Council of the European Union

Brussels, 6 November 2026
(OR. en)

15301/26

Interinstitutional File:
2023/0169 (COD)

CODEC 2047
JUSTCIV 131
JAI 1374
EJUSTICE 43
FREMP 338

'I/A' ITEM NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
Subject:	Draft REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on jurisdiction, applicable law, recognition and enforcement of measures and cooperation in matters relating to the protection of adults **(first reading)** - Adoption of the legislative act

1. On 31 May 2023 the Commission submitted its proposal[1], based on Article 81(2) TFEU, to the Council.

2. The European Data Protection Supervisor delivered its opinion on 18 July 2023[2].

3. The European Economic and Social Committee delivered its opinion on 13 December 2023[3].

4. On 20 October 2026 the European Parliament adopted its position at first reading on the Commission proposal[4]. The outcome of voting in the European Parliament reflects the compromise agreement reached between the institutions and should, therefore, be acceptable to the Council.

1 10108/23 + ADD 1 to ADD 6.
2 12072/23.
3 OJ C, C/2024/1581, 5.3.2024, ELI: http://data.europa.eu/eli/C/2024/1581/oj.
4 14703/26.

5. The Permanent Representatives Committee is therefore asked to confirm its agreement and to suggest that the Council[5] [6] approve the European Parliament's position, as set out in PE-CONS 34/26, as an "A" item at a forthcoming meeting, with Spain voting against.

6. The statement for the minutes of the Council meeting is set out in the Addendum to this note.

7. If the Council approves the European Parliament's position, the legislative act will be adopted.

After being signed by the Presidents of the European Parliament and of the Council, the legislative act will be published in the *Official Journal of the European Union*.

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[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 this Regulation and is not bound by it or subject to its application.

[6] 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 Treaty on the European Union and to the Treaty on the Functioning of the European Union, and without prejudice to Article 4 of that Protocol, Ireland is not taking part in the adoption of this Regulation and is not bound by it or subject to its application.