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Outbreak Of Covid-19 Pandemic: No More Right To Freedom Of Movement In States

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Abstract

This paper explores the history of COVID-19, a pandemic that put several states in a perilous situation. With the COVID-19 epidemic, lives were lost and economic activities were halted. States referred to existing legislation, and in many circumstances, some states declared states of emergency. Regulations were swiftly implemented to stop this outbreak. To stop the epidemic from spreading, governments closed their borders and severely restricted people's freedom of movement. Relevant concerns were whether states might enact emergency rules that restricted people's freedom of movement. Insofar as the declaration of a state of emergency was made public, these measures implemented by states during this time period were intended to safeguard public health and safety. The exercise of the right to freedom of movement was only restricted as a result of the deadly disease COVID-19's outbreak. This paper concludes by noting that, given the unusual environmental conditions present at the time of the COVID-19 pandemic's breakout, the restriction of movement was wholly justifiable. It was acceptable and legal for states to deviate from the right to freedom of movement.

Keywords: COVID-19 pandemic, derogation, freedom of movement, public health and safety, state of emergency, curtailed, justified.

1. INTRODUCTION

In 2020, a pandemic known as COVID-19, which is thought to be a coronavirus (CoV) variant, wreaked havoc on the entire world. The World Health Organization (WHO) declared the epidemic a public health emergency of worldwide concern on December 31, 2019. COVID-19 was given to it on or around February 11, 2020 ¹. COVID-19 was characterized as an infectious, airborne sickness that is highly contagious by Zhou J of the High Court of Zimbabwe in *Roger Dean Stringer v. Minister of Health and Child Care & anor* ². The court held that it has spread almost everywhere with terrible results.

Although there have been many theories regarding where the virus came from, the pandemic's outbreak forced many people, organizations, and governments around the world to stop their operations. The widely accepted and most likely explanation for the COVID-19 outbreak is that it started in Wuhan, China, not far from the most advanced bioweapons laboratory there, and

¹ WHO, 'Rolling updates on Coronavirus (COVID-19) disease' <www.who.int/emergencies/diseases/novel-coronavirus-2019/events-as-they-happen> accessed 4 May 2021.

² *Roger Dean Stringer v. Minister of Health and Child Care & Anor* [2020] Unreported 1 (HH-259-20 – HC 2154/20).

spread from there, leaving it up to speculation as to whether it was created in the laboratory and leaked, came from strays like wild bats or snakes, or originated in exotic meat markets.³

Governments took action by starting a partial and/or total lockdown to stop the virus's transmission as a result of the virus's increased spread. Due to this, numerous businesses including schools, marketplaces, and companies had to close⁴.

The COVID-19 Regulations No. 1 of 2020, the first Nigerian Federal Regulation on COVID-19, was signed by the president of Nigeria on March 30, 2020. The President began by designating COVID-19 as a potentially lethal infectious disease in accordance with the Quarantine Act⁵. The Regulation, which consists of seven Regulations, concerns movement restrictions or cessations in Lagos State, the Federal Capital Territory, Abuja (FCT), and Ogun State,⁶ suspension of passenger aircraft (both commercial and private),⁷ the necessity of personal sacrifice, relief supplies, support from the private sector and individuals,⁸ and more. As a result, in accordance with the Quarantine Act of 1926, the Lagos State Governor issued the Lagos State Infections Diseases (Emergency Prevention) Regulations 2020. Governors in other states did the same.

According to section 41(2)⁹ of the Federal Republic of Nigeria's 1999 Constitution, these ethereal directives may have violated the law because some of them were not officially recognized as laws to derogate from adherence to human rights or fundamental rights, such as the right to freedom of movement (as amended). In the context of section 36 (12) of the CFRN, the Court of Appeal has ruled in the case of *Faith Okafor v. Lagos State Government*¹⁰ that simple executive orders do not automatically amount to law.¹¹

In lieu of the aforementioned, this paper is broken into five sections. The introduction comes first. In light of the COVID-19 outbreak, part two of this article explores the idea of human rights as it relates to the fundamental right to freedom of movement. Part 3's focus is on in-depth analyses of how the COVID-19 pandemic affected peoples' rights to freedom in various jurisdictions. The fourth section examines the rationale and justification for state restrictions on the right to free Of movement in response to COVID-19. The conclusion, part 5 indicates that states have the authority to take drastic measures that violate people's fundamental rights in situations like the COVID-19 outbreak insofar as those actions are made public. The population's safety and health, as well as the general public's good, are undoubtedly the goals.

2. HUMAN RIGHTS

This section focuses on human rights as they relate to fundamental rights, including the right to freedom of movement. The COVID-19 regulations and directives' implementation resulted in the violation of this right. Ordinarily, entitlements are regarded as rights. It is described as something owed to a person by a just claim, a legal guarantee, or a moral principle in the Black's Law Dictionary [1]. It is also described as a legally enforceable demand that someone else perform an action or refrain from performing one, as well as a recognized and protected interest whose breach is wrong¹². Wasserstrom makes a case for rights by pointing out that they are essential to the realm of entitlements. He stated:

³ Grady Means, 'The coronavirus: Blueprint for bioterrorism,' 9 March 2020. *The Hill* (9 March 2020) <<https://thehill.com/opinion/national-security/485921-the-coronavirus-blueprint-forbioterrorism>> accessed 30 May 2021.

⁴ NCDC, 'Public Health Advisory to Nigerians on Coronavirus Disease' <<https://covid19.ncdc.gov.ng/advisory/>> accessed 1 May 2021.

⁵ CAP Q2 LFN 2004.

⁶ *Ibid.* Reg. 3.

⁷ *Ibid.*, Reg. 5.

⁸ *Ibid.* Reg. 6

⁹ "Nothing in subsection (1) of this section shall invalidate any law that is reasonably justifiable in a democratic society— (a) imposing restrictions or movement of any person who has committed or is reasonably suspected to have committed a criminal offence in order to prevent leaving Nigeria..."

¹⁰ [2017] 4 NWLR (Pt. 1556) 404 at 442.

¹¹ "Subject as otherwise provided by this constitution, a person shall not be convicted of a criminal offence unless that offence is defined and the penalty therefore is prescribed in a written law; and in this subsection, a written law refers to an Act of the National Assembly or a Law of a State, and subsidiary legislation or instrument under the provisions of a law."

¹² *Ibid.*

They aid in defining and protecting those objects for which one may assert a very particular form of claim—a claim of right. Anything claimed or acquired as a matter of right is fundamentally distinct from anything sought after or acquired by the granting of a privilege, the acceptance of a favor, or the presence of permission. A person who has a right to something usually has the immediate ability to obtain, acquire, or enjoy it without the need for permission from another person. It is improper for someone to withhold or refuse something from someone who has a right to it as long as they have that right. Additionally, to have a right is to be entitled to the object of the right—at least prima facie without further discussion—and to be released from the duty to weigh a range of what might otherwise be important issues. Simply said, to have a very strong moral or legal claim on something is to have a right to it. There is no stronger assertion than this one [2].

On the other hand, a human right, which is a type of right, has been described as a right that is shared by all people and is universal. By definition, a human right is an unalienable moral right that every man, everywhere, and at all times ought to enjoy, that no one may be denied without seriously undermining the rule of law, and that every person is entitled to simply because they are human [2]. The Nigerian Court of Appeal in the case of *Olutide & Ors v. Hamzat & Ors*¹³ defined human rights as:

Human rights are often protected as legal rights under both domestic and international law. Human rights are moral principles or norms that describe particular standards of human behavior. They are frequently referred to as fundamental, unalienable rights.

These rights are founded on the idea that everyone is created equal and should enjoy the same opportunities and rights. The capacities to comprehend another person's sentiments, experiences, and the rule of law are ingrained in these rights. In other words, treat others how you would like to be treated. Therefore, it is safe to claim that these rights place a duty on every person to respect the rights of others as fellow humans. However, due process allows for the removal of these rights under specific conditions.¹⁴

However, Wasserstrom adds that at least four extremely general features must be present for a right to qualify as a human right, in his opinion [2]. To begin with, it must be possessed by all humans and only by humans. Second, because it is a universally recognized right, it must be shared equally by all people. Third, since all people are endowed with human rights, we can rule out any rights that one might need in order to hold a particular position or relationship, such as that of father, president, or promisee. Fourth, if there are any human rights, they also have the added quality of being asserted, so to speak, "against the whole world." They can be asserted against any other human being equally because they are not possessions based on any contingent status or relationship [2].

3. PUBLIC EMERGENCY DURING COVID-19 AND RIGHT TO FREEDOM OF MOVEMENT

Measures derogating from the covenant must be exceptional and temporary in nature, and they can only be used in situations that constitute a public emergency endangering the existence of the country, according to the UN Human Rights Committee's (HRC), CCPR General Comment No. 5. The Human Rights Committee stated in its statement on derogations from the covenant related to the COVID-19 pandemic that the pandemic has placed a responsibility on member states to take effective measures to protect the right to life and health of all people on their territory and all people under their jurisdiction and that such measures may result in limitations on the enjoyment of individual rights protected by the covenant¹⁵.

On March 24, 2020, UN experts released a statement on COVID-19 and human rights that urged states to uphold human rights in their reactions to the pandemic and work together to stop the virus' spread. When a state of emergency is declared, it must be unique, brief, absolutely required, and supported by a threat to the survival of the country.¹⁶

¹³ (2016) LPELR-26047(CA) Per Denton-West, J.C.A. (p.11, paras. B-E).

¹⁴ *Ibid.*

¹⁵ UN Human Rights Committee. Statement on derogations from the Covenant in connection with the COVID-19 pandemic, CCPR/C/128/2.

¹⁶ United Nations, *UN Human Rights Treaty Bodies Call for Human Rights Approach in Fighting COVID-19* (24 March 2020).

However, these exceptions are only permitted if a state of emergency has been declared and the UN Secretary General has been informed. State of emergencies must be announced publicly. Levenson claims that some critics questioned whether China's approach to the new coronavirus's first appearance in Wuhan, where its borders were closed, was proportionate and considerate of human rights [3]. According to Hamblin, some people believed that these closures were only feasible because of China's poor human rights history and the authoritarian tendencies of its current leadership [4]. These observers made the assumption that because Western nations are more devoted to individual liberties and rights, such levels of restrictions could never be implemented there. Despite this supposition, the situation quickly worsened as the death toll sharply rose everywhere, prompting Italy to close its borders on March 10, 2020¹⁷. The virus expanded out of hand so swiftly in the ensuing weeks that most nations sealed their borders or at the very least severely curtailed new immigration¹⁸. When they arrive in their own nation, many returning citizens from all over the world are compelled to abide by quarantine regulations. Soon after, some nations made the decision to control internal travel and close some internal boundaries between states and territories. The fact that a country's inhabitants' ability to leave was effectively suspended along with their right to enter, made the movement restrictions in reaction to this epidemic extraordinary. Italians were prohibited from leaving their areas for a while,¹⁹ and Australians are currently prohibited from leaving their nation and occasionally their state within it.²⁰

The first Nigerian Federal Regulation on COVID-19, Regulation 1, particularly restricted movements in Lagos, the Federal Capital Territory, and Ogun State for a preliminary 14-day period beginning at 11:00 pm on Monday, March 30, 2020. All residents were urged to remain indoors, and travel to and from other states was also canceled. In response to the Regulation, order to close offices and businesses were also issued. Hospitals and other facilities involved with healthcare, however, were exempt. Other commercial enterprises including those engaged in the processing, distribution, and retail of food; those engaged in the distribution and retail of petroleum; those engaged in the generation, transmission, and distribution of electricity; and private businesses were exempted. Money markets and those unable to work from home employed by telecommunications businesses were also exempted. The courts for urgent, time-sensitive, or important cases that were a part of the exempted locations were finally shut down. The Regulation gave Lagos seaports permission to operate as long as they followed the rules. The President also pledged, among other things, to provide individuals in need with relief supplies in accordance with the Regulation. After fourteen (14) days had passed, the President of Nigeria issued COVID-19 Regulations No. 2 of 2020 on April 13, 2020, which is another rule. The first Regulation's restrictions and exceptions were fully maintained by the second Regulation, which extended the mobility limitation to a further fourteen (14)-day period beginning on April 14, 2020.

The first rule made in accordance with the Quarantine Act is the Lagos State Infections Diseases (Emergency Prevention) Regulations 2020, which went into effect on March 27, 2020. The COVID-19 outbreak in the state was intended to be stopped and contained by the regulation, which the Governor of Lagos State signed²¹. The Regulation granted authority over potentially contagious individuals (PIP). According to the statute, the Governor may order a PIP to travel to a certain location for screening and assessment if it is local. Such a PIP may also be ordered to isolation for a preliminary period of fourteen (14) days by the Governor.²² The legislation additionally stipulates that the Governor may limit or prohibit people from congregating in the state. It could be argued that the definition of the word "prohibit" found in Black's Law Dictionary [1] is incorrect. The only way to violate human rights is to impose limitations that are compliant

¹⁷ 'Coronavirus: Italy Extends Emergency Measures Nationwide' British Broadcasting Corporation 10 March 2020.

¹⁸ 'Coronavirus: The Week the World Shut Down' *The Guardian* (21 March 2020) <<https://www.theguardian.com/world/2020/mar/20/coronavirus-the-week-the-world-shut-down>> accessed 23 April 2021.

¹⁹ 'Italy Announces Restrictions Over Entire Country in Attempt to Halt Coronavirus' *The New York Times* (9 March 2020).

²⁰ Australian Department of Home Affairs, Covid-19 and the Border: Travel Restrictions and Exemptions, Updated Regularly at: <<https://covid19.homeaffairs.gov.au/travel-restrictions>> accessed 7 May 2021.

²¹ Lagos State Infections Diseases (Emergency Prevention) Regulations 2020, Reg. 3.

²² *Ibid.* See Sub-Reg 6 (2) and (3).

with the law. Human rights are not forbidden, but they are constrained.²³ By law, the Governor is permitted to establish conditions for obtaining his written consent before a gathering of people and to put limits on the number of people who may be present there.²⁴

Hamadou claims that each of the West African states took different COVID-19-related steps that, in light of their political and protectionist interests, they deem suitable given the urgency of the situation [5]. These actions included declaring a sanitary state of emergency in Niger, Ivory Coast, Senegal, and Togo. Governments have justified these actions by claiming that they will stop the virus's spread. These actions may be fully legal, according to Ouedraogo and Ouedraogo, who also claim that they have usually strengthened the power of governments to impose restrictions on people's freedom of movement even within their own nations [6]. Authorities have used COVID-19 as justification for limiting the freedom of movement of local residents and other African citizens. For instance, Fall claims that no border barrier or lockdown will deter the Wodaabe (nomadic farmers and merchants), who migrate annually from southern Niger to northern Nigeria [7].

The UDHR's Article 13 declares that everyone has the right to freedom of movement²⁵. They are designed to shield people from exposure and transmission, household confinement laws like curfews, lockdowns, and stay-at-home orders are a crucial part of the public health response to COVID-19. The right to freedom of movement is nevertheless inevitably limited by household limitation. For those who live in unsafe conditions, such as violence and abuse, household confinement regulations are risky and may even be fatal²⁶. Additionally, those who lack adequate accommodation, such as those who live in slums, refugee camps, or are homeless, find it difficult or even impossible to comply with home isolation orders. The COVID-19 pandemic has increased concerns to human rights for many communities who currently face housing insecurity. In rare situations, the use of violence by military and police personnel in the execution of family confinement measures might be dangerous. For instance, disproportionate police force caused at least six deaths and several injuries during the first 10 days of Kenya's curfew. Police brutality, including shootings, beatings, whippings, tear gassing, looting, and financial extortion, was used to impose the dark to dawn curfew. In some instances, cops started using such violence before the curfew started. Videos also show officers forcefully squeezing citizens together while without wearing masks²⁷.

A "public emergency" is one that is current or impending, extraordinary, affects the entire population, and poses a threat to the community's organized existence, according to *Lawless v Ireland*²⁸ as norms established under the European Convention on Human Rights (ECHR).²⁹ According to Murphy and Whitty, these standards, combined with the general standards that have emerged as a result of the gradual securitization of public health, leave little room for doubt that a public health emergency of the magnitude of COVID-19 can give rise to emergency-specific special provisions [8]. It has put not only local but also worldwide communities in danger due to the exceptional and immediate threat it poses to life. Other areas of free movement were also impacted, including the Schengen Zone of the European Union, where unrestricted border crossings had been permitted since the introduction of the Schengen Treaty in 1997³⁰. Of course, Articles 25 and 26 of the Schengen Border Code in the Schengen

²³Restriction in simple terms means to limit. The same Black's Law Dictionary at 1429 defined restriction to mean a limitation or qualification. Rights are not prohibited, but restricted. In other words, exercise of rights are not forbidden, they are simply limited in line with the law. More so, the marginal part of Section 45 of the 1999 Constitution as amended states as follows: "Restriction on and derogation from Fundamental rights."

²⁴*Ibid.* Reg 8 (1) (e).

²⁵ Universal Declaration of Human Rights, G.A. Res. 217A (III) (1948), art. 13.

²⁶United Nations, *COVID-19 and human rights: We are all in this together* (2020). <http://www.un.org/victimsofterrorism/sites/www.un.org.victimsofterrorism/files/un_human_rights_and_covid_april_2020.pdf> accessed 27 April 2021.

²⁷ Human Rights Watch, *Kenya: Police brutality during curfew* (April 22, 2020).<<http://www.hrw.org/news/2020/04/22/kenya-police-brutality-during-curfew>>accessed 5 May 2021.

²⁸*Ireland v. The United Kingdom*, Application no 5310/71, 13 December 1977.

²⁹*Ibid.* at para 28; UN Human Rights Committee. Statement on derogations from the Covenant in connection with the COVID-19 pandemic, CCPR/C/128/2. at 48.

³⁰ European Union, *Agreement between the Governments of the States of the Benelux Economic Union, the Federal Republic of Germany and the French Republic on the Gradual Abolition of Checks at their Common Borders, Schengen Agreement*, 14 June 1985, *Official Journal L* 239, 22/09/2000 P. 0013–0018, 42000A0922(01).

Treaty provide that borders may be closed in extraordinary cases³¹. Normal notification requirements for closures call for four weeks' notice, but under unusual circumstances like the pandemic's rapid spread closures may be implemented sooner. Despite the EU's introduction of a color-coded system to distinguish between areas that were most and least affected, the situation during the second wave was unstable and vulnerable to quick adjustments³².

The first phase of the pandemic saw widespread border closures, which essentially halted freedom of movement as stated in UDHR Article 13³³ and firmly rooted in regional instruments like EU treaties, Article 12³⁴ of the ICCPR, and other laws. Although many have argued that freedom of movement is necessary for the effective enjoyment of other freedoms, McAdam believes that because it is a key indicator of a state's sovereignty, freedom of movement is not an absolute right and is not matched by a state's obligation of admittance [9]. In Bauböck's words:

Humans are not sedentary animals by nature. Being restricted in one's movements is undesirable not only because of the opportunities lost elsewhere as a result, but also because it is felt as a restriction on freedom itself. Therefore, the right to freedom of movement is not only a tool for other freedoms but also a fundamental component of what it means to be free, together with the other fundamental freedoms of thought, communication, and association [10].

Similar to how in the United States, a pandemic does not give the government the right to restrict the basic liberties guaranteed by the constitution. According to a recent statement made by the Court in *In re Abbott*,³⁵ "Constitutionally protected individual rights do not vanish in the event of a public health emergency."³⁶ As a result, the government is prohibited from encroaching onto any of the rights guaranteed by the Fourteenth Amendment, as well as other personal freedoms. Although it is necessary to adopt a law that is lawful to safeguard citizens' public health and safety during a pandemic, it should be done in a way that doesn't violate any of their constitutional rights.³⁷ The case of *R v Governor of Brockhill Prison, ex p Evans*³⁸ (No 2) once more affirms the United Kingdom's position that any derogation of a citizen's rights must be based on a clearly defined legal process that is legitimate. Where there is no public health or safety that needs to be protected, derogation legally ceases to apply. For instance, in *Enhorn v Sweden*³⁹, the European Court of Human Rights held thus:

'...The most important factors to consider when determining whether detaining someone to stop the spread of an infectious disease is "lawful" are whether the person in question is at risk for endangering public health or safety, and whether detaining them is the last option left after less drastic measures have been considered and found to be insufficient to protect the public interest. The ground for the deprivation of liberty ends when these requirements are no longer met.

Wales' Regulation likewise stipulates limitations on gatherings and movement during the emergency period⁴⁰. No person may leave their residence during the emergency time without a valid reason, according to Regulation 8 (1). The law also makes an exception for situations where the gathering is necessary for work-related reasons, to attend a funeral or facilitate a house move, to provide care or assistance to a vulnerable person, including relevant personal care as defined by paragraph 7(3B) of schedule 4 to the Safeguarding of Vulnerable Groups Act 2006, to provide emergency assistance, to participate in legal proceedings, or to fulfill a legal obligation.

³¹ Regulation 2016/399 of the European Parliament and of the Council of 9 March 2016 on a Union Code on the rules governing the movement of persons across borders (Schengen Borders Code), *OJ L 77, 23.3.2016*, Article 25 and Article 26.

³² 'EU Unveils Covid-19 "Colour-Code" Travel Zones' *The EU Observer* (7 September 2020) <<https://euobserver.com/coronavirus/149344>> accessed 7 March 2021.

³³ Universal Declaration of Human Rights 1948, GA Res 217A (III), A/810 at 71 (1948), Article 13.

³⁴ UN Human Rights Committee (HRC), CCPR General Comment No. 5: Article 4 (Derogations), 31 July 1981), Article 12.

³⁵ 29 F.3d 2020 WL 1685929, at 6 (5th Cir. Apr. 7, 2020).

³⁶ *Ibid.*

³⁷ *Ibid* at 7.

³⁸ [2001] 2 AC 19.

³⁹ ECtHR, Application no. 56529/00, 25 January 2005.

⁴⁰ The Health Protection (Coronavirus) (Restrictions) (Scotland) Regulations 2020 – Scottish Statutory Instruments 2020, No. 103. Similar provision is provided in this Regulation. But that of Scotland is abridged.

According to the law on public gatherings, if more than two people are present and a relevant person determines that more than two people are present, the relevant person may order the gathering to disperse, order any present individuals to return to their homes, or remove any present individuals to their homes.

4. BASIS FOR RESTRICTION TO THE RIGHT TO FREEDOM OF MOVEMENT

The majority of states, including Nigeria, Wales, and a number of others, invoked relevant provisions of laws and regulations upon the occurrence of COVID-19. Nigeria referred to the Quarantine Act's restrictions. In accordance with the Quarantine Act, some regulations were enacted. Although these restrictions on movement of people were made to safeguard public safety, order, or health, they nonetheless severely restricted people's freedom of movement. These regulations did not recognize freedom of movement as an unalienable right, but as a qualified right. When a right, such as the guarantee of freedom of movement, is mentioned first and then allowable restrictions can be placed, such right is said to be qualified. This freedom may be restricted in a democratic society if there is a valid legal rationale for doing so. Therefore, limiting someone's freedom of movement could be acceptable. It is the responsibility of the individual to provide evidence that his rights have been violated. The onus then rests on the state to provide evidence supporting the interference. When COVID-19 was implemented, laws might be used as long as there was no racial, ethnic, gender, national origin, or language discrimination. It is legitimate to impose restrictions on the basis of public health, national security, morality, or other people's rights and freedoms. Any constraints placed on one's ability to move freely must be authorized by law. The rule of law is significantly guaranteed by this. The limitations imposed must follow the guidelines outlined in the constitution or any other relevant laws. A law that restricts the right to move around must, in the opinion of Desierto, be justified [11]. The aforementioned laws ought to be supported by solid evidence and rationale, and those tasked with upholding them shouldn't have uncontrolled discretion. Restrictive measures must adhere to the proportionality principle, be appropriate for carrying out their protective function, be the least intrusive tool available among those capable of producing the desired result, and be commensurate to the protected interest. According to Vicente and Bentez, the principle of proportionality must be followed not only in the statute that imposes the restrictions but also in the way that administrative and judicial authorities interpret the law. An arbitrary, illogical, or irrational choice regarding proportionality should not be made. Just because a measure succeeds in achieving its intended objective, such as preserving the public's health, national security, or public order, does not automatically make it proportionate. Proportionality indicates that restricting a right, such the freedom to move around, is actually required to safeguard public health or national security, and that the chosen technique is the least restrictive one that can be used to accomplish the goal of preserving public order or health [12]. Some scholars, according to Annas, have gone so far as to contend that civil rights never should be sacrificed in order to defend the public's health [13]. An authoritarian government with extensive powers that could threaten the enjoyment of human rights may arise if there is no check on the deployment of authorities to combat the epidemic. To ensure that people's rights are not infringed without consequence in the name of containing a public health emergency, a watchful and active judiciary is necessary in this situation [13].

In light of the perilous situation at hand, governments' restriction of freedom of movement by putting legislative measures to stop COVID-19 transmission into force was justifiable, legal, tenable, and reasonable.

5. CONCLUSION

Under the current laws of states, the right to freedom of movement is still fully guaranteed. However, during the COVID-19 outbreak, states severely restricted the citizenry's right to freedom of movement by enacting emergency legislations and invoking pre-existing regulations designed to safeguard the public good, safety, and health of the populace. This was necessary since it was clear that states were attempting to immediately contain a ravaging pandemic that was already quickly taking lives in the majority of states. Without a doubt, the current frightening scenario at the time made it entirely reasonable to deviate from the observance of freedom of movement.

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