

**БЪЛГАРСКИ  
ЛЕКАРСКИ СЪЮЗ**

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**BULGARIAN  
MEDICAL ASSOCIATION**

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**TO: Robert Fico**

Prime Minister  
Úrad vlády Slovenskej republiky  
Námestie slobody 1  
813 70 Bratislava

**TO: Zuzana Zvolenská**

Minister of Health  
Ministerstvo zdravotníctva SR  
Limbová 2  
837 52 Bratislava 37

**TO: All the Members of the Slovak Parliament**

Sofia, 13<sup>th</sup> May 2013

**Dear Sir/Madam,**

On behalf of all the doctors in Bulgaria, the Bulgarian Medical Association strongly opposes to the attempts to limit freedoms stipulated in EU regulations and to restrict the rights of a group of EU citizens on an occupational criterion by changing laws. This would not only be an unprecedented act in the European legal practice, the adoption of such a law will irretrievably damage and deteriorate the quality of healthcare. The repressive methods of governance, known from our common and recent past, have never had a lasting positive effect.

In this regard, we urge you to take into account the following arguments:

Firstly, the regulation in any medical profession is an internal process within the profession. That's because medical chambers are special public entities with regulatory powers delegated from the state. Their status has been studied in a European legal doctrine. The European Court presented extensively its reasoning in this regard, while considering the functions, objectives and legal capacity of the "Order" corporation of public rights established by legislative act of the King of Belgium. The corporation aims to protect public health by exercising control over the medical practice. This function led to a number of administrative powers of "Order" incl. disciplinary power over the doctors registered in it. Similar is the opinion of the German Federal Constitutional Court and the ruling German legal doctrine on the various corporations (the so called "Chambers") of public rights that exist in West Germany, such as the chambers of lawyers, notaries, doctors and dentists to pharmacists, the craftsmen, etc. (see Maunz Durig, Kommentar, Grundgesetz, Bd.I, Auflage, Munchen, 1990, Art.9, Abs.1, RN 88; Sachs M. (Hsg), Grundgesetz, Munchen, 1996, Art.9, Abs.1, RN 21). It is well known that the principle of self-regulation is inherent in many European countries that do not allow interference in their control system of physicians. This mode is used in