

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

Strasbourg, 26 November 2019

DH-BIO/INF (2019) 12

Committee on Bioethics (DH-BIO)

Terms of reference of the DH-BIO for 2020-2021

Committee on Bioethics (DH-BIO)

Set up by the Committee of Ministers under Article 17 of the Statute of the Council of Europe and in accordance with Resolution CM/Res(2011)24 on intergovernmental committees and subordinate bodies, their terms of reference and working methods

Type of committee: Subordinate body

Terms of reference valid from: **1 January 2020 until 31 December 2021**

| PILLAR/PROGRAMME/SUB-PROGRAMME |
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| <p>Pillar: Human Rights Programme: Effective ECHR implementation Sub-programme: Bioethics</p> |
| SPECIFIC TASKS |
| <p>(i) Under the authority of the Committee of Ministers, the DH-BIO carry out the tasks assigned to the Steering Committee on Bioethics (CDBI) by the Convention for the Protection of Human Rights and Dignity of the Human Being with regard to the Application of Biology and Medicine (Convention on Human Rights and Biomedicine).</p> <p>(ii) Finalise a draft additional Protocol on the protection of human rights and dignity of persons with mental disorders with regard to involuntary placement and involuntary treatment.</p> <p>(iii) Launch and follow the implementation of the Strategic Action Plan 2020 – 2025 with a particular focus on human rights challenges raised by new technologies, such as neurotechnologies.</p> <p>(iv) Carry out a study on “good practices in mental health care – how to promote voluntary measures”.</p> <p>(v) Map legislation and best practices with a view to preparing a guide for health care professionals on children’s participation in the decision-making process in the biomedical field.</p> <p>(vi) Examine the ethical and legal issues raised by development in genome editing technologies in relation to Article 13 of the Convention on Human Rights and Biomedicine.</p> <p>(vii) Ensure the dissemination of the training course on essential principles for the protection of human rights in the biomedical field intended for legal and health professionals in non-official languages in the framework of the HELP programme.</p> <p>(viii) Launch a Guide on Public Debate and ensure its dissemination, including in non-official languages.</p> <p>(ix) Hold an exchange of views annually in order to evaluate its activities and advise the Committee of Ministers and the Secretary General on future priorities in its sector including possible new activities and those that might be discontinued.</p> |
| COMPOSITION |
| <p>Members:</p> <p>Governments of the member States are invited to designate one or more representatives of the highest possible rank, with appropriate expertise in the various aspects of bioethics, in particular legal, medical and scientific aspects, including in relation to emerging technologies, and able to consider these from a human rights perspective.</p> <p>The Council of Europe will bear the travel and subsistence expenses of one representative from each member State (two in the case of the State whose representative has been elected Chair).</p> <p>Each member of the committee shall have one vote. Where a government designates more than one member, only one of them is entitled to take part in the voting.</p> <p>In accordance with decisions CM/Del/Dec(2013)1168/10.2 of the Committee of Ministers, in cases where there is no convention-based body including all the Parties, non-member States are invited to take part, with a right to vote, in the committee meetings pertaining to the conventions to which they are Parties.</p> |
| <p>Participants:</p> <p>The following may send representatives, without the right to vote and at the charge of their corresponding administrative budgets:</p> <ul style="list-style-type: none">- Parliamentary Assembly of the Council of Europe;- Council of Europe Commissioner for Human Rights;- Conference of INGOs of the Council of Europe;- Consultative Committee of the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data (T-PD);- Steering Committee on the Rights of the Child (CDENF);- European Committee on Legal Cooperation (CDCJ);- Committee on Transplantation of Organs and Tissues (CD-P-TO);- Committee on Blood Transfusion (CD-P-TS); |

- Committees or other bodies of the Council of Europe engaged in related work, as appropriate.

The following may send representatives, without the right to vote and without defrayal of expenses:

- European Union;
- Observer States to the Council of Europe: Canada, Holy See, Japan, Mexico, United States of America;
- other international organisations: WHO, UNESCO, OECD and European Science Foundation (ESF).

Observers:

The following may send representatives, without the right to vote and without defrayal of expenses:

- Australia, Israel;
- the Conference of European Churches (KEK);
- other non-governmental organisations, including professional organisations, which could be invited by the DH-BIO to attend specific meetings of the DH-BIO in accordance with CM/Res(2011)24.

WORKING METHODS

Plenary meetings:

48 members, 2 meetings in 2020, 4 days

48 members, 2 meetings in 2021, 4 days

Bureau meetings:

7 members, 2 meetings in 2020, 2 days

7 members, 2 meetings in 2021, 2 days

The Chair or Vice-Chair of the DH-BIO may be invited to attend the meetings of the CDDH and its Bureau in order to inform on progress with its work.

The Committee will also appoint a Gender Equality Rapporteur from amongst its members.

The rules of procedure of the Committee are governed by Resolution CM/Res(2011)24 on intergovernmental committees and subordinate bodies, their terms of reference and working methods.

Whenever appropriate, it will prioritise environmentally sound working methods, such as virtual meetings facilitated by information technology and written consultations.

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| 164 | Convention for the protection of Human Rights and Dignity of the Human Being with regard to the Application of Biology and Medicine: Convention on Human Rights and Biomedicine |
| 168 | Additional Protocol to the Convention for the Protection of Human Rights and Dignity of the Human Being with regard to the Application of Biology and Medicine, on the Prohibition of Cloning Human Beings |
| 186 | Additional Protocol to the Convention on Human Rights and Biomedicine concerning Transplantation of Organs and Tissues of Human Origin |
| 195 | Additional Protocol to the Convention on Human Rights and Biomedicine, concerning Biomedical Research |
| 203 | Additional Protocol to the Convention on Human Rights and Biomedicine concerning Genetic Testing for Health Purposes |