




Procedure file

Basic information		
INI - Own-initiative procedure	1995/2106(INI)	Procedure completed
Improving the adoption law		
Subject 4.10.02 Family policy, family law, parental leave		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	 Legal Affairs, Citizens' Rights		23/03/1995
		PPE CASINI Carlo	
	Committee for opinion	Rapporteur for opinion	Appointed
Council of the European Union	 Civil Liberties and Internal Affairs		29/09/1995
		PPE REDING Viviane	
	Council configuration	Meeting	Date
	Justice and Home Affairs (JHA)	1933	04/06/1996

Key events			
22/12/1994	Non-legislative basic document published	B4-0568/1994	
13/06/1995	Committee referral announced in Parliament		
04/06/1996	Debate in Council	1933	Summary
19/11/1996	Vote in committee		Summary
19/11/1996	Committee report tabled for plenary	A4-0392/1996	
11/12/1996	Debate in Parliament		
12/12/1996	Decision by Parliament	T4-0690/1996	Summary
12/12/1996	End of procedure in Parliament		
20/01/1997	Final act published in Official Journal		

Technical information	
Procedure reference	1995/2106(INI)
Procedure type	INI - Own-initiative procedure

Procedure subtype	Initiative
Legal basis	Rules of Procedure EP 143-p5
Stage reached in procedure	Procedure completed
Committee dossier	JURI/4/06675

Documentation gateway

Non-legislative basic document		B4-0568/1994	22/12/1994	EP	
Committee report tabled for plenary, single reading		A4-0392/1996 OJ C 020 20.01.1997, p. 0003	19/11/1996	EP	
Text adopted by Parliament, single reading		T4-0690/1996 OJ C 020 20.01.1997, p. 0095-0176	12/12/1996	EP	Summary

Improving the adoption law

The Council examined various questions associated with the definition of a common position by the fifteen Member States in respect of the draft Hague Convention on the protection of minors, with a view to the forthcoming discussion to be held at the eighteenth session of the Hague Conference on Private International Law (30 September to 19 October 1996). It was recalled that the work on the draft Convention ?Brussels II? (concerning legal jurisdiction and the recognition and implementation of decisions relating to marriage) also dealt with the issue of protection of minors. The common position should seek to define the mechanisms that would ensure compatibility between the draft Hague Convention and the draft Convention ?Brussels II? that was being drawn up by the Council authorities. As it was proving impossible, at that stage, to reach an agreement on the wording of a dissociation clause, the Council took note of the fact that the future Irish Presidency had undertaken to define the EU position as part of a consultation process to be held by the Member States during the Conference itself.

Improving the adoption law

In adopting the report by its Chairman, Mr Carlo CASINI (PPE, I), the Committee indicated that its objective was to strengthen the law and cooperation between Member States on the adoption of minors. The interests of the child should be paramount in this area. An amendment has been approved to give individuals and persons in long-term relationships the right to adopt. The concept of the 'home' has been retained alongside that of the 'family'. The Council was called on to adopt, at the earliest opportunity, 'joint actions' pursuant to Article K.3, (2)(b) of the Treaty in order to introduce a visa policy to prevent children from being subject to illicit practices set up by international adoption networks. In this respect a close watch also had to be kept on certain organisations of doubtful character. According to the report, only 'duly recognized and accredited organisations which are non-profit-making and totally reliable' should be permitted to act in adoption cases. Mr CASINI advocated closer cooperation between Member States and with third countries on matters relating to adoption. An international reference centre should be set up with computerized access to information, research and vetting procedures in the area of adoption. The report also called on Member States which have not already done so to ratify the 1993 Hague Convention as soon as possible, so as to end the current disparities between legal systems. ?

Improving the adoption law

In adopting the report by Mr Carlo CASINI (PPE, I) the European Parliament sought to improve the law and cooperation between the Member States on the adoption of minors. In this respect it was the child's interests that should be paramount. Parliament called on the Council to adopt 'joint actions' (Third Pillar) at the earliest opportunity in order to: - introduce a visa policy to prevent children from being subject to illicit practices set up by international adoption networks; - combat the illegal entry of children by means of a uniform approach throughout the EU, with the Schengen information system being used for this purpose; - prevent and combat the abduction of and trade in children; - set up a programme to develop initiatives in the area of education and exchange intended for those responsible for combating the abduction of and trade in children; - examine the possibility of extending the role of Europol to include those channels responsible for controlling the trade in and abduction of children, this to be done as part of the responsibilities of Europol in respect of combating human trafficking and prostitution. Parliament called for greater cooperation between Member States and with third countries in the area of adoption. It advocated setting up an international reference centre with computerized access to information, research and vetting processes in the field of adoption. In addition, Parliament urged those Member States which had not already done so to ratify the 1993 Hague Convention as soon as possible. ?