



## UN CONVENTION ON THE RIGHTS OF PERSONS WITH DISABILITIES

### A major step forward in promoting and protecting rights

The adoption of the UN Convention on the Rights of Persons with Disabilities represents a major step forward in improving the lives of people with mental disabilities. It encompasses provisions which are critical in ending violations and promoting and protecting human rights.

- People with mental disabilities in all over the world do not have access to good quality mental health services. Where such services do exist they are often provided through mental health institutions which are associated with numerous human rights violations and poor health outcomes.
- ➡ **The Convention promotes full inclusion and participation in community life and access to quality health care services as close as possible to people's own communities (*Article 19 - Living independently and being included in the community*). This has important implications in terms of deinstitutionalisation and the development of community based mental health and social services (*Article 12 Equal recognition before the law*).**
- People with mental disabilities are often assumed to lack capacity to take charge and make decisions concerning their own lives.
- ➡ **The Convention puts paid to this notion by promoting key rights such as the right to own property, to enter into contracts, to manage one's own financial affairs, to marry, work, and retain custody of one's children. Furthermore the Convention states that people with mental disabilities should retain their legal capacity, and, when required, should be provided with support in exercising their legal capacity and their rights (*Article 12 Equal recognition before the law*).**
- Stigma associated to mental disabilities results in people being denied a wide variety of economic, social, cultural, civil and political rights afforded to others.
- ➡ **By promoting the right participation in political and public life, to education, employment, health and habilitation/rehabilitation services, work and employment and other rights, the Convention provides a legal framework for putting an end to discrimination experienced on a daily basis by people with mental disabilities.**

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### Further information

For further information about the rights of people with mental disabilities visit the WHO MIND website:

[http://www.who.int/mental\\_health/policy/legislation/en/index.html](http://www.who.int/mental_health/policy/legislation/en/index.html)





For information about other WHO activities in the area of disability visit the WHO Disability and Rehabilitation website - <http://www.who.int/disabilities/en/index.html>

For further information about the UN Convention on the Rights of Persons with Disabilities visit the UN Enable website - <http://www.un.org/disabilities/>

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## References



**World Health Organization**  
( [http://www.who.int/mental\\_health/en/](http://www.who.int/mental_health/en/) )

- **WHO Resource on Mental Health, Human Rights and Legislation and WHO Checklist on Mental health Legislation (see Annex 1 of WHO Resource Book)** available in English, French, Spanish, Arabic, Chinese, Portuguese, Hindi and German at url: [http://www.who.int/mental\\_health/policy/en/](http://www.who.int/mental_health/policy/en/)
- **WHO Instrument to Assess Human Rights Conditions in Mental Health Facilities:** the Tool Kit is currently under development. Once finalized it will be available at url: [http://www.who.int/mental\\_health/policy/en/](http://www.who.int/mental_health/policy/en/)
- **Mental Health Atlas**, Geneva, World Health Organization, 2005. Available at url: <http://globalatlas.who.int/globalatlas/default.asp>
- **World Health Report 2001: Mental Health: New Understanding, New Hope.** Geneva, World Health Organization, 2001, available at url: <http://www.who.int/whr/2001/en/index.html>

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## Useful Links

- **Training Tools and Exercises** designed to increase people's knowledge and skills the area of mental health, human rights and legislation: [click here](#) (see annex 1 of the Resource Book).
- **Mental Health and Human Rights - Denied Citizens: Including the Excluded** webpage: [click here](#)
- **The WHO MIND Project** brochure: [click here](#)
- **WHO Health and Human Rights Website:** [click here](#)
- For **Best Practices** examples, a selection of **Country Summaries** and official documents: [click here](#)

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**Other useful information sheets:** [click here](#)

- Information sheet on WHO support to countries in developing human rights oriented mental health legislation.





- Information sheet on WHO support to countries to establish human rights monitoring mechanisms in mental health facilities
- Information sheet on monitoring the rights of people with mental disabilities
- Information sheet on Mental Health Legislation

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## Citations

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