



Recommendation 1159 (1991)¹

Harmonisation of autopsy rules

Parliamentary Assembly

1. The Assembly considers it a necessary practice for autopsies to be carried out in all Council of Europe member states to establish the cause of death for medico-legal or other reasons or to establish the identity of the deceased
2. As the mobility of the population increases throughout Europe and throughout the world, the adoption of uniform guidelines on the way autopsies are to be carried out and on the way autopsy reports are to be established becomes imperative
3. This is especially so in the case of mass disasters, whether natural or not, where there may be several hundreds of victims of numerous nationalities.
4. Moreover, it is believed that autopsies should be carried out in all cases of suspicious death or where there are doubts as to the cause and that, if done systematically, they may more easily bring to light illegal executions and murders perpetrated by authoritarian regimes.
5. Internationally recognised and applied autopsy rules would therefore contribute to the fight to protect human rights, especially such human rights as the prohibition of torture and of ill-treatment, and the right to life. Here, the Assembly welcomes the fact that the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment has been ratified by twenty out of the twenty-five Council of Europe member states.
6. The Assembly therefore recommends that the Committee of Ministers :
 - 6.1. promote the adoption of harmonised and internationally recognised rules on the way autopsies are to be carried out and the adoption of a standardised model protocol for autopsies
 - 6.2. support the proposal that states world-wide formally accept and implement the obligation to carry out autopsies in all cases of suspicious death ;
 - 6.3. . invite the member states to apply the Interpol guidelines on disaster victim identification ;
 - 6.4. invite those Council of Europe member states which have not yet done so to ratify the Council of Europe Agreement on the Transfer of Corpses ;
 - 6.5. invite the five Council of Europe member states which have not yet done so to ratify the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment ;
 - 6.6. draw up international rules to facilitate the formalities proposed in sub-paragraphs 6.i, ii, iii, iv and v from the administrative (transport, crossing of borders, police, etc.) or legal points of view.

1. See [Doc. 6332](#), report of the Committee on Legal Affairs and Human Rights, Rapporteur : Mr Morris, and [Doc. 6374](#)[Doc. 6374](#), opinion of the Social, Health and Family Affairs Committee, Rapporteur : Mr Palacios. Text adopted by the Standing Committee, acting on behalf of the Assembly, on 28 June 1991.

