



## WHAT YOU NEED TO KNOW

# Healthcare in Protests, Violence & Conflict

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### Obligations, Rights & Laws

**Healthcare personnel shall at all times act in accordance with relevant South African law, ethical principles of healthcare and their conscience.**

- Human rights law, in accordance with the South African Constitution and other South African domestic law, the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, and several other conventions and standards, affirms that:
  - a. Everyone has the right to life. States must refrain from deliberately withholding or delaying healthcare to the wounded and the sick in life-threatening circumstances.
  - b. Whenever the use of force is unavoidable, law enforcement officials must ensure medical assistance to those affected as early as possible.
  - c. Everyone has a right to the highest attainable standard of physical and mental health.
  - d. Everyone has a right of access to essential healthcare facilities and services on a non-discriminatory basis. States must refrain from arbitrarily denying or limiting such access, for instance, against political opponents.
  - e. States must take active measures to enable and assist individuals to enjoy their right to health.
- No stakeholder may interfere in the abovementioned rights and obligations.



Sources: This information was developed based on documents created by the International Committee of the Red Cross in consultation with the World Medical Association, the International Committee of Military Medicine, the International Council of Nurses and the International Pharmaceutical Federation.



## First Principles

### Medical Ethics:

Ethical principles of healthcare do not change in times of violence, protest, or any other emergencies. Consequently, access to care must be respected and never hindered at any time.

### Duty of Care:

Healthcare personnel should never be punished for carrying out their duties in compliance with medical ethics and legal norms.

### Free Access:

Healthcare personnel should not be obstructed or hindered in reaching those in need, the injured and sick. The ability of the injured and patients to access healthcare personnel and healthcare facilities should also be unhindered.

### Medical Only:

Healthcare facilities and the privileges given to healthcare personnel in times of protest, violence, conflict and other emergencies, must never be used for purposes other than for healthcare needs.

## Healthcare without Agenda

### Impartiality:

Healthcare personnel must provide immediate attention and requisite care to the best of their ability. No distinctions are made between patients – decisions are based only on clinical need and available resources.

The primary task of healthcare personnel is to preserve human physical and mental health and to alleviate suffering. They shall provide the necessary care with humanity, respecting dignity people treated, without discrimination of any kind.

### Neutrality:

Healthcare personnel have a primary obligation, through medical ethics, to their patients regardless of their own conflicting loyalties.

### Confidentiality:

Healthcare personnel must respect patients' right to confidentiality and do their best to respect privacy. Healthcare personnel can only disclose confidential information with the patient's consent.



## Keeping Healthcare Safe

### Not a Target:

Healthcare personnel, healthcare facilities and medical transports, shall be respected and protected at all times and shall not be the object of attack or violence.

### Respect & Protect Healthcare:

Healthcare personnel, first responders and healthcare facilities must be respected by all stakeholders during protests, violence, conflict and other emergencies. While performing their duties, persons providing healthcare must be protected and allowed the safest possible working environment.

### Safe Zones:

Healthcare facilities are safe spaces. Possession of weapons by any party should be avoided to the greatest extent possible within the law.