

ICCPR Article 12

Freedom of movement



Article 12 §3 permits restrictions on the right to the freedom of movement, to choose own residence, and to leave any country, if they are provided by law and are necessary to protect:

- I National security
- II Public order (ordre public)
- III Public health
- IV Public morals
- V Rights and freedoms of others

Attention! Restriction on the grounds other than the ones listed above are not permitted.



RESTRICTIONS MUST:

- Be provided by law with clear definition and precise criteria
- Conform to the principles of proportionality
- Be consistent with the fundamental principles of equality and non-discrimination

If any restriction is put on the article 12, States parties are required to provide all relevant information in their periodic reports to the HR Committee, including on:



- Legal norms upon which restrictions are founded
- Available remedies for the restriction; and
- If foreigners are treated differently by the restriction, the circumstances of such different treatment and its justification.

Also refer:

[Checklist for monitoring illegitimate restrictions of ICCPR \(card No.2\)](#)