

# The EU between Spain and Bulgaria

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# I. Pancharevo

- Judgment of the Court (Grand Chamber) of 14 December 2021 (C-490/20)
- Ruling:

---, in the case of a child, being a minor, who is a Union citizen and whose birth certificate, issued by the competent authorities of the host Member State, designates as that child's parents two persons of the same sex, the Member State of which that child is a national is obliged **(i) to issue to that child an identity card or a passport without requiring a birth certificate to be drawn up beforehand by its national authorities, and (ii) to recognise, as is any other Member State, the document from the host Member State that permits that child to exercise, with each of those two persons, the child's right to move and reside freely within the territory of the Member States.**

# II. Reflections in connection to a future EU instrument

## 1. Parentage/ Parenthood/Filiation

- what is in a Word?
- the deconstruction of a concept- the different layers of filiation
- ART, Divergence and Public policy



# II. Reflections in connection to a future EU instrument

## 2.The overall objective: Recognition/continuity

- Right to family life and right to identity
- Inadequate framework for the establishment of filiation by operation of the law



## II. Reflections in connection to a future EU instrument

- 3. Legal tourism



## II. Reflections in connection to a future EU instrument

- 4. Regional- Global



Thank you!

