

Wautelet on Multiple Nationalities and Choice of Law

Patrick Wautelet (Liège University) has posted L'Option de Loi et les Binationaux: Peut-On Dépasser le Conflit de Nationalités?(*Choice of Law in Family Relationships and Multiple Nationalities - A Case for a New Approach?*) on SSRN.

The English abstract reads:

In this paper I analyse the scope of the choice of law offered to parties in various family relationships (such as divorce, matrimonial contracts or alimony). In several jurisdictions and under rules of European private international law, parties may select which law will apply to their relationship. In most cases a choice may be made for the law of the nationality of the persons concerned. The question arises how such choice should be handled when the person concerned possesses several nationalities. After reviewing several possible readings, I suggest that the classical rules dealing with multiples nationalities should not be applied when the conflict of laws rules allow a party to select the applicable law.