

## SUMMARY

**Key Words:** marriage, family, international private law, family law

**Subject matter:** International legal regulation of marital and family relations

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**The topicality of the research:** The expansion of contacts between citizens of different states led to an increase not only in the number of so-called cross marriages in which spouses have different citizenship or nationality, but also a number of other marital and family relations complicated by a foreign element. Family laws of individual countries differ in a significant variety, so it is important to decide the question of which law is to be pronounced in the process of legal regulation of relations involving foreign citizens and stateless persons.

**The aims of the research:** study of international legal regulation of marital and family relations.

**Objectives:**

1. to characterize the notion of marital and family relations;
2. to study marital and family relations with foreign element and their specificity;
3. to study international legal regulation of marital and family relations;
4. to consider connecting factors in the sphere of marital and family relations;
5. to consider the issues related to the conclusion and dissolution of marriages with foreign citizens in the territory of the Russian Federation;
6. to consider the issues related to the conclusion and dissolution of cross marriages in foreign countries.

**The theoretical and practical value of the research:**

The theoretical relevance of the study is that the work formulates a number of proposals, provisions and conclusions essential for the science of family and international private law.

The practical relevance of the research consists in using the materials of final qualification work in the course of teaching "International private law" and "Family law", as well as for the preparation of particular textbooks, educational and study guides.

**The results obtained:**

1. In view of the trends identified so far, the following scientific definition of marriage is proposed: marriage is a mutual and voluntary, free, equal union between a man and a woman, the aim of which is to create a family and engenders mutual personal non-property and property rights and obligations for the spouses.
2. Derivative exclusive rights may be part of the property of the spouses and, accordingly, be taken into account in the division of property, which should be reflected in part four of the Civil code of the Russian Federation, as well as in the application of rules of conflict of laws that refer to Russian legislation in determining the spousal property regime.
3. Since section VII of the Family code of the Russian Federation is, after section VI of the Civil code of the Russian Federation, the second largest source of Russian international private law and contains a special system of national rules of conflict of laws that have their subject of regulation, it seems appropriate to single out in the international private law of the Russian Federation a special sub-sector - international family law.
4. In order to prevent a different interpretation of the legal regime of exclusive rights to intellectual property objects that were created during the marriage, it should be fixed in Art. 34 para. 2 of the Family code of the Russian Federation the norm according to which "the rights to intellectual property objects belong to the spouse who created this object or acquired rights to it otherwise, with the exception of cases statutory or contractual. When acquiring exclusive rights in connection with the implementation of entrepreneurial activities, their value is taken into account in the division of common property».
5. For the purposes of legislative uniformity, the assignment of the category of a foreign element in section VII of the Family code of the Russian Federation should be recognized.

6. It appears that based on medico genetic, moral, moral and ethical considerations, domestic and world experience, the circle of persons who are prohibited from registering marriages in accordance with the legislation of the Russian Federation is unjustifiably narrow. In addition, the grounds for prohibitions and their cancellation have not been determined.

**Recommendations:**

- in order that a marriage concluded by citizens of certain states gave rise to the effects for which it is concluded, it is necessary to accomplish all material conditions and conditions that pertain to the form of marriage;
- to solve the problem of "limping marriages" it is necessary to unify the norms of family and international private law;
- to capture the category of a foreign element in section VII of the Family code of the Russian Federation.