

WMA RESOLUTION ON PROHIBITION OF FORCED ANAL EXAMINATIONS TO SUBSTANTIATE SAME-SEX SEXUAL ACTIVITY

*Adopted by the 68th General Assembly, Chicago, United States, October 2017
and reaffirmed with minor revisions by the 221st WMA Council Session, Berlin, Germany, October 2022*

PREAMBLE

The [WMA Declaration of Tokyo](#) strictly forbids physicians to countenance, condone or participate in the practice of torture or other forms of cruel, inhuman or degrading treatment and requires them to respect the confidentiality of medical information.

The [United Nations Principles of Medical Ethics Relevant to the Role of Health Personnel, Particularly Physicians, in the Protection of Prisoners and Detainees Against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment](#) prohibits health personnel from “participation in, complicity in, incitement to or attempts to commit torture or other cruel, inhuman or degrading treatment or punishment”.

Since 2011, in at least eleven countries, physicians have participated in forced anal examinations of men and transgender women who are charged with consensual same-sex conduct.

The UN Special Rapporteur on Torture has described forced anal examinations as a form of torture or cruel, inhuman and degrading treatment that is “medically worthless” due to the lack of scientific validity of the tests.

Furthermore, in its [Statement on Anal Examinations in Cases of Alleged Homosexuality](#), the Independent Forensic Expert Group, composed of forensic medicine specialists from around the world, has determined that “the examination has no value in detecting abnormalities in anal sphincter tone that can be reliably attributed to consensual anal intercourse”.

The WMA is deeply disturbed by the complicity of physicians in these non-voluntary and unscientific examinations, including the preparation of medical reports that are used in trials to convict men and transgender women of consensual same-sex conduct.

In accordance with its [Statement on Body Searches of Prisoners](#), the WMA reminds that forced examinations are not ethically acceptable and physicians must not perform them.

The ability of persons in custody to provide free and informed consent is limited. Even when consent is given, physicians should refrain from undertaking procedures that are scientifically unfounded, discriminatory and potentially incriminating.

RECOMMENDATIONS

Recognizing that persons who have undergone forced anal exams have described them as painful, humiliating, and amounting to sexual assault and recalling that physicians should never engage in acts of torture or other forms of cruel, inhuman or degrading treatment, the WMA:

1. Calls on its Constituent Members, physicians and other health professionals, to stand firmly against participation in forced anal examinations because they are medically invalid;

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2. Urges its Constituent Members to issue written communications prohibiting their members from participating in such examinations;
3. Urges its Constituent Members to educate physicians and other health professionals about the unscientific and futile nature of forced anal exams and the fact that they are a form of torture or cruel, inhuman and degrading treatment;
4. Calls on the World Health Organization to make an official statement opposing forced anal examinations to prove same-sex sexual activity as unscientific and unethical in violation of medical ethics.