



## Introduction of European Justice Portal – areas reserved for the notariat

The Council of the Notariats of the European Union CNUE appreciates the Council of the European Union and the European Commission's increased commitment to the introduction of a single European justice portal centralised at Community level. Modern information and communications technologies increase the efficiency of justice and enable interested parties to have access to justice. This is very important, particularly in a European area of freedom, security and justice in which citizens, businesses, authorities and legal practitioners all use electronic means of communication and in an increasingly cross-border context.

In this context and within the framework of the European legal portal, the CNUE is in favour of introducing a domain dedicated to notaries, actors in preventive justice. This domain could gather together cross-border information for citizens, including on notarial activities in the Member States (see point 1 below). Moreover, the portal could also contain a sub-domain reserved for notaries themselves (see point 2 below).

These considerations are based on the fact that, to date, the European Judicial Network has neglected the area of preventive justice, despite the information available in it being quite broad. Consequently, interested citizens have only limited possibilities of easily finding clear and structured information online on the nature, functioning and organisation of preventive justice and its importance in civil and commercial matters within the European Community.

### 1. Information for citizens

A domain dedicated to notaries within the European justice portal should provide citizens with general and cross-border information on preventive justice and on the role of notaries in their capacity as public officials in the heart of this area. This should also involve the presentation of the most important European legal sources on the subject. Moreover, it would be appropriate to present the nature, functioning and organisation of preventive justice in the various national judicial systems ("specific information on the various countries").

In this context, multilingual information factsheets on the essential elements of succession law in the Member States – a CNUE project co-funded by the European Commission – should also be included. These factsheets will answer the questions that European citizens and legal practitioners can ask in this area and they will give an overview of the national legal systems, with the exception of Denmark's but including Croatia.

Likewise, it would be important to integrate the 'Europe Wills' factsheets being prepared by European Network of Registers of Wills Association (ENRWA), also co-funded by the European Commission. These factsheets explain how to register and search for a will in order that it is taken into account at the time of death, regardless of the EU country in which this takes place.

Such an information portal would enable citizens to have easy access to information on notarial competences and activities in the respective Member States. In this context, a European notarial atlas could also be envisaged, with the possibility to find a notary, e.g. via hyperlinks to the Member States'



notarial directories. Some of these already contain information on notaries' linguistic knowledge; by the end of the year, this possibility could be generalised.

## 2. Cross-border cooperation between notaries

Aside from the information provided for citizens, the introduction of an internal domain for notaries in the Member States would also be useful. It could enable standardised access to pan-European projects that have already been established by the CNUE in the interests of cross-border exchanges between notaries.

One of these pan-European projects is the European Notarial Network (ENN), operational since November 2007. The aim of this network is to enable exchanges between the member notariats with a view to dealing with cross-border cases on a European level. The network has an online form that enables requests to be dealt with quickly and efficiently.

Furthermore, the CNUE has developed a project for the interconnection of national registers of wills (European Network of Registers of Wills Association – ENRWA). In case of cross-border successions, this interconnection enables the testamentary arrangements drawn up in another Member State to be found easily. The project thus responds to the increased mobility of citizens.

Finally, the CNUE is in the process of implementing a verification tool for electronic signatures used by notaries in EU countries. This portal is a pilot project that illustrates that an information exchange between countries can involve not only maximum efficiency but also maximum security.

In the context of a uniform domain dedicated to notaries within the European justice portal, it would be judicious to provide information on all these projects and to enable notaries to have direct access to this information, e.g. via links to the relevant websites.

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