

医師集団の自律に関するマドリッド宣言

患者の人権を擁護する医師が、医師集団を自ら律する仕組みを構築・維持することに互いに力を合わせれば合わせるほど、患者の治療に最善を尽くす個々の医師の自律はより確固としたものになるはずです

それゆえ世界医師会は、各国医師会と世界の全医師に以下のアクションを取るよう強く要請します

1. 医師が、不当な圧力を受けずに患者の最善にのみ基づいて患者を治療できているのも、これまで社会が医師集団と個々の医師に高度の自律を認めてきたからです
2. 医師集団の自律と個々の医師の自律が権利であることからして当然、医師集団は自らを律し続けねばなりません。その際 医師集団を管理し医師集団として意思を決定する最終的な権限は、それらがいずれも専門的な訓練・知識・経験・技能に依るべきものであるゆえに、医師以外の者にあってはなりません
3. 世界医師会は、医師集団が自律するための合法的システムを確立・維持し、医師各自が進んでそれに参画するよう、各国の医師に強く要請します。医師集団の自律システムの（確立・維持・参画）への専心こそ、個々の医師の自律を保証する究極の手立てなのです
4. 各国医師会は、医師会の外部に対しては医師集団を代表し、医師会内部では医師全体を統括しなければならないことから不可避免的に生ずる利害対立の影響を避けるため、医師会メンバーと国民を相手に医師集団の自律という概念を総力挙げて広め、支持し続けねばなりません
5. 医師集団の自律システムは、どのようなシステムであれ、a)患者のケアの質、b)患者を診る医師の技量、c)医師としての適切な態度を保証しなければなりません。質の高いケアを継続して提供するためには、医師は「継続的自己開発」プロセスに進んで参画し、各自の医療（知識・技能・態度）を更新し続けねばなりません
6. 医師の医師としての態度は、国ごとの医師の倫理綱領の^{のり}矩を超えるものであってはなりません。患者の利益を守るため、各国医師会は医師の態度の専門性と倫理性を高めなければなりません。倫理にもとる行為はすぐ認知・報告されねばなりません。間違いを犯した医師は適切に再教育を受け、状況が許せば診療は中止して訓練を受けねばなりません

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7. 医師集団の自律システムを脅かすかもしれない脅威を含め、新規あるいはこれから現れる課題に対処するため、各国医師会は力を合わせねばなりません。患者の利益のためには、各国医師会は情報・経験を交換し続けることが不可欠です

8. 各国医師集団の自律システムは、効果的でダイナミックではあっても、利己的であったり、医師の保身のためのものであってはならず、そうならないために、プロセスは公正で、合理的で、適切な透明性を備えていなければなりません。医師集団の自律システムは単に個々の医師の自律を保証するためのものであるだけでなく、一般国民の安全・支援・信頼と医師の名誉を併せて維持すべきものと捉えるよう、各国医師会はメンバーを支援しなければなりません

DECLARATION
OF
MADRID ON PROFESSIONALLY-LED REGULATION

Adopted by the WMA General Assembly, New Delhi, India, October 2009

The collective action by the medical profession seeking for the benefit of patients, in assuming responsibility for implementing a system of professionally-led regulation will enhance and assure the individual physician's right to treat patients without interference, based on his or her best clinical judgment.

Therefore, the WMA urges the national medical associations and all physicians to take the following actions.

1. Physicians have been granted by society a high degree of professional autonomy and clinical independence, whereby they are able to make recommendations based on the best interests of their patients without undue outside influence.
2. As a corollary to the right of professional autonomy and clinical independence, the medical profession has a continuing responsibility to be self-regulating. Ultimate control and decision-making authority must rest with physicians, based on their specific medical training, knowledge, experience and expertise.
3. Physicians in each country are urged to establish, maintain and actively participate in a legitimate system of professionally-led regulation. This dedication is to ultimately assure full clinical independence in patient care decisions.
4. To avoid being influenced by the inherent potential conflicts of interest that will arise from assuming both representational and regulatory duties, National Medical Associations must do their utmost to promote and support the concept of professionally-led regulation amongst their membership and the public.

5. Any system of professionally-led regulation must ensure

- a) the quality of the care provided to patients,
- b) the competence of the physician providing that care and
- c) the professional conduct of physician.

To ensure the patient quality continuing care, physicians must participate actively in the process of Continuing Professional Development in order to update and maintain their clinical knowledge, skills and competence.

6. The professional conduct of physicians must always be within the bounds of the Code of Ethics governing physicians in each country. National Medical Associations must promote professional and ethical conduct among physicians for the benefit of their patients. Ethical violations must be promptly recognized and reported. The physicians who have erred must be appropriately disciplined and where possible be rehabilitated.

7. National Medical Associations are urged to assist each other in coping with new and developing problems, including potential inappropriate threats to professionally-led regulation. The ongoing exchange of information and experiences between National Medical Associations is essential for the benefit of patients.

8. An effective and responsible system of professionally-led regulation by the medical profession in each country must not be self serving or internally protective of the profession, and the process must be fair, reasonable and sufficiently transparent to ensure this. National Medical Associations should assist their members in understanding that self-regulation cannot only be perceived as being protective of physicians, but must maintain the safety, support and confidence of the general public as well as the honour of the profession itself.

