

EN
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Answer given by Mr McGrath
on behalf of the European Commission
(20.6.2025)

Children's rights are protected under Article 24 of the EU Charter¹, which guarantees their right to be heard in matters affecting them. The Commission is committed to ensuring the respect of the Charter within the remit of its competences². The Brussels IIb Regulation³ provides uniform rules obliging the courts of the Member States to hear a child when exercising jurisdiction in parental responsibility matters.

Family law remains under national jurisdiction, according to the principles of proportionality and subsidiarity, and aligned with national and international law.

When child victims are heard in criminal proceedings, pursuant to the Victims' Rights Directive⁴, the procedural rules are determined by national law.

Directive (EU) 2024/1385⁵ further recognises child victims, as witnesses to domestic violence, requiring child-friendly procedures, trained professionals, and safe contact arrangements between a child and a holder of parental responsibility who is an offender or suspect of violence against women or domestic violence. Member States must transpose it into their national legislation (by June 2027). During this period, the Commission will hold implementation workshops to steer the timely and complete transposition.

In its role as guardian of the Treaties, the Commission will continue monitoring the application of the relevant legal provisions and may decide to take appropriate action.

¹ https://eur-lex.europa.eu/eli/treaty/char_2012/oj/eng.

² According to its Article 51(1), the Charter applies to Member States only when they are implementing EU law.

³ Council Regulation (EU) 2019/1111 of 25 June 2019 on jurisdiction, the recognition and enforcement of decisions in matrimonial matters and the matters of parental responsibility, and on international child abduction (recast) OJ L 178, 2.7.2019, p. 1–115.

⁴ Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA, OJ L 315, 14.11.2012, p. 57.

⁵ Directive (EU) 2024/1385 of the European Parliament and of the Council of 14 May 2024 on combating violence against women and domestic violence, OJ L, 2024/1385, 24.5.2024, ELI: <http://data.europa.eu/eli/dir/2024/1385/oj>.