

WMA DECLARATION ON THE PROTECTION AND INTEGRITY OF MEDICAL PERSONNEL IN ARMED CONFLICTS AND OTHER SITUATIONS OF VIOLENCE

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PREAMBLE

The right to health and medical assistance is a basic human right that should be guaranteed at all times; ethical principles of healthcare remain the same in times of emergencies and in times of peace. Healthcare personnel must be duly protected.

Various international agreements, including the Geneva Conventions (1949), Additional Protocols to the Geneva Conventions (1977, 2005) and the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials of the United Nations, must guarantee safe access to medical assistance as well as the protection of healthcare personnel.

The [United Nations Security Council Resolution 2286](#) (2016) condemns attacks and threats against health care personnel, demands an end to impunity for those responsible, and that all parties to armed conflict comply fully with their obligations under international law.

Despite recognized international standards and the mobilization of humanitarian and human rights stakeholders over the last years denouncing the surge of violence against healthcare worldwide, the WMA notes with great concerns persistent attacks and misuses of hospitals and other medical facilities, as well as threats, killings and other violence against patients and healthcare personnel in emergency contexts.

The WMA condemns in the strongest terms this scourge of violence against healthcare personnel and facilities, which has disastrous humanitarian implications with critical impacts on the capacity of the health system to provide the care needed, resulting in unjustifiable suffering and death. Violence against healthcare personnel constitutes an international emergency, requiring urgent actions.

Recalling its [Statement on Armed Conflicts](#), the WMA reaffirms that armed conflicts should always be a last resort and that States and other authorities who enter into armed conflict must accept responsibility for the consequences of their actions.

The safety and personal security of physicians and other healthcare personnel are essential in enabling them to provide care and save lives in situations of conflicts. They must always be respected as neutral and should never be prevented from fulfilling their duties. Healthcare personnel and facilities should never be instrumentalised as means of war.

Recalling its [Regulations in Times of Armed Conflict and Other Situations of Violence](#), the WMA reaffirms that the primary obligation of physicians and other healthcare personnel is always to their patients; they have the same ethical responsibilities in situation of violence or armed conflicts as in peacetime, the same duty of preserving health and saving lives; they shall at all times act in accordance with the ethical principles of the profession, relevant international and national law, and their conscience.

RECOMMENDATIONS

WMA STATEMENT ON THE PROTECTION AND INTEGRITY OF MEDICAL PERSONNEL IN ARMED CONFLICT

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

1. Fully comply with their obligations under international law, including human rights law and international humanitarian law, in particular with their obligations under the Geneva Conventions of 1949 and the obligations applicable to them under the Additional Protocols of 1977 and 2005;
2. 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;
3. Respect and promote the principles of international humanitarian and human rights law which safeguard medical neutrality in situations of conflict;
4. Protect medical facilities, medical transport and the people being treated in them, provide the safest possible working environment for healthcare personnel, and protect them from threats, interference and attack;
5. Never misuse hospitals and other health facilities for military purposes and dedicate them exclusively to health care;
6. Enable healthcare personnel to treat 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;
7. Ensure that safe access to adequate medical facilities for the injured and others in need of medical aid is not unduly impeded;
8. Ensure that the equipment, including personal protection equipment, necessary for the safety of healthcare workers, is available to them as needed, and that the staffing is adequate;
9. Support and strictly respect the ethical rules of the medical profession as defined, among other documents, in the [Ethical Principles of Health Care in Times of Armed Conflict and Other Emergencies](#) and in the [WMA Regulations in Times of Armed Conflict and Other Situations of Violence](#), and to never require from physicians or force them to breach or renounce these rules, in particular:
 - privileges and facilities afforded to physicians and other health care professionals in times of armed conflict and other situations of violence must never be used for purposes other than health care;
 - physicians must at all times show appropriate respect for medical confidentiality;
 - physicians must never accept acts of torture or any other form of cruel, inhuman or degrading treatment under any circumstances; they must never be present at nor take part in such acts;
 - physicians have a duty to recognize and support vulnerable populations, including women, children, refugees, the disabled and displaced persons;
 - physicians and WMA constituent members should alert governments and non-state actors of the human consequences of warfare;
 - where conflict appears to be imminent and inevitable, physicians should ensure that authorities are planning for the protection of the public health infrastructure and for any necessary repair in the immediate post-conflict period.

The WMA calls upon governments to:

10. Establish efficient, secure and unbiased reporting mechanisms with sufficient resources to collect and disseminate data regarding assaults on physicians, other healthcare personnel and medical facilities;
11. Provide to the WHO the necessary support to fulfil its leadership role in documenting attacks on healthcare personnel and facilities^[1];
12. Foster the mechanisms of investigating and bringing to justice those responsible for reported violations of the international agreements pertaining to the protection of healthcare personnel in armed conflicts and other situations of violence, and of enforcing the sanctions when such have been decided;

WMA STATEMENT ON THE PROTECTION AND INTEGRITY OF MEDICAL PERSONNEL IN ARMED CONFLICT

13. Develop and implement more efficient legal protection for medical and other healthcare personnel, so that whoever attacks a nurse, physician or another healthcare personnel knows that such actions will be severely penalised.

The WMA calls upon governments, its member organisations and the appropriate international bodies to:

14. Raise awareness of international norms on the protection of healthcare personnel and cooperate with different actors to identify strategies to tackle threats to healthcare and strengthen the mechanism of investigating the reported violations;

15. Raise awareness at both national and local level of the fundamental importance of protecting the healthcare personnel and of upholding their neutrality in times of conflict;

16. Support the development of pregraduate, postgraduate and continuous education for the healthcare personnel to ensure their competencies and their security and to minimize the psychological toll when confronted with armed conflicts and other situations of violence.

[1] The WMA recognizes that in some circumstances, documenting and denouncing acts of torture or other violence may put the physician, and those close to him or her, at great risk. Doing so may have excessive personal consequences. Physicians must avoid putting individuals in danger while assessing, documenting or reporting signs of torture and cruel, inhuman and degrading treatment and punishments.