



Press Office of the Constitutional Court

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*Press release of 21 October 2019*

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THE QUESTION ON BIRTH CERTIFICATES THAT REGISTER TWO MOTHERS AS PARENTS IS INADMISSIBLE, DUE TO DEFECTS IN THE REASONS PROVIDED BY THE REFERRING COURT

Today, the Constitutional Court sat in chambers to consider a question raised by the Ordinary Court of Pisa regarding the issuance of a birth certificate that recognises two women as the parents of a child. The child was born in Italy, but holds US citizenship through its surrogate mother.

The two mothers are legally married in Wisconsin, where same-sex marriage is available and, in case of children, both spouses are recognized as parents.

Pending filing of the judgment, the Press Office informs the public that the question was deemed inadmissible due to defects in the reasons provided in support of the referral order.

The Ordinary Court of Pisa raised the question of constitutionality on the basis of domestic legal provisions that, in its view, barred the application of foreign law, which is however relevant to the case by virtue of the child's citizenship. However, the Ordinary Court did not clearly identify the exact provisions being challenged, and did not provide adequate reasons to support its assertion that such provisions were "necessarily applicable".

The judgment will be filed in the coming weeks.

Rome, 21 October 2019