

ORAL QUESTION O-0014/02

pursuant to Rule 42 of the Rules of Procedure

by Pervenche Berès, Evelyne Gebhardt and Michael Cashman, on behalf of the PSE Group, Mary Banotti, on behalf of the PPE-DE Group
to the Commission

Subject: Parental responsibility

1. As the Commission is aware, when a binational couple separates there is little that Europe can do to prevent the problems caused by discrepancies between different national courts from adding to the problems of the individuals concerned. There are three proposed solutions on the table and the Commission's view on them would be welcome in connection with the informal Council to be held in Santiago de Compostella.
2. First of all, there is the proposal for a Council regulation on the recognition and enforcement of judgments in matters of parental responsibility. This is making no headway. While more and more families are being torn apart each week, time is being wasted on discussions by experts without the necessary political mediation. Is there any hope that this project can be put back on track within an acceptable deadline? According to Mrs Banotti, rapporteur, the Commission intends to submit a new proposal in April incorporating the progress made in the negotiations before any reading by Parliament and combining it with the French initiative on visiting rights and with Regulation (EC) 1347/2000¹, known as Brussels II. In keeping with the conclusions of the Tampere European Council, the drawing up of legislation of this kind within the Union is both legitimate and urgent. Can the Commission give assurances that wider-reaching solutions will be adopted as a result and that it will ensure that Member States do not merely call for existing legal instruments, such as the 1996 Hague Convention, to be retained, possibly in distorted form?
3. The second project concerns the introduction of European training networks for judges, designed to build mutual confidence in the enforcement of judgments issued in other countries. This will require seminars to be held enabling European judges to work together on practical cases, compare their approaches, and gain a better understanding of areas of agreement or disagreement and should lead to the acceptance of judgments issued in other countries. What projects does the Commission have in this field?
4. The third imperative is to define the concept of the interests of the child in a clear and uniform manner. This fundamental concept, which is included in the Charter of Fundamental Rights, has been subject to different interpretations. Will the Commission take the initiative of setting up a working party consisting of academics, judges, child psychologists and sociologists to conduct a rapid survey of this issue?

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Forwarded: 21.02.2002

Deadline for reply: 28.02.2002

¹ OJ L 160, 30.6.2000, p. 19.