

# AMNESTY INTERNATIONAL PRESS RELEASE

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## Human rights imperative for mental health reforms

The only way to ensure respect for human rights in mental health systems and in-patient facilities is through effective enforcement of international human rights standards, principally through rights-based national legislation, Amnesty International said on the eve of the World Health Organization's (WHO) European Ministerial Conference on Mental Health in Helsinki, Finland, on 12-15 January 2005.

In Europe, one fifth of children and adolescents experience developmental, emotional or behavioural problems, and one in eight have a mental disorder. Many of these disorders are recurrent or chronic. Mental disorders affect one person in four in their lifetime, and can be found in 10 per cent of the adult population. It has been estimated that mental disorders and problems will increase by 50 per cent by the year 2020. Yet, according to the WHO Regional Office for Europe: "All countries [in the region] have to work with limited resources. Too often, prejudice and stigma hamper the development of mental health policies, and are reflected in poor services, low status for care providers and a lack of human rights for mentally ill people."

Protecting the rights of people with, or at risk of, mental health problems or intellectual disabilities (hereafter referred to as people with mental disabilities), particularly those placed in mental health in-patient facilities, is at the core of recommendations which Amnesty International has addressed to a number of European states. Concerns about the treatment of people with mental disabilities, in Romania and Bulgaria in particular, have been the subject of Amnesty International reports.

"Mental health services must take into account that patients have rights too - it is essential that people with mental illness have a right to inform and participate in all decision-making and policy formulation that affect them," Amnesty International said.

International human rights standards protecting the dignity and human rights of people with mental disorders should be incorporated into mental health laws and practice of all European states. All states should also ensure their allocation of resources to mental health services is sufficient to allow human rights standards to be met. Amnesty International urges all states, to review and reform their mental health systems and laws to ensure compliance with international human rights norms and best professional practice. Mental health service users should play a part in that process.

At the Helsinki Conference, the 52 countries in the WHO European Region are expected to agree a Mental Health Declaration and Action Plan for Europe. Amnesty International considers that these commitments must be underpinned by human rights in international treaties that provide:

important protections to people with mental health disabilities, including the right to the highest attainable standard of physical and mental health;  
protection against discrimination;  
protection against torture, inhuman, or degrading treatment;  
protection against arbitrary detention.

Amnesty International urges Member States of the WHO European Region to engage meaningfully in follow-up actions arising from the Helsinki Conference, to ensure national laws and mental health services respect and promote the basic rights of all people with mental health problems, especially those placed in mental health facilities, and that they are provided with treatment and care that is in line with international human rights standards and best professional practice.

"Even if the Helsinki Declaration and Action Plan adequately reflect human rights standards, its implementation will require concerted and well coordinated action by all relevant ministries and other authorities. It is essential that detailed programmes of action follow from governments which also promote human rights, with clear timeframes and dedicated resources," Amnesty International said.

The organization urges the institutions of the European Union (EU) to support a human-rights-based approach to the Declaration and Action Plan, and its implementation.

"The EU has already adopted a wide number of instruments such as the European Convention on Human Rights, the European Charter on Social Rights and the Charter of Fundamental Rights. It cannot ignore the appalling situation of mental health patients in its deliberations on the proposed accession of Bulgaria and Romania to the EU."

Amnesty International urges that the inextricable links between respect for international human rights standards and national mental health systems be reflected in the Action Plan.

"Failure of government policies to respect the wider human rights of communities - to physical health, non-discrimination, housing, education or respect for one's culture for example - can have a profound impact on the mental health of individuals."

## **Background**

WHO, the EU and the Council of Europe, and a number of member states of WHO European Region, are organizing a Ministerial Conference entitled "Mental health: Facing the challenges, building solutions" to be held in Helsinki, Finland from 12 to 15 January 2005, attended by invited representatives of all 52 Member States in the WHO/European Region and of selected organizations. The topics of human rights and the stigma attached to mental ill health and care services will be a central theme of the Conference.

Within the mental health systems of some states in the European region, particularly grave and systematic abuses of human rights have been documented by Amnesty International. For further information see:

*Romania: Memorandum to the government concerning inpatient psychiatric treatment* AI Index: EUR 39/003/2004;

*Romania: Patients at the Poiana Mare psychiatric hospital* AI Index: EUR 39/002/2004;

*Harry Potter joins the fight to end Czech "cage bed" use* AI Index: EUR 71/002/2004;

*Rough Justice: The law and human rights in the Russian Federation* AI Index: EUR 46/054/2003;

*Mental Illness, The Neglected Quarter*, AI Ireland, February 2004;

*Bulgaria: Far from the eyes of society* AI Index: EUR 15/005/2002.

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