

EN

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Answer given by Mr Brunner
on behalf of the European Commission
(25.7.2025)

ProtectEU: a European Internal Security Strategy¹ confirms that protection of children from all forms of violence is a core objective of the EU. Child trafficking is a particular serious form of trafficking in human beings, which leads to higher penalties in accordance with Article 4(2)(a) of the Anti-trafficking Directive². The amended Directive, to be transposed by Member States by 15 July 2026, explicitly includes exploitation of illegal adoption in the scope of offences of trafficking in human beings. Furthermore, cross-border law enforcement cooperation, with the support of the EU Agency for Law Enforcement Cooperation, has been reinforced through a dedicated operational action under the European Multi-disciplinary Platform Against Criminal Threats - trafficking in human beings to fight illegal commercial surrogacy and selling of babies. The Commission will present a legislative proposal for modernised rules on organised crime in 2026 to strengthen the fight against organised crime networks, including criminal networks trafficking babies.

The Anti-trafficking Directive includes specific measures on assistance, support, and protection of child victims of trafficking. The revised Directive encourages Member States to ensure that national integrated child protection systems³ develop specific plans to prevent trafficking in human beings, including that of children in residential or closed-type institutions, while encompassing early warning and reporting mechanisms, cross-sectoral support, and ongoing monitoring.

Rules on adoption and birth registration fall under substantive family law, which is a national competence. The functioning of child protection agencies is not regulated by EU law.

¹ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on ProtectEU: a European Internal Security Strategy, COM(2025) 148 final.

² Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victim as amended by Directive (EU) 2024/1217, OJ L 101, 15.4.2011, p. 1–11.

³ Recommendations (EU) 2024/1238 on developing and strengthening integrated child protection systems in the best interest of the child, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32024H1238>.