Medical Neutrality and the Use of Weaponized Tear Gas in Bahrain

Protecting Patients and Physicians From Attack in Bahrain

The Bahraini government’s response to the early 2011 pro-democracy protests was brutal, systematic, and violent. In addition to birdshot and rubber bullets, government law enforcement attacked unarmed protestors with toxic chemical agents including tear gas. The government’s crackdown on the medical profession was especially harmful, as security forces arrested and detained doctors, raided health facilities, and obstructed patients from receiving necessary care. Physicians for Human Rights (PHR) calls for all perpetrators of abuse to be held accountable.

During the pro-democracy uprisings that began in early 2011, health workers on the frontline had first-hand knowledge of government attacks on peaceful protesters. As a result of their efforts to provide unbiased care for wounded protestors, the government initiated systematic and targeted attacks against medical personnel.

In April 2011, PHR launched an investigation in Bahrain after government authorities began to systematically target, abduct, detain, and torture physicians and station military forces in health facilities.

PHR’s report, Do No Harm: A Call for Bahrain to End Systematic Attacks on Doctors and Patients, was instrumental in compelling the U.S. government to include Bahrain in a list of major human rights violators in a formal submission to the UN Human Rights Council.

In addition to egregious violations to the principle of medical neutrality, the Bahraini government police forces have used enormous amounts of weaponized chemical agents, including tear gas, on protestors and other civilians. PHR’s 2012 report, Weaponizing Tear Gas: Bahrain’s Unprecedented Use of Toxic Chemical Agents Against Civilians, chronicles health effects and human rights violations associated with the inappropriate and excessive use of weaponized chemical agents. In this report, PHR found that Bahrain’s misuse of toxic chemical weapons was endangering the health of civilians and causing long-term pain and suffering.

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Additionally, PHR found the Bahraini government in breach of human rights law through their weaponization of chemical agents. PHR also noted that by failing to exercise restraint before resorting to force, using disproportionate force when responding to protesters, and failing to minimize damage and injury to demonstrators, the Bahraini government was in violation of UN principles on the use of force.

PHR has continually condemned the government of Bahrain’s human rights violations against civilians and has called for fair trials for all in civilian courts. Additionally, PHR has urged the Bahraini government to allow further epidemiological and scientific data to be collected regarding the health effects of the excessive use of tear gas. PHR has also urged the international community to halt the sale of tear gas and its relevant precursor chemical agents to Bahrain.

The Kingdom of Bahrain established the Bahrain Independent Commission of Inquiry in 2011 to investigate events that occurred during the highest points of violence in February and March of 2011 and to make recommendations to properly address the problems. Despite this commission’s report, the Bahraini government has not adequately implemented recommendations regarding the establishment of fair and transparent accountability mechanisms, nor has it undergone the necessary institutional changes to prevent such abuses in the future.

Medical professionals often risk their lives and security to provide essential services, and they must be able to uphold this duty to patients and others in need without fear of violence, retribution, or arbitrary arrest. The importance of protecting medical professionals, facilities, and transport from attack makes up the foundation for the norm of medical neutrality, which is firmly grounded in international humanitarian law, professional codes and ethics, and international human rights law. Violations of medical neutrality include attacks on health care facilities, medical personnel, and patients; wanton destruction of medical supplies; willful obstruction of medical ethics; deliberate misuse of health care facilities, services, uniforms, or insignia; deliberate blocking of access to health care facilities and care; and arbitrary arrest or detention of medical professionals or patients.

Medical neutrality requires:
1. The protection of medical personnel, patients, facilities, and transport from attack or interference;
2. Unhindered access to medical care and treatment;
3. The humane treatment of all civilians; and

When committed during armed conflict, violating medical neutrality is a war crime, a grave breach of the Geneva Conventions or laws of war. PHR documents the deliberate targeting of health care systems and personnel and advocates accountability for violators.
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The Medical Neutrality Protection Act of 2013

Based on our work in Bahrain, PHR is working with congressional offices to introduce the Medical Neutrality Protection Act of 2013, HR 2033, which aims to protect health professionals and their patients in U.S. foreign policy decisions.

The bill would allow the U.S. government to: end military aid to countries committing violations of medical neutrality, keep individuals who commit these crimes from entering the United States, mandate inclusion of violations of medical neutrality in State Department annual reports, and push for the establishment of a Special Rapporteur for Medical Neutrality at the UN Human Rights Council.

Bahraini surgeon Mahmoud Asghar attends a demonstration of Shiite employees who were dismissed from their jobs over pro-democracy protests in front of the ministry of labour in Isa Town, south of the capital Manama on December 21, 2011. Asghar faced a 15-year jail sentence and is among a group of 20 medics sentenced to between 5 and 15 years by a semi-military court before their cases were referred to a civil court.

Photo: /AFP/Getty Images

Physicians for Human Rights (PHR) uses medicine and science to document and call attention to mass atrocities and severe human rights violations. PHR was founded in 1986 on the idea that health professionals, with their specialized skills, ethical duties, and credible voices, are uniquely positioned to stop human rights violations. PHR’s investigations and expertise are used to advocate for persecuted health workers, the prevention of torture, the investigation of mass atrocities, and holding those who violate human rights accountable.

Nobel Peace Prize
Co-laureate 1997

New York, NY
Boston, MA
Washington, DC

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