa. *Sentenza N. 994/17*. (27th July 2020). Available at: <https://www.associazionelucacoscioni.it/wp-content/uploads/2020/09/Sentenza-Massa.pdf>
- 55 Associazione Luca Coscioni. *Il caso di "Mario" che chiede la morte assistita in Italia e porta in tribunale la Asl punto per punto*. Available at: <https://www.associazionelucacoscioni.it/il-caso-di-mario-che-chiede-la-morte-assistita-in-italia-e-porta-in-tribunale-la-asl-punto-per-punto>
- 56 Comitato Etico Regionale delle Marche. *Risposta ai quesiti*. (9th November 2021). Available at: <https://www.associazionelucacoscioni.it/wp-content/uploads/2021/11/Estratto-parere.pdf>
- 57 ASUR Marche. *Relazione del Gruppo Tecnico Multidisciplinare sulle modalità, metodica e farmaco prescelti da Fabrizio Carboni*. (9th February 2009) Available at: https://www.associazionelucacoscioni.it/wp-content/uploads/2022/02/scansione_11_02.pdf
- 58 Elisabetta Povoledo. *Man Paralyzed 12 Years Ago Becomes Italy's First Assisted Suicide* in *The New York Times* (16th June 2022) Available at: <https://www.nytimes.com/2022/06/16/world/europe/italy-assisted-suicide.html>
- 59 Gazzetta Ufficiale della Repubblica Italiana. *Annuncio di una richiesta di referendum abrogativo*. (21st April 2021). Available at: <https://referendum.eutanasialegale.it/wp-content/uploads/2021/05/annuncio-referendum-gazzetta-ufficiale.pdf>
- 60 Ufficio Stampa della Corte Costituzionale. *Comunicato del 15 febbraio 2022 – Inammissibile il referendum sull'omicidio del consenziente*. (15th February 2022). Available at: https://www.cortecostituzionale.it/documenti/comunicatistampa/CC_CS_20220215193553.pdf

- 61 Camera dei Deputati – Documentazione Parlamentare. *Disposizioni in materia di morte volontaria medicalmente assistita (A.C. T.U. 2 e abb.)*. (10th March 2022). Available at: http://documenti.camera.it/leg18/dossier/pdf/Cost154.pdf?_1647254462605
- 62 *Suicidio assistito, Cappato: “Inviamo proposte di emendamenti affinché la legge sia utile. Superare discriminazioni e lungaggini”* in *il Fatto Quotidiano* (11th December 2021). Available at: <https://www.ilfattoquotidiano.it/2021/12/11/suicidio-assistito-cappato-inviamo-proposte-di-emendamenti-affinche-la-legge-sia-utile-superare-discriminazioni-e-lungaggini/6422936/>