

ON THE OCCASION OF THE INTERNATIONAL DAY FOR HUMAN RIGHTS

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The 10th of December marks the International Day for Human Rights. People and organizations worldwide are celebrating this day by recognizing their achievements and listing and reminding the world of the many human rights abuses that remain to be addresses and corrected.

Although not a human rights organization, the WPA has had, and continues to have, its contributions to the advocacy of human rights in its domain, inclusive of the human rights of mental patients and their caretakers, the psychiatrists.

The Declaration of Hawaii was the first positional statement of the psychiatric profession concerning ethical questions. It was prepared by Clarence Blomquist and was adopted by the General Assembly of the World Psychiatric Association in Hawaii in 1977. Its primary aim was to encourage psychiatrists in conflicts of loyalty in contemporary societies and to help them in conflicts of psychiatric decision-making. A major trigger was the political misuse of psychiatry in countries such as the former Soviet Union, Romania, and South Africa that came to public awareness during the early 1970s.

The Declaration of Hawaii explicates the ethical principles of respect for autonomy and of beneficence: By formulating the components of informed consent, by calling to mind the obligation of confidentiality, by stating rules for forensic evaluation and compulsory interventions, by demanding the possibility of independent proof of compulsory measures and by obliging psychiatrists not to misuse their professional possibilities and particularly to abstain from any compulsory intervention in the absence of a mental disorder.

The efforts of psychiatrists and health politicians initiated in many countries continued to achieve fundamental improvement of care for the mentally ill.

At the 1993 WPA World Congress in Rio, the Ethics Committee, which I was honored to chair, was mandated to update the Hawaii Declaration and to develop guidelines for specific situations. The process involved the collection of data on the issue of professional ethics in the field of medicine and psychiatry from all WPA societies. The literature on ethical codes was complemented in 1994, upon the recommendation of the Long Range Planning Committee, by a mail survey to the different societies, aiming to identify the existence of codes of ethics for psychiatrists in the different countries.

The first section of the Madrid Declaration outlines the ethical commitments of the profession and the theoretical assumptions upon which these are based. It acknowledges that medical professionals are facing new ethical dilemmas resulting from increasingly complex medical interventions, new tensions between the physician and the patients, new social expectations from the physician, development of new research modalities and rapid advancement of research technology with prospects for possible technological interventions especially in the field of genetic research and counseling. However, it also stresses that, despite cultural, social and national differences,

the need for ethical conduct and continual review of ethical standards remains universal. It states that as a practitioner of medicine, the psychiatrist must be aware of the ethical implications of being a physician, and of the specific ethical demands of the specialty of psychiatry. As members of society, psychiatrists must balance professional obligations with their responsibilities for the common good. Furthermore, that ethical behavior is based on the individual psychiatrist's sense of responsibility towards the patient and his/her judgment in determining what is correct and appropriate conduct.

The second section contains seven general guidelines that focus on the aim of psychiatry. It states that psychiatry is a medical discipline concerned with the provision of the best treatment for mental disorders, the rehabilitation of individuals suffering from mental illness and the promotion of mental health. It also stresses that the patient should be accepted as a partner by right in the therapeutic process and that the therapist-patient relationship must be based on mutual trust and respect to allow the patient to make free and informed decisions. It is the duty of psychiatrists to provide the patient with relevant information so as to empower the patient to come to a rational decision according to personal values and preferences.

Ensuring the respect of mental patients who constitute research subjects, the Madrid Declaration states that it is unethical to conduct research that is not in accordance with the canons of science is unethical and that research activities should be approved by an appropriately constituted ethical committee.

The third section of the Madrid Declaration deals with guidelines on specific issues, which the World Psychiatric Association Ethics Committee's recognized as important to develop. Those guidelines address case specific issues such as euthanasia, torture, death penalty, sex selection, relationship with the industry, organ transplantation, psychotherapy and protection of mental patients from sexual harassment by therapists.

The Madrid Declaration opposed the participation of psychiatrists in the decision or execution of euthanasia. On the issue of Torture it states that a psychiatrist should not take part in any process of mental or physical torture, even when authorities attempt to force their involvement in such acts, nor should he/she sign a statement indicating that a convict is competent for execution. The Madrid Declaration states that psychiatrists should not under any circumstances participate in legally authorized executions nor participate in assessments of.

competency to be executed for convicts receiving the Death Penalty. Also, aware that preference of male offspring in some societies may lead to a termination of pregnancy assisted by a psychiatric certificate, the Madrid Declaration stresses that under no circumstances should a psychiatrist participate in decisions to terminate pregnancy for the purpose of sex selection

In agreement with the UN Resolution 46/119 on the "Principles for the Protection of Persons with Mental Illness and for the Improvement of Mental Health Care", which the WPA distributed to all its member societies, psychiatrists should oppose discriminatory practices against mental patients that limit their benefits and entitlements, deny parity with other groups of patients, curb the scope of treatment, or limit their access to proper medications. The Madrid Declaration states that discrimination by psychiatrists on the basis of ethnicity or culture, whether directly or by aiding others, is unethical. Psychiatrists shall never be involved or endorse, directly or indirectly, any activity related to ethnic cleansing.

Furthermore, the Declaration affirms that the in a symbolic sense the human genome is the heritage of humanity and that it underlies the recognition of people's inherent dignity and diversity, which is why it is imperative to undertake rigorous assessment of the potential risks and benefits pertaining to research, treatment or diagnosis affecting an individual's genome and that in all cases free and informed consent of the person concerned should be obtained in addition to the right of each individual to decide whether or not to be informed of the results of genetic examination. Furthermore the Madrid Declaration calls on psychiatrists to deal with psychotherapy according to the same ethical guidelines that guide any therapeutic process. Abuse of patient's trust and breaching the boundaries of therapist-patient is considered by the declaration as violation of the human rights of mental patients. While all of the above focuses on the rights of mental patients, the rights or psychiatrists should be equally protected to be able to practice free of coercion and pressure, whether by third party payers, drug companies or state authorities.

Another level of human rights concerns of the WPA has been surfacing over the past few years with alleged abuse of mental health institutions as places of incarceration for political dissidents (the case of the Falon Gong in China), execution of the death penalty against mental patients (the case of the US) and use of brains of deceased mental patients for research without the consent of their families or their consent before their death (the case of the UK). The WPA has been investigating those complaints thoroughly with a view to intervene in collaboration with colleagues in the respective countries.

Not only is the WPA as the largest professional organization of psychiatrists, challenged by national or individual human rights concerns of mental patients; it has also drawn the attention of the world to ongoing conflicts that entail depriving patients of mental health care services, or threatening their safety in cases of war and in conflict zones. In 2003 the WPA issues a statement regarding the cycle of violence in the Middle East shedding light on the consequences, detrimental to the mental health, especially of women and children. Then once again in 2003 the WPA issues a statement warning of the health and mental health hazards to be expected from the US war against Iraq, highlighting the traumatic impact of that war on the local population and the possible consequence of large sectors of society suffering the psychological consequences of violence, trauma, loss and displacement. While the WPA was successful in the widespread adoption of national psychiatric association to the Madrid Declaration, which in the meantime has been translated into many languages and whose endorsement has become a precondition for new association to join the WPA, it is unfortunate that the professional voice of psychiatrists did not echo strongly enough in the field of world politics.

I believe that on the occasion of the international human rights day we should renew our commitment to continue advocating and mobilizing for a world that not only protects the mentally ill, granting them access to treatment and rehabilitation and a better way of life, but also a world that considers the short and long term effects of its political decisions on the mental health of world citizens.

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