



## MHE welcomes decision of the European Court of Human Rights on the Oviedo Convention and urges States to #WithdrawOviedo

Mental Health Europe (MHE) welcomes [the decision of the European Court of Human Rights](#) to reject the request by the Bioethics Committee of the Council of Europe to develop an advisory opinion on two provisions of the [Convention on Human Rights and Biomedicine](#) (Oviedo Convention) related to the forced treatment of persons with psychosocial disabilities. This request was a result of the highly criticised draft additional protocol to the Oviedo Convention, which contradicts the UN Convention on the Rights of Persons with Disabilities.

Last year, Mental Health Europe, Autism Europe, Inclusion Europe, the European Disability Forum and the International Disability Alliance, jointly submitted a [Third Party intervention](#) calling for the Court to consider the international convention, reports and decisions, and to ensure its advisory opinion aligns with those instruments. Mental Health Europe expresses gratitude, that our collective concerns were recognised and noted in the Court's opinion.

The Court rejected the request of the Committee on Bioethics (DH-BIO) based on an advisory opinion on the matter not being within its competence. Mental Health Europe, emphasises the Courts reference for International legal standards to be respected, including those enshrined in the Convention on the Rights of Persons with Disabilities as interpreted by the UN Committee on the Rights of Persons with Disabilities.

As this decision is [final](#), Mental Health Europe calls with urgency for the Council of Europe's Committee on Bioethics (DH-BIO) and Member States to immediately end the regrettable work which is continuing on the Oviedo Convention, that reflects an outdated, biomedical driven approach. For several years, organisations representing users and survivors of psychiatry, people with lived experience and persons with disabilities, as well as United Nations experts and internal bodies of the

Council have all strongly criticised the DH-BIO's work on the Additional Protocol, and have urged for the withdrawal of the draft.

Whilst this is an important victory, we must continue our efforts to call for the withdrawal of the draft additional protocol to the Oviedo Convention, which is set to be voted on by members of the DH-BIO Committee in November 2021 and later approved by the Committee of Ministers in 2022. It is imperative that the Council of Europe and European States respect the rights of persons with psychosocial disabilities and move towards full compliance with human rights and [#WithdrawOviedo](#), before it is too late.

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