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INTERNATIONAL CONFERENCE
ON PATIENTS' RIGHTS

**From Coercion to Choice: Transforming Mental
Health under the CRPD**

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CRPD Framework on Mental Health and Autonomy



The Convention on the Rights of Persons with Disabilities fundamentally changes how we approach mental health.

- Persons with psychosocial disabilities are rights holders
- Disability can never justify deprivation of liberty
- Equal recognition before the law is universal

Key Articles:

- Article 12 – Equal recognition before the law
- Article 14 – Liberty and security of the person
- Article 17 – Protecting integrity
- Article 25 – Health
- Article 19 – Living independently and being included in the community



Article 12: Legal Capacity Is Universal



Article 12 guarantees:

- Legal capacity on an equal basis with others
- The right to make decisions about one's own life and health
- Access to support in decision-making

This means:

- Mental health diagnosis does not remove legal capacity
- Substitute decision-making must be replaced with supported decision-making
- Consent must be free and informed



Article 14: Liberty Cannot Be Based on Disability



Article 14 clearly states:

The existence of a disability shall in no case justify a deprivation of liberty.

Implications:

- Involuntary admission based solely on psychosocial disability is incompatible with CRPD standards
- Risk assessments cannot be discriminatory
- Safeguards must apply equally

**The CRPD Committee has repeatedly clarified:
Detention linked to disability status contradicts the
Convention.**



Transforming Mental Health Systems Under CRPD



A CRPD-compliant system requires:

- Community-based services instead of institutional reliance
- Crisis support that respects will and preferences
- Independent advocacy and complaint mechanisms
- Training of professionals in rights-based practice
- Participation of persons with psychosocial disabilities in reforms

The core principle of the CRPD: Nothing *about us* without us.