

Online course for legal and health professionals on Key human rights principles in Biomedicine

Background and aim

Evolution of biology and medicine, including new technologies, has produced spectacular advances in the health field. However, these developments raise ethical issues that affect the individual and the protection of the individual's rights and dignity.

These ethical and, in many cases, also legal issues arise in various areas, such as consent to medical intervention, the right to know one's health data, matters related to medically assisted procreation, recourse to organ or tissue donation and transplantation, and others.

The Council of Europe human rights protection system has responded to this development in several ways:

- The Convention on Human Rights and Biomedicine (Oviedo Convention) was adopted in 1997. Its provisions are further elaborated and complemented by Additional Protocols on specific subjects.
- The European Court of Human Rights has addressed an increasing number of cases related to some of these issues, using the Oviedo Convention as a reference.
- There is also a substantial set of non-binding legal instruments adopted by the Committee on Bioethics and other Council of Europe Committees/bodies, which serve as a reference point at the international level.

The course aims at addressing these issues and bringing the relevant documents and instruments closer to legal and health practitioners in a form that takes into account the heavy time pressure imposed on them in their daily work. In particular, it is aimed at assisting both legal and health professionals to understand the key human rights principles relevant to their work in the biomedical field.



The topics are explored in a practical way, by using videos, interactive screens, case presentations, knowledge tests and reflective exercises.

The course includes a Glossary, with definitions of the basic concepts and notions necessary to follow the course. The Glossary can be accessed throughout the course.

The course was developed in 2018.

Target audience

This course has a twofold primary target audience:

- health professionals and
- legal professionals.

It can also be used as a training material by other categories of users, such as medical and law students, staff of national human rights institutions, and other groups or individuals with specific interests in the area of human rights in biomedicine.

Course outline (8 modules)

1. **Introduction** (definitions, international legal framework, principles)
2. **Free and informed consent** (definition, refusal or withdrawal, elements and restrictions of free and informed consent)
3. **Medical confidentiality and protection of health related data** (definition of health related data, legal framework, patient's consent, restrictions to right to privacy of health related data, data processing by health professionals, patients' right of access to health information)
4. **Protection of the embryo and procreation** (main views on the status of the embryo, medically assisted procreation techniques, prohibition of reproductive cloning, prenatal diagnosis)
5. **End of life** (introduction, legal framework, decision making in end-of-life situations, withdrawal of consent to treatment, artificial hydration or nutrition, previously expressed wishes, palliative care)
6. **Genetic testing** (introduction, different types of genetic tests, limitations, principles and rules, genetic tests and personal data, protection of persons not able to consent, direct-to-consumer tests, genetic data and insurance purposes)
7. **Biomedical research** (definition, legal principles, ethical principles, legal framework, information and consent, safety: health treatment and new developments, information and confidentiality)
8. **Transplantation of human organs and tissues** (definitions, ethical and legal issues, legal framework, general principles, removal from a living person, removal from a deceased person)

Development and implementation of the course

This course has been developed jointly by the European Programme for Human Rights Education for Legal Professionals (HELP) and the Bioethics Unit of the Council of Europe. For availability in your language, please check our e-learning platform.

Access the online course

The model course in English is freely available on the HELP e-learning platform at <http://help.elearning.ext.coe.int/>. To access it, you will need to open a HELP account if you have not yet done so (2 minutes).