

**Question for written answer E-007593/2016/rev.1
to the Commission**
Rule 130
Lorenzo Fontana (ENF)

Subject: Violation of Law No 54/2006 by the Italian Government

It has been reported in the press that Italy regularly violates Law No 54/2006 governing joint custody of children by separated parents. According to case law, it is preferable for mothers to be given custody, while children usually spend less than half of their time with their fathers. The European Court of Human Rights has repeatedly ruled against Italy for violating Article 8 of the ECHR, as evidenced by judgments 53377/13 of 23 June 2016 and 52557/13 of 13 October 2015. In particular, those judgments show that the legal and administrative systems do not adequately protect the inviolable right of parents to have a normal relationship with their children.

In the light of the above:

- Is the Commission aware of this situation?
- Does it not consider it advisable to call on the Italian Government to abide by the principle of non-discrimination under Article 2 TEU and Article 19 TFEU?