

THE WORLD MEDICAL ASSOCIATION, INC.

WMA COUNCIL RESOLUTION ON BAHRAIN

Adopted by the 189th Council Session, Montevideo, Uruguay, October 2011

The WMA Council notes that

A number of doctors, nurses and other health care professionals in the Kingdom of Bahrain were arrested in March 2011 after the civil unrest in that country and tried under emergency powers before a special court, led by a military judge. Twenty of this group were found guilty of a number of charges, on 29 September 2011 and sentenced to fifteen, ten or five years imprisonment.

These trials failed to meet international standards for fair trials, including the accused not being allowed to make statements in their own defence, and their lawyers not being allowed to question all the witnesses. Allegations from the accused and their lawyers of mistreatment, abuse and other human right violations during arrest and while in detention have not been investigated.

While various criminal charges were brought it appears that the major offence was treating all the patients who presented for care, including leaders and members of the rebellion. Other charges appear to be closely related to providing such treatment and were, in any case, not proven to the standard expected in court proceedings. In treating patients without considering the circumstances of their injury these health care professionals were honouring their ethical duty as set out in the Declaration of Geneva.

The WMA welcomes the announcement by the government of Bahrain of 6 October 2011 that all twenty will be re-tried before a full civil court.

Therefore, the WMA requires that no doctor or other health care professional be arrested, accused or tried for treating patients, regardless of the origins of the patient's injury or illness.

The WMA demands that all states understand, respect and honour the concept of medical neutrality. This includes providing working conditions which are as safe as possible, even under difficult circumstances, including armed conflict or civil unrest.

The WMA expects that if any individual, including health care professionals, are subject to trial that there is due process of law including during arrest, questioning and trial in accordance with the highest standards of international law.

The WMA demands that states investigate any allegations of torture or cruel and inhumane treatment by prisoners against its agents, and act quickly to stop such abuses.

The WMA recommends that independent international assessors are allowed to observe the trials and meet privately with the accused, so that the state of Bahrain can prove to the watching world that the future legal proceedings follow fair process.

The WMA recognises that health care workers and health care facilities are increasingly under attack during wars, conflicts and civil unrest. We demand that states throughout the world recognise, respect and honour principles of medical neutrality and their duty to protect health care institutions and facilities for humanitarian reasons.

Signed by WMA Council members, Officers and Officials

- Dr. Wonchat Subhachaturas, WMA President (Thailand)
- Dr. Mukesh Haikerwal, WMA Chair of Council (Australia)
- Dr. José Luiz Gomes do Amaral, WMA President-Elect (Brazil)
- Dr. Dana Hanson, WMA Immediate Past President (Canada)
- Dr. Masami Ishii, WMA Vice Chair of Council (Japan)
- Dr. Vinay Aggarwal (India)
- Dr. Florentino Cardoso (Brazil)
- Dr. Peter W. Carmel (United States)
- Dr. Xavier Deau (France)
- Dr. Roberto Luiz d'Avila (Brazil)
- Dr. Yoram Blachar (Israel)
- Dr. Torunn Janbu, WMA Chair of Medical Ethics Committee (Norway)
- Prof. A. C. Nieuwenhuijzen Kruseman (Netherlands)
- Dr. Ajay Kumar (India)
- Dr. Jeremy A. Lazarus (United States)
- Dr. Mphata Norman Mabasa (South Africa)
- Sir Michael Marmot, WMA Chair of Socio-Medical Affairs Committee (United Kingdom)
- Dr. med. Frank-Ulrich Montgomery, WMA Treasurer (Germany)
- Dr. Dongchun Shin (Republic of Korea)
- Dr. Robert Ouellet (Canada)
- Dr. Ramin Parsa-Parsi (Germany)
- Dr. Alarico Rodriguez de León (Uruguay)
- Dr. Jón G. Snædal (Iceland)
- Dr. Cecil B. Wilson (United States)
- Dr. Yoshitake Yokokura (Japan)
- Dr. Otmar Kloiber, WMA Secretary General

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