

Convention on the Rights of Persons with Disabilities

# Review of France 2019-2020

(22nd session and 12th pre-session)

Questions of autistics' associations for the French State concerning the application of the Convention on the Rights of Persons with Disabilities



26/07/2019

Français - **English** – Español - Português

# Realization

This document jointly produced is an initiative of the **Autistic Alliance** in collaboration with the **CLE Autistics**.

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Autistics' Association

**Collective for the Freedom of Expression of the Autistics** (CLE Autistics / CLEA)

<https://cle-autistes.fr>

**Description of the association:**

Self-advocacy autistic association for the rights, the expression and the independent living by and for autistic persons

**Authors:** Sylvaine MASSI - Thibault CORNELOUP

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Autistics' association

**Autistic Alliance Association** (AA)

<https://allianceautiste.org>

**Description of the association:**

Autistic NGO for the coordination and the defense of the autistics in France

**Author:** Eric LUCAS *(Thanks a lot to Amélie Tsaag Valren for her numerous suggestions for corrections)*

- Autistic French founder of the Autistic Alliance in 2014 and of the Autistan Diplomatic Organization in 2016;
  - Co-editor of the Alternative Report of the Autistic Alliance for the Committee on the Rights of the Child in 2015;
  - Member of the Steering Group of the HAS-ANESM Recommendation concerning adult autistics in 2015-2016;
  - Remotely active for autism in France, being exiled since 2015 because of administrative tortures imposed on him by the French state, and the impossibility to work for autism in France in an efficient and decent way;
  - Asylum seeker, due to all these Administrative Disorders and Abuses, to the Federative Republic of Brazil since January 2017.
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# Our list of proposed points

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## 000/ Preamble

This document mentions only a fragmented list of the problems faced by the autistic persons in France.

We hope that it will provide a useful insight, especially to understand the "global socio-generated problem", in the near absence of proper consideration and efforts from the authorities. They persist in despising autistics' explanations, and relying solely on opinions - mainly medical - of non-autistic experts ignoring what they are talking about, all on a battleground between lobbies to capture the "bonanza of autism", to the detriment of the freedoms of the most vulnerable.

Thank you for your understanding and for your attention.

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## 00/ Summary of our list of proposed points

The main advantage of the French policy on disability, and particularly about autism, is that it allows us to summarize our list of proposed points in a few words:

**"Generalized violation  
and official financial exploitation  
of vulnerable people "**

or, more precisely:

**"The management of autism (and disability) in France consists of segregation  
and financial exploitation, particularly by groups of interests (lobbies),  
with a background of opacity, deception and collusion at all levels,  
in ignorance of the reality of autism  
and in the sovereign contempt of human rights,  
in total and flagrant violation of the CRPD  
and to the detriment of the most vulnerable ones."**

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## 0/ Preliminary remark concerning the uselessness of providing evidences of the French State's violations of the Convention

When drafting the proposals of points below, we have generally not found it useful to illustrate these violations with concrete and precise examples, as they have already been very clearly confirmed in many official reports, such as the **Report of the Special Rapporteur following her visit to France** <sup>1</sup> following **our request for a visit** <sup>2</sup>, the **Report of the Commissioner for Human Rights of the Council of Europe** <sup>3</sup>, the **five convictions of France by the Council of Europe** <sup>4</sup>, the **Notice No. 102 of the CCNE** [National Consultative Ethics Committee] <sup>5</sup>, the **CGLPL Report for 2018** <sup>6</sup>, the **Report of the Court of Auditors** <sup>7</sup>, etc. etc.

In the near absence of improvements over the years, these reports - sometimes very old ones - continue to accurately describe the current reality.

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<sup>1</sup> Report A/HRC/40/54/Add.1: [FR] <https://undocs.org/en/A/HRC/40/54/ADD.1> - [EN] <https://undocs.org/A/HRC/40/54/ADD.1>

<sup>2</sup> Request for an urgent visit to the Special Rapporteurs, initiated and led by the Autistic Alliance: [http://allianceautiste.org/wp/wp-content/uploads/2015/10/20151003-AA-assos-autisme-handicap-fr\\_ONU-RS-demand-visite.pdf](http://allianceautiste.org/wp/wp-content/uploads/2015/10/20151003-AA-assos-autisme-handicap-fr_ONU-RS-demand-visite.pdf)

<sup>3</sup> Report of the European Commissioner:  
[http://tandis.odihr.pl/explore?bitstream\\_id=24565&handle=20.500.12389/22010&provider=iiif-image#c=0&m=0&s=0&cv=0&xywh=-824%2C-94%2C4127%2C3694](http://tandis.odihr.pl/explore?bitstream_id=24565&handle=20.500.12389/22010&provider=iiif-image#c=0&m=0&s=0&cv=0&xywh=-824%2C-94%2C4127%2C3694)

<sup>4</sup> 5 European convictions: [http://www.autisme-france.fr/offres/doc\\_inlined\\_src/577/Autisme%2Bdoc%2Bfrance%2Bet%2Bconseil%2Bde%2BI5C27europe%2B28329.pdf](http://www.autisme-france.fr/offres/doc_inlined_src/577/Autisme%2Bdoc%2Bfrance%2Bet%2Bconseil%2Bde%2BI5C27europe%2B28329.pdf)

<sup>5</sup> CCNE Notice: [https://www.ccne-ethique.fr/sites/default/files/publications/ccne-avisn102\\_autisme.pdf](https://www.ccne-ethique.fr/sites/default/files/publications/ccne-avisn102_autisme.pdf)

<sup>6</sup> CGLPL Report: [http://www.cglpl.fr/wp-content/uploads/2019/03/CGLPL\\_Rapport-annuel-2018\\_Dossier-de-presse.pdf](http://www.cglpl.fr/wp-content/uploads/2019/03/CGLPL_Rapport-annuel-2018_Dossier-de-presse.pdf) :

"France has gradually become one of the European countries that confines the most the persons with mental disorders"

<sup>7</sup> Report of the Court of Auditors: <https://www.ccomptes.fr/sites/default/files/2018-01/20180124-rapport-autisme.pdf>



# Article 1

## Purpose

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### **1-1/ The non-respect of the human rights and fundamental freedoms**

**1-1.1/** Given, regarding autism, the **very low respect for human rights and fundamental freedoms by the State French**, especially in view of:

- a- the **numerous widespread and proven violations** of the Convention, mainly by public services;
- b- the **very low effectiveness** in this area on the part of the public bodies including the judicial services and the Defender of the Rights (ombudsman);
- c- the **very low relevance of the responses** provided by the State to the Committees (such as of the Rights of the Child);
- d- the **near absence of concrete application of the governmental promises** made to the Committees;
- e- and, obviously, of a **lack of will**,

**to which extent - on a scale of 1 to 10 - do you consider that France respects the Convention and its international commitments concerning this treaty?**

**1-1.2/ What are the drastic political upheavals that you intend to make, precisely, to solve the serious core problems generating the fundamental problems described in paragraphs a, b, c, d and e, which make it very difficult to study seriously and efficiently the French respect for the Convention?**

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## 1-2/ Concerning Autistic Disabilities

1-2.1/ Concerning:

**Autistic handicaps resulting from the physical, mental, intellectual and sensory difficulties to adapt themselves to the inconsistencies and disharmonies inherent to defects and deficiencies of the artificial environment (material and human) socially imposed**

will you try to understand the mechanisms mentioned in this paragraph, in order to be able to begin to respect the Convention, and if so, when and how, precisely?

1-2.2/ Will you, in order to do so, listen carefully to the explanations of the autistic persons, or do you prefer to continue to rely - with the little efficiency that can be seen - on the mainly medical dogmas of specialists who are not autistic, who cannot know what an autistic person may be living?



## 1-3/ For a fair policy respecting autism

Do you think it is wise to favor a policy that is supposed to "cure" or to "normalize" autistic people (which is highly questionable in terms of ethics and effectiveness, not to mention the high costs and violations generated by institutionalization), instead of fostering a more humane, natural and inclusive approach, allowing freedom and fulfillment, which precisely coincides with the principles and stipulations of this Convention, that you have ratified?



## Article 3

### General principles

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#### **3c / Participation and full and effective integration into society**

**How to respect this principle, while in France, everything is organized to segregate persons with disabilities out of society ?** When we oppose it, we must engage in judicial battles for life, at the risk of losing everything (see Timothée D. case). Even for the few ones who are lucky enough to live in freedom, participation is almost impossible, since there are no adaptations (universal conception integrating autism). This can only produce - sooner or later - suffering, exclusion or self-exclusion.

**Since we are 1%, we request the introduction of a concept that would be called "1% autism", taking autism and autistics into account at all levels and in all texts, regulations, signs, accesses etc. of the public and private organizations, services and places etc.**

**Please comment.**

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#### **3d-1/ About the respect for difference and the acceptance of persons with disabilities as part of human diversity**

In France, people with disabilities are set aside, and almost hidden (allowing the lobbies to "manage" them quietly).

In many other countries, including countries considered "less advanced", one can see the persons with disabilities everywhere: they are free, and society is not bothered by their sight.

There cannot be any respect for difference, when people who are considered "too much different" from the norms, such as autistic people:

- are constantly discriminated and segregated;

- are indirectly accused of being themselves the causes of their own exclusion, because of their difference which allegedly "causes problems";
- are most often treated as inferior, incapable, defective, or stupid.

**The violation here is blatant and integral.**

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## **3d-2/ For an official recognition of the autistic handicaps, and for detailed supporting documentation**

The autistic handicaps (and in particular the social autistic handicap) are not recognized as such, nor understood.

Given that our differences may sometimes be invisible to others, we have no way of proving - if not explaining - the reality of our disability, for example with an official card, if not of autistic person, at least of person with disability, which would specify the nature of the disability and the particular needs generated, otherwise it is difficult to imagine "reasonable accommodation", especially in emergency situations.

**What do you propose concretely to solve this problem?**

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## **3e/ About equal opportunities**

**There cannot be equal opportunities  
in the situation of indisputable generalized violation that we are experiencing.**

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## **3f/ Universal accessibility integrating autism: a vital necessity for the world**

**For the world - where everything has become "socially dependent" -  
to be accessible to autistic people, it is necessary that the social or socially-generated  
environment be harmonious,  
coherent, fair, authentic, realistic, natural, benevolent and altruistic.**

**These principles are "non-negotiable"  
in order to have an environment accessible to autistic persons.**

**Any other approach, which - instead of correcting social vices - would rather try to "correct the autistic" for them to adapt (which forces to "vitate" or "contaminate" them), is a form of indecent maltreatment.**

Given that the current social system - especially the Western one - is, in the end, the exact opposite of the conditions necessary for a decent life for the autistics, it is logical that the maladjustment and the "conflict" between autistics and non-autistics worsens more and more.

**The "universal design" represented by the correction of the "social defects" would benefit the whole population (while allowing financial savings), especially if one understands that - in general - the necessary adaptations for the autistic are not prejudicial to the non-autistic ones : on the contrary, they are mainly corrections of errors, and they make life in society less absurd and less painful for all.**

Yet the social system - lost in the confusion of its illusory quest for materialistic and individualistic pleasures - is led by "elites" more interested in notions as derisory as money, power and prestige, than in the future of the human species (and other forms of life), who have no thoughts nor the courage necessary to reverse this mad race towards a predictable perdition.

**Ignoring or wanting to "turn off" autistic and other vulnerable people, whose sensitivity allows to detect these defects, is similar to turning off the warning signals of a fire alarm system "because they annoy", or to silence a dog that barks because of a real danger that only him perceives.**

**Thus, helping and saving the autistics, especially by correcting the social system, is not only a gesture of charity: it is also saving the whole of society.**

**Our "country of the human rights" seems to have become "the country of the normal humans' rights".**

**Given these explanations, does the French State have anything to say that would be useful for the safeguard of the world, or at least of the autistic and disabled people?**

*(Sincerity and courage are welcome. Otherwise, simply ignore or respond beside the question, as usual.)*

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## 3h-1/ For the protection of the Autistic Identity

If we define the **Autistic Identity**<sup>8</sup> of a person as the specific and particular characteristics of the autistic nature of this person, i.e. everything that makes him or her different from a non-autistic person (and especially his or her originality), it seems righteous to protect that Autistic Identity, as an integral part of the identity of the person, especially with the children, who should not be subject to treatments designed to "render them non-autistic", disregarding the characteristics and qualities intrinsic to their autism, and replacing that with stereotypical notions and behaviors contrary to their nature, by means of sorts of "brainwashing" often producing disastrous results in the long run.

**How do you intend to protect and even to encourage the fulfilment of the Autistic Identity?**

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## 3h-2/ For a voluntary Autistic Identification

Civil identification - such as surname - is useful, but not important for many autistic persons who are not very receptive to socio-administrative considerations; on the other hand, it is almost always necessary to know that a person is autistic, in order to avoid serious misunderstandings and suffering resulting from misconceptions and confusions, especially in view of his or her behavior which may seem incomprehensible, unjustified or problematic, and sanctioned as such, in the absence of basic information about the autistic nature of that person.

Therefore - and at least as usefully as the civil identification – the means of personal identification as an autistic person appear to be necessary, at least when the person (and/or his legal guardian) wishes to use it.

However, it seems that some protectionist excesses of the French legislation or regulations are opposing to public autistic identification, even when the person expressly agrees.

This anomaly seems to be based on a concern about not revealing the health condition of individuals (in disregard of their consent), which is - in addition - one of the many examples of the fundamentally inappropriate medical approach of autism, which is neither a health condition nor a pathology.

With countless situations, including a formal refusal by the HAS [High Health Authority]<sup>9</sup>, this aberration makes impossible the idea of an "autistic's identification card", as it already exists for example in Brazil (country which also includes the "autistic checkbox" in its demographic censuses, as well as for example in waiting lines and preferential seats, which is facilitated by such an identification).

**How do you intend to correct all these malfunctions, and at least to ensure the right to voluntary identification as an individual, in view of the explanations above?**

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<sup>8</sup> The Autistic Alliance proposes the concept of "Autistic Identity", and argues that the autistic nature (which should not be confused with certain manifestations or behavioral reactions generally referred to as "troubles") is at least as "valid" as other forms of biodiversity (here, human).

<sup>9</sup> <https://allianceautiste.org/wp/2017/11/mariangate-la-has-couvre-mg-confirmation-par-lettre-du-directeur/>



# Article 4

## General obligations

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### 4.1a-2/ For the effective application of the "Chossy Law" <sup>10</sup>

On paper, this law solves most of our problems.

But it is not applied; very few people know it, and when it is invoked to ask for an accommodation, it has no effect: at best, we are indirectly made to understand that this law is not transcribed in regulations (it seems sometimes to be taken into account in extreme cases, very rare, for example at the level of the Council of State.)

The French Administration ignores the only law made for autism, but shows a prodigiously zealous formalism to transform into an endless ordeal the life of an autistic person who would have made a small mistake, as benign as forgetting to answer a letter (that was including a question not even clear) <sup>11</sup>.

**What is the purpose of this law, if it is not applied on a daily basis?**

**What are you going to do to make it applicable?**

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<sup>10</sup> **Article L.246-1 of the CASF** ("Chossy law") :

"**Any person** having the **handicap** resulting from the **autistic syndrome** and disorders related to it **benefits**, whatever their age, from a **multidisciplinary care** that takes into account **their specific needs and difficulties**.

Adapted to the state and age of the person, this care can be educational, educational, therapeutic and **social**.

It is the same for persons with a poly-handicap."

(<https://www.legifrance.gouv.fr/affichCodeArticle.do?cidTexte=LEGITEXT000006074069&idArticle=LEGIARTI000006797133>)

<sup>11</sup> Case "Residence Permit Calvary, 2nd season (2013-...)", Ministry of Interior / Eric LUCAS



## **4.1c/ Towards the universal consideration of the fundamental rights and specificities of the autistic persons <sup>12</sup>**

**4.1c-1/ Do you intend to take autism correctly into account in all government policies and in all public services, in order to be able to effectively respect the Convention regarding autism, and if so, when and how, exactly?**

**4.1c-2/ In particular, are you going to consider the explanations of the autistics, in a democratic way, which would be representative of the diversity of the forms of autism, and by which precise and dated means?**



## **4.1d-1/ "to ensure that public authorities and institutions behave in accordance with this Convention"**

When reminding certain articles of the Convention to ministries or public bodies (such as the HAS), in particular in writing, one obtains either a total silence or - at best and indirectly - some verbal comments suggesting that anyway the Convention is not directly applicable.

In short, **when it is known, the Convention seems to be used mainly in a decorative way.**

**In which way does the French State concretely respect this article?**



## **4.1f / The Psycho-Social Obstacles and the universal conception indispensable for the autistic persons, benefiting the entirety of the population**

**If we name "Psycho-Social Obstacles" (anti-autistic and anti-human) the absurd, incoherent, disharmonious, illogical, hypocritical, misleading, unrealistic, artificial, confused, rude, or otherwise vitiated (thus disturbing and inaccessible for the autistics) aspects of the rules, provisions and conventions (tacit or visible) and other social aspects imposed on the autistics and the population,**

**then it seems obvious that the State should:**

- **either strive to reduce these obstacles**

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<sup>12</sup> This corresponds to the Fundamental Rights of Autistics according to the Autistan Diplomatic Organization (<https://autistan.org/wp/en/8-rights/>) and in particular:

{R000310} Right to equal access and use of any place, service, event, product, etc., thanks to the necessary compensations for the social and systemic deficiencies which are disadvantaging the autistics

{R000440} Right to universal accessibility and to reciprocal adaptations

{R000450} Right to the correct consideration of autism throughout the social system and the administrative system

{R000455} Right to specialized, accessible and timely assistance to correct and compensate for the system deficiencies in the event of non-respect of the right R000450

- **by providing reasonable accommodations** (e.g. "translation" and mediation services that respect the need for truth, sincerity, coherence, harmony, precision and sensitivity of the autistic person);
- **and by implementing – everywhere - the "universal conception"** of the rules, provisions and conventions, in order to rid them of such vices, which is indispensable to allow a serene, dignified and fulfilling life for the autistics, while also benefiting the entire community;
- **or, in order to try and justify not doing so, prove that the vices and defects created by these Psycho-Social Obstacles are fair, beneficial and necessary for the overall good of human society and what is around it.**

Meanwhile, **in France there is almost no universal design nor reasonable accommodation taking autism into account, and we are forced:**

- either – generally - to exclusion in **centers of segregation** and "non-life";
- either to try to **conform to an inhumane, unnatural and defective social system**, which does not make the slightest effort of adaptation;
- or - when the accumulated suffering becomes more and more intense in adulthood - to the **psychiatric hospital**;
- or - when finally all these imposed and unjustified daily sufferings become really too difficult to bear - to **suicide**.

**Please comment on what you intend to do to sufficiently reduce these Psycho-Social Obstacles, and to move towards universal design, especially in services, formalities, communication, and by listening to autistics' explanations about their needs?**

#### **4.1f-1/ The need for "interpreters specialized in autism" and "autism referent persons"**

The few administrative responses (usually disconnected from reality) to autistics' letters often involve huge mistakes that most "non-administrative" persons would not make if they actually read these letters with a "normal" attention, which introduces the notion of "Administrative Understanding Disorders", referring also to the mechanical, insensitive (sometimes even insane) and inhumane aspects of bureaucracy.

Under such conditions, it would be useful to have assistants in order to "translate" the (precise, of common sense, and humane) autistic communications, in order to make them accessible to administrative understanding.

This would be quite close to an interpreting service, that sometimes the Administration offers freely to foreigners.

There is a very important gap between the autistic way of thinking and the non-autistic way of thinking, and even more so with the administrative "way of thinking" (lacking flexibility, even when speaking the same language (here, French) ). The understanding would be very usefully facilitated by such interpreters specialized in autism, knowing that one can not decently require an autistic to learn "administrative communication".

This service of internal assistantship could be conjugated with the wider role of "autism referent persons", which should exist in all the public services in order to advise the civil servants (and the magistrates) and thus to reduce the misunderstandings and sufferings.

These advisers should either be autistic or advised by autistics.

So far, the Administration did not seem interested in this proposal, which would yet save money by reducing litigation and procedures.

**Please indicate if you prefer to continue ignoring this idea, or if you plan to apply it and if so how and when.**

#### **4.1f-2/ The need for a "socio-administrative assistance specialized in autism, accessible quickly and remotely"**

In addition to the "autism referent persons" assisting the Administration, it is also necessary to have assistants able to help the autistic people especially for the formalities, or in case of problem or "socio-administrative crisis".

These persons must be able to help remotely and quickly, for example with a special telephone number and a communication system centralized at national level, especially via the Internet.

The regular social workers are not adapted at all, and it is not possible to train them all about autism.

Almost all the autistic persons living "freely" are facing administrative difficulties that usually prevent them from accessing rights and services.

The autistic persons are obliged to try to comply with absurd formalisms and modes of communication, and, since they can hardly do so, they are then offered only a curatorship or guardianship, who decides everything for them: as always in France, all the adaptation efforts are demanded to the autistic persons. If they do not achieve a "non-handicapped" or a "normal" behavior, then they are punished by restrictions of freedoms and of access to services.

**Yet, knowing that autism is characterized in particular by communication difficulties, it is very surprising that there is no public service responsible for facilitating communication, at least with the public services themselves.**

Except of course if one follows the usual French conception considering that a good autistic person is an autistic who has been "cured", or if not, who is in a center or a hospital, or at least under tutelage.

We explained and repeated this idea of assistance for years, especially to the Secretariat of State for Persons with Disabilities, who simply found the idea "interesting" but that one should create a working group in order to think about it ...

**Are you finally going to set up this national remote assistance service specialized for autistics, and if so when?**



#### **4.1h/ The consideration of the different autistic means of expression**

**4.1h-1/ Please inform about measures taken to make accessible to all and to develop alternative and enhanced means of communication in public services, health services, health care, schools and in the**

professional environment in order to respect the different means of expression of autistic persons according to their own choices.

4.1h-2/ In addition, please indicate whether research funding for the autism strategy provides for the development of assistive technology and assisted communication technologies.

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## 4.3/ For a better participation of the autistic associations

We observe that, following the requests and the initiatives of the Autistic Alliance<sup>13</sup>, a policy of consultation of the associations of autistics by the governmental services has actually been set up.

But it is not representative of the diversity of autistics, and in some cases it favors some very conciliatory (not to say "careerists") autistic persons, who seem to be "approved" by government officials.

The few other autistic persons invited are barely listened to, by politeness. Most of them often report a feeling that everything has been decided elsewhere, and that their presence serves to give the illusion of respecting the imperative of consultation, which raises the question of the appropriateness of their presence.

Regarding the associations that are too much annoying (like ours, which makes reports to the UN), they are discouraged and alienated.

The community of autistic activists is unanimous in saying that these consultations "are useless", and this is corroborated by the constancy of the violations and the political immobilism.

Thus, most autistic activists who tried to participate in government consultations confided "being unwilling to hear about it anymore", and in the end everything is decided by a small "clique" discreetly favoring the interests of lobbies (particularly medico-social and pharmaceutical).

**What do you intend to do to ensure effective participation of autistic people and their associations, taking into account voices that do not necessarily agree with you?**

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<sup>13</sup> Including our hunger strike project at the end of 2015, finally allowing some attention, thanks to Mr. Said ACEF



## Article 5

### Equality and non-discrimination

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#### 5.1/ Discrimination

5.1-1/ Please indicate whether the State has committed to a policy against discrimination of persons with disabilities based on the same model as policies against sexism, homophobia or racism.

5.1-2/ If yes, please describe the measures taken regarding awareness and communication about the fundamental freedoms and rights of persons with disabilities in French society.

5.1-3/ In particular, please specify whether these measures include interaction with different discriminations, including women with disabilities, and ethnic, sexual, gender or income minorities.

5.1-4/ Please comment on the information that many homeless persons with disabilities and / or persons with disabilities originating from child protection services would be without measures taken to support them.

5.1-5/ How do you intend to recognize the homeless autistics, and to provide them a diagnosis? Which concrete help will you implement to help and support them?

5.1-6/ Please indicate how the French State intends to help solo parents rather than authorizing the ASE [Social Help about Childhood] to move these children to children's homes?

Do you think that moving them to children's homes is the best solution?

What do you think is the best way to help these parents and therefore these children?

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#### 5.3/ Reasonable accommodations against discriminations

5.3-1/

**The only (rarely reasonable) accommodations that we can notice are those which,**

**in order to foster and facilitate the lives of non-disabled citizens, consist in alienating and segregating persons with disabilities in liberticidal special centers, and to force autistic people – notably - to comply with conventions and norms that are contrary to their nature.**

**This without any will to adapt to our needs, our difficulties and our particularities, since these are always considered as defects to remove.**

**In these circumstances, what do you intend to do to reverse this situation diametrically opposed to the stipulations of the Convention?**

**5.3-2/ Given that medicine can not be of any help to realize these social adjustments and these systemic adaptations in direction of the autistic people, and that - because of the general misunderstanding on autism - the French public services do not have any tools and approaches other than medical ones about autism, will the French State finally accept to study other approaches to autism, and seriously listen to the advices of various autistic persons, in order to understand how to achieve these adaptations, instead of continuing to segregate us for lack of knowledge and willpower (not to mention the hidden grounds)?**

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## **Article 6**

### **Women with disabilities**

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#### **6.0/ (Note)**

(Concerning autistic women, it seems appropriate to refer to the contributions proposed by the French specialized association, the AFFA.)

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# Article 7

## Children with disabilities



### 7-0/ Our Report to the Committee on the Rights of the Child regarding autistic children in 2015

About autistic children, we invite the members of the Committee to read the following documents, which are still relevant since anyway there is almost no progress over the years.

- **25/02/2015: Our alternative Report:**  
[FR] [https://tbinternet.ohchr.org/Treaties/CRC/Shared%20Documents/FRA/INT\\_CRC\\_NGO\\_FRA\\_19702\\_F.docx](https://tbinternet.ohchr.org/Treaties/CRC/Shared%20Documents/FRA/INT_CRC_NGO_FRA_19702_F.docx)  
[EN] [https://tbinternet.ohchr.org/Treaties/CRC/Shared%20Documents/FRA/INT\\_CRC\\_NGO\\_FRA\\_19702\\_E.docx](https://tbinternet.ohchr.org/Treaties/CRC/Shared%20Documents/FRA/INT_CRC_NGO_FRA_19702_E.docx)
- 08/06/2015: Our introductory address to the Committee (summarizing the situation in 2 pages):  
[FR] [http://allianceautiste.org/wp/wp-content/uploads/2015/06/20150608\\_AA\\_discours-intro\\_CRC\\_UNU.pdf](http://allianceautiste.org/wp/wp-content/uploads/2015/06/20150608_AA_discours-intro_CRC_UNU.pdf)
- **23/07/2015: The Committee's List of Issues (CRC/C/FRA/Q/5):**  
[FR] <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G15/162/96/PDF/G1516296.pdf?OpenElement>  
[EN] <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G15/162/95/PDF/G1516295.pdf?OpenElement>  
[ES] <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G15/162/97/PDF/G1516297.pdf?OpenElement>
- **15/10/2015: France's response to the list of issues:**  
[FR]  
<http://d3n8a8pro7vhmx.cloudfront.net/childrightsconnect/mailings/212/attachments/original/Responses%C3%A9critesFrance.pdf?1445325410>
- 12/12/2015: A personal analysis showing **the almost total lack of relevance between this response from France and the Committee's questions :**  
[FR] <http://allianceautiste.org/wp/wp-content/uploads/2016/01/20151212-Eric-LUCAS-Analyse-de-la-r%C3%A9ponse-du-15-octobre-2015-by-France-to-UN-CDE.pdf>
- **12/15/2015: Our observations and recommendations about the response of France of October 10<sup>th</sup> 2015 (with many explanations on the situation):**  
[FR] [http://allianceautiste.org/wp/wp-content/uploads/2016/01/20151215-AA\\_OrgIntl\\_UNU-CDE-Observations-on-the-response-of-France-of-15-October-2015.pdf](http://allianceautiste.org/wp/wp-content/uploads/2016/01/20151215-AA_OrgIntl_UNU-CDE-Observations-on-the-response-of-France-of-15-October-2015.pdf)  
[EN] [http://allianceautiste.org/wp/wp-content/uploads/2016/01/20151215-en-AA\\_OrgIntl\\_UNU-CDE-Comments-about-the-answer-by-the-French-government-to-the-UN-CDC.pdf](http://allianceautiste.org/wp/wp-content/uploads/2016/01/20151215-en-AA_OrgIntl_UNU-CDE-Comments-about-the-answer-by-the-French-government-to-the-UN-CDC.pdf)
- **23/02/2016: The concluding observations of the Committee (CRC/C/FRA/CO/5):**  
[FR]  
<http://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d%2fPPRiCAqhKb7yhsunLt%2fWNn9IUMCa512sTMky9H0t6Apsnxbu5hzZl1wZHmOXsRTBDqB%2bpHO%2b6BM4x4Z%2b%2bGImXvrKK0t2yvSrrMyxkZ2g6YsVNiLz7y6Dvo3k>  
[EN]  
<http://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d%2fPPRiCAqhKb7yhsunLt%2fWNn9IUMCa512sTMky9H0t6Apsnxbu5hzZl1wZHQ27v2tg7RHSMFiRR1IfnF2Zv3VP%2fzy6dXsmqAWdy5aN1NNe2Yi%2bl8zMJaQXD6Bm2>

[ES]

<http://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d%2fPPRiCAqhKb7yhsunLt%2fWNn9IUMCa512sTMky9H0t6Apsnxbu5hzZI1wZHQ27v2tg7RHSMFiRR1IfnF42GIf6yZh7Z4DdjhzKgMWEGpOg%2bZp0JmDUGnKLIq%2bVZ>

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## **7-1/ On the obviousness of the best interests of the child not to be forced to live in a "specialized environment"**

The Article 7 of the Convention supports the following obvious idea:

**In the absence of a will expressed by the child to live surrounded by strangers in a closed center reserved for persons with disabilities instead of his natural family setting, the fact of forcing him there corresponds to a superior interest which is not his own but that of adults and groups of interests (lobbies), which is aggravated by the fact that this discrimination is based on disability.**

This segregationist practice worthy of apartheid being unfortunately the common rule in France, please comment on this violation, explaining the reasons urging the French State not to oppose these facts (apart from a few words and promises never respected).

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## **7-3/ Failure to respect the promises made to the Committee on the Rights of the Child during the 2015 review**

Please indicate:

**7-3.1 / how, if any, you have implemented the promises made to the Committee the Rights of the Child in 2015 and 2016);**

**7-3.2 / the justifications explaining the absence of respect for these promises;**

**7-3.3 / what could lead the Committee for the Rights of Persons with Disabilities to believe in the sincerity of the answers generally given by the French Government, in view of the permanence of the non-respect of the promises, shown by the analysis of the situation concerning the Committee on the Rights of the Child;**

**7-3.4 / what do you intend to do to solve the problem of the recurrence of these absences and contradictions, generating a lack of credibility and a feeling of deception and polite contempt.**

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## Article 8

### Awareness-raising

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#### **8.1b-1/ Fighting the dangerous stereotype of the medical vision of autism**

Autism is considered a "medical" phenomenon whereas it is not more medical than having dwarfism (or being dwarf), or being left-handed, albino, blind, deaf, or born without arms, etc.

Because of this "general error on autism", misunderstandings and maladjustments are the common rule.

This erroneous approach is confirmed by the inefficiency of the "treatments".

**What do you intend to do to understand and then reduce this serious stereotype that locks up and blocks autistic people?**

**For example, by removing autism from the prerogatives of the HAS and health professionals and institutions, and by creating an ad hoc governmental body, responsible for all matters concerning autism and autistics, that would be freed from the general medical error and from any medical personnel?**

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#### **8.1b-2/ Fight against prejudices and abuse of language locking us in the disease, the "pandemic", the "catastrophe" etc.**

We are tired of constantly hearing that autistic people "have been hit by autism" ("*sont atteints d'autisme*") (where, when, how?), And that we are "suffering from autism".

**No, autistic people are not 'suffering from autism':**

**they are suffering from the consequences of the lack of correct consideration of autism by the social and administrative system.**

We want the media to stop presenting our difference in such a negative, inferior and even insulting way.

And especially the politicians, as recently MP Philippe Berta at the National Assembly, speaking (in our place) about the "600 000 adults and 100,000 children who suffer", and about "pathology", "pandemic", "emergency", in an alarming speech, and obviously concerned with the economic activity of the French pharmaceutical laboratories.<sup>14</sup>

How would it sound, if politicians used to say that some people have been "hit by homosexuality", are "suffering from homosexuality", and that it is a "pandemic" to "fight" or to "defeat"?

**Which steps will you take to quickly put an end to these biases and these infamous declarations, that we must endure daily?**

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## **8.2a/ Fostering a receptive attitude ...**

**How to foster a receptive attitude, a positive perception and a social conscience, when almost all autistic (and other disabled) persons are remote in places built solely for them? (And where the public, even if they wanted to, has no right to enter.)**

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## **Article 9 Accessibility**

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## **9.2b/ Access to private services proposed to the public**

Private companies (e.g. businesses, transport, banks, etc.) do not take autism into account, have no accessibility policy relating to psycho-social or sensory autistic handicaps, and therefore are very reluctant to provide reasonable accommodations, even when these are as simple as giving greater attention and flexibility in communication, or making some slight sensory adjustments (sound, light, temperature) not disturbing

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<sup>14</sup> MP Philippe Berta at the National Assembly on April 2nd, 2019, in the purest tradition of "splaining" (persons explaining what they do not know): <https://www.youtube.com/watch?v=q1mEluwlEMl>

anyone.

They consider that we must adapt, "like everyone else", and that if no one else complains, it means that there is no problem.

Or sometimes we are told that all the necessary has been done, because there are access ramps or other "classical" amenities, certainly useful and praiseworthy, but which cannot help us.

**How does the state intend to solve this problem, precisely?**

*(If you do not know how to do it, just ask the autistics.)*

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## Article 10

### Right to life

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### 10-1/ For the right to be born

The right to life includes the right to be born, because life is not possible without pregnancy and birth.

However, because of an obsession for materialistic and physical "progress", many States allow the eugenics of people considered "too much different", as is sadly the case to the detriment of the people with Down syndrome.

Some scientific research is aimed at eliminating autism - and therefore our population - through genetic testing before birth.

Apart from the serious risk of reducing humanity to a mass of "formatted" consumers, the impoverishment of creativity, and other dangers resulting from the elimination of life forms deemed useless (as we have seen with the extermination of many animal species), we say that if (adapted) surveys of autistics in general were conducted, it would show that in their vast majority they prefer to be born and alive, than to have never been born.

In other words, the autistic population - which has the right to be respected - never made it known that it would prefer not to exist, nor did the human category of Down's syndrome, nor even any other category of

living beings.

**The right to life is the first of the rights:  
an indispensable and non-negotiable natural right.**

From these observations, we can consider that:

**"Any project aiming at eliminating autistics  
prepares a sort of "collaborative genocide" (with the help of parents),  
and even a genocide based on the notion of "defective" people  
which brings us back to the most abject times of the History of the past century.**

**Will the French State will really continue to be a passive witness or accomplice of this genocide to come, or  
will it take specific measures to prevent it, or will it at least carry out the investigation we are suggesting ?**



## **10-2/ The serious problem of suicide among the autistics**

The right to life includes the prevention of suicide.

The suicide rate among the autistics is particularly high; we all knew at least one autistic person who committed suicide, and we do not know any free autistic person who has never thought of suicide.

Autistics do not commit suicide "because of their disorder", nor because "their autism makes them suffer", but because the lack of universal design, of reasonable accommodation, of humane and fair consideration, and of equitable enjoyment of the fundamental rights and freedoms make their lives impossible in France.

**Thus, the French generalized violation of the Convention is not only liberticidal and indecent, but it is also leading to the death of autistic persons.**

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## Article 12

### Equal recognition before the law

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#### **12.3/ For appropriate support and adaptations, to maintain legal capacity**

The very few support services for social, administrative and legal autonomy specialized for autistics simply explain to people how they should do to comply with a bureaucracy that is often unfair and absurd or incoherent, which most autistics can not do (since it is absurd or incoherent).

This is not a properly adapted support, since it is the autistic person who has to do all of the efforts, and the Administration, none.

**In particular, there are no "mediation" or "translation" services between the semi-autonomous autistic adults and the public services, which is a serious shortcoming since communication problems are among the main difficulties of autistic people.**

**Therefore, when the administrative problems are a little too complicated, the only solution proposed by these services is curatorship and guardianship, explaining that everything will be simpler and that a person will take care of everything for you (which is contrary to the principles of the Convention).**

*(And here we won't mention the cases where the French public services, always maladjusted, inaccessible and inflexible, and thus leading to acute administrative suffering, prefer to push an autistic to the psychiatric hospitalization, or to the exile, when it is not to suicide.)*

**What exactly are you going to do to solve this very problematic "paradox"?**

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# Article 13

## Access to justice

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### 13.1-1/ For a real access to justice

**How can we access justice, in the absence of the "specialized, adapted and accessible socio-administrative assistance services" that we have been asking for since 2014?**

And when the rare existing services just bother - for example - to send us a legal aid application form that we already have, and to avoid to help us find how to fill it, and then to suggest that they can hardly help us because our disputes are with the public bodies, on which they depend indirectly?

**How can the persons locked up in a center or a hospital have access to justice when they do not even have any freedom in general?**

And even if they could win a lawsuit (which is almost impossible against the State, for an autistic person), they would not be able to appreciate the benefits, since they are locked up.

Cases of care and hospitalization without consent are very numerous, and increasing: according to a study by the IRDES <sup>15</sup>, 92,000 people were hospitalized in psychiatry at least once without their agreement in 2015 in France; however, since 2011, a law allows the recourse to a judge, but only about 3% of persons manage to do that, of which only 10% result favorably. <sup>16</sup>

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### 13.1-2/ For the fairness and the control of the French Justice: the major problem of the "separation of powers"

**The possibility to access justice is necessary,  
but it is also necessary that the justice itself be right.**

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<sup>15</sup> <https://www.irdes.fr/presse/communiqués/157-les-soins-sans-consentement-en-psychiatrie.html>

<sup>16</sup> <http://sante.lefigaro.fr/article/psychiatrie-le-nombre-d-internements-sans-consentement-en-augmentation/>

**However, it is very common that judicial decisions are unfairly unfavorable to autistic people, because of the incomprehension of autism and/or because of interests or confraternal solidarities.**

Moreover, judges never recognize their mistakes, even when blatant, as we have seen in the "Rachel case".

In 2015, in the Timothée case, we made a "petition for mercy" to the Elysée Palace, which replied: "(...) *It is not up to the Government nor the President of the Republic to obstruct the execution of these court decisions. (...)*"<sup>17</sup>.

**The "principle of separation of powers", makes that the people have no means of control and sanction of the judiciary, which allows the latter to do what they want, in an arbitrary way.**

**How to solve this problem, how to find a way to bring the French justice system back to reason and fairness in cases where we can easily show that it is wrong, when even the Presidency of the Republic say they cannot intervene?**



## **13.1-3/ The systematic abuse of the pretext of "dangerousness"**

**Public authorities - and in particular public psychiatrists and judges - very often use the notion of "dangerousness" to do what they want with people (to forcibly send them to an institution, to hospital ...), which allows them to cunningly bypass the notion of "discrimination based on disability".**

Medical certificates and judgments are often written in an exaggerated way, aggravated each time a text is based on a previous one, which finally allows to write anything [rubbish], as for example in the Timothée D. case: that child had embraced his AVS<sup>18</sup> while biting his own hand, but a magistrate, after initially understanding that Timothy had bitten his AVS, continued to consider this action as "endangering others", justifying the school exclusion and the institutionalization.<sup>19</sup>

This action was soon described as an "aggression" (which is false since there was obviously no intention), and finally, by dint of successive amalgamations and exaggerations, Academy Director Mr. Baglan stated on the radio that "Timothée had beaten his AVS"<sup>20</sup>, which is totally false.

Judicial errors and "malfunctions" are very common, but very few parents dare to complain, especially when they see how "Justice" ruthlessly persecutes (to give examples?) those who dare to rebel, like the mother and father-in-law of Timothée, and then Rachel, among others.

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<sup>17</sup> <https://allianceautiste.org/wp/2015/05/demande-grace-presidentielle-timothee-condamne-ime-2/>

<sup>18</sup> Auxiliary of School Life

<sup>19</sup> See the precise record of the hearing of the TCI (Tribunal of the Disputes about Incapacity):

<https://allianceautiste.org/wp/2014/11/affaire-timothee-temoignage-audience-du-6-octobre-tci-simulacre-de-justice/>

<sup>20</sup> Radio broadcasts: <https://www.rtl.fr/actu/consos/problems-of-discrimination-and-insurance-life-in-ca-can-you-arrive-with-julien-courbet-7774577019> (from 34'38 ": " [Timothy] has beaten [his AVS] " (indisputably false))

What do you intend to do in order to combat this problem of abusive and liberticidal confusions; to systematically and seriously prove the reality of the "dangerousness" or "endangerment", and to ensure that the measures are proportionate?

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## **13.2/ For the training of the judicial and police personnel**

In view of the extreme rarity, in France, of doctors understanding autism (especially its "mild" forms and especially among adults), it is difficult to hope that the judiciary personnel would be able to evaluate correctly the behavior of an autistic, and this generates a lot of misunderstandings and sufferings (and a certain cost for the State).

The use of expert physicians - almost always psychiatrists - is often unnecessary or counterproductive since the medical approach to autism is wrong.

**There is a need for "autism referent persons" (advisers)  
in all justice and police services  
(and in all public services),  
and these advisers must rely on the knowledge of the autistics.**

**Does the French State intend to do what is necessary, and to take our explanations into account, and if so, how?**

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## **Article 14**

### **Liberty and security of the person**

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## 14.1a/ It is the State that violates the right to liberty and security of the person

When it is the French State that "ensures" the enjoyment of the liberty and security of the person, for the autistics it is in the following ways:

- most often, by "placements" in centers or hospitals, therefore without freedoms;
- and for autistic adults who are lucky enough to live outside this trap:
  - there is always the risk of forced hospitalization if the person is not enough submissive and docile to the medical authorities;
  - or otherwise, we can achieve a certain freedom if we keep a safe distance with public services (especially medical).

When the family is lucky enough to be able to take care of their child, they enjoy the same level of security and freedom as non-disabled children.

In conclusion, **once again, it is the state itself that does exactly the opposite of what it has to do.**

In most other countries (for example, in Brazil), there is no such national politico-economico-medical industry exploiting disability. It is possible to see many autistic and persons with disabilities everywhere. Most of them look happy and unstressed: that is logical, since they are not exposed to the enslavement to a fearsome medico-administrative and financial system.

**How can you ensure freedom and security of the person, whereas it is mainly the State that flouts these principles?**



## 14.1b/ Illegality or circumvention of the law to make "placements" with defenseless human beings

In situations of exclusion and segregation decided by the Administration (which is the common rule), the Article 14.1b is violated, since the grounds or pretexts are that the autistic person is:

- either "not adapted" (which is therefore discrimination based on disability);
- or "dangerous" (which is almost always a very abusive pretext, which can be demonstrated but the authorities prefer to remain in the approximations that arrange them): here it is obvious that the doctors or judges know that they can not not use the argument of disability, and that the pretext of dangerousness works very well.

It is sufficient to analyze the judgments to see the amalgams, or to read the medical certificates to see that they are not really "circumstantiated" (with concrete details) but rather opinions or impressions (often imaginary), without tangible proofs. <sup>21</sup>

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<sup>21</sup> Affairs: Timothy D., Rachel and her 3 children, Eric LUCAS (arbitrary forced hospitalization), and many other abusive and arbitrary cases, i.e. almost all the very numerous cases of segregation or suffering imposed by the French State.

**What will you do to respect the laws and conventions in a serious and precise way, and not by interpreting and distorting everything according to your sovereign pleasure?**

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## **Article 15**

### **Freedom of torture or to cruel, inhuman or degrading treatment or punishment**

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#### **15/ Against inhumane and degrading treatment <sup>22</sup>**

**15.2-1/ Please report on measures taken on inhumane and degrading treatment of children with disabilities in specialized institutions.**

**15.2-2/ In particular, please specify if there have been any criminal convictions and what are the measures to effectively and regularly control these institutions.**

**15.2-3/ For children within the autism spectrum, please indicate the measures taken to put an end to over-medication, packing and non-recommended care (Son-Rise, 3I, diets).**

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<sup>22</sup> See also our Report to the Committee Against Torture:



## Article 16

### Freedom from exploitation, violence and abuse

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#### 16-1/ Violence and sexual abuse

16-1.1/ Please inform about measures taken on sexual violence and abuse in specialized institutions (Medico-Educational Institutes, group homes, psychiatric hospitals...).

16-1.2/ Please specify the protective measures taken or considered to protect children and adults who have been victims and/or witnesses of such acts.

16-1.3/ Finally, please indicate the measures taken or considered to prevent such abuses, if proven, from happening again in the future.

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#### 16-2/ For the abolition of the medico-financial exploitation of autistic people

**Given the astronomical daily prices practiced,  
the use of autistic people in the centers and hospitals  
is a form of financial exploitation of the peculiarities of these persons.**

We are not against commerce, but it shall not be done to the detriment of the freedom and possibilities of fulfillment of the persons;  
unfortunately these institutions can not function without the presence of "patients" to "justify" their so-called "care".

**All studies say the same thing about the negative consequences of institutionalization.  
However, the French authorities continue to feign innocence and ignorance, so as not to disturb this exploitation and this apartheid.**

**We demand the end of the enslavement of human beings to financial appetites  
with the falsely naive complicity of the French State:  
we demand the immediate abolition of the medico-financial exploitation  
of autistic persons and of all disabled people:  
Italy did that in 1977 for children, hence why France wouldn't be able to do it?**

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## **Article 17**

### **Protecting the integrity of the person**

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#### **17-1/ For the respectful protection of our freedom and our choices against sensory and mental harms, indispensable for autistics**

**Such protection, conceived according to OUR needs and not only those of the protectors, is absolutely indispensable for autistics.**

But for that, it would be necessary to start understanding what the sensory and mental harms are (both based on the notion of disharmony); in other words, autism should be understood.

In addition, without understanding autism, we are being given "protections" and "treatments" that may be suitable for non-autistic people, but not for us.

And on top of that, they want to force us to change our nature, to fit in a "normal" vision of the world ...

**17-1.1/ When will you finally listen seriously to the explanations of the autistic people, instead of complaining that autism is difficult to understand, while refusing to dialogue with us, and while imposing an unbearable system on us, just for your tranquility and your profits?**

**17-1.2 / What do you intend to do in order to protect our physical and mental integrity, according to our own needs (and not those that you imagine),  
for example by starting with things as simple as**

- **respecting the right to not to be touched (if desired),**

- **respecting the right to sleep when exhausted** (without being questioned or touched every 10 mn by nurses),
  - **respecting the suppression of bullying** (at school, at work, and everywhere),
  - **and, in general, by reducing aberrations everywhere, starting with the injustices, such as segregation** (especially of children),
  - **the reduction of the medico-administrative contempt,**
  - **the limitation of the Administrative Troubles and Abuses, the termination of the psycho-administrative martyrdoms** <sup>23</sup>,
  - **and so many other things easy to do, with a at least little bit of good will?**
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## **17-2/ For the protection of the personal peace, of the right to withdrawal or refuge, of the right to solitude, and of the autistic personal identity and originality**

As for point 17-1, these necessities are absolutely essential for autists.

A happy life is not conceivable for autistic people, without first seriously respecting our special needs such as those described here (17-1 and 17-2), among others.

**Same questions as for 17-1.**

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<sup>23</sup> Eric LUCAS: many files and evidences, for 25 years of ignored administrative martyrdom.



# Article 19

## Living independently and being included in the community

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### 19-1/ For the deinstitutionalization

**19-1.1/ Please indicate whether the State has engaged on a policy of deinstitutionalization and, if so, at which date and with which stages.**

**19-1.2/ In particular, please inform about measures taken to remove autistic persons from psychiatric hospitals and medical-social establishments.**

**Which programs are being undertaken to promote their inclusion in the community with the necessary support?**

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### 19-2.1/ Against forced hospitalization and arbitrary medico-administrative sequestration

Forced hospitalization almost always violates the fundamental rights and should only be implemented in extreme cases, in a proportionate manner, and the most briefly possible.

But in France, as usual, it is the opposite that is done.

And it is almost always the abusive pretext of "dangerousness" that is used, on the basis of any detail, such as a gesture (to which they will attribute an intention), a letter, an incomprehensible attitude: any kind of doubt or phantasmagorical idea of a doctor is enough: arbitrariness reigns supreme, without any possible contestation.

There is almost no way to defend oneself: very few persons manage to cancel a forced hospitalization, and only since 2011.

If a person is really dangerous, then he or she must be sent in custody or in judicial detention, and there at least he or she will have a chance to defend oneself with a lawyer systematically, and to explain to people capable of communicating and able to have some humanity.

**We ask you to prove, for each present or future measure of forced hospitalization, that this decision is the best, that it is effective, indispensable, and that it scrupulously respects the French law (in particular regarding the obligation of "circumstantiated" medical certificates) and the stipulations of the Convention.**

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## **19-2.2/ Against the right of doctors to decide to lock up people**

No doctor has the right to decide on the freedom of others, but in France they do it anyway, thanks to a subterfuge: sending a certificate to the Prefecture (always thanks to the unavoidable pretext of "dangerousness"), and then the Prefecture gives the authorization of deprivation of liberty.

Then the doctors hypocritically explain that the decision comes "from the Prefect" and that they can't do anything against that, when in fact the Prefecture systematically accepts all their requests, even when they lack "circumstantiated" details, because anyway the people of the Prefecture have no knowledge of the situation and are obliged to trust these accredited doctors.

**Please comment and indicate the percentage of cases refused by prefectures (if any), and explain the legality of this indirect right to lock up.**

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## **19-2.3/ Against accommodation in hospitals**

**Hospitals are not living places:** hospitalization must be temporary (e.g. a few weeks).

Yet in France, thousands of autistic people "live" in hospitals for years.

This is completely absurd, especially since it is useless, because nothing significant happens in these hospitals.

If the condition of a person does not change visibly in a few months, then this proves the ineffectiveness of the hospitalization, and in such case it must end, especially since it is incredibly expensive (often around 1000 € per day, and to do nothing).

Anyway, it is quite difficult not to suffer psychologically when one is locked up in a psychiatric hospital: how could one "go well", when one lives in a place where nobody would like to live, and when one is treated like an inferior, a sick, defective person?

**What do you plan to do in order to prevent accommodation in psychiatric hospitals, for example with a time limit, assessments, etc.?**

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## **19-2.4/ For the "right to live where one wants"**

**We demand the "right to live where one wants"  
on the basis of equality with others,  
which is a fundamental, non-negotiable right.**

**19-2.4.1/ Which steps will you take to ensure that all texts, regulations, recommendations, practices etc. are respecting this right?**

**19-2.4.2/ Which surveys will you conduct with each person living in a "center" and in a hospital in order to honestly collect their opinion on their preferences in this regard?**

**19-2.4.3/ And will you respect their choices?**



## **19-2.5/ For the services "in the city" (in the community)**

**All the studies, common sense, humanity, and the Convention, are saying the same thing: it is necessary to deinstitutionalize, by redirecting the budgets towards services in the city (and to the National Education), closer to natural places of life and activities of the persons.**

These things have been explained for years to the "authorities", but they pretend not to understand, or they make vague promises, which are never respected.

That governmental reluctance and bad faith, proven and constant, can be explained only by collusions with lobbies (which are sometimes difficult to hide).

**Here, it is useless to ask the State what it intends to do, to hear once again words without substance.**

**It is not possible to continuously make fun of the commitments to the United Nations; therefore:**

- **either the State must find a solution, very quickly,**
  - **or it should be proposed to France - at least as a symbolic reprimand - to withdraw from the Convention (and if they really did it, that would be at least - and at last - an honest thing).**
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## **19-2.6/ For the consideration of autism in emergency, precarious or "social" accommodation**

Since there is no correct consideration of autism in France, autistic people can suffer a lot when they end up in public emergency housing situations, which are not taking autism into account (given that autism is the "exclusive preserve" [or "private turf"] of the hospitalo-pharmaceutical and medico-social lobbies).

When these sufferings, failing to be taken into account in order to bring improvements, become too strong, then they become "crises", which then "justify" exclusion or hospitalization.

However, a person in a precarious situation is already weakened, therefore one must really be attentive and adapted to their difficulties, instead of simply answering "we can not take care of the psychic handicaps, but you can try the hospital", whereas one is not sick, but just needs to be left in peace.

**What are you waiting for to take autism into consideration in emergency housing, as you do for other disabilities, through reasonable accommodations (such as a solo room, or protection against certain social nuisances), and of course by giving a basic training on autism to staff, which would also help them to "detect" possible cases of autism, since many of us are living in misery?**

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## **Article 23**

### **Respect for home and the family**

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## **23/ For the right to live in the family, or with whom we want**

**A natural human right, totally violated by France to please the exploiters of autism.**

**The French medico-administrative Hydra takes children from parents, sometimes by force, to offer them with a smile to the medico-social industry, which in addition ruins the chances of human fulfillment,**

and everyone finds this "normal" ...

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## **23.4/ "Under no circumstances should a child be separated from his parents because of his disability or the disability of one or both parents."**

Here it would be necessary to add "and even less if children AND parents are disabled" : see "the Rachel case"<sup>24</sup>, an autistic mother to whom the French "Justice" abducted her three autistic children, first by claiming that they were not autistic and that she had "invented" that.

Then, even after the official confirmation of the autism of the children and of the mother, the "Justice" never accepted to recognize their error.

The unanimous public, and even two Secretaries of State [for disability] have supported [endorsed] Rachel, but there is nothing to do: in France, when the "Justice" or the public doctors decide to persist in an error, it is irrevocable and one is condemned to suffering for life<sup>25</sup> while the culprits take a good time and are covered with honors, power and money.

And unfortunately, the Rachel case is not uncommon; there are hundreds of such unjust and cruel separations.

**How are you going to solve this serious problem, which refers to "collusion with lobbies", and the problem of the "separation of powers" in France?**

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<sup>24</sup> [https://fr.wikipedia.org/wiki/Affaire\\_Rachel](https://fr.wikipedia.org/wiki/Affaire_Rachel)

<sup>25</sup> (and the writer is knowledgeable about that ...)



# Article 24

## Education

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### 24-1/ Education

**24-1.1/ Please inform about the measures taken for inclusive education and the deadlines chosen.**

**24-1.2/ In particular, please specify measures for access to education for all autistic persons, including the non-verbal ones.**

**24-1.3/ In particular, please indicate the measures taken on the training of teachers, the accessibility of buildings and classrooms, the pedagogies and supports used, the choice of the appropriate methods of communication, the technical and human aids provided for this right to be effective.**

**24-1.4/ Please comment on the fact that the baccalaureate reform is going to organize a "grand oral" exam without accommodations for autistic people.**

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### 24-2/ Training of educational professionals

**24-2.1/ Please indicate whether training policies for health professionals, psychologists, specialized educators and social workers have been undertaken to improve knowledge, screening and support of autistic people.**

**24-2.2/ In particular, please provide figures about autism training for each profession involved in caring for autistic people.**

*(Psychoanalysis trainings, predominant among social workers and universities, are still present in large numbers.)*

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## 24-3/ Research

**24-3.1/ Please indicate whether the State is committed to promoting scientific research based on the needs of autistic people and their families.**

**24-3.2/ Please describe the measures taken to promote research projects built with persons with disabilities on subjects concerning them.**

**24-3.3/ In particular, please indicate whether accessibility measures are taken in universities, access to Doctorate and to research for autistic people and/or people having learning difficulties (simplified language, alternative or enhanced means of communication).**

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## 24-4/ Inclusive Education

**Everything has already been said about inclusive education, especially in our report to the Committee on the Rights of the Child in 2015, and also about the need to "convert" (or reconvert) what is existing ("medico-social" etc.), and financial budgets, to bring services where people are living, instead of forcing people to live within the walls and according to the rules of the "exploiters".**

**But all shows that the French state does not care, and continues to pretend, by discreetly abusing the Convention, and scorning members of the Committee with promises never respected.**

**So, how to do?**

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## 24.1b/ For the fulfilment of the personality of the persons with disabilities, and of their talents and their creativity

**Each autistic can flourish thanks to his/her talents, his/her creativity, his/her "unique path of life", which must be discovered, protected and sometimes fostered, instead of doing exactly the opposite (once again), which is what is happening now: trying to "erase" or to "correct" autism, seeking to "normalize" and to format the person, and negatively criticizing everything that makes the autistic difference, which makes the person truly unique and authentic (which is a huge asset in a society of duplication), ultimately making them unhappy.**

**What do you intend to do in order to foster the talents, the originality and creativity of autistic people, and to encourage them on their own "unique personal path of life", instead of doing exactly the opposite?**

**If most non-autistic people**

want to copy each other and to be "normal", they have the right to do it;  
but they do not have the right to impose that  
on those whose nature is violated by that.

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## Article 25

### Health

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#### **25-1/ The major obstacles to access the public health system for the autistic persons, due to ignorance and medico-administrative brutality**

Most of the French public doctors - particularly psychiatrists - being characterized by arrogance, by real medico-administrative omnipotence ["power of God"], and by the illusion of omniscience preventing to understand or to see autism, attempts of access are generally a sort of "impossible mission", which often discourages autistic persons (and families) to go to the hospital, after being abused and/or considered as liars, or as what the doctors fancy.

When these doctors, instead of believing that they understand, realize that they do not understand us, they deduce that we have a "mental disorder", without ever wondering about their own limitations.

And when sometimes doctors see that a person is autistic, they immediately confuse that with a mental illness, which does not help.

Humane and productive communication is very difficult also with the nurses, too much often like kind of humanoid robots knowing only the phrase "Do not worry", that they repeat without understanding anything, and - of course - while gently ignoring everything we can tell, explain, or ask them, especially about our particular sensitivities or needs, while forcing us to be the plaything of their ignorance and procedures, made for others.

The situation with private doctors is about the same, with a special mention for dentists, dermatologists, and all those who use local anesthesia, who - when pain makes you intensely suffering - claim that "you can not

feel anything, it's impossible", hinting that you're exaggerating.

Here, like anywhere else in France, the "user" is always wrong.

Especially when he or she is autistic, condition that those people do not understand (or do not believe), which disturbs and irritates them.

**In summary, it is a total disaster, and everything has to be reworked** (starting with the understanding of autism or at least of the difficulties and needs of autistic people, which is difficult when the so-called "specialists" do not deign to listen to us seriously because they think they know better than us).

**The list of problems with the medical world would be too long for this document.**

**How to fight against the "syndrome of God-the-Almighty" and the ignorant brutality of French doctors, how to train them to autism, without which the misunderstandings are serious, which makes that it's always the "patient" who is the victim of the behaviors and decisions of doctors who are in ignorance or in error?**

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## Article 26

### Adaptation and rehabilitation

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**26/ Diagnosis** (*necessary for the detection of autistics' characteristics to understand better the needs and the necessary accommodations*)

**26-1/** Please indicate the measures taken in terms of access to diagnosis for autistic children and adults,

**26-2/** and if you plan to put an end to health inequities through reimbursed insurance and benefits for early diagnosis and accompaniment.

**26-3/** In particular, what are your policies to address the territorial inequities of access in terms of competent professionals for autism?

**26-4/** and about gender and racial inequities for autistic women and ethnic minorities?



# Article 27

## Work and employment

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### 27/ Employment

**27-1/ Please indicate whether the State has committed to an employment policy for autistic people.**

**27-2/ Please detail the measures taken about the respect of reasonable accommodations, technical and human assistance, training and rehabilitation programs in order to maintain employment.**

**27-3/ Please inform about policies to fight discrimination in hiring autistic people, and unequal salaries.**

**27-4/ In particular, please provide information on the measures taken to ensure that workers in work-based establishments and services [for persons with disabilities] can enjoy the same professional, trade union and minimum wage rights as other employees.**

**27-5 / Please comment on the information that the Andros company's project for the integration of autistic persons does not respect the right to training and vocational rehabilitation and the right to independent living.**

*(Andros trains autistic persons, but only for specific positions that rarely match their aspirations; their salaries are almost entirely absorbed by associations and by an expensive lodging imposed de facto by the employer, and finally equity does not seem to be respected in terms of rights, salary, labor law, etc.)*

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# Article 30

## Participation in cultural life, recreation, leisure and sport

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### **30/ The considerable obstacles for autistic people to access to public and private services and facilities related to cultural and recreational life, leisure and sports**

As everywhere in France, autism is not considered, autistic persons face various obstacles, including sensory and psycho-social ones, which discourage (because of suffering and/or rejection already experienced and then feared), and which ultimately lead to self-exclusion.

Yet some hobbies and sports can be very useful and interesting for autistics, and anyway, equal access is a right.

Here, we must emphasize the highly important - and often decisive - benefits of experimentation in general, and adventure and travel in particular (to be done in a very progressive way), something that is almost impossible in the current conditions.

**What do you intend to do to finally promote such important things for the development of the autistic people, instead of ignoring all that, and of confining us to segregated places where any discovery or personal adventure is impossible, which deprives the autistics not only of freedom but also of "real life", made of personal experiences and choices in everyday life, and not enslavement to procedures and establishments where every detail has already been thought by employees?**

Nobody would want such a life, so why imposing this on autistics (and other persons with disabilities)?

**Instead of decreeing that an autistic "cannot", try at least to give him/her chances to find his/her own way.**

**In autism, the word "TRY" is the main key,  
indispensable, the one that opens all possibilities.**

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# Article 31

## Statistics and data collection

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### 31/ Data, statistics, and other information

**31-1/** Please provide updated statistical data (disaggregated by age, sex, country of origin, geographical area and socio-economic status), for the latest three years, on the number of children with disabilities who have been victims of bad treatments, violence and abuse (including sexual violence), murder, and the number of complaints, investigations, prosecutions and convictions in this matter;

**31-2/** Please provide updated statistical data (disaggregated by age, sex, country of origin, type of disability, geographical area and socio-economic status), for the latest three years, on the number of children with special needs, especially autistic children:

- a) who live with their family;
- b) who live in institutions;
- c) placed in psychiatric hospitals;
- d) attending regular primary schools (and information on attendance rate);
- e) attending regular secondary schools (and information on attendance rate);
- f) attending specialized schools (and information on attendance rates);
- g) schooled in health, medico-social and hospital establishments (and information on attendance rate);
- h) not attending school;
- i) abandoned or killed by their families;
- j) who committed suicide.