

**Service of Process under the Hague 1965 Service Convention –
A Seminar of the Hague Conference on Private International Law
4-5 October 2005, Moscow**

CONCLUSIONS

The organisers¹ of the seminar presented the following conclusions:

1. We welcome the designation by the Russian Government of the Central Authority for the Service Convention and regard this as an essential step for the effective operation of the Convention.
2. We all noticed with great pleasure and satisfaction:
 - the wide range of experts participating in the seminar (see attached list of participants); and
 - the lively discussion and significant number of pertinent questions, leading to a very fruitful exchange of views (see the attached programme).
3. Our joint objectives in practice are in particular:
 - the uniform interpretation of the Convention; in this respect, the presentation of the provisional Russian version of the Practical Handbook on the Service Convention was warmly welcomed and the Handbook regarded as a most useful and pertinent source of information;
 - the speedy and effective execution of requests for the service of documents.
4. We once again would like to emphasize some practical matters:
 - the use of the forms annexed to the Convention is mandatory for the main channel of transmission (that is, transmission through the Central Authority);
 - the Central Authority needs to be proactive in handling requests for service (for example, making expeditious informal inquiries, including by way of e-mail, rather than rejecting the request).
5. In addition, we encourage:
 - the Central Authorities to take an active role in effectively implementing the Convention;
 - the creation of a Russian interagency working group to:
 - review and, where necessary, propose amendments to the Russian legislation; and to
 - improve the administrative mechanisms in Russia (coordination among the various agencies involved in the execution of service requests);
 - the Russian courts and court departments to organise training for judges and to ensure that all the necessary information and forms are made available.
6. Our discussions have allowed us to identify some specific concerns that we would like to submit for further consideration:
 - the need to interpret the Convention in an autonomous manner, taking into account existing international practice and the recommendations and conclusions of Special Commission meetings (in particular the Special Commission of 2003);

¹ The Seminar was jointly organised by the Permanent Bureau of the Hague Conference on Private International Law and the Canadian and Finnish Governments.

- the need to carefully review the wording of the official Russian translation of the Convention;
 - the need to assure execution of Convention requests according to the same procedures that apply to the domestic service of documents;
 - in relation to the costs issue of Article 12, the organizers wish to recall the importance of Recommendations 52 and 53 of the Special Commission of 2003 (see Annex 6 of Practical Handbook)
 - the relevance of modern technologies to the application of the Convention (see Recommendations 59 to 64 of the Special Commission of 2003 (again, see Annex 6 of Practical Handbook)).
7. We invite the Russian Federation to consider joining other Hague Conventions, as well as to designate the Central Authority for the 1970 Evidence Convention and to work towards the effective implementation of this Convention.
 8. Finally, we wish to highlight the impeccable organisation of the Seminar and to thank all those who helped making it such an important success. Special thanks also go to the interpreters for the high quality of their work.
 9. Follow up:
If the interagency working group is created, as we hope it will, we look forward to possibly meeting the group in the spring of 2006 to review the progress made.