One of the foundation principles of IHL is the idea of protection for the wounded, sick and shipwrecked. Geneva Convention I deals with the wounded and sick in the field, while Geneva Convention II relates to the wounded, sick and shipwrecked at sea.

Under the Conventions, parties to the conflict are under a duty to search for and collect the wounded, sick and shipwrecked. During land wars, this obligation is ongoing, but it arises at sea only after an engagement. Parties to the conflict must protect the wounded, sick and shipwrecked from pillage and mistreatment and must ensure their adequate care by provision of medical and other aid and relief. Parties to the conflict must also search for the dead and ensure that they are not despoiled. The underlying principle that governs both Conventions is that the wounded, sick and shipwrecked must be cared for on the basis of non-discrimination. Only medical factors may be taken into account when providing aid and medical care; adverse distinction on the grounds of race, nationality, religion, gender, political affiliation or similar criteria is prohibited.

The Conventions also contain provisions regarding the protection of medical personnel and medical units, as well as religious personnel. Such persons are not to be made the object of attack, and must be allowed to carry out their duties and functions. If medical or religious personnel are captured by an adverse power, they are not to be taken as prisoners of war, but may be retained to provide relief to POWs. Similar special protections are also included in Conventions I and IV regarding civilians who care for sick and wounded combatants and civilians. Additional Protocol I also provides protection for permanent and temporary aid personnel, regardless of whether they are military or civilian in status.

With regards to medical goods and objects, these rules relate to the protection of transports, such as ambulances, and installations, such as hospitals. These goods and objects are to be respected at all times by all parties to the conflict. They are not to be made the object of attack. Parties to the conflict are not permitted to use these protected objects or installations in an attempt to shield military objectives. By the same token, these objects and installations will lose their immunity from attack if they are used to commit acts harmful to the enemy.

The Emblem

An important part of the protective framework established by the Conventions is the Emblem. The Geneva Conventions and Additional Protocols authorise three emblems – a Red Cross, Red Crescent, or Red Crystal, printed on a white background. A fourth emblem – the Red Lion and Sun – is no longer in use. These emblems are used to designate protected personnel and objects, such as medics, ambulances, hospitals and hospital ships. The emblem is designed to designate these persons and objects as being immune from attack. Due to the protective nature of this highly recognisable emblem, severe penalties result from any misuse of the emblem, whether in time of peace or war. National Red Cross and Red Crescent societies (such as the Australian Red Cross) are permitted under certain grounds to use the emblem. States parties to the Conventions must implement domestic legislation to prevent any misuse of the emblem, for instance, by the use of a red cross to denote a commercial pharmacy. Misuse of the emblem can amount, in certain instances, to a war crime.

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