

SUCCESSION PROBLEMS IN THE CONTEXT OF THE NEW CIVIL CODE AND IN INTERNATIONAL PRIVATE LAW RELATIONS

C. DINU¹ M. I. BARSAN¹

Abstract: *This study provides an overview of the main succession-law institutions, as they were regulated by the coming into force of the new Civil Code, of the international private law relations in terms of succession. It also highlights the tendency of European Union legislation in this area, given the international and cross-border successions, which raise numerous law-application and qualification problems, inclusively the recent adoption of the European Parliament and European Council Regulation, no .650/2012 from July 4th, 2012, on the jurisdiction, applicable law, recognition and execution of authentic decisions and acts in terms of succession, as well as the creation of the European Certificate of Successor.*

Key words: *legal and testamentary inheritance, legal heirs, forced heirs, succession-law conflict, international private law.*

1. Presentation of the inheritance-related provisions in the regulation of the new Civil Code, entered into force on October 1st, 2011, by the Application Law no.71/2011 for the enforcement of the new Civil Code

Art.953 of the new Civil Code shows that the inheritance is the transmission of a deceased natural person's patrimony to one or several living persons. The legal text previously quoted highlights, as first aspect, that the inheritance rules only apply to a deceased natural person's patrimony, which can be transmitted to a natural person, to a legal entity, or to an administrative-territorial unit – village, city, municipality or State, under given conditions.

In line with art.955 of the new Civil Code, the deceased person's patrimony is bequeathed by legal inheritance, unless stipulated otherwise by the testator. A part of the deceased person's patrimony can be transmitted by testamentary inheritance; and the other part, by legal inheritance. Legal and testamentary inheritance, regulated by the stipulations of art.955 in the new Civil Code, is a modality to acquire ownership. According to art.557 of the new Civil Code, the ownership can be acquired, under law, by convention, legal or testamentary inheritance, accession, usucaption, as effect of *bona fide possession*, in case of real property and fructus; by occupation, tradition, as well as by court decision, when it is property-translative by itself.

¹ Law Department, *Transilvania* University of Braşov.

Starting from the aforementioned legal texts, we will briefly present the relevant notions and, in the second part of the study, we will analyze these elements in relation to the incidence in the field of family relations, of the international private law relations and of the European stipulations as regards succession.

In terms of succession, it is important to establish the person whose succession is considered, to wit *cuius*, to determine the persons who will acquire, under law or by testament, the deceased natural person's patrimony, and to identify the estate that is subject to successional transmission.

According to art.46 of the Romanian Constitution, the right to inherit is guaranteed. Based on the constitutional principle, the new Civil Code regulated, in the fourth Charter, entitled "On Inheritance and Liberality", the stipulations related to inheritance, either legal, or testamentary. The transitory and enforcing stipulations of the fourth Charter are included in art.91-98 of the Law no.71/2011.

In successional terms, regulations applicable to inheritance are also present in other incident normative acts, such as Law no.36/1995 of Notaries Public and Notarial Activity. Likewise, by order of the Minister of Justice no.2333/C/2013 for the approval of the Regulation on the Application of the Law of Notaries Public and Notarial Activity, this law was harmonized with the new regulations of the Civil Code, being published in the Official Monitor no.479/ from August 1st, 2013.

The types of inheritance are currently the legal and the testamentary inheritance. Legal inheritance is applicable where the renunciation of inheritance occurs under law, namely to the categories of legal heirs established by law, in predetermined order and to the set quotas. The inheritance is testamentary if the deceased person decided its transmission on testamentary path, by preparing a testament.

The coexistence of the legal and testamentary inheritance is possible; so that art.955 par. 2 of the new Civil Code stipulates that a part of the deceased person's patrimony can be transmitted by testamentary inheritance, and the other part, by legal inheritance.

The establishment of testamentary heirs for the overall estate does not automatically lead to its renunciation exclusively by testament, as in the hypothesis of forced heirs, the inheritance will be deferred both legally and by testament, since according to art.1086 of the new Civil Code, the successional reserve is the part of the heritage assets whereto the forced heirs are entitled, by virtue of law, even against the deceased person's will, manifested by liberality or disinheritance. The forced heirs are, according to art.1087 of the new Civil Code, the surviving spouse, the privileged offspring and ancestors; and their afferent successional reserve is half the successional share whereto, in the absence of liberality or disinheritance, they would have been entitled as legal heirs.

The Romanian Civil Law acknowledges the possibility for a person to be both legal and testamentary heir, as (s)he can be called in the inheritance both legally and by testament, if gratified by the deceased person through testament. Obviously, in the absence of forced heirs, the deceased person's will, as expressed in the testament, won't be curtailed [2], [3], [5], [14].

With reference to legal heirs, the law, by art.963 of the new Civil Code, shows that the inheritance is due, in the order and according to the rules set by Title II entitled "Legal Inheritance", to the surviving spouse and to the relatives, namely offspring, ancestors and collaterals, where applicable. The offspring and ancestors are entitled to the inheritance, regardless of their kinship to the deceased

person; and the collaterals, only to the fourth degree inclusively.

In the absence of legal or testamentary heirs, the deceased person's patrimony shall be transmitted to the village, city or, where applicable, to the municipality in whose jurisdiction the assets were located, on the legacy opening date. According to art.964 of the new Civil Code, the deceased person's relatives succeed to the legacy as follows: first class – offspring [11]; second class – privileged ancestors and privileged collaterals; third class – ordinary ancestors and fourth class – ordinary collaterals. Likewise, apart from the four classes of heirs, according to art.970 of the new Civil Code, the surviving spouse inherits the deceased spouse's legacy if, on the inheritance opening date, there was no final divorce judgement; and, in line with art.971 of the new Civil Code, the surviving spouse is called for inheritance, in competition with any class of legal heirs; and, either in the absence of heirs from the four aforementioned legal classes, or, if they do not want or cannot succeed to inheritance, the surviving spouse collects the entire succession [10], [14].

In the Romanian Civil Law, the heritage transmission observes the following principles: first and foremost, the inheritance transmission occurs for the cause of death, which means that the transmission follows the natural person's death, be it physically noticed death or legally declared death; secondly, the inheritance transmission is universal, since the deceased person's patrimony constitutes a juridical universality, including all rights and obligations assessable in money, in the deceased person's patrimony, on his/her death; the succession transmission is unitary, in that the inheritance transmission to legal or testamentary heirs observes the same legal provisions, regardless of the nature or

origin of the assets within the patrimony; the succession transmission is indivisible, which means inheritance acceptance or relinquishment has indivisible nature, there being impossible to accept only a part thereof and give up the rest [4].

With reference to inheritance opening, art.954 par.1 of the new Civil Code stipulates that a person's heritage shall be opened on his/her decease. There is about both the physically noted decease and procedure of the legally declared death.

The inheritance opening date is the date of the decease. The juridical importance of the succession opening date resides in the following: according to this date, there are determined the persons called to inherit the deceased person's patrimony; according to this date, there is an assessment of the successional capacity of the persons called for the inheritance, as well as for their afferent rights; in relation to this date, the deceased person's estate constituency is identified; starting with the date, the successional-option delay starts to lapse; likewise, in relation to this date, the law applicable to the devolution of estate is determined, in case of law conflict, in terms of succession. As regards this last aspect, we mention that, in line with art.91 of the Law no.71/2011 for the Civil Code enforcement, the inheritances opened before the coming in force of the Civil Code are subject to the law in force on the inheritance opening date. This means that, with reference to the successions opened prior to October 1st, 2011, the applicable law is the Civil Code from 1864 and for the inheritances subsequent to October 1st, 2011, the provisions of the new Civil Code shall be applied. Yet it is important to note that the acts drawn up and the deeds committed subsequent to the entry into force of the new Civil Code, therefore inclusively the successions opened under the Civil Code from 1864, are governed by the law in force at the time of committing

them (such as inheritance renunciation or acceptance, notarial successional procedure, succession sharing out) as the provisions of the new law are applicable to all acts drawn up and all deeds committed; or where applicable, after its entry into force.

Another important element to establish within the devolution of estate is the inheritance opening place. According to art.954 par.2 of the new Civil Code, the heritage shall be opened at the deceased persons' last domicile. The last domicile is proved either with the death certificate or final court ruling. If the deceased person's domicile is unknown or is not on the Romanian territory, the inheritance shall be opened on our country's territory, within the jurisdiction of the firstly notified notary public, provided that, in this circumscription, at least one real property of the testator should be located. Where the successional patrimony does not include real properties, the inheritance opening place is in the circumscription of the firstly notified notary public, provided that, in this circumscription, there should be real properties of the testator. When the successional patrimony does not include assets situated in Romania, the succession opening place is in the circumscription of the firstly notified notary public.

According to art.87 of the new Civil Code, the natural person's domicile is where (s)he declares to reside [1], [13].

Art.88 of the new Civil Code stipulates that the natural person's residence is where (s)he has his/her secondary dwelling. Settling down or relocating is achieved in compliance with the special legal provisions. Settling down or relocating only operates when the settler down intended to set there his/her main residence. The intention is proved by the person's declaration at the competent administration bodies; and, in the absence of such declarations, by any other circumstances *de*

facto. The residence shall be considered domicile when the latter is unknown; and, in the absence of the residence, the natural person is considered to reside at his/her last domicile; and, if the latter is unknown, where the person lived. The domicile and residence are proved by means of the specifications in the identity card.

The importance of ascertaining the inheritance opening place resides in that, in relation to this, the competent bodies to solve the following problems are determined:

- according to art.117 in Law no.215/2001 of the local public administration, the secretary of the administrative-territorial unit shall notify within 30 days of a person's decease, the Chamber of Notaries Public in whose territorial circumscription the deceased person had his/her last domicile, with a view to opening the successional procedure.
- in line with art.15 of Law no.36/1995, the non-contentious successional procedure is within the competence of the notary public headquartered at the inheritance opening place.
- the competent Court to decide on successions shall be also determined in relation to the inheritance opening place. According to art.118 of the new Code of Civil Procedure in terms of succession, until coming off from severalty, they are exclusively within the competence of the Court afferent to the deceased person's last domicile:
 1. applications concerning the validity or execution of the bequests;
 2. applications regarding the succession and its afferent tasks, as well as those concerning the claims that heirs might raise against one another;
 3. applications of the deceased person's legatees or creditors against one of the heirs or against the executor of the will.

The applications relating to several successively opened inheritances are within the exclusive competence of the Court afferent to the last domicile of any of the deceased persons.

Another aspect to be mentioned in the introductory part targets the exercise of the right to successional option. According to art.1100 of the new Civil Code, the one called for succession on the grounds of the law or of the deceased person's will, may accept or relinquish the inheritance. The heir who, under law or by testament, cumulates several vocations to inheritance has, for each of them, a distinct right to opt. In line with art.1103 of the new Civil Code, the right of successional option shall be exercised within a year from the inheritance opening date. The succession acceptance may be either express or tacit [12]. The acceptance is express when the successor expressly appropriates his/her title or quality of heir by an authentic document or under private signature. The acceptance is tacit when the successor draws up an act or commits a deed (s)he could only achieve as heir. Instead, the renunciation of inheritance is authentically done by any notary public. The renunciation of inheritance is not assumed [9]. The declaration of renunciation shall be written in the National Notarial Registrar, to inform third parties. The main effect of the renunciation of inheritance is that the successor who gives up is considered not to have ever been heir and that his/her part is due to the heirs (s)he had removed from inheritance or those whose share (s)he would have diminished, had (s)he accepted the succession. Nevertheless, according to art.1123 of the new Civil Code, throughout the delay of option, the successor who gives up may revoke the renunciation, unless the inheritance has already been accepted by other successors, who are entitled to their due share. The revocation of renunciation

is valued as acceptance, and the inheritance assets will be taken over in their current condition and subject to the rights acquired by third parties upon those assets.

We highlighted beforehand the importance assigned by the legislator to the deceased person's last domicile; however, we will deal, as follows, with the acknowledged legal effects, in the light of international private law, as regards residence and its justification.

In the introductory part of the study, we showed the national regulation applicable in the case of devolution of estate; in the latter part, we intend to submit to attention, the successions in international private law.

2. Presentation of the international private law provisions included in the new Civil Code

The seventh Charter, entitled "International private law provisions" dedicated its articles 2633-2636 to the subject of inheritance. This way, according to art.2633 of the new Civil Code, the succession is subject to the law of the State on whose territory the deceased person had his/her usual residence at death. In terms of applicable legislation, it is said that a person may choose, as applicable law to the overall succession, the legislation of the State whose citizenship (s)he has. The existence and the validity of the assent expressed by the applicable-law choice declaration are subject to the chosen legislation for governing the succession.

The applicable-law choice declaration must fulfill, in terms of form, the conditions of a mandate on the death cause. Likewise, the modification or revocation by the testator of such a designation of the applicable law must fulfill, as regards form, the conditions of modification or revocation upon a disposition for the death cause.

With reference to the law applicable to the form of the testament, art.2635 of the new Civil Code stipulates that drafting, modifying or revoking the testament are deemed valid if the act complied with the applicable form conditions, either at the time it was prepared, modified or revoked, or at the date of the testator's decease, according to any of the following laws:

- a) national law of the testator;
- b) law of his/her regular residence;
- c) law of the place where it was drawn up, modified or revoked;
- d) law on the condition of the real estate that makes the object of the testament;
- e) law of the Court or body that performs the inherited-property transmission procedure.

With respect to the scope of the inheritance law, art.2636 of the new Civil Code stipulates that the applicable law to the inheritance mainly establishes:

- a) moment and place for the succession opening;
- b) persons entitled to inherit;
- c) necessary qualities in order to inherit;
- d) exercise of the possession upon the bequeathed assets;
- e) conditions and effects of the successional option;
- f) extension of the successors' obligation to incur liabilities;
- g) background conditions of the testament; modification and revocation of a testamentary provision; as well as special incapacities to dispose of or receive by testament
- h) sharing out of the succession.

In the event that, in line with the inheritance law, the succession is vacant, the assets situated or, where applicable, located in Romania, shall be taken over by

the Romanian State, on the grounds of the Romanian law provisions as regards assigning the property of a vacant succession.

The provisions previously mentioned show that the Romanian legislator gave up the tradition comprised in the art.66 of the Law no. 105/1992 on the division of the estate into movable and immovable property; in the new conception, the inheritance being seen as a universality and, as such, being subjected to a single law, which is the law of the State on whose territory the deceased person had his/her last residence at death [6], [15].

3. Settlement of the international-law problems throughout the European Union

Given that we have lately witnessed an ever intense phenomenon of the movement of persons, including the settlement in other States, situated either in the European Union, or beyond its borders, the private and international law relations acquire new implications with reference to the devolution of estate. If, until recently, a person's birth, life and death occurred within his/her country of origin, behold, in the current age, enlivened by active migration of population, the issue of the devolution of estate can take different forms, according to its component elements. In this context, the private legislations of the States involved, targeting contract law, obligation law, and family legislation, may be contradictory; and when we are facing a successional problem that involves several national legislations, incompatible or contradictory, we will try to see the solution offered by international law. The international tendency is to extend the intervention domains over the legislative process, especially over private law.

First and foremost, the rising question is how Courts will tackle the international and national law. It is undeniable that, in the field of family relations (which generate, for the most part, successional transmission), the intervention only marginally and exceptionally influences the national rules in the field of the rights of humans or family. Art.6 par.3 of the Treaty on the European Union stipulates that the fundamental rights, as guaranteed by the European Convention on Human Rights and Fundamental Freedoms [17] and as shown by the constitutional traditions common to the member States, represent the general principles of the European Union law. The European Union law generally refers to legal concepts, common either to all States, or only to part of them; in the latter case, the recommendations being transposable in the national legislation. Hence in this field, national law remains largely autonomous.

In the former part of the study, we showed that, in the case of the inheritance, one can choose the applicable law. The freedom to choose the applicable law became a constant of private international law. We mention that the possibility of choosing the applicable law is also encountered in other areas; thus, according to art.2597 of the new Civil Code, the spouses may choose by common agreement the law applicable to divorce; likewise, according to the art.2590 of the same normative act, the spouses may opt for the law applicable to their matrimonial property regime etc. The possibility of choosing the applicable law is firstly based on the autonomy of will, secondly on the prevention thereby of the contentious issues of the participants in the private international circuit by their very choice, and not least, on the study of all options, inclusively by reference to another State's national law.

In terms of patrimonial effects of death, we show that the legal systems of the European States differ from one another. If the succession is related to several legal systems, we dare say we deal with an international succession. In the aforementioned legal texts, in the light of the law of succession, the extraneity element can be conveyed by the deceased person himself/herself, by the constituency of the estate and by other occurrences, such as the legal document/juridical act's concluding place. In the light of our law, in order to solve the conflicts of law, in terms of succession, the main criterion is the deceased person's citizenship, or, where applicable, his/her domicile or residence. Likewise, another extraneity element is conveyed by the location of the real estate.

In terms of successions, there are notable differences in the national law of the States; mostly with reference to the constituency of the classes of legal heirs, there are differences in their due shares, in the surviving spouse' acknowledged rights, in the existence and scope of the successional reserve, inclusively of the persons deemed to be forced heirs. In the light of the European law, the successions were mostly left to the discretion of the participating states, not being subject to coding. For the main, coding was imposed by economic considerations, as shown by art.3 lett.h of the Treaty establishing the European Community, and the relations ensuing from the succession were not reckoned to directly influence the functioning of the common market.

On the whole, although the heirdom mostly belongs to the deceased person's relatives, and the family law relations have been subject to regulation in the European law, this fate was not shared by the matters related to succession. However, in the current context, the importance of cross-border successions was fully recognized.

This way, the European Commission has taken steps with a view to harmonizing the successional rules, by adopting a European regulation to this effect. A “Study on International Successions in the European Union” was achieved by the German Notarial Institute in 2002; and the Green Charter of the Commission on successions and testaments was published, in 2005. On September 14th, 2009, the Draft Regulation on the jurisdiction, applicable law, recognition and execution of the authentic acts and decisions in terms of successions and the creation of the European Certificate of Successor were submitted, and on March 13th, 2012, the European Parliament adopted this Regulation, on July 28th, 2012, in the Official Journal of the European Union no.201 from July 27th, 2012, the EU Regulation 650/2012 of the Parliament and Council from July 4th 2012 on the jurisdiction, applicable law, recognition and execution of authentic acts and decisions in terms of successions and the creation of the European Certificate of Successor was published. We specify that this Regulation will enter into force on August 17th, 2015 in the Member States of the European Union.

With reference to the internationally adopted documents, we mention:

- The Hague Convention of October 5th, 1961, adopted by most European Union States, only targeting the conflicts of laws upon the form of the testaments.
- The Hague Convention of October 2nd 1873, with reference to the international administration of successions, which was adopted by only 3 States and targets only movable successions.
- The Hague Convention of August 1st, 2009 as regards the law applicable to successions
- The Washington Convention of October 26th, 197, in relation to the

international testament, which is however applied only in 6 Member States of the European Union.

The difficulties in reaching a consensus in terms of successions are generated by our dealing with a particularly complex subject; since successional relations comprise, as previously mentioned, family relations, as well as the modalities to acquire and transmit the property, in terms of both goods and patrimony, the law of succession represents therefore a point of convergence of the family-law and civil-law branches. There have been countless attempts to find a unique solution to all these legal problems, over time; yet the attempts to simplify the law applicable to cross-border successions were not successful. The norms of substantive law and the rules of international private law, as well as the competence and applicable law, vary from State to State; and within the European Union, there are different legal traditions, which cannot be overlooked.

By way of example, we show that, in some European States, there are differences in the law enforcement, in terms of real estate and personal property; yet there are States that uniformly apply the devolution of inheritance, without considering the nature of the goods. Likewise, the law applicable to successions is determined, in some States, either by the national law of the deceased person or by the law of his/her domicile or residence [7], [8].

The long awaited element was the adoption of the European Parliament and European Council Regulation, no.650/2012 from July 4th, 2012 on the jurisdiction, applicable law, recognition and execution of authentic acts and decisions in terms of successions and the creation of the European Certificate of Successor, whereby the citizens in the Member States of the European Union may

opt, with a view to organizing their succession.

The rights of the legal or forced heirs are thereby guaranteed, as well as the rights of the succession creditors. Art.84 par.2 of the Regulation no.650/2012 stipulates that it shall be implemented starting with August 17th, 2015, for the persons that decease on this date or subsequently. The aforementioned Regulation will not be implemented in Denmark, Ireland and Great Britain.

The EU commissioner, Mrs. Viviane Reding, posits: “The existence in every Member Country of the European Union, of distinct norms regarding successions, has frequently resulted in a legal labyrinth. By means of this legislative act, we simplify the procedures; and the citizens benefit from legal security. The adoption of this European Union document facilitates the identification of the law, which will be applied in each case. This is only an example of how the European Union acts, for solving the daily legal problems in order to allow Europeans to make savings” [18].

4. Conclusions

The adoption and entry into force of the new Romanian Civil Code marks an important step in the evolution of the regulation on successions, firstly due to the news in terms of substantive law and secondly by the integration of the private international law provisions into the European ones.

The provisions in the Regulation of the European Parliament and European Council no.650/2012 from July 4th 2012, on the jurisdiction, applicable law, recognition and execution of authentic acts and decisions in terms of successions and the creation of the European Certificate of Successor, are partly found in the provisions of the new Civil Code. This

way, it is worth mentioning that, in the private international law relations, the Romanian legislator gave up the traditional variant where the deceased person’s domicile had been adopted as primordial element, and stipulated that, in terms of succession, in the private international law relations, the deceased person’s regular residence at death is relevant.

Certainly, there are additional steps to take, until the entry into force of the aforementioned Regulation, which shall be implemented starting with August 17th, 2015, for the persons that decease on this date or subsequently; yet it is important that our national legislation is compatible with the previously mentioned international document.

References

1. Boroi, G., Angheliescu, C.A.: *Curs de drept civil. Partea generala (A course on Civil Law. General Section)*. București. Ed. Hamangiu, 2012.
2. Boroi, G., Stănciulescu, L.: *Instituții de drept civil (Civil Law Institutions)*. București. Ed. Hamangiu, 2012.
3. Chiriță, D.: *Drept civil. Succesiuni (Civil Law. Successions)*. București. Ed. Lumina Lex, 1996.
4. Deak, Fr., Popescu, R.: *Tratat de drept succesoral (A treatise of succession Law)*, vol.I. *Moștenirea legală (Legal Succession)*. București. Ed. Universul Juridic, 2013.
5. Deak, Fr.: *Tratat de drept succesoral*, Ed. a II-a actualizată și completată (*A treatise of succession Law*, second edition updated and completed). București. Ed. Universul Juridic, 2002.
6. Furea, A.: *Manualul Uniunii Europene (Handbook of the European Union)*, ed. a 5-a. București. Universul Juridic, 2011.
7. Gătejanu, S.L.: *Conflictele de legi în materia bunurilor și succesiunilor*

- (*Conflict of laws in the matter concerning goods and successions*) (Summary of PhD Thesis) http://www.unibuc.ro/studies/Doctorat_e2012 [Accessed: 06-03-2014].
8. Gătejanu, S.L.: *Studiu comparativ cu privire la legea aplicabilă în materie succesorală în statele membre ale Uniunii Europene (A comparative study on the law applying to succession issues in the EU member states)*. In: *Curierul Judiciar* nr.6/2012, Bucuresti. Ed. CH Beck, 2012, p.377.
 9. Nicolae, I.: *Debarring from succession-comparing the regulation of the former civil code and the new civil code from 2009*. In: *Bulletin of Transilvania University of Brasov* (2012) Vol. 5(54), Series VII-No.2, p.85-88.
 10. Nicolae, I.: *Institutiile ale dreptului familiei (Family Law Institutions)*. Bucureşti. Ed. Hamangiu, 2009.
 11. Nicolae, I.: *Procedural aspects of Judicial Practice in Matter of Consanguinity in Lineal Descent*. In: *Bulletin of Transilvania University of Brasov* (2011) Vol. 4(53), Series VII-No.1, p.129-132.
 12. Nicolae, I.: *Tacit acceptance of the succession*. In: *Bulletin of Transilvania University of Brasov* (2012) Vol. 5(54), Series VII-No.1, p.149-152.
 13. Prescure, T., Matefi, R.: *Drept civil. Partea generala. Persoanele (Civil Law. General Section. Persons)*. Bucuresti. Ed. Hamangiu, 2012.
 14. Schiopu, S-D., Nicolae, I.: *Classes of Heirs and the Intestate Successions Rights of the Surviving Spouse in the European Civil Law Tradition*. In: *Bulletin of Transilvania University of Brasov* (2011) Vol. 4(53) Series VII-No.1, p.133-138.
 15. Sitaru, D.A.: *Drept International Privat. Tratat (International private law. Treatise)*. Bucureşti. Ed. Lumina Lex, 2001.
 16. Stănciulescu, L.: *Curs de drept civil. Succesiuni (A course on Civil Law. Successions)*. Bucureşti. Ed. Hamangiu, 2012.
 17. *** *Conventia Europeană a Drepturilor Omului (European Convention of Human Rights)*.
 18. *** *Reprezentanta Comisiei Europene în România. Normele UE de simplificare a succesiunilor transfrontaliere (The mission of the European Commission in Romania. EU norms for the simplification of the crossborder successions)*, http://ec.europa.eu/Romania/news/26072012_simplificare_succesiuni_transfrontaliere_ro.htm [Accessed: 06-03-2014].