

**Question for oral answer O[000033/2024]**

**to the Council**

Rule 142

**Ilhan Kyuchyuk**

on behalf of the Committee on Legal Affairs

Subject: Adoption of the proposal for a Parenthood Regulation

Proposal for a Council Regulation on jurisdiction, applicable law, recognition of decisions and acceptance of authentic instruments in matters of parenthood and on the creation of a European Certificate of Parenthood (2022/0402(CNS)) was published by the Commission on 7 December 2022 and based on Article 81(3) TFEU calling for the use of the special legislative procedure, where after consulting the Parliament, the Council adopts the final text by unanimity. The Parliament's opinion on the proposal, prepared by the JURI Committee, was adopted by the plenary on 14 December 2023 and transferred to the Council. In its opinion, the Parliament focused on safeguarding children's rights derived from the parenthood regardless the legal relationship between the parents or the way the child was conceived. The Parliament expressed support for the main objective of the proposed Regulation, which is to address the issue of non-recognition of parenthood status by assuring that if a child-parent relation has been established in one Member State all other Member States shall recognise it without additional proceedings in place.

Taking into account that the Council has been working on the proposal for more than two years:

1. What progress has been made by the Council so far in view of the adoption of the Parenthood Regulation by all Member States? Discussions on which parts of the proposal have been already concluded, if any?
2. What solutions have been discussed to accommodate certain Member States' concerns related to the most contentious matters, such as the establishment and recognition of parenthood of children born out of surrogacy and children of the same-sex parents?
3. Is the Council considering, in case of not being able to obtain unanimity, to trigger the enhanced cooperation mechanism under the Article 20 TUE and Articles 326 to 334 TFUE?

[Interior footer]<sup>(2)</sup>

PE000.000v00-00

(1) At least 5 % of Parliament's component Members (currently 36 Members).

(2) Variable, depending on DG. See 00\_02. *Rules on footers in Parliament's documents.*



Submitted: [7.1.2024]

Lapses:<sup>(1)</sup> [7.4.2024]

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[Interior footer]<sup>(2)</sup>

- (<sup>1</sup>) Date on which the question lapses if it has not been placed on Parliament's draft agenda.  
(<sup>2</sup>) Variable, depending on DG. See *00\_02. Rules on footers in Parliament's documents.*