



**TITLE: PROMOTING RESPECT FROM
WEAPON BEARERS OF HEALTH CARE
SERVICES AND ENSURING THEIR SAFE
DELIVERY.**

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The genesis of Sharia and law

- ❖ **THE HISTORY OF THE EMERGENCE OF LAW AND ITS IMPACT ON SOCIETY.**
- ❖ **THE LAW BEGAN WITH THE EMERGENCE OF THE FAMILY AND THE TRIBE, THEN THE DEVELOPMENT OF LAW IN THE EIGHTH CENTURY.**
- ❖ **AND ADDED TO THEM IN THE LATER SOME FOUNDATIONS OF JUSTICE, EQUALITY, MERCY AND HUMANITY.**

Contrasts

- **LAW IS A PRODUCT OF THE HUMAN MIND.**
- **SHARIA LAW IS BY THE CREATOR OF MANKIND.**
- **THE LAW HAS PASSED THROUGH THE STAGES OF FEW AND MANY, WHILE SHARIA IS NOT.**
- **THE LAW DIFFERS FROM TRIBE TO TRIBE, WHILE SHARIA IS FOR ALL PEOPLE WITHOUT THE DIFFERENCE.**
- **THE LAW IS TEMPORARY RULES SET BY THE GROUP TO ORGANIZE ITS AFFAIRS AND MEET ITS NEEDS. WHILE SHARIA IS PERMANENT.**
- **LAW IS WITH THE SOCIETY TODAY BUT IT IS BEHIND IT TOMORROW.**

Use of weapons - rules in Islam

1. NOT TO RAISE ARMS OVER YOUR BROTHERS, EVEN AS A JOKE.
2. BEWARE OF PRIDE AND WONDER WHEN CARRYING ARMS.
3. BEWARE THAT THE TARGET ON WHICH YOU THROW, SHOULD NOT BE A LIVING THING.
4. BEWARE OF FIGHTING WITH MUSLIM BROTHERS.
5. THE COMMANDMENT OF THE WAR ARE: DO NOT BE TREACHEROUS, DO NOT TRANSGRESS, DO NOT KILL A NEWBORN, OR A WOMAN, OR AN ADULT, OR A MORTAL, DO NOT KILL SICK PERSONS, DO NOT CUT TREES, AND DO NOT DEMOLISH A BUILDING.

Use of weapons - places

1. **IN THE LEGAL WAR (THAT HAS SPECIFIC CONDITIONS).**
2. **IN HUNTING (ITS CONDITIONS ARE DETAILED IN JURISPRUDENCE)**

Sharia and patient care

ISLAMIC LEGISLATION SEEKS TO PUT AWAY ALL TROUBLES FROM THE PATIENTS AND TRY TO REMOVE HIS BURDENS TO THE MAXIMUM DEGREE:

- ✓ SHARIA ALLOWS THE PATIENTS TO BREAK THE FAST DURING THE DAY IN RAMADAN.
- ✓ HE IS FREE FROM ALL OBLIGATION IF HE CANNOT DO, SUCH AS HAJJ, PRAYER.
- ✓ AND THE SICK PERSON WHO IS HARMED BY WATER IN ABLUTION IS ORDER TO DOES TAYAMMUM.

ALL THESE ARE SIGNS TO HELP THE PATIENT AND GIVE HIM HIS RIGHTS.

Respect of medical staff

AS IT IS MENTIONED BEFORE, ISLAMIC LEGISLATIONS ORDER TO RESPECT THE PATIENT IT INCLUDES TWO PARTS:

1. RESPECT OF THE PATIENT ITSELF,
2. AND RESPECT OF THE MEDICAL STAFF TOO, BECAUSE THEY ARE CARED BY THEM, AND THEIR LOST HOPE BASED ON THEM.
3. IT IS ALSO MENTIONED IN THE COMMANDMENTS OF THE PROPHET PBUH, THAT ORDERS US NOT TO KILL NEUTRAL PERSONS.

Respect the patient in law

THE AFGHAN HEALTH LAW'S 5TH ARTICLE SAYS:

MEASURES TO PROVIDE PREVENTIVE MEDICINE AND ENVIRONMENTAL HEALTH SERVICES FOR EMPLOYEES IN GOVERNMENT AND NON-GOVERNMENT OFFICES.

AND ARTICLE (13) SAYS:

GOVERNMENT AND NON-GOVERNMENT DEPARTMENTS AND OTHER CITIZENS OF THE COUNTRY ARE OBLIGED TO COOPERATE WITH THE MEDICAL STAFF IN PERFORMING THEIR SPECIFIC DUTIES, TAKING INTO ACCOUNT THE AVAILABLE FACILITIES.

Geneva conventions

IT IS INDICATED IN THE THIRD ARTICLE OF GENEVA SECOND, THIRD AND FOURTH CONVENTIONS:

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, WOUND, DETENTION, OR ANY OTHER CAUSE, SHALL IN ALL CIRCUMSTANCES BE TREATED HUMANELY, WITHOUT ANY ADVERSE DISTINCTION BASED ON RACE OR COLOR, RELIGION, BELIEF, GENDER, BIRTH OR WEALTH, OR ANY OTHER SIMILAR CRITERIA.

Hurdles in the way

ACCORDING TO THE RESEARCH OF ICRC THAT HELD IN VARIOUS COUNTRIES, IT COUNTS 3,780 ATTACKS DURING THE FIVE YEARS BETWEEN 2016 AND 2020, IN AN AVERAGE OF 33 COUNTRIES EACH YEAR. TWO-THIRDS OF THE ATTACKS OCCURRED IN AFRICA AND THE MIDDLE EAST.

THE COUNTRIES WITH THE HIGHEST NUMBER OF INCIDENTS RECORDED BY THE ICRC INCLUDE AFGHANISTAN, CONGO, ISRAEL, AND SYRIA. GIVEN THE DIFFICULTY OF COLLECTING SUCH DATA IN CONFLICT AREAS, IT IS LIKELY THAT THE TOTAL NUMBER OF ATTACKS RECORDED BY THE ICRC IS AN UNDERESTIMATE.

Solutions

- 1- AWARENESS AND DISSEMINATION OF TEACHINGS.
- 2- FOLLOW THE LAWS ON BOTH SIDES OF THE WARRING PARTIES, WHETHER THEY ARE STATES OR PARTIES.
- 3- THE INTERVENTION OF IMPARTIAL COMMITTEES IN THE BATTLE FIELDS THAT PROVIDES HUMANITARIAN SERVICES, SUCH AS THE RED CROSS AND THE RED CRESCENT, AND OTHERS.

The end

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