



The United Nations

## AGAINST THE TORTURE THAT IS COVERED UP BY USING THE PHRASE “PSYCHIATRIC INTERVENTION”

Forced Interventions Meet International Definition of Torture - Tina Minkowitz,  
The United Nations Convention on the Rights of Persons with Disabilities and the Right to be Free from  
Nonconsensual Psychiatric Interventions, *Syracuse Journal of International Law and Commerce* 2007 34:405.

*"... medical treatments of an intrusive and irreversible nature, when they lack a therapeutic purpose, or aim at correcting or alleviating a disability, may constitute torture and ill-treatment if enforced or administered without the free and informed consent of the person concerned."* - Report of the *Special Rapporteur of the Human Rights Council on torture*, Sixty third session of the United Nations General Assembly, A/63/175, 28 July 2008.

*"The Special Rapporteur is concerned that in many cases such practices, when perpetrated against persons with disabilities, **remain invisible or are being justified, and are not recognized as torture** or other cruel, inhuman or degrading treatment or punishment. The recent entry into force of the Convention on the Rights of Persons with Disabilities and its Optional Protocol provides a timely opportunity to review the anti-torture framework in relation to persons with disabilities."* - *Ibid*, @41.

*"Torture, as the most serious violation of the human right to personal integrity and dignity, presupposes a situation of powerlessness, whereby the victim is under the total control of another person. Persons with disabilities often find themselves in such situations, for instance when they are deprived of their liberty in prisons or other places, or when they are under the control of their caregivers or legal guardians. In a given context, the particular disability of an individual may render him or her more likely to be in a dependant situation and make him or her an easier target of abuse. However, it is often circumstances external to the individual that render them "powerless", such as when one's exercise of decision-making and legal capacity is taken away by discriminatory laws or practices and given to others."* - *Ibid*, @50.