

EuroMed Justice Programme

Seminar on “*Implications of dual nationality*” (Valletta, 13-16 November 2006)

Final Declaration

The regional seminar about “*Implications of dual nationality*”, second seminar organised under topic 4 on “Initiation to and training in cooperation and international judicial mutual assistance in civil matters” of the EuroMed Justice Programme within the context of the Euro-Mediterranean policy of the European Union (MEDA Programme of the European Commission (EC) -EuropeAid Co-operation Office), was held in Valletta on 13-16 November 2006. The participants were members of the delegations of the following Mediterranean Partners (Algeria, Israel, Jordan, Lebanon, Morocco, Palestinian Authority, Tunisia and Turkey) and EU Member States (Belgium, Italy, Malta and The Netherlands). Moreover, the present seminar has brought together representatives from the United Nations High Commissioner for Refugees, the United Nations mission in Kosovo, the Council of Europe and The Hague Conference on Private International Law. The participants(*) are of the opinion that:

in conformity with:

1. The guiding principles of the EuroMed Justice Programme, i.e. :
 - a. The strengthening of cooperation among Euro-Mediterranean Partners in the field of justice;
 - b. The promotion of an exchange of knowledge, experience and best practices;
 - c. The creation of mechanisms allowing for the practical implementation of this cooperation through, for instance, the development of a Euro-Mediterranean network in the field of judicial cooperation;
2. The operational conclusions of the opening conference of the EuroMed Justice Programme held in Brussels on 20 December 2004;
3. The operational conclusions of the preparatory meeting of topic 4 of the Programme held in Rome on 27-28 March 2006.

They acknowledge that this seminar has allowed them:

- To examine, over a period of 4 days, the problematic of the implications of dual and multiple nationality from different perspectives:
 - By analysing the situation in EU Member States and in the Mediterranean Partners, studying the different nature of national legislations on nationality and the impact of the international scenario in domestic law;

- By taking into account the specific status of refugees and the measures preventing statelessness when dealing with dual nationality;
 - By explaining the question of dual nationality and its link with legal migrations.
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- To get a better insight into the different legal instruments at international level, analysing, among others, the European Convention on Nationality;
 - To analyse the effects of multiple nationality on the status of persons foreseen in international instruments and various national laws;
 - To learn about the advantages of the Hague Children's Conventions of The Hague Conference on Private International Law which provide the practical machinery to enable Member States of the Conventions to work together where they have a shared responsibility to protect children, and which use the criterion of habitual residence of the child rather than the criterion of his/her nationality as a connecting factor to determine, amongst others, jurisdiction and applicable law;
 - To better understand the complexity and the differences related to the question of nationality and the need to enhance cooperation at international level;
 - To get a better insight into the issue of family mediation, as an alternative to the judicial proceedings especially in cases of family law, and verify the different fields of application at European level;
 - To stimulate an exchange of practices and experiences, through working groups and through plenary sessions on practical cases on the basis of the relevant case law of the Court of Justice of the European Communities on dual nationality and free movement of persons;
 - To establish contacts among participants in order to promote cooperation among institutions of different countries working in the field of justice;
 - To be informed about the future developments of each Mediterranean Partner in relation with the topic of the seminar.

The participants took note of the upcoming dissemination of this declaration among the European Commission Directorates-General concerned, the EU Member States and the Mediterranean Partners.

Read and approved by all the participants in the seminar.

Valletta, 16 November 2006

(*) See list in annex