

Question for oral answer O-000004/2025

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 (COM(2022)0695) was published by the Commission on 7 December 2022. It is based on Article 81(3) of the Treaty on the Functioning of the European Union (TFEU), which calls for the use of the special legislative procedure, where after consulting Parliament, the Council adopts the final text by unanimity. Parliament's opinion on the proposal, prepared by the Committee on Legal Affairs (JURI), was adopted by the plenary on 14 December 2023 and forwarded to the Council.

In its opinion, Parliament focused on safeguarding children's rights derived from parenthood regardless the legal relationship between the parents or the way the child was conceived. 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.

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 terms of the adoption of the parenthood regulation by all Member States? On which parts of the proposal have discussions already been 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 via surrogacy and children of same-sex parents?
3. Is the Council considering, in the event of not being able to obtain unanimity, triggering the enhanced cooperation mechanism under the Article 20 of the Treaty on European Union and Articles 326 to 334 TFEU?

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Lapses: 19.5.2025