

Declaration of Leuven

EVS (European association of civil registrars - Europäischer Verband der Standesbeamtinnen und Standesbeamten) was founded in 2000 and is a network organization which focuses exclusively on the exchange of information and best practices related to the fields of civil registration, family law, identity management and civil justice, between legal, judicial and administrative authorities.

Present members are the associations of civil registrars from Belgium, Germany, Italy, Poland, Romania, Scotland, Slovakia, Slovenia and the Netherlands.

EVS plays a key role in informing and advising policy makers at both a European and national level to encourage further European integration and improve administrative life for European citizens.

EVS has made several declarations and policy proposals:

- marriage law (Declaration of Graz)
- exchange of civil status records (Declaration of Noordwijkerhout)
- name law (Declaration of Engelberg)
- parental law (Declaration of Gent)

Unfortunately, these declarations have not been taken into consideration at an EU level.

However in comparison a consensus exists wherein many issues continue to plague today's European citizens and especially impeding their right of free mobility:

- Judicial and administrative facts and decisions made in one member state are still not always acknowledged or are treated differently by another member state.
- Administrative burdens, costs and *red tape* hinder European citizens when moving or working cross-border
- No direct exchange of information on the civil status of our citizens between countries, results in a greater risk of identity fraud and these citizens becoming a postman for administrations.

Therefore EVS urges the European Commission, the European Council and the European Parliament to take immediate and thorough action!

A modern Europe demands:

- Abolition of legalisation as already proposed in the EU Commission's Green Book (COM(2010) 747). This is the next step for a modern European Union. This removal of red tape is necessary for an integrated European market and will avoid incurring substantial costs to both citizens and/or governments.
- An expanded exchange of civil status information between the competent authorities of EU member states regardless of citizenship, residence status or nationality of the people concerned. -*“Die Daten sollen laufen, nicht die Bürger“*
- Creation of a European code of Private International Law, which would solve any cross-border complexities.
The decrees made by the European court of justice (Garcia-Avello and Grunkin-Paul) could give a clear direction. A draft for a regulation on name law has already been submitted by the members of a Working Group of the Federal Association of German Civil Status Registrars (Dutta-Frank-Freitag-Helms-Krömer-Pintens).
EU institutions should use this as a blueprint for expansion into marriage law and parental law.

Current family law within the member states is both incomplete and insufficient in cross-border relations. The European institutions have the key to solve cross-border civil status conflicts. The proposed changes are absolutely necessary and much remains to be done.

EVS has the expertise in this field and we are standing by to give advice and insight which would provide a

solution to all current problems whilst creating a better future for all our citizens!