

APPENDIX
Legal Protections of the Right to Life:
International, Regional, and National Provisions

Protections of the Right to Life in International and Regional Treaties Ratified by Hungary

The following provisions are from the international and regional human rights treaties. These provisions affirm the importance of the right to life and the inviolability of the person.

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.

Article 9.1

Everyone has the right to liberty and security of person.

Convention on the Rights of the Child

Article 6.1

State Parties recognize that every child has the inherent right to life.

Article 6.2

State Parties shall ensure to the maximum extent possible the survival and development of the child.

European Convention on Human Rights and Fundamental Freedoms

Article 2:

1. Everyone's right to life shall be protected by law.

Charter of Fundamental Rights of the European Union

Title 1: Dignity

Article 1: Human dignity

Human dignity is inviolable. It must be respected and protected.

Article 2: Right to life

Everyone has the right to life.

Protections of the Right to Life in European Constitutions

All but one European constitution protects the right to life without addressing when the right to life begins or mentioning termination of pregnancy. Below are examples of constitutional language used to recognize and affirm the right to life.

Germany:

Basic Law for the Federal Republic of Germany (May 23, 1949, as amended up to June 2008)

I. Basic Rights

Article 2 [Personal freedoms]

(2) Every person shall have the right to life and physical integrity. Freedom of the person shall be inviolable. These rights may be interfered with only pursuant to a law.

Ireland:

Constitution of Ireland (1937, as amended 2004)

Fundamental Rights

Personal Rights

Article 40.3.3

The State acknowledges the right to life of the unborn and, with due regard to the equal right to life of the mother, guarantees in its laws to respect, and, as far as practicable, by its laws to defend and vindicate that right.

This subsection shall not limit freedom to travel between the State and another state. This subsection shall not limit freedom to obtain or make available, in the State, subject to such conditions as may be laid down by law, information relating to services lawfully available in another state.

Lithuania:

The Constitution of the Republic of Lithuania (November 2, 1992, as amended 2006)

Chapter Two, The Human Being and the State

Article 19

The right to life of a human being shall be protected by law.

Poland:

Constitution of the Republic of Poland (Dziennik Ustaw of 16 July, 1997, No. 78, item 483)

Personal Freedoms and Rights

Article 38

The Republic of Poland shall ensure the legal protection of the life of every human being.

Portugal:

Constitution of the Portuguese Republic (rev. 2005)

Title II, Rights, freedoms and guarantees

Chapter I, Personal rights, freedoms and guarantees

Article 24 (Right to life)

1. Human life shall be inviolable.

Russian Federation

The Constitution of the Russian Federation (Dec. 25, 1993, as amended 2001)

First Section

Chapter 1. The Fundamentals of the Constitutional System

Article 20

1. Everyone shall have the right to life.

Slovak Republic

Constitution of the Slovak Republic (1992)

Part Two, Basic Human Rights and Freedoms

Article 15

(1) Everyone has the right to life. Human life is worthy of protection already before birth. #

(2) No one may be deprived of life.

(4) It is not a violation of rights under this article, if someone is deprived of life as a result of an action that is not deemed criminal under the law.

Spain

The Spanish Constitution (1978)

Chapter Two, Rights and Liberties

Section One: Fundamental Rights and Public Liberties

Article 15

Everyone has the right to life and to physical and moral integrity, and may under no circumstances be subjected to torture or to inhuman or degrading punishment or treatment. The death penalty is hereby abolished, except as provided by military criminal law in times of war.

This reference distinguishes between human life before birth, which is merely worthy of protection, and the general right to life. Art. 15(4) states that Article 15 is not violated if a deprivation of life “occurs in connection with conduct which is not criminal under the law.”