Submission to the Human Rights Committee on the *Draft General Comment on Article 6 of the International Covenant on Civil and Political Rights*, Right to life - **by Association “In the Name of the Family”** (Croatia)

**International Covenant on Civil and Political Rights, 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.”

**General Comment**

Paragraphs **1. 9 and 1. 10** of the *Draft General Comment on Article 6 of the ICCPR*  **have to be changed because they introduce practices - abortion and euthanasia - which are contrary to the intent and scope of Article 6 - the protection of the inherent right to life**, thus putting an obligation on States to legalize and enforce abortion and euthanasia, paradoxically, as a means to preserve and protect the right to life under Article 6.

**The “unborn children” and “mortally wounded, terminally ill, and all who experience severe physical or mental pain and suffering” must be explicitly named and included in the *Draft General Comment* *on Article 6 of the ICCPR*****as the holders of the right to life under Article 6.**

**Paragraph I. 2**

Paragraph I. 2 rightly states that “the right to life is a right which **should not be interpreted narrowly**,” which includes the right “to enjoy a life with dignity” and that “Article 6 guarantees this right **for all human beings, without distinction of any kind**”.

**Paragraphs III. 27 and V. 64**

When Paragraph V. 64 states that “the right to life must be respected and ensured without distinction of any kind, such as...”, **“health status” and “prenatal status” have to be explicitly named in the list of distinctions**, since the right to life of people with these distinctions is violated by abortion and euthanasia.

When Paragraph III. 27 states that “the duty to protect the right to life requires States parties to take special measures of protection towards persons in situation of vulnerability”, **“the unborn children” and “mortally wounded, terminally ill, and all who experience severe physical or mental pain and suffering” have to be explicitly named** as those who need special measures of protection under Article 6, since the right to life of people in these vulnerable situations is violated by abortion and euthanasia.

**Paragraph I. 9 - Abortion**

The Paragraph I. 9 states that “States parties **must provide safe access to abortion**” **as a means to** “protect the life and health of pregnant women, and in situations in which carrying a pregnancy to term would cause the woman substantial pain or suffering, most notably where the pregnancy is the result of rape or incest or when the foetus suffers from fatal impairment.”

In the Name of the Family stresses that the right to life and health of the mother have to be protected *in accordance and in the scope* of Article 6 of ICCPR and its intention to protect the life of every human being, and in accordance with other human right treaties, such as the Convention on the Rights of the Child, which states that “the child, by reason of his physical and mental immaturity, **needs special safeguards and care, including appropriate legal protection, before as well as after birth**”.

Because **abortion** - i. e. the *termination of life* of the unborn human being - is **itself contrary to the right to life** (of every human being), **it cannot and must not be stipulated as a means** for the *protection of life* and health of the pregnant woman and mother. To put it simply: **a practice contrary to the Article 6 of ICCPR - abortion, cannot be a means to protect and preserve Article 6 in any way**.

Therefore, the present wording of the **Paragraph I. 9 has to be changed not to include abortion in any form, but to include various forms of support for pregnant women and mothers - economic, medical, educational...** - as an obligation of the State parties under Article 6 of ICCPR.

**Paragraph I. 10 - Euthanasia**

The Paragraph I. 10 states that “States parties [may allow] [should not prevent] medical professionals to provide medical treatment or the medical means in order to **facilitate the termination of life of [catastrophically] afflicted adults**, such as the mortally wounded or terminally ill, who experience severe physical or mental pain and suffering and wish to die with dignity”.

In the Name of the Family stresses that the **the obligation of the State parties is the *protection* of the inherent right to life**, enshrined in Article 6 of ICCPR: “This [inherent] right [to life] shall be protected by law.”

The scope of Article 6 and the obligations of the State cannot in any way **include the permission or legalization of any practice which would derogate and violate the right to life, even if it is requested by the individual rights-holder themselves, as is the case with the termination of life - euthanasia.**

Therefore, the present wording of the **Paragraph I. 10 has to be changed not to include euthanasia in any form**, but to include **strengthening palliative care** and **other means to improve the quality of life** of mortally wounded, terminally ill, and all who experience severe physical or mental pain and suffering, as an obligation of the State parties under Article 6.

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