

Abstract

A demand for requested death in the human society seems to be increasing nowadays. In some countries, there has been such an institute legitimized. However, this demand is not usually accepted by the branches of state power. The main argument against the right for assisted life ending is often appointed as, what is so called, right for life. These are the appointments in international and national documents, which guarantee opportunity of human beings' lives, as a unique organism. This appointment first appears in Universal Declaration of Human Rights, which is then used in every other document dealing with basic human rights. Because of some sort of unclear thoughts, when deeper analysing right for life, it is possible to contest and disagree with an interpretation of above mentioned institute and its place of shield against positive efforts of setting the human's right of a decision, how and when to end the life. The problem seems to lie right in the creation of such an institute – which interpretation have had people, who have been creating original document, on their minds? Another unclear thoughts seem to appear in the effort of setting a subject and the content of the mentioned right. The main point is, if the right-for-lifeholder is a human after or before the birth and if before, when exactly. In the intrauterine life? Are right-of-lifeholders even only human sex-cells? There is another unclear content about appointment of death penalty ban, which seems to be discriminative. Particularity towards victims of crime scenes, because the state guarantees life to the offenders and does not to those victims. A victim loses process capability and so loses possibility to exercise right of life towards the state. So state cannot guarantee life, but does not give to a person legal possibility to waive the right for life. According to the biological characteristics, the life is an autonomy process, that means, natural duty (as an opposite to natural law), which, due to absence of possibility to give up the exercise right for life, is getting legally positive duty, which is not positively and expressly set in the rule of law. So it opposes to the Charter of Fundamental Rights and Freedoms. So, appealing to the request of appointing the right for life in combating any efforts in appointing opportunity to end life might seem to be legally inappropriate.