



## **Conclusions and Recommendations**

### ***Conference on Cross-Border Recognition and Enforcement of Judgments***

#### **St. Petersburg, Russian Federation – 17 June 2014**

The Conference on *Cross-Border Recognition and Enforcement of Judgments* was held on Tuesday 17 June 2014 in St. Petersburg, Russian Federation. The Conference was organised by the Hague Conference on Private International Law (HCCH) and the Ministry of Justice of the Russian Federation.

The Conference was attended by over 40 participants from the Russian Federation and five other jurisdictions, including government officials, judges, academics and practitioners. The Conference was officially opened by Christophe Bernasconi, Secretary General of the HCCH, Elena Borisenko, Deputy Minister of Justice of the Russian Federation and Veniamin Yakovlev, Advisor to the President of the Russian Federation.

#### **A. *The Hague Choice of Court Convention***

1. The Conference considered that the *Hague Convention of 30 June 2005 on Choice of Court Agreements* (the Choice of Court Convention) is envisaged to establish clear rules on international jurisdiction and the effective recognition and enforcement of foreign judgments in disputes arising out of international cases in civil and commercial matters involving an exclusive choice of court agreement.
2. The Conference considered that the Choice of Court Convention is designed to provide litigants with a simple, predictable and effective legal framework in such cases, which will greatly benefit the international business community and foster international trade and investment.
3. The Conference observed that, for litigants in Contracting States, the Choice of Court Convention will reduce the cost of:
  - a. litigating such disputes; and
  - b. enforcing the resulting judgments given by a court in one Contracting State, in other Contracting States.
4. The Conference noted that the Choice of Court Convention will complement the widely ratified *New York Convention on the Recognition and Enforcement of Foreign Arbitral Awards of 10 June 1958* (New York Convention). The Choice of Court Convention thus has the potential to secure for international commercial litigation what the New York Convention has done for international arbitration. The Choice of Court Convention will therefore allow parties to choose the most appropriate dispute resolution option suited to their specific needs.
5. Through both general discussion and a case study example the Conference examined how the Choice of Court Convention, if applicable, will be likely to contribute to the above-mentioned objectives.

## **B. Implementation of the Hague Choice of Court Convention**

6. The Conference took note of the accession by Mexico to the Choice of Court Convention, and its signature by the European Union and the United States of America as well as the fact that the European Union is working on the approval of the Convention, which will likely result in the Convention's entry into force in 2015. It also noted that other States, including the Russian Federation, are actively considering the Convention.

7. The Conference noted the benefits of the implementation dialogue, the implementation checklist and other promotional activities carried out by the Permanent Bureau of the HCCH.

## **C. The Hague Judgments Project**

8. The work carried out by the HCCH in the area of international jurisdiction and the recognition and enforcement of foreign judgments in civil and commercial matters (the Judgments Project) was presented, including a summary on the current status of the negotiations of the Working Group.<sup>1</sup>

9. The Conference participants exchanged information regarding rules on international jurisdiction, including parallel proceedings, and the recognition and enforcement of judgments in their respective States.

10. The Conference was of the view that the Judgments Project, if successful, will have the potential of filling an important gap in the current system for resolution of international disputes relating to civil and commercial matters and expressed support for its continuation.

## **D. Acknowledgments**

11. The participants expressed their appreciation to the Ministry of Justice of the Russian Federation and to the Permanent Bureau of the HCCH for hosting, organising and conducting the Conference.

12. The participants also thanked the speakers and interpreters, as well as all the government and judicial authorities, academics and practitioners for actively participating in the Conference.

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<sup>1</sup> See the Judgments Project webpage on the HCCH website at < [http://www.hcch.net/index\\_en.php?act=text.display&tid=149](http://www.hcch.net/index_en.php?act=text.display&tid=149) >.