

Promoting and Protecting the Rights of People with Mental Disorders

People with mental disorders all over the world experience human rights violation, stigma and discrimination. In order to address this problem, 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 disorders.*
- *Yet many countries fail to put them in place. 40% of countries for example, 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 old.*
- *Even where mental health policies and laws do exist, many of them focus on confinement of people with mental disorders 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 disorders and empower them to make choices about their lives, provide them with legal protections, and ensure their full integration and participation into the community.

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 care.*
- *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 health.*
- *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"*
- *There are huge regional variations in the number of psychiatrists from more than 10 per 100,000 to fewer than 1 per 300,000*
- *Worldwide, 68.6% of psychiatric beds are in mental hospitals as opposed to general hospitals or other community settings.*
- 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.

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 disorders 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.*
- Free and informed consent should form the basis of treatment and rehabilitation for most people with mental disorders. 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 patients 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.

INVOLVE MENTAL HEALTH SERVICE USERS AND FAMILIES

- *As recipients of mental health services, people with mental disorders as well as their families are the people who are most directly affected by issues related to mental health. As such, their perspective and involvement in mental health decisions and activities is crucial to ensuring that the needs of people with mental disorders are met and that their rights are respected.*

- *In some 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
- Individuals or groups representing the interests of mental health service users and families are in the best position to highlight problems, specify their needs, and help find solutions to improving mental health in countries. It is therefore essential that they be involved in the design and implementation of policies, plans, laws and services.

CHANGE ATTITUDES AND RAISE AWARENESS

- *The stigma, myths and misconceptions surrounding mental disorders acts as a barrier to treatment. People with mental disorders and their families fail to seek the care and support that they require for fear of being stigmatised.*
- *Stigma associated with mental disorders also results in discrimination and human rights violations. All over the world people with mental disorders 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.
- Ministries of Health as well as mental health service user representatives or organisations, family groups, health professionals, NGOs, academic institutions, professional organisations and other stakeholders all have an important roles to play and should unify their efforts in educating and changing public attitudes towards mental illness and advocating for the human rights of people with mental disorders.
- 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.