



Brussels, 5 July 2021

Ref: EDF-MHE-21-42

**To:**

Committee of Bioethics

Council of Europe

**Subject: Compendium on good practices in mental health care**

Dear Committee of Bioethics,

On behalf of the European Disability Forum (EDF) and Mental Health Europe (MHE), we are contacting you in relation to the compendium on good practice in mental health care currently being developed by your Committee.

We welcome the willingness of the Committee to consider the promotion of voluntary care in its work, as foreseen by the [Strategic Action Plan on Human Rights and Technologies in Biomedicine \(2020-2025\)](#). As you know, our organisations were invited to the [roundtable consultation](#) on this work in Brussels in November 2019 and we sent comments on the concept note of the compendium. Since then, we disseminated your call for submissions and Mental Health Europe submitted examples of promising practices from Europe. The promising practices were included in the draft compendium and some of the language has been revised as per our suggestion (for example referring to voluntary care instead of “alternative measures”).

However, in the context of the ongoing discussion on the draft additional protocol to the Oviedo Convention, we are concerned to see the compendium presented together with the draft protocol at the Committee’s meeting in November 2021. In a letter of 2<sup>nd</sup> September 2019 our organisations had, from the beginning, called on the Committee to withdraw the draft additional protocol and instead focus on the planned compendium and go on to adopt strong recommendations on ending coercion in mental healthcare, following [PACE’s Resolution and recommendation on ending coercion in mental health: the need for a human rights-based approach](#) adopted in June 2019. The Committee and potential recommendations on ending coercion should also align with the Human Rights Comment on [“Reform of mental health services: an urgent need and a human rights imperative”](#) published by the Council of Europe’s Commissioner for Human Rights in April 2021.

In this context, and as long as the Committee does not show its full commitment to voluntary care in mental health care, we will not be able to contribute to the work on the compendium.

Sincerely,



Yannis Vardakastanis

President of the European Disability Forum



Kristijan Grđan

Vice-President of the Mental Health Europe