EUROPEAN PARLIAMENT

FORM FOR TABLING PARLIAMENTARY QUESTIONS

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To the: **COUNCIL** ☒
COMMISSION ☐

ORAL QUESTIONS		WRITTEN QUESTIONS	
Oral Question with debate (Rule 108)	☒	Written Question (Rule 110)	☐
Question Time (Rule 109)	☐	Priority Written Question (Rule 110 (4)	☐

AUTHOR(S): Evelyne Gebhardt

SUBJECT: (please specify) Council regulation amending Regulation (EC) No 2201/2003 as regards jurisdiction and introducing rules concerning applicable law in matrimonial matters

TEXT:

The current legal situation in the EU, with regard to the problems faced with by married EU citizens wishing to divorce, is not satisfactory at all. This concerns in particular "international" couples.

This leads to situations where a divorce is virtually impossible because no court has jurisdiction or the law of the choice of the couple is not applicable at all.

Therefore, the existing Council Regulation (EC) No. 2201/2003, has urgently to be modified. The Proposal for a Council Regulation amending that Regulation as regards jurisdiction and applicable law in matrimonial matters (COM (2006) 399 final) will improve the situation considerably.

The failure of the Council of the European Union to reach an agreement on the issue until now perpetuates the unacceptable situation with serious negative repercussions on EU citizens.

1. Is there any possibility in the very near future to reach an agreement on Commission Proposal (COM (2006)399 final)? If not so, what are the main reasons that such an agreement cannot be reached?

2. Does the Council intend to grant the authorisation to establish an enhanced cooperation if so asked by the Commission (and after consultation of the European Parliament) and what would then be the time frame?

3. If the enhanced cooperation procedure would take place, what in the opinion of the Council would be the impact on the judicial cooperation on civil law?

Signature(s): Date: