

EN
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Answer given by Mr Hahn
on behalf of the Commission
(4.7.2014)

The growing mobility of citizens within the European Union has resulted in an increasing number of families with an international dimension. Family separation is often a difficult and painful affair, but when it takes place across borders, difficulties and stress are frequently compounded.

The Commission is aware of differences in the national systems and diverging practices when it comes to granting and exercising custody rights and maintenance and their possible impacts on children. It is of the opinion that in all actions concerning children the primary consideration must be the best interests of the individual child; such an assessment can obviously be done only on a case by case basis.

European legislation covers, insofar as parental responsibility is concerned, only the procedural matters relating to the jurisdiction of the courts and the recognition and enforcement of judgments (Brussels IIa Regulation). The Commission is currently assessing the functioning of the Brussels II a Regulation. The question of more harmonised procedures on specific matters is raised in the evaluation report adopted by the Commission on 15 April 2014, for instance with respect to the hearing of the child in cross-border custody cases. Furthermore, the Commission has launched an online public consultation¹ on integrated child protection systems, one of the aims of which is to gather good practice examples.

The matters raised by the Honourable Member will be assessed in the overall review of the Brussels IIa Regulation and, more broadly, of the EU policy in respect of the promotion of the protection of the rights of the child.

¹ http://ec.europa.eu/justice/newsroom/fundamental-rights/opinion/140402_en.htm