







Basic information	
2023/0169(COD) COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	Awaiting committee decision
Protection of adults: jurisdiction, applicable law, recognition and enforcement of measures and cooperation Subject 1.10 Fundamental rights in the EU, Charter 7.40 Judicial cooperation 8.50.01 Implementation of EU law	

Key players				
European Parliament	Committee responsible		Rapporteur	Appointed
	JURI Legal Affairs		TOOM Jana (Renew)	18/11/2024
			Shadow rapporteur WAWRYKIEWICZ Micha (EPP) MISZEK Krzysztof (S&D) FURORE Mario (The Left)	
	Former committee responsible		Former rapporteur	Appointed
	JURI Legal Affairs			
	Former committee for opinion		Former rapporteur for opinion	Appointed
	EMPL Employment and Social Affairs		The committee decided not to give an opinion.	
	LIBE Civil Liberties, Justice and Home Affairs		The committee decided not to give an opinion.	
	FEMM Women's Rights and Gender Equality		The committee decided not to give an opinion.	
	Council of the European Union			
European Commission	Commission DG		Commissioner	
	Justice and Consumers		REYNDERS Didier	

Key events			
Date	Event	Reference	Summary
31/05/2023	Legislative proposal published	COM(2023)0280 	Summary
10/07/2023	Committee referral announced in Parliament, 1st reading		
13/11/2024	Committee referral announced in Parliament, 1st reading		

Technical information	
Procedure reference	2023/0169(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
Legal basis	Treaty on the Functioning of the EU TFEU 081-p2
Stage reached in procedure	Awaiting committee decision
Committee dossier	JURI/10/00227

Documentation gateway				
European Commission				
Document type	Reference	Date	Summary	
Legislative proposal	COM(2023)0280 	31/05/2023	Summary	
Document attached to the procedure	SWD(2023)0156 	01/06/2023		
Document attached to the procedure	SEC(2023)0208 	01/06/2023		
Document attached to the procedure	SWD(2023)0154 	01/06/2023		
Document attached to the procedure	SWD(2023)0155 	01/06/2023		
National parliaments				
Document type	Parliament /Chamber	Reference	Date	Summary
Contribution	DE_BUNDESRAT	COM(2023)0280	13/10/2023	
Contribution	IT_CHAMBER	COM(2023)0280	09/11/2023	
Contribution	PT_PARLIAMENT	COM(2023)0280	20/12/2023	
Other institutions and bodies				

Institution/body	Document type	Reference	Date	Summary
ESC	Economic and Social Committee: opinion, report	CES3514/2023	13/12/2023	

Additional information		
Source	Document	Date
EP Research Service	Briefing	12/12/2023

Meetings with interest representatives published in line with the Rules of Procedure

Rapporteurs, Shadow Rapporteurs and Committee Chairs

Name	Role	Committee	Date	Interest representatives
TOOM Jana	Rapporteur	JURI	14/01/2025	European Disability Forum

Protection of adults: jurisdiction, applicable law, recognition and enforcement of measures and cooperation

2023/0169(COD) - 31/05/2023 - Legislative proposal

PURPOSE: to lay down new rules to ensure that the protection of adults is maintained in cross-border cases.

PROPOSED ACT: Regulation of the European Parliament and of the Council.

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND: currently, there are no EU laws specifically addressing the protection of adults in cross-border situations. For many years, the Commission has promoted the ratification by all Member States of the 2000 Hague Protection of Adults Convention, which is widely considered as an efficient and flexible private international law instrument that is fit for purpose at global level. Despite the Commission's efforts, many Member States have not become parties to the Convention. It currently applies among its 15 Contracting Parties, including 12 Member States. The Commission proposes to make it mandatory that Member States join this Convention.

In addition, while the Convention includes a minimum legal framework for this area suitable for international application, these rules do not achieve the potential of the EU area of justice where close cooperation among Member States and mutual trust exist.

The proposed regulation will build upon the rules of the 2000 Hague Protection of Adults Convention, and existing EU measures in other areas of cross-border civil justice. It will provide more modern and streamlined rules suitable for the EU context.

CONTENT: the aim of the draft regulation is to lay down rules, in cross-border cases, for the **protection of adults who, by reason of an impairment or insufficiency of their personal faculties, are not in a position to protect their interests**. This could be in connection with an age-related disease, such as Alzheimer's disease, or resulting from a health condition. It should also apply to measures in respect of an adult who had not reached the age of 18 years at the time the measures were taken.

In particular, the proposal lays down rules on jurisdiction, applicable law, recognition and enforcement of measures, acceptance of authentic instruments and cooperation between Member States' competent authorities and Central Authorities.

Subject matter

The proposed regulation lays down the rules which:

- determine the Member State **whose authorities have jurisdiction** to take measures directed to the protection of the person or property of the adult;
- determine which law is to be applied by such authorities in exercising their jurisdiction;
- determine the law applicable to the representation of the adult;
- provide for the recognition and enforcement of such measures in all Member States;
- provide for the acceptance of authentic instruments in all Member States;
- establish **cooperation** between the competent authorities and Central Authorities of the Member States to achieve the purposes of this Regulation;

- digitalise the communications between competent authorities and Central Authorities, and provide digital means of communication between natural and legal persons and competent authorities;
- create a **European Certificate of Representation**;
- establish a system of **interconnection** of the Member States' protection registers.