



SUPPORTING COUNTRIES TO DEVELOP HUMAN RIGHTS ORIENTED MENTAL HEALTH LAWS

The role of WHO

➡ People with mental disabilities are exposed to a wide range of human rights violations

- Lack of mental health services in countries all over the world means that people are denied the basic right to access the treatment and care that they need. When mental health care *is* available it is often provided in psychiatric institutions which are associated with many violations including inadequate, degrading and harmful care and treatment as well as unhygienic and inhuman living conditions.
- Violations also occur outside the institutional context. The stigma surrounding mental disability means that people all over the world are discriminated against, denied the opportunity to exercise of their civil rights and experience limitations in the fields of employment, education, and housing. This stigma and discrimination can, in turn, impact on a person's ability to gain access to appropriate care, integrate into society, and recover from illness.

➡ Mental Health Law is important

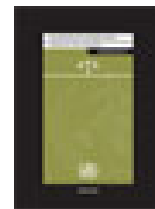
Legislation enables the codification and consolidation of the fundamental principles, values, aims and objectives of mental health policies and programmes. It provides a legal framework to ensure that critical issues affecting the lives of people with mental disabilities, both in mental health facilities and in the broader community context, are addressed.

The Role of WHO

WHO supports countries to develop and implement mental health law that promotes and protects the rights of people with mental disabilities.

➡ GUIDANCE MATERIALS AND TOOLS TO INFORM LAW REFORM

- **WHO Resource Book on Mental Health, Human Rights and Legislation** brings together information on international standards related to the rights of people with mental disabilities, key issues that need to be considered and included in national mental health law, and best practice strategies for developing, adopting and implementing mental health law.
- **WHO Checklist on Mental health Legislation** helps countries to review and assess the comprehensiveness and adequacy of existing law and/or identify key issues for inclusion in a new law.
- **Training Tools and Exercises** designed to increase people's knowledge and skills the area of mental health, human rights and legislation.





➡ **THE WHO INTERNATIONAL NETWORK OF EXPERTS**

- WHO has established an international network of experts able to provide countries with technical assistance in the area of mental health, human rights and legislation.
- Experts from each region have received training in WHO's framework and methodology for working with countries.

➡ **TECHNICAL SUPPORT TO COUNTRIES**

Support to countries typically includes the following activities:

- Analysis of human rights situation for people with mental disabilities
- Ongoing, in depth technical support during the drafting and implementation of law and regulations
- Critical analysis of existing mental health law and identification of key issues for the new law and regulations
- Evaluation of the mental health law reform
- Development of an action plan for developing and implementing mental health law

“All persons with a mental illness, or who are being treated as such persons, shall be treated with humanity and respect for the inherent dignity of the human person...There shall be no discrimination on the grounds of mental illness...”

UN Principles for the Protection of Persons with Mental Illness,
GA resolution 46/119 of 17 December 1991.

References

- **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/
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Useful Links

- **Training Tools and Exercises** designed to increase people's knowledge and skills in the area of mental health, human rights and legislation: [click here](#) (see annex1 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](#)

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

- 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
- Information sheet on promoting the rights of people with mental disabilities

Citations

Supporting countries to develop human rights oriented mental health laws. Geneva, World Health Organization, 2007

(http://www.who.int/mental_health/policy/services/en/index.html, accessed 4 September 2007; Mental Health, Human rights and Legislation Information Sheet, Sheet2).

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