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The Council of the Notariats of the European Union (CNUE) is the official body representing the notarial profession in dealings with the European institutions. The CNUE brings together the notariats of the 22 EU Member States familiar with this institution: Austria, Belgium, Bulgaria, Croatia, the Czech Republic, Estonia, France, Germany, Greece, Hungary, Italy, Latvia, Lithuania, Luxembourg, Malta, the Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia and Spain. The notariats of the Republic of North Macedonia, Montenegro, Serbia and Turkey are observer members.

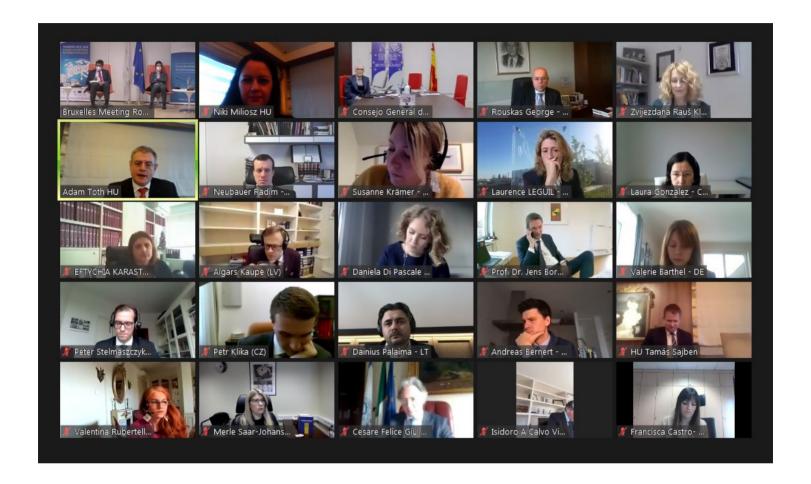




During the transfer of powers ceremony held online on 8 January 2021, Mr Ádám Tóth became President of the CNUE 2021, succeeding Mr Georgios Rouskas. On this occasion, Mr Tóth declared: "2020 was a difficult year for all of us. The COVID-19 pandemic has put the notarial business and society in a very demanding situation. At the same time, the restrictions on our personal and professional lives have prompted us to overcome challenges never seen before. Life couldn't stop; the economy needed to continue to function properly. To further quarantee legal certainty, the notaries of Europe did not stop working, fulfilling their role even in the most difficult times. Thanks to our innovative and creative spirit, we have continuously created modern technological tools, thus maintaining the high quality of notarial services in all areas of our business. These solutions continue to develop and will remain with us even after the end of the pandemic.

Today, it is clear that technology plays an essential role in our daily and professional lives. Paper is gradually disappearing, giving way to exclusively electronic acts, which speed up the management of legal and administrative affairs.





Electronic signing is already in widespread use, not only among professionals but also among citizens. At the same time, the most innovative technologies – such as blockchains, smart contracts, big data, and artificial intelligence – are at the forefront of new solutions that were unimaginable just a few years ago.

The main objective of the Hungarian Presidency is to monitor and study these new technical developments and related

EU projects to find the most appropriate ones that will continue to improve the efficiency and quality of our services, thus contributing to the recovery of the European economy and to the interests of our clients. I am convinced that 2021 will bring us many common notarial innovations, and the Hungarian notaries are proud to lead the notaries of Europe in this direction".

4 FEBRUARY 2021 Launch of the "MAPE - Successions" project



On 4 February 2021, the CNUE kicked off the "Monitoring and evaluation of the application of EU Regulation successions" 650/2012 on project ("MAPE co-financed successions"), by the European Union. This twoyear-long project aims to analyse the implementation of the Regulation in all the countries covered by the CNUE with the assistance of the 22 EU notariats and the ENRWA (European Network of Registers of Wills Association www.arert.eu).

Regulation (EU) No 650/2012 on successions has been in force since August 2015. According to Article 82 of the Regulation, the Commission will submit a report on its application by August 2025 at the latest, including an assessment of

the practical problems encountered. The report will be accompanied by proposals for amendments where appropriate.

Given that in most EU countries, the field of inheritance is a notarial competency, a

of inheritance is a notarial competency, a contribution from the CNUE is expected. The evaluation carried out under the "MAPE Successions" project will cover both quantitative and qualitative data: the number of successions with cross-border elements each year, the number of wills identified abroad, the number of European certificates of succession, the difficulties in applying the Regulation, etc. The results and conclusions will be presented to the European institutions at a conference in Brussels at the end of 2022 in the form of a study.

15 FEBRUARY 2021

On 15 February 2021, the CNUE officially launched the project "EU L@w for Notaries - Notaries for EU L@w", its new training program for European notaries. With the support of the European Union over two years, the project aims to train notaries in three priority areas of EU law: 1) family law, 2) company law, and 3) data protection law, combining interactive face-to-face seminars and online learning. An important new step will be implementing an e-learning platform, hosting several webinars, e-learning modules, and MOOCs on the three topics mentioned.

The new CNUE training programme on track

The CNUE intends to contribute to the new judicial training strategy for 2021-2024, presented by the European Commission on 2 December 2020. This strategy expands the range of EU training offerings for justice professionals to include new action areas, such as digitisation and artificial intelligence. It also sets ambitious targets: by 2024, 30% of notaries will have to be trained in EU law every year.



TRAINING 2020-2022 EU L@W FOR NOTARIES NOTARIES FOR EU L@W





The New EU Strategy for the Rights of Persons with **Disabilities**

On 3 March 2021, the European Commission presented its strategy for the rights of persons with disabilities for the period 2021-2030. This 10-year strategy presents key initiatives around three main themes:

- Rights in the European Union: The European Commission will propose a European Disability Card for all EU countries by the end of 2023, facilitating the mutual recognition of the status of persons with disabilities between the Member States.
- Autonomy: The Commission will develop guidelines and launch an initiative to improve social services for people with disabilities.
- Non-discrimination egual opportunities: The strategy aims to protect people with disabilities from all forms of discrimination and violence and ensure equal opportunities and access to Justice.

The United Nations Convention of the Rights of Persons with Disabilities has not been forgotten. The strategy announces the creation of a disability platform, which will reunite national authorities responsible for implementing the Convention, disability organisations and the Commission. The purpose of the platform will be to support the implementation of the strategy and strengthen cooperation and exchanges related to the implementation of the Convention.

In this context, the CNUE has repeatedly expressed its wish that Article 12 of the Convention - on equal recognition of legal personality - and Article 13 - on access to Justice - be handled according to their rightful importance. Indeed, these articles are of great importance regarding exercising rights with the necessary support. They are of paramount interest to the notary, who exercises institutional support so that the disabled person receives all the information and concrete recommendations necessary to exercise their rights under conditions of equality.

MAY 2021

Since May, the European Notarial Network (ENN) has a new website <u>www.enn-rne.eu</u>. It has new navigational tools, a new graphic charter, and more free and practical resources for all notaries in Europe!

The new site was part of the ENN work programme for the year, which included strong communication as a strategic focus to reach a maximum number of notaries in Europe by making them an increasingly efficient service.

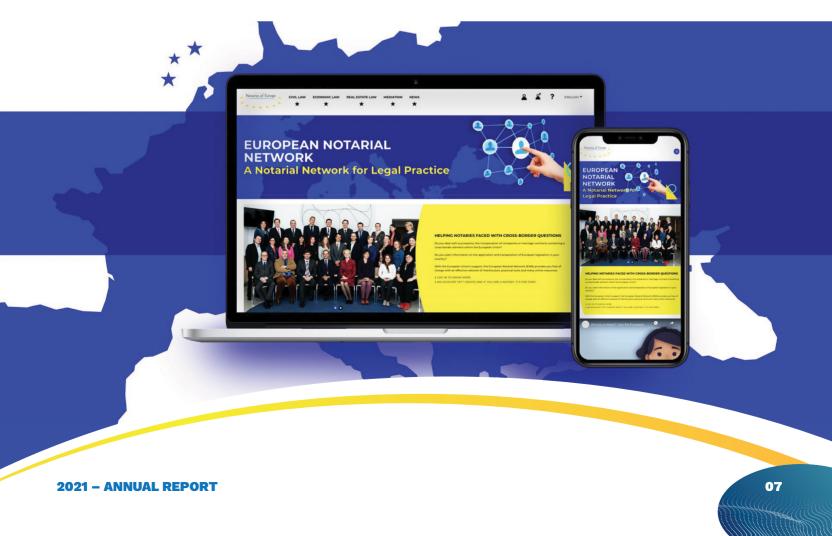
With almost 2,000 users, the ENN intended to increase its awareness this year by setting up an ambitious communication strategy: redesigning the website and targeting communication actions at the

The ENN acquires a new website

European and national levels, focusing on social networks.

In addition, new tools were being prepared for the ENN platform in 2021. A specialised area on private international law will be set up, as well as a practical guide to executing authentic acts. Information on national legislation regarding the transposition of Directive 2008/52 (Mediation) and on the "Couples in Europe" website will be updated.

Finally, workshops were organised in Portugal on protecting vulnerable adults and in Bulgaria on digital challenges to raise awareness of European issues within the notarial field.



On 1 October 2021, the Portuguese Chamber of Notaries organised a seminar focusing on the future challenges and experiences of Member States in the domain of digital identity in notarial practice:

https://enn-conference.notarios.pt

The event was held in Lisbon, and also by videoconference. This event — which

was supposed to take place under the Portuguese Presidency of the European Council, and which was postponed due to the pandemic of Covid-19 — was an excellent opportunity for notaries in the 22 Member States to learn from a variety of experiences and contribute to the ongoing reflections on European digital identity.

Conferência Rede Notarial Europeia (RNE)

A Identidade Digital na vertente da Prática Notarial



Sessão de abertura

Ádám Tóth | Presidente do Conselho dos Notariados da União Europeia (C.N.U.E)

Filomena Gaspar Rosa | Presidente do Instituto dos Registos e do Notariado, IRN. IP

Jorge Silva | Bastonário da Ordem dos Notários (ON)







On 17 November 2021, the Bulgarian Chamber of Notaries organised an online seminar on the theme of "protecting vulnerable adults in Europe." The event made it possible to analyse the legal framework for protecting vulnerable adults, not just at a European level but also on a national level from a comparative perspective. Notaries had the opportunity to learn from key stakeholders in different EU countries, sharing their experiences.

The work program of the ENN is the topic of a long-standing partnership with the European Commission. In July 2021, the Commission renewed its confidence in the ENN by agreeing to a new framework partnership agreement over four years (2022-2025). This support will allow the ENN to continue its development.

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7 JUNE 2021

Proposal for a European Commission regulation on digital identity

The European Commission published a <u>draft regulation</u> on 3 June 2021, amending Regulation (EU) No. 910/2014 to establish a European digital identity framework.

Because of the new Regulation, Member States will provide citizens and businesses with digital wallets that link their national digital identity to the proof of other personal attributes (for example, driver's licenses, diplomas, bank accounts). These wallets may be provided by public authorities or private entities, conditional to a member state's recognition.

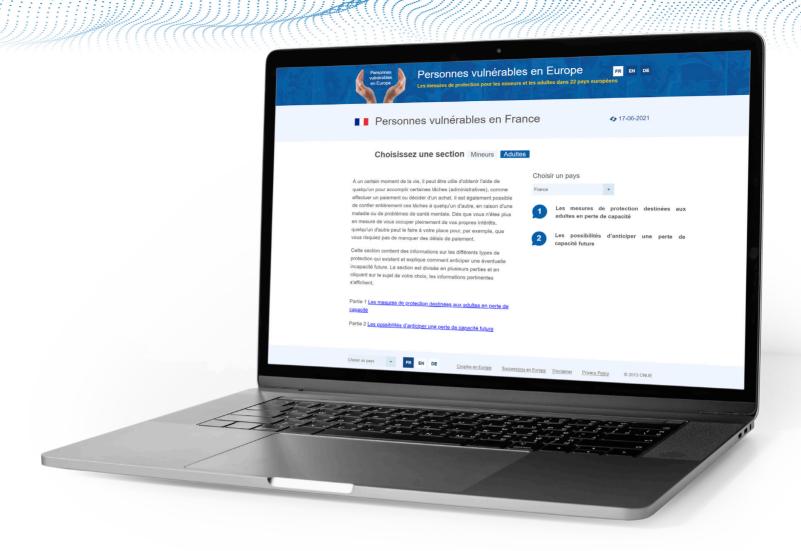


The European digital identity will be:

Accessible to anyone wishing to use it: any citizen, resident or company of the European Union who wishes to use the European digital identity may do so.
Wide acceptance: the European digital identity portfolio can be used widely, either as a means of identifying a user or for proving particular personal attributes, accessing public and private digital services throughout the Union.

Users will have control over their data. European digital identity wallets will allow citizens to determine what elements of their identity, data, and certificates they share with third parties and track that sharing. User control ensures that only the information that needs to be shared will be shared.

In this context, the CNUE is studying the potential impact of these changes on notaries. It proposes the implementation of an additional level of security. The latter would complement the existing framework in the e-IDAS Regulation with additional security measures such as videoconferencing and biometrics for the public sector (including notaries) and link e-IDAS to the Directive on digital tools. The CNUE also considers it necessary to remain extremely vigilant about the scope and exclusions and ensure that formal national requirements for legal acts are not affected by the Regulation.



22 JUNE 2021

New content for the site "The Vulnerable in Europe"

"The Vulnerable in Europe" website now has a fully updated "Adults" section. This website, produced with the support of the European Union and the European Notarial Network, provides citizens with information on measures to protect vulnerable persons in the 22 European countries covered by the CNUE. It is available in two languages (English and French), divided into two sections: protection measures for minors and adults.

The new "Adults" section now includes two sections per country:

- One on protective measures for adults who have lost capacity in the country concerned. According to the Hague Convention of 13 January 2000, the issue of the adaptation of national laws is addressed.
- The other concerns whether or not to anticipate a future loss of capacity in the country concerned.

Again, two levels of information are available: one for a laypersons audience, the other to meet the needs of notaries to become knowledgeable of precise answers in their daily practice, particularly in cross-border situations.



20 JULY 2021

The European Commission presents a new anti-money laundering package

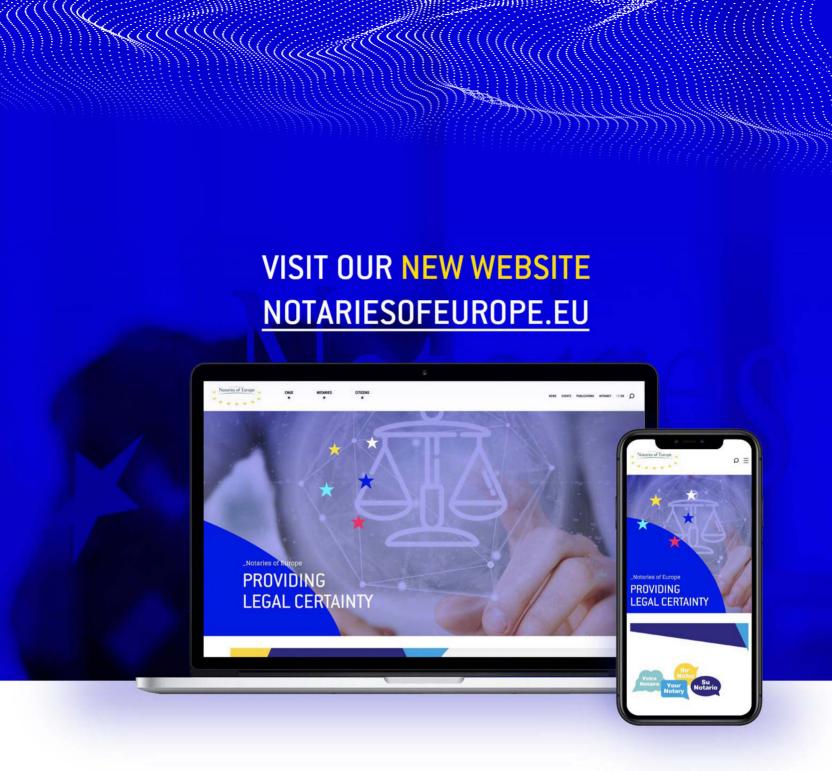
On 20 July, the European Commission presented a package of legislative proposals to strengthen EU rules on the fight against money laundering and the financing of terrorism (AML/CFT).

It includes a proposal for a regulation to create a new European authority dedicated to the fight against money laundering ("European Anti-money Laundering Authority" or AMLA). AMLA will not be intended to replace national authorities but rather coordinate them and ensure the proper application of European rules. To this end, the Agency will exercise direct surveillance of entities

identified as being the riskiest in the cross-border financial sector and indirect surveillance of other entities in the financial and non-financial sector. It will also have a support and coordination role for national financial intelligence units (FIUs). According to the Commission, the new EU agency should exist legally at the beginning of 2023 and be operational in 2024 for all tasks entrusted to it, except for its direct monitoring activities. Direct supervision will not be effective until 2026.

In addition to the creation of a new EU agency, the European Commission has proposed:

- a <u>revision of the 2015 fund transfer</u>
 <u>regulations</u>
- a new <u>regulation</u> aimed at harmonising the application of the rules throughout the EU
- and a proposal for <u>a sixth anti-money</u>
 <u>laundering directive</u>



10 SEPTEMBER 2021

Launch of the new CNUE site

The CNUE presented its new website at the beginning of September:

www.notariesofeurope.eu

Navigation has been completely redesigned and considerably simplified with three main sections: the CNUE, to introduce the institution, the notaries, and citizens to whom specific tools and resources are offered. A second feature covers news, publications and events. Lastly, the graphics have been modernised in a clean and clear style, adapted to the different visitors' media, such as smartphones or tablets.

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17-18 SEPTEMBER 2021

CNUE Plenary General Assembly in **Budapest**

The CNUE Plenary AG was held on 17 and 18 in Budapest, with representatives of the 22 member notariats and observer members.

Future of Europe.

The Conference on the Future of Europe is a joint initiative of the European institutions. Its objective is to examine the medium and long-term future of the EU and the reforms made to its policies and institutions. The Conference implicates





It must reach conclusions recommendations and by the spring of 2022. During the **CNUE** General Assembly, the worked participants on articulating concrete proposals to be submitted in the context of the Conference and organising an event during December to serve as a forum for presenting their findings.

On the second day, the CNUE General Assembly elected Giampaolo Marcoz, notary in Aoste (Italy), as Vice-President of the CNUE. The participants further welcomed the Hungarian Minister of Justice, Judit Varga. She underlined

the need for a strong notarial status and welcomed the efforts undertaken by the European notariats in the area of digitisation. In particular, she congratulated the Hungarian notariat for implementing an electronic payment order procedure, which facilitates rapid administration and stimulates the economy's efficiency.



Digital Justice Ministerial Forum

12 October







12 OCTOBER 2021

The CNUE participates in the Digital Justice Ministerial Forum

On 12 October 2021, at the initiative of Věra Jourová, Vice-President for Values and Transparency, and Didier Reynders, Commissioner for Justice, the European Commission hosted <u>Digital Justice</u> <u>Ministerial Forum.</u>

Commissioner Reynders opened the event by presenting the EU's next initiatives on the digitisation of judicial cooperation, planned as part of the EU's modernisation efforts and in response to the challenges of the pandemic. During the Forum, the Commission announced the launch of the new version of the European e-Justice portal, which provides practical guidance and several tools and information in all EU languages to citizens, businesses, the judicial system and legal practitioners about their rights, national laws and judicial procedures.

During the event, the Ministers of Justice and professional legal organisations discussed the digitisation of the national judicial systems and the impact at the EU level. CNUE Secretary-General Raul Radoi spoke at the session about the "EU Global approach to Digitisation/General Principles and needs of the Legal profession and Society". In particular, he was asked about the lessons learned from the pandemic and the participation of legal practitioners in the design of digital solutions in the field

of Justice.

Raul Radoi pointed out the important role of notaries during the pandemic and their obligation as public officers to ensure the continuity of their services to the population. In this respect, practical solutions have been put in place. However, Mr Radoi also emphasised that, among the conclusions drawn from this period, legal certainty in the digital world should be on the same level as in the "physical world". He reminded everyone that notaries had not waited for the

pandemic to offer innovative solutions, such as the authentication act using electronic media, the dematerialisation of registries and their interconnection, the work in progress to expand the possibilities of transmitting acts securely between European notaries, the European Notarial Network which allows for crossborder cooperation between notaries, etc. To this end, he called on the European Commission to consider the tools in place in the different Member States by the legal professions and prioritise interoperability as a principled approach.

25 OCTOBER 2021

6th edition of the Notaries of Europe Open Days

On 25 October 2021, as part of the European Day of Justice, the Notaries of Europe organised the 6th edition of their Open Days.

Throughout 11 countries,







Notarios de España @Notarios_ES \cdot 25 oct.

Hoy, #DíaEuropeodelaJusticia, queremos recordaros que los #notarios estamos a vuestro servicio, pudiendo, ente otras cosas, autorizar expedientes matrimoniales y celebrar bodas.#EuropeanDayOfJustice



information sessions, educational conferences, free consultations and social media campaigns attracted several thousand people, whether private citizens, students, pensioners or entrepreneurs.

They had the opportunity to learn, ask questions about their family and heritage or learn more about the role of the notary, the European and national institutions.





8 NOVEMBER 2021

Exchanges with the European Commission

On 8 November 2021, on the sidelines of a meeting of its Board, the CNUE met with representatives of the European Commission: Mr Cristian Nicolau (Head of the e-Justice Unit, DG Justice), Alexander Ivantchev (DG Justice) and Bogdan Stefan (DG CNECT). The presentations and discussions focused on the revised proposal of the e-IDAS/e-ID Regulation and the initiative on digitisation of cross-border judicial cooperation planned for 1 December.

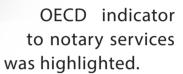
This exchange has helped to better understand the European Commission's proposal and the objective of e-CODEX, which is a key element of the proposal. e-CODEX consists of a collection of software components that allow connectivity between national systems. It enables its users (competent judicial authorities, legal practitioners and

citizens) to send and receive documents, legal forms, evidence or other information electronically in a fast and secure manner. In this way, e-CODEX enables the establishment of decentralised, interoperable and secure communication networks between national computer systems supporting cross-border civil and criminal procedures.

The exchange clarified the current framework of the e-IDAS/e-ID proposal, which is limited to the issue of e-IDs by the Member States and does not contain provisions governing the use of these e-IDs. The CNUE shared its regret that the use of e-ID wasn't sufficiently addressed in the proposal, which negatively impacts the fight against identity fraud.

In the afternoon, CNUE President Ádám Tóth met with the Acting Director-General of DG Justice, Ms Salla Saastamoinen. This meeting was an opportunity to take stock of all matters of common interest and discuss future work.





18-19 NOVEMBER 2021

OECD Workshop on regulated Professions

On 18 and 19 November 2021, the OECD Workshop on Regulatory Barriers to Competition in Professional Services was held, aiming to share technical contributions on the PMR indicator and regulatory theory with various stakeholders and experts.

The CNUE and UINL stressed that notaries should be considered in multiple circumstances, as also defined by European legislation, as part of the justice administration. The profound difference with all the other professions analysed by the PMR and the lack of adaptability of this

To participate actively in the technical discussion of

the PMR, the Italian notariat - after having passed the OECD Peer Review - presented an *in-depth study* explaining the nature of Notarial Services and the usefulness of "exante" legal control. The study was prepared by Antonio Cappiello, who drew attention to the particular mission and status of the notarial profession of civil law as a public office holder and then proceeded to carry out a critical analysis of the OECD PMR indicators. The latter are not adapted to the notarial profession because the societal objectives of consumer protection and legal certainty are perfectly well achieved with the current level of Regulation in countries with civil notaries. The examples given showed a positive result regarding costs and deadlines of procedures and compliance with the AML standards favouring the notarial profession of civil law.



22 NOVEMBER 2021

CNUE Forum of Futurology

On 22 November, the French notariat hosted the CNUE Forum of Futurology. Chaired by Mr Tamás Parti, this Forum on the usability of Notarial IT meets once or twice a year.

The session began with sharing experiences on dematerialisation in the banking sector. Participants then exchanged the future data strategy of the European notariats and the data protection risks when using artificial intelligence in the notarial practice.

The Forum focused on the revision of the European e-IDAS Regulation. Participants discussed the opportunities offered by the future European digital wallet at length. This will be deployed throughout the European Union within a few years. The wallet will greatly facilitate all digital interactions between European citizens. Finally, the people gathered were interested in the rules of long-term archival.



26-27 NOVEMBER 2021

Meeting of the UINL Committee on European Affairs

The UINL Committee on European Affairs (CAE) met in Barcelona on 26 and 27 November in a mixed format (virtually and in-person).

Welcomed by the President of the General Council of the Spanish Notaries, José Ángel Martínez Sanchiz and the Dean of the College of Notaries of Catalonia, José Alberto Marín, the European Councillors under the Presidency of Franco Salerno, discussed study themes such as divorce, powers of attorney, successions and mediation.

During the meeting, UINL President Cristina N. Armella and CNUE President Ádám Tóth

spoke about the activities of the notariats in Europe and internationally.

In addition, Lionel Galliez, Vice-President for Europe and Chairman of the Working Group on Partnership with International Organisations, and Richard Bock, Chairman of the Commission for International Notarial Cooperation (NACI), presented their actions.

Afterwards, Amanda Jiménez Pintón, Assistant Adviser to the International Court of Arbitration, presented the work of this leading international organisation as a special guest at the Assembly.

The European Notarial Academy, a training event conducted jointly with the Committee meetings, studied the adaptation of the 2006 UN Convention on Persons with Disabilities in European countries. The Spanish Notariat, heavily invested in this subject, presented the recent Spanish legislative reform in this area.



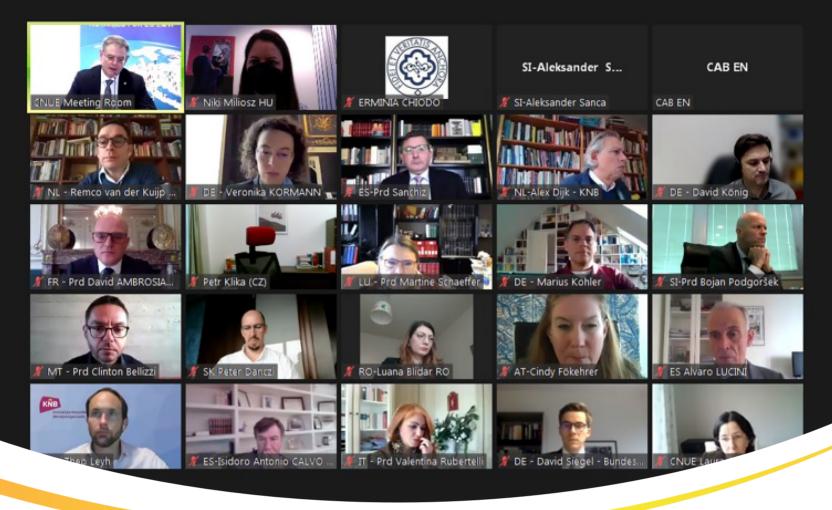
1 DECEMBER 2021

The European Commission launches new initiatives to accelerate digitalisation

On 1 December, European Justice Commissioner Didier Reynders presented several initiatives to modernise the judicial systems of the EU Member States and stimulate the exchange of digital data between national administrations. Among other initiatives, the Commission

Regulation proposed a the on digitisation of judicial cooperation and cross-border access to Justice in civil and commercial matters, followed by a Directive amending earlier texts on the digitisation of the judicial system. It wishes to strengthen the parties concerned to communicate with the competent authorities electronically or initiate a judicial procedure against a party situated in another Member State. It also wants to put forward the approved use of videoconferencing in cross-border civil, commercial and criminal cases.

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6 DECEMBER 2021

Discussion with the European Commission on the training of notaries

At its December General Assembly, the CNUE welcomed Peter Csonka, Head of the "Judicial Training" Unit of the European Commission, who presented the European Judicial Training Strategy for 2021 – 2024. The strategy sets ambitious targets: every year, between 2021 and 2024, 30% of notaries should be trained in EU law.

The strategy is based on a four-pronged approach: (1) training in broad areas of EU law, offering a flexible response to emerging and continued training

needs in the field of EU law; 2) training an audience for a wide range of justice professionals, expanding geographical coverage and strengthening the judicial training of young practitioners; 3) developing a training methodology promoting high-quality and effective training activities, using modern training methods by benefiting from digitisation; (4) sharing of responsibilities for judicial training among the Member States, the training providers, national and the European organisations of the judiciary and the EU.

Lastly, during the General Assembly, the Presidents of the CNUE member notariats elected Giampaolo Marcoz, notary in Aoste (Italy), as President of the CNUE for 2022. Mr Marius Kohler, notary in Hamburg (Germany), was elected Vice-President.

7 DECEMBER 2021

CNUE Conference on the Future of Europe in the field of Justice

On 7 December 2021, the CNUE organised an event entitled "Strengthening the rule of law in the face of economic and social change – The Notaries of Europe propose, the Notaries of Europe act", within the framework of the Conference on the Future of Europe.

On this occasion, the CNUE presented its *proposals* for citizens in the presence of representatives of the European institutions.

There are eleven proposals. Among these, the CNUE asks that the principle of preventive Justice, which prevails in 22 of the 27 Member States of the European Union, be further considered in European policy-making. The CNUE also suggests ending double taxation in inheritance matters in Europe, to better protect vulnerable adults or to regulate digital inheritance in order to take into account the online assets of a deceased person. Finally, the CNUE calls on the Member States to establish registers

and to interconnect them, for example, in the following areas: protection regimes for adults, matrimonial regimes and registered partnerships, European certificates of succession, powers of attorney, living wills, etc. In the afternoon, discussions were devoted to the digital projects of the European notariats and the European Commission's proposals presented on 1 December for the digitisation of cross-border cooperation in judicial systems.



Věra JOUROVA, Vice-President of the European Commission for Values and Transparency:

"Legal professions, such as notaries, play a fundamental role in ensuring the protection of fundamental rights and strengthening the rule of law. An effective judicial system requires that all legal professionals pursue freely their activities in implementing individual rights. You in particular, as notaries, represent a strong legal profession that citizens need in their daily lives when they get married, buy property, deal with inheritance issues, resolve a whole range of important legal issues. You are the face of justice for the citizens."



Ádám TÓTH, President of the Council of Notaries of the European Union:

"In Europe, the law is based on the principle of preventive justice and effective regulation of economic operators. In 22 Member States, notaries have been guaranteeing legality for several centuries and have always been able to adapt to societal changes. The notarial function concerns authenticity, truth, security and the preservation of data on which the trust of States and our fellow citizens is based. At a time when forgeries, false information, falsified data, money laundering and cybercrime are on the increase, this truth and security are more than ever essential to society and the rule of law."



Roberta METSOLA, Vice-President of the European Parliament:

"I admire your resilience and your ability to adapt over the years. I admire your commitment to building a Europe of law and to the European project as a whole. The CNUE is active in the most crucial areas: citizenship, entrepreneurship, access to justice and consumer protection. So I ask you, in this next phase, where we are collectively shaping the future of Europe, to continue to engage with us as you have done in the past. We know that you are engaged with citizens in some of the most important milestones of their lives. That is why we rely heavily on your expertise and insights."





"Your contribution to the reflection on how to bring Europe closer to the citizens is highly appreciated. Your experience in working closely with citizens on a daily basis allows you to understand their interests but also their challenges."



Didier REYNDERS, European Commissioner for Justice:

"I warmly welcome the long-standing commitment of notaries to support the use of digital tools in their work, whether it is secure communication between notaries and clients, the digitisation of public registers or the creation of the European Directory of Notaries."



