



CHILDREN'S RIGHTS IN CASES OF INTERNATIONAL ABDUCTION: FUNDAMENTAL RIGHTS CONSIDERATIONS IN THE NEW BRUSSELS II-*TER* REGULATION

The paper addresses the protection of children's rights as vulnerable subjects in the framework of cross-border child abduction. These cases impinge upon a number of fundamental rights of children that include the right to maintain contact with both parents, the right to have decisions taken in their best interests and the right to express their views during the proceedings.

The topic is assessed from an EU perspective considering, in particular, the recently adopted Regulation (EU) 2019/1111 (Brussels II-*ter*), which will apply starting from 1 August 2022. The new provisions specifically governing international child abduction seem indeed to share a common background of fundamental rights considerations that is aimed at ensuring an actual compliance with the principle of the best interests of the child.

The paper thus intends to verify whether the declared objectives of an improved and more effective protection of children in abduction cases can be regarded as having been met in the Brussels II-*ter* regime, and whether possible critical issues may be identified.