

Statement demanding safeguards to guarantee access to health care for patients affected by and others under the threat of violence and all those involved in the provision of health care.

We, the Jan Swasthya Abhiyan (JSA) and Medico Friend Circle (MFC) are deeply troubled by the violence that is being reported from parts of Delhi. In such a situation, access to health care, including emergency medical treatment to treat injuries and to save human lives is critical. We demand that all State agencies, especially the police ensure that medical personnel are not prevented but protected in fulfilling their duties in providing health care and saving lives. The police must not be allowed to stop patients and ambulances carrying them, doctors and drugs and medical supplies to any health facility. Delays in this regard are absolutely unacceptable, are a violation of the fundamental rights of all people and can have serious consequences.

It is deplorable that the intervention by the Delhi High Court at midnight yesterday was necessary to address the situation at the Al Hind hospital at Mustafabad, which had been cordoned off by the police and ambulances, patients, medical supplies were not allowed to reach the hospital for several hours. The hospital was providing treatment to persons injured in the violence over the past two days and was being accessed by persons needing emergency medical treatment.

All state agencies must ensure that there are no barriers to access health facilities, for ambulances carrying patients, drugs and equipment and doctors, or for other medical and non-medical staff of health facilities in Delhi.

The right to life is paramount and absolute, and all the State agencies, including medical professionals and the police have a constitutional obligation to ensure the preservation of the right to life. The right to Health is a fundamental human right and State of Delhi must "refrain from interfering directly or indirectly with the enjoyment of the right to health". (General Comment No. 14, Art 12, CESCR).

Health care, including emergency medical aid is critical for upholding the right to health and life and must not be denied nor compromised. The State must ensure all safeguards so that those who have been affected by the violence and others under the threat of violence are guaranteed timely access to health care, and all those involved in the provision of health care including ambulance services are allowed free and safe movement.

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Date 26 February 2019

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