

Universal Periodical Review

**United Kingdom of
Great-Britain
and Northern Ireland**



**Right to Life
and related human rights issues**

22^{sd} of September 2016

“From the politics of taking life to the politics of affirming it”

“We understand the right to life as being the right not to be killed and so forth as being each and everyone’s responsibility not to kill”.

Introduction

The Center for Global Nonkilling has a unique mission that is both inspirational for individuals and transformative for societies:

“To promote change toward the measurable goal of a killing-free world by means open to infinite human creativity in reverence for life”.

The Center for Global Nonkilling (CGNK), successor of the Center for Global Non-violence (1988-2009), was founded by Glenn Paige, retired political science Professor, author of the book “Nonkilling Political Science”. The CGNK is a worldwide congregation of scholars working to create societies that do not kill. It has ECOSOC special consultative status since 2014.

The right to life

All human rights are universal, of equal importance, indivisible, interlinked and mutually reinforcing. They are the human and legal values enshrined in our human nature and at the source of our skills and capacities, as needed, to create dignity, more humane and sustainable future and history; the bases needed to live and achieve a fulfilling life, so forth caring for our survival on a healthy planet.

Compared to other human rights, the right to life has three specific features:

- a. If dignity can be said to be the paramount human right because present when each and all human rights are fulfilled, *the right to life can be said to precede all other human rights*: if life is taken all other human rights are cancelled¹. Conversely, granting and giving solid ground to the right to life and to the quality of life is the base needed for the peaceful progress and proactive fulfillment and completion of all human rights.
- b. There are no possible limitations or restrictions to the right to life: one is either alive, or not. Issues pertaining to the beginning and to the end of life such as reproductive rights, abortion, suicides and euthanasia, as well as prenatal and genetic engineering, should be dealt with in a preventive, humane and sustainable manner, in full dignity and in full respect of all other human rights. Similarly, the use of force should either be avoided or limited and utmost attention is to be given to prevent situations which may result in loss or losses of lives, or in any maiming. Any use of force should be monitored by an independent mechanism.
- c. The right to life is also the duty not to kill. Therefore the right to life is a fully reciprocal universal right: granted to all, but also in need of being granted and protected by everyone, for each and everyone.

Other human rights

All human rights are needed to fulfil a safe and happy life. However, some human rights may be of more direct importance, either for the full realisation of the right to life or to avoid breaches of the right to life.

The Center for Global Nonkilling attaches a special importance to the *human right to peace* as human rights can only progress and be coordinated, be reciprocally fulfilled, in a peaceful

environment. Regarding the right to peace, the Universal Declaration of Human Rights states (article 28):

*“Everyone is entitled to a social and international order
in which the rights and freedoms set forth in this Declaration
can be fully realized”.*

Such an order can only be a peaceful order.

Furthermore, peace and peaceful methods provide means to solve conflicts without aggravating them and, as may be, addresses them in a reconstructive way. Conflicts solved peacefully make it easier to draw lessons learned from all situations and to design preventive policies to overcome future similar difficulties. Moreover, peace is the tool needed for the simultaneous realisation of all human rights. As an example, the freedom of conscience, thought and religion and the freedom of expression need to be peacefully coordinated to reciprocally express themselves.

The *human right to a healthy environment*, thus sustaining humanity and life on Earth, deserves accurate attention as life can only be sustained and offered to future generations in a lasting and healthy environment.

Other specific human rights pertaining to the right to life, including inter alia the *right to security*, the *right to adequate standard of living* and the *right to health* will be addressed as needed or as means permit.

A. Background and framework

I. Scope of international obligations

1. The Center for Global Nonkilling honors the ratification by the United Kingdom of Great-Britain and Northern Ireland of CCPR and its optional protocol on the abolition of the Death Penalty. The United Kingdom has henceforth demonstrated its attachment to life and to the value of life. We commend the fact that the United Kingdom supports and encourages the abolition of the death penalty worldwide.

2. To pursue its efforts, to achieve and supersede Sustainable Development Goal 16.1, namely to “Significantly reduce all forms of violence and related death rates everywhere²” and to progressively achieve a killing-free society through life sustaining legal structures and by adequate policies:

We also encourage the Government of the United Kingdom to urgently ratify the Convention on Enforced Disappearance (CED) and its optional protocol.

In this regard, despite the fact that the United Kingdom is not reported as having pending cases of enforced disappearances by the Working Group on Enforced Disappearances³, CGNK deplors that the supported recommendations 56.22 of the 1st UPR cycle and 110.22 to 110.26 of the 2nd UPR cycle have not been implemented.

3. According to its mid-term report (2014), 2460 children under the age of 18 were recruited in the British armed forces during the period 2012/2013⁴.

We reiterate UPR recommendations made to the United Kingdom to withdraw its reservation to the OP-CRC-AC, reservation allowing children to be recruited in the armed

forces since the age of 16 and in certain circumstances to be sent to fight in combat zones⁵.

4. To enhance the protection of human rights, to limit discrimination and to establish new human rights protection mechanisms, to allow requesting advisory opinions from the European Court of Human Rights:

We encourage the United Kingdom of Great-Britain and Northern Ireland to urgently ratify Protocols 7, 12 and 16 of European Convention of Human rights.

II. Constitutional and legislative framework

5. The texts making the constitution of the United Kingdom do not forbid death penalty, nor do they enhance the right to life and to a good life.

Though death penalty is forbidden by other international texts to which the UK is party,

We encourage the United Kingdom to enhance the visibility of, and therefore the respect for life and for the right to life in its constitution, as through specific laws and policies.

III. Institutional and human rights infrastructure and policy measures

6. Policies regarding enhancement and fulfillment of human rights, more over of the right to life are not, besides previous UPR's national reports, presently visible as the subject of an overarching policy or a full report allowing all stakeholders to have a full overview of UK's human rights policy, locally as abroad.

Such a report would avoid "development gaps" such as policies that are required abroad but not fulfilled locally and would henceforth facilitate progress of human rights on a worldwide equal basis. They would also open up human rights issues to all stakeholders at all times and not only during the UPR process.

As examples of this possible progress, human rights policies and policy reports are largely present – namely and as such: human rights policies – in the Foreign Affairs and the Commonwealth office⁶ but they are absent (again as such though they may be present or reported for under other titles) in the Department for International Development⁷ or, to our humble knowledge, in any other departments.

Therefore, we hereby encourage the United Kingdom of Great-Britain and Northern Ireland (and as may be other countries) to set up Human Rights policies abroad as locally in a single yearly report.

7. We commend the fact that the UK has, as encouraged to, an international cooperation budget of 0.7% of GNI⁸.

However, the part of that cooperation budget devoted to human rights enhancement is not directly visible in the statistics on international development⁹.

Henceforth, we encourage the United Kingdom (and as may be other countries) to disaggregate budget statistics to show spending for human rights and related topics.

B. (...)

C. **Implementation of international human rights obligations**

1. **The right to life**

Living happily

Please remember that every life counts.

Generally speaking, life is well respected, protected and promoted in Kingdom of Great-Britain and Northern Ireland. Here is an overview, sometimes highlighting aspects of the protection of the right to life in need of improvements.

- a. Children are duly registered at birth, thus being fully recognized in their living existence¹⁰.
- b. Infant mortality rate is the 14th best in the world¹¹.
- c. Abortion is safely monitored and not permitted on request only. However, compared to other similar European countries, rates are a bit high¹².

We encourage the United Kingdom to do more abortion prevention.

- d. Homicide rates in the UK (0.9/100'000) are low compared to the rest of the world (6.9/100'000 inhabitants, 2013) or to Europe (3/100'000 inhabitants). However, as it ranks only 33rd country in the world¹³.

We encourage the United Kingdom to establish a plan to fulfill SDG 16.1 and to lower homicide rates.

- e. Traffic fatalities are one of lowest in the world (3rd). (2.9/100'000)¹⁴.
- f. Life expectancy is high (20th in the world), with an average of 81.2 years of living for both gender, 83 years for females, 79.4 years for males.

Nevertheless, if ranking of life expectancy is disaggregated through gender, the UK is only the 27th country for females and the 16th for males. This difference goes to say that, in the UK, females die sooner than males compared to world averages and sooner as well than in most other Western European countries¹⁵.

We encourage the United Kingdom to explain, or to make an attempt at explaining this discriminatory difference and if the explanation permits it, to overcome it.

- g. We here recall that suicides amount to more than half of all violent deaths in the world¹⁶ and that the World Health Organisation has recommended including suicide prevention in human rights protection¹⁷. Preventing suicide is or should be a primary task, a governmental duty for the protection of the right to life.

The data available worldwide is slowly becoming outdated (2012), however suicide rates in the UK are low, generally speaking (6.9/100'000) and compared to world average (11.4/100'000). However, the UK only ranks 65th out of the 170 countries listed in 2012.

We encourage the United Kingdom to do more suicide prevention.

It must also be highlighted that for 14 suicides committed, 11 are committed by males, most of them being above 30 years of age¹⁸.

Henceforth, we highly encourage the United Kingdom to explain why so many males commit suicide, to address the problem and to demonstrate that solutions have been found, ideally before the forth cycle of the UPR.

- h. Similarly, efforts to prevent occupational fatalities¹⁹ and people from injuring themselves during outdoor and other leisure activities need to be sustained and improved.
- i. Assisted suicide is illegal in the UK. However, everyone has the right to decide upon its medical treatment and to make advance decisions regarding them²⁰.

The general overview of the situation of the right to life in the United Kingdom shows that if life is largely respected and honored, some problems still need to be addressed and much more can still be done to have life valued and cherished for and by each and all.

Therefore, we encourage the United Kingdom to improve culturally and legally the quality of life and respect for the right to life and to set up prevention policies and mechanisms as needed to prevent unnecessary losses of life and breaches of the right to life.

- j. Furthermore, CGNK salutes the existence of a Ministerial Board on death in custody and of its subsequent bodies²¹. An easily available statistical chart on the number of deaths in custody, showing the reduction of this number through the action of the Board would be appreciated. The latest report states that the causes of death are natural (67%), self-inflicted (23%) – a very high figure compared to the rate of suicides in the population – and others non-defined causes²².

As worldwide statistics on the number of deaths in custody are lacking, we encourage the Government of the United Kingdom, and other governments, to prepare a framework, as well as best practices to record and avoid deaths in custody.

2. **Other human rights issues related to the right to life**

Tough preceding other rights, the right to life would be void if other human rights are not fulfilled as well.

- a. The *right to health* is of major importance for the fulfillment of the right to life. Further research is needed on the relation between these two rights.

- b. To satisfy all the rights needed to sustain life and to achieve the *right to an adequate standard of living* for all, according to article 11 of CESCR and to achieve so forth freedom from want

We encourage the United Kingdom to adopt a basic unconditional income²³.

- c. To enhance *the right of participation* in the decision-making process, as granted in article 25 of CCPR,

We encourage the United Kingdom to explore new ways to practice democracy and to reinforce participation of, truthfully informed, citizens.

We also encourage the United Kingdom to explore new ways to enhance the effective participation of youth in the decision-making process and, case being, in peace processes, as recommended by Resolution 2250 of the Security Council²⁴.

d. The *right to peace* deserves special attention to fulfill the right to life.

Armed violence directly kills around 500'000 persons yearly²⁵. It is less than traffic (1'250'000²⁶) or tobacco (5'000'000~27), but it is nevertheless of greater scope because of the burden of war and fear it imposes on humanity and because of the burdens the costs of security, immensely high²⁸, impose on other sectors of society and on well-being improvement.

As a member of the Security Council and the Human Rights Council, the United Kingdom should be a foremost and coherent example of peace, peace policies and the progress of peace, for the respect of the right to life, here and everywhere.

Bearing this in mind, the Center for Global Nonkilling encourages the United Kingdom to accept peace as being a human right²⁹, to progressively and duly limit arms transfer³⁰ and to faithfully participate in nuclear disarmament negotiations³¹.

As stated in the 13th of June appeal on the links Human Rights and Security, peace and security issues are deeply related³². Therefore the signing of the major peace and disarmament treaties is a way to enhance peace and human rights protection.

Therefore CGNK calls upon the United Kingdom to ratify the Hague Conventions on the Protection of Cultural Property in Case of Armed Conflict, as well the 5th Protocol of the Convention on Conventional Weapons, on remnants of war³³.

e. The *right to due remedy and or to reparation* sometimes needs to find solution in present times for deeds done in the past. Between 1967 and 1973, the total population on the Chagos archipelago in the Indian Ocean, more than a thousand persons, was expelled from the islands. Under the Statute of the International Criminal Court this would constitute a crime against humanity³⁴. Though some compensation has been paid in the following years, those wishing to return have not, since then, been permitted to do so.

To ensure that life can be lived where it belongs and to bring peaceful solutions to the issue, we encourage the United Kingdom to show good will on the matter.

Conclusion

The value of life – the very essence of our existence and the base of our common destiny – finds proper factual recognition in the United Kingdom of Great-Britain and Northern Ireland, as life is well respected there and as breaches to the right to life are few and rare. However, life could be highlighted better in legal and official texts, policies and practices, as well as in international security policies. A more direct and comprehensive “life promoting and preserving policy” could progressively bring the United Kingdom of Great-Britain and Northern Ireland to become one of countries working for the construction of a nonkilling world.

¹ The Human Rights Committee, in its draft comment 36 (2015) on the right to life describes life this way: “It is the supreme right from which no derogation is permitted. The right to life has profound importance both for individuals and for society as a whole.

It is most precious for its own sake, but also serves as a basic right, facilitating the enjoyment of all other human rights”.

1 <http://www.ohchr.org/EN/HRBodies/CCPR/Pages/GC36-Article6Righttolife.aspx>

2 <https://sustainabledevelopment.un.org/sdg16>

3 <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G16/167/14/PDF/G1616714.pdf?OpenElement>

4 <http://www.ohchr.org/EN/HRBodies/UPR/Pages/UPRImplementation.aspx> (United Kingdom, p. 16).

5 Recommendation 110.8 of the second UPR cycle,

6 https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-11-b&chapter=4&clang=en

7 <https://www.gov.uk/government/policies?organisations%5B%5D=foreign-commonwealth-office>

8 <https://www.gov.uk/government/policies?organisations%5B%5D=department-for-international-development>

9 https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/512978/Provisional-UK-Official-Dev-Ass-Proportion-Gross-Nat-Income2015a.pdf

10 https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/482322/SID2015c.pdf

11 <http://data.unicef.org/child-protection/birth-registration.html>

12 <2/1000, http://www.childmortality.org/index.php?r=site/graph&ID=ISL_Iceland;

13 https://en.wikipedia.org/wiki/List_of_countries_by_infant_mortality_rate#UN_Iceland

14 14.2 for a 1.000 women aged between 15 and 44. Statistics on abortions, legal or not, are still very partial worldwide.

15 http://www.un.org/en/development/desa/population/publications/pdf/policy/WorldAbortionPolicies2013/WorldAbortionPolicies2013_WallChart.pdf

16 922 fatalities in 2012, 1.5/100.000, 602, 0.9/100’000, 2013.

17 <http://apps.who.int/gho/data/view.main.VIOLENCEHOMICIDEv>,

18 https://en.wikipedia.org/wiki/List_of_countries_by_intentional_homicide_rate

19 http://www.unodc.org/documents/esh/pdfs/2014_GLOBAL_HOMICIDE_BOOK_web.pdf

20 1827 fatalities, 2.9/100.000 2013. World average is at 17.4/100’000, <http://apps.who.int/gho/data/node.main.A997>

21 82 (84 for females, 81 for males), <http://apps.who.int/gho/data/node.main.688?lang=en>,

22 https://en.wikipedia.org/wiki/List_of_countries_by_life_expectancy

23 « Preventing suicide. A global imperative . World health organization. Geneva, 2014, page 7.

24 «Preventing suicide ...», p. 56.

25 World rate is estimated at 11.4/ 100’000. In the UK, 4360 fatalities in 2012, 6.9/100.000. Overall decreasing since year 2000. .

26 « Preventing suicide ... », p. 87 http://apps.who.int/iris/bitstream/10665/131056/1/9789241564779_eng.pdf,

27 https://en.wikipedia.org/wiki/List_of_countries_by_suicide_rate.

28 148 fatalities, decreasing, http://www.ilo.org/ilostat/faces/help_home/data_by_country/country-details/indicator-details?country=GBR&subject=INJ&indicator=INJ_FATL_SEX_OCU_NB&datasetCode=YI&collectionCode=YI&afLoop=77800052323213#%40%40%3Findicator%3DINJ_FATL_SEX_OCU_NB%26subject%3DINJ%26_afLoop%3D77800052323213%26datasetCode%3DYI%26collectionCode%3DYI%26country%3DGBR%26_adf.ctrl-state%3Ds7zr6i2xo_229

29 <http://www.nhs.uk/aboutNHSChoices/Pages/NHSChoicesintroduction.aspx>.

30 <http://iapdeathsincustody.independent.gov.uk>

31 <http://iapdeathsincustody.independent.gov.uk/wp-content/uploads/2016/09/IAP-End-of-Term-Report-2016.pdf>

32 https://en.wikipedia.org/wiki/Basic_income

33 http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_res_2250.pdf

34 <http://www.genevadeclaration.org/measurability/global-burden-of-armed-violence/gbav-2015/executive-summary.html>

35 https://en.wikipedia.org/wiki/List_of_countries_by_traffic-related_death_rate

36 <http://www.who.int/mediacentre/factsheets/fs339/en/>

37 The Institute for Economics and Peace estimates the costs of violence containment at 9.43 trillions or at 11% of world GDP.

38 <http://economicsandpeace.org/wp-content/uploads/2015/06/The-Economic-Cost-of-Violence-Containment.pdf>

39 Resolution 32/28 of the Human Rights Council, 1st of July 2016.

40 http://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/RES/32/28

41 <https://www.sipri.org/yearbook/2015/10>

42 Open Ended Working Group on nuclear disarmament, <http://www.unog.ch/oewg-ndn> and International Court of Justice

43 <http://www.ici-cij.org/docket/index.php?p1=3&p2=1&code=&case=160&k=cf>

44 <https://www.admin.ch/gov/en/start/documentation/media-releases.msg-id-62152.html>

45 https://ihl-databases.icrc.org/applic/ihl/ihl.nsf/vwTreatiesByCountrySelected.xsp?xp_countrySelected=GB

46 https://www.icc-cpi.int/nr/rdonlyres/ea9aef7-5752-4f84-be94-0a655eb30e16/0/rome_statute_english.pdf, article 7, letter d.