

**Question for written answer E-003984/2022  
to the Commission**

Rule 138

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Subject: Rights of rainbow families in Italy

Italian decree law 53/2019 stipulates precise rules on the terms to be used in official documents and in the forms to request them.

In particular, when applied to minors, it imposes the mandatory use of the formulas 'father' and 'mother' in the fields reserved for parents, instead of more neutral options such as 'parent', thereby forcing same-sex parents who request an official document for their child (such as an ID card or passport) to suffer humiliation in the best case scenario, or refusal in the worst.

This situation infringes the rights of same-sex parent families and is in contrast with Article 21 of the Charter of Fundamental Rights of the European Union, which prohibits discrimination on the ground of sex. The Charter has equivalent legal value to the Treaties, and therefore takes precedence over national legislation.

Furthermore, these provisions conflict with the LGBTIQ equality strategy 2020-2025.

Recently, the Italian judiciary has deemed this practice illegitimate, but the ruling is limited to municipalities, and the procedures remain in force for the documents to be requested from central and other local administrations (passports).

1. Does the Commission believe that decree 53/2019 conflicts with the European legal order?
2. What actions would it take to ensure the correct application of the Charter of Fundamental Rights?

**Supporter<sup>1</sup>**

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