

Report about the Moscow Conference 12/13: "Implementation and Application of the 1980 and 1996 Hague Conventions on Child Abduction in Russia and Analysis of Russia´s Possible Accession to the 2007 Hague Convention of Child Support"

As part of a project funded by the EU since the beginning of 2011 and implemented by the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) in cooperation with the State Legal Directorate of the President of the Russian Federation concerning the implementation of the 1980 Hague Child Abduction Convention and the 1996 Hague Child Protection Convention, the project team led by attorney Dr. Niethammer-Jürgens, Germany, also dealt with a possible ratification of the 2007 Hague Maintenance Convention by the Russian Federation.

At the final project conference held on December 3rd 2013, more than 80 participants, including representatives of 17 EU Member States, representatives of the Ministry of Foreign Affairs, Ministry of Justice and Ministry of Education and the Commissioner for Children's Rights of the Russian Federation, practicing Russian lawyers, judges and mediators were impressed by Russia's committed political will to implement the provisions of the Hague Conventions already in force (Child Abduction Convention and the Child Protection Convention). It became clear to them how serious Russia considers the ratification of the 2007 Convention.

International support for this approach has been particularly illustrated by the fact that Philippe Lortie addressed the participants as representative of the Hague Conference on Private International Law by video presentation, which had previously been recorded in The Hague.

Based on a study on the objectives and the scope of the Convention in general, completed in 2012, the project team was able to present an additional 50 page study at the final conference. This study particularly addressed the requirements of the 2007 Convention in regard to the implementation into Russian law in the event of a possible ratification.

The comparative analysis showed essentially no conflict between the provisions of the Convention and the provisions of Russian maintenance law, except for a few differences in individual areas - especially in regard to terminology. In essence, amendments to the existing legislation in Russia would be required only in a few places.

The study addresses in detail the provisions of the Convention with regard to legal aid and the juridical system in the event of ratification by the Russian Federation. For the project team, the ratification of the 2007 Convention is considered desirable and a possible establishment of the Central Authority within the Russian Ministry of Justice is supported.

Recommendations for possible declarations, in particular with regard to granting legal aid (Article 16 of the Convention) and the "alternative procedure for recognition and enforcement" (Article 24 of the Convention) are also included in the study.

The work of the project, completed after three years, can be seen as positive support of the Russian efforts in promoting international cooperation in the field of international child protection. With the ratification of the 2007 Maintenance Convention, the Russian Federation would continue to expand this approach.

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