

Round Table 3 "Promoting Inclusive environments for the full implementation of the CRPD"

from 10:00am to 12:00pm EST, 3 December 2020

Statement by Bhargavi Davar

TCI (Transforming Communities for the Inclusion of persons with psychosocial disabilities) is a regional DPO of persons with psychosocial disabilities in the Asia and Pacific regions. TCI advocates for Article 19 of the CRPD, that is the right to live independently and be included in communities. Inclusion is the outcome of the realization of all civil, political, social and economic rights, as provided for in the CRPD, and is a human right in itself.

TCI deeply appreciates the convergence of many UN agencies including the CRPD Treaty body, the Human Rights Council, the special procedures mechanisms (SR offices), the ILO, the WHO to name a few, to transform the mental health systems worldwide from the medical model to the social model. The Mental Health and Human Rights resolution, reports of several Special Reporters (Disability, Torture and Health), the WHO Quality Rights initiative to reform mental health systems and allied public policies, have reflected the worldwide experience of users and survivors of psychiatry- that, traditional mental health systems cause harm and violence through the use of coercion and force. The continuing presence of incapacity provisions in law, including constitutional law, along with involuntary commitment to medical care institutions, result in full exclusion for persons presumed to be 'mentally ill' and persons with psychosocial disabilities.

Despite a decade and over, of the CRPD, and states parties obligations to dismantle laws that cancel out our civil and political rights, legal incapacity laws and custodial institutions have remained. Unfortunately, using the CRPD momentum, we have also been witness to sweeping efforts to 'scale up' mental health services in its traditional sense, especially in the global south, resulting in an upsurge of human rights violations and silencing of our voices. During COVID times, institutionalization has increased and violations of right to life and liberty (such as triple detention inside a mental asylum) have multiplied.

We are in an ironic situation of having to assert that "nothing about us without us" is *our* slogan, the slogan of DPOs of persons with psychosocial disabilities. We are having to exhort a moral obligation that this slogan ought not to be appropriated by medical service providers who continue to distort our speech, stifle us into silence and run our movements. The right to form independent and autonomous associations of persons with psychosocial disabilities must be upheld worldwide. This is a vital first step to our full inclusion.

UN mechanisms at different levels have guided mental health systems to move from mere harm reduction and amelioration, to a complete paradigm shift towards transformation. Such transformation, we expect will enhance the true potential available within a broader range of developed linked social and human services, to offer personal support, and a variety of psychosocial, wellbeing promoting, trauma informed, human rights compliant and community centered services to people who may seek such services.

Until such transformation happens worldwide, to independent and inclusive community living, to barrier free environments, being able to access development solutions and to choose from a range of social, economic, leisure, nutritional, sporting, cultural, and other services, the full inclusion of

persons with psychosocial disabilities is hard to envision and implement. A recent learning for TCI is that any service should enhance the potential and the opportunities for the inclusion of persons with disabilities, and not reduce it (as the mental health systems are continuing to do). Inclusion is about access to all the human rights as provided for in the CRPD, with the person with a psychosocial disability at the central point of *all* decision making.

Areas of engagement for TCI has been around the life threatening situation faced by persons with psychosocial disabilities during disaster, living as we are in disaster prone regions. Persons with psychosocial disabilities are excluded from social protection, housing, work and livelihoods, financial, educational and other development linked services and programs. Political participation continues to be a big challenge, as the right to vote, stand in elections and hold public office are denied in many countries, sometimes constitutionally.

Honourable officers here today, ladies and gentlemen, as far as persons with psychosocial disabilities are concerned, we have a lot to do towards our full inclusion! Thank you!!