

Title	e-APP Notification System
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Author	PB
Agenda Item	Item 8.iv.
Mandate(s)	Experts' Group on the e-APP and New Technologies
Objective	To introduce the Permanent Bureau's e-APP notification system.
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	Annex I: <i>Note Verbale</i> of 19 May 2021, Depositary to the Permanent Bureau Annex II: <i>Note Verbale</i> of 20 May 2021, Permanent Bureau to the Depositary Annex III: e-APP Notification No. 1 of 2021 – Guatemala
Related Documents	N/A

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e-APP Notification System

I. Introduction

- 1 To ensure e-Apostilles are widely accepted and e-Registers are widely used, Contracting Parties regularly request for the news of their e-APP implementation to be disseminated among other Contracting Parties. Previously, there has been no consistent approach to how this information has been shared.
- 2 The Ministry of Foreign Affairs of the Kingdom of the Netherlands is the Depositary for the Apostille Convention. In this role, they issue notifications for formal treaty actions, including declarations and designations. The e-APP does not require a formal declaration under the Convention. As such, the Depositary is not required to issue notifications.
- 3 Upon invitation of the Depositary, the PB has undertaken to issue notifications relating to e-APP implementation. The *Note Verbales* exchanged between the Depositary and the PB on this matter are included as Annexes I and II.
- 4 This initiative was also discussed and supported by the Experts' Group on the e-APP and New Technologies in an effort to raise awareness of the e-APP and prevent rejections of e-Apostilles.¹
- 5 Contracting Parties are encouraged to inform the PB when they have implemented either of the components of the e-APP. Upon receiving this information, the PB will prepare a notification which includes, but is not limited to, the following information:
 - For e-Apostille implementation, which public documents may have an e-Apostille issued, the Competent Authority empowered to issue e-Apostilles, and the date e-Apostilles begin to be issued.
 - For e-Register implementation, the link to the e-Register, and the date the e-Register is active.
- 6 The notification will be reviewed by the relevant Contracting Party.
- 7 The PB will then send the notification via e-mail to a mailing list dedicated to e-APP notifications. The list includes all Competent Authorities under the Convention, as well as individuals who have subscribed to the notifications via the HCCH website. There is also an option to unsubscribe. These notifications are separate from regular Circular mailings.
- 8 Notifications will be numbered sequentially based on the year. They are published in both English and French.
- 9 There is also a dedicated page on the Apostille Section of the HCCH website where all notifications are uploaded and where individuals can subscribe.
- 10 An example notification, regarding the Republic of Guatemala and issued on 21 June 2021, is included as Annex III.

II. Proposal for the Special Commission

- 11 The PB, supported by the Experts' Group,² invites the Special Commission to note the notification system whereby the PB informs Contracting Parties of the implementation of e-APP components.

¹ See para. 11 of the "Report from the Chair on the Experts' Group on the e-APP and New Technologies" available on the Apostille Section of the HCCH website.

² Ibid, para. 13(c).

ANNEXES



Treaties Division

MINBUZA-2021.388464

The Ministry of Foreign Affairs of the Kingdom of the Netherlands, acting in its capacity as depositary for the Convention of 5 October 1961 Abolishing the Requirement of Legalisation for Foreign Public Documents (Apostille Convention), presents its compliments to the Permanent Bureau of the Hague Conference on Private International Law (HCCH) and has the honour to inform the Permanent Bureau as follows in relation to the electronic Apostille Programme (e-APP).

The Treaties Division of the Ministry regularly receives information and enquiries from Contracting Parties to the Apostille Convention concerning their implementation of the e-APP. As the popularity of the e-APP increases, there has also been an increase in communications from Contracting Parties.

The Ministry notes that matters relating to the e-APP concern neither treaty actions nor declarations or designations otherwise foreseen by the text of the Convention. As such, the Ministry kindly informs the Permanent Bureau that the Treaties Division will no longer be sending depositary notifications for e-APP matters. The Ministry invites the Permanent Bureau to undertake this task to ensure continuity in the dissemination of this information to assist Contracting Parties to the Apostille Convention.

The Ministry stresses that this adjustment does not otherwise affect the role of the Ministry as depositary, including as concerns official treaty actions.

The Ministry of Foreign Affairs of the Kingdom of the Netherlands avails itself of this opportunity to renew to the Permanent Bureau of the Hague Conference on Private International Law the assurances of its highest consideration.

The Hague, 19 May 2021

To the Permanent Bureau of the
Hague Conference on Private International Law
at
The Hague

Your ref. : MINBUZA-2021.388464

Our ref. : NV202108

The Permanent Bureau of the HCCH presents its compliments to the Ministry of Foreign Affairs of the Kingdom of the Netherlands in its capacity as depositary for the *Convention of 5 October 1961 Abolishing the Requirement of Legalisation for Foreign Public Documents* (Apostille Convention).

With reference to the *note verbale* of the Ministry of Foreign Affairs dated 19 May 2021 (reference MINBUZA-2021.388464), the Permanent Bureau has the honour to confirm its acceptance to undertake the role of publishing information related to the electronic Apostille Programme (e-APP). This will include informing Contracting Parties to the Apostille Convention when a Competent Authority implements the e-Apostille component.

The Permanent Bureau kindly informs the Ministry that it will begin publishing notifications relating to e-APP matters to relevant parties.

The Permanent Bureau reiterates that this adjustment does not otherwise affect the role of the Ministry as depositary, including as concerns official treaty actions. The Permanent Bureau is grateful for the important role the Ministry plays as depositary and its ongoing cooperation in these matters.

The Permanent Bureau of the HCCH avails itself of this opportunity to renew to the Ministry of Foreign Affairs of the Kingdom of the Netherlands the assurances of its highest consideration.



THE HAGUE, 20 May 2021

Ministerie van Buitenlandse Zaken
Postbus 20061
2500 EB 's-GRAVENHAGE

Notification regarding the electronic Apostille Programme (e-APP)

The Permanent Bureau of the HCCH is pleased to inform the Competent Authorities designated under the *Convention of 5 October 1961 Abolishing the Requirement of Legalisation for Foreign Public Documents* (Apostille Convention) of a new implementation of the e-APP.

The Republic of Guatemala

Guatemala has begun issuing e-Apostilles, with the following conditions:

1. e-Apostilles may be issued on all documents signed by public officers and all official certificates authorised in Guatemala, signed by those authorities the signatures of whom have been registered with the Ministry of Foreign Affairs.
2. e-Apostilles may be issued by the Ministry of Foreign Affairs as the Competent Authority for Guatemala.
3. e-Apostilles may be issued as of 1 February 2021. These may be requested at: <https://apostilla.minex.gob.gt/>.
4. All Apostilles may be verified on the e-Register, available at: <https://apostilla.minex.gob.gt/public/consular/apostilla>.

For more information on Apostilles in Guatemala, please visit <https://apostilla.minex.gob.gt/>.

For more information on the e-APP, please visit the Apostille section of the HCCH website.

The Hague, 21 June 2021

No. 1 of 2021



Notification concernant le Programme Apostille électronique (e-APP)

Le Bureau Permanent de la HCCH a le plaisir d'informer les Autorités compétentes désignées en vertu de la *Convention du 5 octobre 1961 supprimant l'exigence de la légalisation des actes publics étrangers* (Convention Apostille) d'une nouvelle mise en œuvre de l'e-APP.

La République du Guatemala

Le Guatemala a commencé à délivrer des Apostilles électroniques, avec les conditions suivantes :

1. Les e-Apostilles peuvent être délivrées pour tous les actes signés par des fonctionnaires et toutes les déclarations officielles autorisées au Guatemala, signés par les autorités dont les signatures ont été enregistrées auprès du ministère des Affaires étrangères.
2. Les e-Apostilles peuvent être émises par le ministère des Affaires étrangères en tant qu'Autorité compétente pour le Guatemala.
3. Les e-Apostilles peuvent être délivrées à partir du premier février 2021. Elles peuvent être demandées à l'adresse suivante : <https://apostilla.minex.gob.gt>.
4. Il est possible de vérifier toutes les apostilles sur l'e-Registre, disponible à l'adresse suivante : <https://apostilla.minex.gob.gt/public/consular/apostilla>.

Pour plus d'informations sur les apostilles au Guatemala, veuillez consulter le site web : <https://apostilla.minex.gob.gt/>

Pour plus d'informations sur l'e-APP, veuillez consulter l'Espace Apostille du site web de la HCCH.

La Haye, le 21 juin 2021

No 1 de 2021