



We Shall Overcome (WSO), Norway¹

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**Statement by We Shall Overcome (WSO), Norway for the UN CRPD
online regional consultation on deinstitutionalization
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In a time of crisis, the marginalized, segregated and institutionalized become even more excluded, isolated and invisible. Persons with psychosocial disabilities who are already rendered powerless in facing institutionalization and forced psychiatric interventions, are left even more on the margins during a global pandemic.

We Shall Overcome is a Norwegian DPO representing persons with psychosocial disabilities, users and survivors of psychiatry. We experience systematic and structural discrimination and deprivation of fundamental human rights, including the right to self-determination in crucial areas of life. Thousands are detained in Norwegian mental health facilities each year. Some are institutionalized for a lifetime.

The system of forced psychiatry as a whole; the indefinite incarceration or threat of such, placement in institutions, the highly intrusive, violent and harmful non-consensual medical interventions, the enforced administration of mind-altering drugs and electroshock, isolation and restraints, the degradation of forced nudity, the removal of self-determination, losing

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the power to control our own bodies and minds, the loss of control over virtually all aspects of our daily life, down to who we can meet and talk to or when we can eat, leaving us powerless in the hands of the medical professionals. This and the infliction of fear, suffering, pain and trauma, are all together creating a torturing environment. As recognized by the UN Special Rapporteur on Torture, involuntary psychiatric interventions generally involve highly discriminatory and coercive attempts at controlling or correcting the victim's personality, behaviour or choices, almost always inflict severe pain or suffering, and may amount to torture.²

We have persistently voiced the demand for abolition of forced mental health interventions, and for these gross and systemic human rights violations to be remedied and redressed.

There is a need for:

- Absolute prohibition of forced treatment and commitment, with a repeal of all legal provisions that authorize any forced or non-consensual interventions or treatments in the mental health system.
- Development of laws and policies that replaces coercive regimes and ensure that all services are based on the free and informed consent of the person concerned, including in emergency situations.
- Securing victims of forced psychiatry access to effective remedies and redress, including effective mechanisms to obtain immediate release from any confinement or forced intervention in mental health settings.³

² UN Special Rapporteur on Torture, report on psychological torture, 14 February 2020, A/HRC/43/49, para 37.

³ CRPD, GC 5 on Art 19, para 48.

- Establishing a public authority to provide for access to housing, economic and social support in order to facilitate deinstitutionalization and the right to live independently and be included in the community. Such assistance programmes should not be centred on the provision of mental health services or treatment, but affordable community-based services, including alternatives that are free from medical diagnosis and interventions.⁴
- Providing victims of forced psychiatry with **compensation**, as well as other forms of reparations, in accordance with the UN Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violation of International Human Rights Law.⁵ Since coercive mental health practices represent patterns of violence against persons with disabilities, reparation is needed on a collective, as well as an individual level.⁶

(520 words)

⁴ UN Basic Principles and Guidelines on remedies and procedures on the right to anyone deprived of their liberty to bring proceedings before a court, UN Working Group on Arbitrary Detention, A/HRC/30/37, para 126e (text as adopted with footnotes WGAD/CRP.1/2015).

⁵ Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violation of International Human Rights Law adopted by the General Assembly in resolution 60/147 (2005).

⁶ **Compensation; Rehabilitation; Restitution** to re-establish the victim's situation before the violation was committed, including restoration of liberty and freedom from forced treatment, enjoyment of family life and citizenship, return to one's place of residence, and restoration of employment; **Satisfaction**, including restoring the rights of the victim; sanctions against persons liable for the violations; investigation and criminal prosecution, disclosure of truth, public apologies, acknowledgement of the facts and acceptance of responsibility; **Guarantees of non-repetition**, including taking measures to combat impunity, reviewing and reforming laws contributing to or allowing the violations, and secure protection of the law against future acts.