



# Laws of Death

26 May 2017

# INDEX

1. WHERE ARE WE?
2. WHAT DOES IT MEAN?
3. WHAT CAN WE DO?
4. AND IF WE DO NOTHING?



# 1. Where are we?



# 1. Where are we?

In a near future we may have therapies that:

- makes us live longer and healthier
- reverse some side-effects from ageing and therefore live better
- Cryopreserve some tissues or parts of humans (organs)
- Gene edition (Chimera) or IT modification (Cyborg)
- (Maria Blasco)?
- (Aubrey de Grey)?
- (Javier Cabo&Ramon Risco)?
- (Juan Carlos Izpisúa) or (Ricardo Ruiz mentioned AI as a breakthrough in dermatologic diagnoses)?

Until the above works out full body cryopreservation is an emergency solution? ... Max More?



# 1. Where are we?

- Lawyers in a scientific summit?
  - Maybe because all of the above has already legal and ethical problems or simply because the Law starts to be the last obstacle to science
  - Good thing as a Lawyer, I just have to answer to my self WHAT IF?
- What is DEATH?
  - Clinical DEATH  
( “basically” heart stops and there is an apparent death)
  - Biological DEATH  
(“basically” irreversible damages in brain function and no viable life)



# 1. Where are we?

- And LEGAL DEATH? When does that exactly happens?
  - (IN SPAIN) Art 10 of RD 2070/1999 when there is an irreversible cessation of the cardiorespiratory function or of the encephalic function
  - Legal death is a conventionalism based in apparent death, but because of fear or uncertainty... we can not have a too easy way to consider us legally death



## 2. What does this mean?



## 2. What does this means?

- Legal death is a conventionalism based in apparent death



- To the left and close to clinical death it may be better to organ donation or potentially cryopreservation
- To the right is more irreversible death and more “secure” as Law will ensure that we use every bullet to keep us alive





## 2. What does this mean?

- Prior to Legal Death we are “protected”
  - Homicide, Aide to Suicide or Euthanasia
- After Legal Death we do not exist

BAD THING ... your personality comes to an end... in heritage happens, your obligations are over but your right as well (so forget about keeping your money)

GOOD THING? You may dispose of your body?



## 2. What does this mean?

- When you are legally DEAD:
  - Can we influence in any thing?
    - Prior to Death through Living will (or advance health care instructions)  
....about when not to be reanimated
    - Last will  
.... about what to do with my body
- Could be ask not to be reanimated? and to dispose our body to cryopreservation as soon as possible?
  - IN SPAIN to first question depending on the alternatives there different answers and to the second mainly NO.



### 3. What can we do?



### 3. What can we do?

- We should enter into a deep and full reflexion about if we need a Law of Death (Life)
- Pre-dead situations as Legal death can not rely on an easy concept to be granted but there could be a window where your personal decision should be the main criteria
- *Suspended animation situations*
- *Human modified (Chimeras&Cyborgs)*



## 4. And if we do nothing?



## 4. What does this mean?

- It is not another simple Law... its also a Law about Life
- Better in a proper secure legal environment. Stablish a precedent
- Globalization means delocalization. This is already happening and will happen for sure in Cyberspace



# Muchas gracias

Carlos Rodríguez Sau

[carlos.rodriquezsau@ecixgroup.com](mailto:carlos.rodriquezsau@ecixgroup.com)





[WWW.ECIXGROUP.COM](http://WWW.ECIXGROUP.COM)

