

ICRC Global Initiative to Galvanize Political Commitment to International Humanitarian Law

Workstream 5: Achieving Meaningful Protection for Hospitals in Armed Conflict

Second State Consultation

Statement of Australia

2 December 2025

Excellencies, colleagues,

Australia thanks the ICRC and co-chairs Nigeria, Pakistan, Spain and Uruguay for convening this important consultation. And please forgive what may be a slightly longer intervention as this addresses questions in more than one session.

Hospitals and medical facilities enjoy one of the highest levels of protection under international humanitarian law. Yet in conflicts around the world, respect for these protections is being eroded – with devastating consequences for patients, health workers and entire communities.

Australia's position is clear: compliance with IHL is non-negotiable. Our Defence doctrine and Rules of Engagement incorporate measures to avoid harm to medical facilities, including robust targeting procedures, mandatory collateral damage estimation, and legal review at every level. Hospitals are placed on no-strike lists, and our forces are trained under the law of armed conflict to respect and protect medical facilities. Mission-specific directives and standard operating procedures often impose stricter conditions than those required under IHL.

Australian Defence Force targeting processes require commanders to identify and map medical facilities in the area of operations and its immediate vicinity. Locations are regularly updated and integrated into targeting processes to ensure they are excluded from target lists. These measures are supported by collateral damage estimation methodologies and legal reviews that apply at every stage of planning and execution.

Civil–military coordination is central to our approach. Australia regularly hosts a range of workshops to identify practical steps such as establishing coordination platforms with health authorities and humanitarian actors. These platforms allow for information-sharing on curfews, mined areas, and evacuation routes, and support the development of medical evacuation procedures in the rare case where part of a hospital loses protections and comes under attack. Our operational experience confirms that coordination with humanitarian actors and health authorities is essential to maintaining safe access to care.

Preventing misuse of hospitals for military purposes is a critical dimension of IHL compliance. We support international good practices, such as explicit orders prohibiting any military use of medical facilities, including the presence of weapons, and requiring commanders to identify alternative sites for operational needs. We welcome further exchange on how these measures can be implemented effectively.

Identification remains a practical challenge. While the Red Cross emblem is a vital protective marker under IHL, the complexity of modern-day conflict means it is difficult to rely upon as the lone tool to identify a hospital or medical facility. Australia is interested in best practice approaches to marking and identification, and in exploring technological solutions – such as electronic emissions or other indicators – to verify whether hospitals are being misused for acts harmful to the enemy.

Finally, clarity around exceptional circumstances where protection may be lost is vital. The conditions as set out in IHL – that we discussed in detail during the last consultation – must be applied rigorously and transparently. Australia's military manuals and ROE incorporate these principles, requiring commanders to verify allegations using all credible sources, including military intelligence and publicly available information from health authorities. Warnings must specify the act harmful to the enemy, set a feasible deadline for compliance, and be delivered through reliable communication channels such as direct phone calls or email, supplemented by indirect means like leaflets or public announcements where appropriate.

Australia's commitment to protecting hospitals is part of a broader agenda to safeguard humanitarian personnel and operations. Australia recently joined with partners to launch the Declaration for the Protection of Humanitarian Personnel. We are now working through the Group of Friends to implement the practical commitments in the Declaration, to make a difference on the ground. These efforts complement the work of this initiative and reinforce the principle that humanitarian access, including access to hospitals and medical care should be safe, unimpeded and sustained, in accordance with IHL.

Together, we can reverse the deadly trend of attacks on health care and humanitarian personnel. Australia will continue to champion IHL – through this workstream, through our leadership on humanitarian protection, and through initiatives such as the Declaration for the Protection of Humanitarian Personnel.

Thank you.