Parliamentary Assembly
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COUNCIL OF EUROPE
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Involuntary placement and treatment of people with psychosocial disability: need for a new paradigm

Motion for a recommendation
tabled by the Committee on Social Affairs, Health and Sustainable Development

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This motion has not been discussed in the Assembly and commits only those who have signed it

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In 2004, the Committee of Ministers adopted the Recommendation (2004)10 concerning the protection of the human rights and dignity of persons with "mental disorder". Recently, on the basis of the relevant provisions of this Recommendation, the Committee on Bioethics (DH-BIO) has engaged in the elaboration of a Protocol on the protection of the human rights and dignity of persons with "mental disorder" with regard to involuntary placement and treatment.

The Parliamentary Assembly notes that the approach to involuntary placement and treatment of people with psychosocial disability has evolved since the Recommendation (2004)10. In force since 2008, the United Nations Convention on the Rights of Persons with Disabilities introduced a rights-based approach characterised by non-discrimination, autonomy and inclusion. Today, it is the very principle of involuntary placement and treatment of people with psychosocial disability that is being challenged.

The Assembly also notes that despite guarantees established, involuntary placement and treatment are *per se* prone to abuse and human rights violations, and people subjected to such measures report overwhelmingly negative experiences.

Consequently, the Assembly calls on the Committee of Ministers to encourage DH-BIO:

– to give serious consideration to the issues raised above in the drafting of the Protocol and;

– to include disability rights NGOs in the elaboration process.