

**MANUAL ON THE RIGHTS
AND DUTIES
OF MEDICAL PERSONNEL
IN ARMED CONFLICTS**

The *International Committee of the Red Cross* (ICRC) is one of the three components of the International Red Cross, the other two being the League of Red Cross Societies, and the 126 recognized National Red Cross and Red Crescent Societies as a whole.

An independent humanitarian Institution, the ICRC is the founding body of the Red Cross. As a neutral intermediary in case of armed conflicts or disturbances, it endeavours on its own initiative or on the basis of the Geneva Conventions to protect and assist the victims of international and civil wars and of internal troubles and tensions, thereby contributing to peace in the world.

The *League of Red Cross Societies*—the international Federation of the National Red Cross and Red Crescent Societies—is one of the three components of the International Red Cross, the other two being the International Committee of the Red Cross and the National Red Cross and Red Crescent Societies.

The League's function is to contribute to the development of humanitarian activities carried out by National Societies, to co-ordinate their peacetime relief operations for victims of natural disasters and for refugees, and in so doing to promote peace in the world.

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INTRODUCTION

This manual is intended for military and civilian *medical personnel* whose services may be required in the event of armed conflict. Its purpose is to inform them about the provisions contained in the legal instruments of *international humanitarian law* (the Geneva Conventions and their Additional Protocols) which apply in such circumstances.

These provisions, which are defined by international humanitarian law and should be familiar to all medical personnel, are designed to help them accomplish their humanitarian mission on behalf of victims of armed conflicts to the best of their abilities.

The preparation of this manual has not been simple task, mainly for two reasons.

Firstly, it had to be easily understandable for all concerned, which was no easy matter, in view of the variety of people for whom it is intended and the diverse situations in which their services may be required.

Secondly, certain concepts and principles, which do not easily lend themselves to condensation, had to be considerably summarized.

We set out to compile a practical handbook, written as simply as possible, to group together the essential provisions of the Geneva Conventions and their Additional Protocols relevant to the subject. In each chapter the numbers of the corresponding articles in the Conventions and Protocols are given, so that those who would like to examine the questions discussed in greater detail can refer to the original text.

As the Protocols of 1977 are *additional* to the Geneva Conventions, we have examined together each of the points of our subject in the provisions of the Conventions and the respective supplementary provisions of the Protocols.

Our opening chapter gives a brief introductory review of the main stages in the development of ideas, against the background of historical events. This will give medical personnel a better understanding of how the *Red Cross and international humanitarian law* came into being.

In this introductory section we have also tried to define medical personnel and the part they are expected to play in situations of armed conflict, and the significance of the *rights and duties* incumbent upon them and granted to them by the provisions of *international humanitarian law*. Emphasis is placed, too, upon the distinctive emblem and its value. Finally, a number of points which we feel might be helpful for medical personnel to bear in mind are mentioned.

With regard to the main subject of this handbook, we felt it would be useful to distinguish between the *duties* incumbent on medical personnel by international humanitarian law (Chapter 2) and the *rights* conceded to them (Chapter 3). It is not always very easy to make this distinction—certain rights entail certain duties and vice versa. It should, however, help the people concerned to recognize more easily the nature and implications of the problems which may arise.

It is obvious that medical personnel, when required to serve in a conflict, in their capacity as the agents of a State bound by the Conventions—and indeed by the Additional Protocols—must obey the provisions laid down by these texts: any violation of these provisions would constitute a breach of national or international law for which they would be held responsible, and would possibly lead to various sanctions. It is equally important, however, for medical personnel to be aware of their rights and not allow themselves to be unduly intimidated. Since they may find themselves required at any moment to perform their duties or assert their rights in the most unexpected way, it is essential for medical personnel to know what their rights and duties are. But this is

not only a matter of personal concern. It is also the duty of the public authorities to inform their citizens about the provisions of international humanitarian law, for in ratifying or acceding to the Conventions and Protocols the States themselves assumed the obligation to disseminate knowledge of these same Conventions and Protocols in their respective countries “as widely as possible in time of peace and in time of armed conflict”.

In view of the nature of the services provided by medical personnel, of their responsibilities and the conditions in which their duties are performed, and considering the number and complexity of the relevant provisions, it would be impossible to give medical personnel any adequate preparation for these aspects of their mission at the very last moment, when conflict breaks out. It is consequently imperative to start preparing them for their work in peacetime, before the actual need arises. It is hoped that this manual will be of some assistance.

ABBREVIATIONS

- G I Convention (I) for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field. Signed at Geneva, 12 August 1949.
- G II Convention (II) for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea. Signed at Geneva, 12 August 1949.
- G III Convention (III) relative to the Treatment of Prisoners of War. Signed at Geneva, 12 August 1949.
- G IV Convention (IV) relative to the Protection of Civilian Persons in Time of Peace. Signed at Geneva, 12 August 1949.
- P I Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I).
- P II Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II).