

Recommendation 2227 (2022)¹

Deinstitutionalisation of persons with disabilities

Parliamentary Assembly

1. The Parliamentary Assembly refers to its [Resolution 2431 \(2022\)](#) “Deinstitutionalisation of persons with disabilities”, its [Resolution 2291 \(2019\)](#) and [Recommendation 2158 \(2019\)](#) “Ending coercion in mental health: the need for a human rights-based approach”, and its [Recommendation 2091 \(2016\)](#) “The case against a Council of Europe legal instrument on involuntary measures in psychiatry”.

2. The Assembly reiterates the urgent need for the Council of Europe, as the leading regional human rights organisation, to fully integrate the paradigm shift initiated by the United Nations Convention on the Rights of Persons with Disabilities (CRPD) into its work. It thus recommends that the Committee of Ministers:

2.1. support member States in their development, in co-operation with organisations of persons with disabilities, of adequately funded, human rights-compliant strategies for deinstitutionalisation with clear time frames and benchmarks with a view to a genuine transition to independent living for persons with disabilities in accordance with Article 19 of the CRPD;

2.2. prioritise support to member States to immediately start transitioning to the abolition of coercive practices in mental health settings, and to child-centred, human rights-compliant deinstitutionalisation of children with disabilities;

2.3. in line with the unanimously adopted [Recommendation 2158 \(2019\)](#), refrain from endorsing or adopting draft legal texts which would make successful and meaningful deinstitutionalisation, as well as the abolition of coercive practices in mental health settings more difficult, and which go against the spirit and the letter of the CRPD – such as the draft 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: Convention on Human Rights and Biomedicine (ETS No. 164, Oviedo Convention) concerning the protection of human rights and dignity of persons with regard to involuntary placement and involuntary treatment within mental healthcare services.

1. *Assembly debate* on 26 April 2022 (12th sitting) (see [Doc. 15496](#), report of the Committee on Social Affairs, Health and Sustainable Development, rapporteur: Ms Reina de Bruijn-Wezeman; and [Doc. 15509](#), opinion of the Committee on Equality and Non-Discrimination, rapporteur: Ms Liliana Tanguy). *Text adopted by the Assembly* on 26 April 2022 (12th sitting).

