

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

Strasbourg, 5 June 2025

CJ-OR(2025)09

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

1st meeting

3-5 June 2025

**Strasbourg, Agora Building – room G02 (3-4 June)
and Palais Building – room 12/13 (5 June)**

MEETING REPORT

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

1. The Committee of Experts on access to origins (CJ-OR) held its 1st meeting in Strasbourg from 3 to 5 June 2025, under the chairmanship of Mr Thomas Knoll-Biermann (Germany).
2. The agenda of the meeting is contained in Appendix I. The list of participants appears in Appendix II.
3. The Chair welcomed all participants and invited them to introduce themselves briefly.

3. Introduction by the secretariat

4. The Committee took note of the information provided by the secretariat concerning the background to the CJ-OR, the start of the work on a draft recommendation on the rights of donor-conceived persons to know their origins, the presentation of the European Committee on Legal Co-operation (CDCJ) and the CJ-OR, the election of CJ-OR's Vice-Chair and the appointment of its Gender Equality Rapporteur.
5. On the occasion of this first meeting, the secretariat presented the CJ-OR's Terms of Reference (document [CJ-OR\(2025\)01](#)) and working methods, as well as a draft workplan and calendar of CJ-OR activities for 2025-2026 that the Committee adopted (document CJ-OR(2025)02).

4. Overview of key issues as regards the rights of donor-conceived persons to know their origins

6. The CJ-OR took note of the presentation made by the Registry of the European Court of Human Rights on the key issues raised by the rights of donor-conceived persons to know their origins, having regard to the case law of the Court (in addition to the cases mentioned in document [CJ-OR\(2025\)03](#)), and which should be taken into account in the preparation of the future draft recommendation.
7. It also took note of the presentation made by the secretariat on the work of the Parliamentary Assembly which is at the origin of the CDCJ and CJ-OR's Terms of Reference (i.e. [Recommendation 2156 \(2019\)](#) and the [Report of the Committee on Social Affairs, Health and Sustainable Development - Doc. 14835](#) on "Anonymous donation of sperm and oocytes: balancing the rights of parents, donors and children") and on the [Comparative study on access of persons conceived by gamete donation to information on their origins](#) approved by the CDCJ in June 2022.

5. Exchange of views on social and ethical implications of assisted reproduction for individuals, families and society

8. The CJ-OR held an exchange of views on social and ethical implications of assisted reproduction for individuals, families and society with Mia Dambach, Executive Director of Child Identity Protection (CHIP); Professor Vasanti Jadvā, Professor of Family Psychology, Department of Psychology, University of London; Audrey and Arthur Kermalvezen, Co-founders of Association Origines; Hélène Loos, oocyte donor; Marie-Joëlle Gros, member of the Board of Directors of the Collectif BAMP! and member of Commission for access to data from third-party donors for persons born through medically assisted reproduction (CAPADD); and Laura Rabinad Lizano, Biologist and Psychologist, Specialist in Donor Conception Counselling.

6. Discussion concerning the scope, principles, and issues to be covered by the future recommendation

9. The Committee discussed the scope, principles, and issues that the future draft recommendation should cover. It examined the elements and the outline of the future draft recommendation contained in document CJ-OR(2025)04 (*restricted*) prepared on the basis, *inter alia*, of the case law of the European Court of Human Rights on the topic (see aforementioned document [CJ-OR\(2025\)03](#)), the overview of European and international standards concerning the rights of donor-conceived persons to know their origins (document CJ-OR(2025)05), the questions identified in document CJ-OR(2025)06 and the compilation of replies received concerning the elements of the future draft recommendation (document CJ-OR(2025)07 - *restricted*).

10. Following the discussion, the CJ-OR agreed to include the general principles of best interests of the child, privacy, human dignity and non-discrimination in the draft recommendation.

11. Recognising that it is an argument rather than a right or principle, the Committee decided to come back on the best place to address the question of giving access to information concerning donors can affect the number of donors.

12. Regarding the right to know and the right not to know one's origins, the CJ-OR agreed that the recommendation should state the right to know one's origins and explain how to exercise it, noting in the explanatory memorandum that exercising this right is optional, in particular concerning access to information on the donors. The Committee also decided to break down the right to know one's origins into subheadings—knowing whether one is donor-conceived, accessing information on the donor(s), and the possibility of contacting or meeting the donor(s)—while acknowledging that these subheadings require further consideration. It agreed to exclude any right to know the donor's own ancestors.

13. The CJ-OR decided to categorise identity-related information into three types: non-identifying, identifying, and voluntary. It also discussed who should receive this information (parents and donor-conceived individuals) and at what age it should become available to the donor-conceived child.

14. Regarding information about individuals conceived from the same donor(s), the CJ-OR decided to include this topic in the draft recommendation. It distinguished between the right to know how many individuals share the same donor and the right to access other information, which would require the mutual consent of those individuals. The Committee decided to address the impact of knowing one's origins in the explanatory memorandum, rather than including it in the draft recommendation itself.

15. There was consensus that, under the donation regime, it would be preferable that access to identifying information regarding donors should be accessible to future donor-conceived individuals.

16. Regarding the accessibility of information, the CJ-OR underlined that the presence of DNA tests should be seen as an opportunity to discuss access to origins and not prevent from establishing guidance. It agreed to encourage member states to reconsider age limits and highlighted a child's right to express their views and be heard in all matters affecting them (Article 12 of the Convention on the Rights of the Child), as well as the child's right to an open future.

17. The CJ-OR examined the scope of the recommendation. Whilst it was of the view that further consideration should be given to naturally conceived children, anonymous births and surrogacy, it decided that adoption did not come within the remit of the recommendation and was covered by several international treaties.

18. The Committee also discussed cross-border challenges, particularly when donor conception involves treatment in another country, import/export of gametes or birth in a third country. The possibility of addressing the issue of access to information via a network of /exchange of information between designated national authorities was considered in order to assist individuals trace their origins across borders. In this context, the Committee started examining the costs involved and considered that in principle persons born from donation should not incur those costs when seeking information on their origins.

19. The Committee also discussed court-mediated access, via availability of DNA testing, or via specialised registries, also relevant for access to medical files. The Committee discussed whether access should be mediated by licensed institutions or specialised national agencies or available directly to individuals, and what legal instruments (e.g. registers, family courts) should facilitate it.

20. The CJ-OR looked into transitional arrangements between full anonymity systems and systems where some information on the donor can be retrieved in order to facilitate access of donor-conceived persons to their origins. It considered how access to origins can take place for periods where full anonymity is in place, for example with the authorities asking donors whether they consent to some information on them being shared, should a donor-conceived person seek information on their origins. It decided that the issue of legal parentage would not be covered in the context of this recommendation.

21. The CJ-OR entrusted the chair, the consultant and the secretariat with the task of informing the CDCJ on the start of its work and entrusted the consultant to prepare a draft recommendation for an examination at its 2nd meeting on 28-30 October 2025.

7. Elections and appointments

22. In accordance with its Terms of Reference and Article 12 of the Rules of Procedure for Council of Europe intergovernmental committees (*Appendix 1 to Resolution [CM/Res\(2021\)3](#)*), the CJ-OR conducted the necessary elections and appointments. As a result, it elected Ms Joëlle Schickel-Küng (Switzerland) as Vice-Chair for a one-year term of office (until 31 December 2025 – calendar year) renewable, and appointed Ms Aleksandra Korac Graovac (Croatia) as Gender Equality Rapporteur for a term of office running until the expiration of the CJ-OR Terms of Reference (31 December 2026) – see document CJ-OR(2025)08.

8. Any other business

23. None.

9. Adoption of the meeting report

24. The CJ-OR adopted the report of its 1st meeting.

25. The CJ-OR agreed to hold its 2nd meeting on 28-30 October 2025 in Strasbourg.

Appendix I

Agenda

- 1. Opening of the meeting and welcome**
- 2. Adoption of the agenda and order of business**
- 3. Introduction by the Secretariat**
- 4. Overview of key issues as regards the rights of donor-conceived persons to know their origins**
- 5. Exchange of views on social and ethical implications of assisted reproduction for individuals, families and society**
- 6. Discussion concerning the scope, principles, and issues to be covered by the future recommendation**
- 7. Elections and appointments**
- 8. Any other business**
- 9. Adoption of the meeting report**

Appendix II

Participants

MEMBERS / MEMBRES

CROATIA / CROATIE	Ms/Mme Aleksandra KORAĆ GRAOVAC Professor, University of Zagreb / <i>Professeure, Université de Zagreb</i>
CZECHIA / TCHÉQUIE	Ms/Mme Eva PETROVÁ 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>
DENMARK / DANEMARK	Ms/Mme Signe EBBESEN apologised / excusée Legal consultant, Danish Patient Safety Authority / <i>Consultant juridique, Autorité danoise de la sécurité des patients</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 adjointe de la Division du 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 / <i>Juge, Tribunal de district de Malmö</i>	apologised / excusée
Ms/Mme Gloria Ortega PUENTE Professor at the Department of Private Law, Universitat Autònoma de Barcelona (UAB) / <i>Professeure au Département de droit privé, Université autonome de Barcelone</i>	
Mr/M. Jens M. SCHERPE Professor of Comparative Law, Aalborg University Director, Nordic Centre for Comparative and International Family Law (NorFam) / <i>Professeur de droit comparé, Université d'Aalborg</i> <i>Directeur, Centre nordique de droit comparé et international de la famille (NorFam)</i>	

MEMBER STATES / ÉTATS MEMBRES

NETHERLANDS / PAYS-BAS	Ms Sanne VAN WEEZEL Legal coordinator Directorate of Public Health, Department of Strategy & Organization, Ministry of Health, Welfare and Sport
TÜRKIYE / TURQUIE	Ms Gizem KARACA Expert Ministry of Family and Social Services

PARTICIPANTS / PARTICIPANTS

STEERING COMMITTEE FOR THE RIGHTS OF THE CHILD / COMITÉ DIRECTEUR POUR LES DROITS DE L'ENFANT (CDENF)	Mr Marino DI NARDO Presidency of the Council of Ministers, Department for Equal Opportunities Office for International and General Affairs
EUROPEAN COURT OF HUMAN RIGHTS / COUR EUROPEENNE DES DROITS DE L'HOMME	Ms Bianca BOJI-TAHVANAINEN Research Unit Case-Law Monitoring Unit
EUROPEAN COMMITTEE ON ORGAN TRANSPLANTATION / COMITE EUROPEEN SUR LA	Mr Samuel ARRABAL Head of Foreign Affairs and Research Agence de la biomédecine

<i>TRANSPLANTATION D'ORGANES (CD-P-TO)</i>	
HAGUE CONFERENCE ON PRIVATE INTERNATIONAL LAW / CONFERENCE DE LA HAYE DE DROIT INTERNATIONAL PRIVE (HCCH)	Mr Paul LEE Assistant Legal Officer
UNITED NATIONS INTERNATIONAL LAW COMMISSION (ILC) / COMMISSION DU DROIT INTERNATIONAL DE L'ONU (CDI)	apologised / excusée

OBSERVERS / OBSERVATEURS

EUROPEAN ASSOCIATION OF HEALTH LAW (EAHL)	Dr Annagrazia ALTAVILLA Lawyer/PhD Sciences-Ethics/HDR Public Law Responsible of International Relations Espace Ethique PACA/Corse
EUROPEAN SOCIETY OF HUMAN REPRODUCTION AND EMBRYOLOGY (ESHRE)	Professor Stéphane VIVILLE Head of the Infertility Genetics Unit, University Hospital of Strasbourg

PARTICIPANTS IN THE EXCHANGE OF VIEWS / PARTICIPANTS A L'ECHANGE DE VUE

Ms Audrey KERMALVEZEN and Mr Arthur KERMALVEZEN Co-fondateurs de l'association Origines
Mme Hélène LOOS Donneuse d'ovocytes
Ms Laura RABINAD Biologist & Psychologist PhD Candidate in Reproductive Social Psychology Specialist in Donor Conception Counselling
Mme Marie-Joëlle GROS Membre du Conseil d'administration du Collectif BAMP ! Membre de la CAPADD

Mme Mia DAMBACH Executive Director of Child Identity Protection	
Professor Vasanti JADVA Professor of Family Psychology Department of Psychology University of London	

CONSULTANT TO THE CJ-OR <i>/ CONSULTANT DU CJ-OR</i>	Ms/Mme Laurence BRUNET Chargée de mission au Centre de référence des maladies rares du développement génital à l'Hôpital du Kremlin-Bicêtre Chercheure associée à l'Institut des Sciences Juridique et Philosophique de la Sorbonne, Université Paris 1 Panthéon- Sorbonne/CNRS
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