

ARCHIVED: WMA DECLARATION ON THE PROTECTION OF HEALTH CARE WORKERS IN SITUATION OF VIOLENCE

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Preamble

The right to health is a fundamental element of human rights which does not change in situations of conflict and violence. Access to medical assistance for the sick and wounded, whether they have been engaged in active combat or not, is guaranteed through various international agreements, including the Geneva Convention and the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials of the United Nations.

The primary obligation of physicians is always to their patients, and physicians have the same ethical responsibilities to preserve health and save life in situations of violence or armed conflicts as in peacetime. These are as set out in the WMA Regulations in Times of Armed Conflict and Other Situations of Violence.

It is essential to ensure the safety and personal security of healthcare workers in order to enable the provision of the highest standard of care to patients. If healthcare workers are not safe, they might not be able to provide care, and patients will suffer.

In situations of violence, the delivery of healthcare is frequently obstructed and the sick and wounded deprived of essential treatment through:

1. Medical workers being prevented from attending to the injured;
2. Interference by the state or others in positions of power through intimidation, detention or other legal measures;
3. Patients being denied access to medical facilities;
4. Targeted attacks upon medical facilities and medical transport;
5. Targeted attacks upon medical personnel, including kidnapping;
6. Non-targeted violent acts which result in the damage to or destruction of facilities or vehicles, or cause injury or death to medical personnel.

Such actions have serious humanitarian implications and violate international standards of medical neutrality as set out in the provisions of international human rights and humanitarian law and codes of medical ethics.

Attacks on the fundamental ethical principles of the medical profession, such as attempts to coerce medical professionals into providing details regarding those under their care, can undermine the confidence of patients and discourage injured people from seeking necessary treatment.

RECOMMENDATIONS

The WMA calls upon governments and all parties involved in situations of violence to:

1. Ensure the safety, independence and personal security of healthcare personnel at all times, including during armed conflicts and other situations of violence, in accordance with the Geneva Conventions and their additional protocols;

WMA DECLARATION ON THE PROTECTION OF HEALTH CARE WORKERS IN SITUATION OF V

2. Enable healthcare personnel to attend to injured and sick patients, regardless of their role in a conflict, and to carry out their medical duties freely, independently and in accordance with the principles of their profession without fear of punishment or intimidation;
3. Safe access to adequate medical facilities for the injured and others in need of medical aid should not be unduly impeded;
4. Protect medical facilities, medical transport and the people being treated in them and provide the safest possible working environment for healthcare workers and protect them from interference and attack;
5. Respect and promote the principles of international humanitarian and human rights law which safeguard medical neutrality in situations of conflict;
6. Establish reporting mechanisms to document violence against medical personnel and facilities as set out in the WMA Statement on the Protection and Integrity of Medical Personnel in Armed Conflicts and Other Situations of Violence.
7. Raise awareness of international norms on the protection of healthcare workers and cooperate with different actors to identify strategies to tackle threats to healthcare. The collaboration between the WMA and the International Committee of the Red Cross on the Health Care in Danger project provides one example of this.