Adapting rights in rem

Heirs in a EU country can benefit from inheritance rights of another EU country when the rights are adapted to closely match the rights in their country of residence.

To allow heirs or legatees in another EU country to benefit from rights created or transferred to them by succession, the Succession Regulation provides for an unknown right in rem (right in immovable or movable property) to be adapted to the closest equivalent right in rem under the law of the other EU country. The aims and interests pursued by the specific right in rem and the effects arising from it should be taken into account when adapting the right.

In that context, the European Judicial Network in civil and commercial matters has published some information sheets on national law which explain:

- the rights in rem that could arise from a succession
- whether such rights are recorded in a register of rights in immovable or movable property
- the effects arising from their registration
- specific rules and procedures for adapting a right in rem.

To consult an information sheet on national law and procedures for adapting rights in rem in an EU country, please click on the corresponding national flag on this page.

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