

**Priority question for written answer P-000040/2025
to the Commission**
Rule 144
Lina Gálvez (S&D)

Subject: Best interest of the child in cases of cross-border gender-based violence in Europe

The Court of Cagliari has ruled that the minor son of Spanish citizen Juana Rivas must return to Italy and his father, Francesco Arcuri, an Italian citizen against whom the Italian Public Prosecutor's Office has opened an investigation into child abuse. The mother has asked the Spanish courts for precautionary measures to protect against the risk of violence.

The European Union and its Member States should protect and support children's rights so that the child's best interest always comes first. The Commission has published a recommendation to better protect children from violence.

Of note are the Directive on combating violence against women, the Directive on victims' rights and the Resolution on the protection of the rights of the child in civil, administrative and family law proceedings. Member States are called upon to ensure that 'laws and procedures do not discriminate between the parents on the basis of their nationality, country of residence or otherwise, and by refusing the assumption that the best interest of the child is always to remain within a particular Member State's territory'.

What does the Commission make of this case? How can the Commission help ensure the best interest of the child is upheld?

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