

Alina Goncharova¹

European Inheritance Certificate

1. Introduction

Conflicts of inheritance law in Europe are becoming more frequent. This is migration processes. As a result, situations have become commonplace when the countries of citizenship and place of residence of the testator, the location of the property and the place of the will do not match, the heirs are citizens or residents of different states. Conflicts arise, the question of recognition and enforcement of foreign judgments and notarial acts arises. Some of these problems can be solved thanks to Regulation (EC) 650/2012 of the European Parliament and of the Council of 4 July 2012 on competences, applicable law, recognition and enforcement of decisions, adoption and enforcement of notarial deeds of succession, and the establishment of a European certificate of inheritance². Although the Regulation entered into force on 16 July 2012, it will apply only to cases of inheritance of persons who died after 17 August 2015. The Regulation does not unify the substantive inheritance law of Member States and does not affect legal relations in which there is no foreign element.

¹ Ph.D., Associate Professor, Associate Professor at the Department of Criminal Law and Judiciary, Educational and Scientific Institute of Law Sumy State University, a.goncharova@yur.sumdu.edu.ua, <https://orcid.org/0000-0002-9815-0394>.

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