Enhanced cooperation in the area of the law applicable to divorce and legal separation. Implementing rules. Council Regulation

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The Council examined the state of play regarding a regulation on the law applicable to divorce and legal separation (Rome III).

The dossier constitutes the first instance of enhanced cooperation in the history of the EU. 14 member states are currently taking part (Spain, Italy, Hungary, Luxembourg, Austria, Romania, Slovenia, Bulgaria, France, Germany, Belgium, Latvia, Malta and Portugal).

In July 2010, after having received the consent of the European Parliament, the Council adopted a decision authorising this first enhanced cooperation.

The Belgian presidency aims to adopt the regulation by the end of the year, once the European Parliament has adopted its opinion. For the final adoption of the new rules, unanimity among the participating Member States is required.

Once adopted, the regulation will lay down clear rules on how international couples can seek divorce or legal separation in the participating countries. Other EU member states who are not yet ready but wish to join this pioneering group at a later stage will be able to do so.