Lex Humana, v. 15, n. 4, 2023, ISSN 2175-0947

FEATURES OF LEGAL REGULATION OF METHODS FOR PROTECTING FAMILY RIGHTS AND INTERESTS UNDER THE LEGISLATION OF EUROPEAN UNION MEMBER STATES

CARACTERÍSTICAS DA REGULAÇÃO LEGAL DOS MÉTODOS DE PROTEÇÃO DOS DIREITOS E INTERESSES DA FAMÍLIA NO ÂMBITO DA LEGISLAÇÃO DOS ESTADOS MEMBROS DA UNIÃO EUROPEIA

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Received: 10 Jun 2023
Accepted: 30 Sept 2023
Published: 09 Oct 2023

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Abstract: The article focuses on the features of the legal regulation of protecting the family's rights and interests in the European Union. The study examines the specifics and general aspects of the laws of various EU countries, including their historical, cultural, and social background. The importance of this analysis is based on several aspects. First and foremost, there is a strong need for an academic understanding of EU family law and the specifics of its sources. It is also essential to consider the uniqueness of EU family law, in particular, its unique system of sources, as well as the significant differences between the sources of EU law and international norms. The focus is on the protection of children's rights, the duties and rights of spouses, and the importance of international treaties and conventions in drafting national legislation. This study aims to provide a detailed research and comparative analysis of the features of the legal regulation of the protection of the rights and interests of the family in the European Union. For this purpose, the following methods have been applied: 1) the dialectical method for the analysis of social processes in the eu countries; 2) the formal legal approach to the study of legal relations and sources of family law; 3) the comparative analysis of eu regulations is based on the theoretical principles and specifics of family law. A systematic approach to the analysis of the specifics of EU family law and a historical view of its development are also used. In the context of globalization and international integration, the issue of unification of legal standards, especially within structures such as the EU, is becoming increasingly important. The research results will be helpful for lawyers, scholars, and

anyone interested in current trends in European family law.

Keywords: Sources of EU law. EU family law. Family legal norms. Marriage treaty. Family property disputes. Annulment of marriage.

Resumo: O artigo centra-se nas características da regulamentação jurídica de protecção dos direitos e interesses da família na União Europeia. O estudo examina as especificidades e os aspectos gerais das leis de vários países da UE, incluindo o seu contexto histórico, cultural e social. A importância desta análise baseia-se em vários aspectos. Em primeiro lugar, existe uma grande necessidade de uma compreensão académica do direito da família da UE e das especificidades das suas fontes. É também essencial considerar a singularidade do direito da família da UE, em particular o seu sistema único de fontes, bem como as diferenças significativas entre as fontes do direito da UE e as normas internacionais. O foco está na proteção dos direitos das crianças, nos deveres e direitos dos cônjuges e na importância dos tratados e convenções internacionais na elaboração da legislação nacional. Este estudo pretende fornecer uma investigação detalhada e uma análise comparativa das características da regulamentação jurídica da protecção dos direitos e interesses da família na União Europeia. Para tanto, foram aplicados os seguintes métodos: 1) o método dialético para a análise dos processos sociais nos países da UE; 2) a abordagem jurídica formal ao estudo das relações jurídicas e das fontes do direito da família; 3) a análise comparativa da regulamentação da UE baseia-se nos princípios teóricos e nas especificidades do direito da família. Também é utilizada uma abordagem sistemática à análise das especificidades do direito da família da UE e uma visão histórica do seu desenvolvimento. No contexto da globalização e da integração internacional, a questão da unificação das normas jurídicas, especialmente em estruturas como a UE, está a tornar-se cada vez mais importante. Os resultados da investigação serão úteis para advogados, académicos e qualquer pessoa interessada nas tendências atuais do direito da família europeu.

Palavras-chave: Fontes do direito da EU. Direito da família da EU. Normas jurídicas da família. Tratado de casamento. Litígios de propriedade familiar. Anulação do casamento.

1. Introduction

The current dynamics of the development of the EU, in particular its enlargement and the strengthening of intergovernmental integration, emphasize the need to study and analyze family law in the Member States. It is particularly relevant for countries aspiring to join the EU or are already part of it. Recent research indicates that human rights norms are increasingly influencing the regulation of family relations. This movement is linked to the growing importance and deep integration of human rights norms in contemporary politics and jurisprudence. Indeed, human rights are central to today's political and legal dialogues. It is, therefore, not surprising that these global trends also affect the concept of family and family law. Changes in family regulation reflect the strengthening of the fundamental principle of respect for individuality, needs, and aspirations, compared to care for broader groups, such as the "family" in general (Universal Declaration of Human Rights, 2008).

The relevance of this research is also explained by the fact that, given the numerous migratory flows and the increasing mobility of the population in Europe, the legal regulation of family relations gains additional importance. The need to deal with family law conflicts arising from crossing borders requires lawyers to have a deep understanding of the specificities of legislation in different countries.

2. Literature Review

Family law is recognized as a part of private law, and regardless of public legal norms, this status does not contradict its core content. Some scholars (Cabello, 2016; Fleck, 2014; Goonesekere, 2000) identify several distinctive features in family law that highlight its uniqueness within the legal system. The key features highlighted by them include:

- the unique composition of subjects in family relations;
- special legal circumstances that determine the creation and changes in family relations;
- the long-term nature of most such relations, their trust, and non-commercial nature,
- the dominance of personal rights over property rights, etc.

On the other hand, Glendon (1991), Herring (2014), and Mahrelo (2013) regard family law as a subfield of civil law. They believe that despite the specificity of family law, it still constitutes a part of civil law since it focuses on regulating property and personal rights based on equality. Another observation is that family law was simply viewed as one part of civil law before the times of revolutions.

Among the foreign authors who have studied the issues of family law in the European Union, we can mention Cairns (1997), McGlynn (2006), and Moskalenko (2009). It should be emphasized that sources of European Union law have yet to be studied as a separate topic in the academic context.

In legal sources, the legal aspects of marriage in international private law are typically considered from specific angles, such as property regimes in marriage (Emiliou, 1996; Vanhercke, B., Sabato, and Spasova, 2022), prenuptial agreements (Knut, 2018; Muraviov, 2011), or a comparative analysis of EU countries' laws (Nazarenko, 2015) in this area. It's also worth mentioning the works of scholars examining the legal aspects of marital relations, considering various factors in conflict of laws and substantive law (Křičková, 2023; Reynolds, 2011).

3. Aims

This study aims to provide an in-depth analysis and comparison of the features of legal regulation for protecting family rights and interests in the European Union. The main research goals include:

– to study the general and specific features of family law in different EU countries, as well as;

– to understand the key areas, principles, and strategies for the protection of family rights and interests at the European level;

– to find opportunities for improving and unifying family legislation in the light of international norms and the experience of their implementation in European countries.

4. Research methodology

The research methodology is based on the dialectical method of systemic analysis of social interactions developing in the context of integration trends within the European Union. The following cognitive methods were used in the research:

– formal-legal method. It was used to study legal aspects of legal phenomena and to formulate a set of criteria, including from the perspective of sources of family law.

– comparative method. This method was used to study EU legal sources, taking into account theoretical principles and specifics of family law.

– systemic approach. This method was used to analyze specific characteristics of family law sources in the EU.

– historical-legal method. This method was used to study the stages of development of the system of family law sources in the EU and to identify the main trends in this area.

5. Results

The normal functioning of the EU is only possible with the unification and harmonization of family law. Significant differences in the national laws of European countries regulating the family institution significantly complicate the process of regulating cross-border family relations. The European Commission on Family Law is an independent organization and consists of two groups: an organizing committee and an expert group. The organizing committee forms the expert

group and coordinates the work of the CEFL. The members of the Organizing Committee are also members of the Expert Group.

5.1 The foundational group of regulatory documents in the field of family law of EU countries

The main treaties in the field of family law are the Conventions of the European Union, including the European Convention on the Adoption of Children (2008), the Convention on the Repatriation of Minors (1970), the Convention on the Legal Status of Children Born out of Wedlock (1975), and the Convention on Recognition and Enforcement of Decisions concerning Maintenance Obligations (1980) (Report of the European Law, 2019).

The Council of Ministers of the EU has adopted many resolutions, including those on the citizenship of international couples (1977) and equal rights of spouses in civil law (1978). This Council has also issued recommendatory documents in the field of family law (Convention on the Law applicable to matrimonial property regimes. 1978; Convention on the Law applicable to maintenance obligations, 1973).

An important event in the context of family law regulation was the adoption of the Charter of Fundamental Rights of the EU in 2000, which significantly influenced the human rights protection system in the European Union. This document emphasizes rights and guarantees related to family life, defining fundamental principles regarding respect for private life, marriage, children's rights, and many other aspects related to the family.

The Convention on Celebration and Recognition of the Validity of Marriages (Melnychenko, 2014) establishes that the laws of the country where it is registered determine procedural steps for marriage. Both partners must meet the criteria established by the national legislation of that state to enter a marriage. Moreover, at least one of them must be a citizen of that country or reside there permanently. There is also the possibility of marriage if both partners meet the requirements of their national laws, as determined by international standards of the country of marriage registration (according to Article 3 of the Convention). Thus, a country may require confirmation of the validity of the laws of other states to be followed.

The document regarding the legal regulation of property relations in marriage (Directive 2004/38/EC of the European Parliament and of the Council of April 29, 2004) is based on principles such as citizenship and the permanent residence of one of the spouses. In matters related to real estate, the law of the country where this property is located applies. The document does not address aspects of alimony relations, inheritance rights, or the legal capacity of both marriage

partners. It also emphasizes the importance of agreements between spouses in determining their property status and highlights that norms contrary to public order in the country should not be applied.

5.2 Marriage treaty under European law

The institution of the marriage treaty (agreement) that allows for altering the legally prescribed regime of property and regulating other aspects of their relationship exists in family law across EU countries. A common goal shared by all EU countries, regardless of whether they follow a continental or common law system, is the purpose of the marriage contract – to modify the legal regime of property rights and obligations of spouses. In the states of the Anglo-Saxon legal system, different types of contracts may be concluded to determine the property status:

– prenuptial agreements that address the use of income in marriage, the presence or absence of a joint bank account, the possibility of owning rights to certain types of property, etc.;

– marriage treaties with similar content but allowing for the settlement of children's issues;

– divorce agreements with a reasonably wide range of conditions relating to the division (separation) of spouses (Makedon and Chabanenko, 2022).

Although prenuptial agreements have national peculiarities in each EU member state, there are common characteristics of this institution (Antokolskaia, 2007):

– family law does not provide a separate form of contract distinct from civil law.

– family law is based on the general principles of contract law, which are formed for standard civil contracts;

– provisions of prenuptial agreements must adhere to generally accepted criteria for the validity of contracts.

Additionally, the validity of prenuptial agreements may be determined by special requirements that pertain only to people in a marital relationship. Regarding the content of these contracts (Monedero, 2019):

– they may include provisions that regulate both property and non-property personal relationships. For example, in England, a prenuptial agreement can define the right to reside in a specific area, access to legal institutions, or even renunciation of marriage.

– a prenuptial agreement can exclusively concern property matters of the spouses.

5.3 Unification of personal and property relations of spouses

At present, the overall unification of spousal relations is being carried out within the Hague Conference on International Law framework. Currently, two conventions are in effect but have yet to gain proper recognition. The Hague Convention "On the Law Applicable to the Effects of Marriage on Personal Rights and Duties of Spouses and even their Property" of 1905 (in effect in Italy, Portugal, and Romania) in Article 1 establishes the law of the state of common nationality as the connecting factor for personal rights and duties of spouses. Article 2 contains the applicable law for property relations of marriage (both movable and immovable property): general connecting factor - unlimited autonomy of will, subsidiary - the law of the husband's nationality at the time of marriage (Council of the EU. 2016. 18 EU countries agree to clarify rules on property regimes for international couples). Changing the nationality of the spouses does not entail a change in their property regime.

The 1905 Convention contains provisions regulating the marriage treaty. According to Article 3, the ability of future spouses to conclude a marriage treaty is determined by the law of the nationality of each of them. The law of the nationality of the spouses applies to their capacity to conclude a marriage treaty at the time of marriage, during the termination of the marital contract, and when making changes to it (Article 4). According to Article 5 of the Convention, the validity of the marriage contract, as well as the rights and duties of spouses regulated by it, are determined by the law of the husband's nationality, and if it is concluded during the marriage, by the law of the spouses' nationality. This same law determines whether the spouses can choose another law to apply to their relations (Council Regulation (EU) No. 1259/2010. 2010).

Formal requirements for the marriage contract are established either by the laws of the place of its conclusion or by the state's legislation where each partner holds nationality. In case the laws of the state of nationality provide for a specific form of the contract, such norms must be followed (Article 6). If both spouses acquire a common nationality, this may change the applicable law to the conditions of the contract and other rights and obligations (Article 9). According to Article 10 of the Convention, only the laws of the state that is a party to this Convention can be legal regulators. The old methods established in the 1905 Convention prompted the creation of a new convention on regulating family relations (Boele-Woelki, 2005).

The Hague Convention of 1978 concerning the law applicable to the matrimonial property regimes (ratified by countries such as Luxembourg, the Netherlands, and France, and signed by Austria and Portugal) does not extend to such issues as spousal maintenance obligations, rights to a widower's or widow's inheritance, or the legal personality of the marriage, as stated in Article 1 of this Convention.

According to Article 3 of the Convention, limited autonomy of will can be applied to property regimes of marriage. Marriage partners have the ability to choose the law of any of the following states to apply to their relations (González Beilfuss, 2022):

– the law of the state of nationality of one of the cohabitants at the time of this determination;

– the law of the state where one of the partners resides at the time of this determination;

– the law of the state where one of the spouses relocates to after the marriage;

– the law of the state where the immovable property is located.

According to Article 4 of the Convention, if spouses have not chosen a specific applicable law before the marriage, property relations will be governed by the state's law, where they establish their first permanent residence after marriage. However, the Convention also provides for cases when the law of the nationality of both spouses is used (for example, if they do not have a common place of residence in one country after marriage). In cases where spouses have no common place of residence or nationality, their property regime is determined by the "closest connection" rule.

According to Article 6 of the Convention, during marriage, spouses can change the legal regime of their property by choosing another applicable law. In this case, they can choose the law of the state:

– where one of the partners is a citizen at the time of this determination;

– where one of the partners resides at the time of this determination;

– where their immovable property is located.

The Hague Convention of 1978 outlines the foundations of the marriage contract and its form. According to Article 12, the marriage treaty must be in written form, dated, and signed by both parties, and its format should comply with the law of the state where it is concluded or the law that regulates the property relations of spouses. Article 13 requires that the determination of the applicable law must be clearly stated in the contract and meet the form requirements established for marriage contracts (Hodson, 2018).

According to Article 14, the use of the law determined by this Convention may be rejected if it contradicts public policy. Undoubtedly, the 1978 Convention reflects advanced approaches to international family law.

5.4 Applicable EU law to the marital property treatment

On June 24, 2016, Regulation (EU) 2016/1103 of the Council was adopted, which concerns jurisdiction, determination of applicable law, and recognition and enforcement of decisions in the context of matrimonial property regimes (hereinafter referred to as the Regulation). This Regulation differs from its original draft, which had been under development for an extended period. According to Article 2 of the Regulation, the term "matrimonial property regime" refers to rules related to property rights and obligations arising from the conclusion or dissolution of marriage, as well as relations between spouses and third parties (Council Regulation (EU) 2016/1103 of June 24, 2016).

Chapter 3 of the Regulation addresses the conflict of law aspects related to matrimonial property regimes. Article 20 establishes the principle of universality, allowing the application of the law of any country, regardless of its membership in the European Union. Spouses or future spouses have the option to choose (or change) the law that will govern their property relations based on two criteria (Article 22): it can be the law of the state of their habitual residence at the time of the choice or the law of the state of which they are citizens at the time of the selection (European Parliament, 2015). According to Article 23 of the Regulation, the decision on the choice of applicable law must be recorded in written form. It can also be electronic, with the date and signatures of both spouses. If there is a dispute and one of the spouses does not agree to the choice of applicable law, the law of the country where that person resides at the time of applying to the court should be followed (Article 24).

Article 26 of the Regulation sets out priorities for applying conflict-of-law connections if spouses or future spouses have yet to choose a law regarding their property regime. First of all, the law of the state where the spouses have their first joint place of residence after marriage comes into force. However, there is an exception: the court may decide to apply the law of another country if it is proven that the spouses lived together in that country for a significantly more extended period and considered the law of that country in settling their property matters (Makedon, Valikov, Ryabyk, 2019). If the spouses accept this, the law of the specified country applies from the date of marriage. Otherwise, it applies from the moment their last common habitual residence was established.

Then, the legal relations of the spouses are governed by the laws of the country to which they belonged as citizens at the time of marriage. However, this criterion may be disregarded if both spouses have multiple identical nationalities at the time of marriage. Ultimately, the priority

is given to the country's legislation with which the spouses had the closest connection at the time of marriage, considering all circumstances.

5.5 The sources of legal regulation of annulment of marriage in the EU countries

Couples may terminate their marital relationship. In cases where one or both partners wish to dissolve the marriage, they turn to the judicial authorities. In the European Union, it is not uncommon for couples who want to end their marriage to be citizens of different EU member states or to have lived in different EU countries during their relationship. Many European countries have an institution of legal separation that may precede divorce. Such separation does not formally end the marriage but alters certain marital rights, including the division of community property.

Each country sets its own procedures and rules for the dissolution of marital relationships, which can complicate matters for persons in cross-border marital relationships and limit their ability to reach agreements. It can lead to the more "powerful" partner (the one who is better prepared, more financially independent, etc.) using their position to gain an advantage in the divorce process by choosing the most favorable jurisdiction.

The modern approach allows international couples to determine in advance which legal standards will apply to their divorce proceedings. This approach makes the process more flexible and helps couples determine the law under which they wish to dissolve their relationship. The ability to choose the appropriate law encourages couples to familiarize themselves in advance with all the consequences of divorce and can promote a more peaceful divorce process, especially if there are children in the family. This approach also prevents one partner from gaining an advantage over the other.

Within the EU, some rules determine which court has the right to deal with divorce matters, as well as rules that allow divorce decisions made in one EU country to be recognized in other Member States of the Community (Proposal for a Council Regulation on Jurisdiction, Applicable Law and the Recognition and Enforcement of Decisions in Matters of Matrimonial Property Regimes, 2010).

The principles related to divorce aim to facilitate the process of ending marital relationships while taking into account the interests of children and spouses. By studying these principles, it can be understood that divorce by mutual consent of both spouses is considered preferable to a decision to divorce made by only one party. In the European Union, couples who have decided to

divorce are also encouraged to agree on the terms of the legal consequences of such a decision. In the absence of such an agreement, the competent court takes the decision.

The first legal act in this area was the Council Regulation of the EU of July 30, 2000, No. 1347/2000, on jurisdiction and the recognition and enforcement of judgments in matrimonial matters and in matters of parental responsibility ("Brussels II Bis Regulation"), which entered into force in March 2001. The Brussels II Bis Regulation lays down rules on jurisdiction and the recognition and enforcement of judgments in matrimonial matters and matters of parental responsibility for children (State of the Rule of Law in the European Union, 2023).

On March 4, 2005, the Commission adopted a Green Paper on jurisdiction in divorce matters. Shortly thereafter, the "Brussels II Bis" Regulation was adopted - Council Regulation (EU) No. 2201/2003 of November 27, 2003, on jurisdiction and the recognition and enforcement of judgments in matrimonial matters and matters of parental responsibility, repealing Regulation (EU) No. 1347/2000 ("Brussels II Bis"). The provisions of Brussels II Bis apply to cases arising on or after March 1, 2005. On July 17, 2006, the Commission adopted a Regulation amending Council Regulation (EU) No 2201/2003 regarding jurisdiction and introducing rules on applicable law in matrimonial matters.

During the last meeting of the EU Council in Luxembourg on June 5-6, 2008, it was noted that there was no consensus on the harmonization of family law. However, on July 12, 2010, the Council of Europe adopted a resolution containing proposals to enhance cooperation in divorce matters. This led to the adoption of Regulation 1259/2010 of the European Parliament and the Council of the EU on December 20, 2010, known as "Rome III." This Regulation deals with the application of laws to divorce and legal separation of couples (Protocol on the law applicable to maintenance obligations, 2007). It is important to note that "Rome III" does not invalidate Regulation 2201/2003 (Brussels II Bis), and both documents continue to operate in parallel.

5.6 Regulation of alimony obligations of spouses

The 1973 Hague Convention on the law applicable to maintenance obligations has entered into force in 15 countries. According to Article 1, it covers maintenance obligations relating to the family, parenthood, marriage, and cohabitation, including responsibilities for children born out of wedlock. Before ratifying or acceding to the Convention, a State may make a reservation limiting its application to maintenance obligations between current and former spouses and unmarried persons under the age of 21 (Article 13). According to Article 2, the law determined by the Convention applies unconditionally, regardless of any requirements of reciprocity or whether it is the law of a participating State.

Article 4 prioritizes the law of the creditor's country of habitual residence. In the event of a change of residence, the law of the new country applies without retroactive effect. If maintenance cannot be claimed under that law, the law of the country of nationality applies (Article 5). If maintenance cannot be claimed under any of the above laws, the law of the country in which the court is sitting shall apply (Article 6). Where maintenance obligations arise from a divorce, the law of the country where the divorce is pronounced is applicable (Article 8).

In 2007, the Hague Convention introduced rules for the international enforcement of alimony for the benefit of children and other family members (Melzer, 2016). According to Article 2, the Convention covers not only the recognition and enforcement of decisions relating to maintenance for children under the age of 21 but also for maintaining a spouse if such a claim has been made in parallel. To ensure the enforcement of decisions, the Convention provides measures such as withholding wages, freezing bank accounts, seizure of property, and interfering with social security payments (Article 34).

In the same year, under the auspices of the Hague Conference, the Protocol determining the applicable law for maintenance obligations was also adopted (according to Melzer, 2016). This document entered into force in 2013 and currently applies to EU countries and Serbia. Interestingly, according to Article 2 of the 2007 Protocol, it can be applied even if the state whose law is applicable is not a party to this Protocol.

Article 1 of the Protocol defines its scope by regulating the law relating to maintenance obligations arising from a family relationship, parentage, marriage, or other form of relationship, including maintenance obligations concerning children, irrespective of their marital status. According to the standard provisions of Article 3 of the 2007 Protocol, the law applicable to maintenance obligations is that of the habitual residence of the debtor. However, Article 5 of the 2007 Protocol makes an exception for relations between current or former spouses or in cases where a marriage has been declared void. In such a context, if one of the spouses objects to the application of this rule and there is a closer legal connection with another State (e.g., where they previously resided together), the law of that State will apply (Monedero, 2019).

According to Articles 7 and 8 of the 2007 Protocol, the debtor and the creditor have the right to agree in writing on the choice of applicable law until the competent authority is approached. The law chosen by the parties may be the law of the state of which one of the parties is a national at the time of the agreement, the law of the state where one of the parties is domiciled at the time of the agreement, or the law chosen by the parties to regulate their property obligations or the law that regulates such obligations (Mendzhul, 2019).

However, regardless of the chosen law, the legislation of the state where the creditor habitually resides establishes the right to refuse alimony. In cases where the application of the law chosen by the parties would harm one of them, this right is not exercised (unless the parties were duly informed of the possible risks). The choice of law agreements cannot be concluded with persons under 18 years of age or persons declared partially incapable.

6. Discussion

The directions for future research on the topic can be formulated as follows. It is necessary to thoroughly examine how each EU member state regulates the protection of family rights to identify common trends and peculiarities. As family law is constantly evolving and new socio-cultural phenomena are emerging, the following steps are essential:

- to monitor innovations and adaptations in the legislation of different countries;
- to investigate the practical effectiveness of laws;
- to examine precedents, court decisions, and citizens' responses to new norms;
- to explore the understanding of cultural, religious, and social differences in various EU countries, which can explain some aspects of laws and their implementation;
- to identify the main challenges and issues in regulating the protection of family rights in different EU countries;
- to study the mechanisms of cooperation between EU countries in family law matters and how decisions of the European Court of Human Rights (ECHR) influence the development and modification of family law in European countries (State of the Rule of Law in the European Union, 2023).

Based on the analysis of all the aforementioned aspects, develop recommendations for improving legislation and its practical application in different EU countries. Conducting such research will provide a deeper understanding of the peculiarities of EU law in the family rights protection field and propose ways to optimize and enhance it.

7. Conclusion

Although the family law regulations of the European Union countries are very different, they share common European principles based on the protection of the rights and welfare of

children and families. In the context of European integration and global changes, there is a desire to harmonize family law norms, which facilitates international relations and helps resolve conflicts in family relations. However, despite the common European trends, each country still has its own differences in the regulation of family relations, which reflect its cultural, historical, and social heritage.

The interstate cooperation and decisions of the European Court of Human Rights play a crucial role in shaping European standards for the protection of family rights. For Ukraine, which has ambitions to integrate into the EU, it is vital to analyze and implement the best European practices in this area to strengthen the protection of the rights of its citizens. The EU family law demonstrates a continuous search for harmony between personal rights and the general interests of society. Besides, it becomes a model for countries striving for democracy and the rule of law.

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