

International Humanitarian Law Protection of Healthcare Facilities and Personnel in the Czech Armed Forces

Summary

In situations of armed conflict, healthcare personnel, transport and facilities are granted a special status and protection under the rules of international humanitarian law (IHL). Despite intense global efforts to strengthen compliance with these rules, healthcare services continue to face acts of violence in armed conflicts around the world. While the causes of IHL violations are numerous and extend beyond legal issues, implementation of IHL rules in the national laws and regulations of individual states remains essential to prevent such violations. The aim of this presentation is to provide an example of a national approach to such implementation.

Methods

In the light of IHL rules, I will examine legislation and measures adopted by the national authorities of the Czech Republic vis-à-vis the public as well as the Czech Armed Forces, with a main focus on a legal analysis of the internal regulations of the Armed Forces and incorporation of IHL rules in military training. As impunity in cases of serious violations of IHL rules represents a major global challenge, particular attention will be paid to the issue of criminal liability.

Conclusions

The relevant IHL rules have been implemented both in national laws as well as the internal regulations of the Czech Armed Forces, which provides a good basis for their application in practice. However, some of the Czech legal norms implementing IHL rules were adopted many years ago and would benefit from a review which would render them more precise. “Protecting healthcare: Guidance for the Armed Forces”, a 2021 publication by Health Care in Danger, an initiative led by the International Red Cross and Red Crescent Movement, could provide valuable insights in this respect.