

Cooperation in the legal field

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ALEXANDER KONOVALOV graduated in law from the St Petersburg State University in 1992.

He started his career in the Public Prosecutor's Office in St Petersburg as an aide to the District Prosecutor, reaching several senior positions including the post of the First Deputy of the Public Prosecutor of St Petersburg and the Public Prosecutor of the Republic of Bashkortostan.

From November 2005 to May 2008 Mr Konovalov served as Plenipotentiary Representative of the President of the Russian Federation in the Volga Federal District of Russia. In May 2008 he was appointed Minister of Justice of the Russian Federation.

Russian-British business ties strengthen every year and provide a key cornerstone of the bilateral relations in various adjacent areas, establishing a strong and broad cooperation platform for the benefit of both countries.

This fosters quite an intense interaction between the Russian and English legal practitioners. Great Britain has been traditionally one of Russia's key economic partners; now it is also becoming true for the legal field. As the volume of bilateral transactions rises, this inevitably leads to a closer cooperation between lawyers of the two legal systems having to secure the trade and finance cooperation with a legal framework.

Following this positive business track, we are now trying to enhance cooperation between our two systems in the regulatory environment as well.

In November 2010, together with Kenneth Clarke, the UK Lord Chancellor and Secretary of State for Justice, we signed Memorandum of understanding concerning cooperation between both countries in the sphere of justice and establishing a joint consultative committee. The Memorandum was signed during my official visit to the UK and is aimed at deepening the bilateral cooperation over judicial matters. It has set up a formal basis for the joint work of our administrations in the field of justice, where we are now developing three main directions of cooperation.

First, at the level of legal practice and legal profession. Russia and Great Britain represent two different legal systems – civil law and common law. Thus, an active cooperation between Russian and English lawyers in business requires their mutual understanding of the other country's legal rules and institutions.

It has already become a tradition to hold Russian law weeks in London and English law weeks in Moscow. Such bilateral events are an important development trend for lawyers and the scientific community.

While the interaction between the practitioners of the two legal systems is quite intense, their status within their own corporations is very different. Russia is currently reviewing the regulatory framework of the profession. Britain, at the same time, has a long-standing tradition of the self-regulation of the solicitors' and barristers' corporations. And, whereas the situation in the English legal profession, which has been formed through several centuries, is in a league of its own, some analysis of this experience and knowledge-sharing in the field of

regulation is beneficial for both parties. This is especially topical subject in the light of the legal services market reform launched in Russia. Thus, the British experience of the legal market functioning and regulation, as well as application of professional and ethics standards in the legal corporation is very interesting for us.

However, using a foreign law system experience does not mean one should merely copy the foreign laws and institutions. As President Dmitry Medvedev has recently noted, the direct transposition of one country's rules to another country would be a simply mechanical copying of laws that "would not work. We all have our own history, our own understanding of what justice and fairness are about, and our own traditions."

Thus, the cooperation we are trying to establish with our British counterparty is such a kind of partnership when each party provides assistance and shares the experience but also gets something back. We are currently working to set up certain joint projects under the Memorandum of understanding in the field of both civil and criminal law practices that will imply expert work over the new draft legislation on enforcement of civil court decisions, joint visits of detention centres and consultations in the field of probation system.

One more direction of the Russian-British cooperation in the legal field has been launched at the first St Petersburg International Legal Forum that took place in May 2011 and became the largest ground for dialogue between politicians, lawyers, economists and academics from all major legal systems with more than 700 participants from 35 countries.

We were honored to host a major British delegation represented by the distinguished English judges of the Royal Courts of Justice of England and Wales, heads of the Law Society and the Bar Council of England and Wales, prominent legal practitioners and professors. Within the Forum's framework we had a special separate session with our British guests. The discussion was very productive and was focused on the cooperation of the Russian and English legal systems in the field of regulation of the legal profession, legal education and professional standards. We hope that such Russian-British meetings will become a permanent professional format of the bilateral cooperation.

We aim to keep the Russian-British justice partnership well on track and to have a positive impact on the entire Russo-British relationship.