

Priority areas of work post-GC1 and A14 Guidelines

CHRUSP set out its ultimate goal, five areas of activity, and three geographical dimensions, in a documented dated 9 March 2013, but the framework of the five activity areas actually was in use earlier, virtually from the beginning of CHRUSP work in 2009.¹ In the initial years, the emphasis had been on the first area of activity, called “Standard-setting” and defined as follows:

Standard-setting - influencing UN and other human rights official bodies to adopt our positions on interpretation and application of CRPD and human rights norms.

With the adoption by the Committee on the Rights of Persons with Disabilities of General Comment No. 1 on Article 12, and Guidelines on Article 14, we have substantially fulfilled the aim of these activities. The Committee on the Rights of Persons with Disabilities is the authoritative body qualified to interpret the Convention. While other human rights mechanisms are split as to whether they adopt the CRPD standard, a true legal and philosophical paradigm shift has come into international human rights law and cannot be dislodged.

We have struggled to figure out where to go next, to determine what role CHRUSP can play now that everyone has recourse to the official interpretation as guidance, so that we no longer need to be vigilant at a primary level and can move on to monitoring and enforcement as a next step to making the rights real.

While CHRUSP will continue to advise, consult, and otherwise play a role in shaping any further developments in the area of standard-setting (including reception by other human rights mechanisms), we have determined three areas of focus for the next period that we believe will be strategic in reaching a point of eradicating psychiatric torture and deprivation of liberty.

1. Developing jurisprudence in individual cases. CHRUSP will promote the use of the CRPD Optional Protocol in cases of forced psychiatric interventions and deprivation of liberty, will draft and join relevant amicus briefs, and will work with lawyers and advocates in countries that have ratified the OP to develop effective strategies. If opportunities arise, CHRUSP will also promote and intervene with the European Court of Human Rights, the Inter-American Commission and Court of Human Rights, the African Commission on Human Rights, and the Working Group on Arbitrary Detention, and will promote and assist with the development of effective litigation strategies at the national level if appropriate. The CRPD Optional Protocol is most strategic as an authoritative body that applies the standard of absolute prohibition, and can be in a position to lead others in this area.

¹ http://www.chrusp.org/media/AA/AG/chrusp-biz/downloads/207463/3_dimensions.docx.

2. Delivering online training on CRPD. The training will be conducted by Tina Minkowitz with potentially other guest lecturers who are survivors working on CRPD. The focus will be developing knowledge and skills to understand not only the text and jurisprudence but also the underlying values and reasoning and how the provisions link together to be used effectively for the prohibition of forced psychiatry as a global problem. Emphasis will be on interactive methods and engagement with the ideas and material through writing and reflection, as well as lectures. The initial training is tentatively planned for Spring 2017, and will be open to people at all levels of knowledge, with an aim to make it relevant to lawyers and human rights practitioners as well as grass roots activists and individuals who need to know their human rights.
3. Advising, consulting, supporting work at national, regional, and international levels that is compatible with CHRUSP's mission.