

International Humanitarian and Human Rights Law Issues

	(2) States Parties shall pursue full implementation of this right and, in particular, shall take appropriate measures (a) to diminish infant and child mortality; (b) to ensure the provision of necessary medical assistance and health care to all children with emphasis on the development of primary health care; (c) to combat disease and malnutrition, including, within the framework of primary health care ... through the provision of adequate nutritious foods and clean drinking water" Art. 18 AC "The aged and the disabled shall also have the right to special measures of protection in keeping with their physical or moral needs."	
Denial of access to food, water clothing and housing These civilians, once displaced have no yield from crops, no seeds to plant and the climate of insecurity inhibits cultivation in any case. Those who have fled to the swamps are often without fishing equipment. Without food those people are reliant on humanitarian food drops, grass and leaves for survival. Displaced civilians build temporary tukuls or hide in the swamps for shelter.	Common Art. 3 (see above) Art. 6(1) ICCPR (See above) Art. 4 AC (See above) Art. 6 CRC (See above) Art. 11(1) ICESCR (See above) Art. 11(2) ICESCR "The States Parties to the present Covenant recognizing the fundamental right of everyone to be free from hunger, shall take, individually and through international co-operation, the measures, including specific programmes, which are needed: (1) To improve methods of production, conservation and	⇒ Deng points out that while the rights to food and water are not explicitly mentioned in Common Art. 3, these rights, to the extent they are necessary for survival, should be regarded as inherent in the guarantee of humane treatment contained in Common Art. 3. ⇒ Forcible displacement of the civilians in the WUN which <i>inter alia</i> prevents these persons from cultivating, and producing food necessary for survival violates the right to be free from hunger and, in addition violates positive obligations incumbent on the GOS under Art. 11 ICESCR. ⇒ According to the Committee on ESCR, a "State party in which any significant number of individuals is deprived of essential foodstuffs, of essential primary health care, of basic shelter and housing, or of the most basic forms of education is, <i>prima facie</i>, failing to discharge its obligations under the Covenant" unless it can "demonstrate that every effort has been made to use all resources that are at its disposition in an effort to satisfy, as a matter of priority, those minimum obligations". In addition the Committee noted that the