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# **The Protection of Vulnerable Adults in EU Member States.**

## **The Added Value of EU Action in Light of the Hague Adults Convention**

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# Purpose and methodology

- To assess the potential added value and the possible content of EU measures regarding the protection of vulnerable adults in cross-border situations, a survey has been conducted in three EU Member States



# Main findings of the survey

- In the Member States that are not a party to the Hague Adults Convention the situation appears to be unsatisfactory in general terms
- The Member States that are already a party to the Convention experience some difficulties in this field only in those cases that require cooperation with countries that are *not* a party to the Convention

**The Hague Adults Convention convincingly addresses the basic issues on the protection of vulnerable adults in cross-border situations**

# The possible steps forward



The Union could, in principle:

- adopt a legislative measure that would broadly reproduce the Hague Adults Convention
- authorise Member States to ratify the Convention in the interest of the Union

**The second option should be preferred since all Member States would enjoy the advantages of the Convention in both intra-European situations and in situations connected with a non-European country**

# The possible steps forward



- However, the possibility should be considered of enacting a legislative measure that would **supplement** the Convention in the relations among Member States and **fix its few weaknesses**.
- EU legislation could, *inter alia*:
  - a) create a “European certificate of Powers Granted for the Protection of an Adult”
  - b) allow the adult to choose, together with the law applicable to his or her lasting power of attorney, which court should possess jurisdiction.