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'I/A' ITEM NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
Subject:	Proposal for a Council Decision authorising Member States to become or remain parties, in the interest of the European Union, to the Convention of 13 January 2000 on the International Protection of Adults - Agreement in principle - Request for the consent of the European Parliament

1. The Hague Convention of 13 January 2000 on the International Protection of Adults was adopted by the Hague Conference on Private International Law on 13 January 2000 (the '2000 Hague Convention'). On 31 May 2023, the Commission submitted to the Council a proposal for a Council Decision authorising Member States to become or remain parties, in the interest of the European Union, to the Convention of 13 January 2000 on the International Protection of Adults¹.
2. The proposal for a Council Decision is based on Article 81(2) of the Treaty on the Functioning of the European Union in conjunction with Article 218(6) thereof. The consent of the European Parliament is therefore required.

¹ ST 10136/23

3. The proposal has been examined by the Working Party on Civil Law Matters (Protection of Adults and General Questions) at a number of meetings during 2023, 2024, 2025 and 2026. In the light of that examination and the comments made by delegations the proposal has been amended.
4. In accordance with Articles 1 and 2 of Protocol No 21 on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice, annexed to the TEU and to the TFEU, and without prejudice to Article 4 of that Protocol, Ireland is not taking part in the adoption of this Decision and is not bound by it or subject to its application.
5. In accordance with Articles 1 and 2 of Protocol No 22 on the position of Denmark, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, Denmark is not taking part in the adoption of the proposed Decision and is not bound by it or subject to its application.
6. In the light of the above, Coreper/Council is invited to:
 - (a) agree in principle on the draft Council Decision authorising certain Member States to become parties, in the interest of the European Union, to the Hague Convention of 13 January 2000 on the International Protection of Adults, as finalised by the legal-linguistic experts (9902/26); and
 - (b) decide to forward the draft Council Decision to the European Parliament for consent in accordance with Article 218(6) of the Treaty on the Functioning of the European Union.
