

T- 332 de 2017 y T- 544 de 2017. Two new cases of euthanasia

The decision adopted in the judgment T-322 of 2017 studied the case of an adult over 91 years old, who requested euthanasia, due to the loneliness he was going through, added to his precarious state of health and advanced age . The Court did not protect dignified death if not a dignified life, and this decision introduces a novel concept in the jurisprudence of euthanasia that calls the duty of **circumscribed verification** that "judges and health care institutions, in the case of requests raised by adults older and directed to the practice of the euthanasia procedure, they must carefully analyze the circumstances of each case, in order to establish whether the request involves a call for attention in the face of a situation of vulnerability and abuse, and thus establish which be the "correct performance of public authorities to guarantee the effective enjoyment of fundamental rights."

Decision T-544 of 2017. The Court reviewed the case of a children who suffered from various diseases that caused him serious suffering; a situation in front of which his parents asked to make effective the right to die with dignity of his son, but a request that was not answered. Despite the death of the child , the Court made several clarifications: (i) children have the right not to be unreasonably differentiated for the recognition and effectiveness of their rights, and all persons and authorities must guarantee the integral and simultaneous satisfaction of all of your rights that are universal. " The Court stated that the right to a dignified death of the minor had been violated due to the negligence of the EPS, together with the lack of regulation of the matter in the case of these subjects of special protection, which prevented corroboration if the determined requirements were met to carry out the euthanasia procedure.