Consenso informato e "fine vita" nell'ordinamento internazionale: biodiritto, diritti fondamentali e tutela della dignità umana

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Informed Consent and End-of-Life in International Law: Biolaw, Human Rights Law and the Protection of Dignity

Abstract: The question how informed consent and the end-of-life should be regulated is still highly controversial, given the moral and ethical implications of these issues. Binding rules that specifically address the matter are neither provided under international law, with the exception of the Oviedo Convention, which was however adopted only in 1997 with a limited scope. The idea which seems therefore to emerge from the analysis of the international legal framework is that rather than being an autonomous corpus of rules, biolaw should be conceived as the legal response of human rights to problems arising from scientific and technologic innovations. In the light of that, the aim of this paper is i) to explore the contribution made by human rights law to the issues under consideration, and ii) to discuss the role that human dignity plays – or, rather, should play – in this context.

Keywords: Informed consent, End-of-life, International law, Bio-law, Human rights, Human dignity.

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