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Criterios de búsqueda a partir de los cuales se ha generado la lista :

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Palabra clave "Derecho matrimonial"

18 Resultado(s) encontrado(s)

Fecha de creación : 17-04-2024

[Implementation of the Treaty provisions concerning enhanced cooperation](#)

Tipo de publicación Estudio

Fecha 20-12-2018

Autor KIENDL KRISTO IVANA

Ámbito político Asuntos de género, igualdad y diversidad | Asuntos financieros y bancarios | Democracia en la UE, Derecho institucional y parlamentario | Derecho de la propiedad intelectual | Derecho de la UE: sistema jurídico y actos legislativos | Espacio de libertad, seguridad y justicia | Seguridad y defensa

Palabra clave ASUNTOS FINANCIEROS | ASUNTOS SOCIALES | Comisión PE | construcción europea | cooperación judicial civil en la Unión Europea | cooperación reforzada | DERECHO | Derecho de la Unión Europea | Derecho matrimonial | documentación | EDUCACIÓN Y COMUNICACIÓN | empresa común europea | Estado miembro UE | familia | GEOGRAFÍA | geografía económica | informe | instituciones de la Unión Europea y función pública europea | investigación y propiedad intelectual | jurisprudencia (UE) | libre circulación de capitales | ministerio fiscal | organización de la justicia | política exterior y de seguridad común | PRODUCCIÓN, TECNOLOGÍA E INVESTIGACIÓN | propiedad intelectual | transacción financiera | Tratado de Amsterdam | unión civil | UNIÓN EUROPEA

Resumen This study examines the existing (and planned) instances of enhanced cooperation (EnC), their institutional set up and state of play. Our analysis is at this point of time limited to the one EnC case with sufficient implementation record (EnC in divorce law, applied for more than six years to date). The remaining cases either began very recently (PESCO in late 2017); are in the preparatory stages (EPPO); are set to start in the near future (2019 for EnC in property regime rules); have not as yet entered into force (EnC in unitary patent protection awaiting ratification of the UPC Agreement by DE); or are yet to be agreed upon (FTT).

Estudio [EN](#)

[The Implementation of Enhanced Cooperation in the EU](#)

Tipo de publicación Estudio

Fecha 01-10-2018

Autor externo Prof. Dr. Wolfgang WESSELS, Centre for Turkey and European Union Studies (CETEUS), University of Cologne; Carsten GERARDS, Department of EU International Relations and Diplomacy Studies, College of Europe (Bruges)

Ámbito político Adopción de legislación por el PE y el Consejo | Democracia en la UE, Derecho institucional y parlamentario

Palabra clave ASUNTOS FINANCIEROS | ASUNTOS SOCIALES | Comisión PE | construcción europea | cooperación reforzada | DERECHO | Derecho de la Unión Europea | Derecho matrimonial | documentación | EDUCACIÓN Y COMUNICACIÓN | empresa común europea | Estado miembro UE | familia | GEOGRAFÍA | geografía económica | informe | instituciones de la Unión Europea y función pública europea | investigación y propiedad intelectual | libre circulación de capitales | ministerio fiscal | organización de la justicia | patente europea | política de investigación | PRODUCCIÓN, TECNOLOGÍA E INVESTIGACIÓN | programa marco de IDT | propiedad intelectual | transacción financiera | Tratado de Amsterdam | unión civil | UNIÓN EUROPEA

Resumen This study, commissioned by the European Parliament's Policy Department for Citizens' Rights and Constitutional Affairs at the request of the Committee on Constitutional Affairs, examines – against a historical backdrop – the legal provisions governing Enhanced Cooperation as well as the so far very limited number of implemented Enhanced Cooperation initiatives. Based on these insights, concrete ideas are formulated on how to optimise this 'standardised and generalised framework' of differentiated integration, touching upon questions of efficacy, efficiency and legitimacy.

Estudio [EN](#)

[Refundición del Reglamento «Bruselas II bis»](#)

Tipo de publicación De un vistazo

Fecha 10-01-2018

Autor MAŇKO Rafał

Ámbito político Derecho de la UE: sistema jurídico y actos legislativos

Palabra clave ASUNTOS SOCIALES | Comisión PE | competencia jurisdiccional | construcción europea | cooperación judicial | cooperación judicial civil en la Unión Europea | DERECHO | Derecho de la Unión Europea | Derecho matrimonial | ejecución de sentencia | Estado miembro UE | familia | GEOGRAFÍA | geografía económica | instituciones de la Unión Europea y función pública europea | justicia | organización de la justicia | política de cooperación | principio de reconocimiento mutuo | propuesta (UE) | protección de la infancia | RELACIONES INTERNACIONALES | responsabilidad de los padres | UNIÓN EUROPEA | vida social

Resumen El 21 de noviembre de 2017, la Comisión de Asuntos Jurídicos del Parlamento aprobó su informe sobre la propuesta de la Comisión de refundición del Reglamento «Bruselas II bis», relativa a la «libre circulación» de resoluciones judiciales en asuntos de familia no patrimoniales. Dado que se aplica un procedimiento legislativo especial, el Parlamento Europeo solamente es consultado. La votación está prevista en el Pleno de enero.

De un vistazo [DE](#), [EN](#), [ES](#), [FR](#), [IT](#), [PL](#)

CHILDREN ON THE MOVE: A PRIVATE INTERNATIONAL LAW PERSPECTIVE

Tipo de publicación Estudio

Fecha 13-06-2017

Autor externo Sabine Corneloup; Bettina Heiderhoff; Costanza Honorati; Fabienne Jault-Seseke; Thalia Kruger; Caroline Rupp; Hans van Loon; Jinske Verhellen

Ámbito político Adopción de legislación por el PE y el Consejo | Derecho de la UE: sistema jurídico y actos legislativos | Derechos humanos | Espacio de libertad, seguridad y justicia | Evaluación de la legislación y las políticas en la práctica

Palabra clave acuerdo internacional | ASUNTOS SOCIALES | cooperación transfronteriza | demografía y población | DERECHO | Derecho civil | Derecho civil | Derecho de extranjería | Derecho internacional | Derecho internacional privado | Derecho matrimonial | Estado miembro UE | extranjero | familia | GEOGRAFÍA | geografía económica | integración de los migrantes | joven | movimientos migratorios | niño | política de cooperación | política internacional | política migratoria | protección de la infancia | refugiado | RELACIONES INTERNACIONALES | residencia | seguridad internacional | vida social

Resumen This study, commissioned by the European Parliament's Policy Department for Citizens' Rights and Constitutional Affairs at the request of the JURI Committee, will be presented during a Workshop dedicated to potential and challenges of private international law in the current migratory context. The child's best interests are a primary consideration under international and EU law. EU migration and private international law frameworks regulate child protection, but in an uncoordinated way: the Dublin III and Brussels IIa Regulations are neither aligned nor applied coherently. This should change. In particular, the rules and mechanisms of Brussels IIa should be used to enhance the protection of migrant children. These include rules on jurisdiction to take protective measures, on applicable law, and on recognition and enforcement of protective measures, and mechanisms for cross-border cooperation between authorities.

Estudio [EN](#)

Private international law in a context of increasing international mobility: challenges and potential

Tipo de publicación Estudio

Fecha 12-06-2017

Autor externo Sabine Corneloup (coordinator), Professor at the University Paris II Panthéon-Assas, France, member of TEE
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Costanza Honorati, Professor at the University of Milano-Bicocca, member of TEE
Fabienne Jault-Seseke (coordinator), Professor at the University of Versailles Saint-Quentin, France, member of TEE, member of GEDIP
Thalia Kruger, Professor at the University of Antwerp, Belgium, member of TEE
Caroline Rupp, Junior Professor at the Julius-Maximilians-University Würzburg, Germany, member of TEE
Hans van Loon, Former Secretary General of the Hague Conference on Private International Law, member of GEDIP
Jinske Verhellen (coordinator), Professor at the Ghent University, Belgium, member of TEE

Ámbito político Adopción de legislación por el PE y el Consejo | Derecho de la UE: sistema jurídico y actos legislativos | Derechos humanos | Espacio de libertad, seguridad y justicia | Evaluación de la legislación y las políticas en la práctica

Palabra clave adopción | ASUNTOS SOCIALES | convención ONU | cooperación transfronteriza | demografía y población | DERECHO | Derecho civil | Derecho civil | Derecho de extranjería | Derecho internacional | Derecho matrimonial | Estado miembro UE | extranjero | familia | GEOGRAFÍA | geografía económica | integración de los migrantes | movimientos migratorios | política de cooperación | política internacional | política migratoria | refugiado | RELACIONES INTERNACIONALES | residencia | seguridad internacional

Resumen This study, commissioned by the European Parliament's Policy Department for Citizens' Rights and Constitutional Affairs at the request of the JURI Committee, will be presented during a Workshop dedicated to potential and challenges of private international law in the current migratory context. While Private International Law governs private relations between persons coming from or living in different States, migration law regulates the flow of people between States. The demarcation between these two areas of law seems clear, but in practice it is not. Rights related to migration are often linked to private relations (marriage, parentage) or personal status (age). The EU should have a coherent approach in these areas, both internally and in relations with third States. Authorities active in the different areas must coordinate their work.

Estudio [EN](#)

The rights of LGBTI people in the European Union

Tipo de publicación Briefing

Fecha 12-05-2017

Autor SHREEVES Rosamund

Ámbito político Asuntos de género, igualdad y diversidad | Espacio de libertad, seguridad y justicia

Palabra clave adopción | ASUNTOS SOCIALES | construcción europea | DERECHO | derecho de adopción | derecho de asilo | Derecho de la Unión Europea | Derecho internacional | Derecho matrimonial | derechos y libertades | directiva (UE) | discriminación basada en la orientación sexual | espacio de libertad, seguridad y justicia | familia | financiación de la UE | finanzas de la Unión Europea | libre circulación de personas | programa de la UE | situación familiar | unión civil | UNIÓN EUROPEA

Resumen The prohibition of discrimination and the protection of human rights are important elements of the EU legal order. Nevertheless, discrimination against lesbian, gay, bisexual, transgender and intersex (LGBTI) persons persists throughout the EU, taking various forms including verbal abuse and physical violence. Sexual orientation is now recognised in EU law as a ground of discrimination. However, the scope of these provisions is limited and does not cover social protection, healthcare, education and access to goods and services, leaving LGBTI people particularly vulnerable in these areas. Moreover, EU competence does not extend to recognition of marital or family status. In this area, national regulations vary, with some Member States offering same-sex couples the right to marry, others allowing alternative forms of registration, and yet others not providing any legal status for same-sex couples. Same-sex couples may or may not have the right to adopt children and to access assisted reproduction. These divergent legal statuses have implications, for instance, for partners from two Member States with different standards who want to formalise/legalise their relationship or for same-sex couples and their families wishing to move to another Member State. Combating discrimination has become part of EU internal and external policies and the subject of numerous resolutions of the European Parliament. However, action in this area remains problematic when it touches on issues pertaining to areas traditionally reserved to Member States, such as marital status and family law. This is a further updated version of a briefing originally drafted by Piotr Bakowski. The previous edition was published in May 2016, PE 582.031.

Briefing [EN](#)

Recasting the Brussels IIa Regulation - Workshop on 8 November 2016 - Compilation of Briefings

Tipo de publicación Estudio

Fecha 28-10-2016

Autor externo Ilaria PRETELLI; Christoph C. PAUL; Nicole GALLUS; Thalia KRUGER; Lukáš FRIDRICH; Annette C. OLLAND; Permanent Bureau of the Hague Conference on Private International Law; Alegría BORRÁS and Wojciech POSTULSKI

Ámbito político Derecho de la UE: sistema jurídico y actos legislativos | Derecho internacional privado y cooperación judicial en materia civil | Derecho internacional público | Evaluación de la legislación y las políticas en la práctica | Política social

Palabra clave análisis económico | ASUNTOS SOCIALES | competencia jurisdiccional | construcción europea | cooperación judicial | cooperación judicial civil en la Unión Europea | demografía y población | DERECHO | Derecho de la Unión Europea | Derecho matrimonial | ECONOMÍA | ejecución de sentencia | Estado miembro UE | estudio de impacto | familia | GEOGRAFÍA | geografía económica | justicia | niño | organización de la justicia | país tercero | persona divorciada | política de cooperación | principio de reconocimiento mutuo | propuesta (UE) | RELACIONES INTERNACIONALES | responsabilidad de los padres | UNIÓN EUROPEA

Resumen The workshop, organised by the Policy Department upon request by the JURI Committee, takes place while the European Parliament is consulted on the Commission proposal to recast the so-called "Brussels IIa" Regulation 2201/2003 concerning jurisdiction and the recognition and enforcement of judgements in matrimonial matters and the matters of parental responsibility. The briefings included in this compilation examine the main amendments proposed by the Commission as regards child abduction and return proceedings, mediation, cooperation between national judicial and central authorities, and suggest possible further improvements in these areas as well as in the field of jurisdiction over divorce and annulment of marriage, cooperation with third countries and international organisations, and training of judges.

Estudio [EN](#)

Jurisdiction in Matrimonial Matters - Reflections for the Review of the Brussels IIa Regulation

Tipo de publicación Estudio

Fecha 30-06-2016

Autor externo Justin Borg-Barthet (University of Aberdeen, the United Kingdom)

Ámbito político Adopción de legislación por el PE y el Consejo | Derecho de la UE: sistema jurídico y actos legislativos | Derecho internacional privado y cooperación judicial en materia civil | Derecho internacional público | Espacio de libertad, seguridad y justicia | Evaluación de la legislación y las políticas en la práctica

Palabra clave Alemania | ASUNTOS SOCIALES | Bélgica | competencia jurisdiccional | construcción europea | cooperación judicial civil en la Unión Europea | DERECHO | Derecho de la Unión Europea | Derecho matrimonial | elaboración del Derecho de la UE | Europa | familia | fuentes y ramas del Derecho | GEOGRAFÍA | geografía económica | geografía política | Inglaterra | interpretación del Derecho | Italia | jurisprudencia | jurisprudencia (UE) | organización de la justicia | País de Gales | Polonia | regiones de los Estados miembros de la UE | UNIÓN EUROPEA

Resumen At the request of the European Parliament Committee on Legal Affairs (JURI), this research paper was commissioned by the Policy Department for Citizen's Rights and Constitutional Affairs to examine difficulties experienced in relation to jurisdiction in matrimonial matters, and assess the need for amendment of current legislation concerning party autonomy, transfers of jurisdiction and harmonisation of rules on residual jurisdiction. It concludes that there is a pressing need for reform insofar as transfers of jurisdiction are concerned, and a compelling case for the introduction of more party autonomy. The case for harmonisation of residual rules, however, is less clear. In the light of national case law and academic literature, the study also considers whether same-sex relationships could be governed by the Regulation and argues that there is a strong legal argument for their inclusion.

Estudio [EN](#)

[Rules on cross-border property regimes of spouses and registered partners](#)

Tipo de publicación De un vistazo

Fecha 20-06-2016

Autor MAŃKO Rafał

Ámbito político Derecho internacional privado y cooperación judicial en materia civil | Derecho internacional público

Palabra clave ASUNTOS SOCIALES | construcción europea | cooperación judicial civil en la Unión Europea | cooperación transfronteriza | cultura y religión | DERECHO | Derecho civil | Derecho civil | Derecho de familia | Derecho matrimonial | divorcio | ejecución de sentencia | familia | justicia | matrimonio | política de cooperación | propiedad inmobiliaria | protección del patrimonio | Registro Civil | RELACIONES INTERNACIONALES | separación judicial | UNIÓN EUROPEA

Resumen In March 2016 the Commission proposed, in parallel, two regulations implementing enhanced cooperation on cross-border aspects of property regimes of marriages and registered partnerships. They replace a pair of earlier proposals from 2011, which lacked unanimous support in the Council.

De un vistazo [EN](#)

[Brussels IIa: Towards a Review \(2\) - Main Recommendations from External Experts to the European Parliament](#)

Tipo de publicación Briefing

Fecha 08-06-2016

Autor CHATEAU Céline | LOPES ANA ISABEL CABRAL | PERARO CINZIA

Ámbito político Adopción de legislación por el PE y el Consejo | Derecho de la UE: sistema jurídico y actos legislativos | Derecho internacional privado y cooperación judicial en materia civil | Derecho internacional público | Espacio de libertad, seguridad y justicia | Evaluación de la legislación y las políticas en la práctica

Palabra clave ASUNTOS SOCIALES | competencia jurisdiccional | construcción europea | cooperación judicial civil en la Unión Europea | DERECHO | derecho de custodia | Derecho de la Unión Europea | Derecho matrimonial | Derecho penal | divorcio | EDUCACIÓN Y COMUNICACIÓN | familia | información y tratamiento de la información | intercambio de información | justicia | modificación de la ley | organización de la justicia | procedimiento judicial | protección de la infancia | Reglamento CE | responsabilidad de los padres | secuestro de personas | separación judicial | trabajos parlamentarios | UNIÓN EUROPEA | VIDA POLÍTICA | vida social

Resumen Applied since 2005 in all EU Member States except Denmark, Council Regulation (EC) No 2201/2003 ('Brussels IIa'), has raised concerns among citizens, practitioners and academics. The European Parliament has received many recommendations for amendments from experts commissioned by the Policy Department for Citizen's Rights and Constitutional Affairs. This briefing note presents a reasoned summary of these recommendations in view of the consultation of the EP on the recently published European Commission "Proposal for a Council Regulation on jurisdiction, the recognition and enforcement of decisions in matrimonial matters and the matters of parental responsibility, and on international child abduction (recast)". The recommendations do not represent the views of the European Parliament or the Policy Department, nor can they prejudice the position of the European Parliament.

Briefing [EN](#)

[The rights of LGBTI people in the European Union](#)

Tipo de publicación Briefing

Fecha 17-05-2016

Autor BAKOWSKI Piotr | LILIENKAMP Marc | SHREEVES Rosamund

Ámbito político Asuntos de género, igualdad y diversidad | Espacio de libertad, seguridad y justicia

Palabra clave adopción | ASUNTOS SOCIALES | construcción europea | DERECHO | derecho de adopción | derecho de asilo | Derecho de la Unión Europea | Derecho internacional | Derecho matrimonial | derechos y libertades | directiva (UE) | discriminación basada en la orientación sexual | espacio de libertad, seguridad y justicia | Estado miembro UE | familia | financiación de la UE | finanzas de la Unión Europea | GEOGRAFÍA | geografía económica | libre circulación de personas | programa de la UE | situación familiar | unión civil | UNIÓN EUROPEA

Resumen The prohibition of discrimination and the protection of human rights are important elements of the EU legal order. Nevertheless, discrimination against lesbian, gay, bisexual, transgender and intersex (LGBTI) persons persists throughout the EU, taking various forms including verbal abuse and physical violence. Sexual orientation is now recognised in EU law as a ground of discrimination. However, the scope of these provisions is limited and does not cover social protection, healthcare, education and access to goods and services, leaving LGBTI people particularly vulnerable in these areas. Moreover, EU competence does not extend to recognition of marital or family status. In this area, national regulations vary, with some Member States offering same-sex couples the right to marry, others allowing alternative forms of registration, and yet others not providing any legal status for same-sex couples. Same-sex couples may or may not have the right to adopt children and to access assisted reproduction. These divergent legal statuses have implications, for instance, for partners from two Member States with different standards who want to formalise/legalise their relationship or for same-sex couples and their families wishing to move to another Member State. Combating discrimination has become part of EU internal and external policies and the subject of numerous resolutions of the European Parliament. However, action in this area remains problematic when it touches on issues pertaining to areas traditionally reserved to Member States, such as marital status and family law. This is an updated version of a briefing published in May 2015.

Briefing [EN](#)

[The US Supreme Court's landmark rulings of June 2015](#)

Tipo de publicación De un vistazo

Fecha 16-07-2015

Autor DEL MONTE Micaela

Ámbito político Asuntos exteriores | Espacio de libertad, seguridad y justicia

Palabra clave América | ASUNTOS SOCIALES | calidad del aire | competencia jurisdiccional | control de constitucionalidad | DERECHO | Derecho matrimonial | derechos y libertades | deterioro del medio ambiente | Estados Unidos | familia | fuentes y ramas del Derecho | GEOGRAFÍA | geografía económica | geografía política | interpretación del Derecho | jurisdicción constitucional | justicia | matrimonio | MEDIO AMBIENTE | minoría sexual | norma medioambiental | organización de la justicia | política del medio ambiente | sanidad | sentencia | sistema sanitario

Resumen The founding fathers drafting the US Constitution designed the government so that each branch had a check on the others, in order that no single branch would have absolute power. The Supreme Court's main method of controlling the power of the legislative branch is judicial review. Under this principle, it has the power to examine laws and declare them unconstitutional. While the US Constitution holds that democracy is the appropriate process for change, the Court has now ruled, in *Obergefell v. Hodges*, that 'individuals who are harmed need not await legislative action before asserting a fundamental right'. In the closing days of June, the Court issued three rulings which have made, and will continue to have a major impact not only on US citizens but also on the broader US political landscape.

De un vistazo [EN](#)

[The rights of LGBTI people in the European Union](#)

Tipo de publicación Briefing

Fecha 19-05-2015

Autor BAKOWSKI Piotr | LILIENKAMP Marc | SHREEVES Rosamund

Ámbito político Asuntos de género, igualdad y diversidad | Derechos humanos | Espacio de libertad, seguridad y justicia

Palabra clave adopción | ASUNTOS SOCIALES | construcción europea | DERECHO | derecho de adopción | derecho de asilo | Derecho de la Unión Europea | Derecho internacional | Derecho matrimonial | derechos y libertades | directiva (UE) | discriminación basada en la orientación sexual | espacio de libertad, seguridad y justicia | familia | financiación de la UE | finanzas de la Unión Europea | libre circulación de personas | programa de la UE | situación familiar | unión civil | UNIÓN EUROPEA

Resumen The prohibition of discrimination and the protection of human rights are important elements of the EU legal order. Nevertheless, discrimination against lesbian, gay, bisexual, transgender and intersex (LGBTI) persons persists throughout the EU, taking various forms including verbal abuse and physical violence. Sexual orientation is now recognised in EU law as a ground of discrimination. However, the scope of these provisions is limited and does not cover social protection, healthcare, education and access to goods and services, leaving LGBTI people particularly vulnerable in these areas. Moreover, EU competence does not extend to recognition of marital or family status. In this area, national regulations vary, with some Member States offering same-sex couples the right to marry, others allowing alternative forms of registration, and yet others not providing any legal status for same-sex couples. Same-sex couples may or may not have the right to adopt children and to access assisted reproduction. These divergent legal statuses have implications, for instance, for partners from two Member States with different standards who want to formalise/legalise their relationship or for same-sex couples and their families wishing to move to another Member State. Combating discrimination has become part of EU internal and external policies and the subject of numerous resolutions of the European Parliament. However, action in this area remains problematic when it touches on issues pertaining to areas traditionally reserved to Member States, such as marital status and family law. This is an updated version of a briefing published in November 2013.

Briefing [EN](#)

[Implementation of Optional Instruments within European Civil Law](#)

Tipo de publicación Estudio

Fecha 16-01-2012

Autor externo Bénédicte FAUVARQUE-COSSON (Université Panthéon-Assas, Paris II, France , Trans Europe Experts - TEE) and Martine BEHAR-TOUCHAIS (Sorbonne School of Law, Paris I, France , Trans Europe Experts - TEE)

Ámbito político Derecho de la UE: sistema jurídico y actos legislativos | Protección de los consumidores

Palabra clave aplicación del Derecho de la UE | ASUNTOS SOCIALES | consumo | DERECHO | Derecho civil | Derecho civil | Derecho de la Unión Europea | Derecho de las patentes | Derecho matrimonial | EMPRESA Y COMPETENCIA | familia | forma jurídica de la sociedad | INTERCAMBIOS ECONÓMICOS Y COMERCIALES | investigación y propiedad intelectual | marca de la UE | PRODUCCIÓN, TECNOLOGÍA E INVESTIGACIÓN | protección del consumidor | sociedad europea | UNIÓN EUROPEA

Resumen This study examines how European optional instruments are implemented in the Member States. It covers civil law and provides a comprehensive analysis of this innovative method, which although adopted in various fields (civil procedure, intellectual property, companies), was not organised or even clearly identified as such by the European legislator until a proposal for a regulation on a Common European Sales Law (11 October 2011) revealed its full potential. The study, which is based on field surveys conducted using a detailed questionnaire, identifies the strengths and weaknesses of this method and poses thought-provoking questions for the future.

Estudio [EN](#), [FR](#)

Resumen ejecutivo [DE](#), [EN](#)

The Franco-German agreement on an elective 'community of accrued gains' matrimonial property regime

Tipo de publicación Análisis en profundidad

Fecha 30-11-2010

Autor externo Eva Becker, Rechtsanwältin, Junggeburth & Becker Rechtsanwälte, Berlin

Ámbito político Derecho internacional privado y cooperación judicial en materia civil | Derecho internacional público | Espacio de libertad, seguridad y justicia

Palabra clave acuerdo bilateral | Alemania | ASUNTOS SOCIALES | DERECHO | Derecho internacional | Derecho internacional privado | Derecho matrimonial | divorcio | Europa | familia | Francia | GEOGRAFÍA | geografía económica | geografía política | política internacional | RELACIONES INTERNACIONALES

Resumen On 4 February 2010 Germany and France concluded an agreement on an elective 'community of accrued gains' matrimonial property regime. The ratification of this agreement will mean that for the first time a uniform set of substantive family law provisions will enter into force in both countries. The agreement is of European significance because in the past substantive family law did not seem susceptible of harmonisation at European level, even though the growing number of family relationships with a multi-national dimension means that there is a need for greater uniformity in substantive family law.

Análisis en profundidad [DE](#), [EN](#), [FR](#)

Matrimonial property regimes and patrimonial aspects of other forms of union: what problems and proposed solutions? (Proposal for Rome IV Regulation)

Tipo de publicación Análisis en profundidad

Fecha 30-11-2010

Autor externo Sjef van Erp, Professor für Zivilrecht und Europäisches Privatrecht, Institut für Europäisches Privatrecht, Universität Maastricht

Ámbito político Derecho internacional privado y cooperación judicial en materia civil | Derecho internacional público | Espacio de libertad, seguridad y justicia

Palabra clave ASUNTOS SOCIALES | DERECHO | Derecho civil | Derecho matrimonial | familia | matrimonio | propiedad de bienes | unión civil | unión libre

Resumen This note provides an objective analysis of the property law aspects of living together in situations where the relationship has connections with more than one EU Member State. The analysis focuses on couples, whether opposite-sex or same-sex relationships, living together either in the form of a marriage, a registered partnership or who de facto live together. The note identifies main problems related to the matrimonial property regimes and patrimonial aspects of other forms of union with a cross-border dimension and concludes by making some recommendations.

Análisis en profundidad [DE](#), [EN](#), [FR](#)

Mutual recognition of same-sex marriage, of civil partnerships of same-sex and opposite sex couples: current situation in member states. need for eu action?

Tipo de publicación Análisis en profundidad

Fecha 30-11-2010

Autor externo Charles Hyde QC, Queen Elizabeth Building Temple, London

Ámbito político Asuntos de género, igualdad y diversidad | Derecho internacional privado y cooperación judicial en materia civil | Derecho internacional público

Palabra clave adopción | ASUNTOS SOCIALES | Derecho matrimonial | divorcio | Europa | familia | GEOGRAFÍA | geografía económica | geografía política | matrimonio | obligación de alimentos | patria potestad | Reino Unido | responsabilidad de los padres | unión civil

Resumen This paper focuses upon the UK, common law perspective of mutual recognition of same-sex marriage, of civil partnerships of same-sex and opposite sex couples, covering matters relating to marriage/civil partnership, divorce/dissolution, ancillary relief/financial provision and issues relating to children.

Análisis en profundidad [EN](#)

The Impact of the Increasing Numbers of Same-Sex Marriages or Legally Recognized Partnerships on Other Legal Domains, Such as Property Rights and Divorce Law

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Resumen Many EU Member States have introduced specific provisions on same-sex marriages and registered partnerships that grant to homosexual couples a number of rights that differ according to certain patterns, depending upon the degree of differentiation from opposite-sex couples. While the effect on the personal status, the personal relationship and the property regime within the same-sex couple is often the same as in heterosexual relationships, the rights arising from the relationship between the couple and their children (either biological or adopted) vary considerably. The same applies to the dissolution of the marriage or partnership, and the conditions and consequences thereof. States that recognise the validity of same-sex marriages and registered partnerships have adopted special conflicts of laws provisions on jurisdiction and the recognition of decisions and on the law applicable to such relationships in order to grant also to non-nationals the possibility to celebrate a marriage or conclude a registered partnership with a same-sex partner and to reduce the consequences of the non-recognition of such couples abroad.

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