

What is the ILEC project about?

The ILEC project started from the idea that the Court of Justice in Luxembourg, a couple of years ago, had a case where an Austrian citizen wanted to become German and for various circumstances he actually lost both nationalities and also he lost European citizenship. This case got the EU institutions and the member states interested in ‘the dark side’ of nationality: that is the loss of nationality. We are looking right now, within the ILEC project, in general and from a comparative perspective, at rules and operational rules on loss of nationality in member states.

Why is the ILEC project relevant for the European Union?

Well, you know that the European Union doesn’t have any primary competence in nationality matters. Whether you are a French man or a German citizen is a matter for member states to decide. The EU may not want to change that very soon, but when you are a citizen of France or a citizen of Germany at the same time you are also an EU citizen, so if you lose your French or German citizenship, you also lose EU citizenship. This is why the EU is and should be interested in the future about these rules on loss and how they operate in different EU member states.

What is the role that European Union could have in this area?

We are in 2014, and that is my personal opinion, the EU should first get interested in what kind of rules the Member states have on loss, how they operate them, and what impact it does have on EU citizenship. This is more a role for obtaining information and making sure that member states also have actual and current information on how other member states operate and also try to coordinate how they apply their own rules. It's more a coordination and exchange of information role rather than imposing strict rules on loss or acquisition nationality to member states.

What's the role of your university in the project?

I come from the University of Liege in Belgium, one of the participating universities, and our role is first of all to participate in the coordination of the gathering of Member State's information and in particular the situation in Belgium, France and Luxembourg. This has involved first of all identifying the right national experts, sending them a common questionnaire developed for the purposes of this project and doing the follow up making sure they answer on time , obtaining clarifications from the national experts on the various questions. That was our first step in the role of my university in this project. The second step is working on a very specific issue, which is part of the ILEC project and that is the issue of 'quasi-loss' of nationality together with Prof de Groot in the University of Maastricht. We have prepared a draft paper

on the matter in order to better understand how member states go about dealing with quasi-loss cases.

Could you describe why is important to look at the cases of quasi loss of nationality in the EU?

When we started the project, we had a rough idea of what we were looking at, cases of loss of nationality; you are a citizen of German and you lose it. But going through the details of the various cases of loss of member states, we discovered that there were hidden cases of loss and we decided to call them “quasi-loss”. So what is a case of “quasi loss”? It would be the situation where you have a child born in a marriage and he obtains the nationality of one of the parents and after a couple years the authorities of one of the member states decide that this marriage is not valid, so the marriage is annulled and as a consequence of that, the child will lose the nationality he obtained from one of his parents, for example from the father. So that is a situation which is quite common but it doesn't fit nicely in the various categories of loss because in many member states this will not be treated as a loss, because you can only lose your nationality if you had one and in the case of a child who obtained his nationality from his father because he was married with his mother, if there was never a marriage at first place, the child would actually have never obtained the nationality. These cases are treated by some member states not as cases of loss but as cases where the child never had his nationality and as a consequence never was an EU citizen.