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## **Portugal: president Rebelo de Sousa sends euthanasia law to Constitutional Court. “Legal uncertainty”**

The president of the Portuguese Republic, Marcelo Rebelo de Sousa, has sent the euthanasia law passed by Parliament on 29 January to the Constitutional Court for review. It did it as soon as the law was sent to him for ratification. The request for review, which was sent to the Court yesterday, 18 February, was not made to ascertain “whether euthanasia, as a concept, is or is not in compliance with the Constitution” but rather whether the adopted law is. In particular, for the president, some elements of the legislation appear “vague”, such as, for instance, the wording “unbearable suffering” on which grounds the patient can ask for euthanasia. Since the concept of suffering implies “a strong element of subjectivity”, “it is not clear how this suffering should be measured”, whether from the patient’s exclusive perspective or based on a physician’s assessment. The same principle applies to the wording “definitive injury of extreme severity”: if “the only criterion associated with the injury is its definitive character, and nothing referring to its fatal nature”, why resort to the anticipation of death, which may not occur as a result of the injury? According to the president, “it does not seem that the legislator provides doctors with a secure legislative framework that can guide their actions”. The legislator “created a situation of legal uncertainty that should be avoided in such a sensitive matter”, which has consequences for “everyone involved: patients, health professionals, and citizens in general, who are deprived of a clear and secure framework, on such a complex and controversial topic”.

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