



H.E. Professor John Evans Atta Mills  
The President  
Republic of Ghana  
Office of the President  
Osu, Accra  
Ghana

25 January 2012.

**Re: Ratification of the UN Convention on the Rights of Persons with Disabilities (CRPD) and current status of the Mental Health Bill**

Your Excellency,

We are writing on behalf of the Mental Disability Advocacy Center (MDAC) and Mental Health Worldwide (MHWW) to encourage your Government to prioritise the ratification of the CRPD and to ensure that the Mental Health Bill is passed soon. The Mental Disability Advocacy Center is an international human rights organisation that advances the rights of persons with psychosocial (mental health) disabilities and persons with intellectual disabilities. Mental Health Worldwide is an international network of individuals and organisation dedicated to improve the lives of those experiencing psychosocial disabilities.

Ghana is one of the current models of democracy in Africa and can be proud that, on 30 March 2007, it was one of the first signatories for both the CRPD and its Optional Protocol. Unfortunately, these instruments have not yet been ratified, which means that the promise which people with disabilities in Ghana have been waiting for is being denied. We ask your Government to prioritise ratification of the CRPD and its Optional Protocol.

We also take this opportunity to congratulate your Government for the inclusive process adapted in drafting a new Mental Health Bill that is to replace the 1972 Mental Health Act. Although there are some steps towards passing the Bill in Parliament, we are also concerned about the delays in this process. In order to prevent adoption of any legislation which goes against international human rights standards, we respectfully request your Government to ensure that the Mental Health Bill complies with international and African regional human rights standards. Therefore, even though Ghana is yet to ratify the CRPD, the mental health bill should be informed and guided by the CRPD.

While the Mental Health bill is progressive in terms of rights of persons with psycho-social disabilities when compared with the 1972 Mental Health Act, the bill should also encompass the right of users to make their own decision and to be able to access support when required to make decisions rather than allowing for substituted decision making base on high standard of substituted judgement. The bill needs to promote active participation of users in every aspect that concerns them, and strengthens prioritization of community based treatment. We can provide further information in this regard if that would be helpful to expedite these matters.

We would be grateful to hear at your earliest convenience your Government's plans and action in addressing these concerns.

Yours sincerely,

Oliver Lewis  
Executive Director (MDAC)

Linda Lee  
Founder (MHWW)