

## International Humanitarian and Human Rights Law Issues

Factual Circumstance	Applicable Law	Commentary
	<p>restrictions except those which are provided by law, are necessary to protect national security, public order (<i>ordre public</i>), public health or morals or the rights and freedoms of others, and are consistent with the other rights recognized in the present Covenant.</p> <p><b>Art. 12(1) AC</b></p> <p>"Every individual shall have the right to freedom of movement and residence within the borders of a State provided he abides by the law."</p> <p><b>Art. 11(1) ICESCR</b> states that the Parties recognize:</p> <p>"the right of everyone to an adequate standard of living for himself and his family, including adequate food, housing and to the continuous improvement of living conditions. The States Parties will take appropriate steps to ensure the realization of this right ..."</p>	<p>etc.).</p> <p>⇒ As stated above, the attacks on civilians by the GOS are in violation of the right to life. The abductions of women and children and the rape of women by the militias allied with the GOS violate among other rights, the right not to be subjected to cruel, inhuman or degrading treatment and the prohibition against slavery. Therefore, these attacks, the purpose of which is to forcibly displace the civilian population also violate the rights of freedom of movement and residence in Art. 12 ICCPR and Art 12(1) AC.</p> <p>⇒ The Committee on Economic Social and Cultural Rights (the "Committee on ESCR") has stated that "instances of forced eviction are <i>prima facie</i> incompatible with the requirements of the Covenant, and can only be justified in the most exceptional circumstances and in accordance with the relevant principles of international law"</p>