



Russian Federation: Authentication of Legal Documents

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RUSSIAN FEDERATION: AUTHENTICATION OF LEGAL DOCUMENTS

Official legal documents in Russia are issued and authenticated upon registration of one's civil status by the Bureaus of Civil Status Registration [ZAGS] organized as departments of regional and municipal administrations. The Federal Government of the Russian Federation conducts the coordination of activities relating to registration of civil status through the federal Ministry of Justice and its regional branches. Local offices of civil status registration operate in accordance with legislation of the Russian Federation constituent component. The registration of civil status of Russian citizens living abroad is conducted by Russian consular offices in foreign countries.

The registration of civil status is regulated by the Russian Federation Federal Law on Acts of Civil Status of October 22, 1997.¹ The registration of civil status is comprised of the registration of births, deaths, marriages, divorces, ascertainties of paternity, and changes of names. The registration gives full proof of the act or fact certified and can be annulled and/or restored only on the basis of a court decision. Actions aimed at implementing the Law on Acts of Civil Status were determined by Government Regulation No. 709 of July 6, 1998.² This Regulation approved unified forms of the documents certifying the registration of civil status acts.

Procedures related to the registration of each act of civil status are completely elaborated by the Law. Common requirements for the registration of all acts are the following:

- identification documents for the individual concerned in the registration of a civil status act shall be submitted, together with other documents required for the registration of a particular civil status act;
- two identical copies of each registration shall be produced and kept by the registering authority;
- foreign documents will be recognized after their authentication and evaluation through the prescribed procedure;
- an individual who registers an act of civil status receives the certificate of registration;
- information obtained by the employees of the registry offices during the process of registration is considered personal and confidential and shall not be disclosed; however, the chief of the registration bureau is obliged to provide information requested by a court and/or law enforcement authorities;
- a fee for the registration of marriage, divorce, change of names, and further certificates (duplicates), fixed by the Law on Federal Duties, shall be charged.

¹ SOBRANIE ZAKONODATELSTVA ROSSIISKOI FEDERATSII [Collection of Legislation of the Russian Federation, official gazette, SZ RF] 1997, No. 47, Item 5340.

² SZ RF, 1998, No. 28, Item 3359.

Rules on filing the records of the registration of civil status acts and filing the certificates of state registration of civil status acts were adopted by the Russian Federation Federal Government on April 17, 1999.³ Rules prescribe the quality of paper, color of ink, requirements for numbering and signing, the way the dates, names, and other words shall be written in the record and in the certificate, how corrections and changes might be included into the record, and how the state seal shall be attached to the record and to the certificate. Particular requirements of the filing records of different civil status acts, such as birth, death, marriage, divorce, adoption, etc., are also specified in the Rules.

Births are registered at the registry bureau of the place of birth of the child or the domicile of either both or one of the parents. At least one parent or, in case of their disability (due to illness, death or any other reason), a relative, neighbor, administrator of the medical institution where the mother stayed at the birth, or another person has to give notice of the birth orally or in writing. The notice must be given within one month of the birthday or, in case of a still-born child, within three days. The names of the child and the parents are entered in the birth register. If the parents are not married to each other, the name of the father is entered in accordance with a common indication of both parents or, in default of such common indication, on the basis of a court decision ascertaining the paternity; in default of both conditions, the patronymic of the child and the first name and patronymic of the father are entered according to the wishes of the mother alone.

Deaths are registered on the basis of a medical certificate at the registry office of the place where the dead person lived or where he died. If there is a court decision ascertaining the fact of death or declaring a person dead, the bureau of registry where the court is located is competent for the registration. Notice of the death shall be given within three days from the moment of death or the discovery of the corpse.

A complicated procedure for changes or corrections in the records on registration in cases of adoption, ascertainment of paternity, change of name or gender, or court decision is outlined by the Law. The correction shall be made by inclusion of the correct notice in the previous one by the bureau of registry where the first registration was performed. Based on the corrected record on registration, a new certificate on state registration of an act of civil status shall be issued to the individual.

Books containing original records on state registration of civil status acts shall be kept in the bureau of registry for 75 years. After the expiration of the 75-year period, these books shall be transferred to the state archives of the constituent components of the Russian Federation. Rules on transfer of these books to the state archives and their further preservation and usage are determined by Instruction No. 38 of August 2, 1999, issued by the Russian Federal Archive Service.⁴ Second copies of the records on state registration shall be sealed and bound in books that are kept for 75 years at the state authority that coordinates the activities of the registry bureaus. After the expiration of the 75-year period, books containing second copies of the registration records shall be destroyed.

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³ SZ RF, 1999, No. 17, Item 2149.

⁴ ROSSIISKAIA GAZETA [newspaper of the Russian Government], No. 213, Oct. 27, 1999