

Department of Health Law, Bioethics & Human Rights
Boston University School of Public Health

GLOBAL LAWYERS AND PHYSICIANS

February 2009



We have always tried to get our Annual Report posted by the end of the year—but this year we failed, and happily so. This is because the world of human rights changed on January 22, 2009, when President Barack Obama issued two executive orders that would have been inconceivable during any of the past seven years: “Ensuring Lawful Interrogations” and “Review and Disposition of Individuals Detained at the Guantanamo Bay Naval Base and Closure of Detention Facilities.” Congratulations to the President for helping to restore the rule of law to the United States, and especially for specifically endorsing the applicability of the Geneva Conventions and the Convention against Torture.

Of course **GLP** remains concerned over the continuing force-feeding of prisoners at Guantanamo and believes that this should cease immediately and that military physicians should abide by international medical ethics rules that prohibit force-feeding of competent prisoners. In addition, **GLP’s** position on Guantanamo Naval Base that the entire base should be closed because it has provided too great a temptation to US

GLP worked in the U.S. assisting law firms on several amicus briefs on human rights issues concerning female genital mutilation and grounds for political asylum, reproductive rights and pregnant women prosecuted for substance use, and helped represent GTMO detainees on hunger strikes, and worked to hold perpetrators of torture accountable to international law. We also continued our program of workshops on military medical ethics which bring together human rights groups with retired and active-duty military physicians.

Internationally, **GLP** participated in educational programs in Germany, England, Hungary, Poland, Czechoslovakia, Cuba, Israel and Japan. **GLP** hosted visitors from South Africa, Israel, Democratic Republic of Congo, Netherlands, Holland, Nepal, India, Tibet, Bhutan, South Korea, Iraq and Iran. The Boston Center for Refugee Health and Human Rights (**BCRHHR**), a project of **GLP**, actively cared for the medical, psychological, legal and social needs of over 350 clients from more than 50 countries. **GLP** has continued collaborating with **PHYSICIANS FOR HUMAN RIGHTS** in conducting forensic medical exams in Istanbul, Turkey of former Abu Ghraib detainees and Sudanese refugees in Chad.

2008 was a celebration of anniversaries: the 10th anniversary of **BCRHHR**; 50th anniversary of health law at Boston University and, of course, the 60th anniversary of the Universal Declaration of Human Rights. A year of scholarly symposia, conferences and commemorations are planned.

BOSTON CENTER FOR REFUGEE HEALTH & HUMAN RIGHTS (BCRHHR)

BCRHHR at Boston Medical Center, formed at the initiative of **GLP**, fills a serious gap in the healthcare safety net in New England by reaching out to survivors of torture, those seeking asylum, and traumatized refugees.

The **BCRHHR** was formed to serve as a focus for **GLP** advocacy on issues of refugee torture and humanitarian law. These high-risk populations often suffer from post-traumatic stress disorder and/or depression and typically need, but rarely receive, a complex set of medical and psychosocial services in order to successfully integrate into society. The **BCRHHR** currently provides a broad range of medical, legal, psychological and social services to survivors of torture and related trauma arrived in Boston and throughout the region.

The **BCRHHR** brings together the expertise of several clinical departments at Boston Medical Center including Psychiatry, Family Medicine, Pediatrics, Ob/Gyn, Dental, and Primary Care. The **BCRHHR** also represents a collaboration of the Boston University Schools of Medicine, Public Health, Law, and Dentistry. In 2008, the Center served more than 500 clients from over 50 different countries this year including: Afghanistan, Bosnia,

Cameroon, Ethiopia, Congo, Nepal, Sierra Leone, Somalia, Sudan, Tibet and Uganda. Ninety percent were survivors of torture. BCRHHR had a 98% success rate of clients being granted asylum.

The **BCRHHR** continues to be supported by the United Nations Voluntary Fund for Torture Victims and the Office for Refugee Resettlement, Health and Human Services grant "Treatment for Torture Victims," as well as by foundations and individual donations.

GUANTANAMO

GLP continues to work with law firms representing detainees in Guantanamo Bay, Cuba and is involved with medical record review, consultation on cases with military doctors, and preparation of affidavits for legal proceedings, primarily related to the physical and psychological impact of force feeding on hunger strikers.

COURSES

For the past ten years George Annas and Michael Grodin have taught a **Human Rights and Health** course at the Boston University School of Public Health.

The course syllabus is posted at www.glphr.org/IHHRsyllabus09.doc. Comments are welcome.

CONFERENCES

50th Anniversary of Health Law at Boston University

Boston University celebrated the 50th anniversary of Health Law. This was a three day event that highlighted critical issues in human rights and health law, featuring distinguished experts in the field, including Boston University alumni and visiting scholars, and health law faculty in the schools of Law, Public Health, and Medicine. This conference covered topics about Human Rights and Dignity and Health Law: Past and Future. Also, "Voices of Experience" were exchanged. The symposium welcomed former Visiting Scholars, Health Law & Bioethics Fellow, and Boston

University health law alumni to share their scholarship and experiences in health law since their tenure at Boston University.

Pike Conference

"The Future of Health Law" was the subject of this year's Pike Conference, cosponsored by Boston University's Schools of Law and Public Health. The conference brought together a distinguished group of scholars in law, medical ethics, and public health. "Health reform is a central theme in the 2008 presidential election campaign, so now is a critical time to explore what health law may look like in the future and the challenges our society will face as a result," says Wendy K. Mariner, JD, LLM, MPH, a professor of Health Law, Bioethics, and Human Rights at BUSPH and professor of law at BU's School of Law. These challenges include integrating the new genetics into care, improving patient safety, determining societal, corporate and individual responsibility for improving health, reconciling intellectual property and expanded access to new technologies around the world, and whether these challenges can be addressed within a coherent legal framework.

Honored at this year's conference was former Boston University's Law–Medical Research Institute Associate Professor, Irving Ladimer as the 2008 recipient of the Pike Award. His work at the Law–Medicine Research Institute included co-editing a landmark collection of articles and documents on the regulation of human subjects research, *Clinical Investigations in Medicine: Legal, Ethical, and Moral Aspects* (1963). He is nationally recognized for his pioneering work in medical malpractice arbitration at the American Arbitration Association and serves currently as Director of Research and Education at the Academic Health Professionals Insurance Association.



Irving Ladimer, Esq.

SELECTED PRESENTATIONS

The Rights of Patients Seminar, sponsored by The Patients' Rights Ombudsman Japan, Tokyo Japan

University Holocaust Memorial Lecture, State University of New York, Sunny Brook, NY

Distinguished University Holocaust Lecture, Washington University, St. Louis, MI

International Conference on Holocaust Education, "U.S. and Nazi Eugenics", Yad Vashem, Jerusalem

Interethnic Interfaith Leadership Conference, sponsored by Initiatives for China, Boston and Cambridge, MA

SELECTED PHOTOS OF CONFERENCES AND PRESENTATIONS



50th Anniversary of Health Law at Boston University



Interethnic Interfaith Leadership Conference



The Rights of Patients Seminar



International Conference on Holocaust Education

HEALTH AND HUMAN RIGHTS CAUCUS

Boston University School of Public Health Student Health and Human Rights continue to be involved in various advocacy projects in the community.

AMICUS BRIEFS

GLP website now provides copies of its amicus briefs. Read them at www.glphr.org/amicusbriefs.htm.

PUBLICATIONS

Annas GJ, Glantz L, Roche P. Rules for donations to tissue bans- what next? *New England Journal of Medicine*. 2008; 358:298-303.

Annas GJ. Military medical ethics- physician first, last, always. *New England Journal of Medicine*. 2008; 359:1087-1089.
www.glphr.org/NEJMmme.pdf.

Annas GJ. Toxic tinkering — lethal-injection execution and the constitution. *New England Journal of Medicine*. 2008; 359:1512-1517.
www.glphr.org/NEJMlethalinjections.pdf.

Annas GJ, Green RC. The genetic privacy of presidential candidates. *New England Journal of Medicine*. 2008; 359: 2192-2193.

Annas GJ & Grodin M. The Nuremberg Code. In: Emmaneul E, ed. *The Oxford Textbook of Clinical Research*. New York, NY; 2008:136-140.

Annas GJ, Mariner W, Parmet W. Pandemic Preparedness: The Need for Public Health- Not a Law Enforcement/ National Security Approach. *American Civil Liberties Union*. New York, NY; 2008.
www.glphr.org/ACLUpanemics.pdf.

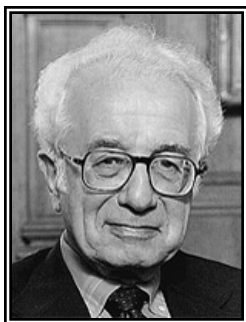
Cote S, Grodin M, Piwowarczyk L, Singh H, Scott T. Oral health status of torture survivors. *American Journal of Public Health*. 2008; 98(12): 2181-2182.

Fulker D Bazazi A, Grodin M, Piwowarczyk L, Saper R. Treating survivors of torture and refugee trauma: a preliminary case series using qi gong and tai chi. *Journal of Complementary Alternative Medicine*. 2008; 14(7): 801-806.

IN MEMORIOM

Jay Katz

GLP joins his family, students, friends, and colleagues in mourning the passing of the world's leading expert on informed consent to human experimentation and the Nuremberg Code, and a long-term and faithful friend to GLP. His text, *Experimentation with Human Beings*, remains a classic, and he was a leader on two major federal panels (Tuskegee and the Radiation Experiments), and the first person to call for federal oversight of human experimentation. Jay was an active member of GLP's board of advisers from the beginning, and was always supportive of our work. He gave major speeches at an early conference on the Nuremberg Code in 1989, and at our national conference at the Holocaust Memorial Museum at which GLP was founded. Grodin and Annas also were with him at the 50th anniversary celebration of the Nuremberg Code in Nuremberg, Germany, where he gave a powerful keynote address later published by Yale. It was the first time he had been back to Germany since his family fled the country in World War II. We could always count on Jay's wisdom and compassion. As his colleague (and student) of Jay, Professor Robert Burt, put it well, "When you were with Jay, there was a gentle wisdom that he embodied. The gentleness came from his empathy for people and their vulnerabilities. His wisdom came from the ideal vision he had about how people should relate to one another, which engendered an immediate trust from people who would deal with him." We will miss him, but his life and work will always inform and inspire our own.



Jay Katz, M.D.

SUPPORT

Your support of **GLP** will help our effort to provide information and resources about human rights and health; to serve as a network and referral source for professions working on health-related human rights/issues; to assist in developing, implementing and advocating public policies to protect and enhance human rights, and health. **GLP** supporters receive communications about our current projects and global concerns. Additionally, as a supporter of **GLP** there are numerous opportunities to contribute your time and talents to **GLP** projects. **GLP's** accomplishments are almost exclusively the product of our volunteers. Please visit our website at www.glphr.org/support.htm or email us at glp@bu.edu for further information.

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