

ARCHIVED: WMA COUNCIL RESOLUTION ON THREATS TO PROFESSIONAL AUTONOMY AND SELF-REGULATION IN TURKEY

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Introduction

The WMA is extremely concerned about recent actions by the Turkish government that drastically reduce the self-governing authority and professional autonomy of the medical profession in Turkey. In particular, the newly enacted Government Decree 663 on the Organization and Duties of the Ministry of Health and its Associated Organizations establishes a Health Professions Board, controlled by the Ministry of Health, and delegates authority to this Board for certain critical functions that should remain with the Turkish Medical Association in keeping with the principles of professional autonomy and physician self governance. The Turkish Medical Association was established by the Turkish Parliament in 1953, while Decree 663 was passed by the government ministers of Turkey in an extraordinary process that bypassed the Parliament.

Of grave concern is the fact that the Turkish Medical Association no longer has the authority to:

- Establish and issue ethical guidelines concerning physician conduct
- Conduct investigations regarding alleged malpractice by physicians
- Determine disciplinary sanctions against physicians in cases of malpractice
- Develop core curricula for medical education, post-graduate medical specialty curricula, and content and accreditation for continuing medical education (all of which were previously done in partnership between the TMA and universities)

In addition, Decree 663 amends Article 1 of the Constituting Law of the Turkish Medical Association (originally drafted and adopted by the Parliament) by removing the following language in the TMA's mandate: "ensuring that medical profession is practiced and promoted in line with public and individual well-being and benefit". As a result of this restriction of its mandate, the TMA no longer has the right to legally challenge actions and regulations that adversely affect the right to health, the provision of health care, public health, and individual patient well-being. Examples might include, for instance, efforts against restrictions on which medical procedures would be reimbursed under the national health system or initiation of action to address public health hazards such as the use of cyanide in silver and gold mining and processing. The narrowing of the TMA's mandate in this regard not only diminishes the independence of physicians, but also jeopardizes the health of their patients.

THEREFORE:

Reaffirming its unequivocal commitment to the independence and professional self-governance of the medical profession, as defined in the WMA Declaration of Madrid on Professional Autonomy and Self-Regulation, and the WMA Resolution on the Independence of National Medical Associations, the WMA Council:

1. Urges the Turkish government to rescind Decree 663 and restore to the Turkish Medical Association its

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duties and responsibilities for professional autonomy and self regulation, properly established by the Parliament in 1953 through the legitimate and transparent national democratic process.

2. Urges all physician members of Parliament, regardless of political affiliation, to recall their duties as physician leaders and support the right of the medical profession to autonomy and self-regulation.
3. Supports and commends the Turkish Medical Association and those members of the Turkish Parliament who have challenged these recent actions and requested a legal review of this Decree by the Constitutional Court.
4. Calls on all physicians in Turkey and around the world to join actively in advocacy efforts to promote and support professional independence, the right to health, and the health of the people of Turkey.