

REGISTERED NURSES AND HUMAN RIGHTS

CNA POSITION

The Canadian Nurses Association (CNA) endorses the *Canadian Charter of Rights and Freedoms* as well as the United Nations' *Universal Declaration of Human Rights*. CNA is committed to promoting and developing human rights, as violations of human rights are unacceptable and have a negative impact on health.

CNA believes nurses,¹ health care professionals, policy-makers, educators, researchers and administrators must ensure that all health care programs integrate values that support and protect human rights.

CNA is concerned with quality nursing care, so it is particularly committed to the following articles of the *Universal Declaration of Human Rights*:

- “Everyone is entitled to all rights and freedoms set forth in [the] Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, [...] or other status.”²
- “No one shall be subject to torture or to cruel, inhuman or degrading treatment or punishment.”³
- “Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family.”⁴

CNA believes that nurses must strive individually and collectively to promote human rights⁵ and call attention to human rights violations within and outside Canada. The *Code of Ethics for Registered Nurses*, which sets the standards by which nurses are to practice in the interest of the public, specifies that all people receiving care are to be treated as persons worthy of respect and that nurses must, in all their actions, “preserve and demonstrate respect for the dignity and rights of each individual.”⁶

The code goes on to say “nurses must not discriminate in the provision of nursing care based on a person’s race, ethnicity, culture, spiritual beliefs, social or marital status, sex, sexual orientation, age, health status, lifestyle, mental or physical disability and/or ability to pay.”⁷

CNA believes that nursing education should include theory about promotion and protection of human rights and information about human rights violations and their impact on health.

CNA also believes that nurses have rights, and that governments and employers must protect and support nurses while they are assisting those who require care. Nurses have the right to care for any person in need without fear of reprisal. CNA urges all governments to create environments where nurses can practice in an ethical manner.

¹ “Nurses” refers to registered nurses throughout.

² (United Nations, 1948, Article 2).

³ (United Nations, 1948, Article 5).

⁴ (United Nations, 1948, Article 25).

⁵ Rights are claims or entitlements to something or against someone that are recognized by legal rules or moral principles. Human rights are a special category of rights that belong equally to all persons simply because they are human beings (Easley Marks, & Morgan, 2001).

⁶ (Canadian Nurses Association, 2002, p. 13).

⁷ (CNA, 2002, p. 15).



BACKGROUND

After the horrors of the Second World War, the international community decided that codifying and declaring human rights was crucial to securing justice and peace for all people.⁸ The first international proclamation of rights and freedoms was the *Universal Declaration of Human Rights* adopted by the General Assembly of the United Nations in 1948. The Canadian government followed suit with the *Canadian Charter of Rights and Freedoms* in 1982.

The right to the highest attainable standard of health was first stated in the World Health Organization's Constitution in 1946. Since then, rights relating to health have been included in many international documents, including the *Universal Declaration of Human Rights* (Article 25), the *International Covenant on Economic, Social and Cultural Rights* (Article 12) and the *Convention on the Rights of the Child*.

In particular, nurses need to understand the links between health and human rights:⁹

- Violations or lack of attention to human rights can have serious health consequences.
- The design and implementation of health policies and programs can promote or violate human rights.
- Vulnerability and the impact of ill health can be reduced by taking steps to respect, protect and fulfill human rights.¹⁰

The connection between health and human rights can be seen in the relationships between nurses and the individuals they care for, between health care organizations and client groups and, at a wider societal level, through local, national and global policies.

The need to safeguard human rights can arise in any work situation; nurses may be victims, witnesses or perpetrators of violations.

CNA works with its member associations, as well as national and international organizations, to raise awareness of human rights and respond to violations of human rights. CNA supports the monitoring of human rights activities by the International Council of Nurses and works with them and other national and international agencies when action is needed.

Approved by the CNA Board of Directors, June 2004

References:

- Austin, W. (2001). Using the human rights paradigm in health ethics: The problems and the possibilities. *Nursing Ethics*, 8(3), 183-195.
- Canadian Nurses Association. (2002). *Code of Ethics for Registered Nurses*. Ottawa: Author.
- Easley, C., Marks S., & Morgan, R. (2001). The challenge and place of international human rights in public health. *American Journal of Public Health*, 91(12), 1922-1925.
- International Council of Nurses. (1999). *Fact sheet: ICN on health and human rights*. Geneva: Author.

⁸ (Austin, 2001).

⁹ (International Council of Nurses, 1999).

¹⁰ (World Health Organization, 2002, p. 10).



Office of the United Nations High Commissioner for Human Rights. (1966). *International covenant on economic, social and cultural rights*. Geneva: Author.

Office of the United Nations High Commissioner for Human Rights. (1989). *Convention on the rights of the child*. Geneva: Author.

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World Health Organization. (1946). *Constitution of the World Health Organization*. Geneva: Author.

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Also see:

Related CNA Position Statement:

Global health and equity (2003)

Related International Council of Nurses Position Statements:

Nurses' role in the care of prisoners and detainees (1998)

Nurses and human rights (1998)

Torture, death penalty and participation by nurses in executions (1998)

Armed conflict: Nursing's perspective (1999)

Towards elimination of weapons of war and conflict (1999)

Rights of children (2000)

Amnesty International:

Nurses and human rights. AI Index: ACT 75/02/97 (1997)

Government of Canada:

Canadian Charter of Rights and Freedoms (1982)

World Health Organization:

Fact sheet No 247: Human rights, women and HIV/AIDS (2000)