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## The Birth of a WAML-Book Series and the Marriage with EEP



**Prof. Thierry Vansweevelt**  
WAML, Governor (Belgium)  
[Thierry.vansweevelt@uantwerpen.be](mailto:Thierry.vansweevelt@uantwerpen.be)

Since July 2017, at the wonderful WAML-conference in Baku, I'm a new member of the Board of Governors (BoG) of the World Association of Medical Law. For Belgium, a little country in Europe, this is quite exciting, since the WAML was founded in Belgium by Rafael Dierkens in 1967.

The selection of candidates for the BoG is taken seriously. Candidates have to pass an oral examination which is led by the members of the Executive Committee. One of the questions was: "What could be your contribution to the WAML?" As a more academic oriented person, I answered that I would set up an International Handbook on medical law or, alternatively, create a WAML book series on medical law.

Why a book series on health law? I am convinced that there is currently a void in the existing literature that brings a fully internationalized perspective on Health Law. The aim of a book series is to bring together the existing and emerging body of research in several

important areas of Health Law, and to provide a comparative, critical and analytical perspective.

Why a WAML book series? For decades WAML has been the largest international association for Health Law and its members include both lawyers and health care workers across a broad range of specialties. The WAML provides a large international platform to encourage academic work to support collaborative research. Needless to say, WAML is the most suitable platform for a book series. And we have a win-win situation. For WAML this would for sure strengthen its international reputation.

When a conference comes to an end, some of you probably know the feeling of having experienced a good conference, but once at home it is time for business-as-usual. Nevertheless, I remembered this idea and contacted the Executive Committee. Could we proceed with this idea and how would this idea become a reality? I submitted a proposal for a WAML-book series and different topics which could fit in this book series. Fortunately, Ken Berger, Oren Asman, Vugar Mammadov, and Thomas Noguchi were strong supporters of this project and gave the green light. Looking back, this was really a sign of their confidence in me which I highly appreciated.

The next step was to find a second editor of the WAML- book series, preferably a native speaker with experience in editorship and a strong cv. Nicola Glover-Thomas, also a member of the BoG, met all these conditions.

Together we further developed this project in a smooth cooperation.

Then it was time to submit this project to a publisher. That was not an easy task. How to choose a publisher is as difficult as choosing the right physician for a patient. It had to be an informed and deliberate choice. The choice fell on Edward Elgar Publishing (EEP), which is a leading international academic and professional publisher with a strong focus on social sciences and legal fields. The fact that their sales are derived equally from Europe, North America, and Asia Pacific regions, and also includes the Middle East, Latin America, and a number of African countries was of key importance. Furthermore, they have an excellent reputation and their books are attractively published.

When in Belgium a respected author has an idea for a book or a book series, he calls or mails a publisher with the message 'I've got an idea'. Then, the publisher invites the author to an exquisite restaurant and they talk about academics, life, food and wine, and of course about the book which the publisher would edit, when he thinks there is a market for this, which is usually the case when the professor uses the new book in his lectures. However, in the UK there is no such thing as a (free) lunch for a potential author. The procedure to publish a book is far more professional. First of all, you need to fill in the detailed standard book proposal which you find online. You have to answer difficult questions such as "Why do you feel there is a need for this book?", "How would people use this book?", "What does it add to the existing literature?", "Can you provide an indicative timetable for writing and completing the manuscript?", and "Please identify any competing or similar books to yours and describe how your book compares to them?".

When you passed that first hurdle, a second barrier is waiting. The book proposal is submitted to five reviewers, who all have their personal comments, positive and negative, and their questions to be answered.

But good things are worth waiting for! It was really very exciting to receive the mail of Iram Satti from EEP saying that EEP "*was looking forward to signing everything off so that this fruitful and exciting publishing partnership can commence*"!

Moreover, the timing of that email was also perfect: just a few days before I had to write my editorial for this newsletter. Highly topical, indeed!

The theme of the first book will be "Informed consent"

and will cover 15 countries from all over the world. The next books will focus on "Privacy and health" and on "Medical Liability".

Hence, we can officially announce this wonderful news: a birth and a marriage. The birth of the WAML book series and the marriage with the prestigious publishing house Edward Elgar. Two honeymoons will bring us first to Tel Aviv (September 2018) and then to Tokyo (August 2019). The first child will be born in August 2020: our first book on Informed consent will be presented and will be for sale at the WAML-conference in Toronto. Just put this on your agenda and be there to celebrate the firstborn. Hopefully the marriage will lead to a large family!

Finally, I would like to thank all the authors of this newsletter for their generous and precious collaboration.

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## Health Care is Only Available for Good Boys and Girls



**VERA LÚCIA RAPOSO / 黎慧華**

Assistant Professor of the Faculty of Law of Macau University, China  
澳門大學法學院助理教授

Auxiliary Professor of the Faculty of Law of Coimbra University, Portugal  
葡國科英布拉大學法學院助理教授

It is undisputable that health care resources are not enough for all demands, especially when many countries are facing severe economic constraints in regard to their healthcare budgets. Scarcity of health resources imposes some kind of prioritization, rationalization (or even rationing,) in the distribution of healthcare, especially when provided by the National Health Services (NHS).

Among the many possible criteria to guide the difficult decisions to be taken in this regard, one of the most popular nowadays seems to be the one based on life styles. In other words, the choices that the patient has made during his/her life are being used to limit access to healthcare treatments or to totally ban it.

This new scenario brings a sense of morality to health that is appealing to the large majority of population because we all consider ourselves good boys and girls. So, why not exclude the naughty ones? Therefore, healthcare is not only being provided according to medical need but is also ruled by moral merits.

For instance, in some jurisdictions, heavy smokers, especially weed smokers (including the use of medical cannabis), are denied a transplant or moved to the end of the list of organs recipients because they should have fought their addiction. Similarly, women unable to procreate due to menopause are excluded from reproductive treatments because they should have decided to have kids earlier in life, instead of selfishly investing in their careers or social life. Vaccines to HIV pre-exposure Prophylaxis (PrEP) are not being provided by the NHS, because HIV is something that happens to drug addicts, prostitutes and gays, so, if you don't want to get infected just stop behaving badly. It is worth noting that these are not universal bans. For instance, many jurisdictions do not differentiate among organ recipients; menopausal women are allowed to use reproductive techniques in several countries; and, very recently, the Scottish NHS announced that it would provide PrEP to people at risk of being infected with HIV. However, there is a growing trend of allocating health resources based on life-styles. When the aim is to kick people off from the list of patients in need, morality is appealing enough to turn doubtful decisions into "right ones".

To be fair, some of these exclusions are not only sustained in moral criteria. Efficiency and patient safety are also considered, therefore, making the legal and ethical assessment of some decisions more complex.

For instance, the reason why obese people are excluded from some surgeries is not only related to a prejudice against those who eat too much (gluttony is a sin and today's society does not forgive being fat), but also with the success rates of surgeries in extremely fat patients. We do know that obesity is associated with increased risks during surgeries and with more difficult recoveries.

Likewise, in a world fighting against the shortage of human organs we can state that organs should be provided to the ones with better chances of recovering and assuming a "normal life", which does not happen with those whose life is so degraded that the transplant would end up being useless. Let's take the case of former football player George Best, who in 2005

received a liver transplant due to cirrhosis of the liver; but soon after resumed his consumption of alcohol and died three years later.

So, if you cannot provide good care to all patients in need, what to do?

There is no simple (nor perfect) answer to this dilemma. We cannot avoid taking these hard decisions based on some type of criteria, such as the need of medical treatment, cost-effectiveness ratio and risks incurred by patients. In some cases the prohibition should only cover treatments provided by the NHS, as it is in the case of reproductive treatments for older women: even if we agree that public funding should be available only to the ones dealing with infertility in their fertile years or not at risk of passing on serious medical conditions to offspring, there is no sound reason (except for moral ones, based on a specific concept of family) to ban reproductive treatments to older women (or to other types of patients), as long as they are not paid by the NHS.

However, moral assessments cannot intrude in any of these decisions. Certainly people should be held accountable for their own life choices and deal with the consequences therein derived, but the principle of personal responsibility, as seductive as it seems, can easily be perverted. Should we deny treatment to people suffering from road accidents because they were drunk? What if they were driving too fast? What if they fell asleep? But let's suppose someone fell asleep because he/she was exhausted for working in an emergency room for several hours saving lives, would that be different? On the other hand, should we refuse treatment to a drug addict suffering from an overdose? What if he/she is a veteran who came back home suffering from post-traumatic stress and got into drug addiction? Would that be a "more moral" reason to use drugs than for purely recreational purposes? Should we restrict health care treatments solely to medical conditions caused by reasons that the person cannot control, retracing the dichotomy brute luck/option luck? Following this reasoning a smoker with lung cancer should not be treated, whereas a non-smoker would be entitled to receive treatment. But if the non-smoker was a passive smoker married to a smoker, can we say that this person got sick because he/she decided not to get divorced, which is also a life choice?

Morality is a Pandora's Box and once it is open everything can be forbidden, because in the end we all make "bad" choices, whatever they may be.



## The Recent Evaluation of the Dutch Euthanasia Act



**Prof. Johan Legemaate,**  
Professor of health law, Academic Medical  
Center/University of Amsterdam.  
E-mail: j.legemaate@amc.uva.nl

Many years ago the Dutch government initiated and funded a research program on the evaluation of health legislation. Important pieces of legislation are evaluated every 3, 4, or 5 years by independent research organizations. In many cases the evaluation has resulted in changes to the legislation concerned. In 2017 the third evaluation of the Dutch Termination of Life on Request and Assisted Suicide Act (also known as the Euthanasia Act) was carried out. This Act came into force in 2002 and was also evaluated in 2007 and 2012.

Goals of the law include providing legal security for all involved, assuring prudent practice with

regard to euthanasia and physician-assisted suicide by physicians, and providing an adequate

framework for physicians to be accountable and for increased transparency and societal control. The

third evaluation looked into the efficacy and side-effects of the Act, 15 years after its enforcement. The researchers studied the current practice of end-of-life decisions, developments in the interpretation and conceptualization of the legal requirements, and potential problems and complexities of the review system.

To investigate the incidence of the different medical end-of-life decisions, continuous deep sedation

until death and ending of life by the patient him or herself, a death certificate study was carried out. This part of the study showed that in 2015, euthanasia was performed in 4.5% of all deaths in the Netherlands. This is a clear increase compared to 2010. The incidence of physician-assisted suicide remained low in 2015: 0.1% of all deaths. The study provides some indications on how the increase in euthanasia can be explained. First, the total number of people that requested euthanasia or

assisted-suicide was higher in 2015 (8.4%) than in 2010 (6.7%). Furthermore, the percentage of requests that resulted in performing euthanasia or assisting in suicide increased: from 45% in 2010 to 55% in 2015.

The legal part of the evaluation focused on describing and analyzing recent legal developments. With regard to the content it was found that during the study period no new developments occurred

in the interpretation of the requirements of due care. The opinions concerning the interpretation of these requirements developed as could be expected based on the results of earlier evaluations. An important step was the publication of a Code of Practice by the independent review committees on euthanasia, which provides a clear overview of the interpretation of the due care criteria mentioned in the Act. An English version of this Code of Practice is available (<https://www.euthanasiecommissie.nl/de-toetsingscommissies/uitspraken/brochures/brochures/code-of-practice/1/code-of-practice>) .

Furthermore, the research period is characterized by intensified discussions, both within the medical field and in the society as a whole, on a number of specific themes, among which the meaning of an advance euthanasia directive, the possibilities of ending of life on request in competent children younger than 12 years of age, people with a psychiatric illness or dementia requesting for euthanasia, and older people who consider their life completed. With regard to assisted suicide by non-physicians a legal procedure has been initiated (the so-called Heringa case) which was discussed extensively in the media. The discussions and developments with regard to specific themes as described above did not so much concern problems with the text of the law, but much more concerned the (moral) acceptability and desirability of some practices. Besides, a (policy) development has been identified towards more autonomy for the individual. This most clearly was visible in the Government stance on the report of the Schnabel Commission on older people whose life is completed that came out in the fall of 2016.

Overall the third evaluation shows that the goals of the Wet Toetsing Levensbeëindiging op Verzoek en Hulp bij Zelfdoding (WTL) are being met. All actors in Dutch policy and practice are satisfied with the content and functioning of the law. The study does show that there is pressure on certain elements, but this pressure is more determined by external factors (e.g. difference in insight of the desirability of some interpretations of the law, the workload of the independent review committees



caused by the increase in number of reported cases) than by the content of the Act. The law can remain in its current form. However, there is an increased societal and political discussion on legal possibilities with regard to ending of life on request apart from the present Act.

The results of the study nevertheless involve a number of recommendations for policymaking and further research. The main recommendations are:

- Commission further research on the underlying causes of the increasing number of cases of Euthanasia;
- Commission further research on the increase of palliative sedation. Is its place in relation to not only the spectrum of palliative interventions, but also to the Act changing?
- Stimulate the medical professions to timely discuss the care and treatment that vulnerable older people and patients with life-threatening illness do or do not want to receive;
- It would be commendable if the Dutch Association for Psychiatry (NVvP) organizes a network of knowledgeable psychiatrists that are willing to do consultation in the context of the Act;
- The government should make clear that physicians are not obliged to grant requests for euthanasia, and at the same time emphasize that the law offers space for granting euthanasia requests of people with dementia.
- The government should inform the public on the relevance of advance directives and the regular actualization and confirmation of an advance directive;
- If it is decided to make a new law for people whose life is completed, there should be careful attention for alignment with the present Act, in order to minimize the risk of undermining this Act.

## Understanding Decision-Making Behaviour Under the Mental Health Act 1983 and its Impact on Mental Health Tribunals: A UK Perspective



**Nicola Glover-Thomas**  
University of Manchester, UK  
WAML Governor

Mental illness costs the UK economy £100 billion a year. In 2012, the UK Government spent £126 billion on health, and pledged to spend a further £400 million on psychological therapies and mental health care provisions for children and young people. Following the 2017 Autumn budget, £6.3 billion of extra NHS funding was announced, of which £2.8 billion will be poured into day-to-day health services and £3.5 billion in new buildings and equipment. However, given the demands on the NHS and acute sectors overall, concerns remain that there will be little additional money for mental health.

This funding picture provides an important backdrop for considering how the mental health legislation is deployed when responding to serious mental health support needs. In the UK, the Mental Health Act 1983 (MHA 1983) (as amended by the Mental Health Act 2007) provides the legal framework which governs decisions made concerning the care and treatment of those suffering from mental disorder where they may pose a risk to themselves or others. The legislation sets out the circumstances when mental health professionals can make decisions about detention and/or treatment without the patient's consent. The conflicting perspectives of the patient and the care provider are often the source of tension and challenge within mental health law.

Getting the balance between protecting patients while also ensuring their voices are heard is even more critical since the Human Rights Act 1998 which requires UK compliance with the European Convention in Human Rights (ECHR). Through access to a mental health tribunal, patients are offered the apparatus to review and challenge their detention. With detention rates under the mental health legislation going up, this

has had a knock-on effect upon tribunal applications. While there is a legal requirement to review the cases of those detained under the MHA 1983, understanding the key drivers that are increasing the mental health tribunal caseload is essential.

### **Detention rates under the Mental Health Act 1983**

The number of people detained under the MHA 1983 is rising exponentially. Overall, there were 63,600 people detained under the MHA 1983 in 2015/16 compared to 43,400 in 2005/06; an increase of 47%. So, why are detention rates under the MHA 1983 going up? An area for concern is the rise in section 2 use. This section authorises the compulsory admission of a patient for the purpose of assessing the patient's mental condition. Use of section 2 is also thought to assist with access to mental health services. Availability of beds has decreased and bed shortages are resulting in delayed admission. With bed occupancy rates in inpatient facilities being well above recommended levels, use of voluntary admission as a preferred method of entering the mental health system is being hampered by scarce resources. The bed occupancy data tells us that across England there are currently just over 18,000 beds available. In 2015/16 mental health beds for overnight use were in the region of 22,500. This accounted for a 20% drop in available beds between 2015 and 2017. In 2001, 34,214 overnight beds were available for use. This represents a 47% reduction of mental health beds since 2001.

Patients have also suffered a decline in service contact when in the community. With less support in the community, the services available are often inadequate to meet needs and keeping patients out of acute crisis becomes increasingly difficult. Without sufficient funding to support community-based care, accessing services for patients has required greater reliance on formal hospital detention provisions. However, the inpatient data suggests that entry into the mental health system for many continues to be through section 2 and for many patients this begins the pattern of repeated revolving door, short-term inpatient stays and has arguably been exacerbated by the introduction of Community Treatment Orders (CTOs) under the MHA 2007.

Common law developments have also influenced formal detention figures under the legislation. The Supreme Court in *P v Cheshire West and Chester Council; P & Q v Surrey County Council* [2014] UKSC

19 ('Cheshire West') clarified an 'acid test' for what constitutes a 'deprivation of liberty.' The outcome of this case has significantly lowered the threshold for the engagement of Article 5 ECHR. The acid test states that individuals are deprived of their liberty for the purposes of Article 5 ECHR if they: lack the capacity to consent to their care/treatment arrangements; are under continuous supervision and control; and are not free to leave. For mental health patients, repercussions following Cheshire West have been felt. The broader impact of the decision has reinforced a cautionary approach to be adopted by clinicians. Section 131 MHA allows the informal treatment of patients with their consent. The informal patient numbers data suggests a stark shift following the Cheshire West decision. The number of informal patients in psychiatric facilities has gone down while formal detentions have increased. This suggests that post-Cheshire West health and social care providers and decision-makers may be much more sensitive now to the risk of unauthorised deprivation of liberties and this has consequently had a knock-on effect upon formal detention rates.

### **Mental health tribunal caseloads**

The detention data presents a picture of increasing demand upon a strained mental health system. Reasons behind the upsurge in inpatient detention under the MHA 1983 have had a knock-on effect upon the case review process. Between 2007/8 and 2016/17, tribunal receipts have risen by over 33% increasing from nearly 22,000 to over 33,000 receipts in 2016/17.

With the increase in overall activity, mental health tribunal workloads present significant practical challenges and have downstream cost implications especially for the Ministry of Justice. Section 2 review applications, in particular, have raised specific problems. Section 2 hearings must be listed within 7 days of application, and the hearing must be undertaken within 14 days beginning with the date of admission. With the pressure on time and mounting demands to make effective and efficient decisions, the increasing number of section 2 applications has meant that mental health tribunals have had to manage this while maintaining standards. Effective decision making may be affected by the level of information, data and supporting documentation available at the hearing. The short timeframe to prepare a case may result in the quality and depth of the accompanying responsible authority reports being compromised. There may have been insufficient time for the clinical team to be in a position to make a judgement about the patient's

current mental state. Treatment options may not have had enough time to provide an indicative picture of potential success. For many cases, writing a report about a patient for whom the clinical team still knows little will be difficult. Added to this is the often-chronic demand for reports to be produced quickly and at short notice. With insufficient information, projected treatment outcomes unknown and little time for the patient to settle, both the clinical team and tribunal panel are faced with a decision-making situation that is fraught with difficulty and necessarily encourages a cautious approach.

Despite the practical constraints mental health tribunals sometimes face, tribunals provide patients with a number of helpful opportunities. Importantly, patients are provided with a chance for their voice to be heard. The hearing provides a chance for the patient's case to be reviewed and for them to speak about their experiences. For many patients, discharge from hospital may not be the goal, but a tribunal hearing provides a forum to scrutinise the patient's progress, consider next steps and evaluate the patient's continuing needs. Importantly, the tribunal hearing acts as a protective mechanism to safeguard the patient.

Since the introduction of Independent Mental Health Advocates (IMHAs) under the MHA 2007, access to some form of independent legal support and representation has been strong. Most detained patients know that they are entitled to legal support; however, accessing high quality legal provision may not necessarily be a universal experience by patients. IMHAs offer a valuable bridge between the patient, lawyers and the clinical environment. Independent advocacy increases the patient's self-determination and provides a mechanism to support patients present a more holistic picture of their current state of health.

Meanwhile, the Ministry of Justice's Transforming Justice plan published in 2016 sets out a far-reaching plan for court reform with technology and innovation as its heart. Scope for technology in the mental health tribunal system is evident and may have a valuable impact in overcoming some of the practical difficulties experienced by panels and patients on a regular basis. Despite the benefits that may come from greater use of technology, there is a need to be mindful of the particular vulnerability of individuals being formally detained and being seen by mental health tribunals. There is a clear tension between the focus on efficiency and ensuring legal safeguards and protections are maintained.

This summary draws upon a report recently published by UK Administrative Justice Institute, available at: <https://ukaji.org/2018/02/08/mental-health-tribunals-examining-current-practice-rising-caseloads-and-next-steps/>

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## The End of Wrongful-Life Claims in Belgium



**Kristof Van Assche**

Research Professor of Health Law and Kinship Studies  
University of Antwerp, Belgium

Claims for so-called “wrongful life” are among the most controversial in medical malpractice law. Belgium's highest court, the Court of Cassation, has only recently addressed the question as to whether a child born severely disabled either as a result of a negligent prenatal diagnosis that deprived the mother of the option of abortion or as a result of a botched sterilisation, has a cause of action. Prior to that Court's judgment, the Belgian lower courts were generally favourable to this type of claim. Of all the reported cases where an action for wrongful life was filed, it was granted in all but one. By contrast, Belgian doctrine always remained deeply divided about the subject.

Moreover, several legislative initiatives were taken to prohibit wrongful life claims. Following the example set by the French legislature in response to the case of Nicolas Perruche, two bills were tabled in 2002 to insert a provision in the Belgian Civil Code specifying that “a person's birth cannot in itself be regarded as damage”. Instead, parliament opted to address this issue in a separate Law on the Compensation of Damage Resulting from Health Care, that was adopted on 15 May 2007 and stipulated that “Nobody can claim damages only for the fact that s/he was born.” However, that law never entered into force. New legislative initiatives were taken in the wake of the widely published judgment of the Court of Appeal of Brussels of 21 September 2010 where a severely disabled girl, who in the meantime had died, was awarded €89,000 in compensation for wrongful life.



Eventually, a new bill prohibiting actions for wrongful life was tabled on 7 October 2014.

However, that bill lost its importance when the Court of Cassation, seized for the first time to decide a case of wrongful life, concluded in its judgment of 14 November 2014 that this type of claim was not allowed under the general principles of Belgian tort law. The case involved a gynaecologist who failed to notice an increased risk of neural tube defect, preventing a pregnant woman from exercising her choice to terminate and resulting in the birth of a girl suffering from spina bifida and hydrocephaly. In response to an action for wrongful life, filed by the parents at the suit of the child, the Court of Appeal of Ghent had awarded the girl a provisional compensation of €8,480. However, the Court of Cassation revoked that part of the judgment, finding that, although the gynaecologist had committed a fault, “[n]o compensable damage exists [in the sense of Articles 1382 and 1383 of the Civil Code] when the comparison needs to be made between the state of a disabled existence of a person and her non-existence.” The Court emphasised that, since damages in tort are intended to put claimants in the position they would have been in had the tort not been committed, the assessment of damages would be legally impossible if the latter position was one of non-existence.

Here the Court of Cassation followed the reasoning used in the English case of *McKay v Essex AHA*, from 1982, a reasoning also used by the German Supreme Court (*Bundesgerichtshof*) in 1983. At the same time, the Court of Cassation departed from the approach taken by almost all Belgian lower courts that had dealt with claims for wrongful life. That approach in turn resembled the one taken by the Dutch Supreme Court (*Hoge Raad*) in the 2005 case of *Kelly Molenaar* and by the French Court of Cassation in the 2000 case of *Nicolas Perruche*. Admitting that no comparison is possible between a life with severe disabilities and a state of non-existence, these courts had ruled that it was nevertheless possible to award compensation *ex aequo et bono*. They pointed out that, regardless of the hypothetical point of comparison, it was obvious that considerable costs would accrue as a result of the child’s disability that would not have arisen if the child would not have been born severely disabled as a result of the negligence in prenatal diagnosis.

Since its judgment of 14 November 2014, the Belgian Court of Cassation has on two occasions reiterated its conclusion that Belgian tort law cannot recognise a claim for wrongful life. The first time was in a judgment

of 21 April 2016, partially repealing the judgment of the Court of Appeal of Ghent of 13 November 2014 that had awarded €37,500 in compensation to a girl born severely disabled as a result of the botched sterilisation of her mentally disabled mother. The second time involved the partial revocation of the judgment of the Court of Appeal of Brussels of 21 September 2010. As indicated above, it was precisely the latter judgment that had raised so much controversy at the time that it had prompted a legislative proposal to follow the example of France and adopt a *loi anti-Perruche*. As a result of its eventual revocation by the Court of Cassation, Belgium finally aligned itself with the approach taken in the United Kingdom and Germany without having to rely on a legislative intervention as in France.

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## WAML President’s Report



**Thomas T. Noguchi,**  
President of WAML

### Teamwork of the Executive Committee (EC)

I would like to report to you that the current EC was elected in 2016 and we are working regularly as a team in making decisions for the WAML’s benefit and future.

Collective decision-making within the EC may take some time as we have to come to a mutual agreement despite our individual preferences and working styles. Therefore, I think the current EC members should continue until 2020.

We intend to have a monthly EC meeting and a Board of Governors Meeting twice a year. We will conduct the next Board meeting in April; the Board packet is currently being prepared.

Since 2015, the WAML has organized annual congresses with a meeting manager taking care of central operations in terms of planning. Financial and additional management aspects are run by both EC and the Meeting Management Planner.

Having specific themes for each congress allows for more focused papers and makes the program chairperson mindful of higher quality presentations.

We are now able to offer a continuing educational program and as an annual congress we will be able to reach out to more areas, a good example being our Congress success in Baku through which we were able to meet with our Russian colleagues.

The Tel Aviv Congress is set for September 2-6, 2018. With an annual congress scheduling system we are now able to focus on 2 or 3 major themes each year; through these, we will focus on learning all that we can about every subject. We do not wish to have the same program subjects every year. We should have new and innovative programs each year.

Our Program Chair, Oren Asman, arranged for tourist specialists to donate a one-day tour to various historic sites; we encourage all attendees to take advantage of such a generous offer.

We thank the program chair, management team, Tel Aviv University and associations and individuals that contributed their generous time and effort to support the Tel Aviv Congress.

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## WAML Secretary General's Report



**Ken J. Berger**  
MD, JD  
WAML Secretary General

The World Association for Medical Law (WAML) has accomplished so much in a short period of time, thanks to a fresh approach to innovation and collaboration, while protecting WAML's strength and core through fearless accountability and passionate determination.

A landmark book agreement was signed and negotiated by your Secretary General, with support of the EC,

with new Governors Thierry Vansweevelt and Nicola Thomas and the first book series will be commencing on Informed Consent, as we recently received approval from an elite academic publisher.

The status of WAML as a non-profit leader in developing Young Researchers has been strengthened by the generous donations to the Davies Award thanks to WAML member Jonathan Davies Esq. and the anticipated donation of President Thomas Noguchi to help fund a special event at the Tel Aviv World Congress which will recognize the importance of health law in everyday life across the globe.'

The EC has also ratified an important policy that supports innovation while protecting WAML's future that may have been something that was missing in WAML's initial 50 years of life.

These changes are creating the foundation for substantial growth and success of the WAML moving to the future.

I look forward to riding the wave with all of you and encourage everyone to become engaged and work together for a brighter WAML future of tomorrow.

It is also a privilege and honour to report to the WAML membership that Oren Asman and I witnessed the special recognition of our President Thomas Noguchi as the recipient of the American College of Legal Medicine Gold Medal for his contributions to public service, medical law and humanity.



As Secretary General, I look forward to the honour and pleasure of taking you on a ride from Tel Aviv to Tokyo and then to my home town of Toronto where we will celebrate the 2020 WCML, learning from the past for a brighter future of tomorrow.

I once again welcome you warmly to Tel Aviv soon and look forward to seeing you all there for a special conference Oren has planned for us. Please send your abstract in to Oren now without delay.

Very truly yours,

**Ken J. Berger**  
MD, JD

Secretary-General, Vice President, Board of Governors  
World Association for Medical Law  
Scientific Chair, 2020 WAML meeting, Toronto, Canada

### Promotional Activities on Medical Law & Bioethics in the Regions of Eastern Europe and Asia



**Prof. Dr. Vugar Mammadov**  
Treasurer of WAML

Dear colleagues,

I would like to update you about my activities during October 2017- March 2018 implemented as VP of WAML, EAHL and SRFC in the regions of Eastern Europe and Asia to promote Medical Law and Bioethics, as well as to increase awareness of regional specialists about WAML and Association' activities.

#### Macau

On the 16<sup>th</sup> and 17<sup>th</sup> October the University of Macau hosted the II Conference on Medical Law titled "Asian Perspectives on Bioethics, Medical Ethics & Medical Law". The Conference was organized by WAML member Vera Lucia Raposo and supported by the Institute for Advanced Legal Studies of the Faculty of Law. Conference was attended by many internationally recognized scholars including WAML Governors Oren Asman, Roy Beran and Anne-Marie Duguet. My talk was devoted to Bioethics, Medical Law and

Multiculturalism and I am thankful to Vera Raposo for making this event a success.



#### China

Silk Road Forensic Consortium (SRFC) was established in October 2016 in Xi'an, old capital of China, by Prof. Henry Lee, President of Henry Lee Institute of Criminal Justice and Forensic Sciences in University of New Haven, Connecticut, USA, and 11 founding members. We all had been delighted to hear Prof. Lee's keynote talk at the opening of the WAML Congress in Baku. SRFC held its 2<sup>nd</sup> International Conference 01-07 November 2017 in three cities of China (Rugao, Shanghai and Xi'an) with support of leading Chinese universities - Xi'an Jiatong University, East China University of Law and Political Sciences. High-ranking Chinese officials, leading scientists and experts from USA, China, Russia, countries of Great Silk Way and European Union attended the meetings. Three talks about importance of teaching Bioethics and Medical Law for law and medical students, Medical Malpractice and Medico-legal and Ethical issues in Transplantology were delivered to the large audience (altogether, about 2000 attendees) in Xi'an Jiatong University, East China University of Law and Political Sciences, and Rugao Conference Center. I would like to thank Prof. Henry Lee for the opportunity to attend these meetings and opening ceremonies of Henry Lee's museums on Criminal Justice and Forensic Sciences in Rugao, Shanghai and Xi'an.





## Russia

Russian National Institute of Medical Law invited me to talk at the opening ceremony of the VI All-Russian Medical Law Congress in Moscow 16-17 November, 2017. The Congress was held in the leading medical university of the post-soviet region, the First Moscow State Medical University n.a. Sechenov (Sechenov University). This Congress is the important forum for discussion of different medico-legal and ethical issues of the country by specialists and decision-makers. Congress was attended by officials of the Ministry of Health and State Duma (National Parliament). I am thankful to WAML Honorary Governor Acad. Yuri Sergeyev and WAML Governor Svetlana Pospelova for organizing such a high-level academic and educational event with participation of about 200 delegates not only from all regions of Russian Federation, but also from Kazakhstan and France, and for giving me the opportunity to promote WAML. It was a pleasure also to see Prof. WAML Governor Henriette Roscam invited as a keynote speaker.



## Indonesia

Indonesian Medico-Legal Society led by WAML VP Prof. Nasser Muh invited me to speak at the international conference “Harmonization on Law, Economy and Health toward Social Justice Society” in Semarang and as guest lecturer at the leading medical faculty of the country, which is Fakultas Kedokteran, Universitas Indonesia in Jakarta. Both talks were devoted to the rationale of increasing teaching of Medical Law to medical and law students to respond recent challenges of society. To develop and strengthen the cooperation of Indonesian universities with WAML which was initiated by Prof. Muh years before (WAML Governors have been visiting them during the last few years regularly with educational activities), during this visit letters of support with Faculty of Law, UNTAG University 17 Agustus 1945 Semarang,

Semerang Soegijapranata Catholic University, Faculty of Law, Universitas Islam in Yogyakarta and Fakultas Kedokteran, Universitas Indonesia in Jakarta and WAML were signed. I would like to thank Prof. Muh for the excellent organization of intensive activities of visiting 4 universities in 3 cities of this biggest Muslim country 29-31 January 2018.



## Pakistan

2<sup>nd</sup> International Conference “Beyond Horizons” organized by Shalamar Medical & Dental College in Lahore, Pakistan collected more than 2000 participants from all of the country 2-4 February 2018. Leading forensic-medical experts from all the provinces had their own satellite symposium at this conference. I was honored to be one of the guest lecturers of the conference with the topic “Bioethics and Medical Law education for medical students”, to have another two presentations on Euthanasia and Forensic-Medical issues and co-chair forensic-medical symposium, but also have a half-day workshop on Research Ethics. I am thankful to Prof. Zahid Bashir, principal of SMDC for this excellent opportunity to visit Pakistan and make so many good friends.



## Turkey

After the successful 23<sup>rd</sup> WAML Congress in Baku July 2017, the official carrier of this event, Turkish Airlines, and our host Marriott asked me to share this positive collaboration experience of Congress Program Chair with the meetings industry. Answering this request, I talked at 5<sup>th</sup> ACE of M.I.C.E Congress in Istanbul on the 21<sup>st</sup> of February at a session organized by the wellknown and very reputable organization ICCA (International Congress and Conventions Association). Talk was well received and discussions opened new fields of cooperation as to how, with support of meetings industry, WAML may develop Medical Law in the countries where we don't have many active members, but there is huge academic and attractive congress potential.



## Iran

Legal Medicine Organization of Islamic Republic of Iran organized a meeting of heads of legal and forensic medical organizations of regional countries on the 25-26 February 2018 in Tehran. Representatives of 17 regional countries (Azerbaijan, Algeria, Armenia, Bangladesh, Egypt, Indonesia, Iran, Iraq, Jordan, Kazakhstan, Lebanon, Libya, Pakistan, Palestine, Syria, Turkey, Turkmenistan) participated and a new Forensic Medicine Organization of Developing Countries was established. WAML activities were presented at this meeting and the role of forensic-medical specialists in promotion of medical law development was emphasized.



## Kazakhstan

International conference “Medical law in Republic Kazakhstan” and seminar “Legal basis of health institutions activities” is scheduled in March in the National Scientific Medical Center of Astana by Ministry of Health, International Mediation and Law Center, Association of independent medical experts of Astana and Union of independent expertise in health sector. Organizers invited me as a guest lecturer and moderator of events. I am thankful to the head of organizing committee, WAML member Gulmira Narbayeva, for organizing such an event where WAML could be presented to Kazakhstan specialists.

## Congress Program Chair Report



Oren Asman, LL.D.

### Congress Program Chair Report:

Spring is almost here and the 24<sup>th</sup> World Congress on Medical Law and Ethics is right around the corner! As it approaches, the level of excitement rises. The Congress will take place at the excellent Dan Tel Aviv Hotel, located overlooking the beach of Tel Aviv, Israel. It is famous for its colorful exterior and delicious breakfast.

With this newsletter, I am happy to announce new collaborations, which have resulted in some exciting



contributions to the World Congress on Medical Law and Ethics. You can also read about the special events that will be taking place at the World Congress in Tel Aviv.

More so, I encourage each and every one of you to register for the congress and submit abstracts. We are looking forward to creating a varied, personalized, and highly scientific program for you this year.

### **24<sup>th</sup> World Congress on Medical Law and Ethics - Special Events:**

We are eager to present the following special events during the 24<sup>th</sup> World Congress on Medical Law and Ethics.

On Tuesday, September 4<sup>th</sup> from 17:00 - 21:00, all congress participants are invited to a special Film Session at the Tel Aviv Cinematheque – the first of its kind with a special screening of films and documentaries related to the Congress themes followed by a panel discussion. The event will include a reception for the Congress participants at the Tel Aviv Cinematheque.

The World Association for Medical Law is proud to announce that, starting from the 24<sup>th</sup> World Congress on Medical Law and Ethics in Tel Aviv, September 2018, the Davies Awards will be presented bi-annually and is geared towards rewarding talented scientific contributors, whose abstracts have been accepted to the final program. The Davies Award will be presented Wednesday, September 5<sup>th</sup> during the closing session of the Congress which will also include an award presentation for young scientists who contributed to the Congress.

On Thursday, September 6<sup>th</sup>, Congress participants are invited to a complimentary Full Day Tour which includes a driver, a guide, and a meal. The tour will be provided to participants who registered to the full Congress and confirmed their participation in these events ahead of time (the tour is limited to 150 participants, so please register and confirm your participation sooner rather than later). This tour is possible due to a very generous donation made by WeWork.

[Read more about the different tours here!](#)

### **Abstract Submission:**

Abstract submission is now open until May 1<sup>st</sup>. Abstracts have been submitted from all five continents and we encourage you to submit yours too!

[Click here to submit your abstract!](#)

[Learn more about abstract guidelines here](#)

All accepted abstracts of **paid** Congress participants will be published in the June issue of the *International Journal of Medicine and Law*. Therefore, we urge you to submit your abstracts and to register on time, so that your abstract will be included in journal, too.

### **Registration:**

Conference registration is open. [Click here to register!](#)

Full Congress registration fee for WAML members	425 USD
Student registration fee (full time students)	300 USD
One day congress registration fee	200 USD

Your registration is considered fully completed and approved after payment has been received. Register now to enjoy this discounted early bird registration fee.

### **Hotel booking:**

Please book your room at the Dan Tel Aviv Hotel: [Make your reservation here!](#)

Students as well as participants from lower income countries who require financial assistance can apply for accommodation in the Tel Aviv University dormitories instead. While there is limited number of rooms at the dormitories, we will do our best to help.

For more information, please contact Sarah Demsitz: [sarahdemsitz@hotmail.com](mailto:sarahdemsitz@hotmail.com)

### **Young Scientist Awards:**

WAML promotes high-level scientific contributions to the Congress. At the same time, we are interested in encouraging more people to become academically involved in the fields of medical law, health, and bioethics.

The Young Scientist Award offers both financial support as well as grants the opportunity to participate and contribute to research in Medical Law and Bioethics. The competition and all scientific contributors aid in enhancing the status of journals and their scientific content.

Scientific contributors under the age of 35 are eligible



for the Young Scientist Awards, and it will recognize both outstanding papers and posters.

To be up for consideration for the Young Scientist Awards you must:

- 1) [Submit an abstract!](#)
- 2) [Register for the Congress](#)
  - include payment and apply for the competition on the registration form (check the Young Scientist Awards box).
- 3) Submit a 3-page summary to [worldassocmedlaw@gmail.com](mailto:worldassocmedlaw@gmail.com).

The Young Scientist Award will recognize:

- One outstanding presentation
- One outstanding poster

Awardee will receive:

- 1 A Certificate
- 2) One year WAML Membership
- 3) Complimentary registration for one of the next two Congress meetings

### **The Davies Award**

During the Annual Meeting of The American College of Legal Medicine, in South Carolina, WAML finalized the formal signing of the Davies Award agreement with Yonatan Davies as representative of the Davies Family.

With this award, WAML honors the lifelong contributions of Professor A. Michael Davies MD. FFFPHM. (1924-2016) to the field of Medicine and Public Health in the United Kingdom and Israel, and hopes to encourage and promote scientific contributions that will be a precedence for further medical advancements.

The main themes for the Davies Award Competition are:

- Ethical and Legal Aspects of Medical History
- Right to Health
- Old Age and Gerontology
- Public Health
- Health Care Management

Awards:

- **1<sup>st</sup> Place – 1500 USD**
- **2<sup>nd</sup> Place – 1000 USD**
- **3<sup>rd</sup> Place – 750 USD**

The authors of the winning papers will afterwards be required to compose a full paper for consideration in the International Journal of Medicine and Law. The World Association for Medical Law encourages both students and professionals to participate in the competition.

[Read more about the Davies Award here!](#)

By submitting your abstract to the 24<sup>th</sup> World Congress on Medical Law and Ethics, you are automatically participating in the Davies Award Competition.

[Submit your abstract here!](#)

---

### **WAML Meeting Planning and Administration**



**Denise McNally,**

WAML Administrative Officer and Meeting Planner

**WAML IS NOW ACCEPTING  
ABSTRACTS FOR THE 24<sup>TH</sup> WORLD  
CONGRESS ON MEDICAL LAW  
(WCML) DEADLINE MAY 1, 2018**

**SEPTEMBER 2 – 6, 2018  
TEL AVIV, ISRAEL  
DAN TEL AVIV HOTEL**

**CALL FOR ABSRACTS – Deadline May 1, 2018**

We encourage you to join the leading experts in medical law, legal medicine and bioethics by submitting your abstract in English online at

<https://www.wcml2018.com/abstracts>

## THEMES:

- ✓ Forensic Medicine, Law and Ethics
- ✓ Mental Health, Law and Ethics
- ✓ Health Professions, Law and Ethics
- ✓ Humanitarian Medicine, Law and Ethics

Young Scientist Awards (Under 35 inclusive) will recognize outstanding papers and posters. To be considered you must submit an abstract, apply for competition, register for the meeting and submit a 3 page summary to [worldassocmedlaw@gmail.com](mailto:worldassocmedlaw@gmail.com).

Young Scientist Award will recognize One (1) outstanding platform and One (1) outstanding poster. Awardee will receive:

- 1 Certificate
- 2) One year WAML Membership
- 3) Complimentary registration for one of the next two Congress'

## DAVIES AWARD COMPETITION:

Abstracts pertaining to the following subjects are eligible for the Davies Award Competition.

- ▶ Ethical and Legal Aspects of Medical History
- ▶ Right to Health
- ▶ Public Health
- ▶ Old Age and Gerontology
- ▶ Health Care Management

[To find out more about the Davies Awards click here!](#)

Congress Registration – Registration is open!

You can register for the 24<sup>th</sup> Annual WAML World Congress on the following website  
<https://www.wcml2018.com/registration>

On the Congress website you will find more information about the preliminary Congress program, confirmed faculty, Congress themes, Congress events, abstract submission and more.

Hotel Reservations – Deadline June 1, 2018

Dan Tel Aviv is a luxurious hotel located near the Tel Aviv beach. It is one of the well established and renowned hotels in the city.

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Dan Tel Aviv is offering a reduced group rate of \$230 USD for single and \$250 USD for double occupancy (Tourists are exempted from an additional 17% VAT).

The rates include breakfast and internet in the guest room.

EXECUTIVE SEA VIEW ROOM Supp. \$40.00 per night, per room.

## [RESERVE ROOM HERE](#)

The reduced group rate is available until **June 1, 2018**. After this date you may reserve rooms at the standard hotel rate only and based on availability.

This Congress will commence with an Opening plenary key note lecturer followed by a cocktail reception and a cultural performance, Sunday September 2<sup>nd</sup>, 2018 followed by the Opening plenary session Monday September 3<sup>rd</sup>, 2018. The plenary closing session and awards will commence Wednesday, September 5<sup>th</sup>, 2018 followed by a special full day tour on Thursday, September 6<sup>th</sup> experiencing Law and Ethics through the history and culture of Israel including a Gala Dinner.

## Membership Dues

The purpose of the World Association for Medical Law (WAML) is to encourage the study and discussion of health law, legal medicine, ethics and forensic medicine, for the benefit of society and the advancement of human rights.

The membership of WAML is annual. WAML members enjoy many benefits which include access to quarterly E-Newsletters, discount registration fees to the WAML Congress, notice of upcoming events, active website information, the "Medicine and Law" electronic Journal and discounted access to activities of affiliated organizations.

For 2018 your membership dues are \$150, owed by January 1, 2018. The easiest method is to log into the WAML website [www.thewaml.com](http://www.thewaml.com) and pay. You also have the option to pay by check or wire transfer. If so, please contact me at [worldassocmedlaw@gmail.com](mailto:worldassocmedlaw@gmail.com) for further information.

# World Congress on Medical Law and Ethics



World Association for  
Medical Law

## SAVE

## THE DATE

SEPTEMBER 2-5

# 2018

The 24<sup>th</sup> Annual WAML  
World Congress

Tel Aviv, Israel  
[www.wcml2018.com](http://www.wcml2018.com)

Do you have  
an idea, comment,  
or suggestion?

Please contact  
**Denise McNally**  
[worldassocmedlaw@gmail.com](mailto:worldassocmedlaw@gmail.com)



# FUTURE MEETINGS

Of Affiliated National Associations and  
Collaborating Organizations

## **Australasian College of Legal Medicine**

### **Basic Law Intensive**

**23 & 24 June 2018**

**Peppers Resort, Noosa, Queensland, Australia**

Website:

<http://www.legalmedicine.com.au/courses/basic-law-intensive/>

## **24<sup>th</sup> Annual WAML World Congress**

**September 2 – 5, 2018**

**Tel Aviv, Israel**

Website: [www.wcml2018.com](http://www.wcml2018.com)

## **52<sup>nd</sup> NAME Annual Meeting**

**October 12 – 16, 2018**

**West Palm Beach, FL (USA)**

Website: [www.thename.org](http://www.thename.org)

## **Australasian College of Legal Medicine**

### **Annual Scientific Meeting 2018 - "Personal Injury Law**

**20 & 21 October 2018**

**Sir Stamford Hotel at Circular Quay, Sydney, Australia**

Website: <http://www.legalmedicine.com.au/2018-asm/>

## **Australasian College of Legal Medicine**

### **Advanced Law Intensive**

**24 & 25 November 2018**

**Melbourne, Australia**

Website:

<http://www.legalmedicine.com.au/courses/advanced-law-intensive/>

## **53<sup>rd</sup> NAME Annual Meeting**

**October 18 – 22, 2019**

**Kansas City, MO (USA)**

Website: [www.thename.org](http://www.thename.org)

## **ACLM 2019 Annual Meeting**

**February 22 – 24, 2019**

**Los Angeles, CA (USA)**

Website: [www.aclm.org/events](http://www.aclm.org/events)

## **25<sup>th</sup> Annual WAML World Congress**

**August 6 – 8, 2019**

**Tokyo, Japan**

Website: [www.thewaml.com](http://www.thewaml.com)

## **26<sup>th</sup> Annual WAML World Congress**

**August 13 – 16, 2020**

**Toronto, Canada**

Website: [www.thewaml.com](http://www.thewaml.com)

## **27<sup>th</sup> Annual WAML World Congress**

**August 4 – 6, 2021**

**Istanbul - TURKEY**

Website: [www.thewaml.com](http://www.thewaml.com)



## WAML Newsletter Production Team

Editor-in-Chief:

**Richard S. Wilbur, MD JD**

Coordinator:

**Denise McNally**

Graphic designer:

**Raul Vergara**

“ In this issue, Guest Editor  
**Professor Thierry  
Vansweevelt** of Belgium  
has provided us with an  
excellent series of thought  
provoking articles from  
noted international authors  
including himself. He well  
deserves our hearty thanks ”



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# World Association For Medical Law

June Issue

June-August 2018

[www.thewaml.com](http://www.thewaml.com)

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## The Development of Medical Law in Spanish-speaking countries



**Rosa Teresa Meza Vásquez, LLM**  
WAML Governor (Peru)

I am honored to have been elected Governor of WAML. For the first time, Peru has become a member of the Board of Governors, being the second Latin American country, after Brazil. This appointment has great significance since it was given precisely at a historical moment of the WAML, its 50th anniversary. The event was celebrated during the 23rd World Congress of Medical Law, which was superbly carried out in the beautiful city of Baku in Azerbaijan.

Therefore, In this issue of the WAML Newsletter, I share with you a general overview of the Development of Medical Law in Spanish-speaking countries. You will have a sense of the situation of Medical Law in these countries such as Peru, Chile and Uruguay in South America as well as other Spanish-speaking countries like Mexico in North America and Spain in Europe, which share historic and cultural roots, along with the challenges and perspectives their authors offer.

Thus, Professor Giancarlo Jiménez Bazán, President of the Peruvian Affiliate of the Latin American Association for Medical Law and member of the WAML, who has been doing an excellent job spreading knowledge of the Medical Law in Peru among health professionals, comments on the situation of Medical Law in Peru. Regarding this training activity, physician Orlando Fidel Leiva shares with us his experience of managing hospitals in Peru from the perspective of Medical Law. Professor Armando Yarlequé Chocas, renowned biologist and researcher from Universidad Nacional Mayor de San Marcos (National University of San Marcos), the oldest university in the Americas, describes the situation of Bioethics and Research.

Uruguay and Chile are the two Latin American countries that have also promoted the development of Medical Law. The situation in Uruguay is described from the perspective of renowned Professor of Forensic Medicine Guido Berro Rovira, who until recently held the position of President of the National Academy of Medicine in Uruguay. Likewise, experienced Professor Enrique Sepúlveda Marshall, who was the Head of Forensic Psychiatry at the Legal Medicine Institute of Chile, takes us on a tour of what happened in his country. The perspective of Mexico is presented by Andoni Gutiérrez, who was Former Director of Broadcasting at the National Commission of Medical Arbitration-Mexico, whose situation is very similar to that of Peru.

**Disclaimer:** The articles presented in this newsletter express the views of the authors and do not necessarily reflect the attitudes or opinions of the WAML

Finally, the situation in Spain is discussed from the accurate perspective of prestigious Professor Josefa Cantero, President of the Health Lawyers Association of Spain. All the guest authors offer us their different points of view sharing the same futuristic vision of the development of Medical Law in their countries.

As a conclusion, I believe that Latin America has started the development of Medical Law. It is quite evident that one of the keys to this progress lies in the training and continuous education of the various actors of the health system, especially health professionals, who must fulfill various duties that involve ethical and legal liability. I agree with the invited authors in the hope that more and more people will be interested in Bioethics issues, Legal and Forensic Medicine, as well as Medical Law whose knowledge ultimately benefits the central subject of protection, which is the patient.

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## Medical Law in Peru



**Giancarlo Jiménez Bazán, LLM**  
President of Peruvian Affiliate  
of the Latin American Association  
for Medical Law

In Peru, Medical Law has not yet taken off. Apparently, its development will follow the historical course of other Latin American countries where Legal Medicine, Bioethics and Medical Law formed sequentially a triad. Thus, in our country Medical Law positioned itself first; followed by Bioethics, which is in full takeoff right now. Thanks to it, people will realize the importance of Medical Law as an autonomous field of study closely linked to its two predecessors for its development.

Accordingly, Medical Law is not being taught in Peruvian Medical or Law Schools. Bioethics is considered as an elective course for all healthcare professionals because of the change in the university accreditation legislation. However, there is still a lot of resistance from those who do not understand its enormous relevance and try to stop its expansion and fair claim as a mandatory course.

This is the reason why in Peru many people confuse the normative regulation of the healthcare sector with Medical Law, producing misinformation and reaffirming the need for simultaneous teaching of Bioethics and Medical Law. Thus, those of us deeply involved in these issues have supported the creation of the first law firm specialized in Medical and Healthcare Law in Peru as well as associations dedicated to the study and development of Medical Law in our country, such as the Peruvian Affiliate of the Latin American Association of Medical Law. Through the intense academic exchange with Latin American countries, we are also interested in learning from those who have preceded us, by nourishing from their experience. In the same way, we have opened ourselves to the world to broaden knowledge and absorb more than 60 years of existence of Medical Law worldwide.

Consequently, with the introduction of a course in Bioethics, Medical Law will have a stronger presence along with the close relationship existing between them. We have, therefore, managed to share this information with the Peruvian Medical Association, as well as with a number of public and private hospitals in our country. We have accepted their invitations, and traveled to share this information with healthcare professionals; this enables us to let them know about Medical Law and provide them with tools to manage the risks intrinsic to the healthcare activity.



Professor Jimenez lecturing on Medical Law in Peru



## Managing a Hospital with Medical Law Knowledge



**Orlando Leiva, MD**

Former Medical Director- several  
Hospitals of National Police of Peru

As a former Medical Director of different hospitals in Peru (both in Lima, the capital, and in the provinces of Peru), throughout 28 years, I have come to understand that the knowledge of Medical Law is a fundamental tool to handle the risk in health activities. Knowledge that I have always tried to spread to all medical doctors and the health team of each hospital to which I had the honor to lead.

Managing a hospital is always a challenge; every day we make difficult decisions that affect the different departments and services of the hospital, as well as the care of our patients. In addition to that, in the Peruvian Health Law, the legal liability for the management of a hospital is assumed by the Medical Director, so he can be involved in a law suit not only regarding his medical act, also for the acts of the hospital's staff. However, Medical Law has given me support and taught me that as Medical Director you must lead, make changes and see them as opportunities to improve process and transform risk management into every day practice.

However, learning Medical Law in Peru is not an easy task because this field is not taught in Peruvian Medical Schools, so medical doctors and health professionals do not have the opportunity to receive that knowledge during our professional career, nor in a Peruvian Master's Degree. My approach to Medical Law has developed over the years, thanks to the influence of WAML members such as Rosa Teresa Meza and Giancarlo Jiménez who are the leaders in this area in Peru and took the initiative to pass on their knowledge and to train medical doctors, nurses and other health professionals in our country, changing minds and helping to improve the way of working in the many hospitals they went to.

Personally, I have invited them to the hospitals that I lead to give lectures about Medical Law and other

colleagues from hospitals have followed this good example, having the opportunity to exchange ideas with them and identify problems, creating a new culture that benefits all the actors in health: health professionals and patients.

I sincerely hope that Peru will keep developing Medical Law and will begin to teach it in all the Medical Schools and in other health professions faculties of my country. I am convinced that this produces much longer lasting results for current and future generations of health professionals and of course for our patients.



Professor Jimenez promoting Medical Law in Peru

## Research and Bioethics in Peru



**Professor Armando Yarlequé, Sc D**

General Director of Deconcentrated Units-Vice Rectory of Research and Graduate Unit at National University of San Marcos, Lima-Peru/ Head of the Molecular Biology Laboratory

As a professor since 1972, I have always instilled passion for scientific research into my students. For more than 40 years, I, myself, have followed the same path. As a result, I became President of the Research Management Council and Vice Director of Research and Graduate Unit at Universidad Nacional Mayor de San Marcos-UNMSM (National University of San Marcos). The oldest Peruvian university of the Americas, created in 1551, celebrated its 467th anniversary this 12th of May.

To dedicate to scientific research, one needs discipline and perseverance. In Peru, there is a lot to investigate. What I always tell my students is that if there is no technology, there is no research. Therefore, it is necessary to rigorously learn and apply the scientific method that includes not only the experimental part, but also the value of the natural resource to be studied, its environment, and the benefits for the usually forgotten towns. For instance, when investigating venomous snakes, for the inhabitants of native communities—women and children—most exposed to accidents the scientific development of antidotes is extremely important.

No research can be conducted if Bioethics does not show the correct course to researchers, having a presence in every step of the way. That is why, when I was elected Director of the Graduate Unit at the UNMSM's School of Biological Sciences in 2013, I managed to recruit good professionals for the area and promote courses, conferences and round tables to discuss this topic.

Understanding the rights and obligations that we—researchers, health care providers and environmentalists who preserve health and the environment, and university authorities—have is not an easy task, but it is necessary since an appropriate balance between study and protection of the human

being depends on it. Moreover, if the study provides benefits, such as new drugs or active ingredients that could be used as medicines, it has to be extremely careful. We face great challenges in science such as the problems of cancer, AIDS, malaria, and other diseases that attack our countries' populations.

Among our Master's Degree program professors, we have members of the WAML such as LLD Rosa Meza and LLD Giancarlo Jiménez, who are very active in the training and dissemination of Bioethics, holding conferences and round tables at the University. In 2014, Oren Asman, LLD, Esq., Vice President of WAML visited us and participated in our round tables of Bioethics and was an excellent speaker. This year we will also hold a round table on Bioethics topics.

Our University supports and promotes the study and knowledge of Bioethics, and expects more and more students dedicated to the field of research, guided by the knowledge and application of this discipline.



WAML Executive Vice President Oren Asman promoting Medical Law in Peru



## Medical Law in Uruguay



**Guido Berro Rovira MD**

Professor of Forensic Medicine- Center of Biomedical Sciences at Montevideo University and Medical School of CLAEH University/ Uruguay

Former President of Uruguayan National Academy of Medicine

Medical Law has aroused a great interest in our country, and its implementation is becoming more and more important.

In Uruguay, Medical Law was based first on Legal Medicine, and then it developed independently, receiving considerable and strong support from the National Academy of Medicine of Uruguay, the Medical Association of Uruguay, multiple Assistance Ethics Committees of the Medical Federation of the Interior and the Uruguayan Association of Experts. We have held several National and International Medical Law and Biolaw Workshops, here and in brother countries, at the initiative and proposal of those of us who represented Latin American Medical Law and the Latin American Medical Law Association.

Medical Law in Uruguay is already having an impact on several disciplines, in addition to the typical Public Health regulations and the medical praxis legal norms. Before their enactment, Medical Law was present in the discussions about medical practice and its future effects on biolaw. Its importance and need becomes more evident in the vertiginous change of techno-science, genetic manipulation, assisted reproduction, transplants, human research, robotics, nanotechnology and info electronics. They need Medical Law and a minimum of normative regulation in order to avoid undermining human dignity and environmental conditions for life, controlling the impact on nature and life.

It also denounces the indignity, inequities or injustices, pointing at the discrimination, as well as violence and sexual exploitation, inequalities and the ethical-legal gap that afflicts professionals and the society as a whole and demands appropriate new legislation or changes in others.

We have imprinted a close relationship with Bioethics and a transdisciplinary nature on Medical Law in Uruguay, particularly a tight bond between Medicine and Law. It is the trend, which according to our opinion, would best explain this transversal nature of Medical Law and Bioethics. It could be described as an intrinsic and inherent tool in the world of professional medical practice, always focused on the patient-person relationship. Thus, it is permeated by—and permeates through—the various disciplines—, where the human being is the center (hence its anthropocentric character).

The difference between Medical Law, Ethics and Bioethics would be better found in theoretical than in real postures since we look for a wider range of approaches from the various disciplines. Finally, Medical Law is the bridge that enables the exchange of information and tools, offering the continuous professional development a higher character of inter- and trans-discipline and shows the route of Eu-Praxis, in contrast to what would be a medical malpractice.

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## Medical Law in Chile. State, Challenges and Perspectives



**Enrique Sepúlveda Marshall MD**

Former Chief of Forensic Psychiatry at Legal Medical Service - Santiago de Chile

In 2005, a criminal procedural reform, which introduced an oral, adversarial system, was implemented in Chile.

Therefore, they created the National Prosecutor's Office, an autonomous body, comprised of prosecutors responsible for conducting the investigation and prosecution; the Oral Criminal Tribunals, (three judges responsible for sentencing), and the Guarantee Judges responsible for protecting due process. The National Ombudsman office was born as an agency under the Ministry of Justice.



Once democracy was restored, in 1990, a set of regulations governing civil life was enacted including more severe criminal penalties. This legislation proposes expanding the scope of rights and equality among citizens, better protecting the most vulnerable groups of society. Some examples are laws on child abuse, intrafamily violence, care for minors, non-discrimination (based on gender or sexual identity), unmarried couples and immigrant rights.

At present, the Chilean society, reflecting a global issue, supports a large women's movement against sexual abuse, demanding legislation that respects women's rights. Furthermore, poor health conditions of some prisoners condemned for human rights abuses evidence the poor quality of medical care in prisons, as well as the lack of protection for some minors living in State-aided homes.

On the other hand, as a result of the increasing lawsuits against doctors and health personnel, the pre-trial mediation under the State Defense Council has come up.

The above mentioned represents a challenge to legal medicine to update standards and certainty ranges in practice and expert testimony and improve the guidelines and ethical frameworks so that informed consent and bioethics play a much more gravitating role in the field between medicine and law.

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## Why to Socialize the Healthcare Law Education in Mexico: Some Reflections



**Andoni Gutiérrez Zurita, LLM**  
Former Director of Broadcasting at National  
Commission of Medical Arbitration-Mexico

The provision of healthcare law education in Mexico has gone unnoticed. It simply does not form part of Law programs nor of the undergraduate curricula in medical areas of most Mexican universities.

However, thanks to a recent governmental initiative, we started to teach the Mexican healthcare law and students were trained in these topics. A great deal of

effort was made to impact positively on the healthcare professionals. However, the teaching was poor and soon the interest waned.

Meanwhile, the healthcare professionals felt trapped in a regulatory network, which, besides being difficult to understand, involved more than 400 clinical practice guidelines, and more than 200 official regulations. These demands aim at a higher quality healthcare service, impossible to provide in practice.

Fortunately, legal and healthcare professionals have realized the importance of healthcare law and opted for teaching it as a tool to achieve social harmony, by providing assurance instead of uncertainty when offering a healthcare service.

There is an urgent need to socialize the healthcare law worldwide, as I believe it is one of the most important components of human freedom. It includes the right to freely exercise the profession and the right to decide on our body.

I consider that the provision of healthcare law education is one of the most remarkable tools we have because we can observe how these two beautiful professions—medicine and law—combine, creating the so-desired social welfare. Thus, healthcare professionals will be free again and won't reproach themselves for their career path decision (if good or bad), since the current rigorous Mexican legal conditions are excessive.

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## Health and Law in Spain



**Josefa Cantero Martínez- PHD in Law**  
President of Association of Health Lawyers- Spain

It is a year of anniversaries. The 40th anniversary of our Constitution - and the constitutional proclamation of the right to health protection - has been completed and the National Congress on Law and Health is being held in Oviedo, where the Convention on Human Rights and Biomedicine was approved.

However, in recent years and because of the economic crisis, we have witnessed major changes that have affected this right. The portfolio of health benefits and the pharmaceutical copayments system have been modified, people who can be users of the public service have been defined and important changes have been adopted that affect the structure of the National Health System (Royal Decree-Law 16 / 2012, April 20, 2012).

The application of this legislation involved the withdrawal of more than 873,000 health cards, fundamentally the expulsion of irregular immigrants. The measure had a great social response and many Autonomous Communities adopted their own rules to re-cover these people. The reform has been endorsed by several pronouncements of our Constitutional Court that have allowed us to outline the nature and scope of the right to health protection enunciated in art. 43 of our Constitution.

The Court has lost the opportunity to declare health as a fundamental human right and to provide it with a minimum content. Because of its location in our Constitutional text, it has considered that health protection, although it contains a mandate to our Public Powers to organize and protect the health of the population, is a mere guiding principle of the country's social and economic policy and, consequently, does not enforce the legislation. Our legislators can give the content that in each historical moment it considers opportune (the STC 139/2016 of July 21, was the first of them).

Also, in recent months other important regulations have been approved in Spain, such as Law 9/2017, on contracts of the public sector, which may open up new ways of public health service management and may give a place to both health professionals organized in cooperatives or societies, as well as non-profit entities (third sector). We will see where this new regulation takes us.

On June 6, 7 and 8, 2018, the XXVII National Congress on Law and Health will be held, organized by the Association of Health Lawyers. The contents of the Congress are a good thermometer of some of the aspects of Medical Law that concern Spanish society and the health professionals themselves.

## WAML President's Report



**Thomas T. Noguchi,**  
President of WAML

Looking forward to seeing you at the Tel Aviv Congress on September 2- 6, 2018.

Ever since 2015 we have adopted an annual congress format with a focus on a few specific themes.

This concept was first presented in Coimbra, Portugal in August 2015, followed by Los Angeles in 2016, Azerbaijan in 2017 and now in Tel Aviv, Israel.

We have observed that there is a core of annual attendees and have noticed unique features in every program. The program chair for the Tel Aviv Congress will be Oren Asman, who is a member of the Executive Committee and teaches in Tel Aviv University. He has promised to bring another innovative program to us.

The following are this year's themes:

1. Forensic medicine, law and ethics
2. Mental health, law and ethics
3. Health professions, law and ethics
4. Humanitarian medicine, law and ethics

Our Program Chair, Dr. Asman, has been planning to bring the best in Israel, gathering support from many organizations; the program will be full of new information, and will provide members an opportunity to delegate and present their papers.

I understand that one of the events takes place in a theatre setting, where selected films will be shown and presenters provide commentary about their productions. This is the first time this is done in a WAML congress. These film presentations should be as artistic as they are informative. It is surely to be an enjoyable experience. After all the hard work, on September 6th, we will all head to ride on a sightseeing bus for a 1-day sightseeing tour.

**Let us meet in Tel Aviv in September.**

## WAML Secretary General's Report



**Ken J. Berger**  
MD, JD  
WAML Secretary General

Health Law is a marriage between Medicine and Law, and Ethics is the glue that unites them.

Therein lies the challenge that it seems medicine is always leading law, and law is lagging too far behind medicine, stretching the glue so it is difficult for them to remain concordant and attached.

The right marriage occurs when sometimes law leads and medicine follows and medicine leads and law follows, and at other times they are walking in true synchrony.

How is that we improve this inseparable marriage between medicine and law that has developed from increasing technologies and the fragile human state? Well, my friends and colleagues that is our work, the World Association for Medical Law is a means to strengthen that bond between law and medicine and get it functioning in the best way possible, so that it creates meaning and prosperity in the lives of all citizens across the globe.

This can only be achieved by us all working in the same direction through a set of shared principles and values, through dissemination of our innovative work and growing our organization ever stronger.

As you know, we will be holding our upcoming Congress in Tel Aviv, where there is a common challenge of getting everyone to work in the same direction for the common goals of peace and security.

Medicine and Law are also foreign to each other and at times hostile, but over time both disciplines have developed a liking for each other, a learning from one another and a sharing of common goals.

I really very much look forward to attending the next WCML meeting in Tel Aviv. Oren has organized a great program for us and I look forward to warmly welcoming everyone very soon. Please register now,

if you have not already done so and make your travel arrangements now so you are prepared for this great event!

Very truly yours,

**Ken J. Berger MD, JD**

Secretary-General, Vice President, Board of Governors  
World Association for Medical Law

Scientific Chair, 2020 WAML meeting, Toronto, Canada

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## WAML Treasurer's Report



**Prof. Dr. Vugar Mammadov**  
Treasurer of WAML

The Treasurer's report, as usual, is focused on the financial situation of the Association to provide and assure members transparency of the WAML functioning, giving them a picture of the balance, incomes & expenditures. During the reporting period since August 2016, the Treasurer's reports were reviewed and approved by WAML Financial and Audit Committees twice, in January and July 2017.

The actual report finalizes financial year 2017 which may be considered a successful year for WAML: closing balance sheet of Bank of America (BoA) statement for 31 Dec 2017 (**\$191.385.78**) shows **+23.9%** growth in comparison with the balance on the 31 Dec, 2016 (**\$154,496.47**).

Total income of the WAML in 2017 was **\$126.824.03**, that is **+17,43%** versus budgeted **\$108.000**. The main source of the income in 2017 was related to the successful 23rd WCML in Baku = **\$88.160,61** vs. budgeted **\$63.000**, that makes **+25,2%** growth.



		Jan - Dec 17	Budget	\$ Over Budget	% of Budget
<b>Ordinary Income/Expense</b>					
	<b>Income</b>				
	Annual Congress - Baku 2017	88.160,61	63.000,00	25.160,61	139,94%
	Journal Subscription	13.543,38			
	Membership Dues Received	25.120,04	45.000,00	-19.879,96	55,82%
	<b>Total Income</b>	<b>126.824,03</b>	<b>108.000,00</b>	<b>18.824,03</b>	<b>117,43%</b>
	<b>Gross Profit</b>	<b>126.824,03</b>	<b>108.000,00</b>	<b>18.824,03</b>	<b>117,43%</b>

Part of this success was due to more than 60 new registrations raised by the Program Chair's promotional trips to the Medical Law and Legal Medicine national meetings in Russia, China, Saudi Arabia and Kazakhstan in the beginning of 2017. At the same time, despite 40 of them joining the WAML as new members before and after the Congress, the majority of the WAML members (135 persons) have still not paid their membership fees by 01 June 2018. This means that we must mobilize to collect these dues as soon as possible.

Expenditures of WAML in 2017 were **\$89.844,63**, that non-significantly exceeds the budgeted amount **\$87.610,00** – just by **2.55%**.

Net income for 2017 is **\$37.031,73** which exceeds budgeted **\$20.390** by **+81,62%**.

The beginning of 2018, according to BoA statements, continues to show a positive balance in comparison with the relevant months of 2017 (Y-1):

- \$ 196.309,49 by Jan 31 vs. \$ 162.352,42 (Y-1) = **+21%**
- \$ 196.817,09 by Feb 28 vs. \$ 171.097,26 (Y-1) = **+15%**
- \$ 198.203,03 by Mar 31 vs \$ 179.840,41 (Y-1) = **+10%.**

The main conclusions and Treasurer's recommendations from this report are in 2 directions:

1/ increase promotional activities of the 24th WCML to bring new registrations,

2/ strengthen collection of un-paid dues of actual members. As last year, the Treasurer's proposal to divide un-paid dues among Governors and facilitate their completion before the Congress again becomes important.

Thank you, Denise, EC, FC and AC for continuous support and cooperation during reporting period from August 2016 till April 2018. With special pleasure, I would like to give highest appreciation and recognition to Denise McNally's contributions in both giving good assistance to the Treasurer on finance management of Association and administrative side of Baku Congress planning.

Look forward to seeing you all at 24th WCML in September 2018.

Sincerely yours,  
**Prof. Dr. Vugar Mammadov**  
WAML Treasurer



Treasurer Mammadov presenting WAML in Saudi Arabia and China

## The 24th World Congress on Medical Law and Bioethics, Tel Aviv, September 2-6, 2018.



Oren Asman, LL.D.

The Scientific Committee of the 24th World Congress on Medical Law and Bioethics reviewed, graded and selected about 110 abstracts of authors from 40 different countries based on academic merit and suitability with the congress themes and sub-themes. The Main areas covered in the abstracts accepted as oral presentations are:

- ✓ Liability, Risk Management and Patient Safety, tort law and health, health professions law and ethics, Forensic Medicine
- ✓ Disability Studies, Law and Ethics, Old Age, End of Life Issues and ethics, Mental Health, Law and Ethics
- ✓ Public Health Ethics and Law, Right to Health, Health Care Systems.
- ✓ Humanitarian Medicine, Religious Medical Ethics, Research Ethics and the Law
- ✓ Organ Transplantation, Genetics, Ethics and Law

The oral presentations sessions will be held during the 3 days of the scientific sessions (September 3,4,5). Overview opening lectures will be given during the opening evening event (September 2)

In addition, some 50 posters were already accepted by the committee relating to many of the abovementioned themes. The final poster session content will be decided by the end of June. Poster sessions will also include a brief oral introduction of the poster by one of the poster authors. Those will take place during the 3 days of the scientific sessions.

All accepted abstracts also went through language and content editing. Authors received the committees editorial and academic comments for their consideration and revision in some cases.

Abstracts accepted for the program will be included in it pending registration to the congress. They will be included in a special issue of Medicine and Law to be issued on August 2018.

During August, a sub-committee for the Davies Awards will review the full articles submitted by authors and grade those as a basis for the selection of the Davies Awards winners for the year of 2018. These will be announced and awarded their prizes during the closing awards session on September 5. During this session they will also present their papers.

### *Music, Film, Culture, Nature, history and heritage*

Our Congress Begins with an opening event (September 2) which includes a hotel reception, an opening lecture and a cultural performance of the Quartetukan ensemble, led by Miriam Tukan: a fascinating musical project which brings together cultures and peoples through songs and tunes.

Another unique event will be the Cinematheque event (September 4, afternoon). During this evening we will have one special session honoring the WAML president, Prof. Thomas Noguchi. In this session we will watch a short portion of a new production Coroner, and have talks and panel discussion with the Producer, Mr. Ben Hethcoat, The Forensic Experts: Prof. Cyril Wecht, Dr. Chen Kugel and Prof. Noguchi himself. This opportunity would be taken to thank Prof. Noguchi and present him with an award for a life- long service to the promotion of Forensic Medicine and Ethics worldwide.

After a reception in the Cinematheque lobby on the occasion of the inauguration of the Sackler Faculty of Medicine, Tel Aviv University Initiative on Bioethics and the Law, a second session will be held in the cinemateque.

This session will include keynote lectures relating to current issues in Bioethics and Law and the detailed program will be available soon.

Another special treat for those registering soon is the complimentary networking excursion in Israel. Currently we have 4 planned routes and these will provide with an opportunity to tour Israel, learn about its history, culture and heritage and network with fellow congress participants.

We are very excited about the high academic level and the diversity of speakers for this years' Annual Congress. The prominence of the speakers in their fields and the multicultural and multinational nature

of the scientific program reflects the great importance of the World Association as a unique platform for deliberation and shared learning in the fields of Bioethics, Health Law and Forensic Medicine.

On this Occasion, I would like to acknowledge the generous support of the following for the successful planning and organization of this Congress: The Israeli Ministry of Health, The Tel Aviv University Sackler Faculty of Medicine and the Department of Nursing, The Schlesinger Institute for Medical-Halachic Research, The Tel Aviv Municipality, The Thomas Noguchi Foundation, Adv. Jonathan Davies, Mr. Adam Neuman.

Looking forward to welcoming you in our World Congress,

**Oren Asman, LLD,**

Scientific Program Chair, 24th World Congress on Medical Law and Bioethics

Executive Director, Bioethics and Law Initiative,  
Tel Aviv University

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## WAML Meeting Planning and Administration



**Denise McNally,**

WAML Administrative Officer and Meeting Planner

## CONGRESS REGISTRATION – REGISTRATION IS OPEN!

You can register for the 24th Annual WAML World Congress on the following website <https://www.wcml2018.com/registration> or <http://wafml.memberlodge.org/admin/website/?pageId=1046306>

On the Congress website you will find more information about the preliminary Congress program, confirmed faculty, Congress themes, Congress events, abstract submission and more.

## Hotel Reservations

Dan Tel Aviv is a luxurious hotel located near the Tel Aviv beach. It is one of the well established and renowned hotels in the city.

Dan Tel Aviv is offering a reduced group rate of \$230 USD for single and \$250 USD for double occupancy (Tourists are exempted from an additional 17% VAT).

The rates include breakfast and internet in the guest room.

EXECUTIVE SEA VIEW ROOM Supp. \$40.00 per night, per room.

## RESERVE ROOM HERE

Please ensure you choose Tel Aviv Dan Tel Aviv Hotel

This Congress will commence with an Opening plenary key note lecturer followed by a cocktail reception and a cultural performance, Sunday September 2nd, 2018 followed by the Opening plenary session Monday September 3rd, 2018. The plenary closing session and awards will commence Wednesday, September 5th, 2018 followed by a special full day tour on Thursday, September 6th experiencing Law and Ethics through the history and culture of Israel including a Gala Dinner.

## Membership Dues

The purpose of the World Association for Medical Law (WAML) is to encourage the study and discussion of health law, legal medicine, ethics and forensic medicine, for the benefit of society and the advancement of human rights.

The membership of WAML is annual. WAML members enjoy many benefits which include access to quarterly E-Newsletters, discount registration fees to the WAML Congress, notice of upcoming events, active website information, the “Medicine and Law” electronic Journal and discounted access to activities of affiliated organizations.

For 2018 your membership dues are \$150. The easiest method is to log into the WAML website [www.thewaml.com](http://www.thewaml.com) and pay. You also have the option to pay by check or wire transfer. If so, please contact me at [worldassocmedlaw@gmail.com](mailto:worldassocmedlaw@gmail.com) for further information.



# World Congress on Medical Law and Ethics



World Association for  
Medical Law

## SAVE

## THE DATE

SEPTEMBER 2-5

# 2018

The 24<sup>th</sup> Annual WAML  
World Congress

Tel Aviv, Israel  
[www.wcml2018.com](http://www.wcml2018.com)

Do you have  
an idea, comment,  
or suggestion?

Please contact  
**Denise McNally**  
[worldassocmedlaw@gmail.com](mailto:worldassocmedlaw@gmail.com)

# FUTURE MEETINGS

Of Affiliated National Associations and  
Collaborating Organizations

## **Australasian College of Legal Medicine**

### **Basic Law Intensive**

**23 & 24 June 2018**

**Peppers Resort, Noosa, Queensland, Australia**

Website:

<http://www.legalmedicine.com.au/courses/basic-law-intensive/>

## **24<sup>th</sup> Annual WAML World Congress**

**September 2 – 5, 2018**

**Tel Aviv, Israel**

Website: [www.wcml2018.com](http://www.wcml2018.com)

## **52<sup>nd</sup> NAME Annual Meeting**

**October 12 – 16, 2018**

**West Palm Beach, FL (USA)**

Website: [www.thename.org](http://www.thename.org)

## **Australasian College of Legal Medicine**

### **Annual Scientific Meeting 2018 - "Personal Injury Law"**

**20 & 21 October 2018**

**Sir Stamford Hotel at Circular Quay, Sydney, Australia**

Website: <http://www.legalmedicine.com.au/2018-asm/>

## **Australasian College of Legal Medicine**

### **Advanced Law Intensive**

**24 & 25 November 2018**

**Melbourne, Australia**

Website:

<http://www.legalmedicine.com.au/courses/advanced-law-intensive/>

## **53<sup>rd</sup> NAME Annual Meeting**

**October 18 – 22, 2019**

**Kansas City, MO (USA)**

Website: [www.thename.org](http://www.thename.org)

## **ACLM 2019 Annual Meeting**

**February 22 – 24, 2019**

**Los Angeles, CA (USA)**

Website: [www.aclm.org/events](http://www.aclm.org/events)

## **25<sup>th</sup> Annual WAML World Congress**

**August 6 – 8, 2019**

**Tokyo, Japan**

Website: [www.thewaml.com](http://www.thewaml.com)

## **26<sup>th</sup> Annual WAML World Congress**

**August 13 – 16, 2020**

**Toronto, Canada**

Website: [www.thewaml.com](http://www.thewaml.com)

## **27<sup>th</sup> Annual WAML World Congress**

**August 4 – 6, 2021**

**Istanbul - TURKEY**

Website: [www.thewaml.com](http://www.thewaml.com)



## WAML Newsletter Production Team

Editor-in-Chief:

**Richard S. Wilbur, MD JD**

Coordinator:

**Denise McNally**

Graphic designer:

**Raul Vergara**

“ In this issue, Guest Editor  
**Rosa Teresa Meza  
Vásquez, LLM** of Peru  
has provided us with an  
excellent series of thought  
provoking articles from  
noted international authors  
including herself. She well  
deserves our hearty thanks ”



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# World Association For Medical Law

September Issue

September-November 2

[www.thewaml.com](http://www.thewaml.com)

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### Concluding remarks from the Program Chair of the 24th World Congress on Medical Law and Bioethics Tel Aviv – 2-6 September 2018



Oren Asman, LL.D.

The 24th World Congress on Medical Law and Bioethics took place in Tel Aviv at the beginning of September 2018. The various events of the Congress attracted some 350 participants from 37 different countries around the world. While we are just now sending out a feedback form, we have already received a few dozens of responses and letters with a very [positive feedback](#).

The first batch of pictures is already posted on the Congress [website](#). Since the social media allows for an unlimited space and is more user-friendly, more pictures are being added on this [Facebook album](#). If your session or parts of it are not included, please send us your pictures so that we can complete the Album.

Also, we would like to get your feedback for this event and get more specific details (about the themes, the tours, the cinematheque event, the music performance, the plenary sessions etc.). [Here is a link to an online \(anonymous\)](#)

[Survey](#). Please take a few minutes to complete it.

For me, this Congress marked a sense of completion as well as new beginnings, originality, generosity, human connection, humanism and gratitude:

### Academic Program

The choice of members to the Scientific Committee, Advisory Scientific Committee and the Award sub-committees together with the content of the Initial call for abstracts, the specific instructions for posters submitters, the choice of themes and subthemes and the instructions for authors - all these were focused at achieving a high academic level. We also included plenary lectures by leading professionals in Basic Science, Bioethics, Forensic Medicine and Health Law. Many abstract submitters received requests for revisions and a significant portion of the abstracts were not accepted as submitted. Only abstracts that were actually presented in the Congress were entered into the final Medicine and Law issue of the Congress and the same applied to the final program posted online.

The responses we received thus far indicate that this was helpful in improving the scientific level of the meeting and in such a case, perhaps we are on the right path for future WAML Congresses in this regard.

**Disclaimer:** The articles presented in this newsletter express the views of the authors and do not necessarily reflect the attitudes or opinions of the WAML



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## **Awards for excellent research, writing and presentation:**

The closing session included the first Davies Awards ceremony in the WAML History. The session began with the moving lecture of Adv. Jonathan Davies, focusing on the past: his father's extremely important contribution to Public Health, the present: A generous willingness to donate the awards funds to promote excellent research in the sphere of public health and the right to health, and the future: A call to take a role in constructing a better future.

The Award committee consisted of highly esteemed academics including Prof. Alexander Capron from the University of Southern California, Prof. Michael Stein from Harvard Law School and Prof. Michael Y. Barilan, from Tel Aviv University. Three talented professionals achieved the highest score and received a monetary award for their papers: Dr. Avishalom Westreich (Israel), Dr. Jim Johnston (USA), Dr. Corrine Berzon (Israel).

We were also very moved by the decision of Dr. Johnston to donate the monetary award to Global NeuroCare, a non-profit organization that provides all funds to the most impoverished regions. In his letter to us, Dr. Johnston shared with us that:

“The award itself will encourage me to continue working with our teams in Africa, even when the overwhelming needs are most discouraging.”

The closing session also included the young scientists award. The Award committee consisted of highly esteemed professionals and academics including Prof. Thierry Vansweevelt from the University of Antwerp, Prof. Vera Lúcia Raposo from Macau University and Dr. Cécile Bensimon from the Canadian Medical Association. The winners of the awards were Dr. Mariya Petrova (Bulgaria) and Ms. Weronika Wojturska (Poland).

## **Life Achievement Award to Prof. Thomas T. Noguchi**

The Cinematheque event provided us with an opportunity to thank the WAML President for his contribution to Medical Law, Forensic Medicine and Medical Ethics over the years. We had a chance to be the first in the world to view a portion of the documentary (“a work in progress” as Ben Hethcoat, producer and director describes it) Coroner and be exposed to some personal moments in the life of Dr. Thomas Noguchi, whom I consider a mentor, a

colleague and a personal friend. I have learned a lot about generosity and kindness from Tom over the years and this was a wonderful opportunity to thank him on behalf of the World Association for Medical Law for all that he has done for the Association and for society.

## **Getting a sense of Israel**

One of the goals we had in mind for this Congress was to allow the participants to get a sense of Israel from a personal experience. The opening musical performance of Quartetukan, led by an Arab singer (who happened to be my student in the law school some 10 years ago, in a course dedicated to Islamic Medical Law) accompanied by non-Arab musicians, singing in Arabic and Hebrew songs written by one if the most famous modern Hebrew poets and sung by one of the most famous Arab singers was one way of introduction to the multilingual and multicultural nature of Israel.

The full day free tour concluding the Congress provided participants with another sense of the land, its history, various people, beliefs, views, cultures, languages, tastes and smells.

The Cinematheque Inauguration event for the Initiative on Bioethics and the Law at the Tel Aviv University Sackler Faculty of Medicine was another opportunity to get a sense of some of the local bioethical issues of universal importance: The issue of humanitarian medicine and the treatment of war injured civilians of a neighboring country (Syria). This was also an opportunity to connect the global work WAML is doing with local initiatives and hopefully to serve as a potential model for future collaborations of WAML activities and local academic activities around the globe.

The two sessions dedicated to Religious Law, Bioethics and contemporary law allowed for some comparative and inter-faith deliberation during the Congress. It was also a way to get a sense of the complexities of Israel, a multicultural state with many formal religious affiliations. The speakers included scholars of Islamic Law, a Protestant woman Pastor, a woman Rabbi, and the Chief Rabbi of the State of Israel.

## **On a personal note: Completing 2 terms and starting a new adventure**

As I have already shared with the Board of Governors, after two terms as the Israeli WAML Governor, I thought it would make sense to step down and allow

my friend and colleague, Adv. Jonathan Davies, to apply for this role. Jonathan's immediate positive approach to the idea of holding the Davies Award competition exemplifies his commitment to the WAML and to the betterment of regulations in Public Health and the Right to Health. I am confident that WAML is moving on with great Governors and an experienced EC and nonetheless, it is also an emotional time for me as I have stepped down after 8 years as an Executive Committee member. I am thankful to the WAML members and Governors that gave me the honor of serving on this role.

I am grateful for the very moving gesture by the WAML President and the EC, who decided to award me an Outstanding Service Award during the General Assembly meeting held in Tel Aviv. As a WAML member I will keep doing my best in contributing to the future success of the Organization.

During the Congress, we conducted the first meeting of the Advisory Board of the [Bioethics and Law Initiative](#). We also held the first Advance Care Directives workshop for Registered Nurses in Israel. The synergism between the WAML and the Bioethics and Law Initiative serves as an example for the WAML's potential as an umbrella organization serving as a hub for various collaborations and activities; and moreover, with the direction of the WAML

Educational Committee, WAML may lead projects and initiatives in various Academic and professional institutions world-wide.

Finally, I am indebted to many who made this Congress (if I may say so) a success: Adam Neumann, Adi Liberty, Alexander Capron, Assaf Ehrenreich, Avivit Neumann, Cécile Bensimon, Chen Kugel, Denise McNally, Doris Sheynfeld, Ehud Grossman, Jonathan Davies, Liat Kishon-Rabin, Michael Ashley Stein, Nili Tabak, Raul Vergara, Regis Anthony de Silva, Richard Wilbur, Romi Drach, Roy Beran, Sarah Demsitz, Sibil Sirkis, Silvia Koton, Sivia Bar-Noy, Svetlana Pospelova, Tal Bergman-Levy, Thierry Vansweevelt, Thomas T. Noguchi, Vardit Ravitsky, Vardit Rispler-Chaim, Vera Lúcia Raposo, Yael Kfir, Yechiel Michael Barilan, Yehoshua Weisinger, Yonat Gaash.

Thank you again for taking part in this meeting. I had an amazing time having you with us in Israel and I sure hope you had a memorable experience in Israel.

See you all next year in Tokyo,

**Oren Asman, LLD**

Program Chair, WCML 2018

Executive Director, Bioethics and Law Initiative,  
Tel Aviv University

asman@tauex.tau.ac.il



Life Achievement Award to Thomas T. Noguchi, MD









Outstanding WAML Service Award to Oren Asman, LLD



First Meeting of the Advisory Board of the Bioethics and Law Initiative, Sackler Faculty of Medicine, Tel Aviv



Tour to Jerusalem



Chief Rabbi of Israel, Honorable David Lau, lectures in the Congress



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## WAML President's Report



**Thomas T. Noguchi,**  
President of WAML

The Tel Aviv WAML World Congress was a great success in many ways. This Congress program was precedent making and will raise the quality of presentations in future meetings.

Israel is special to us. Altogether I have been in Israel at least four times in a span of 50 years. The first time was with Judge Amnon Carmi, former WAML President, who organized a group study session among WAML governors and arranged a visit to Israel. We were introduced to a well-known and respected physician, Dr. Yaros who supported the idea of the WAML. His ranch house was away from the city, I remember we were invited to spend some time talking about the future and planning for the WAML. Then, Israel was in a country building time, planting many orange trees in the hillsides, I thought the soil was not fertile, but I admired the courage of the pioneer Israelis. There were many villages and kibbutzes.

The second time was the 10th triennial Congress held in Jerusalem in 1994. It was very impressive. We met many of the Israeli leaders who are still active in the WAML. Mrs. Noguchi and I took a five (5) day-bus tour all over the Israeli historical sites. We were very impressed and took many photos. Since then, when Judge Carmi and WAML Founder Raf Dierkens visited Los Angeles, we had a good tour of Disneyland.

In early January 2013, I was invited by Judge Carmi to be in Israel to address the opening ceremony for the continued success of the UNESCO annual meeting, and to attend the Congress of the International Academy of Legal Medicine (IALM) which met in Dubai, United Arab Emirates in late January, I decided to stay in Israel instead of returning to the US, and then immediately returning back to Dubai. For nearly three weeks in Israel, I felt that it was my second home. Almost all the time, Oren Asman stayed with me, I met his parents and had lunch with them in Haifa and stayed

in his apartment and he took an adjacent apartment facing the beautiful Mediterranean Sea. It was winter, but the weather was mild, On the top of hill, at the Haifa University, I visited the International Center and met Ava Van Dam at the Journal of Medicine and Law.

I also stayed in the Tel Aviv University and met and gave my talk for the staff of the nursing school of the TAU Faculty of Medicine. I spent much time in the medical library, and Oren took me to the Trauma Center, to meet the USC visiting fellows who had completed advanced training and returned to the Israel Army Medical Corps with the rank of Colonel. I was also taken to the office of Dr. Chen Kugel, National Chief Medical Examiner for Israel. This is the center which early adopted the CT scan as a routine forensic examination.

For this Tel Aviv Congress, I was totally involved in administration of the WAML, greeted all of the attendees, spoke on many occasions and successfully concluded the closing session. This forced me to stay in the hotel from early in the morning to close to midnight in meetings. We had a wonderful "appreciation dinner" for the staff of the Journal office in Israel at the restaurant adjacent to the hotel.

During this WAML Tel Aviv Congress, Dr. Vugar Mammadov invited me to see Judge Carmi. I thought he was living near the Sea of Galilee, but I learned he now lives in a Tel Aviv high rise condominium. It was a short between meetings visit with my friend Amnon and his wife, Hannah. They were well and do not change at all, and Amnon has a wonderful smile. I was so happy to see them.

At this Congress, members of the Board of Governors were elected for four-year terms and officers were elected. Three new governors: Jonathan Davies of Israel, Judit Sandor of Hungary and Janne Rothmar Herrmann of Denmark. Retiring governors were Andre Pereira of Portugal, Muh Nasser of Indonesia and Oren Asman of Israel.

The new Officer is Governor Berna Arda of Turkey as Treasurer. Officers who were reelected are: Tom Noguchi as the President, Ken Berger of Canada as the Secretary General and Vugar Mammadov of Azerbaijan as Executive Vice President.

**Thomas T. Noguchi, M.D.**  
(323) 733-8189, fax (323) 733-9860  
email: [noguchitt@aol.com](mailto:noguchitt@aol.com)

## WAML Secretary General's Report



**Ken J. Berger**  
MD, JD  
WAML Secretary General

The World Association for Medical Law completed a very successful conference in Tel Aviv, Israel, with a high quality academic program, further enhanced by a special celebration of the release of “Coroner” and the inaugural granting of the Davies Award, to foster and encourage younger members of the Association to develop their own high standards and work product in Medical Law.

The Executive Committee and the Board of Governors have refocused our energies in expanding the WAML to new territories, to new members and to new places, and have encouraged a collaborative approach to achieve our mission and vision for a strong and sustainable WAML.

As Program Chair in Toronto 2020, I am beginning my efforts to plan a program that is both stimulating and welcoming to all members and I look forward to reviewing feedback from former Program Chairs to continue to make Annual Conferences a special event for us all.

I am further pleased that Education Committee of the WAML is being reinvigorated and we have such enthusiastic members who want to make a difference.

I felt the personal warmth in friendship and passion for Medical Law in Tel Aviv and it is something we must continue, as members of the Association, and I think we have a very bright future, facing a world of complexity and challenge particularly in Medical Law.

Very truly yours,

**Ken J. Berger**

Ken J. Berger MD, JD  
Secretary-General, Vice President, Board of Governors  
World Association for Medical Law

Scientific Chair, 2020 WAML meeting, Toronto, Canada

## Executive Vice-President Report



**Prof. Dr. Vugar Mammadov**  
Executive Vice President

The World Association for Medical Law completed a remarkable meeting in Tel Aviv, Israel, where many nice presentations were heard and we all enjoyed both a rich scientific program and social agenda, including an excellent music performance at the opening, the launch of an exciting «Coroner» movie at Cinemateque and perfectly organized tours to Jerusalem, Haifa, and Dead Sea at the end of the meeting. This was an unforgettable time for all of us and I would like to thank Program Chair Dr. Oren Asman and his team for the outstanding job he did for success of the 24th WAML congress. I would like also to thank him for his long term job on the Executive Committee and his contributions made for the growth of the Association during recent years.

At this time, I wish to thank the Executive Committee, Board of Governors, Committees and many others on their efforts in navigating the WAML in the right direction for the strong future. I wish to welcome Prof. Berna Arda to the Executive Committee and also welcome new Governors from Hungary, Denmark and Israel. A new Educational Committee was established with which we hope to develop and strengthen WAML educational activities worldwide in the next term. New approaches were adopted by President Noguchi in regard to Vice-Presidential appointments, with one for each Continent with the EVP representing others in the EC. Geographical representation is one of the Statute rules which, when followed strictly, will bring more efficiency. Other innovations were related to cooperation with destinations to get proposals for our next meetings to bring more collaboration that is always a big help for future program chairs to increase congress awareness, institutional and monetary support from city/country authorities, assistance in visas, creation of long-term legacy and cultural awareness in local medico-legal community. We had competition for holding the World Congress of Medical Law in 2022 among 30 proposals from 23 countries.



This was impressive to see how many different destinations competed for bringing WAML to their country.

Without taking a break, the Executive Committee has started preparations for the 25th World Congress in Tokyo, Japan and under the leadership of Prof. Noguchi we will work closely with the local organizing committee. As always, the Executive Committee promotes WAML annual meetings at meetings of other organizations. I represented WAML recently at the 3rd SRFC conference (Silk Road Forensic Consortium) of Prof. Henry Lee held in Yan Tai, China 14-19 September. Later in the autumn/winter President Noguchi will promote 25th WAML Congress at the annual meetings of NAME (National Association of Medical Examiners), ACLM (American College of Legal Medicine) and AAFS (American Academy of Forensic Sciences).

Prof. Henry Lee sent his best regards to Prof. Thomas Noguchi, Dr. Richard Wilbur, WAML Executive Committee and all the membership, remembering the nice days we all spent together last year at the 23rd WAML Congress in Baku, Azerbaijan. Forensic specialists from USA, China, Russia, Saudi Arabia, Azerbaijan, Kazakhstan, Jordan, India, UAE and other countries have expressed their interest to attend our next meeting in Japan.

I look forward to seeing everyone soon in Tokyo!

Sincerely yours,

**Prof. Dr. Vugar Mammadov**  
EVP, Chairman of EduCom

**Do you  
have an idea,  
comment, or  
suggestion?**

Please contact  
**Denise McNally**  
[worldassocmedlaw@gmail.com](mailto:worldassocmedlaw@gmail.com)



World Association  
for Medical Law

**SAVE  
THE  
DATE**

**AUGUST 6-8**

**2019**

**The 25th Annual WAML  
World Congress**

**Tokyo, Japan**  
[www.thewaml.com](http://www.thewaml.com)

# FUTURE MEETINGS

Of Affiliated National Associations and  
Collaborating Organizations

## **52<sup>nd</sup> NAME Annual Meeting**

**October 12 – 16, 2018**

**West Palm Beach, FL (USA)**

Website: [www.thename.org](http://www.thename.org)

## **Australasian College of Legal Medicine**

### **Annual Scientific Meeting 2018 - "Personal Injury Law"**

**20 & 21 October 2018**

**Sir Stamford Hotel at Circular Quay, Sydney, Australia**

Website: <http://www.legalmedicine.com.au/2018-asm/>

## **Australasian College of Legal Medicine**

### **Advanced Law Intensive**

**24 & 25 November 2018**

**Melbourne, Australia**

Website:

<http://www.legalmedicine.com.au/courses/advanced-law-intensive/>

## **ACLM 2019 Annual Meeting**

**February 22 – 24, 2019**

**Los Angeles, CA (USA)**

Website: [www.aclm.org/events](http://www.aclm.org/events)

## **Healthcare Disparities: Disruptive Healthcare Technologies and the Patient**

**June 13 – 15, 2019**

**Manchester University, UK**

Website: <https://www.law.manchester.ac.uk/connect/events/healthcare-disparities/>

## **25<sup>th</sup> Annual WAML World Congress**

**August 6 – 8, 2019**

**Tokyo, Japan**

Website: [www.thewaml.com](http://www.thewaml.com)

## **53<sup>rd</sup> NAME Annual Meeting**

**October 18 – 22, 2019**

**Kansas City, MO (USA)**

Website: [www.thename.org](http://www.thename.org)

## **26<sup>th</sup> Annual WAML World Congress**

**August 13 – 16, 2020**

**Toronto, Canada**

Website: [www.thewaml.com](http://www.thewaml.com)

## **27<sup>th</sup> Annual WAML World Congress**

**August 4 – 6, 2021**

**Istanbul - TURKEY**

Website: [www.thewaml.com](http://www.thewaml.com)



## WAML Newsletter Production Team

Editor-in-Chief:

**Richard S. Wilbur, MD JD**

Coordinator:

**Denise McNally**

Graphic designer:

**Raul Vergara**



<http://www.facebook.com/thewaml>



<http://twitter.com/THEWAML>



# World Association For Medical Law

September Issue

September-November 2

[www.thewaml.com](http://www.thewaml.com)

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## WAML President's Report



**Thomas T. Noguchi,**  
President of WAML

As another successful year comes to an end, I would like to express my appreciation to all of the WAML members, especially governors and committee chairs, executive committee members, and any members who support the administration, the WAML newsletter editorial staff and WAML Journal of Medicine and Law editor and editorial staff.

Our graphic designer, Raul Vergara received an award from the President of the National Association of Medical Examiners (NAME) for his outstanding service in providing graphic design service to the NAME foundation and International committee newsletter. He also serves as a graphic designer to our quarterly WAML Newsletter publication.

We have made successful congresses a tradition: our appreciation to Prof. Vugar Mammadov for the successful 23rd 2017 Baku Congress and to Dr. Oren Asman for the successful 24th Tel Aviv Congress.

The 25th WCML is the world congress organized by WAML and cosponsored by Waseda University Graduate School of Law. The program chairman and coordinator, Vice President of Waseda University Dean Katsunori Kai, and Dr. Mitsuyasu Kurosu WAML Governor are working together to make sure the Tokyo congress is well planned and successful. The congress and all meetings will be held at Waseda International Conference Center, part of the Waseda University campus.

You may enjoy reading about Waseda University here: [https://en.wikipedia.org/wiki/Waseda\\_University](https://en.wikipedia.org/wiki/Waseda_University)

All registration, submission of abstracts, and notifications will be done through the WAML website. [wafml.memberlodge.org](http://wafml.memberlodge.org). <http://wafml.memberlodge.org/event-2746301>

## The deadline for abstract submissions is April 5, 2019.

The program committee reviews all abstracts and determines acceptance, they will have 2 weeks to review and score them, and then will notify participants as to their acceptance.

The semi-final program should be ready by May 1st 2019, and deadline for registration is June 1, 2019. Paid registration is required before an accepted speaker's name is placed in the final program.

**Disclaimer:** The articles presented in this newsletter express the views of the authors and do not necessarily reflect the attitudes or opinions of the WAML



## Congress Schedule:

First scientific program begins on August 6, 2019, and the Congress ends with the third scientific program on August 8, 2019. For some governors and committee members, the following schedule would be helpful in making traveling arrangements: The Executive Committee meets on August 4 (Sunday), Board of Governors meets on August 5, and registration will be open on August 5.

If you arrive to Japan through Narita Airport you will need to take a 2 hour bus ride into Tokyo; it is highly recommended you fly into Tokyo Haneda Airport.

<https://www.rome2rio.com/s/Tokyo-Haneda-Airport-HND/Waseda-University>

Congress lodging and Event Venue: Righa Royal Hotel is in front of Waseda University. A number of economical lodging places can be found on the WAML website.

## Regarding a smooth transition of the WAML leadership:

As I am going to step down from Presidency in 2020, I recommend that the current EC leadership continues to head the WAML administration. We find our vice presidents should be a source of future administration chief. Instead of the president staying in his office for a long period, I suggest the president advance from the EC in this way, the members of the EC learn and become acquainted with leadership responsibilities, resulting in seasoned association officers who will maintain the tradition, innovation and expansion of the association.

**Thomas T. Noguchi, M.D.**

(323) 733-8189, fax (323) 733-9860

email: [noguchitt@aol.com](mailto:noguchitt@aol.com)

## WAML Secretary General's Report



**Ken J. Berger**

MD, JD

WAML Secretary General

The World Association for Medical law recently completed a very innovative and successful congress in Tel Aviv, which serves as strong platform for future transformation, unity and growth, developing health law as an academic discipline where the exchange of ideas creates the best possible outcomes.

Not surprisingly with these developments, the EC continues to get numerous expressions of interest from a variety of dynamic locations throughout the world and we all look forward to participating in the future meetings of the WAML next year in Japan 2019, in Toronto 2020, where I have the privilege of welcoming all of you, then in Istanbul in 2021 and then we jet-set to the Gold Coast of Australia in 2022.

In starting to locally promote the WAML 2020 meeting in Toronto, I recently attended a National Congress on Health Law, Policy and Ethics in Canada: Regulating Creation and the Assisted Human Reproduction Act where I met fellow health law colleagues and received strong support from leaders for future collaboration and engagement. I was particularly impressed by the breath of participation in the congress from academics, lawyers, physicians, philosophers, ethicists, policy makers, gamete donors, and even the products of conception. It further emphasized the challenge of law and policy regulating medical innovation, where WAML is in a unique position as a vehicle that can assist National organizations and governments throughout the globe in overcoming challenging barriers, balancing interests and creating effective solutions.

Finally, I would be remiss to not mention that the EC is very much looking forward to the next World Congress on Medical Law in Japan, where we will have another excellent meeting and experience the great Japanese culture and diversity of landscape with the sacred Mt. Fuji awaiting us and the great hospitality of our Japanese colleagues and delegates.

Very truly yours,

**Ken J. Berger**

Ken J. Berger MD, JD

Secretary-General, Vice President, Board of Governors  
World Association for Medical Law

Scientific Chair, 2020 WAML meeting, Toronto, Canada

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**Message from the 25th WCML-2019 Program Chair**



**25th WCML-2019 Program Chair**  
**Professor of Waseda Law School**  
Vice President of Waseda University  
Katsunori Kai

During 6th -8th August 2019, the 25th World Congress for Medical Law will be held at Waseda University International Conference Center, Tokyo. I will be the first opportunity to host this Congress for Japan. Waseda University, established in 1882, is one of the oldest and biggest universities in Japan (see <https://www.waseda.jp/top/en>), and located near Shinjuku in the area of north-west of Tokyo. Our University has 13 Undergraduate Schools (about 41,000 students), 24 Graduate Schools (about 8,300 students), and 9 Affiliated Institutes etc., and is evaluated as one of the most energetic and highly advanced Universities in Japan. It is our great pleasure and honor to have such an opportunity to host such an important and big Congress in our University.

The Japanese Association of Medical Law has a history for 50 years since 1969, and has discussed various issues on medical law for decades, including comparative law. Therefore we hope that many participants will meet at the Congress, and discuss various subjects on these themes.

The three pillars of this Congress will be:

1. Constructing a Bridge between Medical Law, Bioethics and Legal Medicine
2. Advanced Medicine and Medical Law
3. Further Developments of Medical Law in 21st Century from the "Global and Glocal Viewpoints"

In the modern world, the role of medical law is becoming more and more important to resolve various problems, and yet various collaborations between the areas of medical law, bioethics and legal medicine are more required. For example, on the one hand, the area of life science, medical science and medicine are very dynamically changing and we have been recognized possibilities to use "regenerative medicine" or "tissue engineering" without breaking human embryos like in case of using "embryonic stem cell (=ES Cell)", which was brought by a new symbolic invention of "induced pluripotent stem cell (=iPS Cell)" by Prof. Shinya Yamanaka (the prize winner of a Nobel Prize) of Kyoto University in Japan in 2007. And now the problem over gene editing technique after the appearance of CRISPR-Cas9 has a great impact on the scientific, ethical and legal world. On the other hand, medical problems due to the arrival of an aging society also has a great impact including terminal care especially in advanced countries. Furthermore traditional problems on medical accidents and medical safety also have become very important as ever. These problems have some complex characters between medical systems in each country and transnational medical circumstances.

There must be greater co-operation with areas of medical law, bioethics and legal medicine with each other with the aim to overcome problems not only in one country, but also transnationally. I hope that this Congress will contribute to give us an opportunity to have discussions for this aim.

Tokyo is one of the biggest cities in the world, and has many tourist spots. In and around there are many Japanese traditional and natural areas, for example Asakusa, Imperial Palace (old Edo Castle), Meiji Jingu (shrine), Kamakura, Kawagoe, Nikko, Hakone, Mt. Fuji. There are also many modern spots such as Shibuya, Shinjuku, Tokyo Sky Tree, and Yokohama etc. (See <https://www.japan-guide.com/e/e2164.html>). When you move to your destinations, you can use various convenient traffic measures such as many metros, JR lines, private rail ways, and buses. Various Japanese foods, not only Sushi, but also many other traditional and modern foods, will satisfy with you. We hope you please enjoy staying in Tokyo.

## WAML Meeting Planning and Administration



**Denise McNally,**  
WAML Administrative Officer and Meeting Planner

### JOIN US AT THE 25TH WORLD CONGRESS ON MEDICAL LAW (WCML)

**AUGUST 6 – 8, 2019  
TOKYO, JAPAN**

#### Abstract Deadline Dates

1. January 5, 2019 – Abstract Submission Site Opens
2. April 5, 2019 – Abstract Submission Deadline
3. April 31, 2019 – Review of abstracts complete
4. May 15, 2019 – Program Finalized
5. May 19, 2019 – Email to authors of acceptance or rejection

#### CALL FOR ABSRACTS – Deadline April 5, 2019

We encourage you to join the leading experts in medical law, legal medicine and bioethics by submitting your abstract in English only online at <https://app.oxfordabstracts.com/login?redirect=/stages/902/submission>

#### THEMES:

- Bridging Medical Law, Bioethics and Legal Medicine
- Advanced Medicine and Medical Law
- Global and Glocal Viewpoints of Medical Law in 21st Century

**Glocal** - Glocalization (a portmanteau of globalization and localization) is the “simultaneous occurrence of both universalizing and particularizing tendencies in contemporary social, political, and economic

systems.”[1] The notion of glocalization “represents a challenge to simplistic conceptions of globalization processes as linear expansions of territorial scales. Glocalization indicates that the growing importance of continental and global levels is occurring together with the increasing salience of local and regional levels.”[2]

The term first appeared in a late 1980s publication of the Harvard Business Review.[3] At a 1997 conference on “Globalization and Indigenous Culture”, sociologist Roland Robertson stated that glocalization “means the simultaneity – the co-presence – of both universalizing and particularizing tendencies.”[4]

Glocal, an adjective, by definition, is “reflecting or characterized by both local and global considerations.”[5]

#### ABSTRACT SUBMISSION GUIDELINES:

1. Abstracts must be of original work of the authors. [The guidelines of the International Committee of Medical Journal Editors](#) should apply in authorship.
2. An abstract should be fully self-contained and make sense by itself.
3. Complete abstracts must be submitted online no later April 5, 2019.
4. Once an abstract is accepted, additional authors cannot be added.
5. The Presenting (First) Author should be the primary contact person.
6. Notification of acceptance or rejection and all future correspondence will be e-mailed to the Presenting (First) Author on or before May 19, 2019.
7. WAML reserves the right to withdraw a presentation at any time.
8. Accepted abstracts will be available online.
9. The Presenting (First) Author is required to register and attend the WAML Meeting and present the paper or poster at the assigned time on the assigned day. He/she must be available to answer questions. If the Presenting Author is unable to attend the WAML Annual Congress to present the paper or poster, every effort should be made to arrange for one of the other authors to present. WAML staff ([worldassocmedlaw@gmail.com](mailto:worldassocmedlaw@gmail.com)) must be notified of any change in presenters.



10. The Presenting (First) Author is responsible for notifying all other authors of acceptance, rejection, scheduling and any other information provided by WAML.

## ABSTRACT FORMATTING INSTRUCTIONS:

Abstracts that are **NOT** submitted properly will receive an administrative reject and will not be reviewed.

1. **Language:** The abstract must be written in English
2. **Presentation Format:** Your paper may be presented orally or as a poster. You must indicate your preference. Space for oral presentations is limited and therefore the Program Chair and Committee may need to override your preference.
3. **Title:** Title must be initial caps throughout. Example: Lipoid Pneumonia in the Paralytic Patient after Brain Injury
4. **Abstract:** Abstracts must be 250 words or less.
5. **Abstracts Limits:** Abstract Title: 50 Characters / Abstract Content: 250 words
6. **Confirmation:** When you finish submitting your abstract, you will receive a confirmation email. Save this email for future reference.

### Oral Presentation Information

Please note that recording (photographing, audio taping or videotaping) any presentation/session is **PROHIBITED**, except by a WAML-authorized agent.

- Please make sure to remove any confidential, private or unnecessarily identifying patient information from your presentation. Some sessions may be recorded for academic purposes.
- When preparing your presentation please use standard fonts (e.g., Times, New Roman, Ariel, Helvetica, etc.).
- Create your presentation using standard (4:3) aspect ratio.
- Include in the same folder as your presentation, any external files utilized, e.g. movie files.
- Test your presentation on a separate PC compatible computer to insure fonts are standard and components such as movies are included rather than merely linked in your presentation.

## POSTER PRESENTATION GUIDELINES

### General Content Requirements:

All submissions must address a bioethical or a medico-legal issue that relates to the Congress themes. It may be addressed from a legal perspective, a policy related one, an ethical one or a combined approach. Both practical ethics and normative ethics perspectives are of relevance. Legal discussions may be focused on State Law, International Law, Criminal and Civil Law

The submitter may choose any submission format he or she wishes. At the same time, a general suggested framework should be considered before preparing the poster.

1. **POSTER SUBMISSION:** You are responsible for bringing the poster with you to the Congress.

The poster-board surface area available is 140 cm high and 90 cm wide.

### It is suggested that the poster is:

- **SIZE:** 120 X70 cm (Portrait) [a 100X70 is also optional]
- **FONT:** Use Arial font, 30-49 point size throughout
- You may use the suggested poster template and adapt it according to your topic and analysis method.
- You may add figures and/or charts.
- Consider having a background section (It may include a clear statement of the ethical/legal or policy issue you investigated, your purpose in undertaking the research, the methods you used (literature/legal ruling review, interviews, etc.), and a summary of your findings or results to support the conclusions or recommendations. Try limiting this section to 250 words.
- **Conclusions section:** clearly identify the conclusions at which you arrived based on your research.
- List up to 5 references using an accepted reference method.

See example poster outline

A well-designed POSTER should:

- (1) Facilitate discussion between the presenter and

the viewers; (2) Contain an abstract and succinct introductory material; (3) Clearly and simply state methods, major results and conclusions; (4) Use simple graphs and tables and large clear illustrations; (5) Have a font large enough to be read from a distance of several feet; (6) Be augmented by “handout” materials if necessary, and; (7) Not be crowded with too much information.

## AWARDS

When submitting your abstract there will be two (2) awards for which you may choose to be a contender:

- Young Scientist Awards (Under Age 35 inclusive) will recognize outstanding papers and posters. To be considered you must submit an abstract, apply for competition, register for the meeting and submit a 3 page summary to [worldassocmedlaw@gmail.com](mailto:worldassocmedlaw@gmail.com).

Young Scientist Award will recognize One (1) outstanding platform speaker and One (1) outstanding poster.

### Awardees will receive:

- 1) Certificate
  - 2) One year WAML Membership
  - 3) Complimentary registration for one of the next two Congress'
- Davies Award – This is a 2 year competition with presentations in both Tokyo and Toronto. Award will be given in Toronto. Papers will be judged based on merit. **To be considered for the Davies Award you must submit an abstract, apply for competition, register for the meeting, attend both Tokyo and Toronto meetings, present paper at either Tokyo or Toronto, submit a 3 page summary and a full paper to [worldassocmedlaw@gmail.com](mailto:worldassocmedlaw@gmail.com): The Davies Award main theme is promoting global academic research in public Health Law & Bioethics.**

### About A. Michael Davies:

Professor A. Michael Davies (1924 - 2016), MD. FFPHM., graduated from the Royal College of Surgeons, University of Manchester in 1946. In his long career he accomplished contributions not only in the Medical Arena in England, but also in Israel serving as the Chief Epidemiologist in the Israeli

Ministry of Health, Associate Professor and Head of the Department of Medical Ecology at the Hebrew University, and his many years as Professor of Public Health at the Hebrew University.

In his longstanding career he was a member of various committees and consultant to divisions of the Israel Ministry of Health including epidemiology, health statistics, mother and child care, preventive services etc. He also served as a temporary advisor and short term consultant to the World Health Organization in Geneva, in expert committees on rheumatic fever and aging, including occasionally functioning as consultant to divisions of MCH, human reproduction, strengthening of health services, AIDS, health of the elderly, health statistics, tropical disease research etc.

With this award we honor the lifelong contributions of Professor Davies to the field of Medicine and Public Health and hope to encourage and promote scientific contributions that will be a precedence for further medical advancements.

### Awardees will receive:

- 1) Certificate
- 2) 1st place - 1500 USD
- 3) 2nd place - 1000 USD
- 4) 3rd place - 750 USD

In order to be considered for the Davies Award (to be presented in Toronto) you must do the following:

- 1) Present at either Tokyo or Toronto
- 2) If you present in Tokyo you must be present in Toronto
- 3) Complete participant registration for the World Congress including payment of participation fee.
- 4) Submit a 3 pages summary (academic references included) of your proposed paper to the email [worldassocmedlaw@gmail.com](mailto:worldassocmedlaw@gmail.com)
- 5) Submit a full manuscript to [worldassocmedlaw@gmail.com](mailto:worldassocmedlaw@gmail.com)
- 6) The Award is for the best single paper presented at Tokyo or Toronto. Reminder, if you present at Tokyo you must be present in Toronto to be considered. Congress Registration – <http://wafml.memberlodge.org/event-2746301/Registration>

**Full registration packages include the Scientific Program, Welcome Reception, Coffee Breaks and the Gala Dinner.**

This Congress will commence with a Welcome Reception, Monday August 5 at the Rihga Royal Hotel, followed by the Opening Ceremony the morning of Tuesday, August 6 at Waseda University. The Gala Dinner will be held Thursday, August 8th. Professor Katsunori Kai will be your Program Chairman and we look forward to seeing you in Tokyo, Japan.

### Hotel Information



RIHGA Royal Hotel Tokyo is situated in Waseda, a land of culture and tradition, adjacent to Okuma Garden offering beautiful views of season's landscapes.

Enjoy a peaceful stay in Tokyo in a luxurious European classic ambience, far from hustle and bustle of the city. With many historical sites in the neighborhood, you get to see the streets of Tokyo that still give glimpses of something of the old days rarely found in the heart of the city.

Rihga Royal Hotel is offering a reduced group rate of \$194 USD single/\$265 USD double for weekdays and \$238 USD single/\$308 USD double for Saturday. The rate is inclusive of service charge, breakfast and taxes.

Reservation link [http://rsv.ihonex.com/cgi-bin/ihonex3/plan\\_shokai.cgi?hid=rihga\\_royal\\_tokyo&plan\\_groupcd=WCML&c=1&form=en](http://rsv.ihonex.com/cgi-bin/ihonex3/plan_shokai.cgi?hid=rihga_royal_tokyo&plan_groupcd=WCML&c=1&form=en).

The WAML website will be populated as specific information becomes available (Program, etc.) The address is <http://wafml.memberlodge.org/25th-World-Congress-for-Medical-Law-Tokyo-Japan>

Abstract Information – <http://wafml.memberlodge.org/Abstract-Information>

Congress Venue - <http://wafml.memberlodge.org/Congress-Venue>



(Venue: Waseda University, Tokyo)

**Hotel Information** - <http://wafml.memberlodge.org/Hotel-Information>

**Tours** - <http://wafml.memberlodge.org/Tour-Information>

## Membership Dues

The purpose of the World Association for Medical Law (WAML) is to encourage the study and discussion of health law, legal medicine, ethics and forensic medicine, for the benefit of society and the advancement of human rights.

Membership in WAML is Annual and for 2019 your membership dues are \$150. WAML members enjoy many benefits which include access to quarterly E-Newsletters, discount registration fees to the WAML Congress, notice of upcoming events, active website information, the "Medicine and Law" electronic Journal and discounted access to activities of affiliated organizations. We encourage you to log into the WAML website <http://wafml.memberlodge.org/> and pay. After logging in choose 'View Profile' (located top right), click 'Membership' and then "Renew". You also have the option to pay by check or wire transfer.

If your membership dues are paid, **thank you!**



**Do you  
have an idea,  
comment, or  
suggestion?**

Please contact  
**Denise McNally**  
worldassocmedlaw@gmail.com



World Association  
for Medical Law

**SAVE  
THE  
DATE**

**AUGUST 6-8**

**2019**

**The 25th Annual WAML  
World Congress**

**Tokyo, Japan**  
[www.thewaml.com](http://www.thewaml.com)

# FUTURE MEETINGS

Of Affiliated National Associations and  
Collaborating Organizations

## **ACLM 2019 Annual Meeting**

February 22 – 24, 2019

Los Angeles, CA (USA)

Website: [www.aclm.org/events](http://www.aclm.org/events)

## **Healthcare Disparities: Disruptive Healthcare Technologies and the Patient**

June 13 – 15, 2019

Manchester University, UK

Website: <https://www.law.manchester.ac.uk/connect/events/healthcare-disparities/>

## **25<sup>th</sup> Annual WAML World Congress**

August 6 – 8, 2019

Tokyo, Japan

Website: [www.thewaml.com](http://www.thewaml.com)

## **53<sup>rd</sup> NAME Annual Meeting**

October 18 – 22, 2019

Kansas City, MO (USA)

Website: [www.thename.org](http://www.thename.org)

## **26<sup>th</sup> Annual WAML World Congress**

August 13 – 16, 2020

Toronto, Canada

Website: [www.thewaml.com](http://www.thewaml.com)

## **27<sup>th</sup> Annual WAML World Congress**

August 4 – 6, 2021

Istanbul - TURKEY

Website: [www.thewaml.com](http://www.thewaml.com)



## WAML Newsletter Production Team

Editor-in-Chief:

**Richard S. Wilbur, MD JD**

Coordinator:

**Denise McNally**

Graphic designer:

**Raul Vergara**



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