

WORLD HEALTH ASSEMBLY

WHA/I/2

SUBJECT OF RESOLUTION: Protection of Medical Missions During Armed Conflict

SUBMITTED TO: World Health Assembly

SUBMITTED BY: Norway, Poland, Russian Federation, Venezuela

The World Health Assembly

1 *Recalling and reiterating* resolution WHA46.39 entitled Health and medial services in times of
2 armed conflict ,

3 *Emphasizing* humanitarian law which specifically prohibits military attacks on medical
4 personnel and units,

5 *Realizing* that the international community must come together to set forth guidelines for the
6 protection of medical missions during armed conflict action,

7 *Affirming* that this body focused on lessening the impact of armed conflict on health officials
8 working in regions of divergence,

9 *Aware* that over the years, considerations based on international humanitarian and human rights
10 law have resulted in improved protection for medical personnel and for their recognized emblems
11 during armed conflict,

12 *Guided* by the UN Charter that clearly states that all human beings have the right to be
13 protected,

14 1. *Calls upon* all member states to adhere strictly to WHA55.13, which calls for all states to
15 condemn attacks on health personnel to fully adhere to implement the applicable rules of the
16 international humanitarian law;

17 2. *Urges* those nations and/or organizations to send or employ humanitarian staff and must
18 make every effort to ensure their safety. The financial implications of improving staff safety will be
19 duly taken into account when assessing operational requirements;

20 3. *Strongly requests* states to ensure that all parties involved in armed conflicts I Implement
21 humanitarian laws protecting civilians, children, medical personnel, and humanitarian personal;

22 4. *Encourages* nations to review the General Provisions of the Geneva Convention relating to
23 the protection of civilian persons in times of war;

24 5. *Reminds* nation states that under the international humanitarian law medical personnel are
25 protected, so long as they identify themselves as medical personnel; respect principles of medical
26 ethics, including confidentiality; provide care to all victims on the basis of need, without discrimination
27 of any kind; and do not bear arms;

28 6. *Suggests* that the defendant accused of a crime against humanity, and/or a war crime under
29 International Criminal Court statute and/or the Geneva Conventions (specifically concerning attacks
30 upon medical missions and their personnel) should have the choice of venue between the International
31 Criminal Court or the establishment of a Security Council mandated Ad Hoc Tribunal;

32 7. *Declares* such a choice should be made within a time span of six (6) months;

33 8. *Encourages* the following in the instance of a dispute of choice of venue:

34 (a) If the defendants member state is not a ratifying party of the International Criminal Court,
35 the venue shall be defaulted to an Ad Hoc Tribunal;

36 (b) If the defendants member state is a ratifying party of the International Criminal Court, the
37 venue shall be defaulted to the International Criminal Court.

Final Vote: 41 - 7 - 8