Each EU member state has its own rules regarding the marriage, de facto unions, registered partnerships, parental rights and duties, separation, divorce, maintenance of spouses, children and relatives, guardianship, succession, as well as other institutes of the family and succession law.

For that reason, the **EUROPEAN UNION** has a limited role in family and succession law matters as well as the status of the physical persons.

But the **EUROPEAN UNION** sets up rules to regulate:

- which EU member state shall have jurisdiction on matters related to family and succession law with international element (divorce, maintenance, parental responsibility after divorce, succession)

- which law shall be applied to solve the legal disputes

- how judgments related to family and succession matters with international element, issued in one EU member state, shall be recognised and enforced in another EU member state

These rules can be found in the **EUROPEAN REGULATIONS**, that provides for personal, family and succession rights with international element.

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European Regulations

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COUNCIL REGULATION (EC) No 2201/2003 of 27 November 2003 concerning jurisdiction and the recognition and enforcement of judgments in matrimonial matters and the matters of parental responsibility, repealing Regulation (EC) No 1347/2000:
The Regulation rules which EU member state shall hear the cases of divorce or separation and parental responsibility (custody and access rights) as well as how to recognise and enforce the judgments issued in one EU member state, in another EU member state.

COUNCIL REGULATION (EU) No 1259/2010 of 20 December 2010 implementing enhanced cooperation in the area of the law applicable to divorce and legal separation („Rome III Regulation"):
The Regulation allows spouses to agree in advance which substantive law applies to divorce or separation proceedings, provided that this law is the law of the member state, with which they have a closer relationship. In the absence of an agreement, the court seised applies a general formula to determine which law to apply.
COUNCIL REGULATION 1259/2010 is applied in 17 European Union member states: Belgium, Bulgaria, Germany, Spain, France, Italy, Latvia, Luxemburg, Hungary, Malta, Austria, Portugal, Romania, Slovenia, Lithuania, Greece and Estonia.

COUNCIL REGULATION (EC) No 4/2009 of 18 December 2008 on jurisdiction, applicable law, recognition and enforcement of decisions and cooperation in matters relating to maintenance obligations:
The Regulation rules which EU member state shall hear the case of maintenance obligations arising from a family relationship, parentage, marriage or affinity as well as which substantive law applies in these court proceedings. The Regulation also rules how maintenance judgements issued in one EU member state shall be recognised and enforced in another EU member state.

COUNCIL REGULATION (EU) 2016/1103 of 24 June 2016 implementing enhanced cooperation in the area of jurisdiction, applicable law and the recognition and enforcement of decisions in matters of matrimonial property regimes:
The Regulation rules which member state shall hear the cases regarding matrimonial property regimes of spouses in the event of death of one of the spouses and in cases of divorce, legal separation or marriage annulment, which substantive law shall be applied in these proceedings and how matrimonial property judgments issued in one EU member state shall be recognised and enforced in another member state.

COUNCIL REGULATION (EU) 2016/1104 of 24 June 2016 implementing enhanced cooperation in the area of jurisdiction, applicable law and the recognition and enforcement of decisions in matters of the property consequences of registered partnerships:
The Regulation rules which member state shall hear the cases regarding property consequences of partners in a registered partnership in the event of death of one of the partners and in cases of dissolution or annulment of the registered partnership, which substantive law shall be applied in these proceedings and how property consequences judgments issued in one EU member state shall be recognised and enforced in another member state.
COUNCIL REGULATION 2016/1103 and **COUNCIL REGULATION 2016/1104** is applied in 18 European Union member states: Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Finland, France, Germany, Greece, Italy, Luxemburg, Malta, Netherlands, Portugal, Slovenia, Spain and Sweden.

REGULATION (EU) No 650/2012 on jurisdiction, applicable law, recognition and enforcement of decisions and acceptance and enforcement of authentic instruments in matters of successions and on the creation of a European Certificate of Succession:
The Regulation rules which member state shall hear the cases of succession to the estates of deceased persons, which substantive law shall be applied in these proceedings as well as how judgments regarding succession issued in one EU member state shall be recognised and enforced in another member state. The Regulation also provides for the so called European certificate of succession.

Regulation (EU) 2016/1191 of 6 July 2016 on promoting the free movement of citizens by simplifying the requirements for presenting certain public documents in the European Union and amending Regulation (EU) No 1024/2012:
The Regulation exempts from legalisation or similar formality (including an apostille) some public documents issued by the authorities of a member state amongst which are: documents of courts and tribunals, administrative documents, notarial acts and official certificates (birth certificates, marriage certificates, death certificates and etc.). The Regulation also provides for the so called multilingual standard forms. The multilingual standard form shall be attached to the public documents referred to in and shall be used as a translation aid.

More information can be found at:
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