

1996

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Recommended Citation

O'Malley, Catherine. "MDRI Advocates for Mental Disability Rights in Latin America." Human Rights Brief 4, no. 1 (1996): 21.

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MDRI Advocates for Mental Disability Rights in Latin America

by Catherine O'Malley*

In October 1996, Mental Disability Rights International (MDRI) presented testimony before the Organization of American States (OAS), providing recommendations and support for the current drafting of the Inter-American Convention to Eliminate All Forms of Discrimination by Reason of Disability.

Representatives of the Pan American Health Organization (PAHO), Heidi Jiménez and Dr. Alcida Perez de Velasquez, stated that a "high-impact" document such as the Convention is needed to promote the development and implementation of national and local measures aimed at integrating people with disabilities into community life. They urged the OAS to consider prevention, rehabilitation and integration issues in drafting the Convention. Jiménez noted the significant variations in the quality of disability legislation across the region, and she emphasized the importance of a convention that establishes universal legal standards.

Professor Dinerstein, an expert in disability rights and member of the President's Committee on Mental Retardation, addressed the meaning and nuances of essential terms, such as "disability" and "discrimination." He also urged the OAS to include the affirmative duty of "reasonable accommodation" in the Convention, illustrating this concept with examples, such as work schedule modifications and extensions of the time allotted to take an examination.

MDRI's Catherine O'Malley described the pervasive discrimination against people with mental, sensory, and physical disabilities. She explained that the United Nations has developed standards specifically to protect the rights of people with disabilities, including mental disabilities, yet these standards have not yet reached the level of a convention. An OAS convention which uses UN standards as a guideline would support disability initiatives of governments and NGOs throughout the region. Drawing from the UN's "Principles for the Protection of Persons with Mental Illness," O'Malley recommended that two specific rights be added to the Convention: the right to treatment in the least restrictive environment; and the right to be treated and cared for, as far as possible, in the community in which a person lives.

CEJIL's Viviana Krsticevic stressed the need for the Convention and urged the

OAS to delineate specific rights, such as the right to education, to marry, to live and work in the community, and the right not to be subjected to experiments without informed consent.

The development of the Convention follows a mandate from the Panama Commitment to Persons with Disabilities in the American Hemisphere, adopted by the General Assembly in June 1996, which calls for Member States to improve services and opportunities for people with disabilities in areas such as health, education, and employment. MDRI will continue to support the development of the OAS Convention.

The Americas Group will provide a forum for participants to share ideas and experiences about advocacy strategies and alternative models for mental health care.

MDRI is also collaborating with PAHO to establish the Americas Group for the Rights of People with Mental Disabilities, an initiative to support mental disability advocacy projects throughout the Americas.

The Americas Group will provide a forum for participants to share ideas and experiences about advocacy strategies and alternative models for mental health care. Americas Group participants from throughout the Americas will present workshops on such issues as international human rights standards and guidelines for mental health legislation, in order to develop local action plans for meaningful mental health system reform. The Americas Group newsletter will foster a communication network among participants, disseminating information about the Group.

The Americas Group will serve as an umbrella for a diverse array of non-governmental, governmental, regional, and international organizations. Over 120 organizations and individuals from throughout the region have expressed interest in participating, and MDRI and PAHO are currently seeking funding to support this initiative.

For information on how to support the adoption of the convention on disabilities, or about joining and/or supporting the Americas Group, please con-

tact Catherine O'Malley at MDRI, (202) 274-4187; fax: (202) 274-4130; e-mail: mdri@american.edu. ☎

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