

<b>Title</b>	<b>1961 Apostille Convention: Update</b>
<b>Document</b>	<b>Prel. Doc. No 11 of January 2026</b>
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<b>Agenda Item</b>	Item III.2.d
<b>Mandate(s)</b>	C&D Nos 63, 65 and 66 of CGAP 2025
<b>Objective</b>	To report on ongoing work carried out in relation to the 1961 Apostille Convention
<b>Action to be Taken</b>	<div>For Decision <input type="checkbox"/></div> <div>For Approval <input type="checkbox"/></div> <div>For Discussion <input type="checkbox"/></div> <div>For Action / Completion <input type="checkbox"/></div> <div>For Information <input checked="" type="checkbox"/></div>
<b>Annexes</b>	N/A
<b>Related Documents</b>	N/A

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# 1961 Apostille Convention: Update

## I. Introduction

- 1 The Transnational Litigation & Apostille Division at the Permanent Bureau (PB) supports the 1961 Apostille Convention, including through raising awareness of the Convention, assisting with its implementation and operation, as well as providing post-Convention assistance.
- 2 This Preliminary Document (Prel. Doc.) reports on the work carried out, and progress made, in relation to the 1961 Apostille Convention. Section II covers treaty actions, publications, and key promotional activities. Section III reports on the implementation and operation of the electronic Apostille Programme (e-APP), the online brainstorming session, and the upcoming 14<sup>th</sup> International Forum on the e-APP. Section IV sets out proposals for the consideration of the Council on General Affairs and Policy (CGAP).

## II. Update on Developments and Activities

### A. Treaty actions

- 3 The 1961 Apostille Convention currently has 129 Contracting Parties following two new accessions in 2025. The Convention will enter into force for Algeria on 9 July 2026, following Algeria's accession on 5 November 2025; likewise, the Convention will enter into force for Viet Nam on 11 September 2026, following Viet Nam's accession on 31 December 2025.

### B. Translation of the Apostille Handbook

- 4 The 2<sup>nd</sup> edition of the Apostille Handbook is available in English, French, Spanish, Georgian and Portuguese.<sup>1</sup>
- 5 The Apostille Handbook is a primary source of guidance for Contracting Parties and their Competent Authorities on the practical operation of the Convention. With a view to further enhancing the implementation and operation of the Convention, the PB encourages Contracting Parties and any HCCH Member which is not yet a Contracting Party to the Convention to consider making a translation of the Apostille Handbook into their official language(s). Interested Contracting Parties and Members that wish to undertake translations are invited to contact the PB in advance to receive further information on copyright issues and key steps that may assist in arranging translations.<sup>2</sup>

### C. Key promotional activity

- 6 In addition to a number of online and in-person meetings, seminars, and workshops held throughout 2025, the PB and the International Development Law Organisation (IDLO) co-organised an online dialogue in October 2025 entitled "HCCH-IDLO Dialogue on Digitalisation of Public Services and Justice". The dialogue brought together perspectives from officials involved in the design, implementation, and monitoring of projects aimed at facilitating the digitalisation of public services. It also provided an opportunity to discuss the operation of the e-APP and how it promotes and supports the use of technology under the 1961 Apostille Convention. This dialogue formed the second event in a three-part series exploring the digitalisation of public services and its implications for the rule of law and access to justice.

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<sup>1</sup> HCCH, *Practical Handbook on the Operation of the Apostille Convention*, 2<sup>nd</sup> ed., The Hague, 2023 (available on the HCCH website ([www.hcch.net](http://www.hcch.net)) under "Apostille" => "HCCH Publications").

<sup>2</sup> "Conclusions & Decisions of CGAP 2025 (4-7 March 2025)", C&D No 63 (available on the HCCH website ([www.hcch.net](http://www.hcch.net)) under "Governance" => "Council on General Affairs and Policy" and "Archive (2000-2025)").

### III. Update on the e-APP

#### A. Implementation of the e-APP

- 7 In 2025, the e-APP continued to generate significant interest from a range of Contracting Parties to the 1961 Apostille Convention.
- 8 In 2025, the PB was advised of nine Contracting Parties which had implemented one or both components of the e-APP. Bangladesh, France, Mongolia, and Panama implemented both components, *i.e.*, issuing e-Apostilles and establishing an e-Register. Mexico, the People's Republic of China (both Mainland and Hong Kong Special Administrative Region (SAR)), and Singapore have commenced issuing e-Apostilles, and Canada has implemented an e-Register. The state of Nevada in the United States of America (USA) has also implemented an e-Register. With these developments, the total number of Contracting Parties that have implemented one or both components of the e-APP is now 59, among which 42 have implemented both components.<sup>3</sup>
- 9 The PB encourages Contracting Parties that have not yet implemented the e-APP to explore and study the possibility of implementing the programme. The PB invites Contracting Parties to consult the Apostille Handbook and to contact the PB for further information and assistance.

#### B. Online brainstorming session

- 10 At its 2025 meeting, CGAP mandated the PB to convene an online brainstorming session to discuss the acceptance of e-Apostilles in circumstances where Contracting Parties, under their domestic law, cannot accept electronic public documents.<sup>4</sup>
- 11 On 14 May 2025, the PB hosted an online brainstorming session attended by 67 participants representing 25 HCCH Members, including 24 Contracting Parties and one non-Contracting Party to the 1961 Apostille Convention.<sup>5</sup>
- 12 During the session, a delegate identified some issues their State was experiencing with the acceptance abroad of public documents issued in electronic form, and proposed a range of possible initiatives that could, in their view, assist in addressing these issues. The proposals included (i) the provision of information on the HCCH website as to whether Contracting Parties can accept electronic public documents; (ii) the establishment, subject to CGAP's approval, of an Experts' or Working Group to discuss and propose non-binding good practices or recommendations on the matter; (iii) the undertaking of hybrid (paper and electronic) methods of authentication; (iv) the provision of bilateral, non-legally binding declarations for use between Contracting Parties that issue electronic documents and e-Apostilles and those that do not; and (v) the recommendation of further training and the exchange of best practices.
- 13 At a second meeting held on 9 December 2025 to further discuss the proposals put forward, delegates expressed appreciation for the proposals and agreed to continue exploring initiatives. Notwithstanding this, delegates noted that the precise scope, extent, and underlying causes of the identified issues require clarification, including whether they arise primarily from limitations in domestic law, from issues relating to practical implementation, possible misunderstandings, lack of training, or other factors. Delegates further noted that it is unclear whether these issues are systemic or limited to certain Contracting Parties.

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<sup>3</sup> HCCH, *Implementation Chart of the e-APP* (available on the HCCH website ([www.hcch.net](http://www.hcch.net)) under "Apostille" then "e-APP").

<sup>4</sup> "Conclusions and Decisions of CGAP 2025 (4-7 March 2025)", C&D No 66 (available on the HCCH website ([www.hcch.net](http://www.hcch.net)) (see path indicated in note 2).

<sup>5</sup> Andorra, Argentina, Armenia, Australia, Canada, China (People's Republic of), Chile, France, Georgia, Germany, India, Ireland, Israel, Italy, Malaysia, Moldova, Portugal, Romania, Saudi Arabia, Singapore, Ukraine, United Kingdom, United States of America, Uruguay, and Venezuela.

- 14 Against this background, several delegates emphasised the importance of ensuring that any proposals and future work remain aligned with the mandate of the HCCH, the scope of the 1961 Apostille Convention, and that resource implications for the PB in pursuing new initiatives are carefully considered. Some delegates agreed that, as a next step, it would be helpful to have more information on the scope and scale of the issue.
- 15 Taking these considerations into account, and with a view to further enhancing the operation and optimising the use of the e-APP, the PB proposed circulating a questionnaire among Contracting Parties on the operation of the e-APP, which was supported by delegates. The questionnaire will be designed to collect relevant data on the practical implementation and operation of the e-APP, including the possibility for Contracting Parties to report issues relating to the acceptance of e-Apostilles and related matters. It is intended to assist in assessing, insofar as possible, the scope and extent of existing issues and to identify how the PB may best support Contracting Parties in this regard. The data and information collected will be presented and discussed at the upcoming International Forum on the e-APP (e-APP Forum) and subsequently reported to CGAP in 2027.
- 16 In parallel, the PB has continued its efforts to support Contracting Parties and further enhance the effective operation of the Convention and the e-APP. These efforts include:
- **The dissemination of supporting materials** related to the e-APP, including the [Apostille Handbook](#), the [e-APP Background Note](#), [The e-APP Key Principles and Good Practices](#), the [e-APP Implementation Chart](#), the [List of e-Registers](#), the [e-APP Notifications](#), and the materials developed during previous [e-APP Fora](#).<sup>6</sup>
  - **The inclusion of a message** at the top of the Apostille Section of the HCCH website, advising users of the principle of functional equivalence between e-Apostilles and paper Apostilles.
  - **The reorganisation of the Apostille Section** of the HCCH website to ensure that relevant information and documentation concerning the e-APP is prominently displayed at the top of the page.
  - **The reintroduction of the e-APP Exchange Platform.** Hosted on Microsoft Teams, the e-APP Exchange Platform is designed to further enhance the exchange of information, experiences, and best practices among Competent Authorities. The Platform may be used by registered officials to circulate information or queries, upload files, or seek advice from other Contracting Parties regarding the operation of the e-APP.

### C. 14<sup>th</sup> International Forum on the e-APP

- 17 The PB organises the e-APP Forum which is generally held every two years. Thanks to the Kingdom of Morocco's generous support and willingness to host the next event, the 14<sup>th</sup> e-APP Forum will take place in Marrakech, Morocco. This will be the first e-APP Forum held in Africa and the first to be supported by the recently established HCCH Regional Office for Africa (ROAF), together with the Ministry of Justice of Morocco.
- 18 The 14<sup>th</sup> e-APP Forum will be held on 12–13 May 2026. The programme and a registration link will be provided in due course. Contracting Parties to the 1961 Apostille Convention, as well as interested HCCH Members, are encouraged to participate.

## IV. Proposals for CGAP

- 19 Based on the foregoing, the PB proposes the following C&Ds for CGAP's consideration:
- CGAP encouraged Contracting Parties and Members interested in translating the Apostille Handbook to contact the PB.

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<sup>6</sup> e-APP supporting materials are available on the HCCH website ([www.hcch.net](http://www.hcch.net)) under "Apostille".

CGAP welcomed the announcement of the 14<sup>th</sup> International Forum on the electronic Apostille Programme (e-APP), to be held on 12–13 May 2026, in Marrakech, Morocco. CGAP thanked Morocco for its generous offer to host the event and encouraged Contracting Parties and Members to participate in the forthcoming Forum. The PB will report on the Forum to CGAP at its 2027 meeting.

CGAP welcomed the report on the online brainstorming session and the circulation of a questionnaire to collect information about the operation of the e-APP. The PB will present the results of the questionnaire at the forthcoming e-APP Forum. The results of the questionnaire and the outcomes of the Forum will subsequently be reported to CGAP at its 2027 meeting.