

CLOSING OF THE COLLOQUY

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After such a brilliant summary, there is nothing to add. Save for thanking its author warmly, I would have followed this wise approach had not my name been added to the programme for a speech to mark the closing of this Colloquy.

My first words will be to thank all those who were responsible for the Colloquy's success. In chronological order there come first those who conceived the event, Mr. Jean Mazars, the President of the French Section and also the current President of the ICCS, and Mrs Géraldine Auvolat. Then there are those who made all the practical arrangements; this task fell to the Secretariat General and was assumed entirely by Mrs Chantal Nast, the Administrative Director, with the efficiency which you will have observed. Finally, the success of the Colloquy obviously depended on the quality of the speakers, jurists and non-jurists, theoreticians and men and women with practical experience, who broadened the ambit of our reflections. As I do not have time to name them all, I address to them collectively my heartfelt thanks.

Asking the outgoing Secretary General of the ICCS to close the Colloquy was probably also intended to allow him to put a very serious question. Does the sub-title of the Colloquy, "Dusk or Dawn?" , apply only to civil status in the XXIst century or also to the ICCS itself, this frail skiff that has been navigating for sixty years in increasingly troubled waters, under an ever-stronger swell?

I hope and believe that this Colloquy will help the ICCS to keep its course, if it takes heed of the lessons to be drawn from it.

The big lesson, included in Alain Touraine's magnificent presentation, is that civil status liberates mankind by allowing them to exercise their rights and that it must not enslave them. In this perspective, the ICCS must be bold in serving the citizens of our member States.

- Rather than letting its vision become clouded by fraud, the ICCS should seek to understand its causes. Of course, we should not be naïve, but we must realise that an obsession with fraud acts as a brake on the circulation of civil-status records and on the common good of the vast majority of honest citizens. And let us not forget that whilst persons without documents are tempted by fraud, their existence may also be due to an obsession with fraud.
- If it is true that civil status liberates mankind, we must enable our citizens to prove their civil status easily and we must accordingly continue to work for whatever may facilitate the circulation of records and exchanges of information. With this goal in mind, we must concentrate our fire on the computerisation of such exchanges and give ourselves the means to do so.
- One of the difficulties highlighted during the Colloquy is the diversity of our laws. We have to live with this situation and acknowledge that substantive unification, assuming it were desirable, is not for tomorrow. But the ICCS must remain faithful to its basic principles and the first of its duties is to keep up-to-date, with the indispensable participation of the national Sections, the

documentation on the law of the member States. You know that this is the object of the Practical Guide, which is now available online and is due to Mrs Nast's unceasing labours.

- During these two days there has been much talk of Siamese twins, in relation to population registers and civil-status registers. The status of persons and civil status are also Siamese twins, in that the first feeds and is reflected by the second, but this is not true solely as regards the domestic legal order. Foreign civil status also reflects the status of the person it concerns and this status must be recognised. We cannot unify our laws but we must recognise what exists and we must recognise the status of a person as it is recorded in his or her civil-status documents. In the last ten years the ICCS has concluded three conventions on recognition, relating respectively to decisions recording a sex reassignment, to surnames and to registered partnerships. It is highly desirable, for the credibility of the ICCS and above all in the interests of the persons concerned, that these conventions be widely ratified and enter rapidly into force.

The dawn of the ICCS brings also a change of persons. A new Secretary General has just replaced the former one, a woman has replaced a man, giving further reason to be hopeful. I am sure that it is a message of hope that you will now be hearing from my successor, Mrs Joanna Schmidt-Szalewski.