

**Seminar of the Hague Conference on Private International Law
Hague 1965 Service Convention & Hague 1970 Evidence Convention
15 - 16 May 2008, Ekaterinburg**

CONCLUSIONS

The organisers¹ of the seminar thank all participants who gave their time to attend the seminar, and in particular wish to recognise those participants who travelled long distances to Ekaterinburg. The wide range of experts from the relevant public authorities helped to assure pertinent discussions that will promote positive and unified results for future actions related to the implementation of the Hague Service Convention and, eventually, the Hague Evidence Convention (see the attached programme). This seminar in Ekaterinburg was the third in a series of Russian seminars; the first seminar was convened in Moscow on 4-5 October 2005 and the second in Saint Petersburg on 30-31 January 2007.

The following were the conclusions of the seminar:

1. It was noted with great satisfaction that continued progress is being made in the Russian Federation towards the development of the administrative structures and procedures that allow for an effective implementation and operation of the Hague Service Convention, including in territorial organs of the Ministry of Justice and local courts.
2. We welcomed the information provided by the representatives of the Russian Federation Ministry of Justice on the continued improvement of the implementation of the Hague Service Convention. In particular, the following positive developments were cited:
 - the length of time to execute requests for service continues to decrease, now averaging 3 to 4 months; the increasing speed of execution of requests for service is a welcome trend that will hopefully continue;
 - rather than rejecting requests outright due to the absence of complete information, the Central Authority has increasingly taken the initiative to remedy deficiencies in the interest of expedited service; for example, the Central Authority engages in informal enquiries to complete missing data;
 - with regard to outgoing cases, some Russian authorities proactively use commercial translation services to have the Russian documents translated into the relevant language of the receiving State; they also use commercial courier services to send their requests for service abroad; furthermore, the costs related to these services are covered by the Russian authorities; these are all effective measures to speed up the transmission of the request and the actual service of process in the receiving State.
3. The Russian version of the Practical Handbook on the Service Convention was lauded as a comprehensive and useful source of information on implementation of the Hague Service Convention (see www.wolters-kluwer.ru and the Hague Conference's website at www.hcch.net).
4. The Hague Conference's website (www.hcch.net) was promoted as a source of information relevant to practical implementation of the Hague Service Convention (for example, for

¹ The Seminar was jointly organised by the Permanent Bureau of the Hague Conference on Private International Law, the Canadian and Finnish Governments, the Ural State Law Academy and the Federal Commercial Court of the Urals Circuit.

regularly updated information about States Parties, declarations and other practical information.)

5. The participants were informed that preparations for the forthcoming Special Commission are underway (on the Hague Service Convention, the Hague Evidence Convention, the Hague Apostille Convention and the Hague Access to Justice Convention). The Special Commission will take place in the first quarter of 2009.
6. The crucial importance of using the official model form annexed to the Hague Service Convention was emphasized once again. When possible, forwarding authorities are encouraged to use the fillable PDF version of the official model form, available under the "Service Section" of the Hague Conference's website. In preparing the request for transmission abroad, Russian officials may also use the trilingual version of the form which is available in the Practical Handbook on the Service Convention. A version of the trilingual (English, French, Russian) form has also been made available on the Hague Conference's website.
7. Regarding persistent concerns in relation to the issue of fees referred to in Article 12 of the Hague Service Convention, the organisers recalled the Conclusions of the October 2005 and January 2007 meetings, as well as the importance of Recommendations 52 and 53 of the Special Commission of 2003 (see Annex of Practical Handbook). The Russian participants noted that when the fees issues have arisen and created an obstacle to the operation of the Hague Service Convention, the Russian authorities have sometimes undertaken to transmit documents directly to interested parties in requested States through courier services, bypassing the Central Authorities, with the agreement of the requested State.
8. It was noted that the Russian Federation had not yet designated the Central Authority under the 1970 Evidence Convention, which was acceded to by the Russian Federation in 2001. As a result, and in connection with the Conclusions of the October 2005 and January 2007 meetings, the organisers renewed their recommendation to designate the Central Authority for the 1970 Evidence Convention and to work towards the effective implementation of this Convention. In this respect, the participants were informed that efforts were underway to remedy this problem in the near future, and the Russian Ministry of Justice announced that is currently preparing a Russian translation of the form recommended for use under the Evidence Convention.
9. The organisers expressed their strong desire that both the Hague Service and Evidence Conventions be implemented and applied effectively in the Russian Federation and in accordance with all the Conclusions and Recommendations, which were adopted by the overwhelming majority of States represented at the 2003 Special Commission. In this respect, and with a view to promoting the full operation of the Hague Evidence Convention in the Russian Federation, the Permanent Bureau of the Hague Conference on Private International Law encourages States Parties to accept a late reservation under Article 33 regarding language requirements of Letters of Request. As a result, Letters of Request would be executed or accompanied by a translation in Russian.
10. The participants were informed of the forthcoming Russian-language compilation of all of the Hague Conventions adopted since 1951, to be published as a book in late 2008 or early 2009. This compilation is being prepared on the initiative of the Research Centre for Private Law of the Office of the President of the Russian Federation, following the October 2005 and January 2007 meetings. Care is being taken to review carefully the wording of the

existing official Russian translations of the Conventions, to resolve or at least highlight certain inconsistencies and errors.

The organisers of the seminar thanked all those who helped to make it a success. The Secretary General of the Hague Conference sent a note to express his thanks to the Russian Central Authority for the achievements made thus far with respect to implementation of the Hague Service Convention, and to the Ural State Law Academy and the Federal Commercial Court of the Urals Circuit for the cooperation and assistance provided in organisation of the seminar. Special thanks were expressed to the interpreters for the superb quality of their work.