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 2014 until 31 December 2015**

Main tasks

Under the authority of the Committee of Ministers, the DH-BIO shall 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.

Under the supervision of the Steering Committee for Human Rights (CDDH), the DH-BIO will conduct intergovernmental work on the protection of human rights in the field of biomedicine assigned to it by the Committee of Ministers.

The DH-BIO will in particular:

(i) conduct regular re-examinations foreseen in the Convention and its Additional Protocols;
(ii) develop further the principles laid down in the Convention on Human Rights and Biomedicine, as appropriate;
(iii) contribute to raising awareness and facilitating the implementation of these principles;
(iv) assess ethical and legal challenges raised by developments in the biomedical field;
(i) co-operate with the European Union and relevant intergovernmental bodies, in particular with a view to promoting consistency between the normative texts;
(ii) in accordance with decisions CM/Del/Dec(2013)1168/10.2 of the Committee of Ministers, carry out, at regular intervals, within the limits of the available resources and bearing in mind its priorities, an examination of some or all of the conventions[1] for which it has been given responsibility, in co-operation, where appropriate, with the relevant convention-based bodies, and report back to the Committee of Ministers.

Pillar/Sector/Programme

Pillar: Human Rights
Sector: Ensuring Social Rights
Programme: Bioethics

Expected results

2014:

(i) Subject to a decision, a legal instrument on the use of predictive health related data for insurance purposes is finalised.
(ii) Studies on scientific aspects and ethical implications of emerging technologies and their convergence are presented and discussed at a conference.
(iii) A symposium is held to launch a guide on decision-making-process regarding medical treatment in end of life situation.
(iv) A public consultation is organised on a draft revised Recommendation Rec(2006)4 on research on biological materials of human origin.

2015:

(i) The preparation of a draft additional protocol on the protection of persons with mental disorders with regards to involuntary treatment and involuntary placement is finalised.
(ii) Priority challenges for human rights raised by emerging technologies and their convergences are identified and examined with a view to the elaboration of a white paper.
(iii) Subject to the decision by the Committee of Ministers, draft guidelines are prepared to address the issue of prenatal sex selection.
(iv) The draft revised Recommendation Rec(2006)4 is finalised.
(v) A round table is organised on direct to consumer genetic testing with experts and representatives of the different fields concerned, including patients and consumer organisations.

[1] Cf. Relevant decision of the Committee of Ministers (CM/Del/Dec(2013)1168/10.2) and list of Conventions in Appendix 1.

Composition

Members:
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 and able to consider these from a human rights perspective.

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).

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.

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.

Participants:
The following may send representatives, without the right to vote and at the charge of their corresponding administrative budgets:

- Parliamentary Assembly 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), Committee (Partial Agreement) on Transplantation of Organs and Tissues (CD-P-TO) and Committee (Partial agreement) on Blood Transfusion (CD-P-TS);[2]
- 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: European Science Foundation (ESF), OECD, UNESCO and WHO.

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

- Australia, Israel;
- Church and Society Commission of 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

Meetings:
48 members, 2 meetings in 2014, 4 days
48 members, 2 meetings in 2015, 4 days

Bureau
7 members, 2 meetings in 2014, 2 days
7 members, 2 meetings in 2015, 2 days

The Chair or Vice-Chair of 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.

[2] European Directorate for the Quality of Medicines and Healthcare.

Budgetary information*

2014

Meetings per year	Number of days	Members	Plenary €	Bureau €	Subordinate structures/ Working groups	Secretariat (A, B)
2	4	48	138 700	21 000	-	3 A ; 2 B

2015

Meetings per year	Number of days	Members	Plenary €	Bureau €	Subordinate structures/ Working groups	Secretariat (A, B)
2	4	48	138 700	21 000	-	3 A ; 2 B

*The costs presented above take into consideration the per diem, travel, interpretation, translation and document printing. Costs calculated on the basis of the per diem and recharged services costs at their 2014 level.

Appendix 1 - Relevant decision of the Committee of Ministers and list of Conventions

CM/Del/Dec(2013)1168/10.2 (Review of Council of Europe conventions – Report by the Secretary General)

9. [The Deputies] instructed the steering and ad hoc committees to carry out, at regular intervals, within the limits of the available resources and bearing in mind the priorities of each committee, an examination of some or all of the conventions for which they have been given responsibility, in co-operation, where appropriate, with the relevant convention-based bodies, in order to:

- propose ways of improving the visibility, impact and efficiency of some or all of the conventions for which they have been given responsibility;

- draw the attention of member States to the relevant conventions;

- where necessary, identify any operational problems or obstacles to ratification of the relevant conventions, and draw the attention of member States to reservations which impact substantively on the effectiveness of their implementation;

- encourage States to regularly examine the possibility and/or desirability of becoming a Party to new Council of Europe conventions;

- assess the necessity or advisability of drafting amendments or additional protocols to the conventions for which they have been given responsibility or drafting supplementary conventions;

- and to report back to the Committee of Ministers;

***

DH-BIO	
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