



Brussels, 25 October 2021

To: Committee of Bioethics of the Council of Europe

**Subject: Draft additional Protocol to the Oviedo Convention**

Dear Members of the Committee of Bioethics of the Council of Europe,

We write to you as members of the European Parliament Disability Intergroup and the Coalition for Mental Health and Wellbeing.

Since 2014, this Committee has been working on a draft additional protocol to the Convention on Human Rights and Biomedicine (Oviedo Convention) regulating involuntary treatment and placement in psychiatry. This work is based on a Council of Ministers' Recommendation, adopted almost 20 years ago and reflects an outdated medical model of disability. A wide majority of countries have since then committed to a human rights model of disability, based on the dignity and integrity of the person through the ratification of the UN Convention on the Rights of Persons with Disabilities.

Yet, persons with disabilities, and especially persons with psychosocial and intellectual disabilities continue to be victims of coercion in psychiatry and institutions because of national legislation and policies allowing such human rights violations. Involuntary treatment and placement have increased in several countries, where legislations similar to the draft additional protocol are in place, in particular since the start of the COVID-19 pandemic. This is the reason why, the [World Health Organisation](#) is promoting rights-based mental health services and the [Parliamentary Assembly of the Council of Europe](#) called for the withdrawal of the draft additional protocol and the adoption of a human rights based approach.

We, the undersigned Members of the European Parliament, firmly believe that this Committee and the Council of Europe as a whole, must refrain from adopting the draft additional protocol to the Oviedo Convention. The purpose of the Council of Europe was initially to uphold human rights, democracy and the rule of law in Europe. To do so, it must promote the most ambitious human rights standards and respect the UN Convention on the Rights of Persons with Disabilities signed by all Member States of the Council of Europe, and ratified by 46 of them.

We therefore call on you to vote against the adoption of the protocol and instead propose the development of recommendations to promote the availability and accessibility of mental healthcare services based on the free and informed consent of the person.

Sincerely,

**Signatories**



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