

Title	1961 Apostille Convention: Planning for the Special Commission meeting in 2021
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Author	PB
Agenda Item	Item IV.2.b
Mandate(s)	C&D Nos 32-33 of 2020 CGAP C&R Nos 35-37 of 2019 CGAP
Objective	To report on the planning for the Experts' Group on the e-APP and new technologies, 2021 meeting of the Special Commission and 12 th International Forum on the e-APP
Action to be Taken	For Decision <input type="checkbox"/> For Approval <input type="checkbox"/> For Discussion <input type="checkbox"/> For Action/Completion <input type="checkbox"/> For Information <input checked="" type="checkbox"/>
Annexes	N/A
Related Documents	N/A

Table of Contents

I.	Introduction	1
II.	Preparatory Work.....	1
	A. Questionnaire.....	1
	B. Experts' Group on the e-APP and new technologies.....	1
	C. Apostille Handbook – Second Edition	1
III.	Proposal to CGAP	2

1961 Apostille Convention: Planning for the Special Commission meeting in 2021

I. Introduction

- 1 As mandated by CGAP at its 2019 meeting,¹ the Permanent Bureau (PB) continues its preparations for the next meeting of the Special Commission (SC) on the practical operation of the *HCCH Convention of 5 October 1961 Abolishing the Requirement of Legalisation for Foreign Public Documents* (Apostille Convention), to be held in October 2021. This will be held in conjunction with the 12th meeting of the International Forum on the electronic Apostille Programme (e-APP Forum) and will coincide with the 60th anniversary of the Convention.
- 2 To inform the discussions at the SC and the e-APP Forum, CGAP 2020 endorsed the convening of an Experts' Group "to further explore whether broader use of new technologies, including DLT, may further enhance the e-APP, in particular in relation to e-Registers."² This meeting is scheduled to be held in the first week of May 2021.

II. Preparatory Work

- 3 The PB has initiated a number of projects to prepare for the 2021 meetings, as outlined below.

A. Questionnaire

- 4 In early 2021, the PB will circulate, as has become custom, a short questionnaire on the practical operation of the Apostille Convention to HCCH Members, Contracting Parties to the Convention, and other interested non-Members. The responses to this questionnaire will inform the agenda of the SC meeting and e-APP Forum, and provide updated statistical information on the use of the Apostille Convention.
- 5 The scheduled deadline for responses to the questionnaire is the end of the first quarter of 2021 and the PB plans to circulate a summary of responses before the conclusion of the second quarter.

B. Experts' Group on the e-APP and new technologies

- 6 As noted above, CGAP at its 2020 meeting invited the PB to convene an Experts' Group to explore the further application of new technologies to the e-APP.
- 7 The PB intends to formally convene the Experts' Group meeting simultaneously with the release of the questionnaire. The preliminary documentation, including a draft agenda, is also expected to be circulated at this time. This will cover new developments relating to electronic signatures and digital certificates, as well as distributed ledger technology and specifically the utility of its application to the e-APP compared to other technologies. Additional statistical information, based on responses to the questionnaire, will be made available closer to the meeting. The outcomes of the Experts' Group are intended to inform discussions at the SC meeting and e-APP Forum.

C. Apostille Handbook – Second Edition

- 8 Since the publication of the first edition of the *Handbook on the Practical Operation of the Apostille Convention* (Apostille Handbook) in 2013, the PB has been monitoring relevant developments related to the Apostille Convention. The preparation of a second edition of the Apostille Handbook

¹ C&R No 36 of CGAP 2019.

² C&D No 33 of CGAP 2020.

was endorsed by CGAP in 2019.³ The PB plans to circulate a first draft to Members and Contracting Parties for comment, in both English and French, in the first quarter of 2021.

- 9 The PB will review these comments and circulate an amended draft version ahead of the SC meeting. This amended draft version will also take into account responses to the questionnaire and the findings from the Experts' Group. The SC will then discuss the Handbook in its final draft form. This will allow final amendments to be made, including to reflect the Conclusions & Recommendations from both the SC and Forum, with a view to returning to CGAP at its 2022 meeting for final approval.

III. Proposal to CGAP

- 10 The PB invites CGAP to take note of this update with respect to the preparations for the Experts' Group on the e-APP and new technologies, the 2021 meeting of the SC on the practical operation of the Apostille Convention, and the 12th International Forum on the e-APP.

³ C&R No 27 of CGAP 2019.