

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

Strasbourg, 14 April 2026

CJ-OR(2026)02

**Committee of Experts on access to origins
(CJ-OR)**

3rd meeting

24-26 March 2026

Strasbourg, Agora Building – room G04 and online

MEETING REPORT

CDCJ website: www.coe.int/cdcj
CDCJ E-mail address: DGI-CDCJ@coe.int

1-2. Opening of the meeting, and adoption of the agenda

1. The Committee of Experts on access to origins (CJ-OR) held its 3rd meeting in Strasbourg and online on 24-26 Mars 2026, under the chairmanship of Thomas Knoll-Biermann (Germany).
2. The agenda appears in Appendix I. The list of participants is set out in Appendix II.
3. The Chair welcomed Ivy van Dijke (Netherlands), a new member of the CJ-OR, and representatives of member states, including Greece and Türkiye, as well as of the observers participating in the meeting for first time, representatives of the CCBE, EAHL and the SSI.

3. Introduction by the Chair and the secretariat

4. The Committee took note of the information provided by the secretariat on the 105th plenary meeting of the European Committee on Legal Co-operation (CDCJ) (18-20 November 2025), and the 124th meeting of its Bureau (12-13 March 2026). The CJ-OR noted that the CDCJ had invited the CJ-OR to take into account any resource implications of the mechanisms and arrangements proposed in the current draft, to ensure a balanced approach to the rights of the different stakeholders, and to address concerns relating to possible provisions on cross-border donations. It also noted the CDCJ's request to circulate a revised draft recommendation in good time before its 106th plenary meeting (2-4 June 2026), to enable consultations in the capitals and allow CDCJ members to submit written comments ahead of the said plenary meeting. The Committee also took note of the CDCJ Bureau's guidance to limit the scope of the instrument to medically assisted reproduction, to focus on core principles, and to avoid overly prescriptive principles, in order to allow flexible implementation across diverse national legal frameworks.

5. Furthermore, the CDCJ acknowledged that complex issues were at stake, with competing interests of stakeholders, and that legal frameworks varied across Europe which constituted a challenge considering the deadline set in the terms of reference for completion of the draft recommendation. The challenges linked to the cross-border dimensions of donations were also raised. Concurring with this assessment, the CJ-OR considered that an extension of its terms of reference would be necessary to carry out efficiently its work on the draft recommendation and its explanatory memorandum in accordance with the guidance received from the CDCJ.

4. Discussion on the draft recommendation on the rights of donor-conceived persons to know their origins

6. The Committee examined the draft recommendation (document CJ-OR(2025)10 prov3 (restricted)), in light of the CDCJ and its Bureau's feedback, the CJ-OR's written comments, as well its responses on the key points and questions raised by the Chair (document CJ-OR(2026)01rev).

7. The Committee examined the draft recommendation as a whole, made substantial revisions throughout the text, and held a detailed discussion on each principle of the Appendix as well as on the overall structure of the recommendation. It agreed that issues relating to the parentage of donors fall within national competence and should therefore not be covered by the draft recommendation, while relevant explanations could be included in the explanatory memorandum. The Committee also noted divergent views on access to origins by descendants of donor-conceived persons, particularly as regards the balance between the right to know one's origins and the right to privacy, and agreed to return to this issue with a view to reaching

consensus at the next meeting.

8. The Committee reviewed the terminology used in the draft and the consistency between its various parts. It agreed to strengthen the links between the preamble, the recommendation and the principles contained in the Appendix, to reinforce the key rights and messages addressed to member states, and to streamline the provisions so as to ensure overall coherence.

9. As regards the preamble, the Committee agreed to streamline the references to international instruments and to add a paragraph acknowledging that donor conception may also take place outside the context of medically assisted reproduction, whilst deciding to exclude it from the scope of the recommendation (see below), as it may raise similar questions regarding access to information about one's origins. It also agreed to further consider whether to include a paragraph in the preamble on third-party involvement or reproductive support, such as surrogacy or mitochondrial donation, whilst noting the divergent views expressed and leaving the issue open for further drafting.

10. On the operative provisions, the Committee agreed to align the terminology and remove the definitions that no longer appear in the text now, as well as to add certain definitions, where needed.

11. With regard to the Appendix, the Committee agreed, *inter alia*, to:

- *Scope*

- limit the scope to medically assisted reproduction, in line with the view expressed by several experts that member states could not be expected to guarantee access to information for donor-conceived persons in cases of conception outside medical settings, while noting concerns expressed by some experts that such a limitation could give rise to discrimination;
- clarify that the principles may also serve as guidance in other contexts involving conception or reproductive support, without creating additional obligations, with further explanation to be provided in the explanatory memorandum.

- *Definitions*

- revise and simplify the definitions of "origins", "gametes", "donor-conceived person" and "non-identifying data", with further explanations in the explanatory memorandum;
- revise the definition of "medically assisted reproduction", with further explanation in the explanatory memorandum;
- introduce a definition of "circumstances of conception", also to be explained in the explanatory memorandum;
- adopt a broad definition of "donor", with further details to be provided in the explanatory memorandum, including in relation to third-party donors, the donor's health data and medical history, and persons conceived by the same donor.

- *General principles*

- remove references to application "beyond the age of majority" in relation to the best interests of the child, with further explanation in the explanatory memorandum;

- address the importance of human dignity in the preamble rather than in the general principles, for the sake of consistency, while noting that access to origins is always a matter of human dignity and that access to information concerning one's identity should not be conditional;
 - address child participation together with the principle of the best interests of the child, taking into account the evolving capacities of the child in relation to access to information about their origins.
- *Right to know one's origins*
- align the provisions with the agreed scope limited to medically assisted reproduction;
 - simplify the drafting and move more detailed elements relating to support and awareness-raising for the various stakeholders to the explanatory memorandum;
 - simplify paragraphs 15 to 19 (the numbering of paragraphs hereinafter refer to document CJ-OR(2025)10 prov3 (restricted)), while retaining the order of the categories of donor information, namely health, non-identifying and identifying information;
 - simplify paragraph 20, with further explanation in the explanatory memorandum, including in relation to the age of the donor-conceived person and other operational verification steps.
- *Access to donor information*
- ensure that the principles are clear and rights-based;
 - introduce the concept of a "single access point", without prescribing any particular institutional model, with further explanation in the explanatory memorandum;
 - allow member States to set conditions, in particular regarding the age and maturity of the donor-conceived person, while clarifying in the explanatory memorandum that access to one's origins is a personal right that may in some cases conflict with the interests of parents.
- *Contact and meeting the donor(s)*
- retain the principles on contact with donors, subject to further review;
 - regroup the principles on support services, with further clarification in the explanatory memorandum;
 - clarify that support services for donor-conceived persons, parents and donors do not necessarily have to be provided free of charge and may be delivered by different professional bodies and organisations.
- *Health data*
- simplify the principles, focusing on the purpose of the collection, storage and access to such data;
 - allow relevant health data to be updated by donors, given its preventive value and possible relevance to health risks;
 - include mechanisms for informing donor-conceived persons of relevant health updates, while respecting their right not to know;
 - distinguish between voluntary and non-voluntary non-identifying data in paragraphs 29 and 30.

- *Identifying data*

- redraft the principles from the perspective of member states' obligations;
- define a minimum set of identifying data;
- distinguish between data collected and data that is accessible.

- *Information on other persons conceived by the same donor*

- rephrase paragraph 35 to provide that donor-conceived persons may have access to available information on whether other individuals have been conceived by the same donor, with further details to be included in the explanatory memorandum;
- reflect the need for express and mutual consent in relation to access to information about siblings conceived from the same donor or about the donor's children, as referred to in paragraph 38.

- *Transitional provisions*

- further examine provisions relating to anonymity (paragraph 42);
- seek a balanced approach between confidentiality and competing interests (paragraph 43);
- include a principle allowing individuals to verify their origins through existing legal avenues.

- *Donor registry*

- provide flexible principles for national implementation, with further explanation in the explanatory memorandum, including possible models to enable member states to ensure the storage, updating and accessibility of donor information;
- avoid prescriptive institutional models and fixed retention periods, while ensuring lifelong access to relevant information.

- *Support services*

- simplify the drafting so as to require the availability of support services provided by qualified professionals to donors, intended parents and donor-conceived persons.

- *Cross-border situations*

- emphasise the need for co-operation, with a view to ensuring traceability of gametes and access to donor information in cross-border situations;
- avoid detailed operational rules in this section, bearing in mind possible future developments and regulation in this field;
- underline that imported gametes and embryos should comply with the national requirements of the importing state with a view to ensuring access to donor information and to one's origins.

12. The Committee entrusted the secretariat, the chair, the vice-chair and the consultant with preparing a linguistic revision of the draft recommendation, based on the text agreed during the meeting, ensuring in particular consistency of terminology in both languages, as well as a draft explanatory memorandum, for consideration at the next meeting. The Committee also agreed

to share this revised version of the draft recommendation with the CDCJ in advance of its June plenary meeting to make consultations in the capitals possible and to receive further guidance of the CDCJ.

5. Update on key developments and other events by members and observers

13. Samuel Arrabal (CD-P-TO) informed the Committee of progress made on the draft recommendation on establishing harmonised measures for the protection of third-party gamete donors. He noted emerging convergence between the two draft recommendations on a number of key issues and referred in particular to provisions on donor identifiability, storage of gametes and related data, governance, registry systems and data protection. He further indicated that cross-border aspects and limits on the number of donations were also addressed in that draft, without setting a fixed number. The draft recommendation is expected to be submitted for adoption at the next meeting of the CD-P-TO and subsequently transmitted to the Committee of Ministers. The Chair of the CJ-OR is also expected to participate in that meeting to inform the Committee of the CJ-OR's work. The CJ-OR noted that this work and theirs are complementary and that any discrepancies will be avoided on questions of common interest.

6. Any other business

14. The Committee expressed its appreciation to Julie Devys for her contribution to the work, noting that this was her last meeting with the secretariat.

7. Date and place of next meeting

15. The Committee confirmed that its 4th meeting would be held from 27 to 29 October 2026 in Strasbourg and online. In view of the complexity of the issues and the need to reach consensus on several outstanding matters, it decided to focus on that meeting on further refining the whole draft recommendation, in the light of the guidance received from the CDCJ, and on examining its draft explanatory memorandum. Both documents should be ready for the stakeholder consultation process which, subject to an extension of the terms of reference, would take place after the 4th meeting. The Chair invited CJ-OR members, participants and observers to suggest additional relevant stakeholders for inclusion in that process. Such stakeholders should ideally represent broader groups or organisations, serve as umbrella organisations capable of providing consolidated feedback, and ensure that the volume of input remains manageable.

8. Adoption of the meeting report

16. The CJ-OR agreed to adopt the report of its 3rd meeting by written procedure.

Appendix I

Agenda

1. Opening of the meeting	<u>Working document</u> Provisional list of participants CJ-OR(2026)LP1 prov
2. Adoption of the agenda and order of business	<u>Working document</u> Draft agenda CJ-OR(2026)OJ1 prov1
3. Information by the Chair and the Secretariat	<u>Working document</u> - Report of the CDCJ 105th plenary meeting (18-20 November 2025) CDCJ(2025)24 - Report of the 124th meeting of the Bureau of the CDCJ (12-13 March 2026) CDCJ-BU(2026)03
4. Recommendation on the rights of donor-conceived persons to know their origins	<u>Working document</u> - Draft recommendation on the rights of donor-conceived persons to know their origins CJ-OR(2025)10 prov3 (<i>restricted</i>) <u>Background documents</u> - Compilation of comments received on the draft recommendation on the rights of donor-conceived persons to know their origins (CJ-OR(2025)10 prov3) CJ-OR(2026)01 rev (<i>restricted</i>) - Report of the 2nd meeting of the CJ-OR (28-30 October 2025) CJ-OR(2025)12 - Case Law of the European Court of Human Rights on the rights of donor-conceived persons to know their origins CJ-OR(2025)03 rev

-
- Overview of European and international standards concerning the rights of donor-conceived persons to know their origins
[CJ-OR\(2025\)05](#)
 - Questions concerning the elements of the future draft recommendation
[CJ-OR\(2025\)06](#)
 - Compilation of replies received concerning the elements of the future draft recommendation
[CJ-OR\(2025\)07](#) (*restricted*)
-

5. **Update on key developments
and other events by members
and observers**

6. **Any other business**

7. **Date and place of next meeting**

8. **Adoption of the meeting report**

Working document

- Draft meeting report
CJ-OR(2026)02 prov
-

Appendix II

List of participants

MEMBERS / MEMBRES

Member states representatives / Représentant-es des États membres

CROATIA / CROATIE	Ms/Mme Aleksandra KORAĆ GRAOVAC online / en ligne Professor, University of Zagreb / Professeure, Université de Zagreb
CZECHIA / TCHÉQUIE	Ms/Mme Eva PETROVÁ online / en ligne Head of Implementation Unit at the Office of the Government Agent before the European Court of Human Rights, Ministry of Justice / <i>Cheffe de l'Unité de mise en oeuvre au Bureau de l'agent du gouvernement auprès de la Cour européenne des droits de l'homme, Ministère de la Justice</i>
THE NETHERLANDS / PAYS-BAS	Ms/Mme Ivy VAN DIJKE Policy officer responsible for the donor conception and unintended pregnancy files, Ministry of Health, Welfare and Sport / <i>Chargée de mission responsable des dossiers relatifs aux dons de gamètes et aux grossesses non désirées, Ministère de la Santé et des Sports</i>
FRANCE	Mr/M Emmanuel VERNIER Secretary General of the Commission for Access to Third-Party Donor Data for Persons Born from Medically Assisted Procreation, Ministry of Health (CAPADD) / <i>Secrétaire général de la Commission d'accès aux données des tiers donneurs pour les personnes nées d'une assistance médicale à la procréation (CAPADD), Ministère de la Santé</i>
GERMANY / ALLEMAGNE	Mr/M Thomas KNOLL-BIERMANN (Chair / Président) Head of Unit for Law on Parent and Child Matter, Federal Ministry of Justice / <i>Chef de l'unité du droit relatif aux relations parents-enfants, ministère fédéral de la Justice</i>
SWITZERLAND / SUISSE	Ms/Mme Joëlle SCHICKEL-KÜNG Deputy Head of the Private Law Division and Co-Head of the Private International Law Unit (PIL Unit), Federal Office of Justice of Switzerland / <i>Cheffe suppléante du domaine de direction Droit privé et Co-cheffe de l'Unité de droit international privé, Office fédéral de la justice</i>
UNITED KINGDOM / ROYAUME-UNI	Ms/Mme Rachel CUTTING Director of Compliance and Information, Human Fertilisation and Embryology Authority (HFEA) / <i>Directrice de la conformité et de l'information, Autorité de fertilisation et d'embryologie humaines (HFEA)</i>

INDEPENDENT EXPERTS / EXPERT·ES INDEPENDANT·ES

Ms/Mme Linnéa BROSSNER Judge, Malmö District Court / Juge, Tribunal de district de Malmö
Ms/Mme Gloria Ortega PUENTE Professor at the Department of Private Law, Universitat Autònoma de Barcelona (UAB) / Professeure au Département de droit privé, Université autonome de Barcelone
Mr/M. Jens M. SCHERPE Professor of Comparative Law, Aalborg University Director, Nordic Centre for Comparative and International Family Law (NorFam) / Professeur de droit comparé, Université d'Aalborg Directeur, Centre nordique de droit comparé et international de la famille (NorFam)

MEMBER STATES / ÉTATS MEMBRES

GREECE / GRÈCE	Ms/Mme Virginia PERAKI online / en ligne
ITALY / ITALIE	Ms/Mme Maria MILIA Magistrate, Office of the Ministry of Justice Member of the CDCJ apologised / excusée
TÜRKIYE / TURQUIE	Ms/Mme Gizem KARACA Expert on Family and Social Services Ministry of Family and Social Services online / en ligne Ms/Mme Nur Zeynep DEMIR Junior Expert on Family and Social Services Ministry of Family and Social Services apologised / excusée

PARTICIPANTS / PARTICIPANTS

PARLIAMENTARY ASSEMBLY OF THE COUNCIL OF EUROPE / ASSEMBLÉE PARLEMENTAIRE DU CONSEIL DE L'EUROPE	apologised / excusé
EUROPEAN COURT OF HUMAN RIGHTS / COUR EUROPÉENNE DES DROITS DE L'HOMME	apologised / excusé
COMMISSIONER FOR HUMAN RIGHTS / COMMISSAIRE AUX DROITS DE L'HOMME	apologised / excusé
CONFERENCE OF INGOS / CONFÉRENCE DES OING	apologised / excusé
HUMAN RIGHTS AND BIOMEDICINE (CDBIO) / DROITS HUMAINS ET BIOMÉDECINE (CDBIO)	Ms/Mme Tesi ASCHAN Legal Adviser The National Board of Health and Welfare, Socialstyrelsen online / en ligne

STEERING COMMITTEE FOR THE RIGHTS OF THE CHILD / <i>COMITÉ DIRECTEUR POUR LES DROITS DE L'ENFANT (CDENF)</i>	apologised / excusé
EUROPEAN COMMITTEE ON ORGAN TRANSPLANTATION / <i>COMITE EUROPEEN SUR LA TRANSPLANTATION D'ORGANES (CD-P-TO)</i>	Mr/M Samuel ARRABAL Head of Foreign Affairs and Research Agence de la biomédecine (Paris, France)
EUROPEAN UNION / <i>UNION EUROPÉENNE</i>	apologised / excusé
CANADA	apologised / excusé
HOLY SEE / <i>SAINT-SIÈGE</i>	apologised / excusé
JAPAN / JAPON	apologised / excusé
MEXICO / MEXIQUE	apologised / excusé
UNITED STATES OF AMERICA / <i>ÉTATS UNIS D'AMÉRIQUE</i>	apologised / excusé
UNITED NATIONS COMMITTEE ON THE RIGHTS OF THE CHILD / <i>COMITÉ DES DROITS DE L'ENFANT DES NATIONS UNIES (CRC)</i>	apologised / excusé
UNITED NATIONS INTERNATIONAL LAW COMMISSION / <i>COMMISSION DU DROIT (ILC)</i>	apologised / excusé
OFFICE OF THE UNITED NATIONS HIGH COMMISSIONER FOR HUMAN RIGHTS (OHCHR) / <i>HAUT-COMMISSARIAT DES NATIONS UNIES POUR LES DROITS DE L'HOMME (HCDH)</i>	apologised / excusé
HAGUE CONFERENCE ON PRIVATE INTERNATIONAL LAW / <i>CONFÉRENCE DE LA HAYE DE DROIT INTERNATIONAL PRIVÉ (HCCH)</i>	apologised / excusé
INTERNATIONAL COMMISSION ON CIVIL STATUS (ICCS) / <i>COMMISSION INTERNATIONALE DE L'ETAT CIVIL (CIEC)</i>	apologised / excusé
WORLD HEALTH ORGANISATION (WHO) / <i>ORGANISATION MONDIALE DE LA SANTE (OMS)</i>	apologised / excusé

OBSERVERS / OBSERVATEURS

INTERNATIONAL SOCIAL SERVICE (ISS) / SERVICE SOCIAL INTERNATIONAL (SSI)	Ms Beatriz SANTAEMILIA Advocacy Coordinator online / en ligne
COUNCIL OF BARS AND LAW SOCIETIES OF EUROPE / CONSEIL DES BARREAUX EUROPÉENS (CCBE)	Ms Yvonne GOETTLER Legal Advisor online / en ligne Ms Katell DROUET-BASSOU Expert of the CCBE Family & Succession Law Committee apologised / excusée Ms Isabelle REIN-LESCASTEREYRES Expert of the CCBE Family & Succession Law Committee apologised / excusée
INTERNATIONAL COMMISSION OF JURISTS (ICJ) / COMMISSION INTERNATIONALE DE JURISTES (CIJ)	apologised / excusé
ASSOCIATION INTERNATIONALE DES MAGISTRATS DE LA JEUNESSE ET DE LA FAMILLE (AIMJF) / L'ASSOCIATION INTERNATIONALE DES MAGISTRATS DE LA JEUNESSE ET DE LA FAMILLE (AIMJF)	apologised / excusé
EUROPEAN ASSOCIATION OF HEALTH LAW (EAHL)	Ms Magdalena FLATSCHER-THÖNI Prof. (Health Law) online / en ligne
EUROPEAN SOCIETY OF HUMAN REPRODUCTION AND EMBRYOLOGY (ESHRE)	Professor Stéphane VIVILLE Head of the Infertility Genetics Unit, University Hospital of Strasbourg
CHILD IDENTITY PROTECTION (CHIP)	Ms Mia DAMBACH Executive Director apologised / excusée Ms Anjali BHASKAR Legal researcher
CONSULTANT TO THE CJ-OR / CONSULTANT DU CJ-OR	Ms/Mme Laurence BRUNET Chargée de mission au Centre de référence des maladies rares du développement génital à l'Hôpital du Kremlin-Bicêtre Chercheuse associée à l'Institut des Sciences Juridique et Philosophique de la Sorbonne, Université Paris 1 Panthéon-Sorbonne/CNRS

SECRETARIAT / SECRÉTARIAT**DGI : DIRECTORATE GENERAL HUMAN RIGHTS AND RULE OF LAW / DIRECTION GÉNÉRALE DROITS HUMAINS ET ÉTAT DE DROIT**

LEGAL CO-OPERATION DIVISION / <i>DIVISION DE LA COOPÉRATION JURIDIQUE</i>	Mr/M Gerald DUNN Head of Division / <i>Chef de Division</i> Secretary to the CDCJ / <i>Secrétaire du CDCJ</i> Tel: +33 3 88 41 33 29 E-mail: gerald.dunn@coe.int
	Ms/Mme Sophio GELASHVILI Head of the Legal Co-operation Unit / <i>Cheffe de l'Unité de coopération juridique</i> CDCJ Co-Secretary / <i>Co-secrétaire du CDCJ</i> Secretary to the CJ-OR / <i>Secrétaire du CJ-OR</i> Tel: +33 3 88 41 31 80 E-mail: sophio.gelashvili@coe.int
	Ms/Mme Julie DEVYS Programme manager / <i>Responsable de programme</i> Tel: +33 3 90 21 59 25 E-mail: julie.devys@coe.int
	Ms/Mme Patricia COUTINHO Programme manager / <i>Responsable de programme</i> Tel: +33390215476 E-mail: patricia.coutinho@coe.int
	Mr/M. Evgeni RADEV Assistant to the CDCJ / <i>Assistant du CDCJ</i> Tel : +33 3 90 21 63 67 E-mail: evgeni.radev@coe.int
HUMAN RIGHTS AND BIOMEDICINE (CDBIO) / DROITS HUMAINS ET BIOMÉDECINE (CDBIO)	Ms/Mme Aurelie PASQUIER Programme manager / <i>Responsable de programme</i> Tel: +33 3 90 21 52 75 E-mail: aurelie.pasquier@coe.int
	online / en ligne
INTERPRETERS / INTERPRÈTES	Ms/Mme Célia RAWINSKI Ms/Mme Célie RIGAUDIERE Ms/Mme Clarissa WORSDALE