International Humanitarian and Human Rights Law Issues

Art. 12 ICESCR

- (1) The States Parties to the present Covenant recognize the right of everyone to the enjoyment of the highest attainable standard of physical and mental health.
- (2) The steps to be taken by the Sates Parties ... to achieve the full realization of this right shall include ... (c) the prevention, treatment and control of epidemic, endemic, occupational or other diseases; (d) the creation of conditions which assure to all medical service and medical attention in case of sickness."

Art. 16 AC

- (1) Every individual shall have the right to enjoy the best attainable state of physical and mental health.
- (2) States parties to the present Charter shall take the necessary measures to protect the health of their people and to ensure that they receive medical attention when they are sick.

Art. 5(e)(iv) CERD requires States parties to guarantee to each person, without discrimination, equality in the enjoyment of the right to public health, medical care and social services.

Art. 24 CRC

(1) States Parties recognize the right of the child to the enjoyment of the highest attainable standard of health and to facilities for the treatment of illness and rehabilitation of health. States parties shall strive to ensure that no child is deprived of his or her right of access to such health care services. are at its disposition".

⇒ The continuing attacks by the GOS on civilians and civilian areas make it too dangerous for humanitarian workers to operate in certain areas in the WUN and in particular in much of Ruweng County and Unity State. As a result the civilian population which is in dire need of humanitarian assistance (both medical attention and food) is deprived of this necessary aid. This is therefore also a violation of the GOS obligations under the ICESCR, the AC and the CRC to ensure that civilians — men, women, children and the elderly — have access to and receive necessary medical treatment.