



**DOES ABSENCE OF INFORMED CONSENT CONSTITUTE A VIOLATION OF
HUMAN RIGHTS?**

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ABSTRACT

When medical care or treatment is provided, medical practitioners are required in many situations to obtain a patient's informed consent. The question is, what does this term mean? What can happen if proper informed consent is not given? The concept of informed consent is based on the principle that a physician has a duty to disclose information to the patient so that he or she can make a reasonable decision regarding treatment. This concept ensures the autonomy and independence of the patient. In the United States of America, some states have developed informed consent laws to govern certain types of communication between health providers and patients. These laws list the types of information that patients must be given so they can make an informed decision about getting medical care, diagnostic tests, or treatment. Nigeria does not have laws on informed consent, but certain provisions in the constitution as well as penal laws may be helpful in assessing the position of informed consent in Nigeria and evaluating the adequacy of these laws in addressing the effect of absence of informed consent in Nigeria.

Keywords: Informed Consent, Law, Human Rights, Medical Law, Physicians.