



INTEGRATION, MIGRATION,
TRANSNATIONAL RELATIONSHIPS.
GOVERNING INHERITANCE STATUTES
AFTER THE ENTRY INTO FORCE
OF EU SUCCESSION REGULATIONS.

GoInEUplus



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Integration, Migration, Transnational Relationships. Governing Inheritance Statutes after the Entry into force of EU Succession Regulations

GoInEUplus Opening Conference

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Ladies and gentlemen, dear friends,

It is a great honor for me to be invited to make the concluding remarks at the Opening Conference of the research project GoInEUplus.

We all experienced a very stimulating afternoon with many fascinating speeches. Personally, I've learned a lot and that certainly applies to other participants too. The lectures and the subsequent discussions have highlighted the wide range of challenges which, as a result of migration, have become particularly relevant in the area of Family Law and Successions Regulations.

This Opening Conference has impressively shown how important it is to have this project funded by the Directorate-General for Justice and Consumers (DG JUST) of the European Commission. The in-depth analysis of the impact of Migration on European Family & Successions Laws, which will be carried out over the next two years until September 2020, will – I am sure - contribute to the Integration of immigrants. Nowadays the legal discussion on Migration focuses on the right of asylum and residence, on social consequences of taking in refugees and questions of labour law. But there is also a broad range of legal issues concerning institutions stemming from different cultural traditions and religious dimensions, which we have had the pleasure to hear about today.

To improve the integration in Europe we need a uniform application of EU Law and as a first step we need legal professionals, lawyers and notaries trained to handle family & successions issues connected to Migration. This is a prerequisite to avoid discrimination and reduce social conflicts.

Today the speakers have dealt with fundamental concepts of International private law, especially Public Policy and Cultural Cohesion in the Application of Family and Successions Law. They gave us an insight into specific issues, such as the impact of Islamic Divorce, the reception of kafala and other pressing matters, e.g. the Inheritance Law aspects of Cryptocurrencies the Certification of Cross-Border Successions.

We were faced with difficult questions, such as, if a polygamous deceased migrant has left an estate in Italy, who is entitled to the spousal share? All the wives? None of them? Just one, but which one? We discussed whether the Muslim kafala can be assimilated with adoption and therefore saw the religious aspects of Family law.

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Throughout the afternoon it became very clear that the answers to these new phenomena have yet to be discussed in more depth. In many areas, there are still no relevant court decisions and accordingly no case law that could be used as guidance. Thus, we still have a long way to go in order to harmonize European standards.

To me, one aspect seems to be of particular importance: We need lawyers and notaries who are better informed about the specific family law and inheritance issues and can provide the migrants with the necessary advice. In this field, the EU can make an essential contribution by funding research projects such as ours today. The first step is to make sure that European legal advisers are aware of the issues that need to be faced. Conferences like ours today can immensely contribute to this. Developing solutions requires a broader discussion which can only be achieved if there are more professionals who have knowledge in this area.

In Germany, this specialist knowledge is yet to be acquired. Since 2015, there is the possibility to become a so-called "Fachanwalt für Migrationsrecht" which is a specialist lawyer for migration law. What is needed is knowledge of nationality law, the Right of residence, EU law, asylum law, the migration law aspects of social law and criminal law as well as the peculiarities of procedure and procedural law. However, this title does not require any knowledge of international family and inheritance law.

As I'm coming to an end of my closing remarks, I would like to highlight what an excellent idea it was to hold this conference today. By inviting participants from different Countries' Universities and Legal Professions, but also from Associations and European as well as Local Institutions, surely a contribution has been made to raising the necessary awareness of the area throughout Europe.

Finally, I would like to thank all participants for their excellent presentations and contributions to the discussion. You contributed to a very successful start of the research project. A special thank you goes to Professor Sara Landini, the initiator of this project, who not only had the crucial idea, but with her admirable commitment has initiated this important research project. Dear Sara, thank you very much.

I wish the research project a fruitful and successful progress.

This allows me to close the congress. I look forward to having stimulating discussions with you during the subsequent light dinner.

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