

Q&A

Universal Periodic Review Disability Joint Stakeholder Report for United States: Summary of Issues

What are the main issues? Despite the existence of anti-discrimination legislation, Americans with disabilities are daily experiencing gross human rights violations, including involuntary euthanasia, forced psychiatric treatment, and forced institutionalization, which destroy their quality of life when not causing death outright.

Why are these the main issues? These acts, which take place with a cloak of acceptability as medical practices, violate virtually every article of the Universal Declaration of Human Rights.

Are there Alternatives? Yes. Good practices, such as provision of personal assistance in the home (not institutions), and trauma-informed support (instead of medication and restraint) are available.

Why are Alternatives not utilized? Laws and funding are biased in favor of institutionalization and suppression of individual humanity, autonomy and personality.

What are our four key recommendations?

1. Abolish civil commitment and compulsory mental health treatment, for children, youth, and adults of all ages including seniors, and provide trauma-informed support for people in periods of crisis or distress.
2. End the institutional bias in disability-related services and funding, and ensure that supports are available in a person's own home to the full extent of need.
3. Stop involuntary euthanasia by prohibiting the involuntary withholding of life-sustaining treatment by third party decision-makers.
4. Ratify the CRPD without any reservations, understandings or declarations that undermine the treaty.

How do I get more information?

Contact:

Tina Minkowitz, Center for the Human Rights of Users and Survivors of Psychiatry
Coordinator of Disability Joint Stakeholder Report
tminkowitz@earthlink.net

Who are we?

ADAPT * Center for the Human Rights of Users and Survivors of Psychiatry (CHRUSP) * Nationwide Organizing Call to Action:
Stop Forced "Mental Health" Treatment * Not Dead Yet *
Self Advocates Becoming Empowered * The Opal Project *
The U.S. Network of Users and Survivors of Psychiatry

www.CHRUSP.org
<http://notdeadyetnewscommentary.blogspot.com>

www.ADAPT.org
www.StopForceNow.org

www.sabeusa.org
www.TheOpalProject.org

Please Ask

these questions of the United States of America:::

Will the U.S. work with the legislature to pass the Community Choice Act?

The U.S. Supreme Court ruled in 1999 that seniors and people with disabilities have the civil right to receive long term care services in the "most integrated setting" that meets their needs. This civil right has not been implemented because of the institutional bias in Medicaid funding. The Community Choice Act would reverse that funding bias.

Will the U.S. propose legislation or take executive action to affirm and enforce the rights of seniors and individuals with disabilities not to be deprived of life sustaining medical treatment without their consent?

Health care providers and third party decision makers must never be permitted to withhold or withdraw life sustaining medical treatment from seniors and people with disabilities contrary to their expressed wishes. If the individual's wishes cannot be ascertained, even after careful attempts to communicate, then abuses must be prevented and third party decision makers should be held to strict constitutional standards due to the potential for financial and personal conflicts of interest.

Will the U.S. propose legislation or take executive action to end involuntary confinement and involuntary treatment in the mental health system, for youth and adults?

State laws allow inpatient and outpatient commitment and forced treatment with mind-altering drugs and electroshock for both youth and adults, and youth in particular have no right to object to these traumatic and abusive practices. The federal government supports some initiatives on trauma-informed care and peer-run alternatives but stops short of following the recommendation of the National Council on Disability to move policy towards a totally voluntary mental health system. Clear federal policy and civil rights legislation are needed to dismantle the abusive system and implement positive change.

Will the U.S. commit to ratification of the CRPD without any reservations, understandings or declarations that undermine the treaty?

For the full report, please see the USHRN website at:

http://www.ushrnetwork.org/sites/default/files/Disability_Joint_Report_USA.pdf

www.CHRUSP.org
<http://notdeadyetnewscommentary.blogspot.com>

www.ADAPT.org
www.StopForceNow.org

www.sabeusa.org
www.TheOpalProject.org
