

CAA PROTESTS, MEDICAL ETHICS AND THE RIGHT TO MEDICAL ASSISTANCE

Amidst the ongoing protests across the country by students and people against the Citizenship Amendment Act and the proposed all-India National Register of Citizens, we as medical professionals, healthcare workers, health activists would like to raise serious concerns regarding the use of excessive force by the police and their attempts to interfere with the provision of immediate medical assistance to those who have been injured.

Several media reports have mentioned the use of tear gas shells, lathi charge, rubber bullets and other violent measures by the police authorities to curb students and people from peacefully protesting. Moreover, there have also been reports about the police restricting the access to medical assistance for the injured protestors.

According to testimonies of injured protestors, the police interfered with their right to medical assistance, including taking injured students from the hospital to the police station before their medical care needs were addressed.

In fact, in some cases, the police also attacked the hospitals where the injured persons have been admitted. In a report published on the News Minute on 20th December, CCTV footage from the Highland Hospital in Mangaluru on 19th December showed two Karnataka police personnel rushing through a corridor and trying to open a door in a ward by kicking it down by using lathis, shields and by kicking at it.

When police enter hospitals and emergency departments it can have a detrimental effect on patient care. It is unfortunate to see that the law enforcement agencies are not only stopping people from accessing medical care but they are also forcefully entering hospitals where the injured have been taken.

That has raised concerns that in the future protestors requiring medical care might avoid the hospital system for fear of arrest.

We want to draw the attention of the authorities to the United Nations Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, which requires law enforcement officials to ensure that assistance and medical aid are rendered to any injured or affected persons at the earliest possible moment, whenever the lawful use of force and firearms is unavoidable.

We also condemn also the alleged [attitude of some of the medical personnel who taunted the injured students, calling them anti-nationals](#). If true, it is unfortunate that the physicians failed to uphold the highest standards of medical ethics when dealing with their patients. Injured people, themselves, are rarely in a position to advocate for their own medical and legal needs during emergency care. Traumatic injuries can limit the ability to fully consent to legal interrogation. Once a person is transported from the scene of an injury and into a health system, health care ethics and laws obligate clinicians to protect patients' rights, confidentiality and dignity.

We appeal to police authorities to actively support the medical community and allow unhindered access to medical treatment for all injured. We also urge the government and courts to independently and impartially investigate the allegations against the police authorities for hindering medical assistance to the injured protesters and hold accountable those responsible.

Signatures:

Dr Gopal Dabade, President, Drug Action Forum-Karnataka

Ramani Atkuri, Public Health Physician, Bhopal

Dr. Anand Zachariah

Dr Mira Shiva, Public Health Physician

Dr. Sanjay Nagral

Dr. Amar Jesani, Independent Researcher/Teacher, Bioethics & Public Health, Mumbai

Vasundhara Rangaswamy, Health Professional, Independent

Prabir KC, Independent Public Health Consultant

Dr Mathew S Thomas MD, Bihar

Prof. Mohan Rao, former professor at JNU

Harsh, Post graduate student of Community Medicine, Vellore

Dr Sylvia Karpagam, Public health doctor and researcher

Dr. Hafiz Muhammed Koyappathody

Dr. Santhosh Kumar SS

Professor Ritu Priya

Smita Todkar. Public Health Professional

Bency Vinitha Chhatria, CMC

Dr Sunita Abraham, Public Health Physician, Bangalore