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## Panel discussion: Cross-border hereditary successions and alternative methods of disputes resolution

*Many people know about mediation as an alternative method of disputes resolution, but only few of them know about the European Succession Regulation, which since 2015 has been ruling the cross-border hereditary successions, whose number is likely to grow, due to the increasing mobility of European citizens.*

**10 July 2019** - The issue of European Succession Regulation and its implications were the focus of the roundtable hosted today by the University of Florence, at the conclusion of the two-year project "**Fomento**", co-financed by the Justice programme of the European Union.

Speakers were: Prof. Sara Landini and Prof. Paola Lucarelli (University of Florence), coordinators of the European projects [GolnEU](#) and [GolnEU plus](#); Dr. Daniele Muritano, notary specialized in succession planning and corporate law; Silvia Pinto, lawyer and accredited mediator. The roundtable addressed a wide range of topics, including the tax regime of succession and the conflict prevention through succession planning.

The European Regulation has introduced major innovations (authority and law of the last country of residence of the deceased, possibility of choosing the applicable law, European succession certificate), but the new set of rules and its effects are still little known to most European citizens.

This is what emerges from an extensive research carried out in 6 EU countries in the framework of the European project "[Fomento. Fostering mediation in cross-border civil and succession matters](#)" regarding the effects of the EU Directive 52/2008 on mediation and of the European Regulation 650/2012 on successions.

The data of the online survey, reported by Silvia Pinto, speak clear: on the one hand, more than 90% of the over 750 participants declare that they know about mediation as an alternative disputes resolution method, on the other hand, only 32% are informed about the Regulation (EU) n. 650/2012 on cross-border succession matters. This percentage drops further when it comes to the European Succession Certificate: only 23% of the interviewees admit that they are aware of it. Furthermore, the majority of participants claim that they have never directly worked on cases of cross-border successions and 72% admit that they never followed professional cases in cross-border contexts.

The EU project Fomento aims at reversing this result by increasing the knowledge of the EU legislation and by investigating the distinctive features of cross-border hereditary cases: "*A large number of interviewed experts – Silvia Pinto highlights in her speech – underline the importance of cooperation and dialogue between legal professional groups, coupled with specific aspects particularly relevant in cross-border hereditary matters, such as the development of uniform quality*

*standards in mediation trainings and the identification of homogeneous parameters for establishing the costs of the mediation service".*

About 60 professionals, lawyers and mediators, took part in the discussion panel and they positively evaluated the event, with special regards to the relevance of the contents and the competence of the speakers.

Most of the attendants expressed their interest in the fiscal aspects of cross-border successions, mediation in international succession conflicts and property and company law issues, with particular attention to property regimes among the spouses.

Overall, opinions expressed by the audience reflect the growing interest in the topic of mediation in cross-border succession conflicts and the relevance that this issue is gaining among mediators and legal professionals, who are mostly willing to regularly work in this field.

In conclusion, it is crucial to promote a growing number of information events in this sector, especially through the analysis of real scenarios and case studies that may arise in the daily practice of mediators and lawyers.

#### **Resources:**

[FOMENTO E-BOOK](#): Mediation in cross-border succession conflicts and the effects of the 'Succession Regulation

[FOMENTO BOOKLET](#): How to deal with cross-border succession matters?

[FOMENTO ANIMATED VIDEO](#): How to deal with cross-border succession matters?

[FOMENTO GUIDELINES FOR CITIZENS](#): Succession conflicts with a cross-border impact

[FOMENTO GUIDELINES FOR PROFESSIONALS](#): Succession conflicts with a cross-border impact

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