

# Manual on the rights and duties of medical personnel in armed conflicts

## International Committee of the Red Cross - WMA Regulations in Times of Armed Conflict and Other Situations of Violence

Description: -

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Procida Island (Italy)

Ischia Island (Italy)

Capri Island (Italy)

Minorities -- Housing -- Ireland.

Nomads -- Ireland -- Sedentarisation.

Irish Travellers (Nomadic people) -- Housing.

Cookery -- China -- Macau

Cookery -- China -- Guangzhou

Cookery -- China -- Shenzhen Shi

Cookery -- China -- Hong Kong

Cookery, Malaysian

Cookery, Chinese

Industrial relations -- Japan.

Red Cross and Red Crescent.

War -- Relief of sick and wounded.

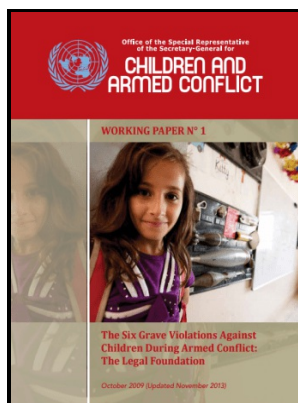
Medical laws and legislation, International.

War victims -- Legal status, laws, etc. Manual on the rights and duties of medical personnel in armed conflicts

-Manual on the rights and duties of medical personnel in armed conflicts

Notes: Published in French under the title: Manuel des droits et devoirs du personnel sanitaire lors des conflits armés.

This edition was published in 1982



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Tags: #Doctors #without #borders

### Customary IHL

The International Committee of the Red

Cross ICRC Geneva Conventions and their Additional Protocols shall protect medical personnel in international and non-international armed conflicts. Therefore, in view of the humanitarian values at stake, in case of doubt as to whether a particular type of behaviour qualifies as an act harmful to the enemy, it ought not to be considered as such.

### Rights and duties of medical personnel

Thus, from the perspective of alleviating human suffering in armed conflict, Article 24 is of paramount importance: when military medical personnel are unable to assist the wounded and sick — because they are attacked or otherwise prevented from carrying out their work — the adverse consequences may be wide-ranging.

### Doctors without borders

The military manuals of Benin, Croatia, Madagascar, Nigeria and Togo state that medical personnel may not be attacked, and must be allowed to carry out their tasks as long as the tactical situation permits. Based on humanitarian considerations, it can only be hoped that, as long as they are exclusively engaged in such tasks, they will nevertheless be treated as being protected.

### WMA Regulations in Times of Armed Conflict and Other Situations of Violence

However, their activities can equally be covered by Article 24, provided they meet all the prescribed conditions.

### Medical personnel

. Therefore, the first criterion for determining if members of the armed forces fall under this category is whether they perform one or more of the activities listed. Doing so too quickly — even when for permitted purposes — may engender widespread distrust of their position as persons protected under the First Convention.

### **Treaties, States parties, and Commentaries**

However, the fact that the medical personnel extend their activities to wounded and sick civilians does not deprive them of their entitlement to be respected and protected. Adopted by the 10<sup>th</sup> World Medical Assembly, Havana, Cuba, October 1956, and edited by the 11<sup>th</sup> World Medical Assembly, Istanbul, Turkey, October 1957, revised by the 35<sup>th</sup> World Medical Assembly, Venice, Italy, October 1983, the 55<sup>th</sup> WMA General Assembly, Tokyo, Japan, October 2004, editorially revised by the 173<sup>rd</sup> WMA Council Session, Divonne-les-Bains, France, May 2006, and revised by the 63<sup>rd</sup> WMA General Assembly, Bangkok, Thailand, October 2012 GENERAL GUIDELINES Medical ethics in times of armed conflict is identical to medical ethics in times of peace, as stated in the International Code of Medical Ethics of the WMA. Physicians have a duty to press governments and other authorities for the provision of the infrastructure that is a prerequisite to health, including potable water, adequate food and shelter.

### **Manual on the Rights and Duties of Medical Personnel in Armed Conflicts**

Henckaerts, Jean-Marie, and Louise Doswald-Beck, eds. Netherlands, Military Manual, 2005, para.

### **Medical personnel**

Although less well known outside the Netherlands, humanist counsellors and life coaches also belong to the category of religious personnel. Of particular relevance is the nature of the facility which the person has been assigned to guard. Furthermore, in analogous application of the similar rule applying to medical units, it is not to be considered a hostile act if medical personnel are escorted by military personnel or such personnel are present or if the medical personnel are in possession of small arms and ammunition taken from their patients and not yet handed over to the proper service.

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