Knowledge and application of human rights principles in nursing practice - reflections from South Africa

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Objectives:
- To reflect on the importance of human rights education for health professionals
- To report on the challenges of human rights practice in the South African health context

The author declares no conflict of interest
The enjoyment of the highest attainable standard of health is one of the fundamental rights of every human being…”
- Preamble to the WHO Constitution

The enjoyment and exercise of all human rights affects the health of individuals

WHO, 1946
EXAMPLES OF THE LINKAGES BETWEEN HEALTH AND HUMAN RIGHTS

VIOLENCE AGAINST WOMEN AND CHILDREN
SLAVERY
TORTURE
HARMFUL TRADITIONAL PRACTICES

HUMAN RIGHTS VIOLATIONS RESULTING IN ILL-HEALTH

RIGHT TO HEALTH
RIGHT TO EDUCATION
RIGHT TO FOOD & NUTRITION
FREEDOM FROM DISCRIMINATION

HEALTH & HUMAN RIGHTS

REDUCING VULNERABILITY TO ILL-HEALTH THROUGH HUMAN RIGHTS
PROMOTION OR VIOLATION OF HUMAN RIGHTS THROUGH HEALTH DEVELOPMENT

RIGHT TO PARTICIPATION
RIGHT TO PRIVACY
RIGHT TO INFORMATION

FREEDOM FROM DISCRIMINATION

Source: http://www.who.int/hhr/
Section 27: Health care, food, water and social security

(1) Everyone has the right to have access to health care services, including reproductive health care; sufficient food and water; and social security, including, if they are unable to support themselves and their dependants, appropriate social assistance.

(2) The state must take reasonable legislative and other measures, within its available resources, to achieve the progressive realisation of each of these rights.

(3) No one may be refused emergency medical treatment.
Why learn about Human Rights?

Awareness of human rights is vital to nurses. They are often at the forefront of critical decisions and procedures and are able to see the immediate effects on patients and their relatives of human rights violations.

*Wildschut, 2001*
Why learn about Human Rights?

- As citizens of the modern world we [nurses] should know about this challenging movement, because after all our rights and dignity, as well as that of our patients could be at stake.

- Health policies, practices and health care research may inadvertently violate human rights.
Why learn about Human Rights?

- Violations of any of these rights may have adverse health effects on individuals and groups.

- Promoting human rights is an essential part of efforts to promote and protect public health.

*Mann, cited by Jenkins, 2001*
Past - Present?

- Our stories

- Are health workers part of the problem?
What is happening in the health services?

To clients and patients
- Abuse/violence
- Coercion, threats
- Neglect
- Discrimination
- Lack of access – to health care and information

To health care workers
- Abuse/violence
- Threats
- Discrimination
Why introduce health and human rights?

- Post TRC: impact of the submissions to the TRC Health sector hearings
- TRC recommendations
- Recognition that as educators, we have a responsibility to promote human rights alongside ethical practice
What do health professionals need w.r.t. human rights?

- knowledge
  (e.g. what constitutes human rights; implications of domestic and international human rights legislation & conventions; national policies and their impact on health and human rights)

- skills
  (e.g. how to identify potential and actual human rights violations in health settings)

- attitudes or values
  (e.g. why human rights are important for health professional practice, cultivating a willingness to engage in advocacy and support colleagues who speak out against human rights abuses)
What do health professionals need w.r.t. human rights?

Health professionals need to:

- have the **tools** to both prevent and redress human rights abuses

- Have knowledge and skills to be able to recognise and manage **dual loyalty** (or role conflict), where a health professional’s obligation to a third party (often the State) subjugates the patient’s human rights)
What we know

“Most students have minimal awareness of how human rights issues relate to the practice of health care and, moreover, may have little insight into their own obligations regarding the protection and promotion of human rights”

(London et al, 2010)
Knowledge to application?
How do students respond?

“Well, I intend to open my eyes and observe anything that seems like a violation and try to address it to benefit my clients, the community I live in.....to bring changes, even if minute, that a person might not recognise ...it will make a difference”

“I have discovered that it is not possible to talk about what violation of those rights does, without mentioning how they impact on the health of those affected”
“During this period of exposure to human rights I have become more aware of the complexity of the whole concept”

“Patients have a right to know what is being done to them and what is being said to them. The registered nurse plays a big role in these situations and should be the advocate for the patients at all times”
How do students respond?

“I am 26 years old and have been a professional nurse for 5 years .. However in the last 5 months I have learned more about human rights than in my 16 years of education...”

“I thought I knew many of my rights as a SA citizen - but when I started this module, it opened up my way of thinking...how many people are not aware of their rights? All we have to fight for as health workers is to see to it that we respect the dignity of each human being”
Translating learning:
- incorporating human rights into nursing practice
Challenges for nurses

- To facilitate the culture of positive realisation of rights
- To become true advocates for human rights
- To engage with policy and its impact on health and healthcare rights
- To manage dual loyalties
- To balance ethical codes and human rights obligations in daily practice
Taking it forward

- Training for educators
- Curricula which incorporate human rights and ethical codes
- Embedding of rights based frameworks in health services
- Support for health care workers in identifying rights violations and in addressing these
- Protection of whistleblowers
... as health workers we need to respect the inherent worth, dignity and human rights of every individual and to treat them to the best of our ability in a spirit of honesty, fairness courtesy, tactfulness, professionalism and respect
Thank you