



PROMOTING THE RIGHTS OF PEOPLE WITH MENTAL DISABILITIES

"All human beings are born free and equal in dignity and rights"
-The *Universal Declaration of Human Rights*

People with mental disabilities all over the world experience human rights violation, stigma and discrimination.

"In some countries, people are locked away in traditional mental hospitals, where they are continuously shackled and routinely beaten. Why? Because it is believed that mental illness is evil and that the afflicted are possessed by bad spirits."

"Children are tied to their beds, lying in soiled beds or clothing, and receiving no stimulation or rehabilitation for their condition."

"Countries continue to lock up patients in 'caged beds' for hours, days, weeks, or sometimes even months or years...A couple of patients have lived in these devices nearly 24 hours a day for at least the last 15 years."

- Examples of the kind of treatment some people with mental disabilities are subjected to -
Source: The *WHO Resource Book on Mental Health, Human Rights and Legislation*

WHO urges governments to:

DEVELOP AND IMPLEMENT POLICIES, PLANS, LAWS AND SERVICES THAT PROMOTE HUMAN RIGHTS

- Mental health policies and laws can be an effective way of preventing human rights violations and discrimination and promoting the autonomy and liberty of people with mental disabilities.
- Yet many countries fail to put them in place: 40% of countries have no mental health policy and 64% of countries do not have any mental health legislation or have legislation that is more than 10 years old¹.
- Even where mental health policies and laws do exist, many of them focus on confinement of people with mental disabilities in psychiatric institutions and fail to effectively safeguard their human rights.



■ Countries should adopt appropriate mental health policies, laws and services that promote the rights of people with mental disabilities and empower them to make choices about their lives, provide them with legal protections, and ensure their full integration and participation into the community.

¹ *Mental Health Atlas*, Geneva, World Health Organization, 2005.





IMPROVE ACCESS TO GOOD QUALITY MENTAL HEALTH TREATMENT AND CARE

- 450 million people around the world have mental, neurological or behavioural problems yet the majority of these people don't have access to appropriate mental health treatment and care².
- 30% of countries don't have a specified budget for mental health. Of those that do, 20% spend less than 1% of their total health budget on mental health³.
- Some countries lack adequate services, while in others services are available only to certain segments of the population.
- 32% of countries have no community care facilities defined as "any type of care, supervision and rehabilitation of mental patients outside the hospital by health and social workers based in the community"⁴.
- There are huge regional variations in the number of psychiatrists from more than 10 per 100,000 to fewer than 1 per 300,000⁵.
- Worldwide, 68.6% of psychiatric beds are in mental hospitals as opposed to general hospitals or other community settings⁶.



■ **Governments need to increase investment in mental health. In addition, the mental health workforce needs to be developed, ensuring that health and mental health professionals receive sufficient training on mental health at all levels of care.**

■ **Large institutions, which are often associated with human rights violations, should be replaced by community care facilities, backed by general hospital psychiatric beds and home care support.**



Credit: Basic Needs Ghana

² *World Health Report 2001: Mental Health: New Understanding, New Hope*. Geneva, World Health Organization, 2001

³ *Mental Health Atlas*, Geneva, World Health Organization, 2005.

⁴ Ibid

⁵ Ibid

⁶ Ibid





PROTECT AGAINST INHUMAN AND DEGRADING TREATMENT

- People living in mental health facilities are often exposed to inhuman and degrading treatment.
- They are sometimes put in seclusion or restraints for extended periods of time.
- Many are over-medicated to keep them docile and 'easy to manage'.
- People with mental disabilities are often assumed to lack the capacity to make health care decisions in their own interest. Many are inappropriately admitted to mental health facilities against their will and are provided with treatment without having given consent.
- People in some facilities also have to live in filthy conditions, lacking clothes, clean water, food, heating, proper bedding or hygiene facilities.

➔ **Human rights-oriented mental health policies and laws can be an effective way of preventing violations and discrimination and promoting the autonomy and liberty of people with mental disabilities and should be put in place.**

Free and informed consent should form the basis of treatment and rehabilitation for most people with mental disabilities. People should be consulted and involved in decisions related to their treatment and care.

The improper use of seclusion and restraints should be outlawed.

People have the right to living conditions that respect and promote their dignity. They have the right to adequate food, clothing, basic hygiene standards, safety and security, stimulation including recreational, educational, and vocational activities, to confidentiality, privacy, access to information, freedom of communication

Patients should be informed of their rights when interacting with mental health services and this information should be conveyed in such a way that they are able to understand it.

Legal mechanisms and monitoring bodies need to be in place to protect against inhuman and degrading treatment including inappropriate and arbitrary involuntary admission and treatment. People should also have recourse to complaints mechanisms in cases of human rights violations.



Credits: Bakary Sonko / Harrie Timmermans/Global Initiative on Psychiatry





INVOLVE MENTAL HEALTH SERVICE USERS AND FAMILIES

- As recipients of mental health services, people with mental disabilities as well as their families are the people who are most directly affected by issues related to mental health. As such, they are in the best position to highlight problems, specify their needs, and help find solutions to improving mental health in countries.
- In many countries mental health service user as well as family organizations play a critical and extremely active role in all issues and related to mental health.
- In most countries however, mental health service users as well families are totally excluded from all matters related to mental health.

➔ **■ Governments should encourage the empowerment of mental health service users and families by supporting the creation and/or strengthening of groups representing their interest.**

■ The perspectives of mental health service users, their families and others representing their interests is crucial to securing human rights. It is essential that they form an integral part of decision-making processes and activities and be directly involved in the design and implementation of mental health policies, plans, laws and services.

CHANGE ATTITUDES AND RAISE AWARENESS

- The myths and misconceptions surrounding mental disability acts as a barrier to treatment. People with mental disabilities and their families fail to seek the care and support that they require for fear of being stigmatized.
- Stigma associated with mental disability also results in discrimination and human rights violations. All over the world people with mental disabilities face discrimination in the areas of employment, health, education, housing, education. Many are denied basic human rights such as the right to vote, to marry and have children.

➔ **■ Much of the stigma surrounding mental illness could be prevented by changing attitudes and making the public aware that mental disorders are treatable.**

■ Combating stigma and discrimination is not the sole responsibility of the Ministries of Health and requires a multi-sectoral approach, involving education, labour, welfare and justice sectors among others.

■ Ministries of Health as well as mental health service user representatives or organizations, family groups, health professionals, NGOs, academic institutions, professional organizations and other stakeholders should unify their efforts in educating and changing public attitudes towards mental illness and advocating for the human rights of people with mental disabilities.





Credit: Sylvester Katontoka

References



World Health Organization

(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/
- **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/
- **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>





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](#)

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

Citations

Promoting the rights of people with mental disabilities. 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, Sheet1).

Key Contacts

Mental Health Policy and Service Development,
Department of Mental Health and Substance Abuse, WHO Geneva:



Dr Michelle Funk, Coordinator (funkm@who.int)
Ms Natalie Drew & Dr Edwige Faydi,
Technical Officers (drewn@who.int; faydie@who.int)
Tel. +41 (22) 791 38 55 - Fax. +41 (22) 791 41 60

