



GOVERNING INHERITANCE STATUTES  
AFTER THE ENTRY INTO FORCE  
OF EU SUCCESSION REGULATION



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Valencia, 23rd March 2018

#### Debate 11,45

The speakers have made reference to three different countries (Portugal, Hungary, Germany). Among those countries, in which one is the impact of cross-border successions stronger? Why?

The internal laws of different Member States not always have the same influence on the elaboration of harmonized EU law. In which of the three above mentioned countries there are more similarities between the previous internal rules and the new ones introduced by the Regulation?

Are there in these countries cross border succession issues related to the contacts with non-EU countries? Which? Do they raise specific problems?

#### Debate 13,15

Many new social realities, that succession law is now facing, depend on migratory phenomena. Do you think that a EU harmonization of the approach towards these phenomena (not only with regard to frontiers' control and migration flows management, but) also from a family and succession law's point of view is feasible? And to which extent?

Recognition of e.g. polygamous marriages' or posthumous assisted reproduction's effects often depends on the interpretation of the concept of public policy. How much and in which directions do you think that this concept is going to evolve?

Many of these issues involve also the interpretation to be given to some fundamental rights, such as gender equality or the rights to private and family life: therefore, they deal with ECtHR's Case Law too. Do you think that some of its judgements, or the forthcoming ones, can be relevant from your point of view?

#### Debate 16,45

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The academic speakers have focused also on successions agreements and on the relationships with the Regulation on matrimonial property regimes. What about a prenuptial agreement containing a clause referred to the spouses' succession?

In the CJEU's Case Law there are already two important judgements with regard to Successions Regulation, with reference to two different matters. In your opinion which other matter is more in need of a judicial intervention in order to clarify its interpretation? Why?

After Succession Regulation and Family Property Regulations which do you think will be the next steps of EU harmonisation of international private law? Which field would you suggest to the attention of the EU legislators?

Debate 18,45

From a notarial point of view which is your overall assessment about the Successions Regulation? Do you think that the situation is better or worse (or unchanged) than before its entry into force?

From the experience of your every-day contacts with other legal professionals (other notaries, judges, lawyers, etc.) do you think that the Successions Regulation is adequately known by them?

How far is the process of digitization in successions law matters arrived in your country? Which impact has it on notarial practice and on the implementation of the Regulation?

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