



**Seminar on
Citizenship Legislation and Practices – Overview of the State of Affairs
in MARRI Member States
Tirana, Albania, 20th February 2009
MARRI Regional Centre**

CONCLUSIONS

The MARRI Regional Centre under the Macedonian Presidency-in-Office, in partnership with Albanian authorities, organized the Seminar on “Citizenship Legislation and Practices – Overview of the State of Affairs in MARRI Member States” held in Tirana, Albania on 20th February 2009.

The event was made possible by the kind financial assistance of the Government of the Czech Republic and it was attended by experts from the MARRI Member States’ national institutions dealing with implementation of the citizenship legislation.

The Seminar presented an excellent opportunity to exchange views, ideas, best practices, identify gaps and possible sustainable solutions for important citizenship issues in the field of the citizenship legislation and its implementation in practice as well as harmonization with European and International standards.

Also, it contributed to establishment of contacts among MARRI Member States’ national experts which will increase and facilitate regional co-operation.

National feedback focused on existing national legislation, organisational structures, practices and procedures, analysing in-depth procedures on different situations and identified gaps and needs and development of possible solutions.

Recognizing the need for establishment of comprehensive national citizenship legislation and its implementation in practice for mutual benefit both individuals and States, the participants of the seminar agreed on the following Conclusions:

- ✓ The MARRI Member States’ national citizenship legislation needs to be based on and harmonized with relevant instruments of international law (i.e. European Convention on Nationality (CETS No.166), Convention on the Avoidance of Statelessness in relation to State Succession (CETS No. 200).
- ✓ Reaffirming firm believe, that it is a matter for States to decide, subject to the fundamental rules of international law, which persons are their nationals, it is important for States to co-operate and co-ordinate their citizenship laws and theirs implementation in practice in order to deal with such issues as statelessness, state succession and multiple citizenship and their consequences.

That is the objective of the main European legal instrument in the area of citizenship - the European Convention on Nationality (CETS No.166) and the Convention on the Avoidance of Statelessness in relation to State Succession (CETS No. 200).

- ✓ States should be aware of the problems linked to the misuse of their citizenship laws and take any appropriate action to limit the opportunities for abuse, such as:

Situations in which the *legislation may favour the misuse of citizenship laws* ((i) Acquisition of citizenship (ii) Renunciation of citizenship (iii) Deprivation of citizenship); *Misuse by individuals* by (i) Marriage (ii) Adoption (iii) Recognition (iv) Stateless persons (v) False acquisition of citizenship (vi) Criminal offences committed prior to the acquisition of a citizenship (vii) Possibilities of misuse of citizenship laws in the context of State succession (viii) Other possible sources of misuse of citizenship laws and *measures adopted by states in order to prevent the misuse or abuse of citizenship laws* (i) Situations in which the legislation may favour the misuse of citizenship laws (ii) Marriages of convenience (iii) Adoption (iv) Recognition (v) Stateless persons (vi) Fraudulent conduct, false acquisition and presentation of false documents (vii) Criminal Offences (viii) New reproductive technologies (ix) Acquisition of a second citizenship.

- ✓ The problems of fraud and the presentation of false documentation are not unique to citizenship area. They are experienced on a far greater scale by the immigration authorities in most countries. Within a State there should be close co-operation between the immigration and citizenship authorities in order to minimise the opportunities for the misuse of citizenship laws.
- ✓ Exchange of views on the new trends or the types of misuse or abuse of citizenship laws on the basis of the problems and the possible remedies, including any preventive measures which are being taken by the States.
- ✓ Regionally there is also scope for greater co-operation and the exchange of information, and States, where appropriate, should conclude bilateral and/or multilateral agreements in order to regulate matters of common interest and thereby prevent the misuse of their citizenship laws.
- ✓ Establishment of a forum (e.g CoE The Committee of Experts on Nationality) in which information can be exchanged.
- ✓ Development/improvement of permanent training systems for all stakeholders dealing with implementation of the citizenship legislation.
- ✓ Exchanging the best practices among MARRI Member States

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