

Special Bulletin, 26th February 2011

Dear WNUSP Friends,

The following open letter of protest by the WNUSP has just been sent to various Kenyan media houses for publication.

26th February 2011

**H.E. MWAI KIBAKI
THE PRESIDENT OF THE REPUBLIC OF KENYA**

Dear Mr. President

**RE: THE VIOLATIONS OF HUMAN RIGHTS IN YOUR COUNTRY THAT IS AIRED ON CNN
TODAY 26/02/2011**

The World Network of Users and Survivors of Psychiatry (WNUSP), www.wnusp.net, which is the official voice of users and survivors of psychiatry internationally, hereby registers its great concern about revelations made in today's CNN broadcast, entitled "Locked up and forgotten". It shows human rights abuses taking place in the Mathari Psychiatric Hospital, where the CNN crew found a dead person lying beside another live person with a psychosocial disability in a seclusion cell, edition.cnn.com/2011/WORLD/africa/02/25/kenya.forgotten.health/index.html.

The filthy and inhumane situation where 60 men are confined in ward 9 in Mathari Hospital constitutes violations of human rights. The persons with psychosocial disabilities (mental health problems) for whom we speak, are entitled to all the protections afforded them by the United Nations Convention on the Rights of Persons with Disabilities (CRPD), www.un.org/disabilities/.

Obligations under the CRPD, relevant to users and survivors include the right:

- to be recognized as having the legal capacity to act and speak for themselves (Article 12)
 - to be free and to live in the community (Article 19)
 - to have an inclusive society, reasonable accommodation (Article 5) and to have access to a wide range of supports (Article 12.3 and Article 19) from which to choose
 - to liberty and security of the person and that the existence of a disability shall in no case justify a deprivation of liberty (Article 14) - locking people in psychiatric institutions violates the CRPD
 - to freedom from torture or cruel, inhuman or degrading treatment or punishment (Article 15) - involuntary treatment and forced or coerced medicating amounts to torture or ill-treatment
- Kenya ratified the CRPD in 2008 and is obligated to afford all persons with disabilities the right to dignity, supports of their choice and their full protection under its provisions. We remind the Kenyan government of its obligation under the CRPD to make supports available to persons

with psychosocial disabilities in communities and to help to build the capacity of organizations of users and survivors to advocate for themselves. Needless to say, many of the abusive and restrictive practices shown in the documentary are also against the protections given to persons with disabilities under the CRPD.

We call on your government to immediately make the transition from the medical model to the human rights model for persons with psychosocial disabilities. It is the medical model which is responsible for the outcome of the terrible conditions highlighted in the CNN broadcast. We also call for an immediate investigation into the death of the person with psychosocial disability as revealed by CNN; and demand that the Government must listen to the voices of those in ward 9 who were struggling to make their voices heard on CNN. The management of Mathare hospital must be held accountable for the serious neglect and abuse of the vulnerable and powerless people who are confined in the institution.

The CNN crew who made the documentary was bravely assisted by the Kenya Society for the Mentally Handicapped (KSMH), <http://www.ksmh.org/>, whose Executive Director, Edah Maina, is the Kenyan government's elected nominee to the CRPD committee, and who is currently serving her second term. Edah who has had experiences with mental health problems, is also a WNUSP member.

The WNUSP would like to highlight the urgency for the government of Kenya to immediately implement the UNCRPD, which is now entrenched in the new constitution. We also demand that people are not held against their will and that free access to the psychiatric institutions be permitted to visitors and human rights monitors without any difficulties. The WNUSP is aware of the ongoing institutional reforms in Kenya, advises the immediate transition of services from the medical to the human rights model of mental disabilities in line with the UNCRPD.

In order for Kenya to meet international human rights standards in mental disabilities; a total overhaul of the mental health system is required. The WNUSP and its African continental body, the Pan African Network of Users and Survivors of Psychiatry (PANUSP), is willing to advise the Kenyan government, to work together with mental health authorities to train service providers in human rights friendly methods and to develop models of treatment, care and community based supports which are in line with the CRPD.

Yours Sincerely,

Moosa Salie
WNUSP, President

Moosa Salie,
Editor WNUSP newsletter
Chair WNUSP
Secretary PANUSP