Good afternoon,

Please find below the comments by Portugal.

Best

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Portugal thanks WHO for this consultation and for preparing a menu of policy options and cost-effective interventions in the area of mental health, as requested by WHA.

Promoting a human rights approach to mental health is a priority for Portugal.

The availability of mental health services, interventions and treatments is essential. However, we firmly believe that those services, interventions and treatments have to be grounded on human rights. Evidence shows that individual treatment approaches over-relying on psychotropic medications and institutional care, and based on coercive, violent and punitive approaches, which often pretend to be treatment, can do more harm than good and violate human rights.

Portugal has been leading in the Human Rights Council the international call for a paradigm shift in mental health, from an excessively biomedical approach to a people-centred, recovery-oriented, community and human rights-based approach. In 2016, Portugal initiated the process which conduced to the consensual adoption, by the UN Human Rights Council of two resolutions on Mental Health and Human Rights, which were drafted in close consultation and with the support both from WHO and the Office of the UN High Commissioner for Human Rights.

Their main goal is to raise awareness to the obligation of fully respecting all human rights of persons with mental health conditions and psychosocial disabilities, in line with the CRPD, and to implement a human rights-based approach in mental health in order to ensure that people are provided with quality mental health services and that we combat situations of violence, stigma, discrimination, coercion and segregation in this context.

The last resolution (36/13) calls upon States, inter alia, to abandon all practices that fail to respect the rights, will and preferences of all persons, on an equal basis, and that lead to power imbalances between mental health professionals and people using services, stigma and discrimination in mental health settings and refers to some of the most pressing challenges in mental health such as institutionalization, the over medicalization of the mental health field, whereby social problems and challenges are medicalized and people are put on medication rather than provided with psychosocial care and other support.
There is indeed an urgent need to develop rights-based strategies to promote and protect the mental health of all as a genuine global health and human rights priority.

While we acknowledge and welcome some references to human rights in the draft menu cost-effective interventions, we urge WHO to include the implementation of a human rights approach to mental health as an overarching priority of this document and of all its activities in the field of mental health, as well as to uphold the key issues contained in the above mentioned resolution (available in: https://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/RES/36/13 ). Human rights need to be included in any document discussing best buys in mental health.”

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Permanent Mission of Portugal in Geneva