Enhanced cooperation in the area of jurisdiction, applicable law and the recognition and enforcement of decisions on property regimes of international couples, covering both matters of matrimonial property regimes and property consequences of registered partnerships

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The Committee on Legal Affairs adopted the report by Jean-Marie CAVADA (ADLE, FR) on the draft Council decision authorising enhanced cooperation in the area of jurisdiction, applicable law and the recognition and enforcement of decisions on the property regimes of international couples, covering both matters of matrimonial property regimes and the property consequences of registered partnerships.

The committee recommended the European Parliament to **give its consent** to the draft Council decision.

In a short justification accompanying the recommendation, it is recalled that the decision to have recourse to enhanced cooperation in the area of jurisdiction, applicable law and the recognition and enforcement of decisions in the matter of property regimes of international couples, covering both matrimonial property regimes and the property consequences of registered partnerships, has been taken since negotiations between all Member States, on the Commission's initial proposals of 2011, reached stalemate.

In the area of family law, legislative acts are adopted by the Council acting unanimously after consulting the European Parliament. Parliament had given its consent in 2013 to the 2011 draft acts, but by the end of 2015 it became clear that it would not be possible for all Member States to agree to the proposals.

Enhanced cooperation was therefore clearly the ideal solution, since 23 Member States agreed in principle to the adoption of these two acts. In early 2016, the Commission therefore drew up, using the enhanced cooperation procedure, new proposals for acts.

According to members, enhanced cooperation in the in the area of the property regimes of international couples meets the conditions set out. It is clearly in accordance with the objectives of the Union and in the interest of its citizens.

This recommendation therefore proposed that Parliament consents to enhanced cooperation in this area.