



# Position Statement

## Nurses and human rights

### ICN Position:

The International Council of Nurses (ICN) endorses the Universal Declaration of Human Rights<sup>1</sup>, General Comment No. 14 of the Committee on Economic, Social and Cultural Rights<sup>2</sup> and the International Bill of Human Rights<sup>3</sup> that brings together the key human rights agreements of the United Nations. The International Council of Nurses' (ICN) position on nursing and human rights is to be interpreted within the framework of these international human rights agreements and ICN's Code of Ethics for Nurses.

ICN views health care as a right of all individuals, that is available, affordable and culturally acceptable, regardless of financial, social, political, geographic, racial or religious considerations.

This includes the right to choose or decline care and to accept or refuse treatment or nourishment; the right to be treated with respect, the right to informed consent; including to be free of non-consensual medical treatment, such as forced or coerced sterilisation, and the right to confidentiality and dignity, including the right to die with dignity and to be free from pain, torture and other cruel, inhumane or degrading treatment.

### Human rights and nurses' role

ICN recognizes that all human rights are interdependent and indivisible and that individuals' health and wellbeing can be harmed when their human rights in any category are violated.

Nurses have an obligation to safeguard, respect and actively promote people's health rights at all times and in all places. This includes ensuring that adequate care is provided within the resources available and in accordance with nursing ethics. As well, the nurse is obliged to ensure that patients receive appropriate information in understandable language prior to consenting to treatment or procedures, including participation in research. The use of coercion or manipulation to obtain consent is unethical and a violation of human rights and professional codes of conduct.

Nurses are accountable for their own actions and inactions in safeguarding human rights, while national nurses associations (NNAs) have a responsibility to participate in the development of health and social policy and legislation related to patient rights.

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<sup>1</sup> Universal Declaration of Human Rights (1948), New York: United Nations

<sup>2</sup> Committee on Economic, Social and Cultural Rights, General Comment no 14, the right to the highest attainable standard of health (2000), New York, United Nations

<sup>3</sup> International Bill of Human Rights [www2.ohchr.org/english/law/](http://www2.ohchr.org/english/law/)

Where nurses face a “dual loyalty” - a conflict between their professional duties and fulfilling obligations to their employer or other authority- their primary responsibility is to those who require care. This includes taking action such as whistle blowing to safeguard human rights.

### **Nurses’ rights**

Nurses have the right to practice in accordance with the nursing legislation of the country in which they work and to adopt the ICN Code of Ethics for Nurses or their own national ethical code. They also have a right to practice in a positive practice environment that provides personal safety, freedom from abuse and violence, threats or intimidation and in which there is no fear of reprisal.

Nurses individually and collectively through their national nurses associations have a duty to report and speak up when there are violations of human rights, particularly those related to access to essential health care, torture and inhumane, cruel and degrading treatment and/or patient safety.

National nurses associations need to ensure an effective mechanism through which nurses can seek confidential advice, counsel, support and assistance in dealing with difficult human rights situations.

The ICN calls on NNAs to encourage their governments to fulfil their obligations to respect and protect human rights, to adopt and uphold legislation or other measures ensuring equal access to health care.

### **Background**

Nurses deal with human rights issues daily, in all aspects of their professional role. As such, they may be pressured to apply their knowledge and skills in ways that are detrimental to patients and others. There is a need for increased vigilance, and a requirement to be well informed, about how new technology and experimentation can violate human rights. Furthermore nurses are increasingly facing complex human rights issues, arising from conflict situations within jurisdictions, political upheaval and wars. The application of human rights protection should emphasise vulnerable groups such as women, children, elderly, refugees and stigmatised groups. To prepare nurses to adequately address human rights, human rights issues and the nurses’ role need to be included in all levels of nursing education programmes.

ICN addresses human rights issues through a number of mechanisms including advocacy and lobbying, position statements, fact sheets, and other means.

### **Adopted in 1998**

### **Reviewed and revised in 2006 and 2011**

*(Replaces previous ICN Position: “The Nurse’s Role in Safeguarding Human Rights”, adopted 1983, updated 1993).*

**Related ICN Positions:**

- Nurses' role in the care of prisoners
- Rights of children
- Torture, death penalty and participation by nurses in executions
- Towards elimination of weapons of war and conflict

The International Council of Nurses is a federation of more than 130 national nurses associations representing the millions of nurses worldwide. Operated by nurses and leading nursing internationally, ICN works to ensure quality nursing care for all and sound health policies globally.