

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

Strasbourg, 4 November 2022

CDBIO / Abr RAP 2

**STEERING COMMITTEE FOR HUMAN RIGHTS  
IN THE FIELDS OF BIOMEDICINE AND HEALTH (CDBIO)**

**2<sup>nd</sup> meeting**

**2-4 November 2022**

Strasbourg

**Abridged report**

Adopted by the CDBIO

## **Opening of the meeting and adoption of the agenda**

The Steering Committee for Human Rights in the fields of Biomedicine and Health (CDBIO) held its 2<sup>nd</sup> meeting in Strasbourg from 2 to 4 November 2022. The meeting was chaired by Ritva Halila (Finland).

The agenda of the meeting is contained in Appendix I. The full report of the meeting, including the list of participants, is available from the Secretariat (doc. CDBIO/RAP2).

## **List of items for decision by the Committee of Ministers**

- The draft Recommendation on equitable access to medicinal products and medical equipment in shortage situation, was approved by unanimity of the votes cast with one abstention. It will now be presented to the Committee of Ministers for adoption.
- The Secretariat will adapt the Explanatory Memorandum to the minor amendments agreed and will be sent to the Committee of Ministers to take note.
- The “Guide to health literacy – Contributing to trust building and equitable access to healthcare”, was adopted by unanimity of the votes cast. It will be sent to the Committee of Ministers to take note. With the support of delegations, the Guide will be translated into different languages, communicated and made available to internal and external stakeholders in order to maximise its uptake and utility.

## **List of items for information of the Committee of Ministers**

The CDBIO:

- Welcomed the “Preliminary outline of a draft Recommendation promoting the use of voluntary measures in mental healthcare services” and its underlying “Key Principles”, proposed by the Bureau, based on the work of a consultant. Delegations expressed the general view that the documents provided a good basis for the future recommendation and shared their initial comments and suggestions on the proposals. Representatives of disability INGOs also presented their views. Delegations, participants and observers were invited to send written comments on the outline, including on its scope with regard to children, by 9 December 2022.
- Was informed about the children and stakeholders consultation process currently underway on the revised “Draft Guide to the participation of children in decision-making processes regarding their health”, developed jointly by the CDBIO and CDENF. Delegations who have not already done so were invited to disseminate the draft among national stakeholders and were encouraged to liaise with their CDENF counterparts in view of the finalisation of the draft Guide and adoption by both steering Committees by the end of 2023.
- Agreed to organise a pilot youth forum on bioethics, made possible thanks to a voluntary contribution from Ireland, to be held in Strasbourg on 6 June 2023 on the first day of the 3<sup>rd</sup> plenary of the CDBIO. Reference was made in this context to the relevant recommendation of the Group of high level reflection on the future of the Council of Europe. The Committee decided to designate two rapporteurs for the pilot forum. The Committee also exchanged views on topics to be discussed with the youth participants of the pilot forum.
- Took note of the results of the first meeting of the drafting group on Artificial Intelligence (AI) in healthcare, notably the draft outline of the report which explores three main dimensions of the impact of AI in the doctor-patient relationship, namely: (i) the autonomy and right to

information of the patient; (ii) the quality of care and the role of healthcare professionals; and (iii) health data – promoting transparency and patient trust. Delegations, participants and observers were invited to provide any written comments on the outline, as well as good practice, tools or other suggestions pertaining to the impact of AI on the doctor-patient relationship, to be sent to the Secretariat at the latest by 9 December 2022.

- Supported the proposals for follow up activities proposed in the rapporteurs' report of the Round table on "Neurotechnologies and Human Rights Framework: Do We Need New Rights?", jointly organised with the OECD on 9 November 2021, including on public engagement in collaboration namely with the OECD, and on the development of an interpretative guide to existing human rights and neurotechnologies. In line with the CDBIO terms of reference, this report will be presented to the CDDH for an exchange of views at its plenary meeting on 7 December 2022.
- Agreed with the approach proposed for the preparation of the mid-term report of the Strategic Action Plan on Human Rights and Technologies in Biomedicine (2020 -2025) and the setting up of a group within the Bureau enlarged to former chairs of the Committee to prepare the report. This group was also entrusted with the task of reflecting and making proposals for future possible avenues for action beyond the current strategic action plan.
- Following the invitation by the Committee of Ministers, agreed to entrust the Bureau with the task of preparing CDBIO comments on the PACE Recommendation 2240 (2022) "Preventing vaccine discrimination" based on comments to be sent by delegations by 9 December 2022.

### **Any changes to the composition of the Committee Bureau**

- The CDBIO elected
  - o As Chair: Siobhan O'Sullivan (Ireland), for a one year term renewable once
  - o As Vice - Chair Tomas Dolezal (Czech Republic), for a one year term renewable once
  - o As Bureau members:
    - Assunta Morresi (Italy) for a new two years term not renewable
    - Luisa Borgia (San Marino) for a two years term renewable once
    - Anne Forus (Norway) for a two years term renewable once
    - Andreas Valentin (Austria) for a two years term renewable once

Appendix I  
Agenda

**Wednesday 2 November 2022 (09.30- 13.00 / 14.30 - 18.00)**

**1. Adoption of the draft agenda**

- New CDBIO members invited to introduce themselves
- Reminder about the main decisions to be taken during the meeting

**2. Equitable access to medicinal products and medical equipment in shortage situation**

*Objectives:*

- *Approval of the draft Recommendation on equitable access to medicinal products and medical equipment in shortage situation, with a view to its presentation to the Committee of Ministers for adoption*
- *Finalisation of the Explanatory Memorandum*

**3. Draft Recommendation for the promotion of voluntary measures**

*Objective:*

- *Examination of the preliminary draft Recommendation prepared by the Bureau*

**Thursday 3 November 2022 (9.00-13.00 / 14.30-18.00)**

**4. Guide to health literacy: contributing to trust building and equitable access to healthcare**

*Objective:*

- *Adoption of the Guide*

**5. Guide on children participation in decision-making process on matters relevant to their health**

- *Information on the progress of the Consultation process being carried out*

**6. Neurotechnologies and human rights**

*Objectives:*

- *Presentation of the report of the Round table*
- *Information on the communication strategy for the report*

## **7. Preparation of the mid-term review of the SAP**

### *Objectives:*

- *Agreement on the methodology for the preparation of the mid-term report planned in the SAP*
- *Early discussions on possible future priorities with a view to the mid-term review requested in spring 2023 by the Committee of Ministers for the quadrennium 2022-2025*

## **8. Youth Forum**

### *Objective:*

- *Examination of the proposal prepared by the preparatory group for the (pilot) Youth Forum to be held in Spring 2023*

**Friday 4 November 2022 (9.00- 13.00)**

## **9. Artificial intelligence and biomedicine**

### *Objective:*

- *Presentation of the conclusions of the first meeting of the drafting group and guidance from the CDBIO on the way forward*

## **10. Overview of legislation and practices on patients' rights**

### *Objective:*

- *Examination of the proposal from the Bureau*

## **11. Bureau elections**

### *Objectives:*

- *Election of the Chair and Vice Chair for a one-year term renewable once*
- *Subject to the result of the election of the Chair and Vice Chair, election of three Bureau members:*
  - *The terms of three Bureau members are coming to an end. Two are not re-eligible (Pierre Mallia and Rodica Gramma) and one is re-eligible for another term of two years (Assunta Morresi)*




Submission for nominations should be sent in writing to the Secretariat by Thursday 3 November 2022 at 2.00 pm.

## **12. Adoption of decisions taken by the CDBIO at its 2<sup>nd</sup> meeting**

- *Approval of the abridged meeting report which includes the decisions*

	<p><b>13. Dates of the next meetings</b></p> <ul style="list-style-type: none"> <li>○ <i>3<sup>rd</sup> meeting of the CDBIO: 6-9 June 2023</i></li> <li>○ <i>4<sup>th</sup> meeting of the CDBIO: 14-17 November 2023</i></li> </ul>
	<p><b>14. Other business</b></p> <ul style="list-style-type: none"> <li>○ <i>Equitable and timely access to innovative treatments and technologies in the healthcare system: setting up of a Drafting group</i></li> </ul>

### POINTS TO BE DEALT WITH IN WRITING

	<p><b>15. Developments in the field of bioethics</b></p> <p>Delegations, including observers, are invited to send information in writing.</p> <ul style="list-style-type: none"> <li>a. Developments in member states and other states</li> <li>b. Developments in the field of bioethics in international organisations</li> <li>c. Developments in other Council of Europe bodies</li> <li>d. Developments at the European Court of Human Rights</li> </ul>
	<p><b>16. Chart of signatures and ratifications of the Convention on Human Rights and Biomedicine, the Protocol on the Prohibition of Cloning Human Beings, the Protocol concerning Transplantation of Organs and Tissues of Human Origin, the Protocol concerning Biomedical Research and the Protocol concerning Genetic Testing for Health Purpose</b></p>
	<p><b>17. Cooperation with other committees</b></p> <ul style="list-style-type: none"> <li>a. European Committee on Organ Transplantation (CD-P-TO)</li> <li>b. European Committee on Blood Transfusion (CD-P-TS)</li> <li>c. Consultative Committee of the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data (T-PD)</li> <li>d. Steering Committee for the Rights of the Child (CDENF)</li> <li>e. Steering Committee for Legal Cooperation (CDCJ)</li> </ul>