

Establishing, Regulating and Preventing Laws against Medical Torture

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DESCRIPTION

Medical torture, a gross violation of human rights, involves the deliberate infliction of physical or psychological pain and suffering on individuals under the guise of medical treatment or experimentation. This abhorrent practice undermines fundamental ethical principles, including beneficence, non-maleficence, and respect for human dignity. This context shows ethical and legal considerations surrounding medical torture, examining its historical context, contemporary manifestations, and efforts to prevent and address such atrocities.

Ethical principles and medical torture

Medical torture violates core ethical principles governing the practice of medicine:

Beneficence: Medical professionals have a duty to promote the well-being and health of their patients, refraining from actions that cause harm or suffering. Medical torture constitutes a gross betrayal of this principle, as it deliberately inflicts pain and suffering for non-therapeutic purposes.

Non-maleficence: The principle of non-maleficence obligates healthcare providers to do no harm, respecting the physical and psychological integrity of individuals under their care. Medical torture flagrantly violates this principle, causing severe and lasting harm to victims.

Respect for human dignity: Every individual possesses inherent dignity and worth, deserving of respect, autonomy, and humane treatment. Medical torture undermines human dignity by degrading and dehumanizing victims, stripping them of their agency and autonomy.

Legal frameworks and prohibitions

International human rights law and conventions explicitly prohibit medical torture and cruel, inhuman, or degrading treatment or punishment:

Universal Declaration of Human Rights (UDHR): Article 5 of the UDHR prohibits torture, cruel, inhuman, or degrading

treatment or punishment, affirming the right to freedom from torture and ill-treatment.

Convention Against Torture (CAT): The CAT, ratified by numerous countries, defines torture as any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for purposes such as obtaining information, coercion, or punishment. States parties are obligated to prevent, investigate, and prosecute acts of torture.

Geneva conventions: The Geneva Conventions, which govern the treatment of individuals in armed conflict, prohibit torture and cruel treatment of prisoners of war and civilians, including medical personnel and wounded combatants.

Preventing and addressing medical torture

Preventing medical torture requires concerted efforts at multiple levels:

Strengthening legal protections: States must ratify and implement international human rights instruments, including the CAT, and enact domestic legislation prohibiting torture and cruel treatment, with robust mechanisms for investigation, prosecution, and accountability.

Promoting ethical education: Medical professionals must receive training and education on medical ethics, human rights, and professional standards, fostering a culture of ethical conduct and accountability within the healthcare profession.

Monitoring and oversight: Independent monitoring mechanisms, including national human rights institutions, non-governmental organizations, and international bodies, play a crucial role in documenting and exposing instances of medical torture, advocating for victims' rights, and holding perpetrators accountable.

Ensuring access to justice: Victims of medical torture must have access to effective remedies and redress, including legal assistance, compensation, and rehabilitation services, to address the physical, psychological, and social consequences of torture.

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CONCLUSION

Medical torture represents a grave violation of human rights and ethical principles, perpetuating suffering, trauma, and injustice. By upholding legal prohibitions, promoting ethical education, and strengthening accountability mechanisms, we can work towards preventing and addressing medical torture, affirming

the inherent dignity and worth of every individual and safeguarding the integrity of the medical profession. Through collective action and unwavering commitment to human rights, we can strive to create a world where torture and cruel treatment have no place, and all individuals are treated with respect, compassion, and dignity.