

**Service of Process under the Hague 1965 Service Convention –
The Second Seminar of the Hague Conference on Private International Law
30 - 31 January 2007, Saint Petersburg**

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 came to Saint Petersburg from Moscow and numerous regions of the Russian Federation (see the attached list of participants). 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 (see the attached programme). This seminar was a follow-up from an initial seminar convened in Moscow on 4-5 October 2005.

The following conclusions were presented by the organisers of the seminar and were unanimously endorsed by the participants:

1. It was noted with great satisfaction that progress has been made in the Russian Federation towards developing the administrative structures and procedures that allow for an effective implementation and operation of the Hague Service Convention.
2. The Russian feedback provided in response to the detailed questionnaire distributed in advance of the seminar was of significant assistance to all those interested in understanding the status of the implementation of the Hague Service Convention in the Russian Federation (see the attached responses to the questionnaire, a final version of which will be posted on the Hague Conference website at www.hcch.net).
3. In particular, the following positive developments were cited:
 - the length of time to execute requests for service has been reduced to an average of 3 to 6 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;
 - there has also been progress in developing co-operation among the various officials responsible for implementation of the Hague Service Convention across the Russian Federation, particularly with respect to tracking and follow-up on progress of individual requests (this tracking and follow-up was recognised as a model practice to be followed by other Contracting States);
 - there are indications that Convention is being interpreted in an autonomous way, taking into account existing international practice and the conclusions and recommendations of Hague Conference Special Commission meetings, and that the notion of “civil or commercial matter” has not given rise to particular difficulties.
4. All participants emphasised the common goal of the uniform interpretation of the Hague Service Convention. In this respect, the publication of the Russian version of the Practical Handbook on the Service Convention was warmly welcomed, with the Handbook regarded

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

as a most comprehensive and useful source of information (see www.wolters-kluwer.ru and www.wilsonlafleur.com).

5. The crucial importance of using the official model form annexed to the 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 (www.hcch.net). In preparing the request for transmission abroad, Russian officials may be guided by the trilingual version of the form which is available in the Practical Handbook on the Service Convention. The trilingual version is intended as an aid in completing the official model form in English or French.
6. In referring to the Conclusions of the October 2005 meeting held in Moscow, a particular concern persists and was again raised, namely in relation to the issue of fees referred to in Article 12, the organisers wish to recall the importance of Recommendations 52 and 53 of the Special Commission of 2003 (see Annex 6 of Practical Handbook). The Russian representatives confirmed that the position of the Russian Federation, as found in the declaration on the Convention, has not changed.
7. It was noted with satisfaction that as a follow-up to the October 2005 meeting, an *ad hoc* interagency working group has met and begun efforts towards:
 - the ongoing improvement of administrative mechanisms in Russia (co-ordination among the various agencies involved in the execution of service requests, including in particular the courts);
 - the review and, where necessary, proposal of amendments to Russian legislation and regulations.It was anticipated that continued meetings of such an interagency working group, co-ordinated by the Central Authority, would facilitate the effective operation of the Hague Service Convention in the Russian Federation.
8. Also with respect to the Conclusions of the October 2005 meeting held in Moscow, 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. However, the participants were informed that efforts were underway to remedy this problem in the near future.
9. The forthcoming Russian-language compilation of all of the Hague Conventions adopted since 1951, to be published as a book in late 2007 was welcomed. 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 meeting held in Moscow. As called for in the conclusions of the Moscow meeting, care is being taken to review carefully the wording of the existing official Russian translations of the Conventions, to resolve certain inconsistencies and errors.
10. Finally, we wish to highlight the impeccable organisation of the seminar and to thank all those who helped to make it a success. The Secretary General of the Hague Conference expressed thanks to the Central Authority for the achievements made thus far with respect to implementation of the Convention, and 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.