

***Convention de La Haye du 25 octobre 1980 sur les aspects civils
de l'enlèvement international d'enfants***

Profil des États

établi par le Bureau Permanent

* * *

***Hague Convention of 25 October 1980 on the Civil Aspects of
International Child Abduction***

Country Profile

drawn up by the Permanent Bureau

*Document d'information No 2 de mars 2011 à l'intention de la
Commission spéciale de juin 2011 sur le fonctionnement pratique de la
Convention Enlèvement d'enfants de 1980 et de la
Convention Protection des enfants de 1996*

*Information Document No 2 of March 2011 for the attention of the
Special Commission of June 2011 on the practical operation of the
1980 Hague Child Abduction Convention and the
1996 Hague Child Protection Convention*

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FOREWORD TO THE COUNTRY PROFILE

This Country Profile should be used by Contracting States¹ to assist with fulfilment of the obligations contained within Article 7 of the *Hague Convention of 25 October 1980 on the Civil Aspects of International Child Abduction*.² In particular, it is anticipated that the Country Profile will help Contracting States fulfil their obligations under Article 7(2) e) and 7(2) i) of the Convention, that is:

- To provide information of a general character on the law of their State in connection with the application of the Convention; and
- To keep other Central Authorities informed regarding the operation of the Convention in their State and to eliminate any obstacles to the Convention's application.

The Country Profile is intended to assist with the practical operation of the Convention. It is hoped that it will facilitate:

- a) information exchanges between Contracting States;
- b) knowledgeable service by Central Authorities under the 1980 Hague Child Abduction Convention;
- c) cost-effective translation of the information provided by Contracting States into English, French, Spanish, and other languages as required by Contracting States; and
- d) prompt updates of the information provided.

NEWLY ACCEDING STATES:

It should be noted that the Country Profile does not replace the "Standard questionnaire for newly acceding States" (available at < www.hcch.net > under "Child Abduction Section" then "Questionnaires and responses"). The Standard Questionnaire provides a means for newly acceding States to describe promptly, and in brief, the measures taken in their State to ensure compliance with their Convention obligations and to ensure the effective practical operation of the Convention in their State. It thereby assists States already Party to the Convention with their decision as to whether to accept an accession.

Newly acceding States are encouraged to complete this full Country Profile as soon as is practicable.

INSTRUCTIONS:

- Please mark the box which best represents the arrangements in your State:
 - Where the response requires either "Yes" or "No", please mark one box only.
 - For all other questions, it may be necessary to mark more than one box.
- Where applicable, please specify the relevant provision(s) of your domestic legislation and indicate how the legislation may be accessed, e.g., website, or provide a copy of the legislation.
- Please complete a separate profile for each territorial unit if there are significant differences in the substance and operation of the laws in each.
- Please note: the information contained in the Country Profile **is of a general nature only**. The purpose of the Country Profile is to assist with the practical operation of the Convention and not to provide a comprehensive picture of the legal system of each Contracting State. Please consider this when completing the Country Profile and when using the Country Profile of other Contracting States. Please contact the relevant Central Authority for clarification or specific advice.
- Contracting States are exclusively responsible for updating the information contained in their Country Profile. However, reminders for updates will be provided by the Permanent Bureau of the Hague Conference on Private International Law.

¹ Any reference to a Contracting State in this Country Profile is a reference to a Contracting State of the *Hague Convention of 25 October 1980 on the Civil Aspects of International Child Abduction*

² Hereinafter, "the 1980 Hague Child Abduction Convention", or simply "the Convention".

**1980 Hague Child Abduction Convention
Country Profile**

- Completed Country Profiles will be published on the website of the Hague Conference on Private International Law < www.hcch.net >.
- The Permanent Bureau of the Hague Conference has prepared a number of resources which may assist States in the effective implementation and operation of the Convention, in particular Guides to Good Practice. See < www.hcch.net > under "Child Abduction Section" for further information in this regard.

TERMINOLOGY:

- Whilst it is acknowledged that in some Contracting States the formal applicant to a return or access application under the Convention may be a State authority (see question 10.3 b) below), please note that the term "**applicant**" is used in the Country Profile as follows:
 - (a) In relation to a *return* application, the term "applicant" denotes the person, institution or other body alleging that their actually exercised rights of custody in relation to a child have been breached by the removal or retention of the child, in accordance with Article 3 of the Convention; and
 - (b) In relation to an *access* application, the term "applicant" denotes the person, institution or other body seeking to establish and / or exercise rights of access in relation to a child under Article 21 of the Convention.
- The term "**abducting party**" or "**alleged abducting party**" in the Country Profile refers to the person, institution or other body who has, or is alleged to have, wrongfully removed or retained a child in accordance with Article 3 of the Convention.

***Hague Convention of 25 October 1980 on the Civil Aspects of
International Child Abduction***

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**Hague Convention of 25 October 1980 on the Civil Aspects of
International Child Abduction**

COUNTRY PROFILE

Country Name: Russian Federation

Territorial Unit (where applicable):

Last updated: 2016

Part I: Central Authorities

1 Central Authority contact details	
<small>Provide the designation and contact details of the Central Authority to which communications may be addressed. Always check < www.hcch.net > then "Child Abduction Section" and "Central Authorities" for the most current contact details.</small>	
Organisation:	The Ministry of Education and Science of the Russian Federation, Department for children rights' protection state policy
Address:	Lyusinovskaya street, 51, Moscow, Russia, 117997
Territorial and personal extent of functions, if applicable:	-
Telephone:	+ 7 499 681 03 87, ext. 4354; 4434; 4153;
Fax:	+7 499 237 58 74
E-mail:	d07@mon.gov.ru
Website:	www.mon.gov.ru
Contact person(s) and direct contact details (please indicate language(s) of communication):	Ms. Romanova Irina I. Deputy Director of the Department for children rights' protection state policy (Russian, English), e-mail: RomanovaII@mon.gov.ru Ms. Schepetkova Anna N. – chargé de mission of the Division for normative and legal regulation in the sphere of custody and guardianship of minors citizens of the Department for children rights' protection state policy (Russian, English), e-mail: schepetkova-an@mon.gov.ru Ms. Vetrenko Olga A. – Counselor of the Division for normative and legal regulation in the sphere of children's rights protection of the Department for children rights' protection state policy (Russian, English), e-mail: vetrenko-oa@mon.gov.ru
Preferred method of communication:	<input type="checkbox"/> Telephone <input checked="" type="checkbox"/> Fax <input checked="" type="checkbox"/> E-mail <input checked="" type="checkbox"/> Post <input type="checkbox"/> Other (<i>please specify</i>):
OTHER DESIGNATED CENTRAL AUTHORITIES (IF APPLICABLE)	
<small>Please attach additional pages if there is more than one designated Central Authority in your State.</small>	
Organisation:	
Address:	
Territorial and personal extent of functions, if applicable:	

Telephone:	
Fax:	
E-mail:	
Website:	
Contact person(s) and direct contact details (please indicate language(s) of communication):	
Preferred method of communication:	<input type="checkbox"/> Telephone <input type="checkbox"/> Fax <input type="checkbox"/> E-mail <input type="checkbox"/> Post <input type="checkbox"/> Other (<i>please specify</i>):

2 Language requirements	
a) Does the Central Authority prefer applications, communications and other documents sent to them to be accompanied by a translation into the official language(s) of the State? <i>See Article 24</i> <i>See questions 10.3 c) and 17.2 b) below regarding any translation(s) required by the court / administrative authority</i>	<input type="checkbox"/> Yes, for all communications, applications and other documents. Please specify the official language(s) of the State: <input checked="" type="checkbox"/> Not for informal communications <input type="checkbox"/> No
b) Has your State made a reservation in respect of the use of French or English for communications, applications and other documents sent to the Central Authority? <i>See Article 42</i>	<input type="checkbox"/> Yes, object to English <input type="checkbox"/> Yes, object to French <input checked="" type="checkbox"/> No

3 Central Authority operations	
a) What are the working days and hours of the Central Authority?	Days of the week open: Monday-Friday Opening time: 09.00 Closing time: 18.00 Shut down periods (<i>e.g.</i> , public holidays, court closures): 1st - 7th of January, 23d of February, 8th of March, 1st of May, 9th of May, 12th of June, 4th of November
b) Can assistance be accessed outside of working hours?	<input type="checkbox"/> Yes (<i>please specify contact details, if different from above</i>): <input type="checkbox"/> For persons in other Convention States: <input type="checkbox"/> For persons in your State: <input checked="" type="checkbox"/> No
c) Does the Central Authority have a dedicated staff who deals <i>only</i> with 1980 Hague Child Abduction Convention applications and related issues?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Where applicable, please specify relevant legislation and provisions and indicate how the legislation may be accessed, e.g., website, or provide a copy of the legislation.

d) Please indicate the professions represented in the Central Authority:

Please note that some individual staff members may fall under more than one category. This question should not be interpreted as an indication of the number of staff members in the Central Authority

- Civil servants
- Civil servants (legal advisors)
- Lawyers
- Social workers
- Mediators
- Other (*please specify*):

Part II: Relevant legislation

4 International Child Abduction	
4.1 1980 Hague Child Abduction Convention	
a) When did the 1980 Hague Child Abduction Convention enter into force in your State?	Date: 01.10.2011
b) Was implementing legislation necessary for the 1980 Hague Child Abduction Convention to enter into force in your domestic law? <i>Please specify how legislation can be accessed (e.g., website) or attach a copy</i>	<input checked="" type="checkbox"/> Yes, please specify: <ul style="list-style-type: none"> The date that the legislation entered into force: 14.06.2011 The legislative provision(s) or implementing legislation: Federal Law on Accession of the Russian Federation to Convention on Civil Aspects of International Child Abduction № 102-FZ, dated 31.05.2011 <input type="checkbox"/> No
c) Whether implementing legislation was necessary in your State or not, have any (other) legislative provisions or procedural rules been enacted to assist with the effective operation of the 1980 Hague Child Abduction Convention? <i>Please specify how legislation can be accessed (e.g., website) or attach a copy</i>	<input checked="" type="checkbox"/> Yes, please specify: <ul style="list-style-type: none"> The date that the legislation or procedural rules entered into force or effect: 17.05.2014 The legislative provision(s) or procedural rules: Federal Law on Amendments to Certain Russian Legislative Acts Following Russian Federation Accession to the Convention on Civil Aspects of International Child Abduction № 126-FZ, dated 05.05.2014 <input type="checkbox"/> No
4.2 Other agreements on international child abduction	
a) Is your State party to any other international agreements which relate to international child abduction?	<input type="checkbox"/> Yes: <ul style="list-style-type: none"> <input type="checkbox"/> Brussels II a Regulation (Council Regulation (EC) No 2201/2003 of 27 November 2003) <input type="checkbox"/> Inter-American Convention of 15 July 1989 on the International Return of Children <input type="checkbox"/> Bilateral agreements (<i>please specify</i>): <input type="checkbox"/> Non-binding memoranda of understanding (<i>please specify</i>): <input type="checkbox"/> Other (<i>please specify</i>): <input checked="" type="checkbox"/> No
5 1996 Hague Child Protection Convention	
a) Is your State a Contracting State to the 1996 Hague Child Protection Convention? <i>Refer to < www.hcch.net > for the status table of the 1996 Hague Child Protection Convention</i>	<input checked="" type="checkbox"/> Yes, if so, on what date did the 1996 Hague Child Protection Convention enter into force in your State: 01.06.2013 <input type="checkbox"/> No
b) Was implementing legislation necessary for the 1996 Hague Child Protection Convention to enter into force in your domestic law? <i>Please specify how legislation can be accessed (e.g., website) or attach a copy</i>	<input checked="" type="checkbox"/> Yes, please specify: <ul style="list-style-type: none"> The date that the legislation entered into force: 18.06.2012 The legislative provision(s) or implementing legislation: Federal Law on Accession of the Russian Federation to Convention on Jurisdiction, Applicable Law, Recognition, Enforcement and Co-operation in Respect of Parental Responsibility

Where applicable, please specify relevant legislation and provisions and indicate how the legislation may be accessed, e.g., website, or provide a copy of the legislation.

	and Measures for the Protection of Children Nº 62-FZ dated 05.06.2012
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No

c) Whether implementing legislation was necessary in your State or not, have any (other) legislative provisions or procedural rules been enacted to assist with the effective operation of the 1996 Hague Child Protection Convention?

Please specify how legislation can be accessed (e.g., website) or attach a copy

Yes, please specify:

- The date that the legislation or procedural rules entered into force or effect:
- The legislative provision(s) or procedural rules:

No

Part III: Applications for return

6 Applications through Central Authorities	
6.1 Outgoing applications (requesting State)	
<p>a) What type of assistance is provided to applicants in your State when completing an application for return under the Convention?</p> <p><i>See Articles 7 and 8</i></p>	<p><input checked="" type="checkbox"/> Assistance from the Central Authority</p> <p><input type="checkbox"/> Assistance from another authority</p> <p><input type="checkbox"/> Referral to a legal representative</p> <p><input type="checkbox"/> Other (<i>please specify</i>):</p>
6.2 Incoming applications (requested State)	
<p>a) What form of application does your State require for an incoming application?</p>	<p><input type="checkbox"/> (1) Model Application Form <i>Available at < www.hcch.net > under "Child Abduction Section"</i> Go to question c)</p> <p><input type="checkbox"/> (2) Form developed by your State Please specify how this form can be accessed (<i>e.g.</i>, website) or attach a copy: Go to question c)</p> <p><input type="checkbox"/> Both (1) and (2), go to question c)</p> <p><input checked="" type="checkbox"/> The form of the requesting State is accepted, go to question c)</p> <p><input checked="" type="checkbox"/> No particular form is required, go to question b)</p> <p><input type="checkbox"/> Other, go to question b)</p>
<p>b) If your State does not require a particular form of application, what information or documents does your State request?</p> <p><i>See Article 8</i></p> <p><i>Please note that the only information actually required by the Convention (Art. 8) is indicated by a cross in the relevant box</i></p>	<p><input checked="" type="checkbox"/> Information concerning the identity of the child:</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Name and previous name/s <input checked="" type="checkbox"/> Date of birth, where available <input checked="" type="checkbox"/> Address <input checked="" type="checkbox"/> Telephone number <input checked="" type="checkbox"/> Nationality / nationalities <input checked="" type="checkbox"/> Passport number(s) <input checked="" type="checkbox"/> Physical description (height, eye and hair colour) <input checked="" type="checkbox"/> Photograph (as recent as possible) <input checked="" type="checkbox"/> Information identifying the child's parents <i>e.g.</i>, nationalities – where a parent is not the applicant or respondent to proceedings (<i>please specify</i>): <p><input checked="" type="checkbox"/> Other (<i>please specify</i>): place of birth</p> <p><input checked="" type="checkbox"/> Information concerning the identity of the applicant:</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Name and previous name/s <input type="checkbox"/> Date of birth <input type="checkbox"/> Address <input type="checkbox"/> Telephone number <input type="checkbox"/> Nationality / nationalities <input type="checkbox"/> Passport number(s) <input checked="" type="checkbox"/> Relationship of the applicant to the child <input checked="" type="checkbox"/> Name(s) of legal adviser, if any <input type="checkbox"/> Other (<i>please specify</i>):

Where applicable, please specify relevant legislation and provisions and indicate how the legislation may be accessed, e.g., website, or provide a copy of the legislation.

	<ul style="list-style-type: none"> <input checked="" type="checkbox"/> Information concerning the identity of the person alleged to have removed or retained the child: <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Name and previous name/s <input checked="" type="checkbox"/> Date of birth <input checked="" type="checkbox"/> Address <input checked="" type="checkbox"/> Telephone number <input checked="" type="checkbox"/> Nationality / nationalities <input checked="" type="checkbox"/> Passport number(s) <input checked="" type="checkbox"/> Physical description (height, eye and hair colour) <input checked="" type="checkbox"/> Photograph (as recent as possible) <input checked="" type="checkbox"/> Relationship of the person to the child <input checked="" type="checkbox"/> Other (<i>please specify</i>): place of birth <input checked="" type="checkbox"/> The grounds upon which the applicant's claim for return of the child is based <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Evidence of the applicant's rights of custody <input checked="" type="checkbox"/> An authenticated copy of any relevant decision or agreement <input checked="" type="checkbox"/> A certificate or an affidavit emanating from the Central Authority, or other competent authority of the State of the child's habitual residence, or from a qualified person, concerning the relevant law of that State <input checked="" type="checkbox"/> The alleged habitual residence of the child, with supporting information <input type="checkbox"/> Other (<i>please specify</i>): <input checked="" type="checkbox"/> All available information relating to the whereabouts of the child and the identity of the person with whom the child is presumed to be <input checked="" type="checkbox"/> Any other relevant document / information <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Concerning any child protection issues <input type="checkbox"/> Marriage certificate (if applicable) <input type="checkbox"/> Divorce decree (if applicable) <input checked="" type="checkbox"/> Civil and / or criminal proceedings in progress (if applicable) <input checked="" type="checkbox"/> Evidence of child or other relevant person's right to re-enter the State of the child's habitual residence <input type="checkbox"/> Other (<i>please specify</i>):
<p>c) Does your Central Authority accept an application and accompanying documentation transmitted by electronic means?</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Yes, please specify any requirements for electronically transmitted applications / documentation: <input checked="" type="checkbox"/> Yes, but any documentation sent electronically is not accepted by the court / administrative authority (<i>please specify</i>): It should be taken into account that the original application and supporting documents could be submitted by regular mail. The originals of documents are always necessary for initiation the court proceedings by the applicant. <input type="checkbox"/> No

<p>d) Does the Central Authority require a written authorisation empowering it or a designated representative (e.g., <i>lawyer</i>) to act on behalf of the applicant?</p> <p><i>See Article 28</i></p>	<p><input type="checkbox"/> Yes, the authorisation should be provided:</p> <p><input type="checkbox"/> On the application form</p> <p><input type="checkbox"/> In a signed statement or declaration</p> <p><input type="checkbox"/> Other (<i>please specify</i>):</p> <p><input checked="" type="checkbox"/> No</p>
<p>e) Does the Central Authority acknowledge receipt of the application?</p>	<p><input checked="" type="checkbox"/> Yes, acknowledgment generally is provided by:</p> <p><input checked="" type="checkbox"/> E-mail</p> <p><input type="checkbox"/> Facsimile</p> <p><input checked="" type="checkbox"/> Post</p> <p><input type="checkbox"/> Other (<i>please specify</i>):</p> <p><input type="checkbox"/> No</p>
<p>f) Can the Central Authority proceed with an application where the information provided is incomplete?</p>	<p><input type="checkbox"/> Yes, the Central Authority will begin processing the application and will immediately inform the requesting Central Authority of what additional information is required to complete the request</p> <p><input type="checkbox"/> No:</p> <p><input type="checkbox"/> The Central Authority will not process an application without all of the necessary supporting documentation</p> <p><input type="checkbox"/> The Central Authority is unable to process the application but will immediately inform the requesting Central Authority of what additional information is required before further action can be taken</p> <p><input checked="" type="checkbox"/> It depends upon what type of information is missing (<i>please specify</i>): In case the information, confirming that abduction/retention violates the custody rights under art. 3 of the 1980 Convention, is missing</p> <p><input type="checkbox"/> Other (<i>please explain</i>):</p>
<p>g) Who does the Central Authority prefer to communicate with in incoming applications?</p>	<p><input checked="" type="checkbox"/> The requesting Central Authority</p> <p><input type="checkbox"/> The applicant</p> <p><input type="checkbox"/> The applicant's legal representative</p> <p><input type="checkbox"/> All of the above</p> <p><input type="checkbox"/> Other (<i>please specify</i>):</p>
<p>h) What measures are taken by the Central Authority (directly, or through an intermediary) to attempt to secure the voluntary return of a child allegedly wrongfully removed or retained in accordance with Article 3 of the Convention (hereinafter, simply "the child")?</p> <p><i>Please explain where necessary</i></p> <p><i>See Article 7 c) and Article 10</i></p> <p><i>See also Part V: Mediation and other forms of alternative dispute resolution below</i></p>	<p><input checked="" type="checkbox"/> Contact is made with the alleged abducting party to seek a voluntary return by the Central Authority or/and through territorial social services</p> <p><input checked="" type="checkbox"/> Mediation and / or other forms of alternative dispute resolution are offered to the parties (see Part V: Mediation and other forms of alternative dispute resolution)</p> <p><input type="checkbox"/> Other (<i>please specify</i>):</p>
<p>i) How is it ensured that no undue delay results from the measures taken, or attempted, to secure the voluntary return of the child (see question h) above)?</p>	<p>Please explain: <i>The applicant in any moment may apply before the court if he/she has doubts about undue delay, related to the measures, which have been already undertaken or are to be undertaken in order to provide the voluntary return of the child.</i></p>

<p>j) What is the role of the Central Authority in taking or causing to be taken provisional measures to prevent further harm to the child? <i>See Article 7(2) b)</i> <i>Refer also to sections 10.5 and 11.2 below</i></p>	<p><input checked="" type="checkbox"/> Alert appropriate agencies where there are concerns that a child is at risk</p> <p><input type="checkbox"/> Apply directly to authorities for protection orders</p> <p><input type="checkbox"/> Refer parties to appropriate agencies</p> <p><input type="checkbox"/> Other (<i>please specify</i>):</p>
<p>k) Can an applicant commence proceedings in your State for the return of the child under the Convention without using the Central Authority channel? <i>See Article 3 and Article 29</i></p>	<p><input checked="" type="checkbox"/> Yes, if so, please explain:</p> <ul style="list-style-type: none"> • Where the applicant can obtain information about commencing proceedings: from a legal representative; on official web-page of the Ministry of education and science; • What role, if any, the Central Authority has in these proceedings: in case of necessity the Central Authority can provide the technical assistance, in particular concerning the practical information on application of the Convention. <p><input type="checkbox"/> No</p>

7 Locating a child and preventing removal

For best practice on locating a child and preventing removal, see the Guides to Good Practice under the 1980 Hague Child Abduction Convention available at < www.hcch.net > under "Child Abduction Section" then "Guides to Good Practice". In particular, in relation to preventing removal, see Part III of the Guide to Good Practice on Preventive Measures.

<p>a) Can return proceedings commence before the child is located?</p>	<p><input type="checkbox"/> Yes</p> <p><input checked="" type="checkbox"/> Yes, in certain circumstances (<i>please specify</i>): According to Art. 244.11 (3) of the Civil Procedure Code of the Russian Federation (here and after - CPC RF) if the child's whereabouts on the territory of the Russian Federation are unknown, the application for the return of the child or effective execution of access rights is submitted to the relevant competent court, as provided in para. 10.1 c) of this Country Profile, in accordance with the last known place of residence of the child in the Russian Federation or to the last known place of residence of the defendant in the Russian Federation.</p> <p><input type="checkbox"/> No</p>
<p>b) What evidence / information does your State require regarding the child's whereabouts to begin to assist with locating the child? <i>Please explain where necessary</i></p>	<p><input type="checkbox"/> Evidence that the child entered your State (<i>e.g.</i>, evidence that the child boarded an aeroplane bound for your State):</p> <p><input checked="" type="checkbox"/> Information from the applicant as to why he / she believes the child is in your State: any relevant information about possible whereabouts of the alleged abducting party or his/her relatives, place of birth of the child or alleged abducting party, last known address of the alleged abducting party.</p> <p><input type="checkbox"/> No information or evidence is required; searches for the child can begin upon request:</p> <p><input type="checkbox"/> Other (<i>please explain</i>):</p>
<p>c) What mechanisms or sources of information are available in your State to discover the whereabouts of the child? <i>Please indicate in the space provided any associated costs for an applicant or any other necessary information</i> <i>See Article 7(2) a)</i></p>	<p><input checked="" type="checkbox"/> (1) Private location services: on the bases of private agreement for fee</p> <p><input checked="" type="checkbox"/> (2) Population register: free of charge</p> <p><input checked="" type="checkbox"/> (3) Employment register: free of charge</p> <p><input checked="" type="checkbox"/> (4) Information maintained by other government agencies (<i>e.g.</i>, <i>immigration, social welfare</i>): free of charge</p> <p><input checked="" type="checkbox"/> (5) Police: free of charge</p> <p><input checked="" type="checkbox"/> (6) INTERPOL:</p> <p><input checked="" type="checkbox"/> (7) Court orders to compel the production of information on the whereabouts of the child:</p>

Where applicable, please specify relevant legislation and provisions and indicate how the legislation may be accessed, e.g., website, or provide a copy of the legislation.

	<input checked="" type="checkbox"/> (8) Other (<i>please specify</i>): Requests to the mobile network operators, State Road Traffic Safety Inspectorate of the Russian Federation, banks, executive search investigation (art. 65 (10) of the Federal Law of 02.10.2007 № 229-FZ "On Enforcement Proceedings", here and after - Law № 229-FZ), etc.
<p>d) Please indicate who is responsible for arranging the measures listed above in question c) by inserting the relevant number next to the responsible person or authority</p> <p><i>E.g.</i>, Central Authority: 2, 3 The applicant's representative: 7</p>	<p>Central Authority: 4 The applicant: 1 The applicant's representative: 1 Other (<i>please specify</i>): Federal Bailiff Service (here and after - FBS): 2, 3, 4, 5 (under Art. 65 (10) of Law № 229-FZ)</p>

<p>e) Please indicate, by inserting the relevant numbers, which of the measures listed above in question c) need an order from a competent authority?</p>	<p>Investigative activities are carried out as part of the enforcement proceedings, initiated on the grounds of the requests of the Central Authority - the Ministry of Education and Science of the Russian Federation for search of a child.</p>
<p>f) What measures can be taken in your State to deter the removal or re-abduction of the child? <i>Please explain where necessary</i></p> <p><i>Refer also to the Guide To Good Practice, Part III – Preventive Measures, available at < www.hcch.net >, particularly to paragraph 3.1 on barriers to international travel</i></p>	<p><input type="checkbox"/> (1) Child’s passport(s) to be deposited with authorities</p> <p><input type="checkbox"/> (2) Alleged abductor’s passport to be deposited with authorities</p> <p><input checked="" type="checkbox"/> (3) Obtain orders to prevent the removal of the child Order may be issued by the court</p> <p><input checked="" type="checkbox"/> (4) Issuing border and / or port alerts ban on child's removal from the Russian territory can be issued by the Federal migration service on the bases of the application of one of the parent</p> <p><input type="checkbox"/> (5) Requiring the alleged abductor to report periodically to authorities</p> <p><input type="checkbox"/> (6) Requiring the alleged abductor to pay a bond / deposit</p> <p><input type="checkbox"/> (7) Temporary placement of child in institutional care</p> <p><input checked="" type="checkbox"/> (8) Other (<i>please specify</i>): FBS or a corresponding competent court can make a decision on the temporary restrictions on the responder’s exit from the Russian Federation.</p> <p>According to art. 21 of the Federal Law of 15.08.1996 № 114-FZ “On the Procedure for Exit from the Russian Federation and Entry to the Russian Federation”, if one of the parents, an adopter, or a guardian expresses his/her disagreement regarding the exit from the Russian Federation of a minor citizen of the Russian Federation, the issue of his/her exit from the Russian Federation is determined through legal proceedings. The procedure for applying for the disagreement regarding the exit from the Russian Federation of a minor citizen of the Russian Federation is established by the authorized federal executive body.</p> <p>According to art. 244.13 of the CPC if necessary, along with other measures to ensure the claim the judge may prohibit the defendant to change the place of residence of the child and to temporarily limit child's exit from the Russian Federation prior to the entry into force of the decision on return or on effective exercise of rights of access.</p>
<p>g) Please indicate who may apply for the measures listed above in question f) by inserting the relevant number next to the responsible person or authority</p>	<p>Central Authority: The applicant: 3, 4 and other The applicant’s representative: 3, 4 and other Other (<i>please specify</i>): As a part of the execution of the enforcement proceedings the bailiff of the FBS has the right at the request of the applicant or on his own initiative, to issue an order on temporary restriction of the respondent`s exit from the Russian Federation.</p>
<p>h) Please indicate, by inserting the relevant numbers, which of the measures above in question f) need an order from a competent authority?</p>	<p>3,4 + other</p>

Where applicable, please specify relevant legislation and provisions and indicate how the legislation may be accessed, e.g., website, or provide a copy of the legislation.

8 Legal representation and assistance	
8.1 General	
a) Has your State made a reservation to Article 26 of the Convention?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
b) Does the Central Authority provide legal advice regarding return applications?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> No, however: <ul style="list-style-type: none"> <input checked="" type="checkbox"/> The Central Authority will refer the applicant to the appropriate person or authority to obtain legal advice <input checked="" type="checkbox"/> The Central Authority will provide information that is of a general nature about laws and procedures <input checked="" type="checkbox"/> Other (<i>please specify</i>): The Russian Federation, in accordance with art. 42 of the Convention, does not consider itself bound by the obligation to bear legal expenses or court costs, envisaged by para. 2, art. 26 of the Convention, except those which can be reimbursed by its system of legal aid and advice. Therefore, the Central Authority does not provide legal aid, but it provides the applicants with the information about the lawyers providing legal aid. <p>The Ministry of Education and Science of the Russian Federation in conjunction with the Federal Chamber of Lawyers has developed a list of lawyers providing aid in matters relating to the Convention of 1980.</p>
c) Is legal representation required in return proceedings? <i>See Article 25</i> <i>Please explain where necessary</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> No, but recommended According to the CPC the applicant has the right to present interests in the court personally.

<p>d) What is the role of the Central Authority in arranging legal representation? <i>See Article 7(2) g)</i></p>	<p><input checked="" type="checkbox"/> The applicant is required to make his / her own arrangements for legal representation, but the Central Authority will:</p> <p><input checked="" type="checkbox"/> Provide the applicant with a list of lawyers</p> <p><input type="checkbox"/> Provide the applicant with a list of free or reduced rate lawyers</p> <p><input type="checkbox"/> Other (<i>please specify</i>):</p> <p><input type="checkbox"/> Legal representation is not required. The Central Authority ensures the application is forwarded to the competent authority for action. Please provide additional information if necessary:</p> <p><input type="checkbox"/> Legal representation is arranged by the Central Authority. Representation is provided by:</p> <p><input type="checkbox"/> Central Authority lawyers</p> <p><input type="checkbox"/> Private lawyers</p> <p><input type="checkbox"/> Public prosecutor</p> <p><input type="checkbox"/> Other (<i>please specify</i>):</p> <p><input type="checkbox"/> Other (<i>please specify</i>):</p>
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8.2 Free or reduced rate legal assistance

<p>a) Is free or reduced rate legal assistance available to an applicant in return proceedings in your State?</p>	<p><input type="checkbox"/> Yes, free legal assistance. Go to question c)</p> <p><input type="checkbox"/> Yes, reduced rate legal assistance. Go to question c)</p> <p><input checked="" type="checkbox"/> No, go to question b)</p>
<p>b) If free or reduced rate legal assistance is <u>not</u> available, in what other ways can your State assist an applicant financially?</p>	<p><input type="checkbox"/> There is a system of costs ordering the respondent to pay</p> <p><input type="checkbox"/> <i>Pro bono</i> legal assistance</p> <p><input type="checkbox"/> Other (<i>please specify</i>):</p> <p><input checked="" type="checkbox"/> Not at all</p> <p>Go to section 9</p>
<p>c) Is the applicant required to complete an application form for free or reduced rate legal assistance?</p>	<p><input type="checkbox"/> Yes, please specify how application forms can be obtained (<i>e.g.</i>, website) or attach a copy:</p> <p><input checked="" type="checkbox"/> No</p>
<p>d) Please indicate on what basis free or reduced rate legal assistance may be available <i>Please explain where necessary</i></p>	<p><input type="checkbox"/> Income of the applicant</p> <p><input type="checkbox"/> Assets of the applicant</p> <p><input type="checkbox"/> Country of residence of the applicant</p> <p><input type="checkbox"/> Likelihood of success of the proceedings</p> <p><input checked="" type="checkbox"/> Other (<i>please specify</i>): Free legal assistance is available only if the requesting person is the citizen of the Russian Federation and could be identified as the person entitled to free legal assistance in accordance with the requirements of the Federal Law dated November 21, 2011 № 324-FZ "On the free legal assistance in the Russian Federation" (hereinafter – Law № 324-FZ).</p>
<p>e) Which costs are covered by free or reduced rate legal assistance? <i>Please explain where necessary</i></p>	<p><input type="checkbox"/> (1) Mediation</p> <p><input type="checkbox"/> (2) Translation</p> <p><input type="checkbox"/> (3) Interpreters</p> <p><input type="checkbox"/> (4) Service of documents</p> <p><input type="checkbox"/> (5) Costs associated with locating the child</p> <p><input type="checkbox"/> (6) Court fees</p> <p><input type="checkbox"/> (7) Travel costs for the return of the child (see question 11.1 c))</p> <p><input type="checkbox"/> (8) Other (<i>please specify</i>):</p>

f) Please indicate which costs, if any, are covered by the Central Authority by listing the numbers set out in question e) above?	1, 4, 5
g) Is free or reduced rate legal assistance available for the appeal of decisions?	<input checked="" type="checkbox"/> No, go to question i) <input type="checkbox"/> Yes, free legal assistance; go to question h) <input type="checkbox"/> Yes, reduced rate legal assistance; go to question h) <input type="checkbox"/> It depends upon an assessment of the merits of the case and / or the means of the individual concerned (<i>please specify</i>): Go to question h)
h) Is a new application for free or reduced rate legal assistance required for appeals?	<input type="checkbox"/> Yes <input type="checkbox"/> No
i) Is free or reduced rate legal assistance available for proceedings needed to enforce a return order?	<input type="checkbox"/> No, go to question k) <input type="checkbox"/> Yes, free legal assistance; go to question j) <input type="checkbox"/> Yes, reduced rate legal assistance; go to question j) <input checked="" type="checkbox"/> It depends upon an assessment of the merits of the case and / or the means of the individual concerned (<i>please specify</i>): According to Art. 32 (2) of the Law № 229-FZ and Art. 433 (1), (3) of the CPC "an application for clarification of the enforcement document on the return of a child illegally moved into the Russian Federation, or retained in the Russian Federation, or for the execution of access rights in relation to such child under the international treaty of the Russian Federation shall be considered in a court session within five days from the day it was applied before the court". Go to question j)
j) Is a new application for free or reduced rate legal assistance required for enforcement applications?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
k) Is free or reduced rate legal assistance available to an alleged abducting party located in your State?	<input checked="" type="checkbox"/> Yes, free legal assistance <input type="checkbox"/> Yes, reduced rate legal assistance Please specify in what circumstances and on what basis legal assistance will be granted: When the abducting parent is Russian citizen, he/she has a right to free legal assistance if he/she falls into the category of individuals having right to such assistance in accordance with the requirements of the Law № 324-FZ <input type="checkbox"/> No
l) Where a child is returned to your State, is free or reduced rate legal assistance available to all parties in the custody proceedings in your State?	<input type="checkbox"/> Yes, free legal assistance is available to all parties <input type="checkbox"/> Yes, reduced rate legal assistance is available to all parties Please specify in what circumstances and on what basis legal assistance will be granted: <input checked="" type="checkbox"/> Free legal assistance is only available to certain persons (<i>please specify</i>): In case the individual is Russian citizen and falls into the category of persons having right to free legal assistance in accordance with the requirements of the Law № 324-FZ.

	<input type="checkbox"/> Reduced rate legal assistance is only available to certain persons (<i>please specify</i>): Please specify in what circumstances and on what basis legal assistance will be granted: <input type="checkbox"/> No, free and / or reduced rate legal assistance is not available to any party <input type="checkbox"/> Other (<i>please specify</i>):
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9 Rights of custody

9.1 Acquisition and exercise of rights of custody

See Articles 3 and 5

a) Do rights of custody arise by operation of law in your State? <i>Please specify the relevant legislation and provisions and indicate how the legislation may be accessed, e.g., website, or provide a copy</i>	<input checked="" type="checkbox"/> Yes, go to question b) <input type="checkbox"/> No, go to question c)
b) To whom are rights of custody attributed by operation of law? <i>See Articles 3 and 5</i> <i>Please specify the relevant legislation and provisions and indicate how the legislation may be accessed, e.g., website, or provide a copy</i>	Please explain: According to art. 61 (1) of the Family Code of the Russian Federation (hereinafter - FC RF) the parents shall enjoy equal rights and shall discharge equal duties with respect to their children (the parental rights). In accordance with Article 121 of FC RF the protection of the rights and interests of children shall be entrusted to the guardianship and custody authorities if their parents are died, or deprived of their parenthood, or restricted in the parental rights, or recognized as incapable, or have illness, or absent for a long period of time, or avoid of bringing up their children or of protecting their rights and interests, including in the case of the parents' refusal to take their children from the educational establishments, medical centers, institutions for the social protection of the population and from other similar institutions, when creating by parents` acts or omissions of the conditions threatening the life or health of children or impeding their normal education and development, as well as in other cases of the absence of parental care.

c) By what other methods can a person or institution acquire rights of custody?

- Judicial decision
- Administrative decision
- Agreement having legal effect
- Other (*please specify*): Commentary on the "Administrative decision":

According to art. 68 (2) of FC RF if the court establishes that neither the parents, nor the person, in whose custody the child is, are capable of ensuring his proper upbringing and development, it shall put the child into the charge of the guardianship and trusteeship body.

Under art. 74 (4) if the parental rights of both parents are restricted, the child shall be put into the charge of the guardianship and trusteeship body.

According to art. 71 (5) if it is impossible to give the child to the other parent, or in the case of deprivation of the parenthood of both parents, the child shall be placed in the charge of the guardianship and trusteeship body.

In accordance with Article 121 of FC RF the protection of the rights and interests of children shall be entrusted to the guardianship and custody authorities if their parents are died, or deprived of their parenthood, or restricted in the parental rights, or recognized as incapable, or have illness, or absent for a long period of time, or avoid of bringing up their children or of protecting their rights and interests, including in the case of the parents' refusal to take their children from the educational establishments, medical centers, institutions for the social protection of the population and from other similar institutions, when creating by parents' acts or omissions of the conditions threatening the life or health of children or impeding their normal education and development, as well as in other cases of the absence of parental care.

In accordance with paragraphs 1, 2 and 3 of Article 13 of the Federal Law of April 24, 2008 № 48-FZ "On guardianship and custody" (hereinafter - Law of 2008), parents can apply to the guardianship and custody authorities a joint request to appoint a guardian for their child during the period when for valid reasons they cannot fulfill their parental responsibilities, with an indication of a specific person. In the act of the guardianship and custody authorities to appoint a guardian at the request of the parents should be given the term of competence of a guardian.

The only minor's parent is entitled to determine in the case of his death a guardian of a child. The appropriate order a parent can make in the request filed to the guardianship and custody authorities at the place of residence of the child. The parent request on the appointment in the event of his/her death the child's guardian must be personally signed by the parent indicating the date of preparation of this request.

The guardian for the minor, who has reached the age of fourteen, can be appointed by the guardianship and custody authorities on the request of the minor with the indication of a particular person.

In addition, in accordance with the Regulations on the activities of institutions for orphans and children left without parental care, and about placement of the children left without parental care in such institutions, approved by the Decree of the Russian Government dated May 24, 2014 № 481, in the case if the guardian cannot be immediately appointed for the children in the procedure established by Article 12 of Law of 2008. children shall be placed under

d) How, if at all, can the attribution of rights of custody be modified?	<input checked="" type="checkbox"/> By order of a judicial or administrative authority <input checked="" type="checkbox"/> By written agreement <input type="checkbox"/> It depends upon how the rights of custody were acquired (<i>please specify</i>): <input type="checkbox"/> Other (<i>please specify</i>):
e) How, if at all, can rights of custody be terminated?	<input checked="" type="checkbox"/> By order of a judicial or administrative authority <input checked="" type="checkbox"/> By written agreement <input type="checkbox"/> It depends upon how the rights of custody were acquired (<i>please specify</i>): <input type="checkbox"/> Other (<i>please specify</i>):
f) Prior to any order determining the issue, who <i>generally</i> has the right to determine the child's residence?	Please explain: both parents

10 Proceedings for Return

10.1 Organisation of competent authorities

a) Does your State limit the number of judicial or administrative authorities who can hear return applications under the Convention? (<i>i.e.</i> , has your State "concentrated jurisdiction" in respect of applications under the Convention)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
b) If possible, please state exactly how many courts or administrative authorities and how many judges or relevant decision-makers can hear return applications under the Convention?	Courts / administrative authorities: 9 district courts Judges / decision-makers: The issue concerning the number of judges and experts, considering the applications under the Convention, is not regulated

<p>c) Please list the judicial or administrative authorities that can make decisions in return applications under the Convention</p>	<p>In accordance with art. 244.11 (2) of CPC RF:</p> <ul style="list-style-type: none"> - Tverskoy district court of Moscow, which is located at the address: 127051, Moscow, Tsvetnoy Boulevard, 25A (Central Federal District); - Dzerzhinsky district court of St. Petersburg, which is located at the address: 191123, St. Petersburg, Vosstanya St., 38 (Northwestern Federal District); - Pervomaisky district court of Rostov-on-Don, which is located at the address: 344029, Rostov-on-Don, Metallurgicheskaya St., 29(Southern Federal District); - Pyatigorsky city court, which is located at the address: 357500,Universitetskaya St., 34 A (North Caucasian Federal District); - Kanavinsky district court of Nizhny Novgorod, which is located at the address: 603950, Nizhny Novgorod, Iyulskikh dney St., 2(Volga Federal District); - Zheleznodorozhny district court of Yekaterinburg, which is located at the address: 620141, Yekaterinburg, Pekhotintsev St., 23 (Ural Federal District); - Central district court of Novosibirsk, which is located at the address: 630099, Novosibirsk, Gorkogo St., 89 (Siberian Federal District); - Central district court of Khabarovsk, which is located at the address: 680038, Khabarovsk, Serysheva St., 60 (Far Eastern Federal District); - Central district court of Simferopol, which is located at the address: 295000, Simferopol, Turetskaya St., 21/5 (Crimean Federal District).
<p>d) Are the judges or administrative authorities who decide return applications in your State specialists in either family law or international child abduction?</p> <p><i>See also section 22 on Training below</i></p>	<p><input checked="" type="checkbox"/> Yes, specialists in family law</p> <p><input type="checkbox"/> Yes, specialists in international child abduction</p> <p><input type="checkbox"/> No</p> <p><input type="checkbox"/> Other (<i>please specify</i>):</p>
<p>e) In ascertaining whether there has been a wrongful removal or retention under the Convention, do judicial or administrative authorities in your State take judicial notice of foreign law and decisions without recourse to the specific procedures for the proof of that law or for the recognition of foreign decisions which would otherwise be applicable in ascertaining whether there has been a wrongful removal or wrongful retention?</p> <p><i>See Article 14</i></p>	<p><input checked="" type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p> <p><input type="checkbox"/> Other (<i>please specify</i>): Commentary on "Yes": Art. 14 of the Convention provides an opportunity to take foreign law or decisions into account without recourse to special procedures</p>
<p>10.2 Articles 15 and 16 of the Convention</p>	
<p>a) In your State is it possible for a decision or other determination to be made, in accordance with Article 15 of the Convention, that the removal or retention of a child was wrongful within the meaning of Article 3?</p> <p><i>See Article 3 and Article 15</i></p>	<p><input checked="" type="checkbox"/> Yes, go to question b)</p> <p><input type="checkbox"/> No, go to question e)</p>
<p>b) Which authorities in your State can issue Article 15 decisions / determinations?</p> <p><i>See Article 15</i></p>	<p>Please list: In particular, the court which decides on the place of residence of the child in case of the separate residence of his/her parents</p>
<p>c) Who can apply for an Article 15 decision / determination?</p>	<p><input type="checkbox"/> Central Authority</p> <p><input checked="" type="checkbox"/> The applicant in the return proceedings</p> <p><input type="checkbox"/> Other (<i>please specify</i>):</p>

Where applicable, please specify relevant legislation and provisions and indicate how the legislation may be accessed, e.g., website, or provide a copy of the legislation.

<p>d) Are Article 15 decisions / determinations of other States accepted by the judicial or administrative authorities in your State?</p>	<p><input type="checkbox"/> Yes, <i>please explain if necessary</i>: At this point, no special generalization of the court practice of considering disputes on the return of the child, including the determinations under art. 15, has been carried out</p> <p><input type="checkbox"/> No</p>
<p>e) Who notifies the relevant judicial or administrative bodies that a decision on the merits of rights of custody should not be made until it has been determined that the child should not be returned?</p> <p><i>See Article 16</i></p>	<p><input checked="" type="checkbox"/> Central Authority</p> <p><input type="checkbox"/> The applicant's legal representative</p> <p><input checked="" type="checkbox"/> Other (<i>please specify</i>): The Central Authority in case if it knows about the existence of such a trial.</p> <p>According to art. 169 (1.1) of CPC RF the court must adjourn the hearing of the case, concerning dispute related to the child, by up to 30 days in case of the receipt of written notice from the Central Authority, designated by the Russian Federation in order to ensure fulfillment of the obligations under an international treaty of the Russian Federation, on the receipt by the Central Authority of the application for return of the child illegally moved to the Russian Federation or retained in the Russian Federation with the attachment to this notice of the copy of the application, if the child has not reached the age at which the mentioned international treaty shall not apply in respect of the child.</p> <p>The court, in case of its awareness of such a trial (concerning the rights of custody and guardianship).</p> <p>According to art. 215 (6) of CPC RF the court is obliged to suspend the proceedings in case of receipt of the copy of the court decision on initiating proceedings under application for return of the child illegally moved to the Russian Federation or retained in the Russian Federation or effective exercise of rights of access in regard to that child on the basis of an international treaty of the Russian Federation, if the child has not reached the age at which the mentioned international treaty shall not apply in respect of the child.</p>
<p>f) When does notification in accordance with Article 16 take place?</p>	<p><input type="checkbox"/> Automatically upon receipt of a return application</p> <p><input type="checkbox"/> Upon request of either party</p> <p><input checked="" type="checkbox"/> Other (<i>please specify</i>): Immediately upon receipt of the information about the existence of legal proceedings.</p>

10.3 Procedures	
<p>a) How does the Central Authority fulfil its obligation to initiate or facilitate the initiation of proceedings in your State?</p> <p><i>See Article 7(2) f)</i></p> <p><i>See also question 8.1 d) above</i></p>	<p><input type="checkbox"/> The Central Authority itself initiates the proceedings for return</p> <p><input type="checkbox"/> The Central Authority sends the file to an appropriate lawyer</p> <p><input type="checkbox"/> The Central Authority sends the file to the Public Prosecutor</p> <p><input checked="" type="checkbox"/> Other (<i>please specify</i>): The Central Authority clarifies to the applicant the procedures of the Russian Federation for carrying out the return, i.a. provides the list of courts which can take decisions on applications for the return under the Convention; The Central Authority provides the applicant with a list of lawyers providing legal aid in return proceedings.</p>
<p>b) Who is the formal applicant in return proceedings before the court / administrative authority in your State?</p>	<p><input checked="" type="checkbox"/> The person, institution or other body which made the application under the Convention</p> <p><input type="checkbox"/> The Central Authority</p> <p><input checked="" type="checkbox"/> The Public Prosecutor</p> <p><input type="checkbox"/> Other (<i>please specify</i>): A parent or other person believing that the respondent violated his/her custody rights or rights of access, or a prosecutor.</p> <p>According to art. 244.11 (1) of CPC RF application for return of the child illegally moved to the Russian Federation or retained in the Russian Federation or effective exercise of rights of access in regard to that child on the basis of an international treaty of the Russian Federation (hereinafter - application for return of the child or of the exercise of rights of access) is submitted to the court by a parent or other person considering that the defendant has violated his rights of custody or rights of access, or is submitted to the court by the prosecutor.</p>
<p>c) Does documentation submitted to the court / administrative authority have to be translated into the official language(s) of your State?</p> <p><i>See question 2 a) for the official language(s) of the State</i></p>	<p><input checked="" type="checkbox"/> Yes, please state who is responsible for the organisation and cost of the translation:</p> <p>Under art. 9 of CPC RF</p> <p>1. The civil court proceedings shall be carried out in the Russian language - the state language of the Russian Federation, or in the state language of the Republic, which is included in the territorial structure of the Russian Federation and on whose territory the corresponding court is situated. Court proceedings in military courts shall be conducted in the Russian language.</p> <p>2. To the persons taking part in the case while not knowing the language in which the civil court proceedings are conducted shall be explained and ensured their right to give explanations and conclusions, to address the court, to file petitions and complaints in their native language or any other freely chosen language of communication, and also to use the services of an interpreter.</p> <p><input type="checkbox"/> No</p> <p><input type="checkbox"/> It depends upon the type of documentation submitted (<i>please specify</i>):</p>
<p>d) Have measures been taken to ensure that the judicial and administrative authorities in your State act expeditiously in return proceedings?</p> <p><i>See Article 11</i></p>	<p><input checked="" type="checkbox"/> Yes, please explain briefly what the measures are:</p> <p><input type="checkbox"/> In the implementing legislation:</p> <p><input checked="" type="checkbox"/> In procedural rules: The consideration period should not exceed 6 weeks (art. 244.15 of CPC RF). All decisions on the return are sent to the Central</p>

	<p>Authority (art. 244.19 of CPC RF).</p> <p><input checked="" type="checkbox"/> Other (<i>please specify</i>):</p> <p>Please specify how the legislation or rules can be obtained (e.g., website) or attach a copy: The Federal Law "On Compensation for the Violation of the Right to Trial within a Reasonable Time Period or the Right to the Execution of Judicial Act within a Reasonable Time Period» is in force from April 30, 2010.</p> <p>The Russian Administrative Procedure Code contains chapter 26 "Administrative procedures on compensation for the violation of the right to trial within a reasonable time period or the right to the execution of judicial act within a reasonable time period."</p> <p><input type="checkbox"/> No</p>
<p>e) Generally, what is the expected time from the commencement of the proceedings for return to a final order (excluding appeals)?</p> <p><i>See Article 11</i></p>	<p><input checked="" type="checkbox"/> Up to 6 weeks</p> <p><input type="checkbox"/> 6 to 12 weeks</p> <p><input type="checkbox"/> More than 12 weeks (<i>please provide further information</i>): Commentary to "Up to 6 weeks":</p> <p>The Court considers the cases concerning the return of the child in a period not exceeding forty-two days.</p> <p>Under art. 244.15 (2) of CPC RF return proceedings or the proceedings for rights of access are heard by the court within a period not exceeding forty-two days from the date of acceptance of the application by the court, including the time to prepare the case for trial and making reasoned decision.</p>
<p>f) Is the applicant generally required to participate in the return proceedings?</p> <p><i>Please note that attendance in person is not required under the Convention (see paragraph 6.5.3 of the Guide to Good Practice, Part II - Implementing Measures)</i></p>	<p><input type="checkbox"/> Yes, please specify in what circumstances:</p> <p>Commentary to "No, but advisable":</p> <p>Personal presence of the applicant during the court hearing in proceedings for the return of the child is not required. According to art. 48 (1) of CPC RF citizens have the right to prosecute their cases in court in person or through their representatives.</p> <p><input checked="" type="checkbox"/> No, but advisable</p> <p><input type="checkbox"/> No</p>
<p>g) Are facilities available to enable the applicant to participate in return proceedings from outside your State?</p>	<p><input checked="" type="checkbox"/> Yes:</p> <p><input checked="" type="checkbox"/> Video-conference</p> <p><input type="checkbox"/> Telephone</p> <p><input checked="" type="checkbox"/> Through a legal representative</p> <p><input type="checkbox"/> Other (<i>please specify</i>): Commentary to "Through a legal representative":</p> <p>Yes, there is legal representation and a video-conference. According to art. 48 (1) of CPC RF citizens have the right to prosecute their cases in court in per-son or through their representatives.</p> <p>The personal participation in the case of a citizen shall not deprive him of the right to have a representative on this case.</p> <p>According to art. 155 (1-3) of CPC RF:</p> <p>1. In the presence of the courts technical feasibility of videoconferencing, persons involved in the case, their representatives, as well as witnesses, experts, specialists, translators, can participate in the court hearing by video-communication application, provided they request it or under the initiative of the court. The court renders decision on the participation of mentioned persons in the hearing by video-communication systems.</p> <p>2. In order to ensure participation in the hearing of the persons participating in the case, their representatives, as well as witnesses, experts,</p>

Where applicable, please specify relevant legislation and provisions and indicate how the legislation may be accessed, e.g., website, or provide a copy of the legislation.

	<p>specialists, interpreters by video-communication systems, the systems of videoconferencing available in relevant courts of the place of residence or the location of these individuals are used. In order to ensure participation in the case of persons being in custody or serving in places of deprivation of liberty, conferencing facilities of these places can be used.</p> <p>3. Court authorizing participation in the hearing of the persons participating in the case, their representatives as well as witnesses, experts, specialists, translators, through application of videoconferencing systems, checks the attendance of these individuals in the court room and establishes the identity of these persons, takes a subscription of witnesses, experts, representatives on the clarification by the court of their rights and obligations and responsibility for its violation. This subscription is sent to the court hearing the case for inclusion in the record of the hearing no later than the next day after the day of its receipt.</p> <p><input type="checkbox"/> No</p>
<p>h) If the applicant does participate in return proceedings in your State, is simultaneous interpretation available, where necessary?</p>	<p><input checked="" type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p> <p><input type="checkbox"/> It depends upon the circumstances of the case (<i>please specify</i>):</p>

<p>i) Where the facilities set out in question 10.3 g) and h) above are required, who is responsible for the cost of providing such facilities?</p>	<p><input checked="" type="checkbox"/> The applicant <input type="checkbox"/> The requesting Central Authority <input type="checkbox"/> The requested Central Authority <input type="checkbox"/> The court / administrative authority <input type="checkbox"/> It depends upon the facility used (<i>please specify</i>):</p> <p><input checked="" type="checkbox"/> Other (<i>please specify</i>): According to art. 94 of CPC RF the expenses on assistance of interpreters, incurred by foreign citizens or persons without citizenship, unless otherwise stated in the international treaty of the Russian Federation, and expenses on assistance of representatives are attributed to the costs associated with the proceedings.</p> <p>The general rule of distribution of the court costs between the parties is envisaged by art. 98 (1) of CPC RF: To the party in whose favour the decision of the court was passed the court shall adjudge the compensation from the other party of all judicial expenses incurred in connection with the case. The same rule is included in art. 100 (1) of CPC RF, regulating covering the costs of representative's assistance.</p>
<p>j) Can special immigration arrangements (<i>e.g.</i>, visas) be made to enable the applicant to attend return proceedings in person if he / she so wishes?</p>	<p><input type="checkbox"/> Yes (<i>please specify</i>): <input checked="" type="checkbox"/> No</p>
<p>k) Is it possible for a return application to be decided solely on the basis of the papers <i>i.e.</i>, with no court (or administrative authority) hearing at all?</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> Yes, but it is unlikely <input checked="" type="checkbox"/> No, there will always be a hearing</p>
<p>l) Can oral evidence (<i>i.e.</i>, in-person evidence) be received in return proceedings?</p>	<p><input checked="" type="checkbox"/> Yes, oral evidence will always be received in return proceedings <input type="checkbox"/> Yes, oral evidence can be received in return proceedings but in limited circumstances only (<i>please specify</i>): Comments to the previous answer. Under art. 244.12 of CPC RF proceedings for return of the child or effective exercise of rights of access in regard to a child on the basis of an international treaty of the Russian Federation considered and resolved by the general rules of claim proceedings with the specifications established by the international treaty of the Russian Federation and the present Chapter of CPC RF.</p> <p>Under art. 68 (1) of CPC RF the explanations of the parties and of third persons concerning the facts known to them and important for the correct consideration of the case are subject to verification and assessment along with other proof. If the party obliged to prove its claims or objections holds back the proof at its disposal and does not present them to the court, the court has the right to base its conclusions on the explanations of the other party.</p> <p><input type="checkbox"/> No, oral evidence can never be received in return proceedings</p>
<p>10.4 Participation of the child</p>	
<p>a) Does the child have an opportunity to be heard in return proceedings in your State?</p>	<p><input checked="" type="checkbox"/> Yes, in every case; go to question b) <input type="checkbox"/> It depends upon the particular case and is always at the discretion of the judge / authority hearing the case. <i>Please explain if necessary</i>: Comments to the</p>

Where applicable, please specify relevant legislation and provisions and indicate how the legislation may be accessed, e.g., website, or provide a copy of the legislation.

	<p>previous answer.</p> <p>According to art. 57 of FC RF the child shall have the right to express his opinion in resolving any issue in the family, which infringes upon his interests, and also to be heard out in the course of any court or administrative hearings. It shall be obligatory to take into account the opinion of the child who has reached the age of 10 years, except the cases when this is contrary to his interests.</p> <p>Following provisions of art. 12 of the UN 1989 Convention on the Rights of the Child and art. 57 of FC RF during the hearing the court may also interrogate a child under the age of ten, if it comes to the conclusion that the child is able to express his/her views. If there are reasons to believe that the child's presence in the court can affect him/her in a negative way, the court finds out the opinion of the guardianship authorities in this regard. Go to question b)</p> <p><input type="checkbox"/> Only where Article 13(2) is relied upon; go to question b)</p> <p><input type="checkbox"/> Other (<i>please specify</i>): Go to question b)</p> <p><input type="checkbox"/> No, never. Go to section 10.5</p>
<p>b) How is the child heard in return proceedings?</p>	<p><input checked="" type="checkbox"/> Direct interview with judge</p> <p><input type="checkbox"/> Report prepared for court by independent expert</p> <p><input type="checkbox"/> Child's own legal representative</p> <p><input type="checkbox"/> Other (<i>please specify</i>):</p>
<p>c) How does your State ensure that no undue delay results from hearing the child in the course of return proceedings?</p>	<p><i>Please explain: According to art. 244.15 (2) of CPC RF return proceedings or the proceedings for rights of access are heard by the court within a period not exceeding forty-two days from the date of acceptance of the application by the court, including the time to prepare the case for trial and making reasoned decision.</i></p>
<p>d) Can judicial or administrative authorities appoint a legal representative (attorney or <i>guardian ad litem</i>) to represent the child's best interests in return proceedings?</p>	<p><input checked="" type="checkbox"/> Yes, please specify under what circumstances: According to art. 56 (2) of FC RF child shall have the right to be protected from abuses on the part of the parents (the persons, substituting for them). If the child's rights and legal interests are violated, including if the parents (one of them) fail to discharge or improperly discharge their duties involved in the child's upbringing and education, or if they abuse the parental rights, the child shall have the right to turn on his own for their protection to the guardianship and trusteeship body, and upon reaching the age of 14 years - to the court.</p> <p>According to art. 64 (2) of FC RF the parents shall not have the right to represent their children's interests, if the guardianship and trusteeship body has established that there are contradictions between the interests of the parents and of the children. In the case of the differences between the parents and the children, the guardianship and trusteeship bodies shall be obliged to appoint a representative to protect the children's rights and interests.</p> <p>Under art. 244.15 (1) of CPC RF return proceedings or the proceedings for rights of access are heard with the mandatory participation of the prosecutor and the custody and guardianship agency.</p> <p><input type="checkbox"/> No</p>

10.5 Protective measures

a) Where there are concerns about the care being given to a child in your State, which authorities provide services for the assessment and protection of the child?

Please provide additional information if necessary

On the role of the Central Authority in this respect, see also question 6.2 j) above

Government social / welfare agency: In accordance with art. 4 of the Law of 2008, the guardianship authorities provide early detection of persons, who need to be placed under custody or guardianship; all the necessary arrangements; protection of the rights and legitimate interests of the persons under care; decent standard of living of the persons under care, etc.

According to art. 56 (2) of FC RF the child shall have the right to be protected from abuses on the part of the parents (the persons, substituting for them). If the child's rights and legal interests are violated, including if the parents (one of them) fail to discharge or improperly discharge their duties involved in the child's upbringing and education, or if they abuse the parental rights, the child shall have the right to turn on his own for their protection to the guardianship and trusteeship body, and upon reaching the age of 14 years - to the court.

Non-governmental organisations / agencies:

Central Authority:

Police: Joint ordonnance of Ministry of Health of the Russian Federation and Ministry of Internal Affairs of the Russian Federation № 414/633, dated 20-08-2003 "Concerning collaboration of health authorities and internal affairs authorities on rendering medical care to the minors, brought to the internal affairs authorities"

Courts: Including the courts. In accordance with para. 1, art. 70 of FC RF, the deprivation of parental rights is carried out by the court. Cases on deprivation of the parenthood shall be considered upon an application of one of the parents (or of the persons substituting them) or Prosecutor, and also upon applications of the organisations or institutions, to which the duties of protecting the rights of the underaged children are entrusted (the guardianship and trusteeship bodies, commissions for the affairs of the underaged, institutions for orphaned children and for children, left without parental care, etc.).

Under art. 73 (1) of FC RF the court, taking into account the child's interests, may take a decision on taking the child away from the parents (from one of them), while not depriving them of parenthood (the restriction of parental rights). The claim for restricting the parental rights may be filed by the child's close relatives, by the bodies and the institutions, upon which the law has imposed the obligations on protection the rights of the underaged children, by pre-school educational establishments, by general educational establishments and by other institutions, as well as by the Prosecutor (par 3 art. 73 of FC RF).

Under art. 77 (1) of FC RF if a direct threat exists to the child's life or health, the guardianship and trusteeship body shall have the right to immediately take the child away from his parents (from one of them) or from other persons, in whose charge he/she is.

The immediate taking away of the child shall be effected by the guardianship and trusteeship body on the ground of the corresponding act of the executive power body of a certain region of the Russian Federation or act of the municipality head in a case if the municipality is empowered with the duties on custody and guardianship under the legislation of a certain region of the Russian Federation.

	<p>When taking the child away, the guardianship and trusteeship body shall be obliged to inform without delay the Prosecutor, to provide for the child's temporary accommodation and, within 7 days after the executive power body of a certain region or municipality of the Russian Federation passes a decision on taking the child away, to file a claim with the court for depriving the parents of the parenthood or for restricting their parental rights (art. 77 (2) of FC RF).</p> <p><input checked="" type="checkbox"/> Other (<i>please specify</i>): The Commissions on Affairs of minors. Under par 1 art. 70 and par 3 art. 73 of FC RF cases on deprivation or restriction of parenthood are considered by the court also on applications of the commissions on affairs of minors.</p>
<p>b) What measures are available to ensure the protection of a child in your State (both prior to the initiation of return proceedings and whilst return proceedings are ongoing)?</p>	<p><input type="checkbox"/> 1. Injunctive orders can be placed on the alleged abducting party prohibiting certain forms of conduct <i>e.g.</i>, violence, drinking <i>etc.</i></p> <p><input type="checkbox"/> 2. Placement of the child in foster care</p> <p><input type="checkbox"/> 3. Placement of the child in State care</p> <p><input type="checkbox"/> 4. Supervision of the alleged abducting party's care of the child by a social / welfare agency</p> <p><input checked="" type="checkbox"/> 5. Other (<i>please specify</i>): Prior to the initiation of the procedures for the return of the child, the measures of protection of the child, referred to in the answer to the question in para. a) 10.5, can be taken in the Russian Federation.</p> <p>After the initiation of the procedures for the return of the child, such measures can also include the measures, referred to in art. 244.13 of CPC RF. According to this article if necessary, along with other measures to ensure the claim in accordance with Chapter 13 of CPC RF the judge may prohibit the defendant to change the place of residence of the child and to temporarily limit minor's exit from the Russian Federation prior to the entry into force of the decision on return or on effective exercise of rights of access.</p> <p>According to art. 140 (1.2) of CPC RF the court may prohibit the respondent to perform certain actions.</p>
<p>c) Which of the above measures require a court order? Please list the relevant numbers from question 10.5 b) above</p>	<p>The deprivation and restriction of parental rights, as well as the interim measures, mentioned in art. 244.13 of CPC RF and specified in chapter 13 of CPC RF.</p>
<p>d) Who is responsible for applying for any protective measure requiring a court order? Please list next to the relevant individual or body the number of the measure from question b) above, which they are required to apply for</p> <p><i>On the role of the Central Authority in this respect, see also question 6.2 j) above</i></p>	<p><input checked="" type="checkbox"/> The applicant: art. 70 (1), 73 (3) of FC RF</p> <p><input type="checkbox"/> The requesting Central Authority:</p> <p><input type="checkbox"/> The requested Central Authority:</p> <p><input checked="" type="checkbox"/> The Public Prosecutor: art. 70 (1), 73 (3) of FC RF</p> <p><input type="checkbox"/> The judge (<i>ex officio</i>):</p> <p><input checked="" type="checkbox"/> A government social / welfare agency: guardianship authorities (art. 77 (1), art. 70 (1), art. 73 (3) of FC RF)</p> <p><input type="checkbox"/> The police:</p> <p><input checked="" type="checkbox"/> Other (<i>please specify</i>): With regard to the deprivation of parental rights and restrictions, see the answer to the question 10.5 a).</p> <p>The interim measures are applied in accordance with the provisions of art. 139 of CPC RF: "By application from the persons taking part in the case, the judge or the court may take measures to provide for a claim. Providing for a claim is admissible at any stage of the case if the failure to take measures to provide for this claim may interfere with or may make impossible the execution of the decision of the court."</p>

10.6 Contact or access during return proceedings	
a) Can judicial or administrative authorities take provisional or interim measures to enable an applicant to exercise contact or access in respect of the child while return proceedings are pending?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
10.7 Appeals	
a) Can a decision in return proceedings be appealed?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Only in certain circumstances (<i>please specify</i>): <p>If either of the boxes above are ticked, please specify how many levels of appeal exist and to which court(s) / authority(ies) an appeal may be made:</p> <p>According to art. 244.17 (1) of CPC RF an appeal or submission to the court decision in the case on the return of the child or on effective exercise of rights of access may be filed within ten days from the date of the making of final decision of the court in accordance with the rules set out in Chapter 39 of CPC RF.</p> <p>Under art. 244.18 (1) of the CPC RF a procedural appeal to the first instance court ruling in the case on the return of the child or on effective exercise of rights of access may be filed by parties or other individuals participating in the case, while the prosecutor may initiate appellate submission within 10 days after the first instance court decision in accordance with rules established in Chapter 39 of CPC RF.</p> <p>Under art. 320 (1) of CPC RF appeals, appellate submissions on the district court decisions shall be considered by the supreme court of a republic, the territorial or regional court, the court of a city of federal importance, the court of an autonomous region, the court of an autonomous area.</p> <p>The judicial decisions can also be appealed to the court of cassation and supervision all of the way to the Supreme Court of the Russian Federation (chapters 41 - 41 of CPC RF).</p> <input type="checkbox"/> No, go to section 11

<p>b) Is there an expedited procedure or special process of appeal for Hague return cases?</p> <p><i>Please specify the legislation and / or rules which provide for this and how they can be obtained (e.g., website) or attach a copy</i></p>	<p><input checked="" type="checkbox"/> Yes, please specify: According to art. 244.17 (2) of CPC RF received through the appeal or the submission case for the return of the child or of effective exercise of the rights of access is considered in a period not exceeding one month from the date of its receipt by the court of appeal in accordance with the rules set out in Chapter 39 of CPC RF.</p> <p>In accordance with art. 244.18 (2) of CPC RF a procedural appeal, submission, mentioned in para. 2 art. 244.18 (1) of CPC RF on court's ruling, is considered in a period not exceeding 10 days since the case to the appeal proceedings was submitted in accordance with rules, established by art. 333 of CPC RF.</p> <p><input type="checkbox"/> No</p>
<p>c) Who can initiate the appeal process?</p>	<p><input checked="" type="checkbox"/> Either party to the proceedings</p> <p><input type="checkbox"/> Central Authority</p> <p><input checked="" type="checkbox"/> Public Prosecutor</p> <p><input checked="" type="checkbox"/> Other (<i>please specify</i>): Under art. 320 (2-3) of CPC RF the right of appealing against a court decision shall be held by the parties and other persons participating in a case. The right of appellate submission shall be held by the prosecutor participating in a case. Persons that have not been invited to participate in a case and for which rights and duties been affected by a court decision are also entitled to file an appeal.</p> <p>According to art. 376 (1-3) of CPC RF judicial decisions, entered into force, except for judicial decisions of the Supreme Court of the Russian Federation, may be appealed against in the procedure established by this chapter of CPC RF with a court of the cassation instance by the persons participating in the case and by other persons if their rights and legitimate interests are violated by the judicial decisions. Judicial decisions may be appealed against with a court of the cassation instance within six months as from the date when they enter into legal force, provided that the persons cited above in this article have exhausted the other ways of appealing against a judicial decision established by CPC RF before the date when it enters into legal force.</p> <p>The right to bring before a court of the cassation instance a submission in respect of reviewing effective judicial decisions, if a prosecutor has participated in the case, shall be enjoyed by the officials of the organs of the prosecutor's office cited in Article 377 of CPC RF.</p> <p>Those not involved in the case, provided that the court has settled the issue concerning their rights and obligations, are not denied the opportunity to appeal to the court of cassation even if the decision of the first instance court has not been appealed and has entered into force (p.3, para.4 of the Resolution of Plenum of Supreme Court of the Russian Federation № 29, dated 11-12-2012 "On Application by Courts of the Norms of the Civil Procedure Laws, Governing the Proceedings in the Court of Cassation").</p>
<p>d) Is leave to appeal required?</p>	<p><input type="checkbox"/> Yes</p> <p><input checked="" type="checkbox"/> No</p> <p><input type="checkbox"/> In certain circumstances (<i>please specify</i>):</p>

<p>e) If a return order is made, can it be suspended (<i>i.e.</i>, “stayed”) pending an appeal?</p>	<p><input checked="" type="checkbox"/> Yes, a return order is <i>automatically</i> suspended pending an appeal</p> <p><input type="checkbox"/> Yes, a return order can be suspended pending an appeal at the request of either party</p> <p><input type="checkbox"/> Yes, a return order can be suspended pending an appeal at the request of either party <u>and</u> after determination by the judge / authority</p> <p><input type="checkbox"/> No</p>
<p>f) Is there a time limit by which an appeal must be filed in return proceedings?</p>	<p><input checked="" type="checkbox"/> Yes, please specify: The time limit: According to art. 244.17 (1) of CPC RF the appeal complaint or submission to the decision of the court on the case of the return of the child may be filed within ten days from the date of the court`s final decision.</p> <p>In accordance with art. 376 (2) of CPC RF judicial rulings may be appealed against with a court of the cassation instance within six months as from the date when they enter into legal force, provided that the persons cited in Part One of this article have exhausted the other ways of appealing against a judicial rulings established by CPC RF before the date when it enters into legal force.</p> <p>From when the time limit starts to run (<i>e.g.</i>, from the date of judgment, from the date of the order, from the date the decision was notified to the parties <i>etc.</i>): for complaint to the court of appeal - from the date of taken a decision in a final form, for complaint to the court of cassation - from the date of court ruling entered into force.</p> <p><input type="checkbox"/> No</p>
<p>g) Generally, what is the expected time within which appeals are filed and decided?</p>	<p><input checked="" type="checkbox"/> Up to 3 months</p> <p><input type="checkbox"/> 3 to 6 months</p> <p><input type="checkbox"/> Longer than 6 months</p>
<p>h) Is the applicant generally required to participate in the appeal proceedings?</p> <p><i>Please note that attendance in person is not required under the Convention (see para. 6.5.3 of the Guide to Good Practice, Part II - Implementing Measures)</i></p>	<p><input type="checkbox"/> Yes, please specify in what circumstances: Comments to the answer below. Under art. 327 (1) of CPC RF a court of the appeal instance shall notify the persons participating in a case on the time and place of considering an appeal or submission in the appellate procedure.</p> <p>According to art. 48 (1) of CPC RF persons have the right to prosecute their cases in court personally or through their representatives. The personal participation in the case of a person shall not deprive him/her of the right to have a representative on this case.</p> <p>The persons participating in the case shall be notified of the time and place of considering a cassation appeal or submission but the cited person's failure to appear in court shall not serve as an obstacle to the case consideration (art. 385 (2) of CPC RF).</p> <p><input checked="" type="checkbox"/> No, but advisable</p> <p><input type="checkbox"/> No</p>
<p>i) Are facilities available to enable the applicant to attend appeal proceedings from outside your State?</p>	<p><input checked="" type="checkbox"/> Yes, please specify:</p> <p><input checked="" type="checkbox"/> Video-conference</p> <p><input type="checkbox"/> Telephone</p> <p><input checked="" type="checkbox"/> Through a legal representative</p> <p><input checked="" type="checkbox"/> Other (<i>please specify</i>): According to art. 48 (1) of CPC RF persons have the right to prosecute their cases in court personally or through their representatives. The personal participation in the case of a person shall not deprive him/her of the right to have a representative on this case.</p> <p>Under the provisions of the art. 327 (1) of CPC RF</p>

Where applicable, please specify relevant legislation and provisions and indicate how the legislation may be accessed, e.g., website, or provide a copy of the legislation.

	<p>the persons participating in the case, their representatives are allowed to participate in the hearing through using videoconferencing systems in the order prescribed by art. 155.1 of CPC RF.</p> <p>In accordance with art. 386 (3) of CPC RF persons taking part in the case, their representatives and other persons, who brought an appeal or submission, are participating in the hearing, if their rights and legitimate interests are directly affected by the appealed judicial decision. These persons are allowed to participate in the hearing by using videoconferencing systems in the order prescribed by art. 155.1 of CPC RF.</p> <p><input type="checkbox"/> No</p>
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j) If the applicant does participate in appeal proceedings in your State, is simultaneous interpretation available, where necessary?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
k) Where the facilities set out in questions i) and j) above are required, who is responsible for the cost of providing such facilities?	<input checked="" type="checkbox"/> The applicant <input type="checkbox"/> The requesting Central Authority <input type="checkbox"/> The requested Central Authority <input type="checkbox"/> The court / administrative authority <input type="checkbox"/> It depends upon the facility used (<i>please specify</i>): <input type="checkbox"/> Other (<i>please specify</i>):
l) Can special immigration arrangements (<i>e.g.</i> , visas) be made to enable the applicant to attend appeal proceedings in person if he / she so wishes?	<input type="checkbox"/> Yes (<i>please specify</i>): <input checked="" type="checkbox"/> No

11 Return of the child

11.1 Arrangements for return and the costs of return

a) Who is responsible for making travel arrangements for the return of the child?	<input type="checkbox"/> The abducting party <input type="checkbox"/> The applicant <input checked="" type="checkbox"/> The abducting party and the applicant <input type="checkbox"/> The requesting Central Authority <input type="checkbox"/> The requested Central Authority <input checked="" type="checkbox"/> The judicial or administrative authority will direct who is to make arrangements on a case-by-case basis. Please explain if necessary: <input type="checkbox"/> Other (<i>please specify</i>):
b) Who is responsible for the travel costs relating to the return of the child?	<input type="checkbox"/> The abducting party <input type="checkbox"/> The applicant <input checked="" type="checkbox"/> The abducting party and the applicant <input type="checkbox"/> The requesting Central Authority <input type="checkbox"/> The requested Central Authority <input checked="" type="checkbox"/> The costs are decided by the judicial or administrative authority on a case-by-case basis. Please explain if necessary: <input type="checkbox"/> Other (<i>please specify</i>):
c) Is there financial assistance available in your State to assist with travel costs associated with the return of the child? <i>See also question 8.2 e)</i>	<input type="checkbox"/> Yes, please specify: <input checked="" type="checkbox"/> No
d) Can special immigration arrangements (<i>e.g.</i> , visas) be made, where necessary, to enable an applicant to travel to your State to collect a child (following a return order or a voluntary agreement to return the child)?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Please explain, if necessary:

e) Can special immigration arrangements (e.g., visas) be made, where necessary, for abducting parties and children returning to your State?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Please explain, if necessary:
11.2 Provisions for safe return	
<p><i>See also: Article 7(2) b)</i></p> <p>Part VI: Direct judicial communications</p> <p><i>Section 6: Applications through Central Authorities</i></p>	
a) Does the law in your State provide for the protection of children from domestic violence or other forms of abuse?	<input checked="" type="checkbox"/> Yes, please specify how legislation can be accessed (e.g., website) or attach a copy: The following articles of FC RF are regulate the protection of children from domestic violence: art. 56 provides for the right of the child to protect his rights and legal interests, including the right to protection from abuses on the part of the parents (or persons substituting them); art. 69 deals with the conditions of deprivation of parental rights; art. 70 stipulates the procedure for deprivation of parental rights; art. 71 contains the consequences of deprivation of parental rights; art. 72 regulates the conditions for the restoration of parental rights; art. 73 considers the restriction of parental rights issues; art. 77 provides for taking the child away if there is a direct threat to a child's life or health. According to paragraph 2 of Article 9 of the Federal Law of June 24, 1999 N° 120-FZ «On principles of the system of prevention of neglect and juvenile delinquency» the authorities and institutions of the system for preventing child neglect and juvenile delinquency within their competence are obliged to enforce the rights and legal interests of minors, to carry out their protection against all forms of discrimination, physical or mental violence, abuse, maltreatment, sexual or other exploitation, identify minors and families who are at social risk, as well as to immediately inform the relevant competent authorities for the protection of rights and legal interests. <input type="checkbox"/> No
b) Does the law in your State provide for the protection of adults from domestic violence or other forms of abuse?	<input checked="" type="checkbox"/> Yes, please specify how legislation can be accessed (e.g., website) or attach a copy: The legislation of the Russian Federation includes protection for adults from domestic violence or other forms of abuse, but there is no separate legal act for protection from domestic violence only. Criminal law contains the following protection: art. 116 of the Criminal Code provides for criminal responsibility for beatings, and art. 117 of the Criminal Code includes the punishment for torture. <input type="checkbox"/> No
c) Which authorities provide services for the protection, if necessary, of the child? <i>Please provide additional information if necessary</i>	<input checked="" type="checkbox"/> Government social / welfare agency: guardianship authorities have the right to take urgent measures to remove a child from the family or restrict the parental rights <input type="checkbox"/> Non-governmental organisations: <input checked="" type="checkbox"/> Central Authority: has the right to apply to the guardianship authorities urgently <input checked="" type="checkbox"/> Police: takes the relevant measures in accordance with the human rights` protection system <input checked="" type="checkbox"/> Courts: provide measures in case of violation of children's rights, such as prohibition on the removal of

	<p>the child, and in accordance with art. 244.16 (1) of CPC RF decision to return must contain the procedure for return of the child</p> <p><input type="checkbox"/> Other (<i>please specify</i>):</p>
<p>d) What action can the Central Authority in your State take, where necessary, to ensure the safe return of the child?</p> <p><i>See Article 7(2) h)</i></p>	<p>Please explain: The Central Authority has no appropriate competence. The Central Authority can only inform the applicant of the process of execution of the decision on the return of the child by the Federal Bailiffs Service of the Russian Federation.</p>
<p>Requested State</p>	
<p>e) Where a judge or administrative authority in your State is ordering the return of the child, what can the authority do to create conditions for a safe return?</p> <p><i>Please explain where necessary</i></p> <p><i>Please tick all boxes which apply</i></p>	<p><input type="checkbox"/> Make a protective order or other order designed to prevent harm occurring to the child</p> <p><input type="checkbox"/> Accept undertakings from either party designed to prevent harm occurring to the child Please specify the subject-matter of, and any limitations on, the undertakings the authority can accept:</p> <p><input checked="" type="checkbox"/> Other (<i>please specify</i>): In accordance with art. 244.16 (1) of CPC RF, the court's decision in the case of return of the child wrongfully moved to the Russian Federation or retained in the Russian Federation on the basis of the international agreement of the Russian Federation, should correspond to the requirements established by Chapter 16 of CPC RF and contain the justification for the return of the child in a State of habitual residence in accordance with the international agreement of the Russian Federation, the procedure for the return of the child, an indication of the distribution of the costs and expenses in regard to the return of the child, or for refusal to return the child to the State of habitual residence in accordance with the international agreement of the Russian Federation and an indication of the distribution of court costs.</p>
<p>f) Where a judge or administrative authority in your State takes measures to create conditions for a safe return, what can the authority do to ensure compliance with those measures?</p>	<p><i>Please specify</i>: This issue is considered under the enforcement proceedings.</p>

Requesting State	
<p>g) Can judicial or administrative authorities in your State:</p> <p>i. Recognise and enforce protective orders or other orders made in the requested State designed to prevent harm occurring to the child?</p> <p>ii. Insist upon undertakings given in the requested State being carried out?</p> <p>iii. Make any "mirror orders" necessary as a result of protective measures taken in the requested State?</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Please explain where necessary: A judicial authorities are ready to consider the recognition of foreign decisions on the basis of international agreements of the Russian Federation providing for the recognition and enforcement of foreign decisions.</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> It depends upon the subject-matter of the undertakings given</p> <p>Please explain where necessary:</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Please explain where necessary:</p>
11.3 Criminal law and the return of the child	
<p>a) Is the wrongful <i>removal</i> of a child by a parent from your State a criminal offence?</p> <p><i>See Article 3</i></p> <p><i>Please specify the relevant legislation and provisions and indicate how the legislation may be accessed, e.g., website, or provide a copy of the legislation</i></p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> It depends upon the circumstances of the case, please specify: <input checked="" type="checkbox"/> No</p>
<p>b) Is the wrongful <i>retention</i> of a child by a parent outside your State a criminal offence?</p> <p><i>See Article 3</i></p> <p><i>Please specify the relevant legislation and provisions and indicate how the legislation may be accessed, e.g., website, or provide a copy of the legislation</i></p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> It depends upon the circumstances of the case, please specify: <input checked="" type="checkbox"/> No</p> <p>If the answer to both question 11.3 a) and b) is "no", go to section 12</p>
<p>c) What penalties are available for the wrongful removal or wrongful retention of a child by a parent?</p>	<p><input type="checkbox"/> (1) Pecuniary measures <input type="checkbox"/> (2) Imprisonment <input type="checkbox"/> (3) Other (<i>please specify</i>):</p>
<p>d) Please indicate which of the penalties listed above are mandatory</p>	
<p>e) Can criminal proceedings in your State proceed without a complaint being presented (<i>e.g.</i>, by the applicant to the return proceedings or any other concerned person / body)?</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No, please specify:</p>
<p>f) Once initiated, can criminal proceedings in your State be withdrawn or suspended to facilitate the return of a child?</p>	<p><input type="checkbox"/> Yes, please specify: <input type="checkbox"/> No, go to section 12</p>
<p>g) Who is able to initiate the withdrawal or suspension of criminal proceedings relating to the wrongful removal or wrongful retention of a child?</p>	<p><input type="checkbox"/> Prosecuting authority <input type="checkbox"/> Police <input type="checkbox"/> The person / body / institution alleging a wrongful removal or retention <input type="checkbox"/> Judicial or administrative authority <input type="checkbox"/> Other (<i>please specify</i>):</p>

h) Who will determine whether the criminal proceedings are to be withdrawn or suspended?	<input type="checkbox"/> Prosecuting authority <input type="checkbox"/> Police <input type="checkbox"/> The person / body / institution alleging a wrongful removal or retention <input type="checkbox"/> Judicial or administrative authority <input type="checkbox"/> Other (<i>please specify</i>):
i) What assistance can the Central Authority provide regarding the suspension or withdrawal of criminal proceedings?	<input type="checkbox"/> None <input type="checkbox"/> Refer the matter to prosecuting authority <input type="checkbox"/> Other (<i>please specify</i>):

12 Enforcement of return orders

For best practice in relation to the enforcement of return orders, see the Guide to Good Practice, Part IV – Enforcement available at < www.hcch.net > under "Child Abduction Section" then "Guides to Good Practice".

a) What procedure may be used to enforce a return order?	<input checked="" type="checkbox"/> Directions by a judicial or administrative authority to make arrangements for return <input type="checkbox"/> Measures for the immediate execution of final orders <input type="checkbox"/> Issue of a warrant for the apprehension or detention of the child <input type="checkbox"/> Authority for coercive detention or use of force <input type="checkbox"/> Other (<i>please specify</i>):
b) Who is generally responsible for exercising supervision over the process of enforcement?	<input type="checkbox"/> The applicant <input type="checkbox"/> Central Authority <input type="checkbox"/> Public Prosecutor <input type="checkbox"/> The court / administrative authority <input type="checkbox"/> Police <input type="checkbox"/> No one body has general responsibility <input checked="" type="checkbox"/> Other (<i>please specify</i>): Federal Bailiffs Service of the Russian Federation
c) Where parties do not voluntarily comply with a return order, is it necessary to commence additional proceedings to enforce the order?	<input type="checkbox"/> Yes, go to question d) <input checked="" type="checkbox"/> It depends on the circumstances (<i>please specify</i>): If the court indicated in the enforcement order of the immediate execution of the enforcement document, a bailiff in accordance with art. 30 of the Federal Law of 02.10.2007 № 229-FZ "On enforcement proceedings" does not establish a deadline for voluntary execution of the enforcement document. There is no need to initiate a separate procedure in this case. Go to question d) <input type="checkbox"/> No, go to Part IV: Applications relating to access
d) What is the procedure to commence enforcement proceedings?	<input type="checkbox"/> The Central Authority will apply for enforcement <input checked="" type="checkbox"/> The applicant must apply for enforcement <input type="checkbox"/> Other (<i>please specify</i>):
e) Can the merits of the proceedings for return be reviewed in enforcement proceedings?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
f) What coercive measures, if any, are available to enforce a return order?	<input checked="" type="checkbox"/> Intervention by government agency (e.g., <i>police, social welfare</i>) <input checked="" type="checkbox"/> Removal of the child from the abducting party <input type="checkbox"/> Removal of the child from the State <input type="checkbox"/> Criminal charges <input type="checkbox"/> Imprisonment <input checked="" type="checkbox"/> Pecuniary measures

Where applicable, please specify relevant legislation and provisions and indicate how the legislation may be accessed, e.g., website, or provide a copy of the legislation.

	<p><input type="checkbox"/> An order placing the child under supervision</p> <p><input type="checkbox"/> Other (<i>please specify</i>): Comments to the "Pecuniary measures".</p> <p>The issue of the administrative ordonance by the Federal Beiliff Service on administrative offence under the par 2 and 3 of art. 5.35, art. 17.14, art. 17.15 of the Code of Administrative offence of the Russian Federation.</p>
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Part IV: Applications relating to access

13 Applications through Central Authorities	
13.1 Outgoing applications (requesting State)	
<p>a) What assistance is available to applicants in your State in the preparation of outgoing access applications? <i>See Articles 7 and 21</i></p>	<p><input checked="" type="checkbox"/> Assistance from the Central Authority to apply under Article 21</p> <p><input type="checkbox"/> Assistance from another authority or body to apply under Article 21</p> <p><input type="checkbox"/> Referral to a legal representative for assistance to apply under Article 21</p> <p><input type="checkbox"/> Other (<i>please specify</i>):</p>
13.2 Incoming applications (requested State)	
<p>a) Has your State developed a specific form for access applications under the Convention?</p>	<p><input checked="" type="checkbox"/> Yes Please specify how this form can be accessed (<i>e.g.</i>, website) or attach a copy: available at http://минобрнауки.рф/ http://www.usynovite.ru/ (chapter "International family disputes" Go to question c)</p> <p><input type="checkbox"/> No, go to question b)</p>
<p>b) If your State does not require a particular form for access applications, what information or documents are requested?</p>	<p><input checked="" type="checkbox"/> Information concerning the identity of the child:</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Name and previous name/s <input checked="" type="checkbox"/> Date of birth, where available <input checked="" type="checkbox"/> Address <input checked="" type="checkbox"/> Telephone number <input checked="" type="checkbox"/> Nationality / nationalities <input checked="" type="checkbox"/> Passport number(s) <input checked="" type="checkbox"/> Physical description (height, eye and hair colour) <input checked="" type="checkbox"/> Photograph (as recent as possible) <input checked="" type="checkbox"/> Information identifying the child's parents <i>e.g.</i>, nationalities – where a parent is not the applicant or respondent to proceedings (<i>please specify</i>): <p><input checked="" type="checkbox"/> Other (<i>please specify</i>): place of birth</p> <p><input checked="" type="checkbox"/> Information concerning the identity of the applicant:</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Name and previous name/s <input type="checkbox"/> Date of birth <input type="checkbox"/> Address <input type="checkbox"/> Telephone number <input type="checkbox"/> Nationality / Nationalities <input type="checkbox"/> Passport number(s) <input checked="" type="checkbox"/> Relationship of the applicant to the child <input checked="" type="checkbox"/> Name(s) of legal adviser, if any <input type="checkbox"/> Other (<i>please specify</i>): <p><input checked="" type="checkbox"/> Information concerning the identity of the person with whom the child is presumed to be (the proposed respondent to the application):</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Name and previous name/s <input checked="" type="checkbox"/> Date of birth <input checked="" type="checkbox"/> Address <input checked="" type="checkbox"/> Telephone number

Where applicable, please specify relevant legislation and provisions and indicate how the legislation may be accessed, *e.g.*, website, or provide a copy of the legislation.

	<input checked="" type="checkbox"/> Nationality / nationalities <input checked="" type="checkbox"/> Passport number(s) <input checked="" type="checkbox"/> Physical description (height, eye and hair colour) <input checked="" type="checkbox"/> Photograph (as recent as possible) <input checked="" type="checkbox"/> Relationship of the person to the child <input checked="" type="checkbox"/> Other (<i>please specify</i>): place of birth <input checked="" type="checkbox"/> The grounds upon which the applicant's claim for access to the child is based <input checked="" type="checkbox"/> Evidence of the applicant's rights of access (whether obtained by operation of law, or otherwise) <input checked="" type="checkbox"/> An authenticated copy of any relevant decision or agreement <input checked="" type="checkbox"/> A certificate or an affidavit emanating from the Central Authority, or other competent authority of the State of the child's habitual residence, or from a qualified person, concerning the relevant law of that State <input type="checkbox"/> Other (<i>please specify</i>): <input checked="" type="checkbox"/> All available information relating to the whereabouts of the child and the identity of the person with whom the child is presumed to be <input checked="" type="checkbox"/> Any other relevant document / information <input checked="" type="checkbox"/> Concerning any child protection issues <input type="checkbox"/> Marriage certificate (if applicable) <input type="checkbox"/> Divorce decree (if applicable) <input checked="" type="checkbox"/> Civil and / or criminal proceedings in progress (if applicable) <input type="checkbox"/> Other (<i>please specify</i>):
<p>c) Does your Central Authority accept an application and accompanying documentation transmitted by electronic means?</p>	<input type="checkbox"/> Yes, please specify any requirements for electronically transmitted applications / documentation: <input checked="" type="checkbox"/> Yes, but any documentation sent electronically is not accepted by the court / administrative authority (<i>please specify</i>): It is important to note that the original application and other relevant documents should be sent by mail. Original documents are always needed to initiate the proceedings. <input type="checkbox"/> No
<p>d) Does the Central Authority require a written authorisation empowering it or a designated representative (e.g., <i>lawyer</i>) to act on behalf of the applicant? <i>See Article 28</i></p>	<input type="checkbox"/> Yes, the authorisation should be provided: <input type="checkbox"/> On the application form <input type="checkbox"/> In a signed statement or declaration <input type="checkbox"/> Other (<i>please specify</i>): <input checked="" type="checkbox"/> No
<p>e) Does the Central Authority acknowledge receipt of the application?</p>	<input checked="" type="checkbox"/> Yes, acknowledgment generally is provided by: <input checked="" type="checkbox"/> E-mail <input type="checkbox"/> Facsimile <input checked="" type="checkbox"/> Post <input type="checkbox"/> Other (<i>please specify</i>): <input type="checkbox"/> No

<p>f) Can the Central Authority proceed with an application where the information provided is incomplete?</p>	<p><input type="checkbox"/> Yes, the Central Authority will begin processing the application and will immediately inform the requesting Central Authority of what additional information is required to complete the request</p> <p><input type="checkbox"/> No:</p> <p><input type="checkbox"/> The Central Authority will not process an application without all of the necessary supporting documentation</p> <p><input type="checkbox"/> The Central Authority is unable to process the application but will immediately inform the requesting Central Authority of what additional information is required before further action can be taken</p> <p><input checked="" type="checkbox"/> It depends upon what type of information is missing (<i>please specify</i>): if there is no information confirming the abduction/retain violates the custody rights under art. 3 of the 1980 Convention</p> <p><input type="checkbox"/> Other (<i>please explain</i>):</p>
<p>g) Who does the Central Authority prefer to communicate with in incoming applications?</p>	<p><input checked="" type="checkbox"/> The requesting Central Authority</p> <p><input type="checkbox"/> The applicant</p> <p><input type="checkbox"/> The applicant's legal representative</p> <p><input type="checkbox"/> All of the above</p> <p><input type="checkbox"/> Other (<i>please specify</i>):</p>
<p>h) What measures are taken by the Central Authority (directly, or through an intermediary) to attempt to secure agreement between parties in international access cases?</p> <p><i>See Article 21</i></p> <p><i>See Part V: Mediation and other forms of alternative dispute resolution</i></p>	<p><input checked="" type="checkbox"/> Contact is made with the respondent to the application</p> <p><input checked="" type="checkbox"/> Mediation and / or other forms of alternative dispute resolution are offered to the parties (see Part V: Mediation and other forms of alternative dispute resolution)</p> <p><input type="checkbox"/> Other (<i>please specify</i>): Central Authority and / or regional social service departments are making efforts to establish contact with the alleged abducting party for reaching agreement between the parties in cases of international access</p>
<p>i) How is it ensured that no undue delay results from the measures taken, or attempted, to secure an agreement between parties in international access cases (see question h) above)?</p>	<p><i>Please explain: The applicant may apply at any time to the competent court if he / she has suspicions about the excessive delay associated with the measures taken or contemplated to adopt in connection with the provision of an agreement between the parties in cases of international access.</i></p>
<p>j) What general assistance can be provided by the Central Authority in respect of arrangements for rights of access?</p> <p><i>See Article 21</i></p>	<p><input type="checkbox"/> The Central Authority can facilitate contact with the parties:</p> <p><input type="checkbox"/> Directly through the Central Authority</p> <p><input type="checkbox"/> Through intermediaries</p> <p><input checked="" type="checkbox"/> The Central Authority can provide information to the applicant on services available, e.g., mediation, legal services, social welfare services (<i>please specify</i>): Central Authority provides information to the applicant about the possibility of the use of mediation, including the measures of the Federal State Organization "Federal Institute of Mediation" providing for free.</p> <p><input type="checkbox"/> Other (<i>please specify</i>):</p>
<p>k) Will the Central Authority's assistance depend on:</p> <p><i>See paragraph 4.6 of the General Principles and Guide to Good Practice on Transfrontier Contact Concerning Children (available at < www.hcch.net > under "Child Abduction Section" then "Guides to Good Practice") recommending that Central Authorities should make their services available in all</i></p>	<p><input type="checkbox"/> Existence of a judicial or administrative order establishing or confirming rights of access</p> <p><input checked="" type="checkbox"/> Other (<i>please specify</i>): If the considered dispute falls under the provisions of the 1980 Convention</p>

Where applicable, please specify relevant legislation and provisions and indicate how the legislation may be accessed, e.g., website, or provide a copy of the legislation.

<i>cases where cross-frontier contact rights of parents and children are in issue</i>	
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<p>l) Can an applicant commence proceedings in your State with respect to access without using the Central Authority channel?</p>	<p><input checked="" type="checkbox"/> Yes; if so, please explain:</p> <ul style="list-style-type: none"> • Where an applicant can obtain information about commencing proceedings: from legal representative <p>What role, if any, the Central Authority has in these proceedings: If necessary, the Central Authority can provide technical support, particularly regarding to the information on the practical effect of the 1980 Convention.</p> <p><input type="checkbox"/> No</p>
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14 Locating a child and preventing removal

<p>a) Are the responses to the questions in this section the same as for applications for return (see section 7)?</p>	<p><input checked="" type="checkbox"/> Yes, go to section 15</p> <p><input type="checkbox"/> No, continue to question b)</p>
<p>b) What evidence / information does your State require regarding the child's whereabouts to begin to assist with locating the child?</p> <p><i>Please explain where necessary</i></p>	<p><input type="checkbox"/> Evidence that the child entered your State (e.g., evidence that the child boarded an aeroplane bound for your State):</p> <p><input type="checkbox"/> Information from the applicant as to why he / she believes the child is in your State:</p> <p><input type="checkbox"/> No information or evidence is required; searches for the child can begin upon request:</p> <p><input type="checkbox"/> Other (<i>please explain</i>):</p>
<p>c) What mechanisms or sources of information are available in your State to discover the whereabouts of a child who is the subject of an access application?</p> <p><i>Please indicate in the space provided any associated costs for the applicant or any other necessary information</i></p>	<p><input type="checkbox"/> (1) Private location services:</p> <p><input type="checkbox"/> (2) Population register:</p> <p><input type="checkbox"/> (3) Employment register:</p> <p><input type="checkbox"/> (4) Information maintained by other government agencies (e.g., <i>immigration, social welfare</i>):</p> <p><input type="checkbox"/> (5) Police:</p> <p><input type="checkbox"/> (6) INTERPOL:</p> <p><input type="checkbox"/> (7) Court orders to compel the production of information on the whereabouts of the child:</p> <p><input type="checkbox"/> (8) Other (<i>please specify</i>):</p>
<p>d) Please indicate who is responsible for arranging the measures indicated above in question c) by listing the relevant number next to the responsible person or authority</p> <p><i>E.g., Central Authority: 2, 3 The applicant's representative: 6</i></p>	<p>Central Authority:</p> <p>The applicant:</p> <p>The applicant's representative:</p> <p>Other (<i>please specify</i>):</p>
<p>e) Please indicate by listing numbers which of the measures above in question c) need an order from a competent authority?</p>	

15 Legal representation and assistance

15.1 General

<p>a) Are the responses to the questions in this section the same as for applications for return (see section 8)?</p>	<p><input checked="" type="checkbox"/> Yes, go to section 15.2</p> <p><input type="checkbox"/> No, continue to question b)</p>
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<p>b) Does the Central Authority provide legal advice regarding access applications?</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> No, however: <input type="checkbox"/> The Central Authority will refer the applicant to the appropriate person or authority to obtain legal advice <input type="checkbox"/> The Central Authority will provide information that is of a general nature about laws and procedures <input type="checkbox"/> Other (<i>please specify</i>):</p>
<p>c) Is legal representation needed in access proceedings? <i>Please explain where necessary</i></p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No, but advisable <input type="checkbox"/> No</p>
<p>d) What is the role of the Central Authority in making arrangements to progress the application? <i>See Article 7(2) g)</i></p>	<p><input type="checkbox"/> The applicant is required to make his / her own arrangements for legal representation, but the Central Authority will: <input type="checkbox"/> Provide the applicant with a list of lawyers <input type="checkbox"/> Provide the applicant with a list of free or reduced rate lawyers <input type="checkbox"/> Other (<i>please specify</i>): <input type="checkbox"/> Legal representation is not required. The Central Authority ensures the application is forwarded to the competent authority for action. Please provide additional information if necessary: <input type="checkbox"/> Legal representation is arranged by the Central Authority. Representation is provided by: <input type="checkbox"/> Central Authority lawyers <input type="checkbox"/> Private lawyers <input type="checkbox"/> Public prosecutor <input type="checkbox"/> Other (<i>please specify</i>): <input type="checkbox"/> Other (<i>please specify</i>):</p>
<p>15.2 Free or reduced rate legal assistance</p>	
<p>a) Are the responses to the questions in this section the same as for applications for return (see section 8.2)?</p>	<p><input checked="" type="checkbox"/> Yes, go to section 16 <input type="checkbox"/> No, go to question b)</p>
<p>b) Is free or reduced rate legal assistance for access applications available for applicants located in another Contracting State?</p>	<p><input type="checkbox"/> Yes, free legal assistance; go to question d) <input type="checkbox"/> Yes, reduced rate legal assistance; go to question d) <input type="checkbox"/> No; go to question c)</p>
<p>c) If free or reduced rate legal assistance is <u>not</u> available, in what other ways can your State assist an applicant financially?</p>	<p><input type="checkbox"/> There is a system of costs ordering the respondent to pay <input type="checkbox"/> <i>Pro bono</i> legal assistance <input type="checkbox"/> Other (<i>please specify</i>): <input type="checkbox"/> Not at all Go to section 16</p>
<p>d) Is the applicant required to complete an application form for free or reduced rate legal assistance?</p>	<p><input type="checkbox"/> Yes. Please specify how application forms can be obtained (<i>e.g.</i>, website) or attach a copy: <input type="checkbox"/> No</p>

e) Please indicate on what basis free or reduced rate legal assistance may be available <i>Please explain where necessary</i>	<input type="checkbox"/> Income of the applicant <input type="checkbox"/> Assets of the applicant <input type="checkbox"/> Country of residence of the applicant <input type="checkbox"/> Likelihood of success of the proceedings <input type="checkbox"/> Other (<i>please specify</i>):
f) Which costs are covered by free or reduced rate legal assistance? <i>Please explain where necessary</i>	<input type="checkbox"/> (1) Mediation <input type="checkbox"/> (2) Translation <input type="checkbox"/> (3) Interpreters <input type="checkbox"/> (4) Service of documents <input type="checkbox"/> (5) Costs associated with locating the child <input type="checkbox"/> (6) Court fees <input type="checkbox"/> (7) Travel costs for the return of the child (see question 11.1 c) <input type="checkbox"/> (8) Other (<i>please specify</i>):
g) Please list the corresponding numbers of the costs, if any, listed in question f) which are covered by the Central Authority?	
h) Is free or reduced rate legal assistance available for the appeal of decisions?	<input type="checkbox"/> No, go to question j) <input type="checkbox"/> Yes, free legal assistance <input type="checkbox"/> Yes, reduced rate legal assistance
i) Is a new application for free or reduced rate legal assistance needed for appeals?	<input type="checkbox"/> Yes <input type="checkbox"/> No
j) Is free or reduced rate legal assistance available for proceedings needed to enforce an access order?	<input type="checkbox"/> No, go to section 16 <input type="checkbox"/> Yes, free legal assistance <input type="checkbox"/> Yes, reduced rate legal assistance
k) Is a new application for free or reduced rate legal assistance needed for enforcement applications?	<input type="checkbox"/> Yes <input type="checkbox"/> No

16 Rights of access

16.1 Determining rights of access

a) Which legislation in your State governs the establishment and exercise of rights of access? <i>See Article 5</i>	<p>Please specify how legislation can be accessed (e.g., website) or attach a copy: In accordance with art. 66 of FC RF:</p> <p>1. The parent, residing apart from the child, shall have the right to communicate with the child and to take part in his upbringing and in resolving the issue of the child's receiving an education. The parent, with whom the child lives shall not prevent the child's communication with the other parent, unless such communication damages the child's physical and mental health or his moral development.</p> <p>2. The parents shall have the right to conclude a written agreement on the way the parent, residing apart from the child may execute his parental duties. If the parents cannot reach an agreement, the dispute shall be resolved in court with the participation of the guardianship and trusteeship body, upon the claim of the parents (of one of them). On parents' demand (one of them) in order, provided by the civil procedure legislation, the court with the obligitory participation of the custody and guardianship authority has the right to determine the way of fullfilling of parental rights during the period before the court decision is entered</p>
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Where applicable, please specify relevant legislation and provisions and indicate how the legislation may be accessed, e.g., website, or provide a copy of the legislation.

	<p>into force.</p> <p>3. In the case of nonabidance by the court decision, the measures, stipulated by the civil procedural legislation, shall be applied to the guilty parent. In the case of persistent nonfulfilment of the court decision, the court shall have the right, upon the claim of the parent residing apart from the child, to take a decision on passing the child over to him, proceeding from the child's interests and taking into account the child's opinion.</p> <p>4. The parent residing apart from the child shall have the right to get information on his/her child from educational establishments and medical centres, from institutions for social protection of the population and also from other similar institutions. The information may be refused only if the parent presents a threat to the child's life and health. The refusal to provide information may be disputed in court.</p> <p>In accordance with art. 67 of FC RF:</p> <p>1. The grandfather, grandmother, brothers, sisters and other relatives shall have the right to communicate with the child.</p> <p>2. In the case of the refusal of the parents (or one of them) to provide an opportunity for the child's relatives to communicate with him, the guardianship and trusteeship body may oblige the parents (one of them) not to interfere with this communication.</p> <p>3. If the parents (one of them) do not submit to the decision of the guardianship and trusteeship body, the child's close relatives or the guardianship and trusteeship body shall have the right to file with the court a claim for eliminating the obstacles to the communication with the child. The court shall resolve this dispute proceeding from the child's interests and taking into account the child's opinion.</p> <p>In case the court decision is not executed, to the guilty parent shall be applied the measures, stipulated by the civil procedural legislation.</p>
<p>b) Which judicial and / or administrative authorities can make decisions with respect to rights of access?</p>	<p>Court</p>
<p>c) In your State, who may seek rights of access in respect of a child?</p>	<p><input checked="" type="checkbox"/> Parent</p> <p><input checked="" type="checkbox"/> Step-parent</p> <p><input checked="" type="checkbox"/> Grandparent</p> <p><input checked="" type="checkbox"/> Other family member (<i>please specify</i>): brothers, sisters and other relatives (art. 67 of FC RF)</p> <p><input type="checkbox"/> Other (<i>please specify</i>):</p>

<p>d) Are the best interests of the child a primary consideration in access proceedings?</p> <p><i>See Articles 3 and 9 of the United Nations Convention on the Rights of the Child</i></p> <p><i>Please explain, if necessary</i></p>	<p><input checked="" type="checkbox"/> Yes According to art. 68 (2) of FC RF if the court establishes that neither the parents, nor the person, in whose custody the child is, are capable of ensuring his proper upbringing and development, it shall put the child into the charge of the guardianship and trusteeship body.</p> <p><input type="checkbox"/> No, please specify what are the primary considerations:</p>
<p>16.2 Exercising rights of access</p>	
<p>a) Where necessary, what guarantees and safeguards do your courts or administrative authorities have to enable them to secure rights of access for children and applicants?</p>	<p><input type="checkbox"/> Surrender of passport or travel documents</p> <p><input type="checkbox"/> Applicant to regularly report to police or other authority</p> <p><input type="checkbox"/> Deposit of a monetary bond or surety</p> <p><input checked="" type="checkbox"/> Supervised contact</p> <p><input checked="" type="checkbox"/> Placing restrictions on how contact is exercised</p> <p><input type="checkbox"/> Signing an affidavit or religious oath</p> <p><input type="checkbox"/> Provision of a detailed itinerary with contact details</p> <p><input type="checkbox"/> Requesting foreign consulates / embassies should not issue new passports / travel documents for the child</p> <p><input type="checkbox"/> Other:</p>
<p>16.3 Supervised access</p>	
<p>a) Do facilities exist in your State for the exercise of rights of access in a supervised environment?</p>	<p><input checked="" type="checkbox"/> Yes, please explain if necessary: guardianship authorities</p> <p><input type="checkbox"/> No, go to section 17</p>
<p>b) Under what circumstances is access supervised?</p>	<p><input checked="" type="checkbox"/> Where it is agreed between the parties</p> <p><input type="checkbox"/> Where it is requested by one party</p> <p><input checked="" type="checkbox"/> As a result of a decision by a social welfare agency</p> <p><input checked="" type="checkbox"/> By order of a judicial or administrative authority</p> <p><input type="checkbox"/> Other (<i>please specify</i>):</p>
<p>c) Which authorities provide supervised access?</p>	<p><input checked="" type="checkbox"/> Government social / welfare agency:</p> <p><input type="checkbox"/> Non-government organisations:</p> <p><input type="checkbox"/> Central Authority:</p> <p><input type="checkbox"/> Police:</p> <p><input type="checkbox"/> Courts:</p> <p><input type="checkbox"/> Other (<i>please specify</i>):</p>
<p>d) Who will pay the costs associated with exercising supervised access?</p>	<p><input type="checkbox"/> The applicant</p> <p><input type="checkbox"/> The person(s) with day to day care of the child</p> <p><input type="checkbox"/> The Central Authority</p> <p><input type="checkbox"/> It depends upon the order of the judicial or administrative authority</p> <p><input checked="" type="checkbox"/> Other (<i>please specify</i>): Services of the guardianship authorities are provided for free</p>

17 Proceedings for access / contact	
17.1 Organisation of competent authorities	
a) Does your State limit the judicial or administrative authorities who can hear access applications under the Convention? <i>(i.e., has your State "concentrated jurisdiction" in respect of access applications under the Convention?)</i>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
b) If possible, please state exactly how many courts or administrative authorities and how many judges or relevant decision-makers can hear access applications under the Convention?	Courts / administrative authorities: 9 courts Judges / decision-makers: The question about the number of judges and experts dealing with the application of the 1980 Convention is not regulated.
c) Which courts or administrative authorities can make decisions in applications relating to access under the Convention?	d) In accordance with art. 244 (2) of CPC RF there are 9 courts: - Tverskoy district court of Moscow, which is located at the address: 127051, Moscow, Tsvetnoy Boulevard, 25A(Central Federal District); - Dzerzhinsky district court of St. Petersburg, which is located at the address: 191123, St. Petersburg, Vosstanya St., 38 (Northwestern Federal District); - Pervomaisky district court of Rostov-on-Don, which is located at the address: 344029, Rostov-on-Don, Metallurgicheskaya St., 29 (Southern Federal District); - Pyatigorsky city court, which is located at the address: 357500, Universitetskaya St., 34 A (North Caucasian Federal District); - Kanavinsky district court of Nizhny Novgorod, which is located at the address: 603950, Nizhny Novgorod, Iyulskikh dney St., 2 (Volga Federal District); - Zheleznodorozhny district court of Yekaterinburg, which is located at the address: 620141, Yekaterinburg, Pekhotintsev St., 23 (Ural Federal District); - Central district court of Novosibirsk, which is located at the address: 630099, Novosibirsk, Gorkogo St., 89 (Siberian Federal District); - Central district court of Khabarovsk, which is located at the address: 680038, Khabarovsk, Serysheva St., 60 (Far Eastern Federal District); - Central district court of Simferopol, which is located at the address: 295000, Simferopol, Turetskaya St., 21/5 (Crimean Federal District).
e) Are the judges or administrative authorities who decide access applications in your State specialists in family law? <i>See also section 22 on Training below</i>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Other (<i>please specify</i>):
17.2 Procedures	
a) Is a special procedure applied by judicial or administrative authorities to access applications made under Article 21 of the Convention? <i>Please explain where necessary</i>	<input checked="" type="checkbox"/> Yes: According to art. 244.12 of CPC RF cases on the applications concerning the rights of access on the basis of an international agreement of the Russian Federation are considered and resolved by the general rules of the action proceedings with the specifications established by the international agreement of the Russian Federation and chapter 22.2 of CPC RF. <input type="checkbox"/> No:
b) Does documentation submitted to the court /	<input checked="" type="checkbox"/> Yes, please state who is responsible for the

Where applicable, please specify relevant legislation and provisions and indicate how the legislation may be accessed, e.g., website, or provide a copy of the legislation.

<p>administrative authority have to be translated into the official language(s) of your State?</p> <p><i>See question 2 a) for the official language(s) of the State</i></p>	<p>organisation and cost of the translation: In accordance with art. 9 of CPC RF: 1. The civil court proceedings shall be carried out in Russian language - the state language of the Russian Federation, or in the state language of the Republic, which is included in the Russian Federation and on which territory the corresponding court is situated. Court proceedings in military courts shall be conducted in the Russian language.</p> <p>2. To the persons taking part in the case while not knowing the language in which the civil court proceedings are conducted shall be explained and ensured their right to give explanations and conclusions, to address the court, to file petitions and place complaints in their native tongue any other freely chosen language of communication, and also to use the services of an interpreter.</p> <p><input type="checkbox"/> No</p> <p><input type="checkbox"/> It depends upon the type of documentation submitted (<i>please specify</i>):</p>
<p>c) Generally, how long are proceedings relating to access from commencement to final order (excluding appeals)?</p>	<p><input checked="" type="checkbox"/> Up to 6 weeks</p> <p><input type="checkbox"/> 6 to 12 weeks</p> <p><input type="checkbox"/> 3 to 6 months</p> <p><input type="checkbox"/> Longer than 6 months</p>
<p>d) Is the applicant generally required to participate in proceedings relating to access?</p> <p><i>Please note that attendance in person is not required under the Convention (see para. 6.5.3 of the Guide to Good Practice, Part II - Implementing Measures)</i></p>	<p><input type="checkbox"/> Yes, please specify in what circumstances:</p> <p><input checked="" type="checkbox"/> No, but advisable</p> <p><input type="checkbox"/> No</p>

<p>e) Are facilities available to enable an applicant to participate in access proceedings from outside your State?</p>	<p><input checked="" type="checkbox"/> Yes, please specify:</p> <p><input checked="" type="checkbox"/> Video-conference</p> <p><input type="checkbox"/> Telephone</p> <p><input checked="" type="checkbox"/> Through a legal representative</p> <p><input type="checkbox"/> Other (<i>please specify</i>): Commentary to "Through a legal representative":</p> <p>Yes, there is legal representation and a video-conference. According to art. 48 (1) of CPC RF citizens have the right to prosecute their cases in court in person or through their representatives. The personal participation in the case of a citizen shall not deprive him of the right to have a representative on this case.</p> <p>According to art. 155 (1-3) of CPC RF:</p> <p>1. In the presence of the courts technical feasibility of videoconferencing, persons involved in the case, their representatives, as well as witnesses, experts, specialists, translators, can participate in the court hearing by video-communication application, provided they request it or under the initiative of the court. The court renders decision on the participation of mentioned persons in the hearing by video-communication systems.</p> <p>2. In order to ensure participation in the hearing of the persons participating in the case, their representatives, as well as witnesses, experts, specialists, interpreters by video-communication systems, the systems of videoconferencing available in relevant courts of the place of residence or the location of these individuals are used. In order to ensure participation in the case of persons being in custody or serving in places of deprivation of liberty, conferencing facilities of these places can be used.</p> <p>3. Court authorizing participation in the hearing of the persons participating in the case, their representatives as well as witnesses, experts, specialists, translators, through application of videoconferencing systems, checks the attendance of these individuals in the court room and establishes the identity of these persons, takes a subscription of witnesses, experts, representatives on the clarification by the court of their rights and obligations and responsibility for its violation. This subscription is sent to the court hearing the case for inclusion in the record of the hearing no later than the next day after the day of its receipt.</p> <p><input type="checkbox"/> No</p>
<p>f) If the applicant does participate in access proceedings in your State, is simultaneous interpretation available, where necessary?</p>	<p><input checked="" type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p>
<p>g) Where the facilities set out in questions e) and f) above are required, who is responsible for the cost of providing such facilities?</p>	<p><input checked="" type="checkbox"/> The applicant</p> <p><input type="checkbox"/> The requesting Central Authority</p> <p><input type="checkbox"/> The requested Central Authority</p> <p><input type="checkbox"/> The court / administrative authority</p> <p><input type="checkbox"/> It depends upon the facility used (<i>please specify</i>):</p> <p><input checked="" type="checkbox"/> Other (<i>please specify</i>): According to art. 94 of CPC RF the expenses on assistance of interpreters, incurred by foreign citizens or persons without citizenship, unless otherwise stated in the international treaty of the Russian Federation, and expenses on assistance of</p>

	<p>representatives are attributed to the costs associated with the proceedings.</p> <p>The general rule of distribution of the court costs between the parties is envisaged by art. 98 (1) of CPC RF: To the party in whose favour the decision of the court was passed the court shall adjudge the compensation from the other party of all judicial expenses incurred in connection with the case. The same rule is included in art. 100 (1) of CPC RF, regulating covering the costs of representative's assistance.</p>
h) Can special immigration arrangements (e.g., visas) be made to enable the applicant to attend access proceedings in person if he / she so wishes?	<input type="checkbox"/> Yes (<i>please specify</i>): <input checked="" type="checkbox"/> No
17.3 Participation of the child	
a) Are the responses to the questions in this section the same as for applications for return (see section 10.4)?	<input checked="" type="checkbox"/> Yes, go to section 17.4 <input type="checkbox"/> No, continue to question b)
b) Does the child have an opportunity to be heard in access proceedings under the Convention in your State?	<input type="checkbox"/> Yes, always; go to question c) <input type="checkbox"/> It depends upon the particular case and is always at the discretion of the judge / authority hearing the case. <i>Please explain if necessary:</i> Go to question c) <input type="checkbox"/> Other (<i>please specify</i>): Go to question c) <input type="checkbox"/> No, never; go to section 17.4
c) How can the child be heard in access proceedings?	<input type="checkbox"/> Direct interview with judge <input type="checkbox"/> Report prepared for court by independent expert <input type="checkbox"/> Child's own legal representative <input type="checkbox"/> Other (<i>please specify</i>):
d) How does your State ensure that no undue delay results from hearing the child in the course of access proceedings?	Please explain:
e) Can judicial or administrative authorities appoint a legal representative (attorney or <i>guardian ad litem</i>) to represent the child's best interests?	<input type="checkbox"/> Yes, please specify under what circumstances: <input type="checkbox"/> No

17.4 Appeals

<p>a) Can a decision in applications relating to access be appealed?</p>	<p><input checked="" type="checkbox"/> Yes</p> <p><input type="checkbox"/> Only in certain circumstances (<i>please specify</i>):</p> <p>If either of the boxes above are ticked, please specify how many levels of appeal exist and to which courts / authorities an appeal may be made: According to art. 244.17 (1) of CPC RF an appeal or submission to the court decision in the case on the return of the child or on effective exercise of rights of access may be filed within ten days from the date of the making of final decision of the court in accordance with the rules set out in Chapter 39 of CPC RF.</p> <p>Under art. 244.18 (1) of the CPC RF a procedural appeal to the first instance court ruling in the case on the return of the child or on effective exercise of rights of access may be filed by parties or other individuals participating in the case, while the prosecutor may initiate appellate submission within 10 days after the first instance court decision in accordance with rules established in Chapter 39 of CPC RF.</p> <p>Under art. 320 (1) of CPC RF appeals, appellate submissions on the district court decisions shall be considered by the supreme court of a republic, the territorial or regional court, the court of a city of federal importance, the court of an autonomous region, the court of an autonomous area.</p> <p>The judicial decisions can also be appealed to the court of cassation and supervision all of the way to the Supreme Court of the Russian Federation (chapters 41 - 41 of CPC RF).</p> <p><input type="checkbox"/> No, go to section 18</p>
<p>b) Is there an expedited procedure or special process of appeal for Hague access cases?</p> <p><i>Please specify the legislation and / or rules which provide for this and how they can be obtained (e.g., website) or attach a copy</i></p>	<p><input checked="" type="checkbox"/> Yes, please specify: According to art. 244.17 (2) of CPC RF received through the appeal or the submission case for the return of the child or of effective exercise of the rights of access is considered in a period not exceeding one month from the date of its receipt by the court of appeal in accordance with the rules set out in Chapter 39 of CPC RF.</p> <p>In accordance with art. 244.18 (2) of CPC RF a procedural appeal, submission, mentioned in para. 2 art. 244.18 (1) of CPC RF on court's ruling, is considered in a period not exceeding 10 days since the case to the appeal proceedings was submitted in accordance with rules, established by art. 333 of CPC RF.</p> <p><input type="checkbox"/> No</p>
<p>c) Who can initiate the appeal process?</p>	<p><input checked="" type="checkbox"/> Either party to the proceedings</p> <p><input type="checkbox"/> Central Authority</p> <p><input checked="" type="checkbox"/> Public Prosecutor</p> <p><input checked="" type="checkbox"/> Other (<i>please specify</i>): Under art. 320 (2-3) of CPC RF the right of appealing against a court decision shall be held by the parties and other persons participating in a case. The right of appellate submission shall be held by the prosecutor participating in a case. Persons that have not been invited to participate in a case and for which rights and duties been affected by a court decision are also</p>

	<p>entitled to file an appeal.</p> <p>According to art. 376 (1-3) of CPC RF judicial decisions, entered into force, except for judicial decisions of the Supreme Court of the Russian Federation, may be appealed against in the procedure established by this chapter of CPC RF with a court of the cassation instance by the persons participating in the case and by other persons if their rights and legitimate interests are violated by the judicial decisions. Judicial decisions may be appealed against with a court of the cassation instance within six months as from the date when they enter into legal force, provided that the persons cited above in this article have exhausted the other ways of appealing against a judicial decision established by CPC RF before the date when it enters into legal force.</p> <p>The right to bring before a court of the cassation instance a submission in respect of reviewing effective judicial decisions, if a prosecutor has participated in the case, shall be enjoyed by the officials of the organs of the prosecutor's office cited in Article 377 of CPC RF.</p> <p>Those not involved in the case, provided that the court has settled the issue concerning their rights and obligations, are not denied the opportunity to appeal to the court of cassation even if the decision of the first instance court has not been appealed and has entered into force (p.3, para.4 of the Resolution of Plenum of Supreme Court of the Russian Federation № 29, dated 11-12-2012 "On Application by Courts of the Norms of the Civil Procedure Laws, Governing the Proceedings in the Court of Cassation").</p>
d) Is leave to appeal required?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> In certain circumstances (<i>please specify</i>):
e) If an access order is made, can it be suspended (<i>i.e.</i> , "stayed") pending an appeal?	<input checked="" type="checkbox"/> Yes, an access order is <i>automatically</i> suspended pending an appeal <input type="checkbox"/> Yes, an access order can be suspended pending an appeal at the request of either party <input type="checkbox"/> Yes, an access order can be suspended pending an appeal at the request of either party and after determination by the relevant judge / authority <input type="checkbox"/> No
f) Is there a time limit by which an appeal must be filed in access proceedings?	<input checked="" type="checkbox"/> Yes, please specify: <p>The time limit: According to art. 244.17 (1) of CPC RF the appeal complaint or submission to the decision of the court on the case of the return of the child may be filed within ten days from the date of the court's final decision.</p> <p>In accordance with art. 376 (2) of CPC RF judicial rulings may be appealed against with a court of the cassation instance within six months as from the date when they enter into legal force, provided that the persons cited in Part One of this article have exhausted the other ways of appealing against a judicial rulings established by CPC RF before the date when it enters into legal force.</p> <p>From when the time limit starts to run (<i>e.g.</i>, from the date of judgment, from the date of the order, from the date the decision is notified to the parties <i>etc.</i>): for complaint to the court of appeal - from the date of taken a decision in a final form, for complaint</p>

Where applicable, please specify relevant legislation and provisions and indicate how the legislation may be accessed, e.g., website, or provide a copy of the legislation.

	<p>to the court of cassation - from the date of court ruling entered into force.</p> <p><input type="checkbox"/> No</p>
<p>g) Generally, what is the expected time within which appeals are filed and decided?</p>	<p><input checked="" type="checkbox"/> Up to 3 months</p> <p><input type="checkbox"/> 3 to 6 months</p> <p><input type="checkbox"/> Longer than 6 months</p>
<p>h) Is the applicant generally required to participate in appeal proceedings?</p> <p><i>Please note that attendance in person is not required under the Convention (see paragraph 6.5.3 of the Guide to Good Practice, Part II - Implementing Measures)</i></p>	<p><input type="checkbox"/> Yes, please specify in what circumstances:</p> <p>Comments to the answer below. Under art. 327 (1) of CPC RF a court of the appeal instance shall notify the persons participating in a case on the time and place of considering an appeal or submission in the appellate procedure.</p> <p>According to art. 48 (1) of CPC RF persons have the right to prosecute their cases in court personally or through their representatives. The personal participation in the case of a person shall not deprive him/her of the right to have a representative on this case.</p> <p>The persons participating in the case shall be notified of the time and place of considering a cassation appeal or submission but the cited person's failure to appear in court shall not serve as an obstacle to the case consideration (art. 385 (2) of CPC RF).</p> <p>At the same time, according to art. 327 (1) of the Civil Procedural Code of the Russian Federation a court of the appellate instance shall consider a case within the scope of the arguments stated in an appeal, or appellate presentation, or in counterarguments to an appeal or appellate presentation.</p> <p><input checked="" type="checkbox"/> No</p>

<p>i) Is the applicant able to participate in proceedings without being physically present?</p>	<p><input checked="" type="checkbox"/> Yes, please specify:</p> <p><input checked="" type="checkbox"/> Video-conference</p> <p><input type="checkbox"/> Telephone</p> <p><input checked="" type="checkbox"/> Through a legal representative</p> <p><input checked="" type="checkbox"/> Other (please specify): According to art. 48 (1) of CPC RF persons have the right to prosecute their cases in court personally or through their representatives. The personal participation in the case of a person shall not deprive him/her of the right to have a representative on this case.</p> <p>Under the provisions of the art. 327 (1) of CPC RF the persons participating in the case, their representatives are allowed to participate in the hearing through using videoconferencing systems in the order prescribed by art. 155.1 of CPC RF.</p> <p>In accordance with art. 386 (3) of CPC RF persons taking part in the case, their representatives and other persons, who brought an appeal or submission, are participating in the hearing, if their rights and legitimate interests are directly affected by the appealed judicial decision. These persons are allowed to participate in the hearing by using videoconferencing systems in the order prescribed by art. 155.1 of CPC RF.</p> <p><input type="checkbox"/> No</p>
<p>j) If the applicant does participate in appeal proceedings in your State, is simultaneous interpretation available, where necessary?</p>	<p><input checked="" type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p>
<p>k) Where the facilities set out in questions i) and j) above are required, who is responsible for the cost of providing such facilities?</p>	<p><input checked="" type="checkbox"/> The applicant</p> <p><input type="checkbox"/> The requesting Central Authority</p> <p><input type="checkbox"/> The requested Central Authority</p> <p><input type="checkbox"/> The court / administrative authority</p> <p><input type="checkbox"/> It depends upon the facility used (<i>please specify</i>):</p> <p><input type="checkbox"/> Other (<i>please specify</i>):</p>
<p>l) Can special immigration arrangements (<i>e.g.</i>, visas) be made to enable the applicant to attend appeal proceedings in person if he / she so wishes?</p>	<p><input type="checkbox"/> Yes, please specify:</p> <p><input checked="" type="checkbox"/> No</p>

18 Enforcement of rights of access

<p>a) Can an order relating to rights of access made in another State be registered for enforcement or be declared enforceable in your State?</p>	<p><input type="checkbox"/> Yes, all orders made in another State are recognised and are enforceable. Please explain or specify how relevant legislation can be accessed (<i>e.g.</i>, website) or attach a copy:</p> <p><input checked="" type="checkbox"/> Yes, if there is an international agreement in place with the foreign State. Please specify:</p> <p><input type="checkbox"/> Brussels II a (Council Regulation (EC) 2201/2003 of 27 November 2003)</p> <p><input checked="" type="checkbox"/> 1996 Hague Child Protection Convention</p> <p><input checked="" type="checkbox"/> Other (<i>please specify</i>): international agreements providing for the recognition and enforcement of judgments (the 1993 Minsk Convention on legal assistance and legal relations in civil, family and criminal cases; bilateral agreements on legal assistance)</p>
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Where applicable, please specify relevant legislation and provisions and indicate how the legislation may be accessed, e.g., website, or provide a copy of the legislation.

	<ul style="list-style-type: none"><input type="checkbox"/> Yes, subject to conditions. Please explain or specify how relevant legislation can be accessed (e.g., website) or attach a copy:<input type="checkbox"/> No, however the party can seek to have "mirror orders" made by the judicial or administrative authorities<input type="checkbox"/> No
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<p>b) Can an agreement relating to rights of access made in another State be registered for enforcement or be declared enforceable in your State?</p>	<p><input type="checkbox"/> Yes, if there is an international agreement in place with the foreign State. Please specify:</p> <p><input type="checkbox"/> Brussels II a (Council Regulation (EC) 2201/2003 of 27 November 2003)</p> <p><input type="checkbox"/> Other (<i>please specify</i>):</p> <p><input checked="" type="checkbox"/> Yes, subject to conditions. Please explain: In accordance with art. 409 (1) of CPC RF the decisions of foreign courts, including decisions on the approval of an amicable settlement, shall be acknowledged and executed in the Russian Federation if this is stipulated in the international treaty of the Russian Federation. Consequently, the agreement must be approved by the foreign competent court and then as a part of foreign court decision must be recognised and enforced by the Russian court.</p> <p><input type="checkbox"/> No, however the party can seek to have "mirror orders" made by the judicial or administrative authorities</p> <p><input type="checkbox"/> No</p>
<p>c) Can a party seek to have orders made in your State in respect of a decision from another State on rights of access?</p>	<p><input checked="" type="checkbox"/> Yes, the party must apply to the judicial or administrative authorities</p> <p><input type="checkbox"/> Yes, the Central Authority will apply to the judicial or administrative authorities on behalf of the party</p> <p><input type="checkbox"/> No</p>
<p>d) What is the procedure for the applicant to commence enforcement proceedings?</p>	<p><input type="checkbox"/> The Central Authority can apply for enforcement on behalf of the applicant</p> <p><input type="checkbox"/> The applicant must seek enforcement</p> <p><input checked="" type="checkbox"/> Other (<i>please specify</i>): If the decision is made on the right of access by the Russian court under the 1980 Convention, the applicant must apply to enforcement proceedings. If the decision on the right of access is made in a foreign court, it first passes the procedure of recognition, then the applicant must seek enforcement proceedings in the Russian Federation.</p>
<p>e) What coercive measures, if any, are available to enforce an order relating to access and contact?</p>	<p><input checked="" type="checkbox"/> Intervention by government agency (e.g., <i>police, social welfare, etc.</i>)</p> <p><input checked="" type="checkbox"/> Removal of the child from the custodial person(s)</p> <p><input type="checkbox"/> Criminal charges</p> <p><input type="checkbox"/> Imprisonment</p> <p><input checked="" type="checkbox"/> Pecuniary measures</p> <p><input type="checkbox"/> An order placing the child under supervision</p> <p><input type="checkbox"/> Other (<i>please specify</i>):</p> <p>Comments to the removal measures: In accordance with par 3 art. 66 of FC RF: In the case of nonabidance by the court decision, the measures, stipulated by the civil procedural legislation, shall be applied to the guilty parent. In the case of persistent nonfulfilment of the court decision, the court shall have the right, upon the claim of the parent residing apart from the child, to take a decision on passing the child over to him, proceeding from the child's interests and taking into account the child's opinion.</p> <p>Comments to the "Pecuniary measures". The issue of the administrative ordinance by the Federal Bailiff Service on administrative offence under the par 2 and 3 of art. 5.35, art. 17.14, art. 17.15 of the Code of Administrative offence of the Russian Federation.</p>
<p>f) Does the application of coercive measures</p>	<p><input type="checkbox"/> Yes. If so, who must apply for the order:</p>

Where applicable, please specify relevant legislation and provisions and indicate how the legislation may be accessed, e.g., website, or provide a copy of the legislation.

require a separate order from judicial or administrative authorities?	<input type="checkbox"/> The applicant <input type="checkbox"/> Public Prosecutor <input type="checkbox"/> Police <input type="checkbox"/> Other (<i>please specify</i>): state executor <input checked="" type="checkbox"/> No
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Part V: Mediation and other forms of alternative dispute resolution

19 Mediation	
<p><i>For best practice in relation to mediation in the context of the 1980 Hague Child Abduction Convention see the forthcoming Guide to Good Practice on Mediation under the 1980 Hague Child Abduction Convention. When published, the Guide will be available to download at < www.hcch.net > under "Child Abduction Section" then "Guides to Good Practice".</i></p>	
19.1 Mediation services	
<p>a) What family matters can be dealt with by mediation in your State?</p>	<ul style="list-style-type: none"> <input checked="" type="checkbox"/> Return / non-return of a child following an alleged wrongful removal / retention <input checked="" type="checkbox"/> Custody <input checked="" type="checkbox"/> Access / contact <input checked="" type="checkbox"/> Relocation <input checked="" type="checkbox"/> Child support <input checked="" type="checkbox"/> Property disputes on relationship breakdown <input checked="" type="checkbox"/> Other (<i>please specify</i>): Any kinds of family disputes can be resolved through mediation
<p>b) What mediation services / structures exist in your State where an incoming application has been received for the return of a child? <i>See Articles 7(2) c) and 10</i></p>	<ul style="list-style-type: none"> <input checked="" type="checkbox"/> Private mediation services / structures (<i>please specify</i>): There are various commercial and non-profit organizations providing mediation, which are represented in different regions of the Russian Federations. <input checked="" type="checkbox"/> Mediation services / structures within the judicial or administrative system (<i>please explain</i>): In family disputes concerning children covered by the 1980 Convention and the 1996 Convention, the Federal State Institution "Federal Institute of Mediation" provides mediation for free. The address of Institute: 117997, Moscow, Lusinivskaya St., 51. Tel: +7 (499) 253-2-56; fax +7 (499) 253-11-11. E-mail: ccphc@fedim.ru <input checked="" type="checkbox"/> Mediation services / structures provided by NGOs (<i>please specify the NGO and give brief details of the service they provide</i>): For example, an autonomous non-profit organization "Scientific and Methodological Center for Mediation and Law" provides services for mediation in the different categories of disputes, including family and the international family disputes. The address of Center: 123557, Moscow, Bolshoy Teesheensky St., 26-13/14, building 1, office 1. Tel: +7 (499) 253-01-30, 253-11-11. E-mail: office@mediacia.com <p>There is a self-regulatory organization Non-Profit Partnership "The National Organization of mediators", which consists of more than 100 mediators providing mediation services in various categories of disputes. The address of the Organization: 123557, Moscow, Bolshoy Teesheensky St., 26-13/14, building 1, office 1. Tel: +7 (499) 253-01-30, 253-11-11. E-mail: exec-vice@nptom.ru Contact person: executive vice-president Vecherina Olga.</p> <ul style="list-style-type: none"> <input type="checkbox"/> Other (<i>please explain</i>): <input type="checkbox"/> There are no mediation services / structures available
<p>c) What mediation services / structures exist in your State where an incoming application has</p>	<ul style="list-style-type: none"> <input checked="" type="checkbox"/> Private mediation services / structures (<i>please specify</i>): There are various commercial and non-

Where applicable, please specify relevant legislation and provisions and indicate how the legislation may be accessed, e.g., website, or provide a copy of the legislation.

<p>been received for access / contact with a child? See Article 21</p>	<p>profit organizations providing mediation, which are represented in different regions of the Russian Federations.</p> <p><input checked="" type="checkbox"/> Mediation services / structures within the judicial or administrative system (<i>please explain</i>): In family disputes concerning children covered by the 1980 Convention and the 1996 Convention, the Federal State Institution "Federal Institute of Mediation" provides mediation for free. The address of Institute: 117997, Moscow, Lusinivskaya St., 51. Tel: +7 (499) 253-2-56; fax +7 (499) 253-11-11. E-mail: ccphc@fedim.ru</p> <p><input checked="" type="checkbox"/> Mediation services / structures provided by NGOs (<i>please specify the NGO and give brief details of the service they provide</i>): For example, an autonomous non-profit organization "Scientific and Methodological Center for Mediation and Law" provides services for mediation in the different categories of disputes, including family and the international family disputes. The address of Center: 123557, Moscow, Bolshoy Teesheensky St., 26-13/14, building 1, office 1. Tel: +7 (499) 253-01-30, 253-11-11. E-mail: office@mediacia.com</p> <p>There is a self-regulatory organization Non-Profit Partnership "The National Organization of mediators", which consists of more than 100 mediators providing mediation services in various categories of disputes. The address of the Organization: 123557, Moscow, Bolshoy Teesheensky St., 26-13/14, building 1, office 1. Tel: +7 (499) 253-01-30, 253-11-11. E-mail: exec vice@nptom.ru Contact person: executive vice-president Vecherina Olga.</p> <p><input type="checkbox"/> Other (<i>please explain</i>):</p> <p><input type="checkbox"/> There are no mediation services / structures available</p> <p>If you answered that there are no mediation services / structures available in your State in response to both questions b) and c) above, go to section 20</p>
<p>d) Is co-mediation (<i>i.e.</i> mediation involving two mediators – one from each State) available in your State for the mediation of international family disputes which are within the scope of the Convention?</p>	<p><input checked="" type="checkbox"/> Yes (<i>please provide brief details of any available scheme e.g., bi-national mediation programmes</i>): There is no practice of providing programs of co-mediation with the assistance of mediators from two different countries, but nevertheless, it is possible.</p> <p><input type="checkbox"/> No</p>

19.2 Legislation and / or rules on mediation

a) Is mediation in family matters regulated in your State?

Please tick all boxes which apply

EU Member States, excluding Denmark, should note that Directive 2008/52/EC of the European Parliament and of the Council of 21 May 2008 on certain aspects of mediation in civil and commercial matters will apply from May 2011. EU Member States, excluding Denmark, should reference the laws, regulations and administrative provisions brought into force to comply with this Directive if known at the time of completion of this Country Profile

- Yes, there is general legislation relating to mediation which also applies to mediation in family matters. Please specify how the legislation can be accessed (e.g., website) or attach a copy: Federal law of the Russian Federation from July, 27th, 2010 № 193-FZ "On alternative procedure for the settlement of disputes with participation of a mediator (mediation)" (here and after - the 2010 Law), available at <http://fedim.ru/wp-content/uploads/2014/06/Закон-№193-ФЗ.pdf>
Code of Russia mediators, which is available at http://fedim.ru/wp-content/uploads/2014/06/Кодекс-медиаторов-России_ru.pdf
- Yes, there is specific legislation relating to mediation in family matters. Please specify how the legislation can be accessed (e.g., website) or attach a copy:
- Yes, there is specific legislation relating to mediation in international family matters within the scope of the Convention. Please specify how the legislation can be accessed (e.g., website) or attach a copy:
- Yes, mediation in family matters is regulated in another way (*please specify*):
- No, **go to section 19.3**

b) Please indicate which matters are regulated by the legislation / rules in relation to mediation in your State

Please explain where necessary

- Formal accreditation of mediators
- Necessary qualifications / experience of mediators
- Process of mediation
- Confidentiality of mediation
- Status and enforceability of mediated agreements
- Taking into consideration the child's views in the mediation of disputes relating to him / her
- Availability of mediation in disputes involving allegations of domestic violence or other forms of abuse
- Other (*please explain*):

19.3 Access to mediation

a) How can individuals obtain information identifying suitable mediators in your State?

- Lists of mediators are available:
- Through the Central Authority (*see also question 19.3 b) below*)
 - Via accrediting bodies (*please provide details*): "Federal Institute of Mediation", available at <http://fedim.ru/reestr-provajderov-mediativnyh-uslu/>
 - Through other sources (*please specify*): "The National Organization of mediators", available at <http://nptom.ru/reestr/> and at the web-cites of the organizations providing mediation
- Other methods of accessing information are available (*please specify*):
- No general information is available. Individuals must carry out research themselves

b) What role, if any, does the Central Authority play in facilitating mediation where an incoming application has been received for the return of a child?

See Articles 7(2) c) and 10

Please explain where necessary

- Provides information about mediation to the parties
- Refers parties to accredited professionals to undertake mediation
- Seeks orders from judicial or administrative authorities for mediation between the parties
- Other (*please explain*)

<p>c) What role, if any, does the Central Authority play in facilitating mediation where an incoming application has been received for access / contact with a child?</p> <p><i>See Article 21</i></p> <p><i>Please explain where necessary</i></p>	<p><input checked="" type="checkbox"/> Provides information about mediation to the parties</p> <p><input checked="" type="checkbox"/> Refers parties to accredited professionals to undertake mediation</p> <p><input type="checkbox"/> Seeks orders from judicial or administrative authorities for mediation between the parties</p> <p><input type="checkbox"/> Other (<i>please explain</i>)</p>
<p>d) How are the costs of mediation met in disputes where an incoming application has been received for the return of a child?</p> <p><i>Please explain if necessary</i></p>	<p><input type="checkbox"/> If an individual qualifies for free or reduced rate legal assistance, this will <i>always</i> include the cost of mediation (see question 8.2 e) above)</p> <p><input type="checkbox"/> If an individual qualifies for free or reduced rate legal assistance, this <i>may</i> cover the cost of mediation (see question 8.2 e) above) (<i>please specify</i>)</p> <p><input type="checkbox"/> The Central Authority will meet the costs associated with mediation</p> <p><input type="checkbox"/> Other sources of funding are available (<i>please specify</i>)</p> <p><input checked="" type="checkbox"/> The costs of mediation must be borne by the parties</p> <p><input checked="" type="checkbox"/> Other (<i>please explain</i>) The parties must pay for the mediation procedure if the parties decide to use the services of private mediators. In cases of the return covered by the 1980 Convention and the 1996 Convention, mediation carried out by the "Federal Institute of Mediation" is free of charge.</p>
<p>e) How are the costs of mediation met where an incoming application has been received for access / contact with a child?</p> <p><i>Please explain if necessary</i></p>	<p><input type="checkbox"/> If an individual qualifies for free or reduced rate legal assistance, this will <i>always</i> include the cost of mediation (see question 15.2 f) above)</p> <p><input type="checkbox"/> If an individual qualifies for free or reduced rate legal assistance, this <i>may</i> cover the cost of mediation (see question 15.2 f) above) (<i>please specify</i>)</p> <p><input type="checkbox"/> The Central Authority will meet the costs associated with mediation</p> <p><input type="checkbox"/> Other sources of funding are available (<i>please specify</i>)</p> <p><input checked="" type="checkbox"/> The costs of mediation must be borne by the parties</p> <p><input checked="" type="checkbox"/> Other (<i>please explain</i>) The parties must pay for the mediation procedure if the parties decide to use the services of private mediators. In cases of the access/contact covered by the 1980 Convention and the 1996 Convention, mediation carried out by the "Federal Institute of Mediation" is free of charge.</p>
<p>19.4 The mediation process</p>	
<p>a) At what stage of a return application is mediation available?</p>	<p><input checked="" type="checkbox"/> At all stages, including prior to any application and as a preventive measure where necessary (<i>provide an explanation if necessary</i>)</p> <p><input type="checkbox"/> Only before an application has been made to the relevant Central Authority</p> <p><input type="checkbox"/> Only after an application has been made to the relevant Central Authority</p> <p><input type="checkbox"/> Only before an application has been filed in the relevant court or administrative authority</p> <p><input type="checkbox"/> Only after an application has been filed in the relevant court or administrative authority</p> <p><input type="checkbox"/> Other (<i>please explain</i>)</p>

<p>b) At what stage of an access / contact application is mediation available?</p>	<p><input checked="" type="checkbox"/> At all stages, including prior to any application and as a preventive measure where necessary (<i>provide an explanation if necessary</i>)</p> <p><input type="checkbox"/> Only before an application has been made to the relevant Central Authority</p> <p><input type="checkbox"/> Only after an application has been made to the relevant Central Authority</p> <p><input type="checkbox"/> Only before an application has been filed in the relevant court or administrative authority</p> <p><input type="checkbox"/> Only after an application has been filed in the relevant court or administrative authority</p> <p><input type="checkbox"/> Other (<i>please explain</i>)</p>
<p>c) Are cases assessed to determine their suitability for mediation?</p>	<p><input checked="" type="checkbox"/> Yes, always; go to question d)</p> <p><input type="checkbox"/> No, never; go to question e)</p> <p><input type="checkbox"/> Other (<i>please explain</i>) ; go to question d) or e) as appropriate</p>
<p>d) Who carries out the assessment of cases to determine whether they are suitable for mediation?</p>	<p><input checked="" type="checkbox"/> Mediator(s)</p> <p><input checked="" type="checkbox"/> Other (<i>please explain</i>) Specialists of the "Federal Institute of Mediation".</p>
<p>e) Where legal proceedings have commenced, can such proceedings be suspended while mediation is undertaken?</p>	<p><input checked="" type="checkbox"/> Yes, provide additional information if necessary: There is no practice.</p> <p>In accordance with art. 169 (1) of CPC RF, the court may postpone the hearing for a period not exceeding sixty days, at the request of both parties if they decide to conduct mediation.</p> <p>But in any case in accordance with Chapter 22.2 of CPC RF there are established the reduced terms of cases of the return of the child or on the execution of access rights are established - no more than forty-two days.</p> <p><input type="checkbox"/> No</p>
<p>f) How, if at all, are the views of the subject child(ren) taken into account in mediation in your State?</p> <p><i>See also question 19.2 b) above</i></p>	<p><input type="checkbox"/> Rules / legislation require that, if the child is of a sufficient age / maturity, the child must be seen by the mediator (<i>see also question 19.2 b) above</i>)</p> <p><input type="checkbox"/> Rules / legislation require that, if the child is of a sufficient age / maturity, the views of the child must be communicated to the mediator but this need not be directly (<i>see also question 19.2 b) above</i>). Please explain the method(s) used</p> <p><input checked="" type="checkbox"/> It is within the discretion of the particular mediator</p> <p><input type="checkbox"/> The child's views play no part in the mediation</p> <p><input checked="" type="checkbox"/> Other (<i>please explain</i>) If the parties consider it necessary and in a way they consider it necessary.</p>
<p>g) What safeguards are available in your State where allegations of domestic violence and / or other forms of abuse are made in a dispute which goes to mediation?</p>	<p><input checked="" type="checkbox"/> (1) Address and other contact details of the alleged victim are kept confidential</p> <p><input checked="" type="checkbox"/> (2) Other safeguards (<i>please specify</i>) Special guarantees are not provided by the legislation, the issue is solved in the framework of the Criminal law and the law on personal data protection.</p>
<p>h) Please specify which, if any, of the safeguards set out in question 19.4 g) above are required by rules / legislation in your State and which safeguards are left to the discretion of the mediator?</p> <p><i>See also question 19.2 b) above</i></p>	<p>Required by legislation / rules of State:</p> <p>According to art. 5 of the 2010 Law confidentiality to the all relative information is maintained throughout the mediation procedure, except as provided by the Federal laws and cases unless the parties agree otherwise.</p> <p>The mediator has no rights to disclose information relating to the mediation, which he knows from the procedure, without consent of the parties. Parties</p>

Where applicable, please specify relevant legislation and provisions and indicate how the legislation may be accessed, e.g., website, or provide a copy of the legislation.

	<p>and organizations carrying out activities for providing mediation, the mediator, as well as other persons presented at the mediation, no matter whether there is the linkage between the proceedings or arbitration with the dispute that is the subject of the mediation, have no rights to refer without the agreement between parties, at the court proceedings or arbitration, to the information on:</p> <ol style="list-style-type: none"> 1) proposal of one of the parties to use mediation as well as the willingness of one party to participate in the conduct of the procedure; 2) views or suggestions expressed by a party in relation to the possibility of settlement of the dispute; 3) admissions made by a party during the mediation; 4) availability of one of the parties to accept the proposal of the mediator or the other party of the dispute to resolve the dispute. <p>Reclamation of a mediator and of an organization engaged in activities providing mediation, information relating to the mediation, is not permitted, except as provided by the Federal laws, and if the parties have agreed.</p> <p>Left to the discretion of the mediator:</p>
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i) Can judicial or administrative authorities take provisional or interim measures to enable an applicant to exercise contact or access in respect of a child while mediation is ongoing?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
19.5 The enforceability of mediated agreements	
a) Are there legal restrictions on the content of mediated agreements regarding family law matters in your State?	<input checked="" type="checkbox"/> Yes, please specify: General restrictions: mediation agreement shall not affect the rights and legal interests of third parties not involved in the mediation, or the public interests. <input type="checkbox"/> No
b) Which additional formalities, if any, are required in your State to make mediated agreements in a family dispute involving children enforceable?	<input type="checkbox"/> (1) Notarisation of the mediated agreement <input checked="" type="checkbox"/> (2) Court approval of the mediated agreement Please specify competent court: The parties must apply for approval of a mediation agreement as a settlement agreement in court considering the family dispute. Such statement is possible only if the mediation is started after the beginning of the trial. For the approval of mediation agreement by the court it must not violate the rights and legal interests of third parties and must not conflict with the law and should not go beyond the claim. <input type="checkbox"/> (3) Registration of the mediated agreement with the court. Please specify competent court: <input type="checkbox"/> (4) Other (<i>please specify</i>) <input type="checkbox"/> (5) No additional formalities are required. Mediated agreements in family disputes involving children are immediately enforceable <i>without</i> any additional formalities being required If you ticked one or both of options (2) or (3) above, please go to question 19.5 c). If not, please proceed to question 19.5 d)
c) Is the mediated agreement, once approved by or registered with a court, treated as an order of that court? <i>Please explain where necessary</i>	<input checked="" type="checkbox"/> Yes, Go to question 19.5 e) <input type="checkbox"/> No, Go to question 19.5 d)
d) Is it possible to turn a mediated agreement into a court order?	<input checked="" type="checkbox"/> Yes, please briefly explain what steps are required and which court would be competent: According to art. 12 (3) of the 2010 Law mediation agreement reached by the parties as a result of mediation conducted after the submission of the dispute to the court, may be approved by the court as a settlement agreement in accordance with the procedural legislation. <input type="checkbox"/> No
e) Who bears the cost of rendering the mediated agreement enforceable? Please list the number from question 19.5 b) next to the relevant answer	The parties must pay: 2 The cost is covered by any free or reduced rate legal assistance provided to one / both parties: Central Authority: There are no costs:
19.6 Agreements mediated in another State	
a) Can an agreement mediated in another State in a family dispute involving children be approved by a court or otherwise formalised in your State in the same manner as an agreement mediated in your State (see question 19.5 b) above)?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No, a different method for formalising the agreement must be used. Please specify: If mediation agreement concluded in another State, recognized another state by the court decision, it

Where applicable, please specify relevant legislation and provisions and indicate how the legislation may be accessed, e.g., website, or provide a copy of the legislation.

	<p>can be recognized in Russia in accordance with the procedure stipulated by Chapter 45 of CPC RF on recognition and enforcement of judgments of foreign courts and foreign arbitration (arbitration).</p>
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No, it is not possible to formalise an agreement mediated in another State

Other (*please specify*):

20 Other forms of alternative dispute resolution (“ADR”)

<p>a) What other forms of ADR are available in your State for the resolution of international family disputes falling within the scope of the Convention? <i>See Articles 7(2) c) and 10</i></p>	<p><input checked="" type="checkbox"/> (1) In-court conciliation <input type="checkbox"/> (2) Out-of-court conciliation <input checked="" type="checkbox"/> (3) Collaborative law <input type="checkbox"/> (4) Early Neutral Evaluation <input checked="" type="checkbox"/> (5) Other (<i>please specify</i>): The parties may agree in the case involving to the dispute the guardianship authorities. <input type="checkbox"/> (6) No other forms of ADR are available, go to Part VI: Direct judicial communications</p>
<p>b) What services / structures exist in respect of the other forms of ADR available in your State? Please list the relevant number(s) from question 20 a) above next to the service / structure which is available in respect of that method of ADR</p>	<p>Private ADR services / structures (<i>please specify</i>): ADR services / structures within the judicial or administrative system (<i>please explain</i>): guardianship authorities ADR services / structures provided by NGOs (<i>please specify the NGO and give brief details of the service they provide</i>): Other (<i>please explain</i>):</p>
<p>c) In relation to:</p> <ul style="list-style-type: none"> • legislation on ADR • access to ADR • the ADR process • the enforceability of agreements reached as a result of ADR; and • the enforceability of agreements reached as a result of ADR in another State <p>are the responses the same as for the section on mediation above – see sections 19.2 to 19.6?</p>	<p><input type="checkbox"/> Yes, go to Part VI: Direct judicial communications <input type="checkbox"/> Some of the responses are the same, go to question d) <input checked="" type="checkbox"/> No, go to question d)</p>
<p>d) Please briefly specify in what way the answers to the questions in sections 19.2 to 19.6 above are different in relation to other forms of ADR in your State</p>	<p>The parties may come to a settlement agreement in the court hearing.</p>

Part VI: Direct judicial communications

21 Direct judicial communications	
<p>a) Has a member of the International Hague Network of Judges been designated for your State?</p> <p>For more information, go to < www.hcch.net > under "Child Abduction Section" then "Judicial Communications"</p>	<p><input type="checkbox"/> Yes</p> <p>Name/s: <i>Please do not list the contact details of the judge(s) here. Instead, please ensure that the name, position, court and contact details have been provided to the Permanent Bureau</i></p> <p><input checked="" type="checkbox"/> No</p>
<p>b) Is there a legislative basis upon which judges in your State can engage in direct judicial communications?</p>	<p><input type="checkbox"/> Yes, please specify how the legislation can be accessed (e.g., website) or attach a copy: Go to Part VII: Other information</p> <p><input checked="" type="checkbox"/> No, go to question c)</p>
<p>c) In the absence of legislation, can judges in your State engage in direct judicial communications?</p>	<p><input type="checkbox"/> Yes</p> <p><input checked="" type="checkbox"/> No</p>

Part VII: Other information

22 Training	
<p>a) What measures are being taken to ensure that persons responsible for implementing the Convention (e.g., <i>judges, lawyers and Central Authority personnel</i>) have received appropriate information and training?</p> <p><i>Please contact the Permanent Bureau for information in relation to forms of assistance which may be available for this purpose</i></p>	<p><input checked="" type="checkbox"/> Training as required for Central Authority staff</p> <p><input type="checkbox"/> Training as required for responsible authorities</p> <p><input type="checkbox"/> Updates as required on legal developments related to the Convention provided to staff responsible for its implementation</p> <p><input type="checkbox"/> Training as required for lawyers</p> <p><input type="checkbox"/> Training as required for law enforcement</p> <p><input type="checkbox"/> Other (<i>please specify</i>):</p> <p>Specifically in respect of judges:</p> <p><input checked="" type="checkbox"/> Sending a basic package of information on the 1980 Convention to judges</p> <p><input type="checkbox"/> Training through a dedicated judicial studies board</p> <p><input checked="" type="checkbox"/> Participation in judicial training seminars</p> <p><input type="checkbox"/> Participation in the International Hague Network of Judges</p> <p><input type="checkbox"/> Accessing <i>The Judges' Newsletter on International Child Protection</i> (available at < www.hcch.net > under "Child Abduction Section" then "Judges' Newsletter on International Child Protection")</p> <p><input type="checkbox"/> Other (<i>please specify</i>):</p>
<p>b) Is your Central Authority willing to participate in a "twinning arrangement" with another Central Authority?</p> <p><i>A "twinning arrangement" is where two Central Authorities engage in discussions and / or visits to exchange information with the view to improving operations in both Central Authorities</i></p>	<p><input checked="" type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p>

23 Other implementing measures	
<p>a) Does your State use iChild?</p> <p>For more information, go to < www.hcch.net under "Child Abduction Section" then "iChild"</p>	<p><input type="checkbox"/> Yes</p> <p><input checked="" type="checkbox"/> No</p>
<p>b) Does your State use another electronic case management system other than iChild?</p>	<p><input type="checkbox"/> Yes, please specify:</p> <p><input checked="" type="checkbox"/> No</p>
<p>c) Does your State use INCASTAT?</p> <p>For more information, go to < www.hcch.net > under "Child Abduction Section" then "INCASTAT"</p>	<p><input checked="" type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p>
<p>d) Does your State use INCADAT?</p> <p>For more information, go to < www.incadat.com ></p>	<p><input checked="" type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p>

<p>e) Are statistics related to applications under the Convention in your State publicly available?</p>	<p><input type="checkbox"/> Yes, please specify how the statistics can be accessed (e.g., <i>website, annual report</i>):</p> <p><input checked="" type="checkbox"/> No</p>
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24 Other services

<p>a) What general services / resources are available in your State to assist those involved in international child abduction cases?</p> <p><i>Please indicate, where available, contact details, websites and costs for such services</i></p>	<p><input type="checkbox"/> International Social Service (ISS) (<i>please provide contact information</i>):</p> <p><input type="checkbox"/> Specific NGOs dealing with child abduction:</p> <p><input type="checkbox"/> Financial assistance:</p> <p><input checked="" type="checkbox"/> Social / welfare assistance: guardianship authorities of the child`s location provide services for free.</p> <p><input type="checkbox"/> Immigration services:</p> <p><input type="checkbox"/> Other (<i>please specify</i>):</p>
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