

# Substance

## The right to life and protection from torture / cruel, inhuman or degrading treatment or punishment – article 4

### Right to life

The right to life is the cornerstone on which the realisation of all other rights and freedoms depend and the deprivation of which amounts to the elimination of the holder of these rights and freedoms (*African Commission on Human and Peoples' Rights v Kenya*, application 006/2012, Judgement, 26 May 2017, para 152). The violation of economic, social and cultural rights may engender conditions unfavourable to a decent life. However the deprivation of economic, social and cultural rights may not in itself necessarily amount to a violation of the right to life. A complainant must therefore establish a causal link between the deprivation of economic, social and cultural amenities to the alleged deprivation of the right to life (*African Commission on Human and Peoples' Rights v Kenya*, application 006/2012, Judgement, 26 May 2017, paras 153 & 155). The right to life under article 4 'relates to the physical rather than the existential understanding of the right to life' (*African Commission on Human and Peoples' Rights v Kenya*, application 006/2012, Judgement, 26 May 2017, para 154).