

9.12.22

Senator the Hon. Penny Wong
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Via email: penny.wong@dfat.gov.au

Dear Minister

Re: Breaches of the principle of medical neutrality in Iran, and elsewhere

We write following recent reports of breaches of the principle of medical neutrality, in Iran, and elsewhere.

As you will be well aware Iranian citizens have been protesting for weeks – an outpouring of anger triggered by the death of Zhina (Mahsa) Amini, a 22-year old who had been detained by Iran's morality police, the 'Guidance Patrol'. Media and other public reports indicate a great many protestors have been killed and injured. According to Human Rights Watch (HRW) there has been "excessive and lethal" use of force by Iranian authorities during the protests.¹

Disturbingly, there are reports that injured protestors have been taken from hospital, detained by state agents. Many injured protestors now fear to seek medical treatment.

In addition, there are widespread reports that ambulances have been used by security forces to transport injured or captured protestors to police stations and prisons. This has apparently had the result that many Iranian drivers have stopped clearing the way for ambulances as they have become a symbol of repression.²

Doctors in Iran are protesting these breaches of the principle of medical neutrality, and there are reports that on 25 October, one of our professional colleagues – (female) general surgeon Dr Parisa Bahmani was killed during a gathering of doctors in front of Tehran Medical Council.³ While we were spurred to write by the reports coming from Iran, we note that breaches of the principle of medical neutrality occur in many countries. A recent study published in the journal *Prehospital and Disaster Medicine* documented 20 instances of ambulances being used in a terrorist event between 1970 and 2018. Fifteen of the attacks occurred in the Middle East, while the

¹ <https://www.hrw.org/news/2022/10/05/iran-security-forces-fire-kill-protesters>

² <https://www.youtube.com/watch?v=bpXTQiviZHE>
<https://www.cbsnews.com/news/iran-news-protests-deaths-people-shot-afraid-hospital-arrest-us-doctors-help/>

<https://edition.cnn.com/videos/tv/2022/10/19/jomana-iran-doctors-pkg.cnn>

³ <https://www.iranintl.com/en/202210294940>



remaining five occurred in Southeast Asia. The deadliest attack occurred in Kabul, Afghanistan in 2018 and caused over 100 casualties. These attacks appear to be becoming more frequent, with 19 of the 20 attacks occurring since 2001, with 13 in the previous decade alone.⁴

Despite universal recognition of the red cross/crescent/crystal symbols⁵, medical facilities themselves are also frequently the subject of attacks. For example, according to research published in the journal *BMJ Global Health* there were 243 attacks on ambulances in 2016 and 2017. More than half of those attacks were intentional.⁶ According to research cited in the *International Review of the Red Cross*, in 2019 alone, there were at least 1,203 documented attacks on hospitals in at least twenty countries.⁷

Since the signing of the first Geneva Convention in 1864, a fundamental principle of international humanitarian law (IHL) has been that “[t]he wounded and sick shall be collected and cared for”. According to this principle, all wounded and sick persons, including civilians and wounded combatants who are considered ‘hors de combat’, are given a general protection. Geneva Convention IV (GC IV) on the protection of civilians, along with customary IHL, extends protection to civilian medical units where the wounded and sick are cared for, including hospitals.⁸ These protections are precious.

We support Australian Government and other international calls for Iran to immediately stop the repression of its citizens protesting for their basic human rights.

As medical professionals we specifically request that the Australian Government with others, pressures Iran to allow the sick and injured to be treated in safety and without fear. More generally, in light of continued breaches in many countries, as medical professionals we request that the above and other protections arising from the Geneva Conventions, be promoted with renewed vigour.

The principle of medical neutrality, and people’s trust in the safety and refuge of healthcare settings, must be protected.

Yours sincerely

Dr Sally Langley
President

CC: The Hon. Mark Butler MP, Minister for Health & Aged Care, minister.butler@health.gov.au

⁴ <https://pubmed.ncbi.nlm.nih.gov/33109290/>

⁵ <https://www.redcross.org.au/globalassets/cms-assets/documents/emergency-services/starter-reading-history-and-meaning-of-the-red-cross-emblem.pdf>

⁶ <https://www.voanews.com/a/study-ambulances-repeatedly-targeted-syria/4677559.html>

⁷ https://international-review.icrc.org/articles/breaking-the-silence-advocacy-and-accountability-for-attacks-on-hospitals-in-armed-conflict-915#footnoteref5_8jq14pi

⁸ <https://international-review.icrc.org/articles/breaking-the-silence-advocacy-and-accountability-for-attacks-on-hospitals-in-armed-conflict-915>