

CHAPTER V

CLOSING

A. Conclusion

Euthanasia problem has been around a long time, and so far a dilemma that cannot be resolved. Although there are some states that legalized it, still in the context of the euthanasia law cannot be justified because of the actions kill other people is a criminal act.

The Netherlands as the country which decriminalized of euthanasia has a right to protect and regulated the euthanasia practices based on their regulation, and euthanasia practice in Indonesia still prohibited. The prohibition of euthanasia contained in some articles in Indonesia Legislation which is still valid today. However, the formulation may make it difficult for law enforcement to implement or conduct prosecutions under the provisions. Indonesia explicitly prohibited the euthanasia practice because it is not in accordance with the values of decency, morality, and religion.

Based on the explanation above, The Netherlands and Indonesia has the right to protect their citizen include to running euthanasia practices based on sovereignty theory which owned of The Netherlands and Indonesia as the members of United Nation.

The application of international law in the national legal system is much more difficult to understand than that of national law in the international legal system. This is because the laws of different countries very greatly in the respect.

Based on the dualism theory, assumed that the international law and national law are two separate legal systems which exist independently of each other. So, the Netherland and Indonesia has the right to regulate the euthanasia practice based on their own regulation.

B. Suggestion

To solve the problem of the euthanasia practice, it should be noted the consideration of the ability to obtain medical services better is not possible anymore, it can be done such as stopping the treatment of the patient, it means bringing the patient home and leaving the patients in proper treatment, and the United Nation as the International Organization have to make the specific regulation regarding with euthanasia practice in order to minimize debatable argument between state members.