4. Right to life and freedom from ill-treatment

Each Concentrate revision guide is packed with essential information, key cases, revision tips, exam Q&As, and more. Concentrates show you what to expect in a law exam, what examiners are looking for, and how to achieve extra marks. This chapter focuses on the right to life and freedom from ill-treatment, considered the two most fundamental human rights premised on the idea of the inherent dignity of human beings. The chapter examines the right to life as elucidated in Article 2 of the European Convention on Human Rights (ECHR), along with the ECHR’s positive obligations. It also highlights exceptions in Article 2(2) and the European Court of Human Rights’ (EChHR) adjudication on controversial issues as to when life begins and ends, including abortion, the right to die, and the death penalty. The chapter then examines Article 3 and the interpretation of the Article by the EChHR. In addition, the chapter looks at the UK’s approach to freedom from ill-treatment and the right to life, and concludes with a discussion of the scope of Article 3 with regard to freedom from ill-treatment.
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