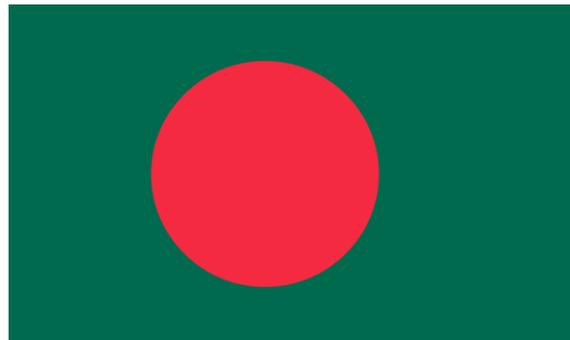


## Universal Periodical Review

*Third cycle*

# BANGLADESH



### Right to life and related human rights issues

*Short submission*

*5<sup>th</sup> of October 2017*

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

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## 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) was founded by Glenn Paige (1929-2017), political science Professor and author of the book “Nonkilling Political Science”. The Center is a worldwide congregation of scholars working to create societies that do not kill. It has ECOSOC special consultative status since 2014. The present submission is a short version insisting some of the most salient aspects of the respect of the right to life in Bangladesh<sup>1</sup>.

## The right to life

All human rights are of equal importance, indivisible, interlinked and mutually reinforcing. They are universal human and legal values.

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, so is the right to life present for all human rights to be fulfilled. Yet the right to life also precedes all other human rights: if life is taken all other human rights are cancelled<sup>2</sup>. 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, for the proactive fulfillment and for the 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 the end of life such as reproductive rights, abortion, suicide and euthanasia, as well as prenatal and genetic engineering should be dealt with in a preventive, humane and human, sustainable manner, for each and all, in full dignity.
- c. The right to life is also the duty not to kill. Therefore the right to life is a fully reciprocal right granted to all and in need of being granted to all by all.

## Other human rights

All human rights are needed to fulfil a happy life. However, some of them are of more direct importance for the full realisation of the right to life, or to avoid its breaches. CGNK 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<sup>3</sup>. Furthermore, peace and peaceful methods provide means to solve conflicts without aggravating them and, as may be, to the advantage of all concerned in a (re)constructive way. Conflicts solved peacefully alleviate feelings with respect, redress damages when possible, give ground to lessons learned and to design policies for future prevention. Peaceful methods of conflict management also address conflict between apparently conflicting human rights (i.e, freedom of expression and freedom of religion). The right to *accurate standards of living*, including the rights to food, water and sanitation, clothing and housing, health, work and social security deserve full attention, at least in our comprehensive submissions. The *right to health* is essential for the fulfilment of the right to longevity, as well as to achieve societies in which *human rights are equally shared*. The *human right to a healthy natural environment*, thus sustaining humanity and life on Earth, deserves accurate attention as well.

**A. Background and framework**

1. Scope of international obligations

a. International human rights constitution.

The following legal obligations – the *Convention on the prevention and punishment of the crime of genocide*, the *Covenant on civil and political rights* and its optional protocol on the *abolition of the death penalty* and the convention on *enforced disappearances* are, within the human rights basic treaties, the ones mostly concerned with the right to life. They are minimum international standards, needed for any country to show full legal respect for the right to life. National constitutions should similarly reflect this legal stand in favor of life.

1° The existence of the death penalty needs to be addressed, worldwide States and institutions need to be of *impeccable* behavior, fully respecting the right to life, without contradiction or exceptions, to be true and valid examples to, and for individuals to fully respect the right to life.

**I. Therefore, the Center for Global Nonkilling strongly urges the State of Bangladesh to abolish the death penalty, to commute all sentences and to ratify the second protocol of Covenant of the Covenant on Civil and Political Rights (CCPR OP2-DP).**

2° Ratification of the Convention on Enforced Disappearances (CED) is also needed for Bangladesh to complete the basic treaties regarding the right to life, thus giving a more comprehensive and legal protection of the right to life.

**II. We encourage the Authorities of Bangladesh to ratify the Convention on enforced disappearances.**

b. Regional human rights mechanisms

3° There is so far no human rights regional body – ideally a judicial one – in Asia or any of its sub-regions.

**III. Therefore, we recommend to Bangladesh, as well as to all States in Asia, to set up as soon as may be a regional human rights legal mechanism.**

**B. (...)**

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

*Right to life*

4° Press has reported numerous major construction accidents in Bangladesh, resulting in vast numbers of killings. We here recall that deaths caused by neglect are homicides and as such should be subject to attention for prevention, but as well to fulfill SDG goal 16, target one, namely: “[To] significantly reduce all forms of violence and related death rates everywhere”.

**IV. Therefore, CGNK encourages the Government of Bangladesh to adopt and produce a general plan for the implementation of SDG 16, target 1.**

**V. We also recommend, therein, the adoption of a national plan to control and if need be to repair all public and private buildings and to adapt the necessary regulations therefore.**

Welcoming the delegation of Bangladesh to Geneva, we wish them, as well as to all the people of Bangladesh a constructive and fulfilling Universal Periodic review.

*“We understand the right to life as being the right not to be killed,  
but also as everyone’s responsibility not to kill others”*

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<sup>1</sup> For more comprehensive analysis, see the submissions recently done for the UPR's of Iceland, Switzerland, South-Korea and the UK. Such submissions look at all legal and statistical aspects of the right to life as needed to fulfil a happy and lasting life, including in relation with the Sustainable Development Goals. Statistics are used to uphold the Universal Periodic Review process by regarding at the right to life through all its aspects from conception until death, including inter alia reproductive rights and abortions, birth registrations, child and mother's mortality, suicides of all sorts and homicides, traffic, work and leisure casualties and life expectancy. Other topics such deaths in custody, euthanasia and genetic engineering and other applications of the right to life may be added as accurate for the enhancement, the enjoyment and the protection of life. Rights to health, minimum standards of living, a healthy environment and peace, all deeply related to the right to life, are studied more thoroughly as needed or according to available means.

<sup>2</sup> The Human Rights Committee, in its draft comment 36 (2015) on the right to life describes it 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>

<sup>3</sup> Article 28 of the Universal Declaration of Human Rights reads: "Everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized". In our opinion, such an order is indeed peaceful and therein rights fulfilling.