

EL SALVADOR: HEALTH CARE UNDER SIEGE

Violations of Medical Neutrality
During the Civil Conflict



A Report by Physicians for Human Rights
February 1990

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PHYSICIANS FOR HUMAN RIGHTS

Physicians for Human Rights (PHR) is a national organization of health professionals whose goal is to bring the skills of the medical profession to the protection of human rights. PHR works to prevent the participation of doctors in torture, to defend imprisoned health professionals, to stop physical and psychological abuse of citizens by governments and to provide medical and humanitarian aid to victims of repression.

Since its founding in 1986, in addition to El Salvador, PHR has conducted missions to Chile, Czechoslovakia, Haiti, Israel, the West Bank and Gaza Strip, Kenya, Malaysia, Panama, Paraguay, the Republic of Korea, Turkey, the USSR, and Yugoslavia. PHR adheres to a policy of strict impartiality and is concerned with the medical consequences of human rights abuses regardless of the ideology of the offending government or group.

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Cover photo: Health care workers during the November conflict, 1989, (Reuters)
Title page photo: Squatter settlement on the outskirts of San Salvador, June, 1989,

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PREFACE

Physicians for Human Rights (PHR) is interested in the particular problems facing health workers in times of war. We are especially concerned that extra precautions be taken to protect the neutrality of medical personnel, hospitals and clinics during such times.

The Geneva Conventions of 1949 and the Additional Protocols of 1977 describe the rights of all wounded and sick to medical care during times of conflict. They also call for the respect and protection of medical personnel in conflict situations.

In June, 1989, PHR sent a medical mission to El Salvador to investigate and report on allegations of violations of medical neutrality and other human rights abuses reportedly committed by both sides in the civil war. To our knowledge, this was the first such study conducted by physicians in nearly five years.

Our delegation investigated the obstruction of health care to the civilian population; the assault, intimidation, arrest and torture of health workers; attacks on hospitals and clinics; and the impact of ten years of civil war on El Salvador's medical institutions. The delegation consisted of five physicians, an attorney, and an observer from the Select Committee on Hunger of the U.S. House of Representatives.

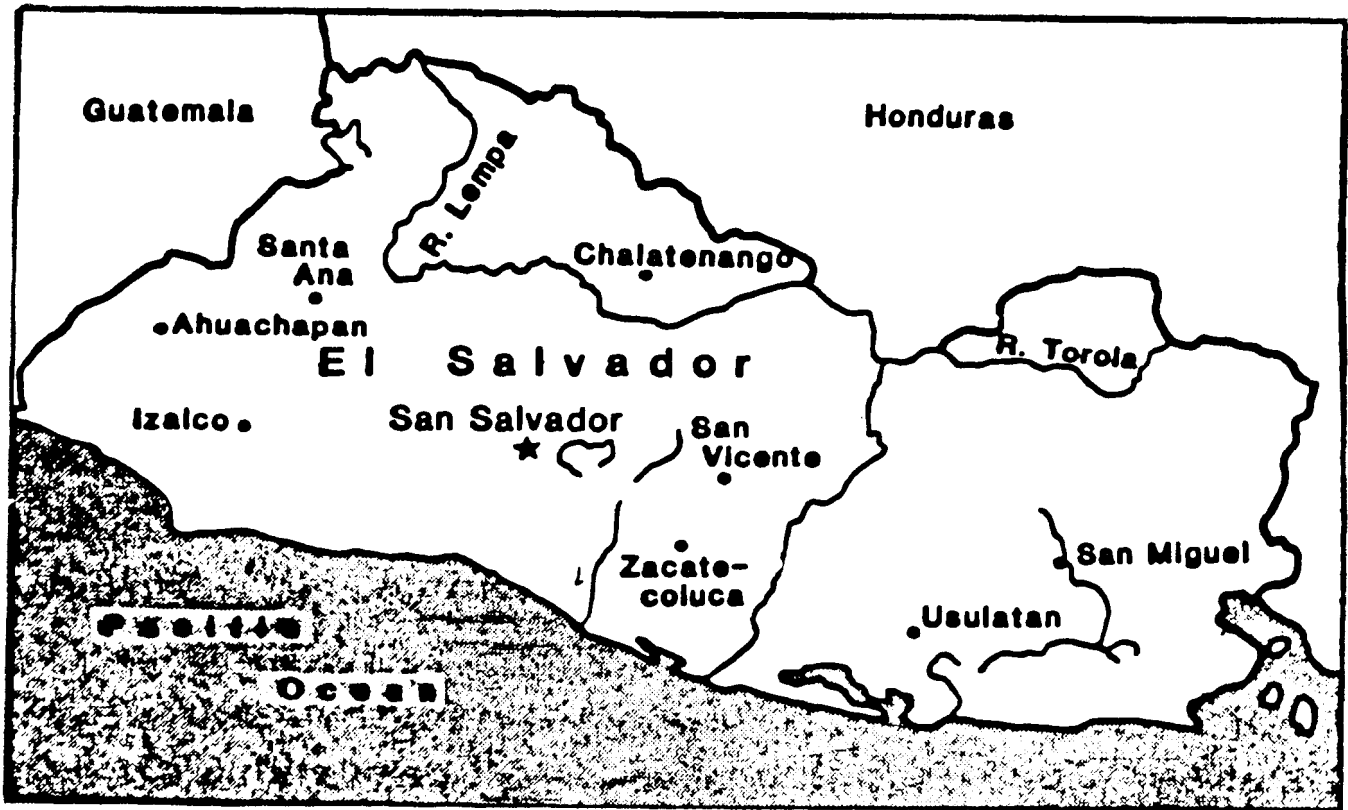
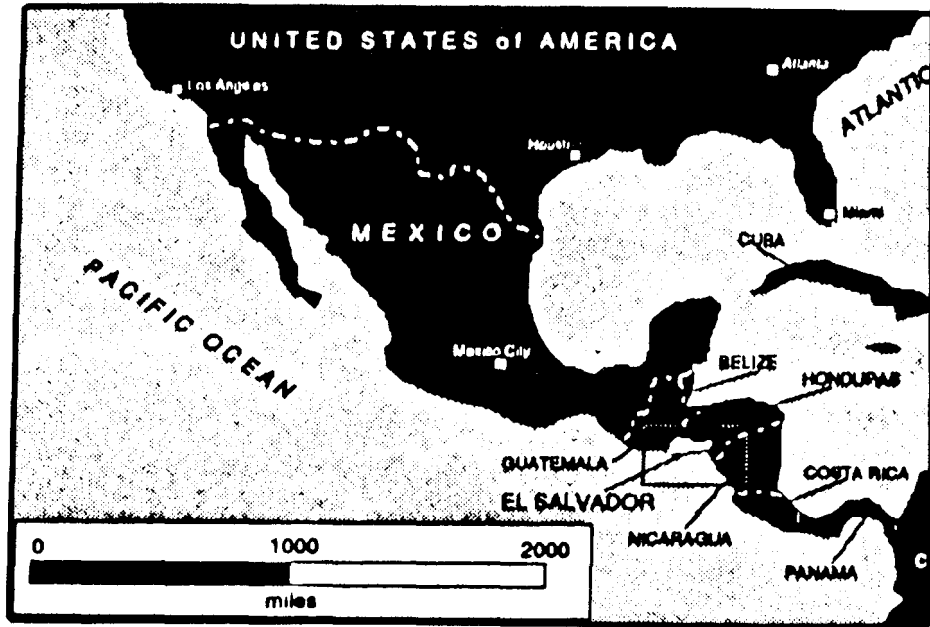
As we were about to send this report to press, in mid-November, 1989, the violence in El Salvador escalated dramatically, bringing the conflict into the capital of San Salvador. During a period of intensive fighting between the FMLN and Salvadoran military, violations of medical neutrality, previously documented by PHR, intensified. Physicians and health workers were arrested while treating patients, clinics were shut down, ambulances were fired upon, hospitals were invaded. We have described these recent abuses in Part III of this report.

It is our hope that the detailed documentation of these assaults on health and health workers in El Salvador will convince the international medical community, governments and the general public that the protection of medical neutrality is an essential element in the safeguarding of fundamental human rights.

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Susannah Sirkin
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Map of El Salvador



Holy Bishop/AAS

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Many Salvadorans have contributed substantially to this report, often at personal risk. In many cases their anonymity must be preserved. For this reason, in several instances we have not cited them individually.

We wish to thank Robert Goldman, Professor of Law at American University, and Jemera Rone of Americas Watch for offering their legal expertise and consultation in preparing this report. We gratefully acknowledge the logistical and technical assistance of our guides in El Salvador, without whose support this mission would not have been able to succeed. The report was written by delegation members, and reviewed and edited by Susannah Sirkin, Jonathan Fine, and Nancy Henson of Washington D.C. PHR also gratefully acknowledges the assistance of the International Human Rights Internship Program.

The Geneva Conventions of 1949

Art. 3. In the case of armed conflict not of an international character occurring in the territory of one of the High Contracting Parties, each Party to the conflict shall be bound to apply, as a minimum, the following provisions:

(1) Persons taking no active part in the hostilities, including members of armed forces who have laid down their arms and those placed hors de combat by sickness, wounds, detention, or any other cause, shall in all circumstances be treated humanely, without any adverse distinction founded on race, colour, religion or faith, sex, birth or wealth, or any other similar criteria.

To this end, the following acts are and shall remain prohibited at any time and in any place whatsoever with respect to the above-mentioned persons:

(a) violence to life and person, in particular murder of all kinds, mutilation, cruel treatment and torture;

(b) taking of hostages;

(c) outrages upon personal dignity, in particular humiliating and degrading treatment;

(d) the passing of sentences and the carrying out of executions without previous judgment pronounced by a regularly constituted court, affording all the judicial guarantees which are recognized as indispensable by civilized peoples.

(2) The wounded and sick shall be collected and cared for.