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## **WMA STATEMENT ON THE LICENSING OF PHYSICIANS FLEEING PROSECUTION FOR SERIOUS CRIMINAL OFFENCES**

Adopted by the 49<sup>th</sup> WMA General Assembly, Hamburg, Germany, November 1997  
and reaffirmed by the 176<sup>th</sup> WMA Council Session, Berlin, Germany, May 2007

### **PREAMBLE**

Physicians are bound by medical ethics to work for the good of their patients. Involvement by a physician in torture, war crimes or crimes against humanity is contrary to medical ethics, human rights and international law. A physician who perpetrates such crimes is unfit to practice medicine.

### **DEFINITION**

Physicians seeking to work in any country are subject to the licensing arrangements of that country. The duty to demonstrate suitability to practice lies with the person seeking registration. Licensing bodies in some countries are distinct from the national medical association.

Physicians who lose their licenses in one country after being found guilty by their licensing authority of serious professional misconduct, or following a criminal conviction, will usually be unsuccessful if they apply to practise in a second country. This is because most licensing authorities require not only proof of qualification but also proof that an applicant who is an immigrant continues to be in good professional standing in his or her country of origin.

Yet physicians who have been accused by international agencies of torture, war crimes or crimes against humanity have sometimes been able to escape from the country in which these crimes were committed and to obtain registration to practice medicine from the licensing authority in another country. This is clearly contrary to the public interest and is damaging to the reputation of physicians.

### **RECOMMENDATION**

National medical associations should use their own licensing powers to ensure that physicians against whom serious allegations of participation in torture, war crimes or crimes against humanity have been made are not able to obtain licences to practice until they have satisfactorily answered these allegations. National medical associations that do not have licensing powers should inform the appropriate licensing authorities of infor-

mation they receive regarding physicians against whom serious allegations of participation in torture, war crimes or crimes against humanity have been made , and should encourage the licensing authorities to take appropriate actions to ensure that such physicians have satisfactorily answered these allegations before granting them licenses to practice. Where evidence of involvement in abuses is compelling, national member associations or licens-ing authorities should draw such evidence to the attention of the appropriate authorities.

RESCINDED