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Beating Covid-19 with public health measures

Reply to Recommendation¹: Recommendation 2222 (2022)
Committee of Ministers

1. The Committee of Ministers has carefully considered Parliamentary Assembly [Recommendation 2222 \(2022\)](#) “Beating Covid-19 with public health measures”. It has forwarded the text to the Steering Committee for Human Rights in the fields of Biomedicine and Health (CDBIO), the European Committee of Social Rights (ECSR), the Governmental Committee of the European Social Charter and European Code of Social Security and to the European Platform for Social Cohesion (PECS)/European Committee for Social Cohesion (CCS) for information and possible comments.

2. The Committee of Ministers welcomes the Assembly's attention to the issue of the Covid-19 pandemic from the perspective of effective and sustainable management to respond to any new public health crisis, in accordance with human rights and fundamental freedoms. It recognises that the health crisis may expose to serious socio-economic inequalities and calls on Council of Europe member States to ensure beating Covid-19 with public health measures in a human rights compliant way.

3. The Committee of Ministers underlines the importance of exchanging information and best practices in the management of the crisis, promoting co-operation and transversality towards better preparedness to future public health crisis. In this connection, it highlights the multilateral co-operation project “Protection of human rights in healthcare during public health crises”, presented by the Secretary General in January 2021, to assist member States in learning lessons together on the management of this crisis and to be more resilient when faced with future public health crises, with institutions more capable of managing such crises in a sustainable, transparent, and understandable manner, in line with human rights standards, thereby promoting public confidence.

4. In this context, the Committee of Ministers underlines the importance and relevance of the European Social Charter, which constitutes a resource for designing measures for prevention and preparedness that are consistent with the right to health and respect for fundamental social and economic rights. The Committee of Ministers recognises in particular the importance of guaranteeing the right to the protection of health (Article 11 of the Charter) and encourages the State Party which is not yet bound by this provision to consider accepting it.

5. It also draws the Assembly's attention to the activities of the CDBIO, whose mandate is to “conduct intergovernmental work on human rights protection in the fields of biomedicine, as well as health; in particular with regard to issues raised by the Covid-19 pandemic and taking into account the lessons to be learnt from the health crisis”. In this regard, the Steering Committee is currently finalising a draft Recommendation on equitable access to treatment and equipment in situations of scarcity to be presented to the Committee of Ministers in early 2023.

6. Moreover, the CDBIO maintains ongoing reflection on ways to be better prepared and resilient to future threats as evidenced in [statements](#), inter alia, on Covid-19 and vaccines,² and through webinars and other events such as the [Conference on Social Resilience and Health Equity: A human right prospective for better resilience and preparedness](#), held online on 22 February 2022.

1. Adopted at the 1442nd meeting of the Ministers' Deputies (14 September 2022).



7. The Committee of Ministers also welcomes the Opinion on the application of the Council of Europe Convention on the Counterfeiting of Medical Products and Similar Crimes Involving Threats to Public Health in the context of Covid-19 published by the Medicrime Committee on 27 April 2021. It stresses in particular the importance of maintaining the utmost vigilance in the face of the counterfeiting or falsification of medicines and vaccines against Covid and recognises the relevance of the Medicrime Convention in fighting criminal networks involved in the break in the legal supply chain.

8. The Committee of Ministers also points to the essential contribution of the European Directorate for the Quality of Medicines & Healthcare (EDQM) to the global effort to fight the virus – by putting in place a fast-track certification procedure and providing free access to its quality standards, training materials, and other relevant guidance on recombinant viral vector vaccines and for the independent and coordinated testing of vaccine batches against Covid-19.

9. The Committee of Ministers recognises the leading role of the World Health Organisation (WHO) when it comes to pandemic prevention and response. It concurs with the Parliamentary Assembly on the importance and added value of synergy and co-operation between Council of Europe relevant bodies and the WHO, while respecting the complementarity of the work of the respective organisations and bodies. In this context, it informs the Assembly that the CDBIO is committed to co-operation and communication with other organisations and bodies as outlined in its [Strategic Action Plan on Human Rights and Technologies in Biomedicine \(2020-2025\)](#) and enjoys longstanding co-operation with the WHO. Furthermore, the Council of Europe is an associated member of the UN Inter-Agency Committee on Bioethics (UNIACB) where it exchanges information and co-ordinates relevant activities with UN agencies, including the WHO.

10. In conclusion, the Committee of Ministers invites member States to consider implementing the recommendations set out in [Resolution 2424 \(2022\)](#) “Beating Covid-19 with public health measures” and in [Resolution 2329 \(2020\)](#) “Lessons for the future from an effective and rights-based response to the Covid-19 pandemic”.

2. [Statement on Covid-19 and Vaccines “Ensuring equitable access to vaccination during the current and future pandemics”](#) (January 2021).