



HUMAN RIGHTS

The Norway view of Human Rights

Tor Helge Tjelta

Norwegian Association of Mental Health

Work/City of Oslo

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Tor Helge Tjelta

Chair of the Norwegian Association for Mental Health Work

Head of a local Development Center for Mental Health & Addiction in the City of Oslo, District Gamle Oslo

Project Manager for FACT Gamle Oslo, Lovisenberg Diaconal Hospital

Mentor/Coach for ACT/FACT in Oslo (+ FACT Youth, FACT Addiction and FACT Elderly with SMI over 65 years)

Master in collaboration management and PhD-fellow in Innovation in Services in the Public and Private Sectors (FACT – INNOFACT)

Member of the steering group of EUCOMS and in the board of Erfaringsentrum

NORWAY

The best country in the world in which to live in for many years!

The United Nations Development Program (UNDP) has once again ranked Norway as the best country in the world in which to live (2018).

Norway scored highest on the UN's annual index measuring longevity, education levels and gross income per capital.

NORWAY

The happiest country in the world 2017



<https://www.youtube.com/watch?v=v5JxTKtPK90>



So what's the situation of Human Rights in Mental Health in Norway?

One of the happiest people and best countries in the world?

CRPD in Norway

The United Nations Convention on the Rights of Persons with Disabilities (CRPD).

The Equality and Anti-Discrimination Ombud in Norway:

1. The Convention has not been incorporated, the Optional Protocol has not been ratified and the interpretative declarations have been upheld.

CRPD in Norway

The United Nations Convention on the Rights of Persons with Disabilities (CRPD).

The Equality and Anti-Discrimination Ombud in Norway:

2. Disabled people are not sufficiently involved in the forums where the premises for legislation and policy are set.

CRPD in Norway

The United Nations Convention on the Rights of Persons with Disabilities (CRPD).

The Equality and Anti-Discrimination Ombud in Norway:

3. There is reason to believe that the authorities and service providers have little awareness and knowledge of the Convention.

CRPD in Norway

The United Nations Convention on the Rights of Persons with Disabilities (CRPD).

The Equality and Anti-Discrimination Ombud in Norway:

4. Knowledge and documentation of discrimination are inadequate, including of its causes and extent and effective countermeasures.

CRPD in Norway

The United Nations Convention on the Rights of Persons with Disabilities (CRPD).

The Equality and Anti-Discrimination Ombud in Norway:

5. Disproportionate and harmful coercion is still used in relation to people with intellectual impairments and mental patients.

CRPD in Norway

The United Nations Convention on the Rights of Persons with Disabilities (CRPD).

The Equality and Anti-Discrimination Ombud in Norway:

6. The current guardianship system does not provide the supported decision-making that the Convention requires.

CRPD in Norway

The United Nations Convention on the Rights of Persons with Disabilities (CRPD).

The Equality and Anti-Discrimination Ombud in Norway:

7. The authorities do not do enough to prevent, protect against and prosecute violence against and abuse of disabled people.

CRPD in Norway

The United Nations Convention on the Rights of Persons with Disabilities (CRPD).

The Equality and Anti-Discrimination Ombud in Norway:

8. The authorities do not do enough to prevent, protect against and prosecute harassment and hate crime against disabled people.

CRPD in Norway

The United Nations Convention on the Rights of Persons with Disabilities (CRPD).

The Equality and Anti-Discrimination Ombud in Norway:

9. The authorities' measures to increase labour market participation and inclusion have not been sufficiently successful.

CRPD in Norway

The United Nations Convention on the Rights of Persons with Disabilities (CRPD).

The Equality and Anti-Discrimination Ombud in Norway:

10. There is still a long way to go until society can be said to be universally designed. There are still children who cannot attend their local school because it is physically inaccessible to them.

CRPD in Norway

The United Nations Convention on the Rights of Persons with Disabilities (CRPD).

The Equality and Anti-Discrimination Ombud in Norway:

11. There is still a long way to go before disabled people have equal access to information, goods and services.

CRPD in Norway

Since 2015, the Norwegian authorities have taken several steps to facilitate a human rights-based approach to disability. For example, committees and expert groups have been appointed to examine and access the rights of people with intellectual impairments, the regulations relating to coercion in the health and care sector, and how to ensure inclusive education.

CRPD in Norway

How these issues relate to Norway's human rights obligations, including the CRPD, has had a central place in the work of several of these committees. Some amendments have also been made to legislation in the area of coercion and anti-discrimination, and a strategy has been adopted to combat hate speech that also covers disability.

CRPD in Norway

However, Norway still lacks a comprehensive policy to dismantle barriers created by society, combat prejudice and discrimination, and involve disabled people in policy-making.

CRPD in Norway

The report from the expert committee charged with looking into the rights of people with intellectual impairments concluded that Norwegian legislation and practices deviate from the requirements of the Convention in several areas of society.

CRPD in Norway

The committee made a number of recommendations. The authorities have followed up the committee's report by initiating work on a strategy plan for equality for disabled people, and it was decided in June 2018 that a new white paper will be issued on the rights of people with intellectual impairments. Other than this, the report has not resulted in much concrete action.

The Ombud is concerned

about the lack of knowlegde and awareness of the Convention and that the Convention is not used as the instrument it is intended to be.

The Ombud is concerned

that Norway has upheld its interpretative declarations, and despite the fact that it was particularly relevant of incorporate the Convention in connection with the amendments of the anti-discrimination legislation in 2017, the authorities did not propose incorporation. This weakens the Convention's position as a legal instrument.

The Ombud is concerned

about Norway's interpretative declarations to Articles 14 and 25 of the CRPD are upheld.

A Supreme Court judgement from 2016 confirms the Ombud's concerns that the interpretative declarations mean that, in reality, people with psychosocial impairment are prevented from effectively using the rights in the CRPD to challenge the use of coercion in mental health care.

In 2017, the Storting adopted an additional condition concerning lack of capacity to consent in order to apply and implement compulsory mental health care. Coercion can now only be used for *treatment purposes* if ‘the patient, on account of a physical or mental disorder, senile dementia or mental retardation, is clearly incapable of understanding what the consent entails’. At the same time, stricter requirements were adopted for giving grounds for decisions to treat patients without their consent.

“A step in the right direction”

The Ombud regards the additional condition as a step in the right direction as regards increasing self-determination and improving the due process protection of people with psychosocial impairments. The number of committals to mental health care facilities has decreased since the provision came into place.

(But have now increased again, my remarks)

The Ombud is concerned about

whether persons who can no longer be treated against their will, in practice will be ensured adequate voluntary health care.

The authorities have issued instructions to all regional health authorities requiring them to establish medication-free treatment options.

The UN Committee against Torture (CAT)

CAT have expressed concerns about the widespread use of isolation of inmates with mental health disorders in prisons; ‘the severe insufficiency of mental health care services and of the capacities of inpatient psychiatric wards to accommodate prisoners with serious mental illnesses, which often result in their placement in isolation, including security cells, which leads to further deterioration of their health’.

The UN-Committee of the Rights of the Child

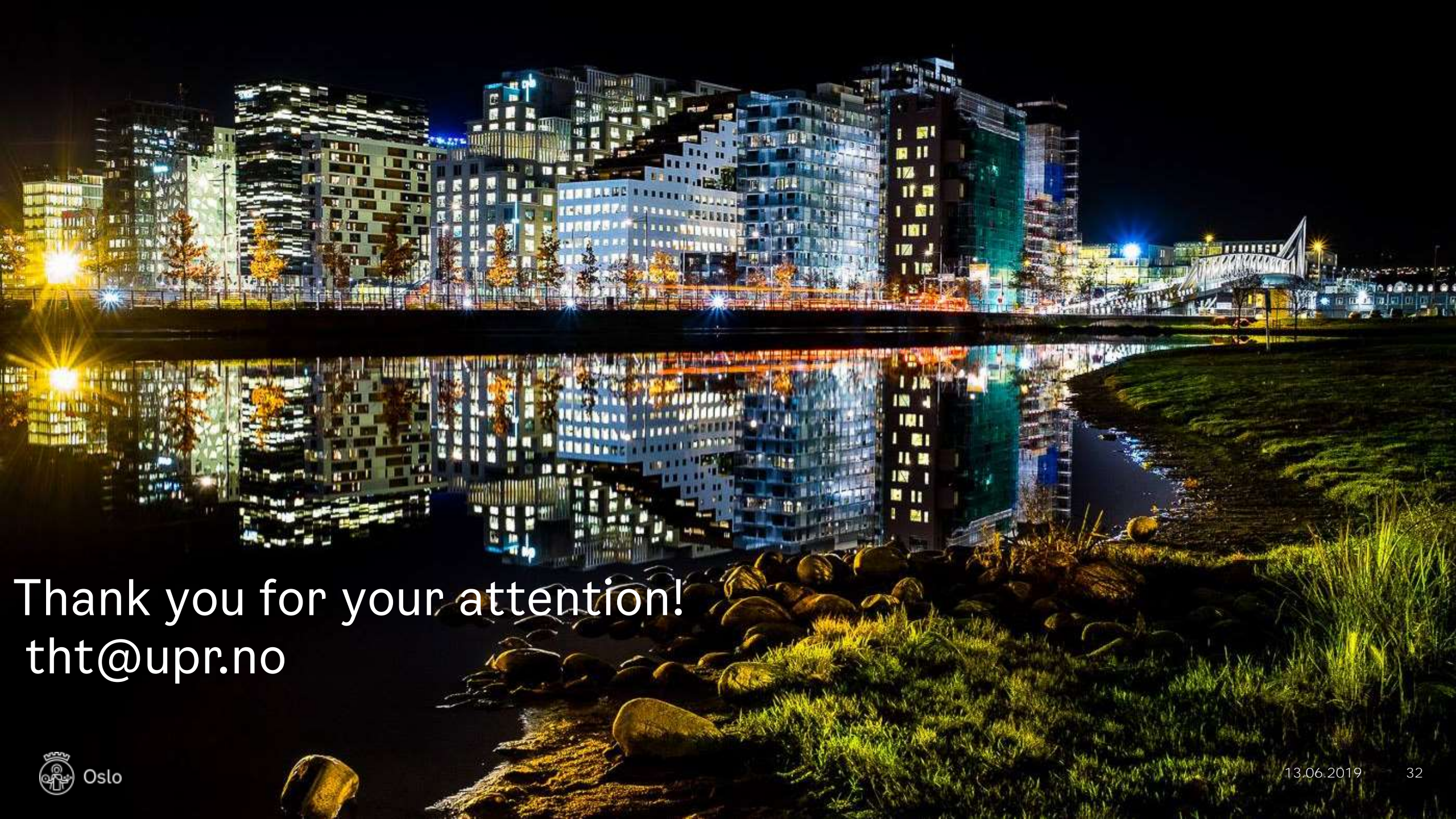
In regard to the Convention on the Rights of the Child, UN have some suggestion for urgent measures:

- independent monitoring**
- non-discrimination**
- sexual exploitation and abuse**
- children deprived of family environment**
- mental health and**
- asylum-seeking and refugee children**

So even in Norway we

have a long way of CRPD-recovery and Human Rights to go.... (and we are on our way)





Thank you for your attention!
tht@upr.no