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Europski parlament Parlamento europeo Eiropas Parlaments Europos Parlamentas Európai Parlament
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Critéir chuardaigh a úsáidtear chun an liosta a ghiniúint :

Sortáil Sortáil de réir dáta Eochairfhocal "dlí an phósta"

18 Toradh/Torthaí

Dáta cruthaithe : 18-04-2024

Implementation of the Treaty provisions concerning enhanced cooperation

Saghas foilseacháin Staidéar

Dáta 20-12-2018

Údar KIENDL KRISTO IVANA

Réimse beartas Daonlathas AE, Dlí Institiúideach agus Parlaiminteach | Dlí AE: Córas Dlí agus Ionstraimí | Dlí Maoine Intleachtúla | Réimse na Saoirse, na Slándála agus an Cheartaí | Saincheisteanna Airgeadais agus Baincéireachta | Saincheisteanna Inscne, Comhionannas agus Éagsúlacht | Slándáil agus Cosaint

Eochairfhocal AIRGEADAS | An Comhghnóthas Eorpach | AN tAONTAS EORPACH | Ballstát den Aontas Eorpach | CEISTEANNA SOISIALTA | Coiste Pharlaimint na hEorpa | comhar breithiúnach in ábhair shibhialta san AE | comhar feabhsaithe | comhbheartas eachtrach agus slándála | Conradh Amstardam | cumann sibhialta | cásdlí (AE) | Dlí | dlí an Aontais Eorpaigh | dlí an phósta | doiciméadacht | eagrú an chórais dlí | geografaíocht eacnamaíoch | idirbheart airgeadais | institiúidí an AE agus an tseirbhís shibhialta Eorpach | maoin intleachtúil | OIDEACHAS AGUS CUMARSAID | roinn an ionchúisitheora phoiblí | saorghluaiseacht chaipitil | taighde agus maoin intleachtúil | teaghlach | tuarascáil | TÁIRGEADH, TEICNEOLAÍOCHT AGUS TAIGHDE | TÍREOLAÍOCHT | tógáil Eorpach

Achoimre 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).

Staidéar [EN](#)

The Implementation of Enhanced Cooperation in the EU

Saghas foilseacháin Staidéar

Dáta 01-10-2018

Údar seachtarach 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)

Réimse beartas Daonlathas AE, Dlí Institiúideach agus Parlaiminteach | Reachtaíocht a ghlacadh ag PE agus ag an gComhairle

Eochairfhocal AIRGEADAS | An Comhghnóthas Eorpach | AN tAONTAS EORPACH | Ballstát den Aontas Eorpach | beartas taighde | CEISTEANNA SOISIALTA | Clár Réime um Thaighde agus um Fhorbairt | Coiste Pharlaimint na hEorpa | comhar feabhsaithe | Conradh Amstardam | cumann sibhialta | Dlí | dlí an Aontais Eorpaigh | dlí an phósta | doiciméadacht | eagrú an chórais dlí | geografaíocht eacnamaíoch | idirbheart airgeadais | institiúidí an AE agus an tseirbhís shibhialta Eorpach | maoin intleachtúil | OIDEACHAS AGUS CUMARSAID | paitinn Eorpach | roinn an ionchúisitheora phoiblí | saorghluaiseacht chaipitil | taighde agus maoin intleachtúil | teaghlach | tuarascáil | TÁIRGEADH, TEICNEOLAÍOCHT AGUS TAIGHDE | TÍREOLAÍOCHT | tógáil Eorpach

Achoimre 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.

Staidéar [EN](#)

Recast of the Brussels IIa Regulation

Saghas foilseacháin Srachféachaint

Dáta 10-01-2018

Údar MANKO Rafal

Réimse beartas Dlí AE: Córas Dlí agus Ionstraimí

Eochairfhocal AN tAONTAS EORPACH | Ballstát den Aontas Eorpach | beartas comhair | CAIDREAMH IDIRNÁISIÚNTA | ceartas | CEISTEANNA SOISIALTA | Coiste Pharlaimint na hEorpa | comhar breithiúnach | comhar breithiúnach in ábhair shibhialta san AE | cosaint leanaí | Dlí | dlí an Aontais Eorpaigh | dlí an phósta | dlínse | eagrú an chórais dlí | freagracht tuismitheoirí | geografaíocht eacnamaíoch | gnóthaí sóisialta | institiúidí an AE agus an tseirbhís shibhialta Eorpach | prionsabal an aitheantais fhrithpháirtigh | rialú a fhorfheidhmiú | teaghlach | togra (AE) | TÍREOLAÍOCHT | tógáil Eorpach

Achoimre On 21 November 2017, Parliament's Committee on Legal Affairs adopted its report on the Commission proposal for a recast Brussels IIa Regulation concerning the 'free movement' of judgments in non-patrimonial family matters. Since a special legislative procedure applies, the European Parliament is only consulted; it is expected to vote during its January plenary session.

Srachféachaint [DE](#), [EN](#), [ES](#), [FR](#), [IT](#), [PL](#)

CHILDREN ON THE MOVE: A PRIVATE INTERNATIONAL LAW PERSPECTIVE

Saghas foilseacháin Staidéar

Dáta 13-06-2017

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

Réimse beartas An Dlí agus Beartas a Luacháil i gCleachtas | Cearta an Duine | Dlí AE: Córas Dlí agus Ionstraimí | Reachtaíocht a ghlacadh ag PE agus ag an gComhairle | Réimse na Saoirse, na Slándála agus an Cheartais

Eochairfhocal an dlí sibhialta | Ballstát den Aontas Eorpach | beartas comhair | beartas imirce | CAIDREAMH IDIRNÁISIÚNTA | cearta eachtrannach | CEISTEANNA SOISIALTA | comhaontú idirnáisiúnta | comhar trasteorann | cosaint leanaí | Dlí | dlí an phósta | dlí idirnáisiúnta | dlí idirnáisiúnta príobháideach | dlí sibhialta | duine óg | déimeagrafaíocht agus pobal | dídeanaí | geografaíocht eacnamaíoch | gnóthaí eachtracha | gnóthaí sóisialta | imirce | leanbh | lánpháirtíú imirceach | náisiúnach coigríche | slándáil idirnáisiúnta | teaghlach | TÍREOLAÍOCHT | áit chónaithe

Achoimre 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.

Staidéar [EN](#)

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

Saghas foilseacháin Staidéar

Dáta 12-06-2017

Údar seachtarach Sabine Corneloup (coordinator), Professor at the University Paris II Panthéon-Assas, France, member of TEE
Bettina Heiderhoff, Professor at the University of Münster, member of TEE
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

Réimse beartas An Dlí agus Beartas a Luacháil i gCleachtas | Cearta an Duine | Dlí AE: Córas Dlí agus Ionstraimí | Reachtaíocht a ghlacadh ag PE agus ag an gComhairle | Réimse na Saoirse, na Slándála agus an Cheartais

Eochairfhocal an dlí sibhialta | Ballstát den Aontas Eorpach | beartas comhair | beartas imirce | CAIDREAMH IDIRNÁISIÚNTA | cearta eachtrannach | CEISTEANNA SOISIALTA | coinbhinsiún na Náisiún Aontaithe | comhar trasteorann | Dlí | dlí an phósta | dlí idirnáisiúnta | dlí sibhialta | déimeagrafaíocht agus pobal | dídeanaí | geografaíocht eacnamaíoch | gnóthaí eachtracha | imirce | leanbh a uchtú | lánpháirtíú imirceach | náisiúnach coigríche | slándáil idirnáisiúnta | teaghlach | TÍREOLAÍOCHT | áit chónaithe

Achoimre 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.

Staidéar [EN](#)

The rights of LGBTI people in the European Union

Saghas foilseacháin Briefing

Dáta 12-05-2017

Údar SHREEVES Rosamund

Réimse beartas Réimse na Saoirse, na Slándála agus an Cheartais | Saincheisteanna Inscne, Comhionannas agus Éagsúlacht

Eochairfhocal an ceart chun tearmainn | an dlí maidir le huchtáil | AN tAONTAS EORPACH | cearta agus saoirsí | CEISTEANNA SOISIALTA | clár an Aontais Eorpaigh | cumann sibhialta | DLÍ | dlí an Aontais Eorpaigh | dlí an phósta | dlí idirnáisiúnta | idirdhealú bunaithe ar ghnéaschlaonadh | leanbh a uchtú | limistéar saoirse, slándála agus ceartais | maoiniú AE | maoiniú an AE | saorghluaiseacht daoine | stádas pósta | teaghlach | treoir (AE) | tógáil Eorpach

Achoimre 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

Saghas foilseacháin Staidéar

Dáta 28-10-2016

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

Réimse beartas An Dlí agus Beartas a Luacháil i gCleachtas | An dlí idirnáisiúnta poiblí | An dlí idirnáisiúnta príobháideach agus comhar breithiúnach in ábhair shibhialta | Beartas Sóisialta | Dlí AE: Córas Dlí agus Ionstraimí

Eochairfhocal AN tAONTAS EORPACH | anailís eacnamaíoch | Ballstát den Aontas Eorpach | beartas comhair | CAIDREAMH IDIRNÁISIÚNTA | ceartas | CEISTEANNA SOISIALTA | comhar breithiúnach | comhar breithiúnach in ábhair shibhialta san AE | DLÍ | dlí an Aontais Eorpaigh | dlí an phósta | dlínse | duine colscartha | déimeagrafaíocht agus pobal | EACNAMAÍOCHT | eagrú an chórais dlí | freagracht tuismitheoirí | geografaíocht eacnamaíoch | leanbh | prionsabal an aitheantais fhriotháirigh | rialú a fhorfheidhmiú | staidéar tionchair | teaghlach | togra (AE) | tríú tír | TÍREOLAÍOCHT | tógáil Eorpach

Achoimre 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.

Staidéar [EN](#)

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

Saghas foilseacháin Staidéar

Dáta 30-06-2016

Údar seachtarach Justin Borg-Barthet (University of Aberdeen, the United Kingdom)

Réimse beartas An Dlí agus Beartas a Luacháil i gCleachtas | An dlí idirnáisiúnta poiblí | An dlí idirnáisiúnta príobháideach agus comhar breithiúnach in ábhair shibhialta | Dlí AE: Córas Dlí agus Ionstraimí | Reachtaíocht a ghlacadh ag PE agus ag an gComhairle | Réimse na Saoirse, na Slándála agus an Cheartais

Eochairfhocal An Bheilg | An Bhreatain Bheag | An Eoraip | An Ghearmáin | An Iodáil | An Pholainn | AN tAONTAS EORPACH | CEISTEANNA SOISIALTA | comhar breithiúnach in ábhair shibhialta san AE | cásdlí | cásdlí (AE) | DLÍ | dlí an Aontais Eorpaigh | dlí an Aontais Eorpaigh a dhreachtú | dlí an phósta | dlínse | eagrú an chórais dlí | foinsí agus brainsí den dlí | geografaíocht eacnamaíoch | geografaíocht pholaitiúil | léiriú ar an dlí | réigiúin de bhallstáit an AE | Sasana | teaghlach | TÍREOLAÍOCHT | tógáil Eorpach

Achoimre 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.

Staidéar [EN](#)

Rules on cross-border property regimes of spouses and registered partners

Saghas foilseacháin Srachféachaint

Dáta 20-06-2016

Údar MANKO Rafal

Réimse beartas An dlí idirnáisiúnta poiblí | An dlí idirnáisiúnta príobháideach agus comhar breithiúnach in ábhair shibhialta

Eochairfhocal an clár sibhialta | an dlí sibhialta | AN tAONTAS EORPACH | beartas comhair | CAIDREAMH IDIRNÁISIÚNTA | caomhnú oidhreacht | ceartas | CEISTEANNA SÓISIALTA | colscaradh | comhar breithiúnach in ábhair shibhialta san AE | comhar trasteorann | cultúr agus reiligiún | DLÍ | dlí an phósta | dlí sibhialta | dlí teaghlach | idirscaradh breithiúnach | maoin réadach | pósadh | rialú a fhorfheidhmiú | teaghlach | tógáil Eorpach

Achoimre 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.

Srachféachaint [EN](#)

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

Saghas foilseacháin Briefing

Dáta 08-06-2016

Údar CHATEAU Céline | LOPES ANA ISABEL CABRAL | PERARO CINZIA

Réimse beartas An Dlí agus Beartas a Luacháil i gCleachtas | An dlí idirnáisiúnta poiblí | An dlí idirnáisiúnta príobháideach agus comhar breithiúnach in ábhair shibhialta | Dlí AE: Córas Dlí agus Ionstraimí | Reachtaíocht a ghlacadh ag PE agus ag an gComhairle | Réimse na Saoirse, na Slándála agus an Cheartais

Eochairfhocal AN tAONTAS EORPACH | ceartas | CEISTEANNA SÓISIALTA | coimeád | colscaradh | comhar breithiúnach in ábhair shibhialta san AE | cosaint leanaí | DLÍ | dlí an Aontais Eorpaigh | dlí an phósta | dlí coiriúil | dlínse | eagrú an chórais dlí | faisnéis agus próiseáil faisnéise | freagracht tuismitheoirí | gnóthaí sóisialta | idirscaradh breithiúnach | imeachtaí breithiúnacha | imeachtaí parlaiminte | leasú dlí | malartú faisnéise | OIDEACHAS AGUS CUMARSÁID | POLAITÍOCHT | Rialachán CE | srianadh neamhdhleathach | teaghlach | tógáil Eorpach

Achoimre 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

Saghas foilseacháin Briefing

Dáta 17-05-2016

Údar BAKOWSKI Piotr | LILIENKAMP Marc | SHREEVES Rosamund

Réimse beartas Réimse na Saoirse, na Slándála agus an Cheartais | Saincheisteanna Inscne, Comhionannas agus Éagsúlacht

Eochairfhocal an ceart chun tearmainn | an dlí maidir le huchtáil | AN tAONTAS EORPACH | Ballstát den Aontas Eorpach | cearta agus saoirsí | CEISTEANNA SÓISIALTA | clár an Aontais Eorpaigh | cumann sibhialta | DLÍ | dlí an Aontais Eorpaigh | dlí an phósta | dlí idirnáisiúnta | geografaíocht eacnamaíoch | idirdhealú bunaithe ar ghnéaschlaonadh | leanbh a uchtú | limistéar saoirse, slándála agus ceartais | maoiniú AE | maoiniú an AE | saorghluaiseacht daoine | stádas pósta | teaghlach | treoir (AE) | TÍREOLAÍOCHT | tógáil Eorpach

Achoimre 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

Saghas foilseacháin Srachfhéachaint

Dáta 16-07-2015

Údar DEL MONTE Micaela

Réimse beartas Gnóthaí Eachtracha | Réimse na Saoirse, na Slándála agus an Cheartais

Eochairfhocal beartas comhshaoil | caighdeán comhshaoil | cearta agus saoirsí | ceartas | CEISTEANNA SÓISIALTA | COMHSHAOL | córas cúraim sláinte | cúirt bhunreachtúil | DLÍ | dlí an phósta | dlínse | eagrú an chórais dlí | foinsí agus brainsí den dlí | geografaíocht eacnamaíoch | geografaíocht pholaitiúil | léiriú ar an dlí | Meiriceá | mionlach gnéis | Na Stáit Aontaithe | pósadh | rialú | rialú na bunreachtúlachta | sláinte | teaghlach | trochlú an chomhshaoil | truailiú an atmaisféir | TÍREOLAÍOCHT

Achoimre 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.

Srachfhéachaint [EN](#)

The rights of LGBTI people in the European Union

Saghas foilseacháin Briefing

Dáta 19-05-2015

Údar BAKOWSKI Piotr | LILIENKAMP Marc | SHREEVES Rosamund

Réimse beartas Cearta an Duine | Réimse na Saoirse, na Slándála agus an Cheartais | Saincheisteanna Inscne, Comhionannas agus Eagsúlacht

Eochairfhocal an ceart chun tearmainn | an dlí maidir le huchtáil | AN tAONTAS EORPACH | cearta agus saoirsí | CEISTEANNA SÓISIALTA | clár an Aontais Eorpaigh | cumann sibhialta | DLÍ | dlí an Aontais Eorpaigh | dlí an phósta | dlí idirnáisiúnta | idirdhealú bunaithe ar ghnéaschlaonadh | leanbh a uchtú | limistéar saoirse, slándála agus ceartais | maoiniú AE | maoiniú an AE | saorghluaiseacht daoine | stádas pósta | teaghlach | treoir (AE) | tógáil Eorpach

Achoimre 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

Saghas foilseacháin Staidéar

Dáta 16-01-2012

Údar seachtarach 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)

Réimse beartas Cosaint Tomhaltóirí | Dlí AE: Córas Dlí agus Ionstraimí

Eochairfhocal an dlí sibhialta | AN tAONTAS EORPACH | CEISTEANNA SÓISIALTA | cosaint tomhaltóirí | cuideachta Eorpach | DLÍ | dlí an Aontais Eorpaigh | dlí an phósta | dlí paitinne | dlí sibhialta | foirm dhlíthiúil eagraíochtaí | forfheidhmiú dhlí AE | GNÓ AGUS IOMAÍOCHT | taighde agus maoin intleachtúil | teaghlach | tomhaltas | trádmarc de chuid AE | TRÁDÁIL | TÁIRGEADH, TEICNEOLAÍOCHT AGUS TAIGHDE

Achoimre 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.

Staidéar [EN](#), [FR](#)

Achoimre fheidhmeach [DE](#), [EN](#)

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

Saghas foilseacháin Grinnanailís

Dáta 30-11-2010

Údar seachtarach Eva Becker, Rechtsanwältin, Junggeburth & Becker Rechtsanwälte, Berlin

Réimse beartas An dlí idirnáisiúnta poiblí | An dlí idirnáisiúnta príobháideach agus comhar breithiúnach in ábhair shibhialta | Réimse na Saoirse, na Slándála agus an Cheartais

Eochairfhocal An Eoraip | An Fhrainc | An Ghearmáin | CAIDREAMH IDIRNÁISIÚNTA | CEISTEANNA SÓISIALTA | colscaradh | comhaontú déthaobhach | DLÍ | dlí an phósta | dlí idirnáisiúnta | dlí idirnáisiúnta príobháideach | geografaíocht eacnamaíoch | geografaíocht pholaitiúil | gnóthaí eachtracha | teaghlach | TÍREOLAÍOCHT

Achoimre 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.

Grinnanailís [DE](#), [EN](#), [FR](#)

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

Saghas foilseacháin Grinnanailís

Dáta 30-11-2010

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Réimse beartas An dlí idirnáisiúnta poiblí | An dlí idirnáisiúnta príobháideach agus comhar breithiúnach in ábhair shibhialta | Réimse na Saoirse, na Slándála agus an Cheartais

Eochairfhocal CEISTEANNA SÓISIALTA | comhchónaí | cumann sibhialta | DLÍ | dlí an phósta | dlí sibhialta | pósadh | teaghlach | úinéireacht

Achoimre 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.

Grinnanailís [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?

Saghas foilseacháin Grinnanailís

Dáta 30-11-2010

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Réimse beartas An dlí idirnáisiúnta poiblí | An dlí idirnáisiúnta príobháideach agus comhar breithiúnach in ábhair shibhialta | Saincheisteanna Inscne, Comhionannas agus Éagsúlacht

Eochairfhocal An Eoraip | An Ríocht Aontaithe | CEISTEANNA SÓISIALTA | colscaradh | cumann sibhialta | dlí an phósta | freagracht tuismitheoirí | geografaíocht eacnamaíoch | geografaíocht pholaitiúil | leanbh a uchtú | oibleagáid chothabhála | pósadh | teaghlach | TÍREOLAÍOCHT | údarás tuismitheora

Achoimre 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.

Grinnanailís [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

Saghas foilseacháin Grinnanailís

Dáta 03-09-2007

Údar seachtarach Stefania Bariatti (Université de Milan, Italy), Carola Ricci (Université de Milan, Italy) and Laura Tomasi (Université de Milan, Italy)

Réimse beartas An dlí idirnáisiúnta poiblí | An dlí idirnáisiúnta príobháideach agus comhar breithiúnach in ábhair sibhialta | Saincheisteanna Inscne, Comhionannas agus Éagsúlacht

Eochairfhocal cearta agus saoirsí | CEISTEANNA SÓISIALTA | coimeád | colscaradh | cumann sibhialta | DLÍ | dlí an chomharbais | dlí an phósta | dlí idirnáisiúnta | dlí idirnáisiúnta príobháideach | dlí sibhialta | dáileadh na maoine | mionlach gnéis | oibleagáid chothabhála | pósadh | teaghlach

Achoimre 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.

Grinnanailís [EN](#), [FR](#)