



## IFEM statement on hospital neutrality

August 2019

### Background

The International Committee of the Red Cross has established as Rule 28: “Medical units exclusively assigned to medical purposes must be respected and protected in all circumstances.”

This rule is based on both The Hague Regulations: “protection of hospitals and places where the sick and wounded are collected” and the Geneva Conventions of 1949 and their Additional Protocols of 1977 and 2005. Under the Statute of the International Criminal Court, intentionally directing attacks against “hospitals and places where the sick and the wounded are collected, provided they are not military objectives” and against “medical units ... using the distinctive emblems of the Geneva Conventions in conformity with international law” constitutes a war crime in international armed conflicts.

As per the [ICRC website](#) the sole exception to this protection under customary international law is that the protection of medical units ceases when they are being used, outside their humanitarian function, to commit acts harmful to the enemy.

In 2016, the United Nations Security Council unanimously adopted resolution 2286 “demanding an end to impunity for those responsible and respect for international law on the part of all warring parties”. This resolution strongly “condemned attacks and threats against the wounded and sick, medical personnel and humanitarian personnel exclusively engaged in medical duties, their means of transport and equipment, as well as hospitals and other medical facilities”.

### IFEM’s position

The International Federation for Emergency Medicine endorses and supports these international laws and statements with respect to the neutrality of both military and civilian medical units. It is critical that the ill and injured have a safe haven for the care they require. It is equally critical that the health care personnel providing that care also be protected so that they may be able to provide the necessary emergency medical care.

This protection of personnel needs to extend outside of the healthcare facility, allowing safe passage to and from the facility.

The International Federation for Emergency Medicine calls upon State and Non-State Actors in conflict to respect and abide by ICRC Rule 28, so that "...the highest attainable standard of health as a fundamental right of every human being" (WHO Constitution 1946) is maintained.

### **About IFEM**

The International Federation for Emergency Medicine (IFEM) is an international not for profit association composed of national emergency medicine organisations from all regions of the world. For more than 30 years IFEM has led the development of the highest quality emergency medical care for all people. We partner with our member organisations, governments, educational institutions, The World Health Organisation and other global bodies, organisations, and individuals.

**Our vision is a world where all people, in all countries, have access to high quality emergency medical care.**