

Nonkilling and the Right to Life

through

The Universal Periodic Review Of all Countries At the Human Rights Council



Three first years (2015-2018)

*Report prepared by Christophe Barbey,
Main Representative of CGNK at the United Nations in Geneva.*

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Summary

The right to life and the nonkilling imperative find new ways to progress using the United Nations' Universal Periodic Review of States. So far at the United Nations or elsewhere, the Center for Global Nonkilling is the only NGO that has taken a comprehensive approach to the right to life and for the preservation of all individual and collective lives.

Using the space given to NGO's in the Universal Periodic Review, a peer to peer procedure which brings all UN member States to discuss the situation of human rights in their country every four years, the Center for Global Nonkilling has been able to highlight the situation of life and of its various aspects, as a guaranteed fundamental right, on a selected number of topics and in a selected number of countries.

This report presents the setting up of this work started in 2015, creating a framework to report either in wholesome manner on all aspects of life in a given country or using a shorter but completely systematic approach, making short reports on all countries where there is salient lack of international legal recognition of the right to life, in its greater collective dimension: since 2017, we do short reports for all the countries that have not yet ratified the 1948 genocide convention.



When doing a comprehensive report for a country, we monitor all the international legal obligations, the constitution and sometimes some local laws to see how life is promoted and protected therein. Using statistics and other available information, we also do a thorough analysis of the situation of life in all its aspects in the given country. Then we do kind recommendations for improvements. We complete this report work with diplomatic networking to get States to give more influence to our reports, by making official recommendations to the concerned State. We also regularly do oral and sometimes written statements to the Human Rights Council to draw attention and enhance cooperation on important issues, either for the concerned country, on general issues regarding the Right to life or for improvements of the Human Rights Council functioning or procedures.

On the long run, these comprehensive reports will allow us to do a follow up every time the State under review comes again to Geneva for its next Universal Periodic Review every four years and if need be, to make new recommendations for progresses at preserving and saving lives.

This type of report has also allowed us, when needed, to pinpoint or attract attention on sometimes hidden problems regarding the right to life such as, inter alia, unexpected discriminations in longevity between men and women (i.e. in the UK, where women die sooner compared to the rest of Europe) or on particularly high suicide rates in some vulnerable groups (often youth and males, but also elder people in some countries).

Regarding suicides, our systematic advocacy has resulted, with the diplomatic help of benevolent countries, in the tacit recognition that suicide prevention is a State duty under the right to life. It must be noted that this result, made in a peer to peer procedure, has been done step by step, without much “fanfare” or better, without fights or contestations. Henceforth, more work remains to be done, but when the time comes for the principle to grow out in the open, as an example in a resolution, we will already have a solid background to get accepted by all, as it is already accepted and practiced by many.

This prevention and advocacy work has also helped to connect the work of the World Health Organization on suicide prevention and on other life concerned topics with the work of the UN's Human Rights infrastructure.

In the future, given more means to do our work, we would like to augment the number of countries for which we do comprehensive reports and to extend our systematic short reporting to the countries that still retain the death penalty and that have not yet ratified the convention on enforced disappearances. It would also be highly beneficial to be able to present our work more, to get more studies done on some aspects of the right to life (as an example we need to know in which countries suicide is still a criminal offence) and to gain greater participation in the reporting process from NGO's coming from the studied countries, inciting them on the long run to do their own reporting.

General presentation

When the United Nations (UN) created the Human Rights Council (HRC) in 2006, a new human rights procedure was created: The Universal Periodic Review (UPR). This mechanism imposes on every Member-State of the UN – by now almost all countries of the world¹ – to undergo every four years and a half a peer review by all other Member States of its human rights record. The purpose of the procedure is to incite States to openly expose their human rights situation, to accept or note (to refuse) recommendations made by other States on their human rights situation and to measure progresses made when they come again for a passage in front of the UPR working group and the Human Rights Council four and half years later². At the end of 2016, the value of the procedure has been confirmed as all States have participated in the process twice, thus confirming the universal nature of human rights worldwide and the progresses needed therefore.

The mission of the Center for Global Nonkilling (CGNK) is to promote change toward the measurable goal of a killing-free world by means open to infinite human creativity. For this purpose, we work for the empowerment of people and institutions by doing research, publications, monitoring, training and policy making, advocacy. Part of this work is done at the United Nations and in other international organizations. At the United Nations, using human rights procedures, our main focus of work is the right to life. At the Human Rights Council, we use the Universal Periodic Review to address the situation of life in many, if not yet in all countries.



At the United Nations Palace in Geneva, the UN flag siding a painting with article 3 of the universal declaration of human rights on the right to life.

All human rights are inherent to all human beings. They are universal, equal and indivisible, inalienable, interdependent and mutually reinforcing. However, the right to life precedes all other human rights: if life is cancelled, all human rights are cancelled³. Every life is worth living, in its full span. Life and longevity are legally and philosophically expressed through the right to life. Enjoying a fulfilled life, where each and every one can thrive happily, using all available opportunities is the right and should be the choice of everyone. Preventing infringements on the right to life, attaining and progressing towards nonkilling is the responsibility all of us; we are all a center for global nonkilling.

Fulfilling the right to life is a measurable and ongoing process, directed at accidental and intentional deaths, at injuries and violence as such or as they pertain possible infringements on the right to life. Living a life worth living, a happy, creative and participative life entails that sufficient standards of living are guaranteed. In some specific fields, the right to life includes other basic rights, inter alia the right to a legal identity and to a birth registration, the right to a nationality and the right to longevity. In many fields of human life, progresses towards diminishing the occurrences of unwanted deaths are on their way. In other fields, the dangers facing life may be growing or in dire need of being addressed.

The work remaining to celebrate life in all its potentials and to avoid all preventable deaths is tremendously important; millions of lives are at stake and they should always be saved. Good will is present, yet in need of high improvement; workers are few and the needed resources too often scares.

¹ By now all the countries of the world with an undisputed status are members of the UN, thus making the organization somehow nearly universal.

² All the official information on the UPR is available on the website of the Office of the High Commissioner for Human Rights: <http://www.ohchr.org/EN/HRBodies/UPR/Pages/UPRMain.aspx>
A database of all the recommendations made is kept updated on the website of the NGO UPR-info: <https://www.upr-info.org/database/>

³ 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”.
<http://www.ohchr.org/EN/HRBodies/CCPR/Pages/GC36-Article6Righttolife.aspx>

Promoting and valuing of life

The full respect of and for life, prevention of all situations where life may be lost or wasted, is a goal we shall all cherish, it is vested at the heart of human values.

The Universal Declaration of Human Rights states at its article 3: “Everyone has the right to life, liberty and security of person”. All subsequent human rights treaties turn this moral value into a legal duty: The Covenant on Civil and Political Rights⁴ (1966) and all regional human rights treaties.

The right to life is also fully part of customary law. Most often, though in many various ways, the right to life is present in national constitutions and its protection is always present in criminal laws⁵.

The meaning we give to life and to our lives, our understandings and definitions of it will shape not only our own lives; they will shape our world as a whole, presently and for the future.



In Geneva, by the lake side, a temporary art work showing a sphere surrounded by people holding hands.

Respect for life is, at first, a matter of education and thereupon of choices, behaviors and attitudes, not the least because prevention is the only way to protect life. Thereupon, social, cultural and political infrastructures, opportunities and well-being all have a major influence on the accomplishment and the betterment of life for all. Inasmuch, it is the individual person who commits itself to a nonkilling life and so forth who engages itself in holding others and institutions accountable for the right to life and to a good life.

The worth and the beauty, the value and the respect of life, and for life, need to be enshrined in the individual’s personality, instinctively as consciously, but as well in all academic and political spheres, in all decisions. This

task, the valuation of life by each and all for all, is easier when the concerned person has the opportunities and is given the knowledge needed to lead a life worth living, henceforth offering the same to others. Fulfilling life in happiness and peace, with all basic needs covered, shall be done by each and all through accurate political, social and economic structures and policies⁶.

The right to life, as granted to all, bears also a full reciprocal duty: the duty not to kill. The right to life is given to all, but also by all to all. Legally, there are no possible exceptions to the right to life: there is whatsoever no *right* to kill. As an exception, law sometimes recognizes – under strict control – a *power* to kill. But it is because these are only exceptions to the right to life, and because these shall always be brought under legal scrutiny that there is no right, but only a power to kill. They are only three of these exceptions and as said they are always highly limited. *It is our full intention to address these exceptions until they disappear and we shall see to it that they regress into oblivion and history books only.*

The contested powers to kill are: 1) Self-defense, under some circumstances only and by proportionate means only. We add that this right to self-defence is only valid if prevention as failed, then by retorting with non-violent means only, which should never lead to a killing or even a maiming. 2) Humanitarian law permits killing of enemies in case of aggression or war. However, human rights are still valid in case of war and the right to life should therefore always prevail. Under the United Nations charter, in a strict and

⁴ Article 6: “1. Every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life. (...)”

⁵ Further research is needed to highlight to right to life in regional human rights treaties and in constitutions.

⁶ Interestingly enough, the Universal Declaration of Human Rights, article 28, states: “Everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized”. This includes life ! The work being done on infrastructures for peace is also worth mentioning. See as an example (and forthcoming works): <http://www.demilitarisation.org/spip.php?rubrique99>

literal reading, war should never happen, it is illegal⁷. And in case of aggression, individual or collective self-defense is only permitted until the Security Council is ceased of the issue⁸. 3) Finally, in some countries, death penalty is legally permitted⁹.

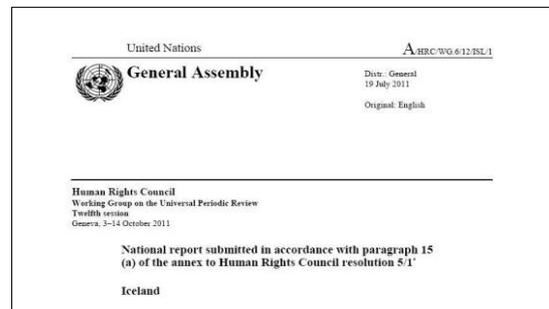
Nonkilling is more than a theoretical approach, it is a historical path humanity is walking, a goal in need of being fulfilled as fast as possible for many people in many regions of the world, a necessary task ahead of us. A closer analysis shows that the processes confirming the universal importance of life are progressing worldwide, we are reaping our first success at the Human Rights Council and many of our objectives will be reinforced and achieved by the accomplishment of the Sustainable Development Goals¹⁰.

The Universal Periodic Review

The Universal Periodic Review favors in depth and regular monitoring of the progresses made for the respect of all human rights, including the right to life, by all States. Suggestions for possible progresses can freely be made to Member States and if need be, accountability can be required or imposed.

The Universal Periodic Review of the State under Review (SUR) is prepared well in advance by making three reports:

- A first report is made by the country itself.
- A second report is done by the Office of the High Commissioner for Human Rights (OHCHR) listing the legal and factual situation of Human Rights in the country under review, as know by the Office. Other UN entities make suggestions as well.
- The third report is a compilation, done also by the OHCHR, of the submissions made by the other stakeholders. These can be made by National Human Rights Institutions (NHRI), other International Organizations and by Non-Governmental Organizations (NGO's) or even by any other concerned person or group of persons.



The Center for Global Nonkilling started submitting stakeholder's reports in 2015. Many NGO's focus inter alia on abortion or the death penalty, but so far no other NGO has had a general focus on all the aspects of the implementation of the Right to Life, be it through the UPR process, but also at the Human Rights Council or in the United Nations at large.

This pioneering work brings to the UN and further a greater and broader view of what life is and of how it needs to be valued, guaranteed and protected to achieve nonkilling in all fields of human activity.

⁷ United Nations Charter, article 2, § 3 & 4: 3. "All Members shall settle their international disputes by peaceful means in such a manner that international peace and security, and justice, are not endangered. 4. All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations."

⁸ Article 51: "Nothing in the present Charter shall impair the inherent right of individual or collective self-defence if an armed attack occurs against a Member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security. Measures taken by Members in the exercise of this right of self-defence shall be immediately reported to the Security Council and shall not in any way affect the authority and responsibility of the Security Council under the present Charter to take at any time such action as it deems necessary in order to maintain or restore international peace and security."

⁹ For a more detailed analysis of these exceptions, see C. Barbey, *Non-militarisation and countries without armies. A necessary step towards non-killing Institutions*, in « Non-killing security and the State », p. 153 - 179, Center for Global Nonkilling, May 2013. Hawaii.

¹⁰ The Sustainable Development Goals is a concrete project for the good future of all humanity, the first one ever. They have their website here: <https://sustainabledevelopment.un.org/topics/sustainabledevelopmentgoals>
Most references, including statistics of this section related to SDG's are taken from : "Health in 2015: from MDGs, Millennium Development Goals to SDGs, Sustainable Development Goals", World Health Organisation, Geneva, 2015, available here: http://apps.who.int/iris/bitstream/10665/200009/1/9789241565110_eng.pdf

The first two years of CGNK's work (2015-2016) have been used to build the reporting canvas, to uncover all the specific fields and issues pertaining to the right to life and to gather the legal, statistical and bibliographical sources and references needed to build cohesive and effective reports for the countries under review we chose. This has allowed us to draw a blueprint that gives a full "cliché" at a given time, a comprehensive approach of all the issues concerned by the right to life, in a given country. This has been done progressively, one or two countries at the time. The third year (2017) has been used, though with limited resources, to cover more countries, using the full "cliché" for some, but focusing only on most pressing or salient issues for many others, usually the urgent need of ratification of life protecting treaties and the abolition of the death penalty. This – doing more submissions – also had as a purpose to augment our visibility. The ideal would be for us to be able to cover all countries of the world thoroughly, or at least for the most needed issues.

There are three UPR sessions yearly, all in Geneva. In each of them, fourteen countries are reviewed. At every session, the State under review presents its report, answers questions from other States and receives numerous recommendations – usually more than a hundred – given for possible improvements of their human rights situation. The final report of the session, compiled by the State and two other States (a troika), is submitted to the Human Rights Council a few weeks later. It contains the recommendations issued by other States; most of them being approved by the State under review, some others being only "noted" – refused or received but without being given further action. NGO's cannot intervene during the review itself (the working group of the UPR), but they have the possibility to speak about it at the Human Right Council, before the approval of the final report.

Our choices, both for countries and subtopics addressed, have been at the start rather empirical, if not random. Countries selected so far are presented hereafter, as well as the list of topics covered, with their relevant sources of information. The exploratory phase now being over, we move ahead with a more systematic approach. For future choices of countries, it is evident that reporting again on previously selected countries, when they start returning for their review at their next passage, will provide great tools of comparison and progress. Working on these countries again should be an absolute priority. For the others, the fastest we get at addressing them all, the better and the greater the results will be.

Adding more countries at every session will requires more planning, funding and human resources than what we presently have. As our canvas and methods of analysis have progressed, some of the pioneering work can be turned into routines, but the work load remains consequent and will equal, for a comprehensive analysis of the right to life in a given country, a week of work to prepare the report, to follow it up through the UPR session itself and thereafter at the Human Rights Council for the adoption of the final report, where new written and oral statements can be added.

Supplementary networking should be done, locally but not only, to build coalitions and to find other speakers, to spread and enhance the nonkilling vision and to gather direct information from the field, adding independent sources and witnesses to official reports and statistics. Moreover, participation by and with local actors is empowering, it is awareness and action building for each and all, everywhere.

PART ONE: **The right to life**

1. **Life as an overarching right and an ever deeper delight**

Life takes many forms and it takes wisdom, knowledge, peace, love, sound practices and well understood instincts, humane infrastructures to sustain it. The United Nations and its specialized organizations, as well as all national and international laws, education and prevention are among some of these essential infrastructures and practices needed for the respect of the right to life.

Either through *Jus Cogens* (customary law) or through the obligations they have accepted, States are or should be at the service of the lives and well-being – without exceptions! – of the people present on their territory and further.

Looking at how States do this, through the right to life and other relevant human rights obligations, using the Universal Periodic Review among diverse possible procedures, is one of the ways offered to enhance the quality and the sustainability of life for each and all, as well as a good way to monitor the progresses made by State institutions and by others, towards this paramount goal: a good life for all, universally.

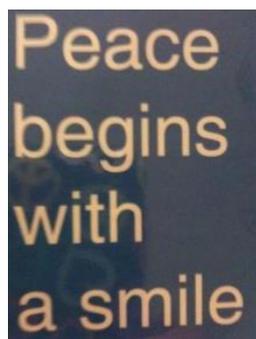
This scrutiny process of the right to life and its applications within States starts by looking at the legal and moral obligation of states. It then goes on looking at various, if not all, aspects of life from conception until death, giving special attention to what shortens life and conversely to what improves it.

So forth, we also look at the rights to peace and security as they are largely needed to fulfill the right to life. Similarly the right to minimum standards of living is an essential right, to give at least the basic means to live and live well. Ideally, we should pay more attention to the right to health, especially regarding communicable and easily preventable fatal diseases; the right to health is a human right of its own, though largely related to the right to life. Ideally, the right to a safe environment should be studied deeper and worked on more thoroughly, as it is also directly related to the right to life. However, presently the various aspects of some of these rights go beyond the scope and possibilities of our work.

This overall approach to the right life was presented through a general oral statement delivered at the Human Rights Council by CGNK's main representative on the 27th of June 2016¹¹.

2. **The legal obligations of States**

There are many ways to protect life and to enhance the protection of life. The legal infrastructure, be it local or international, though not absolute, gives a solid base to how life should be protected.



For our comprehensive submissions, we look at the local constitution, sometimes at other relevant local laws and at life enhancing or protecting policies. In 2017, we also started to focus more directly on countries late at building the legal infrastructures needed to prepare the full implementation of the right to life in their own country. In short versions of our submissions, we confined ourselves to the legal issues, to the international treaties protecting life, sometimes adding the local constitutions or some needed issues. Such smaller reports are done faster, about a day of work for each, eventually hoping to cover all fourteen countries under review at each session, or at least the ones in dire need of improving their legal relation to life and the right to life.

a. **National law**

➤ First, we look at the **constitution** of the country to see how the right to life is expressed therein, how life is valued and cherished in national laws and in subsequent policies, further at how this reflects the local culture regarding life and the respect for life.

If improvements can be made, we mention them. It is frequently the case. Constitutions are often old and hard to change, our worldwide constitutional order being in deep need of greater enlightenment and of more

¹¹ See our webpage for the text and the video: <http://nonkilling.org/center/nonkilling-monitoring-programs/nonkilling-activity-at-the-un>

respect, for life as for the people, as such and as for sustainability, for our common universal future as locally.

Constitutions may contain dispositions regarding life or the right to life in the preamble, in the section on human rights, but also in the sections regarding police and armed forces, on the use of force and emergency powers, in the judicial structure as the judiciary branch of government serves to, or should serve to provide proper remedies for breaches of human rights.

Regarding the use of force, we systematically ask for, require an independent control of any use of force going beyond the legitimate containment of violence and peaceful processes of arrest; moreover in all cases of maiming or killing by public forces, an independent and public inquiry should be made. Usually independent judicial control of any imprisonment is the norm (habeas corpus), though applications can still be improved worldwide, more than not to prevent enforced disappearances. Independent control of the use of force could be done by usual judicial or better specific bodies, autonomous ombudsmen or national human rights institutions.



➤ To improve the quality of constitutions, it must be mentioned that **democratic and participative rights** (referendum, initiatives, consultations ahead of lawmaking and petitions rights), as they can ask for, or incite constitutional changes, are very important. Now that democracy has substantively progressed geographically, we frequently call for the progress of participative democracy to enhance its quality¹².

b. International legal obligations of the State under review.

➤ The ratification of the Convention on the prevention and the punishment of the crime of **Genocide** is an absolute necessity as genocide is mass killing. We launched in the spring 2018, as did the special adviser of the UN secretary-general on the prevention of genocide and atrocity crimes, a campaign to systematically challenge, through the UPR, all the countries that have not yet ratified the convention. Through our submissions and other lobbying means, we will systematically insist on having it done.

➤ The ratification of the **International Covenant on Civil and Political Rights** (CCPR) is essential as it contains the right to life. Similarly, if not ratified, if doing a submission, we will systematically insist on having it done.

➤ Then there are various legal international instruments abolishing the **death penalty** including the optional protocol n° 2 of the above mentioned CCPR specifically made to abolish death penalty. Here again, we insist on ratification. If the country still practices the death penalty, we encourage the country to change its policy, using specific replies to the country's own arguments attempting at legitimizing it or either CGNK's own arguments. If the country is abolitionist but the law still permits the death penalty, we encourage legal change and however, complete ratification of all international and regional instruments abolishing the death penalty.



¹² It is not un-necessary to recall the content of the article 25 of the Covenant on Civil and political rights (CCPR), which reads: "Every citizen shall have the right and the opportunity, without any of the distinctions mentioned in article 2 and without unreasonable restrictions: (a) To take part in the conduct of public affairs, *directly* or through freely chosen representatives; (b) To vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors; (c) To have access, on general terms of equality, to public service in his country". Emphasis added.

- Similarly, we encourage the ratification of the convention on **enforced disappearances**.
- Regarding all UN or other international treaties, we also encourage ratification of the **optional protocols allowing individual complains**.
- Finally, we encourage the creation or ratification of **regional human rights mechanism** as they enhance diversity while respecting local customs and can sometimes go further than other international human right obligations.

3. Specific aspects of the right to life

- In a world where everyone needs an identity to simply be counted as alive, or to vote, have access to public services and welfare systems **registration at birth** is the legal start of the right to life, a full part of it¹³. Legally recognizing everyone's existence is essential for the progress of the right to life and henceforth for CGNK's work. Though getting better, presently in the global population, about one fourth of all children below five years of age are still unregistered. Sustainable Development Goal (SDG) 16, target 9 intends as part of strong institutions, to have all newborns registered at birth for 2030.



- **Abortion** is surely death for the potential child and can also be deadly for the mother. Yet the right of the mother to a decent life and the rights of children to be desired and well taken care of are, in our opinion, to be taken also in account. Moreover, statistics prove that when abortion is legal there is more prevention of unwanted pregnancies and thereafter fewer abortions made, henceforth fewer fatalities both of fetuses, henceforth less women dying from clandestine abortions. However, because of the ban maintained by many countries on abortion, there is so far no worldwide statistics of the number of abortions to rely upon, to build efficient abortion prevention and to help plan preventive policies¹⁴.

- **Infant mortality** needs to be monitored and measures need to be taken to reduce it. SDG goal 3.2 is to reach less than 12 deaths out of a 1,000 births for newborns and 25 deaths for 1,000 children under 5. Present world rates are at 50/1,000 and 74/1,000. Reducing infant mortality by two thirds requires greater access everywhere to quality health and prenatal services. The UPR is a very good tool to monitor the progresses made towards reaching this SDG target in 2030 in every country. However, to our knowledge, the issue has not been raised so far; a practice we would like to encourage in upcoming sessions.



- Similarly, SDG goal 3.1 is to reduce **maternal mortality** to less than 70 mother's death for a 100,000 live births. Present world rates are at 210/100,000. On this issue, we would like to partner with or to see the issue taken up by a women or gender equality organization. We will be proactive until we find one.

- **Life expectancy** is an important topic we look at, allowing sometimes interesting comparisons on gender equality. As an example, if life expectancy is good in the UK, compared to other European countries, women die much earlier¹⁵. How to redress this problem is the challenge we bring about by highlighting such situations. If the statistics on longevity, some disaggregated by gender, are easily available, longevity has not regretfully been selected as an SDG target. Further, no right to **longevity** has been legally recognized. Nevertheless, somehow also related to the right to health, longevity as the right to live as long as one wants to is an inherent part of the right to life. It also shows how life is respected as the more it is respected



¹³ For a comprehensive report on the importance of the right to registration at birth and of its consequences on vital statistics, see the report on the topic by the High Commissioner on Human Rights, A/HRC/33/22, 1st of July 2016, available here: http://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/33/22

¹⁴ One could also argue that there is a need to provide more alternatives to abortion such as facilitated adoption. A basic universal income could also help in such circumstances. www.basicincome.org.

¹⁵ See our UK-UPR submission on our web site. <http://nonkilling.org/center/nonkilling-monitoring-programs/nonkilling-activity-at-the-un>

the longer one lives. At the best, the right to longevity demonstrates that life is worth living in its greater extent.

4. Deaths related to injuries and violence

These deaths amount to 9.1 % of all deaths (2012)¹⁶.

Sustainable Development Goal 16.1 reads: “[To] significantly reduce all forms of violence and related death rates everywhere”. The objective is rather vague and the specific targets are sometimes lacking. However, in many fields, progresses are measurable.

Among them:

➤ 48% of deaths related to violence and injuries are **unintentional deaths** (falls 13,5 %, drowning 7,2 %, fires 5,2%, poisoning 3,8% and others, mostly natural disasters 18,7%). Most of these are largely preventable. As examples, falls by improving fitness and architecture, drowning by teaching how to swim, fire prevention and poisonous substance security can be improved. Though there is still much to do to prevent such deaths, all this is already in process. None of these are specific SDG targets (besides 16.1 related to all violent deaths).

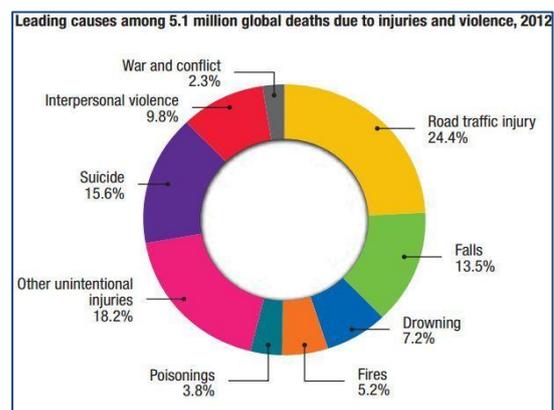
➤ 1.25 million Persons die yearly from **Road Traffic**. They amount to about 24.4% of all deaths related to injuries and violence. Traffic deaths would be largely diminishing – and numerous efficient measures do lower their number – if the rise of the number of cars would not impede the process, with as a consequence that the total number of traffic related deaths is still rising. SDG Target 3.6 has the high goal of halving the global number of road traffic deaths by 2020.

➤ **Suicides** (15.6%) is the cause of more deaths than war and interpersonal violence together.

This goes to say that self-respect for life is as important as respect for the life of others. Furthermore, this says that the right to life and the decision to live are rights that we need to ground, much more, in our own personal lives and culture, as should also be the value of life and its qualities in our collective cultures. It also shows clearly that the right to life is also the right to live, the means needed to face our lives. So forth, as for all human rights, the right to live needs to be an empowerment: it includes the right to learn how to live and to live well, the means and social environments needed to be made ready to accept and to enjoy living and to be given the means needed to fulfill our own lives, and inasmuch the lives of others.

It must be mentioned that in some countries suicide is still legally punishable, thus making it harder to monitor and to treat suicides survivors and more than not, this illegality impedes the setting up of comprehensive “prevention and help” action plans¹⁷.

Suicides are not mentioned in the SDG’s, but improving mental health is in target 3.5. However, the World Health Organization’s (WHO) has an action plan and a specific program on the prevention of suicides¹⁸. The WHO 2014 report contains disaggregated data on suicides by age groups and gender, country by country. Using this data for the countries which we made UPR NGO reports has revealed very unusual differences regarding which social groups the victims of suicide come from. Women in Nepal, elderly people in Mozambique, middle aged men in the UK; they all have a much higher rate of suicide than the rest of the local population. Highlighting these situations in the international sphere will help to address them and hopefully to solve these issues and to save many more lives.



Source: Health in 2015: from MDGs to SDGs. WHO, 2015, p. 174.

¹⁶ Source: Health in 2015: from MDGs to SDGs. WHO, 2015, p. 174.

¹⁷ We are looking for someone to do an inventory of the countries and clauses forbidding suicide.

¹⁸ http://www.who.int/mental_health/suicide-prevention/world_report_2014/en

In its latest UPR, because of our awareness raising work, Switzerland has accepted numerous recommendations on the prevention of suicides, thus implying that preventing suicide is a full part of the right to life and therefore that suicide prevention is a State duty.

➤ **Assisted suicide** (euthanasia) is also a question we look at, at least through a legal perspective as statistical data is largely missing. They are two aspects: the right of a person to choose to interrupt a medical treatment and the possibility given in some countries to terminate one's own life when the suffering caused by a fatal illness is considered unbearable. Can the right to life be also the right to choose our own deaths?

➤ **Interpersonal violence** amount to 9.8% of all deaths related to injuries and violence, of which half of them happen through the use of firearms. Such violence is around five times more deadly, worldwide, than armed conflicts and war. There again, learning to live in peace and creating efficient infrastructures for peace – for the respect of life as for the benefits of peace! –; bringing more respect for the life of others in diminishing the availability of arms is not only an international or political issue, it concerns everyone everywhere.

In our opinion, prevention of violence is a constitutional and a governmental duty. Based on the WHO's 2014 status of the prevention of violence report, we encourage States to adopt such legal bases to prevent violence and, so forth and as accurate, to implement policies therefore¹⁹.

➤ Presently there is almost no **homicide** free country. Homicides rates are important as they give a "portrait" of the respect of life in a given country. Homicides statistics are rather easily available and we do treat them country by country. In 2013, there was a rate of 6.9 homicides for 100'000 inhabitants in the world.

Both interpersonal violence and homicides (including armed conflicts and violence) are covered by SDG target 16.1 aimed at substantively reduce violence and related deaths everywhere. The measure of the target (16.1.1 & 2) is the number of homicides and conflict-related deaths for 100'000 inhabitants.

5. Regarding specific aspects of the right to peace

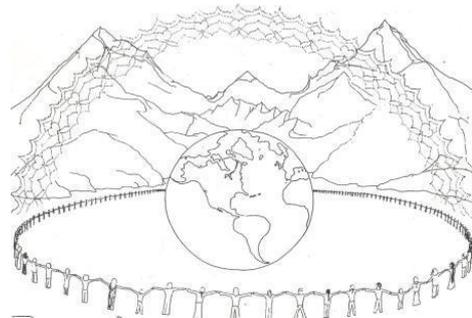
As seen, armed conflict causes only 2.3% of all deaths caused by interpersonal violence.

However, this does not take in account the wounded, the displaced, the huge amount of resources diverted for war, war means and war preparation from other essential needs and more than not, the spirit of conflict, violence and destruction war maintains or has maintained over humanity.

The United Nation's organization, on the 19th of December 2016 has recognized the right of everyone to enjoy peace²⁰. It may be only a declaration with little legal clout, but it does show where things should go.

Further, the Human Rights Council has recognized the high links between security and the achievement and protection of human rights adopting various resolutions in that direction, including on arms transfer and specifically on small arms²¹. We can also quote the 13th of June 2016 appeal by the Swiss government and 70 other countries to see human rights taken more in account for security issues at large and specifically by the Security Council of the United Nations, thus taking more in account the work of the Human Rights Council on peace and security issues²².

It is rather easy to improve the situation of human rights by using peace related legal instruments. Therefore, to link peace, security and human rights deeper at the Human Rights Council, through the



¹⁹ http://www.who.int/violence_injury_prevention/violence/status_report/2014/en

²⁰ http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/71/189

²¹ http://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/RES/32/12

²² <https://www.admin.ch/gov/en/start/documentation/media-releases.msg-id-62152.html>

UPR and elsewhere, on various occasions we made suggestions or recommendations to countries on given possibilities to enhance peace, mostly through various conflict settlements and disarmament treaties. The ideal would be if countries would systematically and regularly report on the way they progress towards peace. We therefore do look at the peace, disarmament and humanitarian obligations or treaties the countries under review are part of and if need be we encourage them to update the ratifications of these instruments protecting peace and life. We also highly encourage systematically setting up mediation procedures, in international and national law to avoid seeing conflicts, sometimes natural or legitimate, nevertheless degenerate into violence.

6. Regarding specific aspects of the rights to health, to an adequate standard of living and to a sustainable environment.

Generally speaking these fields, though deeply in connection with the right to life and to a good life are beyond our modest reach. However, on various occasions, we have mentioned these rights making recommendations to States to improve their respect or fulfillment.

PART TWO:

Countries under scrutiny

Looking for ways to make a fulfilled right a living and happy event, for each and everyone, everywhere.

Nepal and Mozambique were chosen because we had local contacts there. Samoa was chosen because it has no army, a decisive issue when it comes to a society refusing to kill. Iceland was chosen because it has no army as well, but also to have a developed country under scrutiny too. The United Kingdom was then chosen to have one of the permanent members of the Security Council on our list. The Republic of Korea (South) and Switzerland were done both at the same session, Switzerland because it is where we live and South Korea, as a joint submission with another NGO²³ because of previous CGNK work there and because Conscientious Objection to military service, a refusal to kill, is not recognized. Botswana was chosen because of the death penalty and Colombia was chosen, as a joint submission again with the same NGO, to support the starting peace process. Mauritius was chosen because of numerous contacts there and because of the absence of an army.

At the latest deadlines (October 2017 for the 30th UPR session and spring 2018 for the 31st), the following countries were chosen for short submissions: Cameroon, Djibouti and Turkmenistan (30th) and Central African Republic, Chad and Congo (31st) because they did not ratify the genocide convention. Some of them did not either ratify the convention on enforced disappearances convention. Tuvalu had ratified neither of them nor the covenant on civil and political rights. Bangladesh still practices the death penalty (both at the 30th session).

The following analysis are summaries of how our submissions have been followed by actions through the UPR process, at first by being listed in the OHCHR's report, thus attracting attention to the topics we highlight; then through recommendations made by other States to the State under review and finally, looking at how the State under review has accepted these recommendations. As we go deeper into the process over the years, these analyses will also show the implementation of these recommendations²⁴.

To see all the topics we addressed to States under review, see our submissions on our webpage²⁵. Reports from the States under review, from the OHCHR including, all NGO submissions and the final report of the HRC on every SUR are on the OHCHR's website²⁶.

Encouraging States to do recommendations to other States on the topics we work on is a long term diplomatic and networking endeavor. For this, we partly benefit from the pre-sessions organized by the

²³ Conscience and Peace Tax International, www.cpti.ws

²⁴ The NGO UPR-Info does among activities guide-lines and survey on implementation.

https://www.upr-info.org/sites/default/files/general-document/pdf/2016_the_butterfly_effect.pdf

²⁵ <http://nonkilling.org/center/nonkilling-monitoring-programs/nonkilling-activity-at-the-un>

²⁶ <http://www.ohchr.org/EN/HRBodies/UPR/Pages/Documentation.aspx>

NGO “UPR-info”, which we hereby thank. These unofficial sessions allow NGO’s and diplomats to meet and discuss relevant issues²⁷. For Samoa, Switzerland and Turkmenistan, CGNK could make a specific presentation at these pre-sessions. Our statements there, as well as our PowerPoint presentations are available on our website. UPR-Info also holds an updated and very useful database of all recommendations made by and to all countries since the beginning of the UPR process²⁸.

Recommendations concerning legal ratification of human rights treaties are always (or almost always) taken on by other States. Nevertheless, the interest of CGNK in making legal recommendations relies not as much in mentioning an uncovered topic, but in highlighting the importance of these ratifications, thus linking them the right to life and to CGNK’s systematic work thereupon.

Nepal

➤ Regarding our recommendations to the State of Nepal – our very first submission – few of our demands have gone through.

➤ However, close to our preoccupation is the recommendation made by Switzerland and many others on extrajudicial killings: “Guarantee respect of the principles of proportionality and necessity in all cases of use of force in conformity with the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials²⁹”.

➤ Succeeding indeed, it must be noted that Haiti, following our proposed recommendation (which they orally confirmed later), made these recommendations to Nepal: “[To] Put emphasis on suicide prevention and support to these people and their families, taking into account the despair generated by such act³⁰” and “Decriminalize the act of attempted suicide³¹”.

To our great satisfaction, both these recommendations have been accepted by Nepal. We will need to monitor their implementation, either through the mid-term report countries sometimes issue or next time Nepal comes under review in 2020.

➤ Generally speaking, the process of truth and reconciliation happening in Nepal has come under good scrutiny.

➤ The report of the OHCHR mentions that we asked for a right to peace³².



Mozambique

➤ Extrajudicial executions have been the topic of numerous recommendations, as ratifying the convention of enforced disappearances. Poverty has been mentioned a few times. All topics we had mentioned.

➤ We are grateful to the fact that we had a local contact. It helped us draw attention on some important issues.

➤ The situation remains difficult in Mozambique, with the aftermaths of the civil war only partially resolved.

➤ The OHCHR report did not mention CGNK but to say we participated. This has drawn our attention on the fact that we need to be very precise and specific, deeply original with the recommendations we make to have them included the OHCHR’s report.



²⁷ <https://www.upr-info.org/en/upr-process/pre-sessions>

²⁸ <https://www.upr-info.org/database>

²⁹ <http://www.ohchr.org/EN/ProfessionalInterest/Pages/UseOfForceAndFirearms.aspx>

³⁰ 121.22. These numbers refer to the final report of the UPR process where all recommendations are listed.

³¹ 123.25 <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G15/290/92/PDF/G1529092.pdf?OpenElement>, p.15 and 23.

³² <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G15/180/78/PDF/G1518078.pdf?OpenElement> § 34.

Samoa

For Samoa, because too few local NGO's had the possibility to make it to Geneva, we had the opportunity to present our work orally at an UPR-info pre-session. (See the presentation text and the power-point on our website).

➤ Many States recommended ratifying the protocol on the death penalty. Sadly, because it considered it only a formality and to avoid unnecessary work, despite accepting this recommendation in the first cycle of the UPR, Samoa has noted (taken in account without giving it further attention) this recommendation this second time it received it³³.



We will need to act on this in the third cycle of the UPR process, for Samoa in 2020-21, as having a recommendation accepted in a cycle and then rejected in the next one, moreover for rather trivial reasons, is not acceptable.

➤ Many more States reflected on gender based violence.

At the next HRC's session, CGNK presented an oral statement on violence at large, rather than on domestic violence, on regional human rights mechanisms and on the prevention of suicide³⁴.

This time, the OHCHR report on NGO submissions largely quoted CGNK³⁵:

➤ "4. The Center for Global Nonkilling (CGNK) noted that, as accepted in the first UPR cycle and if not done yet, Samoa should swiftly ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights regarding the abolition of the death penalty. CGNK also encouraged Samoa to make a strong effort to ratify as soon as possible all peace, settlement of disputes, disarmament and humanitarian treaties to which it is not yet a party, and [to] recognize the compulsory jurisdiction of the International Court of Justice".

The reference to the protocol on death penalty is nothing original, but it is worth noting that attributing it to CGNK is in coherence with our work for the right to life.

The reference to peaceful settlements of disputes and peace treaties is a novelty for OHCHR and humbly a good success for CGNK; henceforth for the fields of peace and human rights through the UPR process.

➤ "9. CGNK recommended that the Constitution of the State of Samoa be changed as soon as possible to remove provisions related to the death penalty, bearing in mind that the death penalty was abolished in 2004, thus definitely barring the possibility of such sentences. CGNK also recommended that the Constitution and the legislation of Samoa be amended to highly reflect the value of life, to limit possible exceptions to the respect of the right to life and to submit any official use of force to a judicial or independent authority".

The second phrase is a delight in the pursuit of a happy life. It also highlights our finding of a Samoan Constitution being a bit easy on the use of force.

➤ "20. CGNK recommended implementing policies valuing life: as domestic violence usually causes more deaths of women than men and in order to guarantee the equal enjoyment of the right to life for all, Samoa needs to mainstream gender equality in all its policies".

Nothing really original, but to recall the higher toll on life of women by gender based violence.

Iceland

For the first time, for Iceland, we made an as thorough as possible cliché of the state of life in Iceland, in a preventive spirit and using statistics on all deaths related to violence and injuries. We listed all these causes, looking at which causes needed more prevention and action.

As Iceland is a very good place to live, to live well and long, there was little



³³ <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G16/196/40/PDF/G1619640.pdf?OpenElement> p. 3 (90.15)

³⁴ <http://nonkilling.org/center/nonkilling-monitoring-programs/nonkilling-activity-at-the-un>

³⁵ <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G16/031/48/PDF/G1603148.pdf?OpenElement>

space for debate on most pressing issues. However, the cliché process remains and needs in the future to be recognized more consistently.

The OHCHR's report mentioned CGNK four times³⁶.

➤ Regarding the demand to ratify the Convention on enforced disappearances. “5. Referring to the pursuit and achievement of Sustainable Development Goal 16.1, Centre for Global Nonkilling (CGNK) encouraged Iceland to ratify the convention on enforced disappearances”.

To mention SDGs in this context is directly linking, for one of the first times, the SDG's with the UPR context process. This is a trend now picking momentum for many UPR actors.

The recommendation was presented to Iceland by numerous States and accepted by Iceland.

➤ CGNK is also mentioned as it “7. (...) urged the taking the necessary measures to implement the new constitution and to improve direct democratic participation rights through referenda”.

The mention of the improvement of democratic rights, one of our basic demands, is also an improvement and a success.

The constitutional issue was made into a recommendation by Haiti again (117.14) and though noted by Iceland, it was affirmed that the constitutional reform process will continue. However, to our knowledge, nothing has happened yet.

➤ “27. CGNK encouraged Iceland to systematically report, in its UPR reports, on the progress made regarding the right to life and advancement of peace”.

This is a full success too, directly on one of our main focus: linking life and peace with reporting about their mutual progresses.

➤ “47. Regarding the attainment of an adequate standard of living for all, in accordance with article 11 of CESCR³⁷, CGNK encouraged Iceland to adopt a basic unconditional income for all, as was discussed in Parliament”.

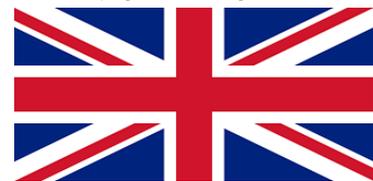
Such an income would indeed guarantee adequate standards of living to all; having it mentioned by the OHCHR is also a great progress³⁸.

The constitutional issue was made into a recommendation, still by Haiti (thank you, 118.14), but was noted by the Government of Iceland.

United Kingdom of Great Britain and Northern Ireland

The submission on the UK revealed two special trends in the state of life in the UK that we hoped would draw more direct attention. First, there is strong difference in life expectancy between women and men, where women tend to die earlier than in other European countries. Secondly, men of middle age tend to commit more suicides than again in other countries in Europe. In both cases, to our knowledge, these gender differences in life sustainability are not explained. However, no countries took up the issue so far, so the matter remains unsolved.

The report of the Office of the High Commissioner on Human Rights mentioned CGNK's general recommendation on the visibility and the enhancement of the right to life, a very good thing, as well as our recommendations on abortion and suicide prevention, on small arms transfer and on deaths in custody. It also mentioned our demand to see the Convention on enforced disappearances ratified, a recommendation that the UK had approved in the previous UPR cycle in 2012. However, the UK, arguing that its internal legislation was now



³⁶ <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G16/182/94/PDF/G1618294.pdf?OpenElement>

³⁷ Idem.

³⁸ The UN special rapporteur on extreme poverty did one of his annual reports on the basic income as a way to alleviate poverty. http://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/35/26
<http://basicincome.org/basic-income/>

sufficient, changed its mind and refused similar numerous recommendations made in this cycle. It must be said, that the international convention does, in our opinion offer a greater protection and a broader scope for the prevention of these disappearances.

The UK accepted the similar to ours recommendations made by States on deaths in custody, suicide prevention and on arms transfers. It rejected the ones on a basic universal income, on child soldiers and on abortion prevention.

In our oral statement, we regretted that many recommendations were made to avoid regress, but not as much to forward progress. We highlighted again the gender issues in life span and suicides and complained about the procedure adopted by the UK, in which it postponed all its answers to the recommendations made until a few days before the final approval of the report.

Republic of Korea (South Korea)

First we recall the memory of late Glenn D. Paige, Korean war veteran, author of the book “nonkilling political science” translated in many languages³⁹ and founder of the Center for Global Nonkilling, a friend and strong support of my work on non-militarisation.

In memoriam

We sing the song of life,
With what we are,
Joy, seeds and fruits;
We build a world, our civilization,
At the core of our Values,
The accuracy and preciseness of our skills;
We are the future in our own hands,
We conquer the Universe with a smile.
Can we be life at its best?
We carry on!⁴⁰



For our submission on South Korea, we focused mainly on the peace conference that was supposed to take place 3 months after the armistice in 1953 and that is still awaited for, not the least to formally end the state of war between the two Koreas. We also focused on conscientious objection, an issue in high need of being addressed there.

If the issue of the conference was taken on neither by the OHCHR’s report nor by any recommending State, reality has proven us right so far (and rewarded our insistence through numerous written and oral statements⁴¹) as the starting peace process has mentioned that it is the objective to hold such a conference. On conscientious objection, the report mentioned CGNK’s demand and numerous States made recommendations. Sadly, Korea noted them arguing that the government was waiting for a decision from the Supreme Court. In an oral statement, we contested this approach, stating that the government or the legislative could nevertheless act on the issue and that no geopolitical situation could legitimate the infringement on the right and duty not kill.

We also addressed the issue of birth registration as Korea refuses to register foreign children, thus sometimes creating stateless persons. It was mentioned in the OHCHR’s report and recommended by numerous countries. There again, a change of policy is needed, as Korea noted these recommendations.

³⁹ <http://nonkilling.org/center/book-review/nonkilling-global-political-science>

⁴⁰ © C. barbey. Éditions Pour de Vrai, 1659 Flendruz, Switzerland. 31st of January 2018.

More art work dedicated to Glenn Paige can be found [here](http://nonkilling.org/center/book-review/nonkilling-global-political-science) or at large some of his publications, including nonkilling political science are on CGNK’s website.

⁴¹ <http://nonkilling.org/center/nonkilling-monitoring-programs/nonkilling-activity-at-the-un>

Interestingly, we had mentioned landmines, ratification of the ban treaty and implementation programs, in our submission and Sri Lanka made a recommendation, thereafter accepted by Korea, calling upon Korea to help implement such programs elsewhere. Here again, human rights and peace issues are clearly linked, but also development issues. A follow up on the issue will be needed to see how Korea acts upon it for the benefit of Sri Lanka and others.

Switzerland

The passage of Switzerland for the third time before the UPR was a great and successful moment in our dedicated work. Challenging one's own country is of course an endeavor, though sometimes cooperating with it is even better⁴².

Our comprehensive submission mainly challenged suicides, poverty, export and financing of small arms. All these topics were present in the OHCHR report, as well as the dedication of 0.7 % of GDP to development. Three of these topics were made into recommendations by States (small arm's issues were not) and were accepted by Switzerland, as well as the ones on the use of force. Though the OHCHR's report did mention conscientious objection as a CGNK demand, no State mentioned it.



Our work was strongly enhanced by a passage at a UPR-Info pre-session for a presentation, as we could therefore clearly expose the problems we were addressing.

This resulted in a major step forward in addressing suicide prevention, for which we were also served by a good timing or a bit of chance as Switzerland had made public its suicide prevention program during the laps of time separating our submission and our presentation at the pre-session, a few weeks before the passage in front of the UPR working group. For States that addressed the issue positively, it meant that they were almost sure to see their recommendations approved. For them it is an interesting political move. For us it is an advantage as it means that we now have more States concerned by suicide issues and that we can call upon them to address suicide issues in countries where the issue is more pressing. On the long run we will build a pool of such States, may be as a group of States friends of suicide prevention, a usual grouping practice at the UN.

So far, we had at the best (for the States we work on) only one recommendation on suicide per session. This time we had 5 of them and a comment from six different states. The three recommendations calling for more suicide prevention were accepted, while the ones wanting this prevention to focus more on LGBTI persons and banning purposeful termination of life in case of a fatal disease or unbearable suffering were not.

The implication of this is that the prevention of suicide (and to be sure it is efficient and enhances the respect for life, thus diminishing casualties) becomes a State duty under the right to life. This is not yet a legal decision or an international principle and far from being universal as many countries will need to work towards that achievement, but in the UPR participative process, it is an excellent first step that we will be able to replicate in the UPR as in many other situations.

We expressed this in an oral statement to the Human Rights Council, directly thanking the States that made this possible (a rare gesture in a forum where NGO's are more known to expose flaws and complains) and we issued a press release, both in French and English⁴³.

As side effects, this largely augments the knowledge about the work and efficiency of the Center for Global Nonkilling in diplomatic spheres and further.

⁴² In this regard, we strongly encourage people from all over the world who are linked with issues related to the right to life, friends and experts of CGNK's and the nonkilling goal and others, to get in touch with us when their home country or other ones they are concerned about comes up for the UPR process. A calendar of these passages, with NGO deadlines, is available here: <http://www.ohchr.org/EN/HRBodies/UPR/Pages/NgosNhris.aspx>

⁴³ The text of our UPR-Info pre-session presentation, the power-point and the press release are available on our website. <http://nonkilling.org/center/nonkilling-monitoring-programs/nonkilling-activity-at-the-un>

Upcoming countries

At the time of writing, **Botswana, Colombia and Mauritius**, for which we did comprehensive submissions as well as all our short submissions (Djibouti, Turkmenistan, Tuvalu, Cameroon, Bangladesh and Central African Republic, Chad and Congo) are still in process, either before the working group, waiting for final approval by the Council or for the publication of the final report.

PART THREE: Evaluation and prospective

Impact of CGNK's work with the UPR

The right to life, as such and in a wholesome manner, has been rather poorly studied and highlighted so far in the work of the Human rights Council or through the UPR. The increased visibility given to it by CGNK has been noticed. Our oral statements⁴⁴ on the UPR and on other issues, focused on one of the central issues of human rights, life, bring essential values and technical references as possible ways forward. We also bring a lively spirit celebrating life at the Human Rights Council, which besides that is usually a rather severe sphere.

Our recommendations, as made through our submissions, are regularly quoted by the Office of the High Commissioner for Human Rights. It is a sign that we are going in the right direction and making valuable proposals. It appears that the OHCHR takes up three or four major recommendations from each organization, handpicking but rarely quoting them all. States may take other ones too. So though we need to focus more clearly on the ones we want to see highlighted, many others are also useful.

The presence of CGNK at the Human Rights Council and in the UPR process is regular and strong and, given appropriate support, it is bound to keep growing in quality and results. So forth, the attention and the protection given to the right to life and to the nonkilling concept will inevitably progress.

An analysis country by country demonstrates, bearing in mind that this is our first three years of work on the UPR and that we are started from scratch, that we are improving in style, practice and content, direct results.

The UPR process has allowed CGNK to forward the idea of nonkilling in political spheres.

The links between the rights to life, to an adequate standard of living and the right to peace have been established and made more precise.

The place of life and of the right to life, in Constitutions, needs to progress. As emphasized, this also needs to be made through the progress of democratic participative rights. It will require more analytical and advocacy work.

The “cliché” of the situation of the human right to life at a given time in a given country gives highly valuable and measurable information on the quality of life and for the respect of life in the studied country. It is a very good tool to report and improve, to do follow ups on the implementation of the right to life. It will prove to be a very valuable tool on long term work, as data will be easily comparable from one UPR cycle to next every four years and a half.

As our reflections on suicides, or for the UK on deaths in custody, have shown this “cliché” has also permitted to highlight some “blind spots” in the protection of the right to life, including in developed countries. This life saving practice justifies our efforts in many ways.

Finally, our greatest success so far is the tacit admittance, by Switzerland of the prevention of suicide as being a State duty towards the full implementation of the right to life.

It is not un-humble to mention that working on the right to life has had a great and very positive effect on the enjoyment and the value of my own life; a pleasure I would like to share and to see shared with all humanity, but also with more workers of the right to life.

Life is worth being a central value for each and all, an enjoyed life at that!

⁴⁴ A full list is kept updated on CGNK's website. <http://nonkilling.org/center/nonkilling-monitoring-programs>

The way forward

Nonkilling in every country

Following the progress of the right to life, in all its dimensions for as many countries as possible, through the UPR and at the UN at large is a long term endeavor. To be done thoroughly or as largely as possible, it will require more resources, both human resources and funding.

Setting the objectives and possibilities regarding future work is the next step.

➤ We could continue by choosing one country at each session, doing a comprehensive analysis of the situation of the right to life there. Bearing in mind that doing a full UPR submission on any country, making the research and the writing, contacting local stakeholders as well as diplomats, doing the follow up of the submission through the reports, the pre-sessions and at the session itself and finally, eventually making oral and or written statements at the adoption of the final report by the HRC council takes between 4 and 6 days of work. Doing one country at each session would amount to a month of work yearly. This isn't all that much *per se*, but it is still much more than what the stipend provides for so far.

➤ Considering doing all the 42 countries passing every year before the UPR, on a comprehensive basis would at that rate require around a full time position. Considering my other present activities, I could only do half of that myself and we would need to hire for the other half. For me, it would be an ideal situation.

The advantage of having all the countries under scrutiny done would be to have a full focus on the right to life for each country at each sessions of the UPR. The possible direct impact would be hard to measure as many factors influence the progress of the respect for life, but we could imagine being massive. The attention on the right to life would be improved, locally as worldwide and so would the visibility of the nonkilling concept and of the Center for Global Nonkilling. And last but not least, every life saved is worth the effort.

➤ Whatever, at least one comprehensive submission should be done at every session to keep a good overview of the whole topic and to assure our long term presence.

➤ With the smaller approach, using a very standard submission covering only the basic international legal obligations, eventually including death penalty and the constitutional settings of all countries or at least of all the ones who are lagging behind on the legal protection of life and of the right to life, there are around five States for which a submission would need to be done at each session, or circa fifteen yearly. At one or two days of work for each submission, it would again take around a month yearly.

➤ Looking at it in a different perspective, they are 29 countries who still need to ratify CCPR, the major worldwide human rights treaty guaranteeing the right to life (death penalty not being covered). For each of them a control shall be made to see if they have otherwise a legal provision on the right to life, either in regional human rights treaties or in their constitution. The genocide convention still needs to be ratified by 46 countries. Then 113 countries still need to ratify the second protocol of CCPR on the total abolition of the death penalty. For most of them, this is just a formality as they have in fact abolished the death penalty. According to various sources, they are between 55 and 58 countries still having the death penalty and that have carried executions in the last ten years. 32 more still have the death penalty in law, but carried no execution in the last decade.

➤ In a recent decision, we have decided as long as means permit to address, in a systematic campaign, all the countries that have not yet ratified the genocide convention.

Some conclusions

Working on the right to life is a fulfilling task, at the heart of our existence.

Viewing what is already done on the topic, the Center for Global Nonkilling definitely answers an uncovered need. Forwarding the universal recognition and the fulfillment, the full protection of the right to life, is a universal task. The quality of our work, until full respect of the right to life is reached, will make it worth it and may it be sustainable as long as needed.

Finding ways to support this work and to keep it progressing is, in my opinion, the next step to be taken.

List of abbreviations

| | |
|-------|--|
| CCPR | International Covenant on Civil and Political Rights |
| CESCR | International Covenant on economical, social and cultural rights |
| CED | Convention on enforced disappearances |
| CGNK | Center for Global Nonkilling |
| HRC | Human rights council |
| LGBTI | Lesbian, Gay, Bisexual, Transgender and Intersex persons |
| NHRI | National Human Rights Institutions |
| NGO | Non-Governmental Organizations |
| OHCHR | Office of the High Commissioner for Human Rights |
| SDG | Sustainable Development Goals |
| SUR | State Under Review |
| UN | United Nations |
| UPR | Universal Periodic Review |
| WHO | World Health Organisation |

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© Christophe Barbey and the Center for Global Nonkilling
Geneva office
C/° Centre John Knox
27, ch. des Crêts-de-Prégny
CH-1218 Grand-Saconnex
Switzerland

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