

TREATY PROVISIONS ON THE RIGHT TO LIFE

- International Covenant on Civil and Political Rights (Article 6)
- Charter on Human and Peoples' Rights (Article 4)
- African Charter on the Rights and Welfare of the Child (Article 5)
- Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Article 4)
- Arab Charter on Human Rights (Article 5, 6)
- European Convention for the Protection of Human Rights and Fundamental Freedoms (Article 2)
- American Declaration of the Rights and Duties of Man (Article 1)
- American Convention on Human Rights (Article 4)
- Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women "Convention of Belém do Pará" (Article 4)

INTERNATIONAL:

International Covenant on Civil and Political Rights

REGIONAL:

AFRICAN SYSTEM ON THE RIGHT TO LIFE

1) African Charter on Human and Peoples' Rights

ARTICLE 4

Human beings are inviolable. Every human being shall be entitled to respect for his life and the integrity of his person. No one may be arbitrarily deprived of this right.

2) African Charter on the Rights and Welfare of the Child

Article 5: Survival and Development

1. Every child has an inherent right to life. This right shall be protected by law.
2. ...ensure, to the maximum extent possible, the survival, protection and development of the child.
3. Death sentence shall not be pronounced for crimes committed by children.

3) Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa

Article 4: The Rights to Life, Integrity and Security of the Person

1. Every woman shall be entitled to respect for her life and the integrity and security of her person. All forms of exploitation, cruel, inhuman or degrading punishment and treatment shall be prohibited.

2. States Parties shall take appropriate and effective measures to:

a) enact and enforce laws to prohibit all forms of violence against women including unwanted or forced sex whether the violence takes place in private or public;

b) adopt such other legislative, administrative, social and economic measures as may be necessary to ensure the prevention, punishment and eradication of all forms of violence against women;

c) identify the causes and consequences of violence against women and take appropriate measures to prevent and eliminate such violence;

d) actively promote peace education through curricula and social communication in order to eradicate elements in traditional and cultural beliefs, practices and stereotypes which legitimise and exacerbate the persistence and tolerance of violence against women;

e) punish the perpetrators of violence against women and implement programmes for the rehabilitation of women victims;

MIDDLE EAST AND NORTH AFRICA

1. ARAB CHARTER ON HUMAN RIGHTS

Article 5

1. Every human being has the inherent right to life.

2. This right shall be protected by law. No one shall be arbitrarily deprived of his life.

Article 6

Sentence of death .. only for the most serious crimes in accordance with the laws ... at time of commission ... pursuant to a final judgment by a competent court. Anyone sentenced to death shall have the right to seek pardon or commutation of the sentence.

EUROPEAN SYSTEM ON THE RIGHT TO LIFE

1. Convention for the Protection of Human Rights and Fundamental Freedoms

Article 2

1. Everyone's right to life shall be protected by law. No one shall be deprived of his life intentionally save in the execution of a sentence of a court following his conviction of a crime for which this penalty is provided by law.

2. Deprivation of life shall not be regarded as inflicted in contravention of this article when it results from the use of force which is no more than absolutely necessary:

- a. in defence of any person from unlawful violence;
- b. in order to effect a lawful arrest or to prevent the escape of a person lawfully detained;
- c. in action lawfully taken for the purpose of quelling a riot or insurrection.

2. Protocol No. 6 to the Convention for the Protection of Human Rights and Fundamental Freedoms concerning the abolition of the death penalty as amended by Protocol No. 11

Article 1 – Abolition of the death penalty

The death penalty shall be abolished. No-one shall be condemned to such penalty or executed.

Article 2 – Death penalty in time of war

A State may make provision in its law for the death penalty in respect of acts committed in time of war or of imminent threat of war; such penalty shall be applied only in the instances laid down in the law and in accordance with its provisions. The State shall communicate to the Secretary General of the Council of Europe the relevant provisions of that law.

3. Protocol No. 13 to the Convention for the Protection of Human Rights and Fundamental Freedoms, concerning the abolition of the death penalty in all circumstances

Being resolved to take the final step in order to abolish the death penalty in all circumstances,

Have agreed as follows:

Article 1 – Abolition of the death penalty

The death penalty shall be abolished. No one shall be condemned to such penalty or executed.

INTER-AMERICAN SYSTEM ON THE RIGHT TO LIFE

1. American Declaration of The Rights and Duties of Man

Article I. Every human being has the right to life, liberty and the security of his person.

2. American Convention on Human Rights

Article 4. Right to Life

1. Every person has the right to have his life respected. This right shall be protected by law and, in general, from the moment of conception. No one shall be arbitrarily deprived of his life.
2. In countries that have not abolished the death penalty, it may be imposed only for the most serious crimes and pursuant to a final judgment rendered by a competent court and in accordance with a law establishing such punishment, enacted prior to the commission of the crime. The application of such punishment shall not be extended to crimes to which it does not presently apply.
3. The death penalty shall not be reestablished in states that have abolished it.
4. In no case shall capital punishment be inflicted for political offenses or related common crimes.
5. Capital punishment shall not be imposed upon persons who, at the time the crime was committed, were under 18 years of age or over 70 years of age; nor shall it be applied to pregnant women.
6. Every person condemned to death shall have the right to apply for amnesty, pardon, or commutation of sentence, which may be granted in all cases. Capital punishment shall not be imposed while such a petition is pending decision by the competent authority.

3. Inter-American Convention to Prevent and Punish Torture

Article 13

[...]

Extradition shall not be granted nor shall the person sought be returned when there are grounds to believe that his life is in danger, that he will be subjected to torture or to cruel, inhuman or degrading treatment, or that he will be tried by special or ad hoc courts in the requesting State.

4. Protocol to the American Convention on Human Rights to Abolish the Death Penalty

PREAMBLE

Article 1

The States Parties to this Protocol shall not apply the death penalty in their territory to any person subject to their jurisdiction.

5. Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women "Convention of Belém do Pará"

Article 4

Every woman has the right to the recognition, enjoyment, exercise and protection of all human rights and freedoms embodied in regional and international human rights instruments. These rights include, among others:

- a. The right to have her life respected;
- b. ...

Article 7

The States Parties condemn all forms of violence against women and agree to pursue, by all appropriate means and without delay, policies to prevent, punish and eradicate such violence and undertake to:

- a. [refrain from engaging in any violence against women]
 - b. apply due diligence to prevent, investigate and impose penalties ...
 - c. include in their domestic legislation penal, civil, administrative ...
 - d. adopt legal measures to require the perpetrator to refrain from harassing, intimidating or threatening the woman or using any method that harms or endangers her life or integrity, or damages her property;
 - e. take all appropriate measures, including legislative measures...
 - f. establish fair and effective legal procedures for women ...
 - g. establish the necessary legal and administrative mechanisms to ensure that women subjected to violence have effective access to restitution, reparations or other just and effective remedies; and
 - h. adopt such legislative or other measures as may be necessary to give effect to this Convention.
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