

**Question for written answer E-001416/2023  
to the Commission**

Rule 138

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Subject: The rights of Rainbow families in Italy

In Italy, a lack of specific legislation allowed mayors and municipal officials the power to grant legal guardianship to same-sex parents. However, in January, the home affairs ministry issued a communication urging local authorities to abide by the Italian high court ruling stating that the recognition of same-sex parents could only be guaranteed in cases of adoption.

During Parliament's debate in March, Commissioner Dalli stressed that 'in adopting and applying their own rules on family law, Member States should not forget their obligation of non-discrimination as a fundamental principle established in the EU Treaties and in international law'<sup>1</sup>. In an answer to a written question, Commissioner Reynders, referred to Member States' 'obligation to recognise the parenthood of a child with same-sex parents for the purposes of the exercise of the rights derived from EU law'<sup>2</sup>.

Recently, the public prosecutor's office in Padua asked the municipality to provide the birth certificates of children of same-sex parents registered from 2017-present in order to review them<sup>3</sup>.

What actions does the Commission intend to take to ensure that the rights of parents and their children living in Italy are respected and that the Italian government abides by EU law?

**Supporter<sup>4</sup>**

Submitted: 2.5.2023

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<sup>1</sup> [https://multimedia.europarl.europa.eu/en/video/the-rights-of-children-in-rainbow-families-and-same-sex-parents-in-particular-in-italy-opening-statement-by-helena-dalli-european-commissioner-for-equality\\_I239602](https://multimedia.europarl.europa.eu/en/video/the-rights-of-children-in-rainbow-families-and-same-sex-parents-in-particular-in-italy-opening-statement-by-helena-dalli-european-commissioner-for-equality_I239602)

<sup>2</sup> [https://www.europarl.europa.eu/doceo/document/E-9-2022-003984-ASW\\_EN.html](https://www.europarl.europa.eu/doceo/document/E-9-2022-003984-ASW_EN.html)

<sup>3</sup> [https://www.ansa.it/english/news/politics/2023/04/11/padua-prosecutors-ask-for-gay-couple-kid-registration-docs\\_ef49f763-35ed-41e8-826c-f3f5b8b5e2ac.html](https://www.ansa.it/english/news/politics/2023/04/11/padua-prosecutors-ask-for-gay-couple-kid-registration-docs_ef49f763-35ed-41e8-826c-f3f5b8b5e2ac.html)

<sup>4</sup> This question is supported by a Member other than the authors: Rosa D'Amato(Verts/ALE)