

**Question for written answer E-004541/2016
to the Commission**

Rule 130

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Subject: Review of Regulation (EC) No 2201/2003 and protecting children in cross-border divorces

According to Commission figures, 16 million of the 122 million marriages in the Union have a cross-border dimension to them.

In its report on the application of Regulation (EC) No 2201/2003 (COM(2014)0225 final), the Commission considers there to be several shortcomings in disputes with regard to marriage break-ups or keeping custody of the children.

Within this legal framework, and given the disparity in custody rights in the European Union, the minor's best interests and right to see both parents are not guaranteed.

Given the situation described, and bearing in mind that international law and European Court of Human Rights case-law establish equal rights and obligations for both parents with regard to parental responsibility for the children:

1. Will the Commission propose a review of that Regulation in view of the conclusions drawn from public consultations?
2. Will it include custody rights and the differences that exist between Member States, as well as the resulting effects of that, in the aspects of the Regulation to be reassessed or modified?
3. Given the disparity between Member States in the regulation of custody rights and parental responsibility, how does the Commission plan to improve the resolution of cross-border disputes and thereby ensure legal certainty and equality?