

# MARRIAGE AND FAMILY

CLUSTERS	QUESTIONS
<p style="text-align: center;"><b><u>CLUSTER A</u></b></p> <p><b>CELEBRATION OF MARRIAGE</b></p>	<p><b>1.</b> What types of marriage celebrations are in force in your country? a) compulsory civil marriage</p>
	<p><b>1.1</b> What types of marriage celebrations are in force in your country? b) a marriage performed according to the rites and the rules of a RBO that has the same legal effects than a civil marriage</p>
	<p><b>1.2</b> What types of marriage celebrations are in force in your country? c) a marriage performed according to the rites and the rules of a RBO, that has the legal validity of a civil marriage if certain conditions established by State law are respected</p>
	<p><b>1.3</b> Is it compulsory to perform a civil marriage before the marriage celebrated according to the rites and rules of a religion/belief?</p>
	<p><b>1.4</b> If the answer to the question 1.1 or 1.2 is yes, can these marriages be performed by the representatives of the following RBMs?</p>
	<p><b>2.</b> If the answer to the question 1.1 or 1.2 is yes, do religious/belief representatives need State authorization to perform the marriage?</p>
	<p><b>2.1</b> Please tick the RBMs whose representatives need State authorization.</p>
	<p><b>3.</b> If the answer to the question 1.2 is yes, do these conditions prevent the celebration of: a) a polygamous marriage b) a marriage between individuals who have reached marriageable age according to their RBM rules but are underage based on State law c) a same-sex marriage</p>

<p style="text-align: center;"><b><u>CLUSTER B</u></b></p> <p style="text-align: center;"><b>ANNULMENT/DISSOLUTION OF MARRIAGE</b></p>	<p><b>4.</b> What is the legal system in force in your country concerning the dissolution and/or annulment of a RBM marriage with civil effects?</p> <p>a) decrees of marriage dissolution and/or annulment can be issued only by State authorities</p>
	<p><b>4.1</b> What is the legal system in force in your country concerning the dissolution and/or annulment of a religious marriage with civil effects?</p> <p>b) decrees of marriage dissolution and/or annulment can be issued only by religious authorities</p>
	<p><b>4.2</b> What is the legal system in force in your country concerning the dissolution and/or annulment of a religious marriage with civil effects?</p> <p>c) decrees of marriage dissolution and/or annulment can be issued by RBM authorities, but they need to be validated by State authorities to impact the civil effects of that marriage</p>
	<p><b>4.3</b> If the answer to the question 4.1 or 4.2 is yes, can the decrees of marriage dissolution/annulment be issued by the authorities of the following RBM?</p>
	<p><b>5.</b> If the answer to the question 4.1 or 4.2 is yes, are there any circumstances whereby decrees of marriage dissolution or annulment that are validly issued according to the rules of a religion/belief have no civil effect?</p>
	<p><b>5.1</b> If the answer to the question 5 is yes, please explain briefly the grounds for preventing religiously valid decrees of marriage dissolution and/or annulment issued by one of these religions/beliefs from obtaining civil effects.</p>

**CLUSTER C**  
**INHERITANCE**

**6.** How is inheritance regulated in your country?  
a) inheritance matters are regulated by State law independently from the religious/belief affiliation of the deceased

**6.1** How is inheritance regulated in your country?  
b) inheritance matters are regulated by State law according to the religious/belief affiliation of the deceased

**6.2** How is inheritance regulated in your country?  
c) the will or express wishes of the deceased can indicate whether the inheritance is to be regulated under State or RBM law, provided that the latter does not entail discrimination based on sex, religion or belief, or other grounds

**6.3** If the answer to the question 6.1 or 6.2 is yes, can the inheritance of deceased affiliated with the following RBMs be regulated by State laws according to their religious/belief affiliation?

**6.4** If the answer to the question 6 is yes, are there instances where the religious/belief rules concerning inheritance are prevented from acquiring validity in the State legal system?

**6.5** Please specify which religious/belief rules cannot acquire civil effects based on the State legal system.

<p><b><u>CLUSTER D</u></b></p> <p><b>DOWRY</b></p>	<p><b>7.</b> How is dowry regulated in your country?</p> <p>a) dowry is regulated by State law independently from the religious/belief affiliation of the interested party; dowry is unregulated by state law and religious laws have no civil effect</p>
	<p><b>7.1</b> How is dowry regulated in your country?</p> <p>b) dowry is regulated by State law according to the religious/belief affiliation of the interested party; dowry is regulated by RBM rules</p>
	<p><b>7.2</b> How is dowry regulated in your country?</p> <p>c) the interested party can decide whether dowry shall be regulated according to State law or RBM law, provided that the latter does not entail discrimination based on sex, religion or belief, or other grounds</p>
	<p><b>7.3</b> If the answer to the question 7.1 or 7.2 is yes, can the parties affiliated to the following RBMs have their dowry matters regulated by State laws according to their religious/belief affiliation?</p>
	<p><b>7.4</b> If the answer to the question 7 is yes, are there instances when State law prevents religious/belief rules concerning dowry from being implemented in the State legal system?</p>
	<p><b>7.5</b> Please explain briefly which religious/belief rules cannot acquire civil effects in the State legal system.</p>

<b>CLUSTER E</b>  <b>RELATIONS PARENTS-CHILDREN</b>	<b>8.</b> Becoming a member of a RBO is frequently characterized by rites of entry such as baptism, circumcision, etc. Does State law place any obstacle (prohibition/restriction) to performing the rites of the following RBMs?
	<b>8.1</b> If the answer to the previous question is yes, please explain briefly which RBM rites meet obstacles in State law.
	<b>9.</b> Is religion/belief a relevant element when courts choose the spouse to whom children are to be entrusted in case of dissolution of marriage?
	<b>9.1</b> Does case law show some bias in favor of or against the following RBMs?
	<b>9.2</b> Please describe briefly the most significant cases of bias in favor of or against any of the above RBMs that you are aware of.
	<b>10.</b> RBMs may prescribe some rules concerning medical treatments that are to be respected by their members. As far as these RBMs are concerned, are the parents entitled to have these rules respected by the public healthcare institutions where their children are treated?
	<b>10.1</b> If the answer to the previous question is no, can you briefly describe the relevant cases and the RBMs which are affected?
	<b>11.</b> Is religion/belief a relevant element when courts have to make decisions regarding a child's adoption?
<b>11.1</b> If the answer to the previous question is yes, does case law show some bias in favor of or against the following RBMs?	