

EN

E-003217/2026

Answer given by Ms Lahbib

on behalf of the European Commission

(8.10.2026)

Article 24 of the Charter of Fundamental Rights of the EU<sup>1</sup> applies only to Member States when they are implementing EU law.

While it does not interfere in individual cases either in civil nor in criminal proceedings, the Commission remains firmly committed to upholding children's rights, including by strengthening support and protection for child victims of crime through the recent revision of the Victims' Rights Directive<sup>2</sup>. The Directive on combating violence against women and domestic violence<sup>3</sup> recognises the need to protect children who are victims of domestic violence. Member States must transpose this Directive by 14 June 2027. The Commission will then assess the compliance of transposed national measures with EU law. The new rules of the Brussels IIb Regulation<sup>4</sup> focus on the core elements of the rights of the child such as the primary consideration of the best interests of the child and the protection of children in all civil proceedings that affect them. However, these instruments do not establish any rules of substantive family law, which belong to the exclusive competence of the Member States. Such matters as custody and access rights to parents are matters decided under national law.

As regards prevention of re-victimisation and safeguarding of children in similar situations, the Commission provides for cooperation between central authorities in child protection and supports the training and exchange of best practices for judges and practitioners on child-friendly justice. National judicial and child-protection bodies remain responsible for any concrete measures concerning the safety and rights of the child in individual proceedings.

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1 [https://eur-lex.europa.eu/eli/treaty/char\\_2012/oj/eng](https://eur-lex.europa.eu/eli/treaty/char_2012/oj/eng).

2 Directive (EU) 2026/1472 of the European Parliament and of the Council of 17 June 2026 amending Directive 2012/29/EU establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA, PE/11/2026/REV/1, OJ L, 2026/1472, 30.6.2026.

3 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, <http://data.europa.eu/eli/dir/2024/1385/oj>.

4 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.