Authorisation addressed to France to negotiate a bilateral agreement with Algeria on matters related to judicial cooperation concerning family law matters

2023/0027(CNS) - 12/12/2023 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 604 votes to 0, with 5 abstentions, a legislative resolution on the proposal for a Council decision on an authorisation addressed to France to negotiate a bilateral agreement with Algeria on matters related to judicial cooperation concerning family law matters.

The European Parliament approved the Commission's proposal subject to amendments.

Members underlined France's particular interest in negotiating a bilateral agreement with Algeria, given the exceptional economic, cultural, historical, social and political ties between both countries.

The resolution stated that France should be entitled to negotiate an agreement with Algeria on matters relating to judicial cooperation in civil matters concerning family law, provided that the following negotiating directives are followed:

- inform Algeria that the European Commission may take part in the negotiations as an observer and will be informed of any progress and results achieved during the various stages of the negotiations;

- encourage Algeria to consider accession to the core Conventions concerning family law matters developed by the Hague Conference on Private International Law and start an analysis of the most appropriate means to remove the obstacles which have prevented Algeria to do so for the time being;

- inform Algeria that, after the conclusion of negotiations, an authorisation from the Council of the European Union is required before France is allowed to conclude the agreement;

- inform Algeria that the authorisation from the Council of the European Union to conclude the agreement, following a proposal from the Commission, may provide that the agreement may have a limited validity in time, possibly with a system of a tacit renewal to be indicated in the decision of the European Parliament and of the Council on the conclusion of the agreement;

- insert a provision providing for full or partial denunciation of the agreement or direct replacement of the relevant provisions in the agreement in the event of the conclusion of a subsequent agreement between the Union or the Union and its Member States, on the one hand, and Algeria, on the other hand, or Algeria's accession to the relevant Hague Conventions;

- ensure that the provisions of the agreement negotiated with Algeria comply with the relevant Union acquis and Hague Conventions.