

_ Press release

The Notaries of Europe welcome the European Commission's proposal for a regulation on parenthood

Brussels, 8 December 2022

The European Commission adopted on Wednesday 7 December a [Council Regulation proposal](#) on the recognition of decisions and the acceptance of authentic instruments in matters of parenthood and on the creation of a European certificate of parenthood. The Council of the Notariats of the European Union (CNUE) welcomes this initiative, in the sense that **it will provide more legal certainty for families that have close links with several Member States for family or professional reasons.**

★ *Addressing legal uncertainty regarding the recognition of parenthood in Europe*

Currently, national laws on jurisdiction, applicable law and recognition in relation to parenthood vary from one Member State to another, which can create legal obstacles for families in a cross-border situation. They sometimes have to initiate administrative or even judicial proceedings to obtain recognition of parenthood, but these procedures are lengthy and costly and their outcome might be uncertain. The draft Regulation will make it easier to determine the jurisdiction of the competent Member States and the law applicable to the establishment of parenthood. Finally, it provides for the recognition of court decisions and authentic instruments establishing parenthood or certifying the establishment of parenthood.

★ *Notaries alongside families in Europe*

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Notaries are the main legal advisers of citizens and their families in Europe. They note the existence of an increasing number of multinational couples and couples who may reside in several countries throughout their life together. For this reason, the CNUE has committed throughout recent years alongside the European institutions to establish common rules on family law and inheritance law.

This constant commitment is also being realised on the ground. In the context of the war in Ukraine, the CNUE developed a form allowing parents to express their wishes regarding the travel of their child leaving Ukraine and the exercise of parental responsibility. This form is [available for free](#) in a number of languages.

The President of the CNUE, Mr Giampaolo Marozz, said: *"In the European Union, the solution chosen in family law matters has been to resolve specific issues by adopting conflict rules which, while respecting the legislative autonomy of each Member State, determine the competent jurisdiction, the applicable law and the documents that can be recognised, accepted and enforced beyond the borders of the State in which they were drawn up. The European Commission's proposal on parenthood is also along those lines and will usefully complement the existing rules on succession, matrimonial property regimes, registered partnerships, maintenance obligations and divorce. Ultimately, citizens and their families will benefit from greater predictability and legal certainty in Europe."*

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— About the CNUE

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 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.

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The notariats of Montenegro, the Republic of North Macedonia, Serbia, Turkey and Ukraine are observer members. The CNUE represents more than 45,000 notaries and 200,000 employees.

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