

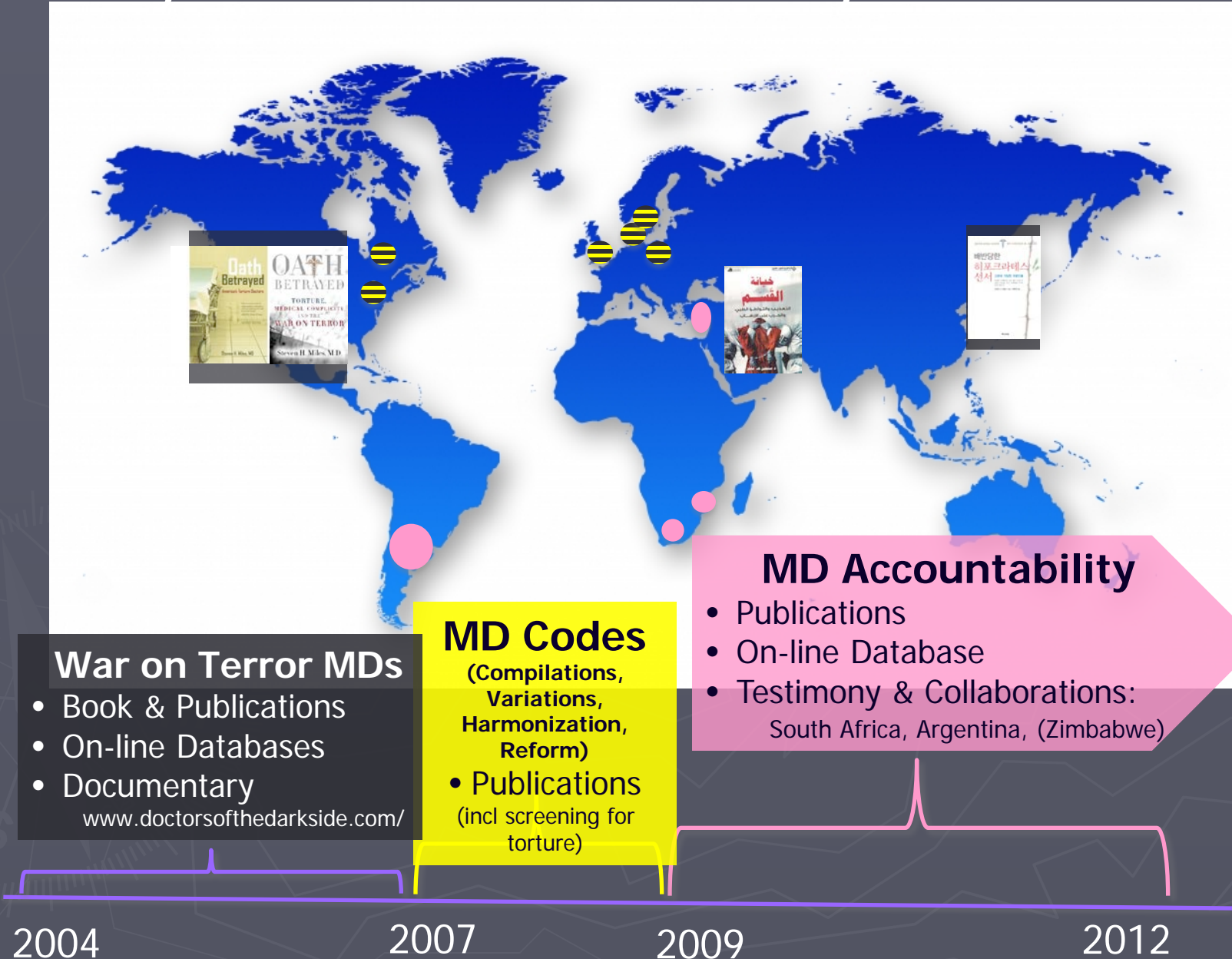
Physician Accountability for War Crimes

Steven H. Miles

Telma Alencar

Brittney Crock

Physicians and Torture: 9 years into it.

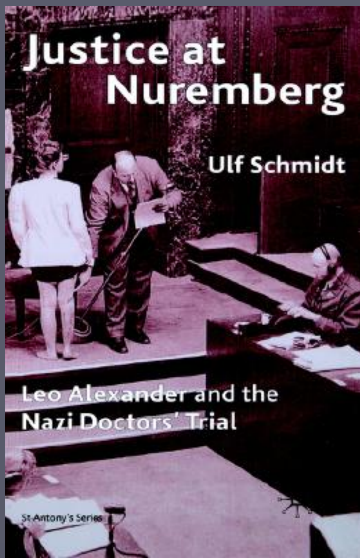


Nuremberg Nazi Medicine Trial, 1946-1947



- ▶ 23 defendants
 - 7 death by hanging
 - 9 prison terms, 10 yrs to life,
 - 7 acquitted.





United Nations

Convention Against Torture, Cruel, Inhuman, and Degrading Treatment

UN Principles Medical Ethics

UN Principles Protection of Persons under Detention

1946 1948 1956 1975 1980 1984 1988 1997 2007

Declaration of Geneva

Regulation in Armed Conflict

WMA

Declaration of Tokyo

No Licenses
MDs fleeing prosecution

Duty of MDs to Document and Denounce

Clinical Societies Policies

Torturing regimes need doctors.

- Devise means to minimize scars, including psychosexual torture.
- Keep alive those who are supposed to live.
- Conceal the cause of death of those who die.

Half of torture survivors report seeing a physician overseeing their torture.

Study Population

- ▶ Doctors punished for acts occurring after World War II.
- ▶ International or national courts, medical licensing boards.
- ▶ Exclude acquittals but
 - Include physicians found culpable and later excused by new amnesties, pardons, etc.
- ▶ Not an exhaustive list.
 - Biased to western languages and web media.
 - Some physicians who torture give self-incriminating testimony in exchange for immunity or amnesty.
 - Many doctors are never punished.

EL PAÍS › LA CAUSA CONTRA BIANCO POR LA REPRESION EN CAMPO DE MAYO

Dueño del destino de las embarazadas Comparta esta nota con un amigo

Norberto Atilio Bianco cumplió funciones como médico en el Hospital Militar de Campo de Mayo con el grado de capitán del Ejército durante la última dictadura militar. La Justicia lo condenó en 2000 por la apropiación de dos menores de edad, pero en diciembre del año pasado las Abuelas de Plaza de Mayo sumaron a esa denuncia otra por su responsabilidad en los secuestros y desapariciones de los hijos de, por lo menos, 35 mujeres embarazadas que pasaron por Campo de Mayo.



Siluetas de desaparecidos en el predio de Campo de Mayo.
"Pudimos revertir el plan macabro"

Google Translator



21 Feb 2007 ... *Dueño del destino de las embarazadas.*
www.pagina12.com.ar/diario/elpais/subnotas/80690-26051-
2007-02-21.html -

[Translate this page]



Nation> THE CAUSE AGAINST THE REPRESSION IN BIANCO CAMPO DE MAYO
OWNER OF

Owner

Norberto A
physician a
Campo de

Original Spanish text:



La Justicia lo condenó en 2000 por la apropiación de dos menores de edad, pero en diciembre del año pasado las Abuelas de Plaza de Mayo sumaron a esa denuncia otra por su responsabilidad en los secuestros y desapariciones de los hijos de, por lo menos, 35 mujeres embarazadas que pasaron por Campo de Mayo.



Contribute a better translation

in the Army during the last military dictatorship. Justice sentenced him in 2000 for the appropriation of two minors, but in December last year, the Grandmothers of Plaza de Mayo joined by another claim that its liability in the abductions and disappearances of children of at least 35 pregnant women who went to Campo de Mayo.

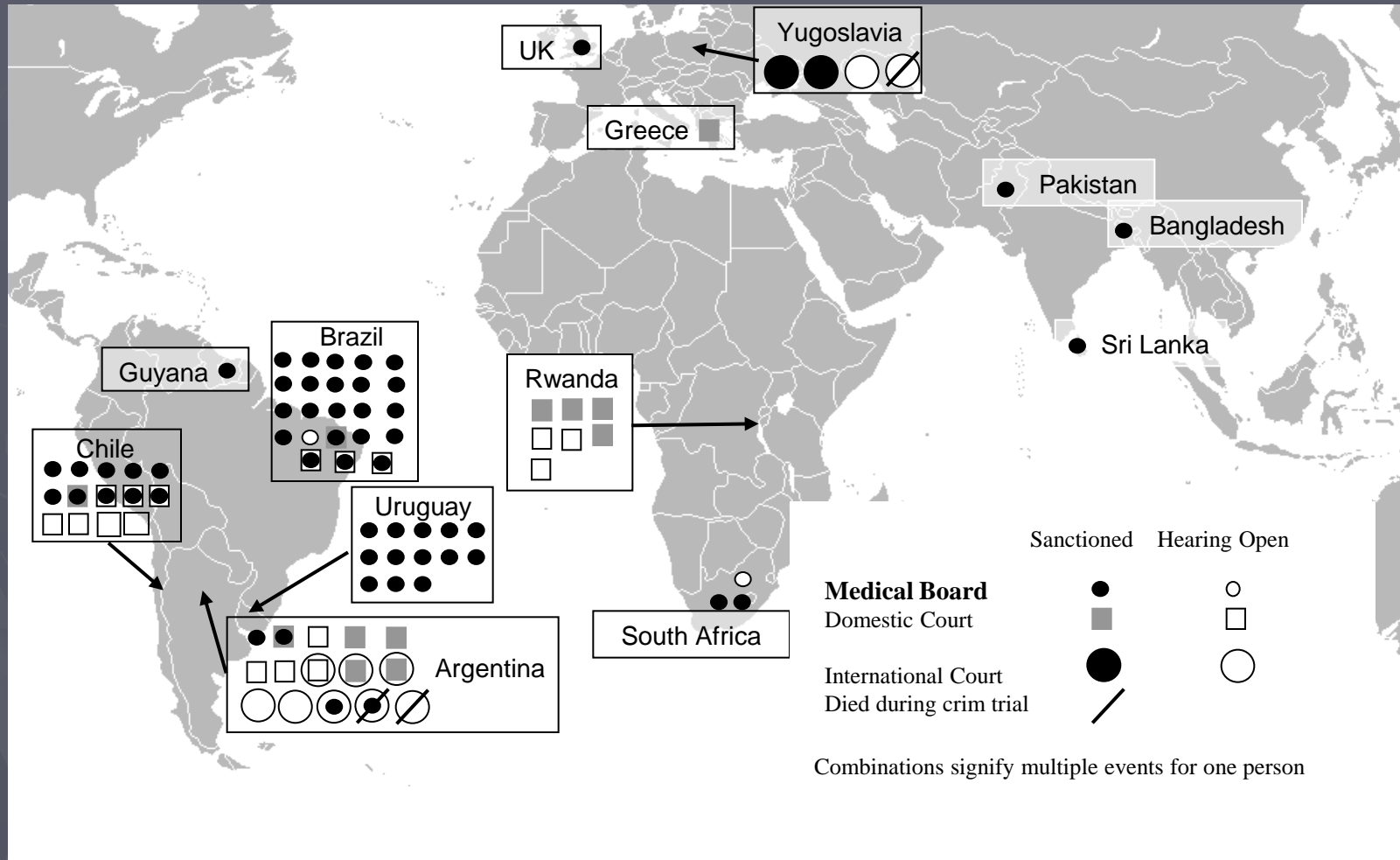
men



Silhouettes of the missing at the site at Campo de Mayo.

"We will reverse the macabre"

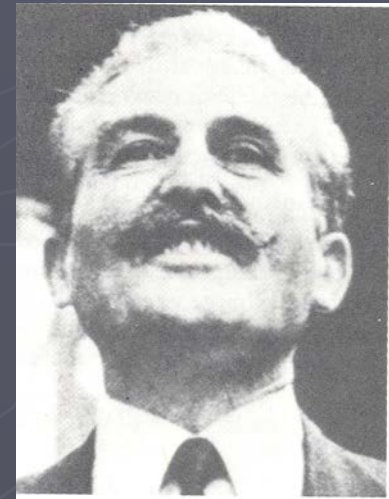
Physicians Sanctioned for War Crimes / Torture 1975-2013



Court Martial (one) 1975

The First post-Nuremburg Case

- ▶ After the Greek junta fell, Dr. Dimitri Kofas, supervisor of torture:
 - Court martialled for dereliction of duty
 - Imprisoned



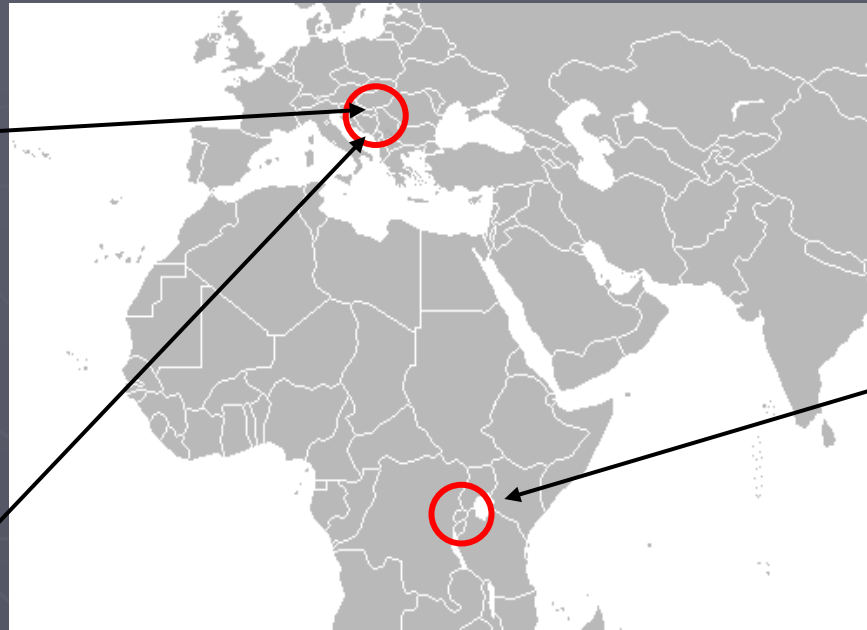
A Separate Issue: MDs who are Senior Government Officials



Dr. M Stakic
VP Munc Assembly
Genocide



Dr. B Simic
War Presidency
Crim ag Humanity



Dr. C Bizimungu
Foreign Minister
Genocide

These physicians acted as
senior government officials,
not as clinicians.

Motivations

No systematic information

- ▶ Denied knowingly participating.
- ▶ Patriotism.
- ▶ Orders/military duty.
- ▶ National emergency.
- ▶ Fear.

Amilcar Lobo

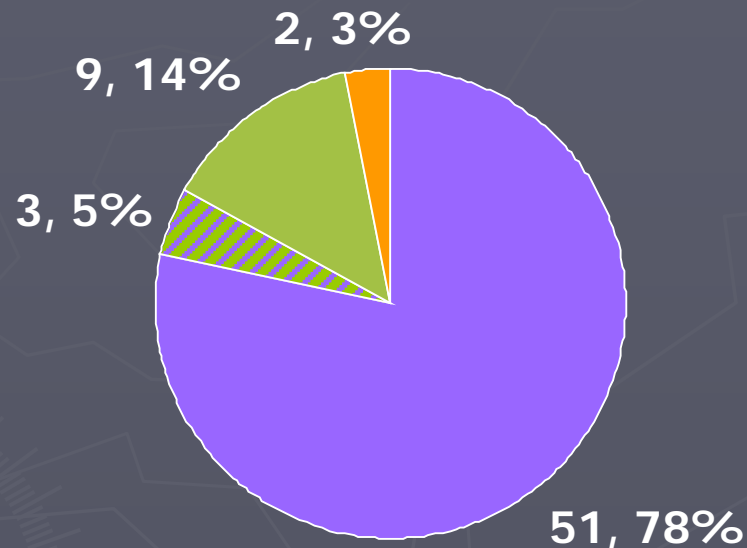
Brazilian, Psychiatrist

“man has used torture and assassination for thousands of years and permitted it as long as it is socially organized. It is but a moment from the Inquisition’s torture and murder of the Jews to the Nazi’s similar actions forty years ago. This is human nature; I am not ashamed to be part of it.”

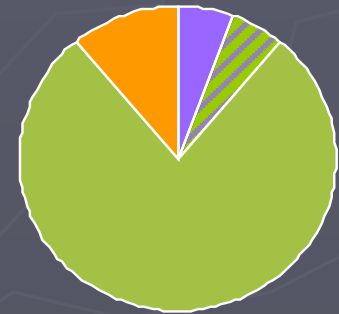
- Lobo A. *A Hora do Lobo e a Hora do Carneiro* [The Hour of the Wolf and the Hour of the Sheep.]

Types of Sanctioning Bodies

Sanctioned N=57



In Progress N=18



■ Med Assns ■ Both ■ Courts ■ Int'l Courts

Medical Associations Precede Court Actions
(court involvement is often second action against an MD)

Important Differences

Courts

► Crimes.

- Murder (incl. false death certificates)
- Kidnapping
- “Torture” rarely indicted because not codified.

► Sanctions

- Damages to survivors
- Revoke pensions
- Imprisonment

Medical Licensing Brds

► Ethics Violations:

- National codes
- Declaration of Tokyo
- Hippocratic Oath

► Sanctions

- Censure
- Revoke awards.
- Remove from Office.
- Suspend license
- Revoke licenses

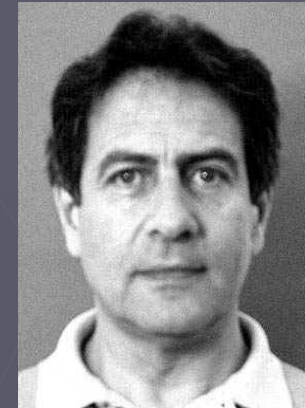
Denouncing of Physicians



Home



Clinic



Camilo Azar Saba

Suspended for six months by the Medical Association for torture of prisoners at barracks of Centro Nacional de Información.

Involved in case of Federico Santibanez.

Address: Alto Las Condes, ubicada en Avenida Kennedy 9001, piso 7, Mall Alto Las Condes.

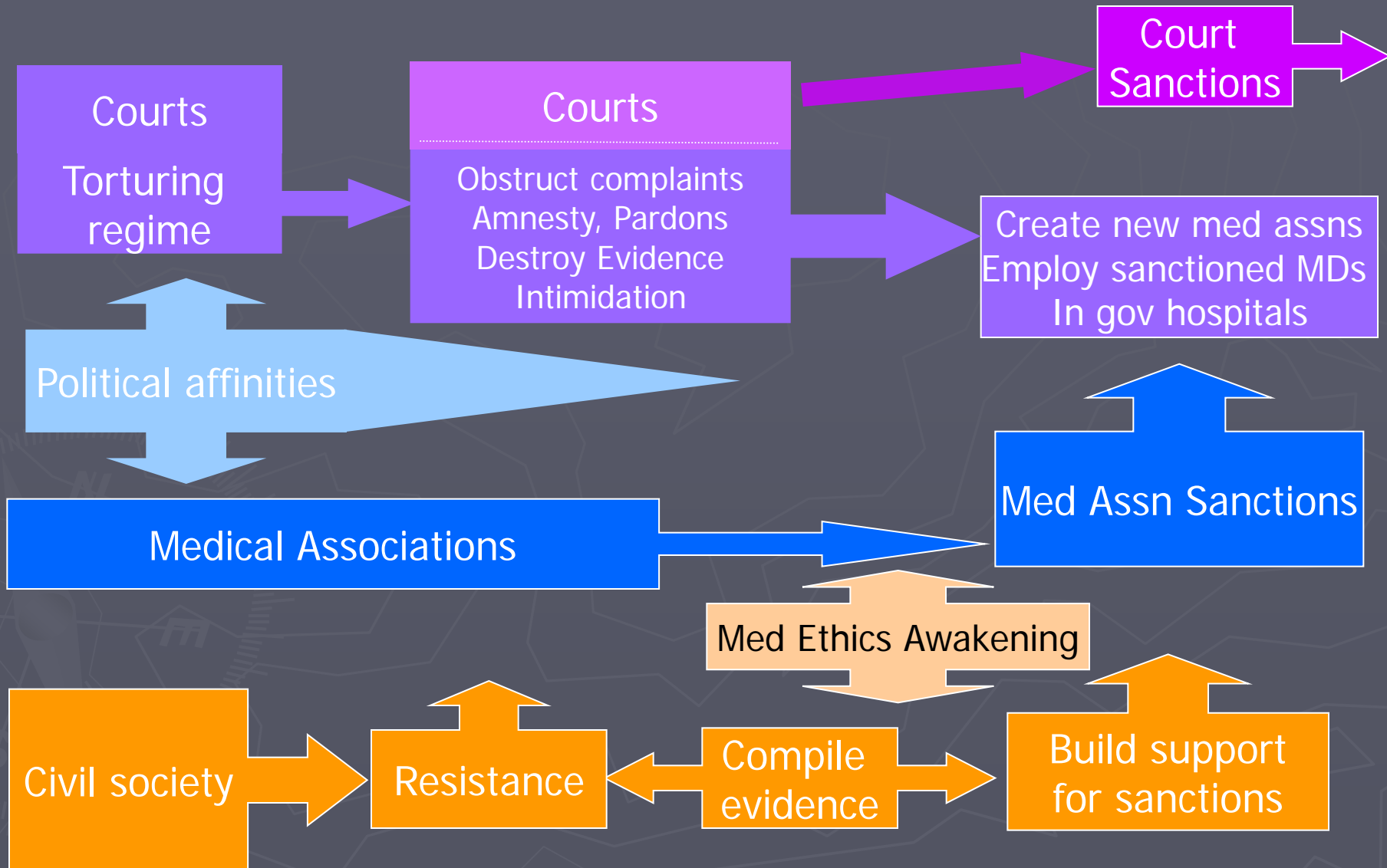
Phone: 6366666

Web

Governments Shelter Physicians who Abet Torture

- ▶ Enact amnesties.
- ▶ Excuse crimes committed under orders.
- ▶ Require military courts to screen cases.
- ▶ Exempt military MDs from medical board' sanctions.
- ▶ Bar military MDs from testifying at civilian medical boards' torture investigations.
- ▶ Bar access to prison medical records
- ▶ Establish government medical associations to supersede to civilian medical societies.
- ▶ MDs whose licenses are revoked for torture are often allowed to practice in government medical centers.

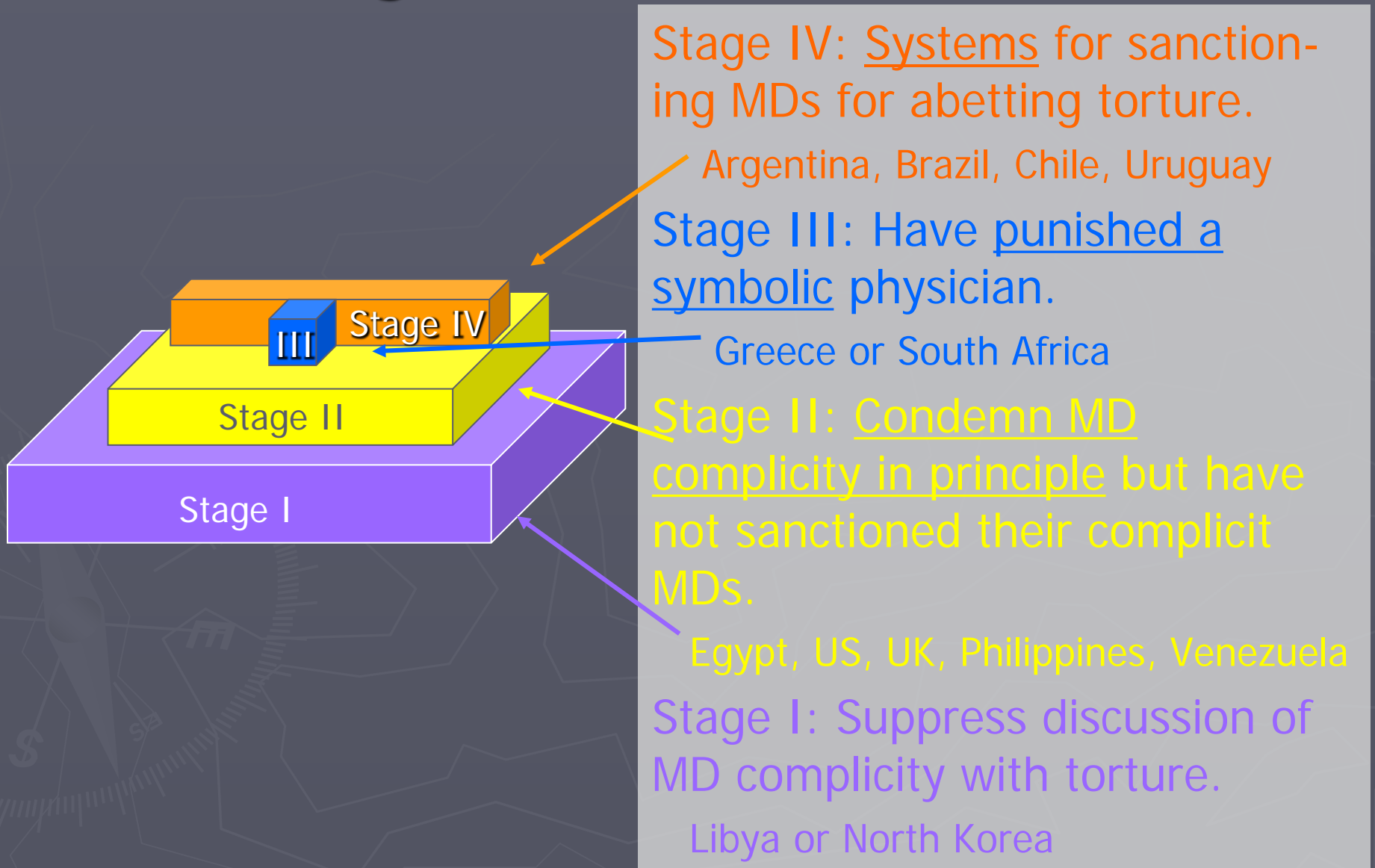
A Schematic History of Sanctions



Few allegations proceed to sanctions.



National Stages of MD Sanctions for Torture



Doctors Who Torture accountability project

[Country Map](#)[Country List](#)[Standards of Conduct](#)[General References](#)[How to use this site](#)

Country Color Code

- Systematic punishment of doctors starting torture
- Doctors torture doctors are punished
- No punishment for doctors starting torture
- Other

Recent Updates

- Follow us on facebook! 8/26/2013
- Recent Country Changes: Switzerland, Uganda, Lebanon, Moldova, Georgia, Sri Lanka, Malaysia, Nepal and Israel 8/26/2013
- Steve Miles recent interview on doctors who aid torture. 8/14/2013

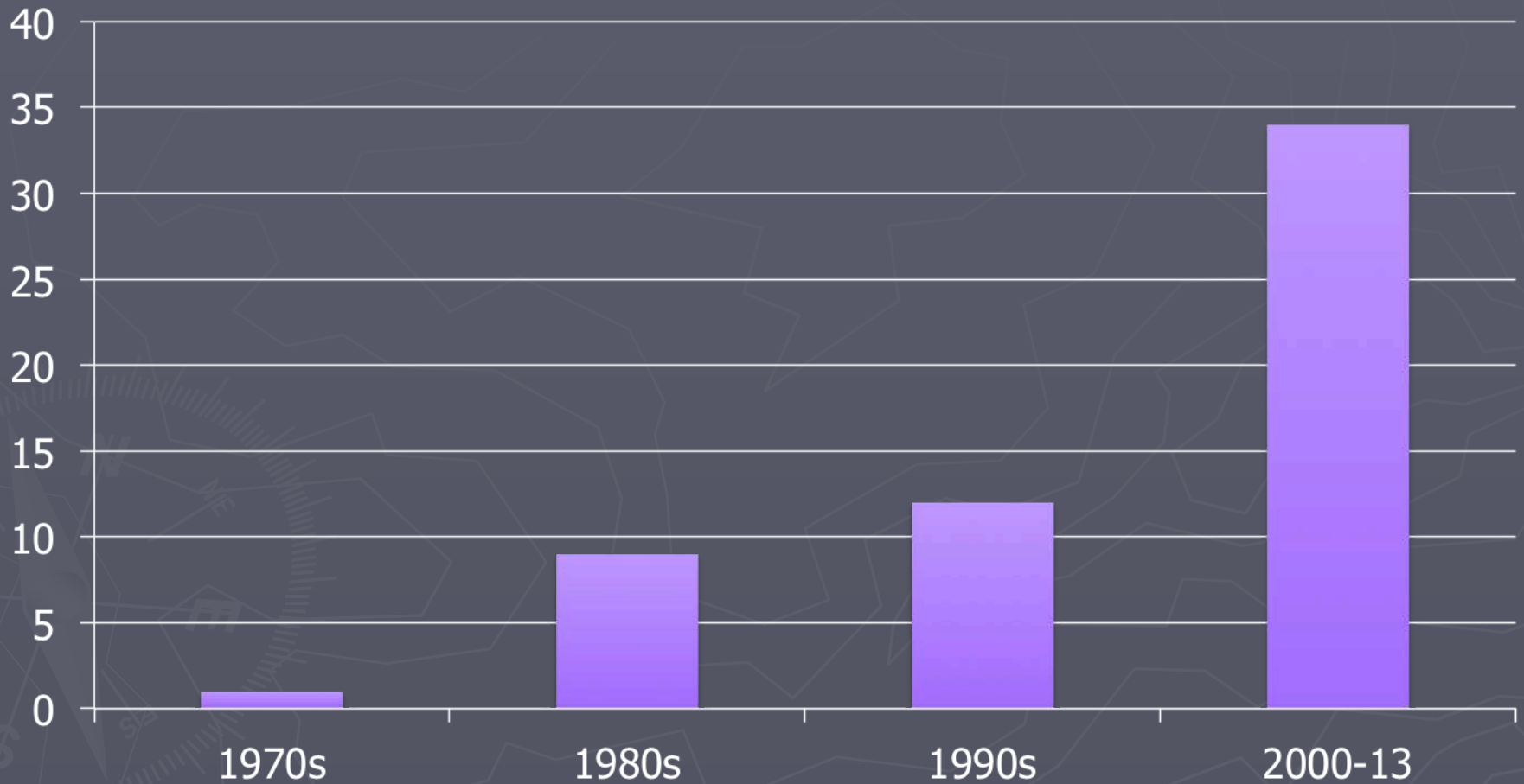
"The physician shall not countenance, condone or participate in the practice of torture or other forms of cruel, inhuman or degrading procedures, whatever the offense of which the victims of such procedures is suspected, accused or guilty, and whatever the motive is behind or motives, and in all situations, including armed conflict and civil strife."

— Declaration of Tokyo, World Medical Association

Doctors should be and can be held accountable for their actions. This site will show how that is being done around the world.

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MDs Sanctioned for Torture



Medicine and Torture

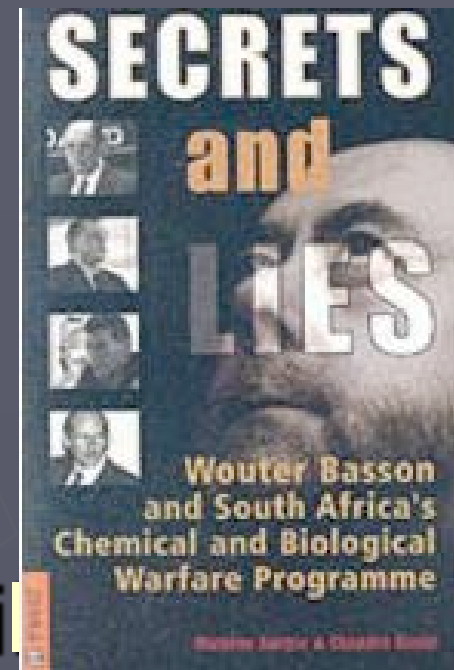
Doctors are essential to torturing regimes.

- help minimize scars,
- keep alive those who are supposed to live,
- conceal the cause of death of those who die.

Half of torture survivors report that a MD supervised the torture.

Doctors are essential to resistance to torture.

- stewards of norms against prisoner abuse (Hippocratic Oath, Declaration of Tokyo).
- physicians and their assns are allied with civil dissent from torture.



Health Professions Council

Africa:

Matter of W.J. Basson MD



Slides available on request
Miles001@umn.edu

Miles SH, Alencar A, Crock BN.
Sanctions against physicians for war
crimes: A work in progress.
Paper is available at IRCT.ORG.

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