



Second Study Commission
Civil law and procedure

Meeting in Triesenberg (Liechtenstein), 8 - 11 October 1984

Conclusions

THE EQUALITY OF HUSBAND AND WIFE IN FAMILY LAW

1. The commission notes with approval that in the legal systems of most of the participating countries there is a definite movement toward greater equality between spouses. The commission strongly recommends that this movement should continue.
2. Irrespective of the matrimonial regime, there should be complete equality between the spouses, or, at least, a balance of rights. In any matrimonial dispute between the spouses both should have the same right to apply to a judge.
3. Both spouses should contribute to the maintenance of the children according to their abilities.
4. In case of conflict between the spouses during the marriage or during the procedure of divorce or separation, the decision of the judge concerning the personal life of the common child (health, education, religion, rights of custody and visit, etc.) must be based on the fundamental principle of the supreme interest and welfare of this child.