Madame la Présidente du Conseil de l'Union européenne, Madame la Ministre,

Madame la Représentante du Vice-président de la Commission européenne,

Madame la Représentante du Président du Parlement de l'Union européenne,

Monsieur le Ministre de la Justice des Pays-Bas,

Monsieur le Ministre des Affaires européennes du Pays hôte,

Excellences, Mesdames et Messieurs,

Au nom de la Conférence de La Haye de droit international privé, j'ai l'honneur et le plaisir de souhaiter la bienvenue à la Communauté européen comme nouveau Membre de la Conférence. « Nouveau Membre » mais qui connaît
déjà très bien les rouages de notre organisation, car en réalité la Communauté est présente depuis sa naissance au sein de la Conférence comme observateur. Dès l'entrée en vigueur du Traité d'Amsterdam, elle a pris une part active aux négociations de l'Organisation. Elle est donc loin d'êtér inconnue des Etats membres de la Conférence. En effet, au fil des années ses représentants sont devenus, aux côtés des représentants des Etats de l'Union européenne, des membres fort appréciés de la grande famille d'experts et de délégués qui constituent la force de notre Organisation, appuyés par de multiples réseaux d'organes nationaux et d'Autorités faisant vivre les Conventions de La Haye.

L'acceptation du Statut de la Conférence par la Communauté qui vient d'avoir lieu, n'en est pourtant pas moins significative. Elle manifeste la volonté de la Communauté européenne d'exercer sa compétence législative en matière de droit international privé, non pas dans l'isolement – « in splendid European isolation » –, mais en faisant partie de l'Organisation à vocation universelle spécialisée dont la communauté internationale s'est dotée.

En effet, l'acceptation du Statut reflète la conscience qu'a la Communauté européenne de la somme de travaux, à la fois fondamentaux et pratiques, constituée par la Conférence en matière de droit international privé depuis bientôt cent quinze ans.

Elle exprime également le désir de participer de manière systématique à la création de nouveaux instruments de coordination, de communication et de coopération dans cette matière dont nos citoyens, à l'âge de la mondialisation, ont plus que jamais besoin.

Elle est, finalement, l'expression de la volonté de la Communauté européenne de déterminer, avec les autres Membres de la Conférence, une politique législative et une stratégie de suivi à l'égard de ces instruments.
Madam President of the Council

Each new Member of the Hague Conference is entitled to a full Collection of the Actes et Documents – the Proceedings of each of the Diplomatic Sessions of the Conference held since 1893. In a moment I will invite you to accept a complete collection by cutting the ribbon that holds these many volumes together. The Member States of the Conference greatly appreciate the Declaration you just submitted, according to which the Community will endeavour to examine which of the existing Hague Conventions it could join – directly, or indirectly through ratification by its Member States.

The Community may join directly the two latest Hague Conventions that came into being following the entry into force of the Treaty of Amsterdam; the Securities Convention and the Choice of Court Convention. The Community will also be able to sign and join the new Convention on the international recovery of maintenance which we hope to complete before the end of this year. Two Hague Conventions – the Apostille Convention and the Child Abduction Convention – are already in force for all twenty-seven Member States of the Union. Most of the other Conventions have been joined by one or more of its Member States. The citizens of the Community, and those worldwide, would benefit greatly if all of the Members of the Union would collectively join several of these instruments.

This applies pre-eminently to the 1996 Convention on Protection of Children, which the Member States of the European Union already signed “in the interest of the Community”. We very much hope, they will be able to ratify together in the near future. The same procedure could easily be followed for other Hague Conventions, such as the Service, Evidence, and Access to Justice Conventions, along with several others.

Indeed, many States have recently acceded to these treaties, and we know that several other States are actively studying them. This tells us that these very practical, flexible and yet precisely worded and closely monitored Hague Conventions are even more relevant today than they were at the time when
they were negotiated. They constitute a basic legal infrastructure for an increasingly interdependent world.

The Conference welcomes the European Community as an invaluable ally in its efforts to help ensure justice and legal security for human relations and commercial transactions across borders: through promotion of existing Conventions, through assistance in their implementation, and through development of new instruments. We hope that the Commission will actively and generously support the Conference’s endeavours to provide help in the implementation of Hague Conventions on child protection and legal co-operation, especially to countries with developing economies and economies in transition. The European Community is connected, through many historical, cultural and economic links, with many such countries in Asia, Africa, Eastern Europe and Latin America. It is in the common interest of all of us not to ignore what are often huge disparities in legal development which may jeopardize the correct implementation of Conventions. We need to work towards a level playing field in terms of understanding, expertise and capacity.

Within the Hague Conference the Community is able to join with partners and other regional organisations around the world in creating the indispensable new private international law rules, channels for communication and co-operation that our citizens need to be able to cope with the exponential growth in cross-border activity. This includes novel approaches such as the dialogue we are developing through the “Malta process” among various cultures across the Mediterranean, and beyond. The future of our emerging complex global society, our global economy and financial market will require the support of private international law. Multilateral treaty-making in this field is clearly at the cutting edge of the development of international law.

Today’s acceptance by the Community of the Statute of the Conference reinforced by your presence, Madam President, sends out an important, highly positive signal to all States and their citizens: the Community puts its full weight behind the work of the Hague Conference to make the world a better place for its increasingly mobile inhabitants. It is a memorable day for Community law and for international law: day to celebrate!