



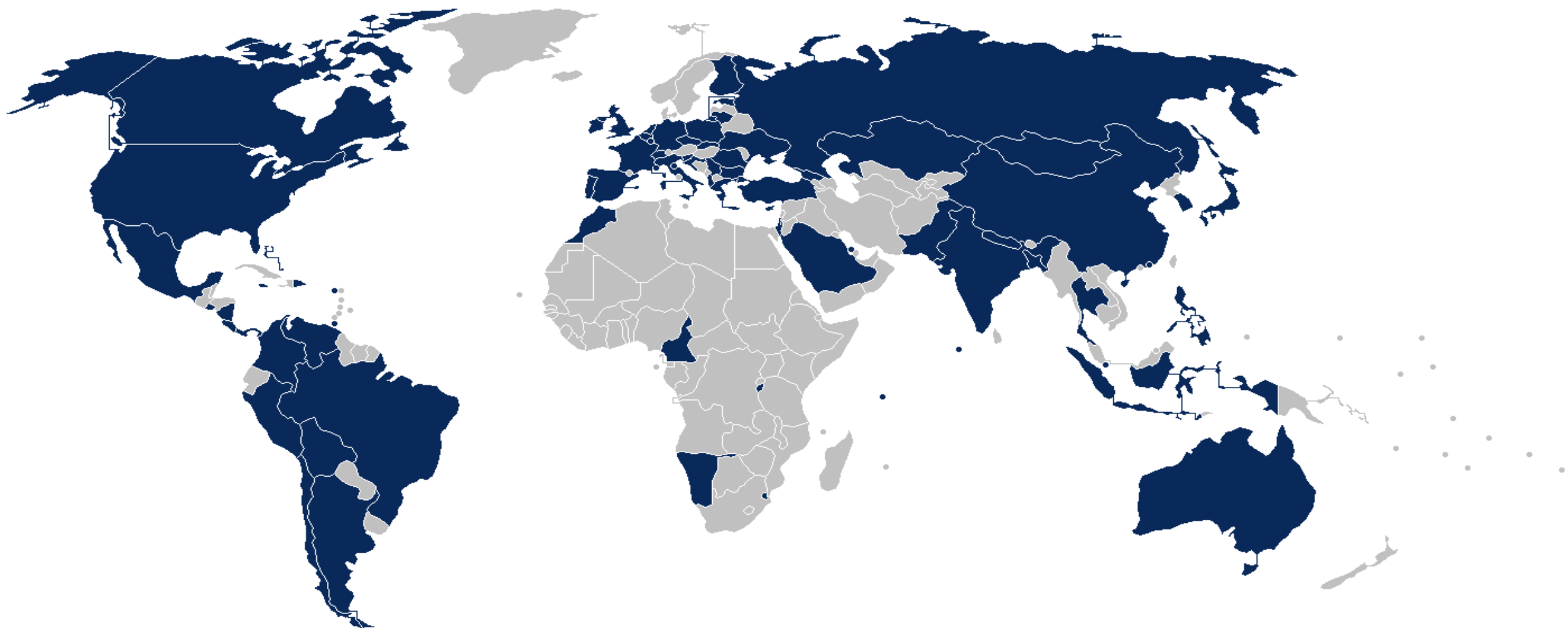
e-APP: An Overview and Global Update

Melissa Ford
Secretary

Transnational Litigation and Apostille Division

13th International Forum on the electronic Apostille Programme (e-APP)
Maqsut Narikbayev University, Astana, Kazakhstan
Monday, 21 October 2024

WELCOME!



OVERVIEW & GLOBAL UPDATE

- The Hague Conference on Private International Law
- The 1961 Apostille Convention
- The electronic Apostille Programme (e-APP)
- Global update



THE ORGANISATION

- **Intergovernmental organisation** with origins dating back to 1893
- Legislative mandate: **“progressive unification of the rules of private international law”** (Art. 1, HCCH Statute)
- **Develops** international treaties – **“HCCH Conventions”** and other instruments – and **monitors their practical operation**
- **Practical impact** for individuals, families, and companies



THE HCCH IN A GLOBAL WORLD

Removing legal obstacles

- Facilitating trade, commerce, and investment
- Supporting access to justice and dispute resolution
- Promoting rule of law and respect for human rights

Creating a coherent cross-border framework

- Providing legal certainty and predictability
- Enabling effective cooperation in an established network
- Respecting diversity of legal systems

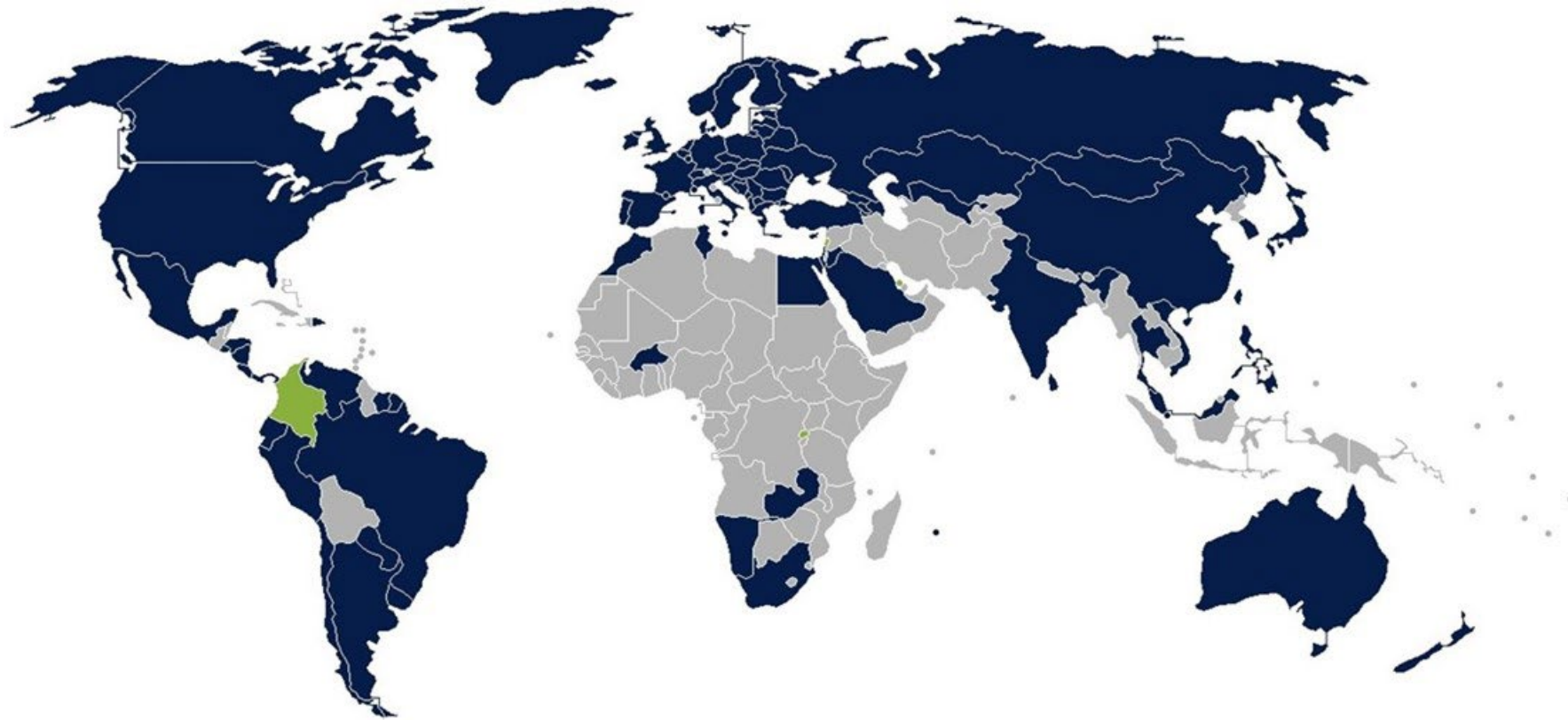
Removing legal obstacles

- Long-term sustainability and encouraging use of technology
- Regular monitoring of operation: post-Convention services and assistance



91 HCCH MEMBERS

90 States + European Union



Member States

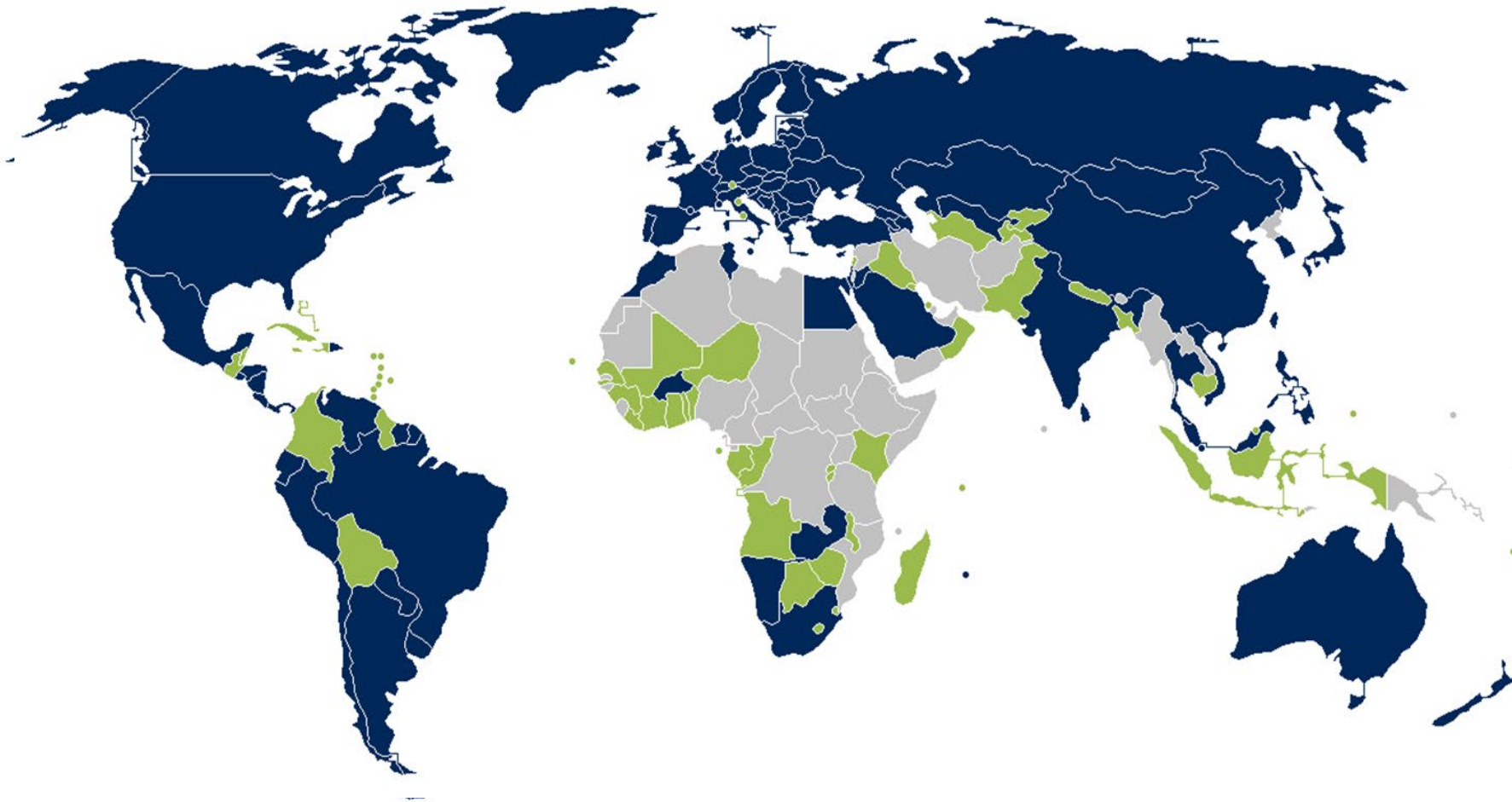
Admitted States

-  Colombia
-  Lebanon
-  Rwanda
-  Bahrain

NB: Boundaries on this map are based upon those used by UN Geospatial Services. The number of States reflects the Parties as recorded by the Depository (NL MFA). Neither should be taken to imply official endorsement or acceptance.



... 158 CONNECTED PARTIES IN TOTAL



91 Members

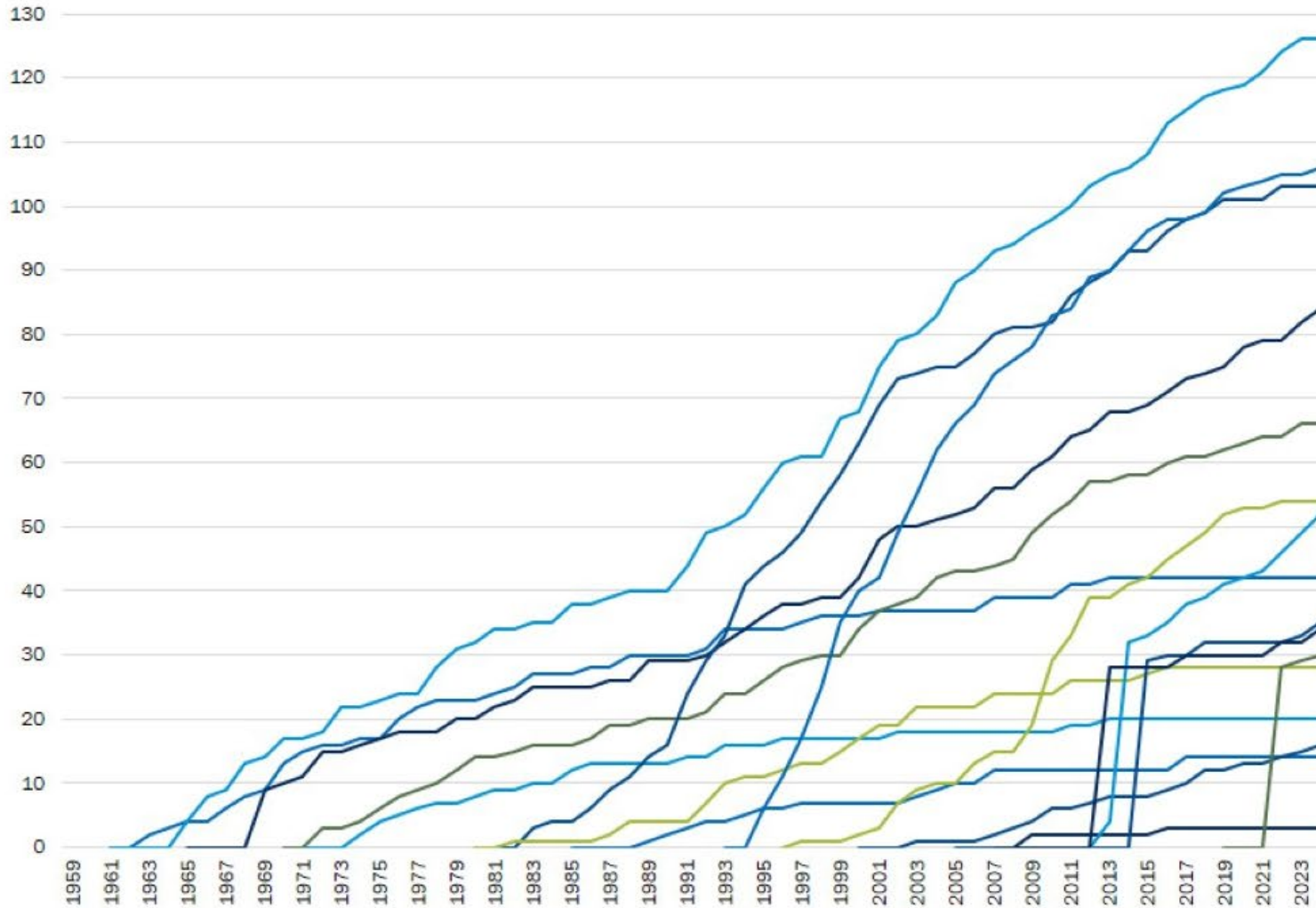
+

67 Non-Member
Contracting Parties

NB: Boundaries on this map are based upon those used by UN Geospatial Services. The number of States reflects the Parties as recorded by the Depository (NL MFA). Neither should be taken to imply official endorsement or acceptance.



HCCH CORE CONVENTIONS



1961 Apostille (127)

1993 Adoption (106)
1980 Child Abduction (103)

1965 Service (84)

1970 Evidence (66)

1996 Child Protection (55)

2007 Child Support (52)

1961 Form of Wills (42)

2005 Choice of Court (36)
2007 Maintenance Obligations (34)

2019 Judgments (30)

1980 Access to Justice (28)

1970 Divorce (20)

2000 Protection of Adults (16)

1980 Trusts (14)

2006 Securities (3)



1961 APOSTILLE CONVENTION

APOSTILLE (Convention de La Haye du 5 octobre 1961)			
1. Country: <small>Pays / País</small>			
This public document <small>Le présent acte public / El presente documento público</small>			
2. has been signed by <small>a été signé par / ha sido firmado por</small>			
3. acting in the capacity of <small>agissant en qualité de / actuando en calidad de</small>			
4. bears the seal / stamp of <small>est revêtu de son sceau / ostenta el sello / ostenta de</small>			
Certified <small>Attesté / Certificado</small>			
5. at <small>à / en</small>		6. the <small>le / el día</small>	
7. by <small>par / por</small>			
8. N° <small>num. d' / no. de</small>			
9. Seal / stamp: <small>Sceau / Sello / Sello / Sello</small>	10. Signature: <small>Signature / Firma</small>		

- 127 Contracting Parties
- Replaces legalisation with a simple, one-step procedure
- Competent Authority
- e-APP

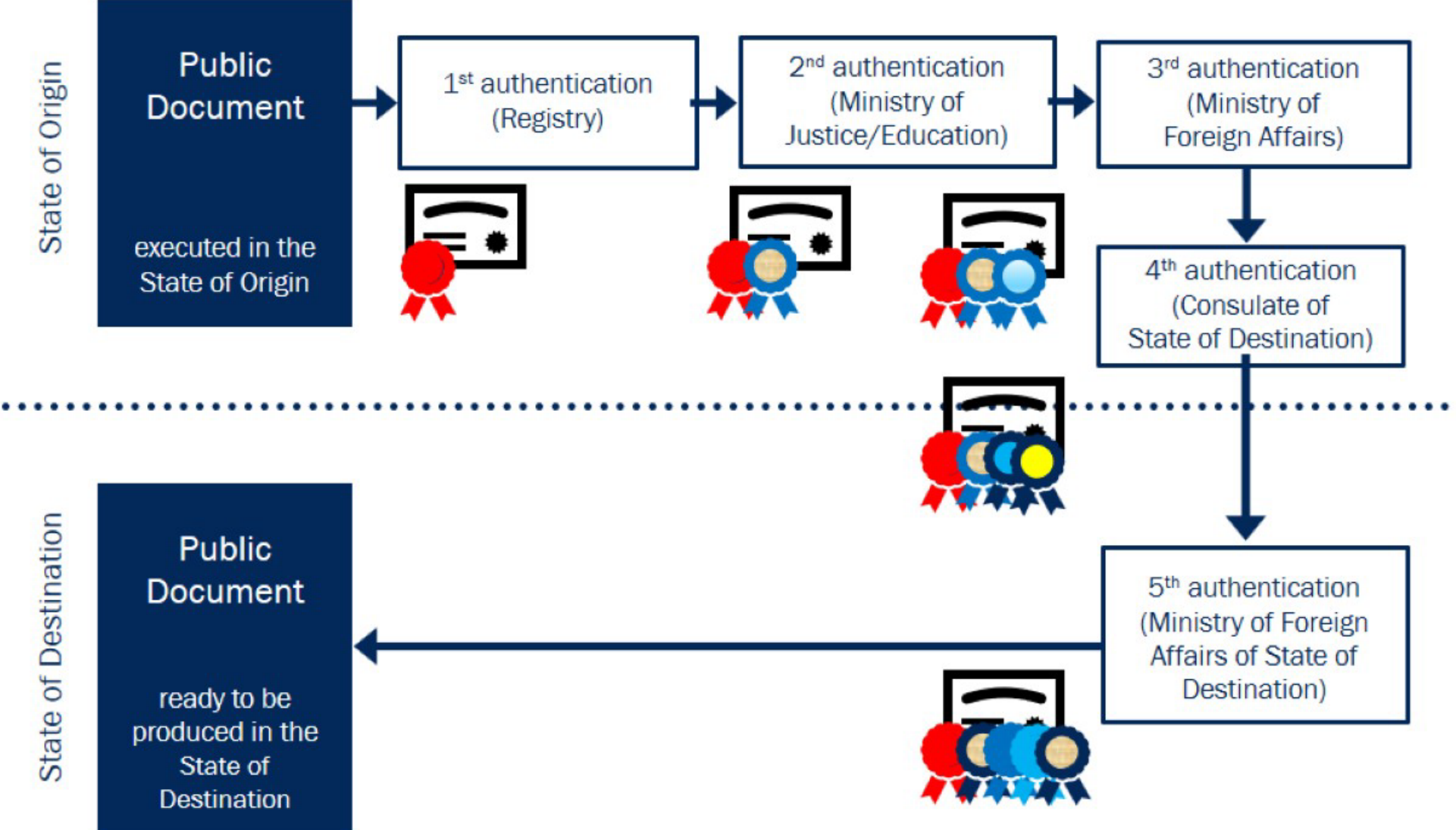


WHAT IS A PUBLIC DOCUMENT?

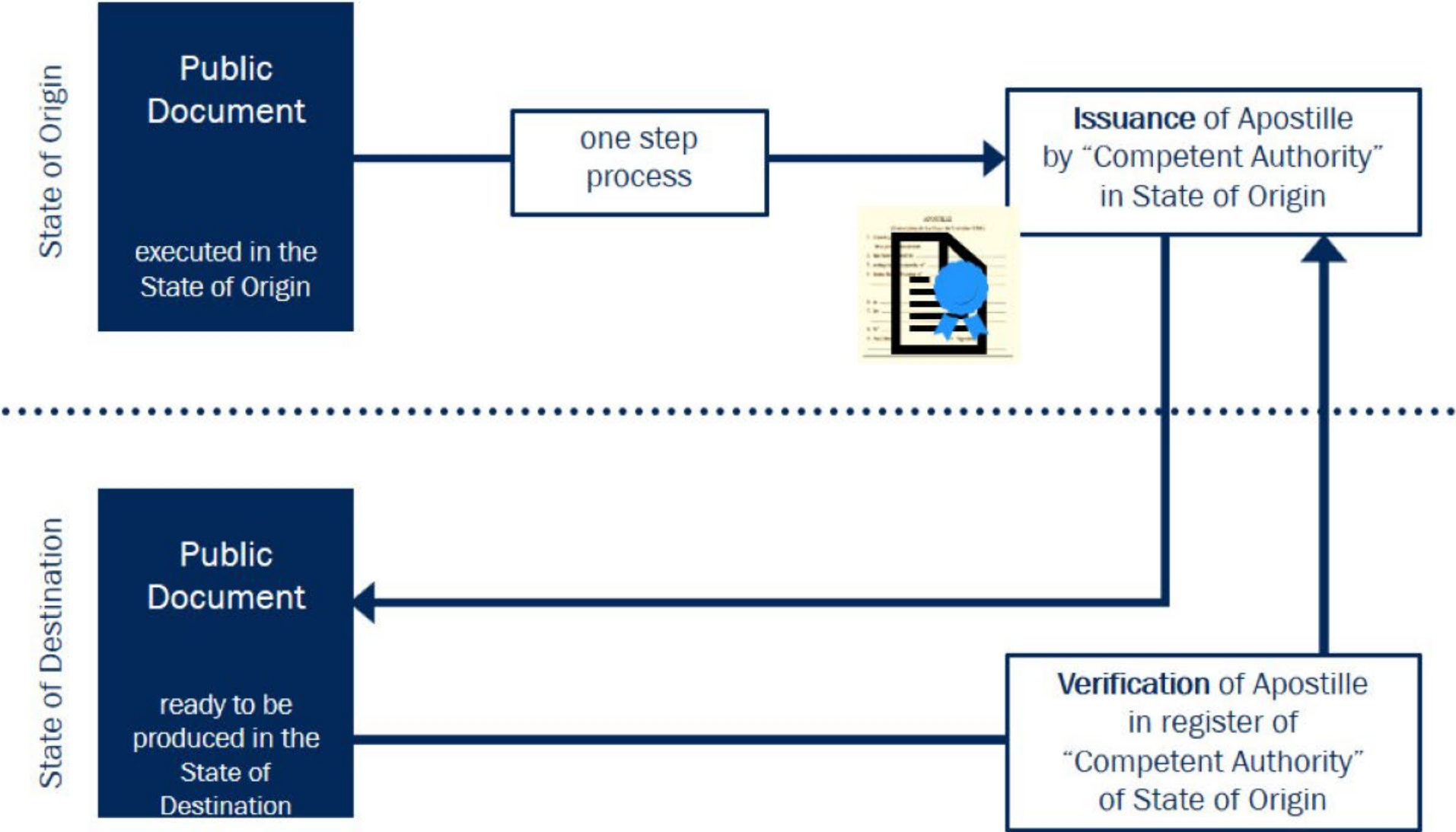
- All documents other than those issued by persons in their private capacity = any document executed by an authority or person in an official capacity
- *General rule:* if a document was subject to legalisation in a State before the entry into force of the Apostille Convention, it will now have to be apostilled
- The law of the State of Origin determines the public nature of a document, and whether an Apostille should be issued
- The law of the State of Destination determines the probative value of the public document



LEGALISATION CHAIN (WITHOUT THE CONVENTION)



SIMPLIFIED PROCEDURE (WITH CONVENTION)



COMPETENT AUTHORITY FUNCTIONS

- 1. Verifying**
the authenticity (origin) of public documents
- 2. Issuing**
(and attaching) Apostilles
- 3. Recording**
Apostilles in a register



COMPETENT AUTHORITY(IES)

- *One or more* Competent Authorities – different models in place, each Contracting Party may determine what is best for them
- Importance of *proximity* to users (public) – decentralisation / online options (e-APP)



MODEL APOSTILLE CERTIFICATE

APOSTILLE
(Convention de La Haye du 5 octobre 1961)

1. Country:

This public document

2. has been signed by

3. acting in the capacity of

4. bears the seal/stamp of

.....

Certified

5. at 6. the

7. by

.....

8. N°

9. Seal/stamp: 10. Signature:

.....

- **Title** in French: “*Apostille (Convention de La Haye du 5 octobre 1961)*”
- 10 numbered **standard informational items**
- **Square frame** (with sides at least 9 cm)
- Drawn up in **English, French, or in an official language** of the issuing Competent Authority
- **Attached** to, or logically associated with, the underlying public document (incl. on an *allonge*)



Apostille
(Convention de La Haye du 5 octobre 1961)

1. Land: **REPUBLIK ÖSTERREICH**
Country: **REPUBLIC OF AUSTRIA**

Diese öffentliche Urkunde / This public document

2. ist unterzeichnet von **Mustermann Maria**
has been signed by
3. in seiner Eigenschaft als **Rechtsabgabungsleiterin**
acting in the capacity of
4. ist versehen mit dem Siegel **Bundesministerium für Inner- und Nostrosangelegenheiten**
Seigel des (der) **Stamps of the** / stamp of

Bestätigt / Certified

5. in / at **Wien** 6. am / on **20.05.2015**

7. durch / by **Bundesministerium für Europa, Integration und Äußeres**
Federal Ministry for Europe, Integration and Foreign Affairs

8. unter Zahl / Number: **99311/2015**

9. Siegel / Stamp **N/A** 10. Unterschrift **via**
Seal / Stamp **Signature**

Edith-Kud MEDNER

Verwaltungsgebühr: € 3,20 einrichtel
Gebührungsgebühr: € 14,30 einrichtel

Diese Apostille bestätigt die Echtheit der Unterschrift und die Eigenschaft der Person, die die öffentliche Urkunde unterzeichnet hat oder die Behörde, und gegebenenfalls die Echtheit des Siegels oder Siegels, mit dem die öffentliche Urkunde versehen ist. Diese Apostille bestätigt nicht den Inhalt des Dokuments.

Die Echtheit der Apostille kann mittels Upload des elektronischen Dokuments auf folgender Website überprüft werden:
<https://www.signaturprüfung.gv.at>

Informationen zur Prüfung des Ausdrucks finden Sie unter:
<http://www.bmeia.gv.at/verifizierung>

This Apostille certifies the authenticity of the signature and the capacity of the person who has signed the public document or the authority, and, where appropriate, the identity of the seal or stamp which the public document bears.

This Apostille does not certify the content of the document.
The authenticity of the Apostille may be verified by uploading the electronic document at the following web site:
<https://www.signature-verification.gv.at>

Information for verification of the printout can be found at:
www.bmeia.gv.at/verifizierung

DEPARTMENT OF FOREIGN AFFAIRS
KAGAWARAN NG UGNAYANG PANLABAS
MANILA, PHILIPPINES

S.N. 19A - 0000000

APOSTILLE
(Convention de La Haye du 5 octobre 1961)

1. Country: Philippines
This public document
2. has been signed by
3. acting in the capacity of
4. bears the seal/stamp of

5. at
6. the
7. by
8. No. 19A-
9. Seal/stamp
10. Signature

Authentication Officer
Annexed document(s) is/are:

This apostille certifies the authenticity of the signature and the capacity of the person who has signed the public document, and, where appropriate, the identity of the seal or stamp which the public document bears.
This apostille does not certify the content of the document for which it is issued.
The authenticity of the apostille may be verified with the Signatur Convention of 5 October 1961, which is a government or a country, which is not a party to the Convention. In such cases, the apostille should be presented in the consular section of the mission representing that country.

APOSTILLE
(Convention de La Haye du 5 octobre 1961)

1. Страна: Российская Федерация
Настоящий официальный документ
2. был подписан Ралько В.В.
(фамилия)
3. выступающим в качестве нотариуса
4. скреплен печатью/штампом нотариуса города Москва Ралько В.В.
(название учреждения)
УДОСТОВЕРЕНО
5. в городе Москва 6. 27.10.2016 г.
(дата)
7. Михайлова Ф.К., ведущий консультант отдела по
вопросам легализации и апостиля
(название удостоверяющего органа)
8. за № 00/415-16
9. печать/штамп 10. подпись

Настоящий апостиль удостоверяет подлинность подписи и должность лица, подписавшего документ, и, в надлежащем случае, подлинность печати или штампа, которым скреплен этот документ. Апостиль не удостоверяет содержания документа, в отношении которого был выдан.

APOSTILLE
(Convention de La Haye du 5 octobre 1961)

1. ქვეყანა/Country: საქართველო /Georgia
ზოგადი რეგივალური დოკუმენტი/This public document
2. ხელმოწერილია/has been signed by:
3. რომლის თანამდებობაზე არის/ acting in the capacity of:-----
4. დამტკიცებულია/ bears the seal/stamp of -----

-ზეტვის/შტამპით
დამოწმებული/Certified
5. ადგილი/ at 6. თარიღი/ the -----
7. დამოწმებულია/ by:
8. № -----
9. ზეტვის/შტამპის ადგილი/Seal/stamp
10. ხელმოწერა/ Signature

U-Register: <http://Apostille.crs.ge>

APOSTILLE
(Convention de La Haye du 5 octobre 1961)

1. Country: **Kingdom of Bahrain**
Pays/Pais
This public document
Le présent acte public / Documento documento publico
2. has been signed by
a. the signee par
le/elle/elle/elle par
3. acting in the capacity of
agissant en qualité de
agente acting en calidad de
4. bears the seal / stamp of
est muni de sceau / tiene de
y porta el sello de este / tiene de

Certified
Attesté / Certificado

5. at **Manama** 6. the
le / elle
7. by **Director of Consular Affairs - Ministry of Foreign Affairs**
par / por
8. Number
numéro de
número de
9. Seal / stamp
sceau / timbre
sello / timbre
10. Signature:
Signature
Firma

100000

This apostille certifies the authenticity of the signature and the capacity of the person who has signed the public document, and, where appropriate, the identity of the seal or stamp which the public document bears.

This apostille does not certify the content of the document for which it is issued.
This apostille certifies the authenticity of the signature and the capacity of the person who has signed the public document, and, where appropriate, the identity of the seal or stamp which the public document bears.

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electronic Apostille Programme

(e-APP)

WHAT IS THE e-APP?

- Seeks to promote and encourage the **use of technology** under the Apostille Convention
- Improves **accessibility and usability** of the Convention using commonly available technologies
- **Streamlines** work processes of Competent Authorities, **generates** more user-friendly Apostilles, and **enhances** security of cross-border transfer of documents



THE TWO e-APP COMPONENTS

e-Apostilles

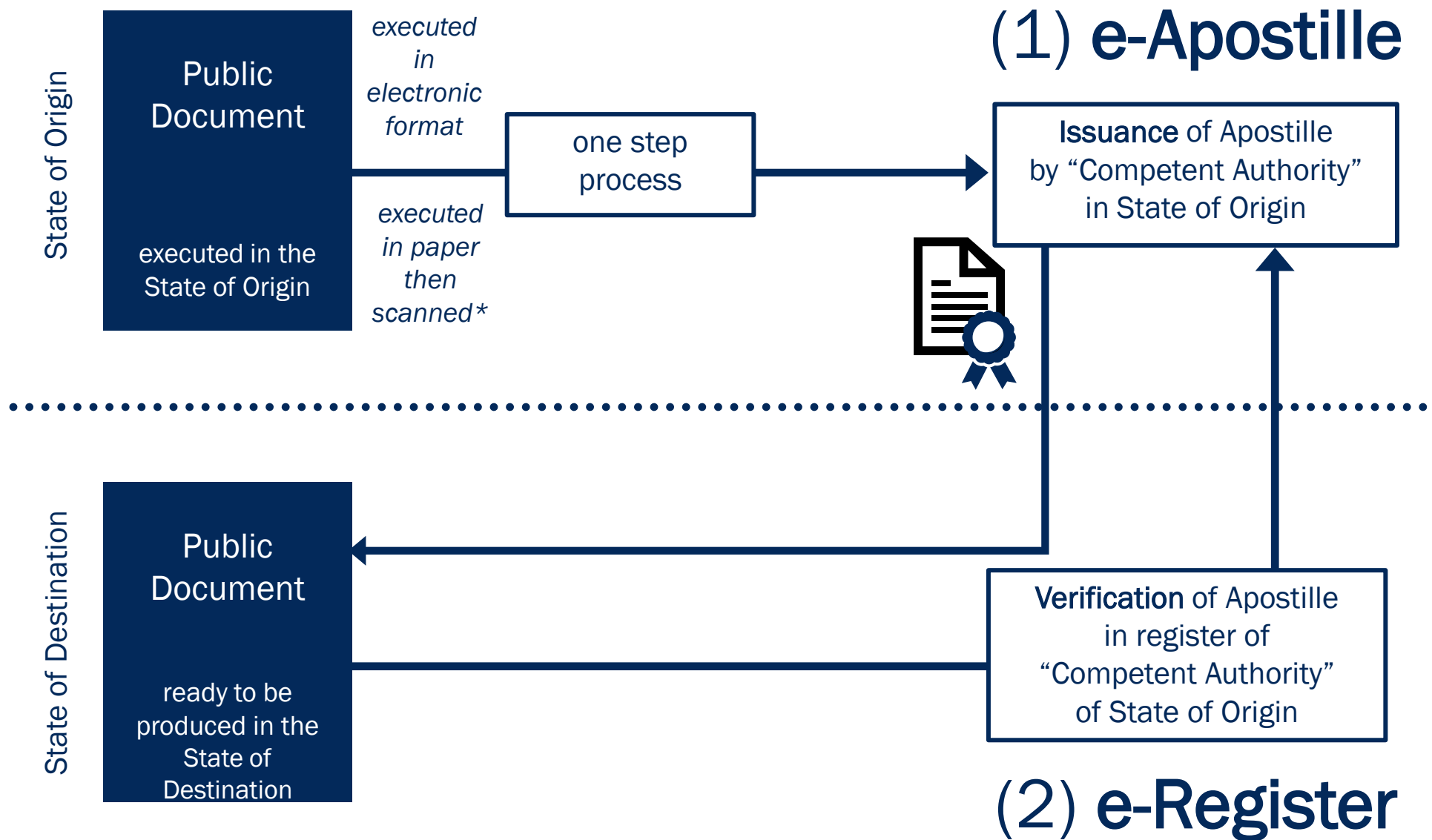
- An Article 3(1) Certificate issued in electronic form
- Signed by electronic signature with a digital certificate
- e-Apostilles may be issued on electronic documents or on paper documents that have been scanned/converted into electronic form

e-Register

- The Article 7(1) register maintained in a publicly accessible, electronic form
- Allows any interested person to verify their Apostille online
- Publicly accessible elements may differ amongst Contracting Parties (also depending on privacy laws)



Two Components

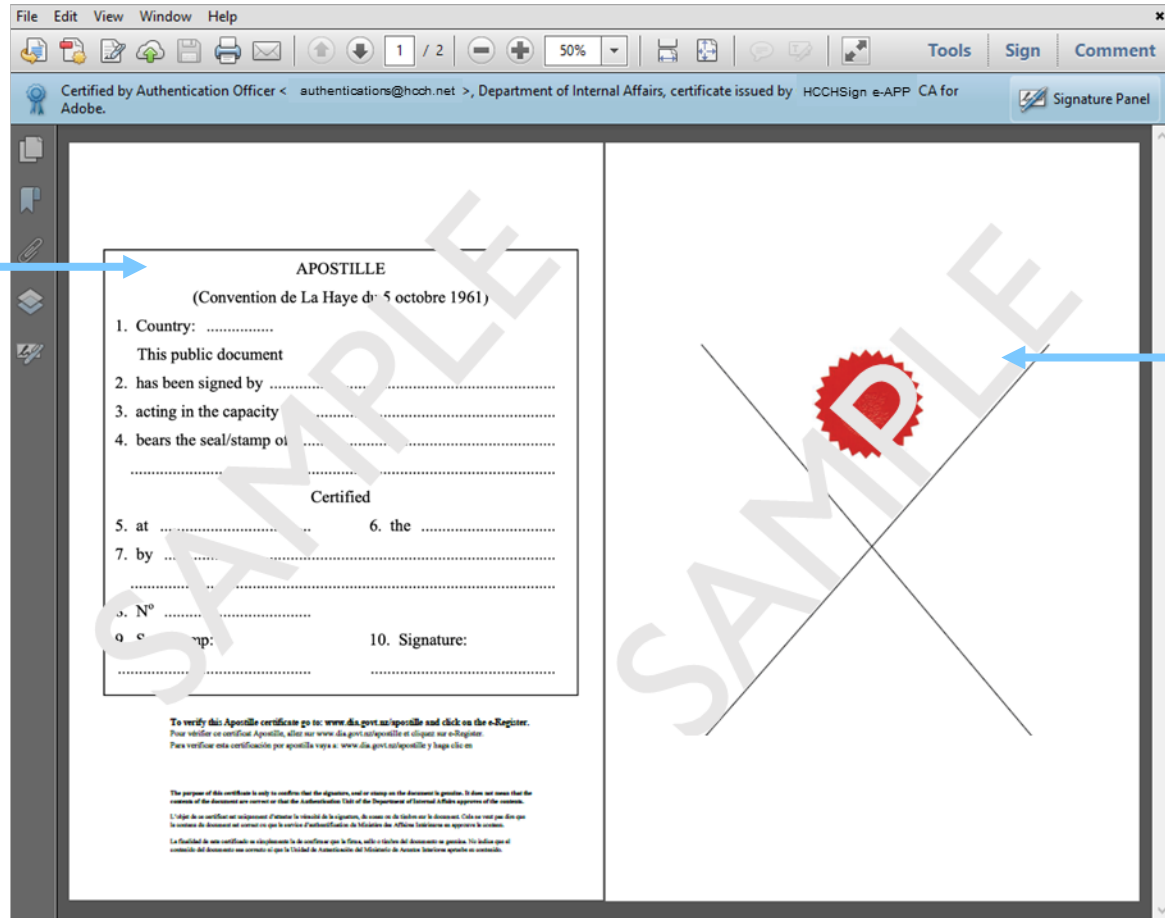


FUNCTIONAL EQUIVALENCE

“an Apostille **validly issued** in one Contracting Party to the Convention **must be accepted** in another Contracting Party to the Convention”

(but receiving authority may have specific requirements for underlying public document – admissibility, form or probative value)

e-Apostille



e-Apostille

Digital signature

Underlying public document



e-Apostille (Kazakhstan example)

APOSTILLE
(Convention de la Haye du 5 octobre 1961)

1. Ел: Қазақстан Республикасы
Pays, Country

Осы ресми Құжатқа
Le present acte public, This public document

2. Мамбетова Валентина Темирбулатовна қол қойды
a ete signe par, has been signed by

3. АХАТ бөлімінің басшысы ретінде
agissant en qualite de, acting in the capacity of


4. Қазақстан Республикасы "Ақтөбе қаласының АХАТ бөлімі" ММ мөрмен/мөртаңбасымен бекітілді
est revetu du sceau/timbre de, bears the seal/stamp of

Куәландырылды, Atteste, Certified

5. Ақтөбе қаласында 6. 04.04.2021 күні
a, at le, the

7. кіммен Басшының орынбасары _Раскалиев Б.Ж.
sous № C/00424 10. Қолы

9. Мөр/мөртаңба
Sceau/timbre, рұқсат
Seal/stamp etілмейді, n/a



Кауіпсіздік коды / Code de sécurité / Security code: 0042405042021004

Өтінім нөмірі / Numéro de dépôt / Application number: 10100492412456

Осы апостиль тек қол қойған адамның қолының, лауазымының/атағының түпнұсқалылығын және құжатқа қойылған мөр мен мөртаңбаның түпнұсқалылығын куәландырады және ол қойылған құжаттың мазмұнын растамайды

Cette apostille électronique ne certifie que l'authenticité de la signature, du titre / du rang du signataire et l'authenticité du sceau ou timbre sur le document et ne certifie pas le contenu du document sur lequel il est apposé

This apostille certifies only the authenticity of the signature, the position/title of the signatory and the authenticity of the seal or stamp affixed on the document and does not certify the content of the document on which it is affixed

Берілген апостильдің заңдылығын тексеру үшін <https://egov.kz/cms/ru/services/apostil/apostil> сайтына кіріңіз.

Pour vérifier la légitimité de l'apostille publiée, voir <https://egov.kz/cms/ru/services/apostil/apostil>.
To verify the legitimacy of the issued apostille, see <https://egov.kz/cms/ru/services/apostil/apostil>.







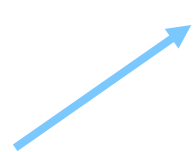
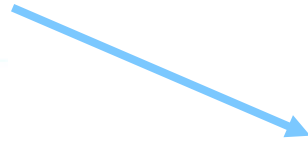
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To verify the legitimacy of the issued apostille, see <https://egov.kz/cms/ru/services/apostil/apostil>.



e-Apostille (Republic of Korea example)

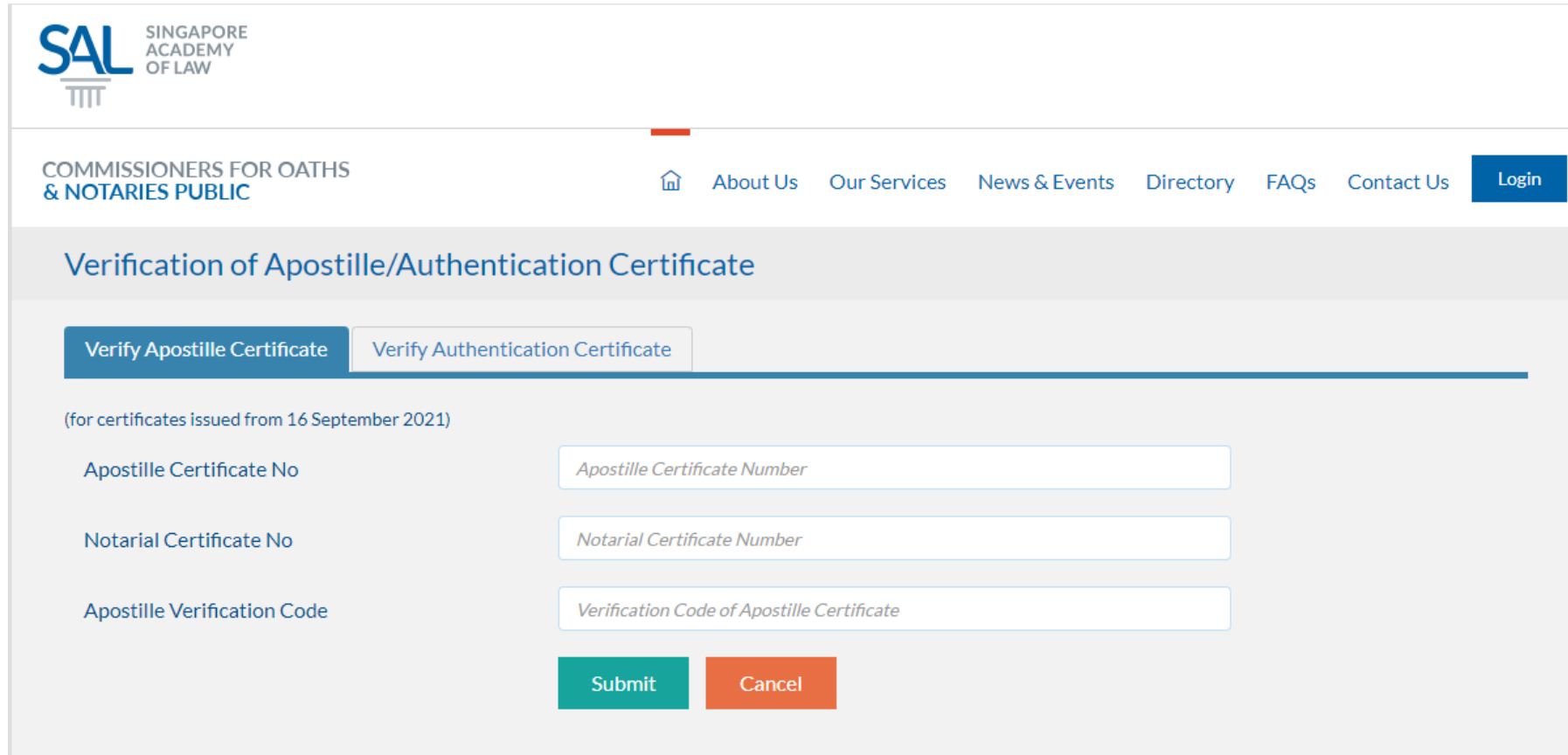
 APOSTILLE (Convention de La Haye du 5 octobre 1961) 			
1. Country		Republic of Korea	
This public document			
2. has been signed by		System Operation Officer	
3. acting in the capacity of		System Operation Officer	
4. bears the seal / stamp of		SUPREME COURT OF KOREA	
Certified			
5. at	Seoul	6. the	2018/FEB/14
7. by	The Ministry of Foreign Affairs	8. No	XXA2018V4J94Y5
9. Seal / stamp		10. Signature	KimbyoungHo Kim Byoung Ho
Additional Information of Underlying Document Issued No : 021180001208591808592B01023A1B0 Issued Date : 2018/JAN/27 ※ 인증 대상 문서는 위변조를 확인할 수 있는 보안 장치를 포함하고 있습니다. ※ Underlying Document has the own forgery prevention. 			
본 아포스티유는 전자정부 홈페이지를 통해 발급되었습니다. 아래 사이트를 통해 인증서를 검증할 수 있습니다. This Apostille was issued from Korea e-GOV Web site. To verify the issuance of apostille see under the site.			
https://www.apostille.go.kr/ Tel : +82-2-3210-0404			



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This Apostille was issued from Korea e-GOV Web site.



e-Register (Singapore example)



SAL SINGAPORE ACADEMY OF LAW

COMMISSIONERS FOR OATHS & NOTARIES PUBLIC

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Verification of Apostille/Authentication Certificate

Verify Apostille Certificate | Verify Authentication Certificate

(for certificates issued from 16 September 2021)

Apostille Certificate No

Notarial Certificate No

Apostille Verification Code

Submit Cancel

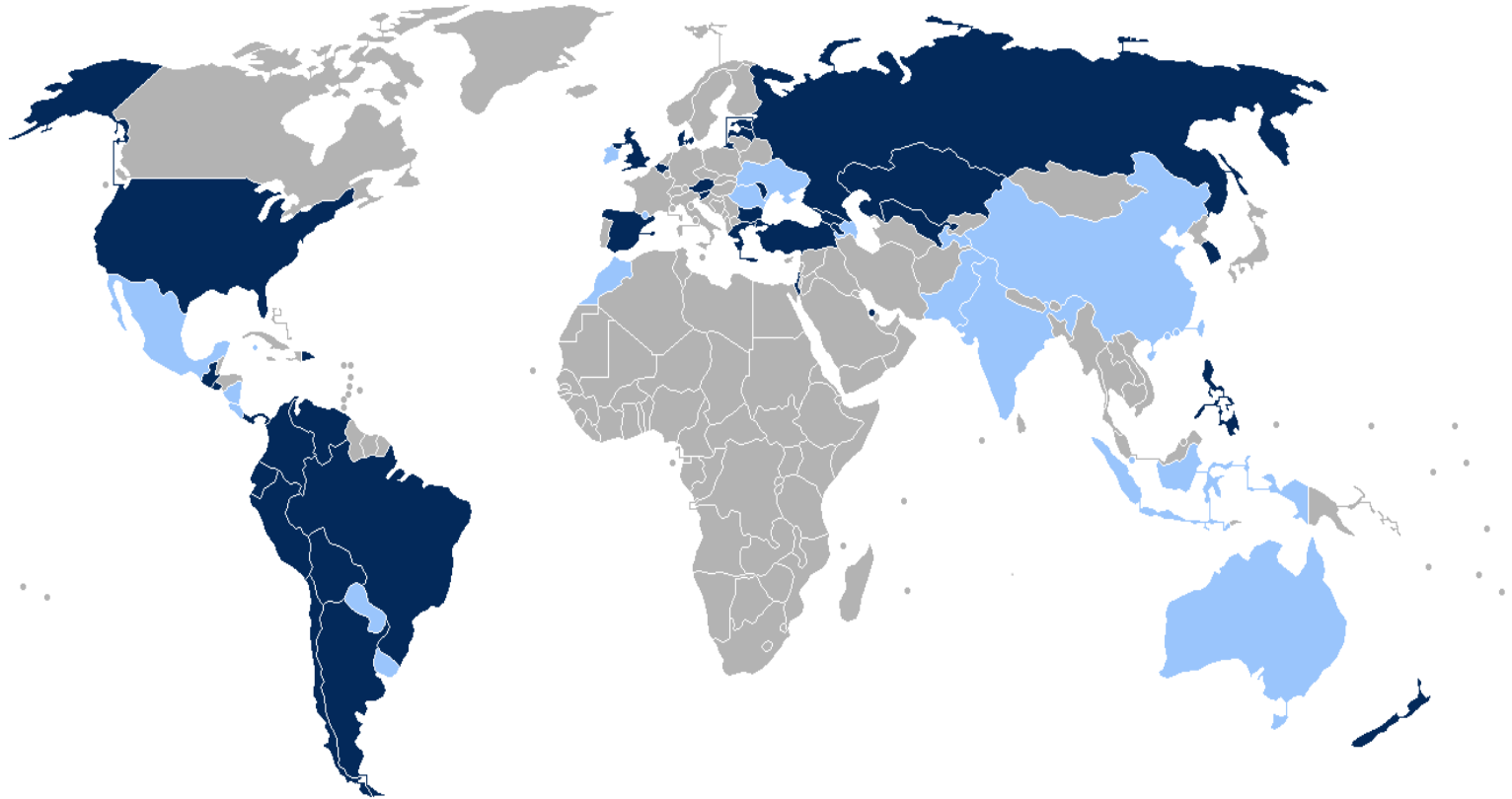
(<https://legalisation.sal.sg/AuthenticationCert/Search>)



GLOBAL UPDATE



IMPLEMENTATION OF THE e-APP



56 CPs: e-Register

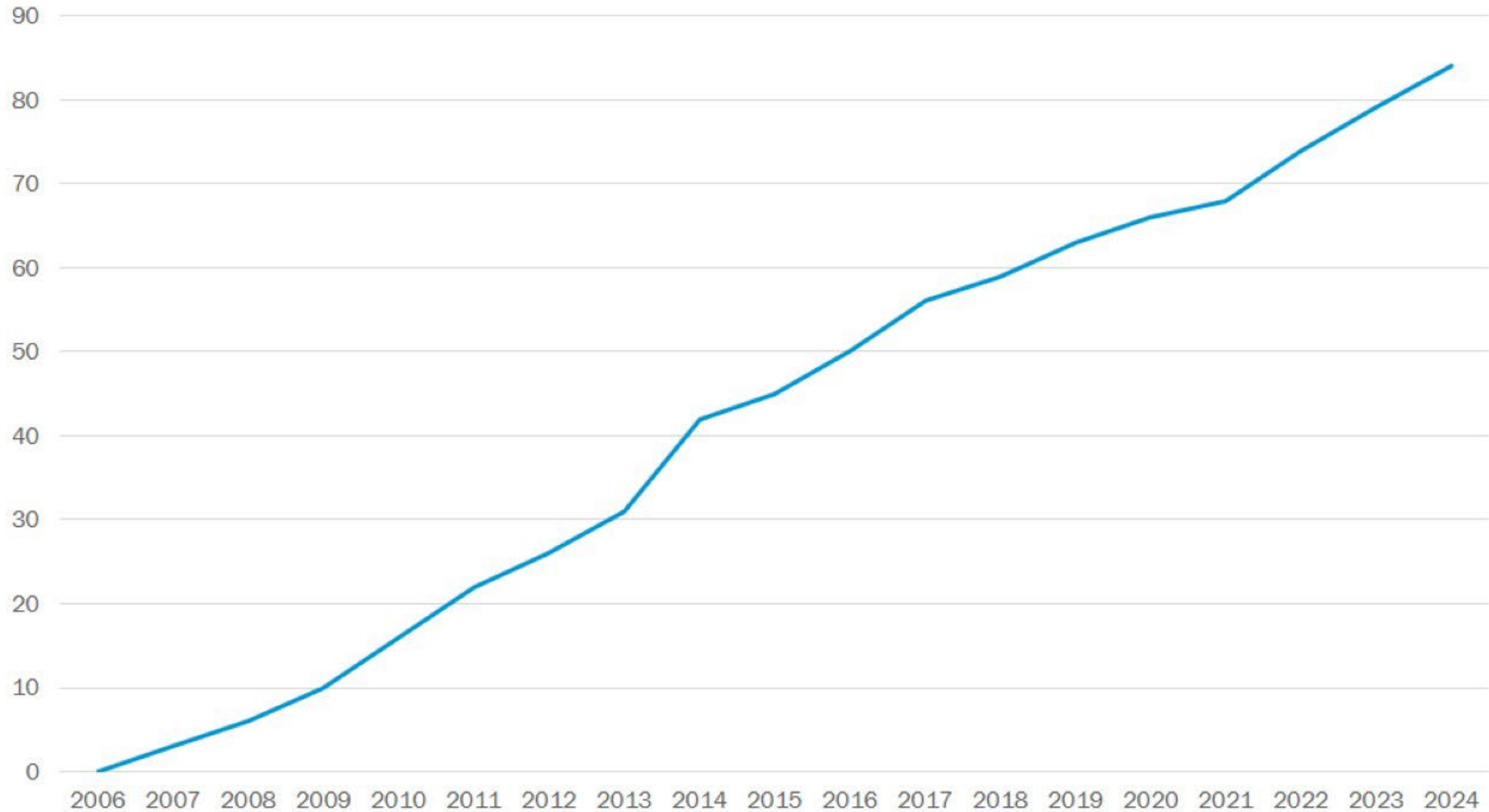
35 CPs: e-Register &
e-Apostilles

82 Competent Authorities
have an e-Register

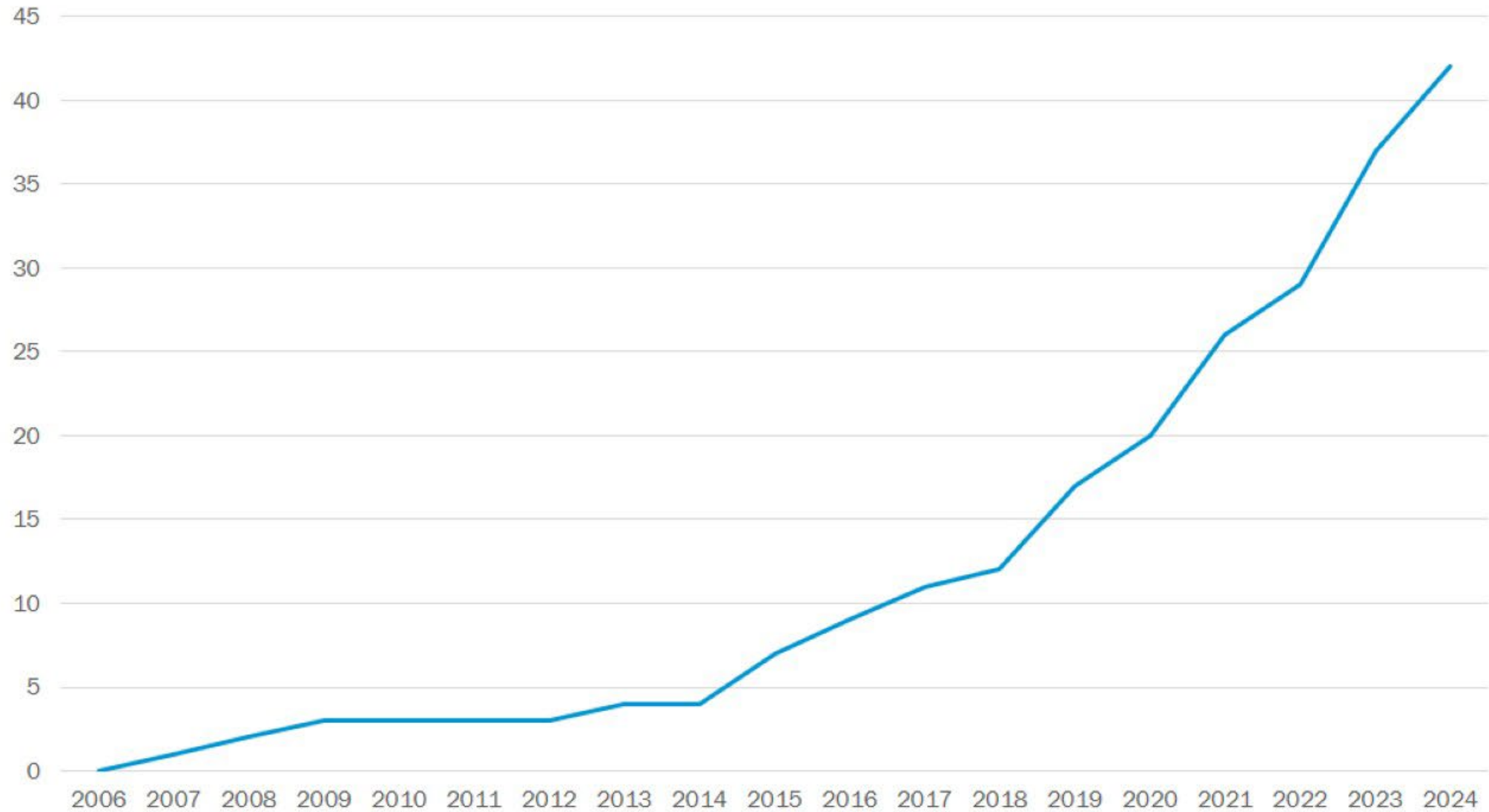
>40 Competent
Authorities are issuing
e-Apostilles



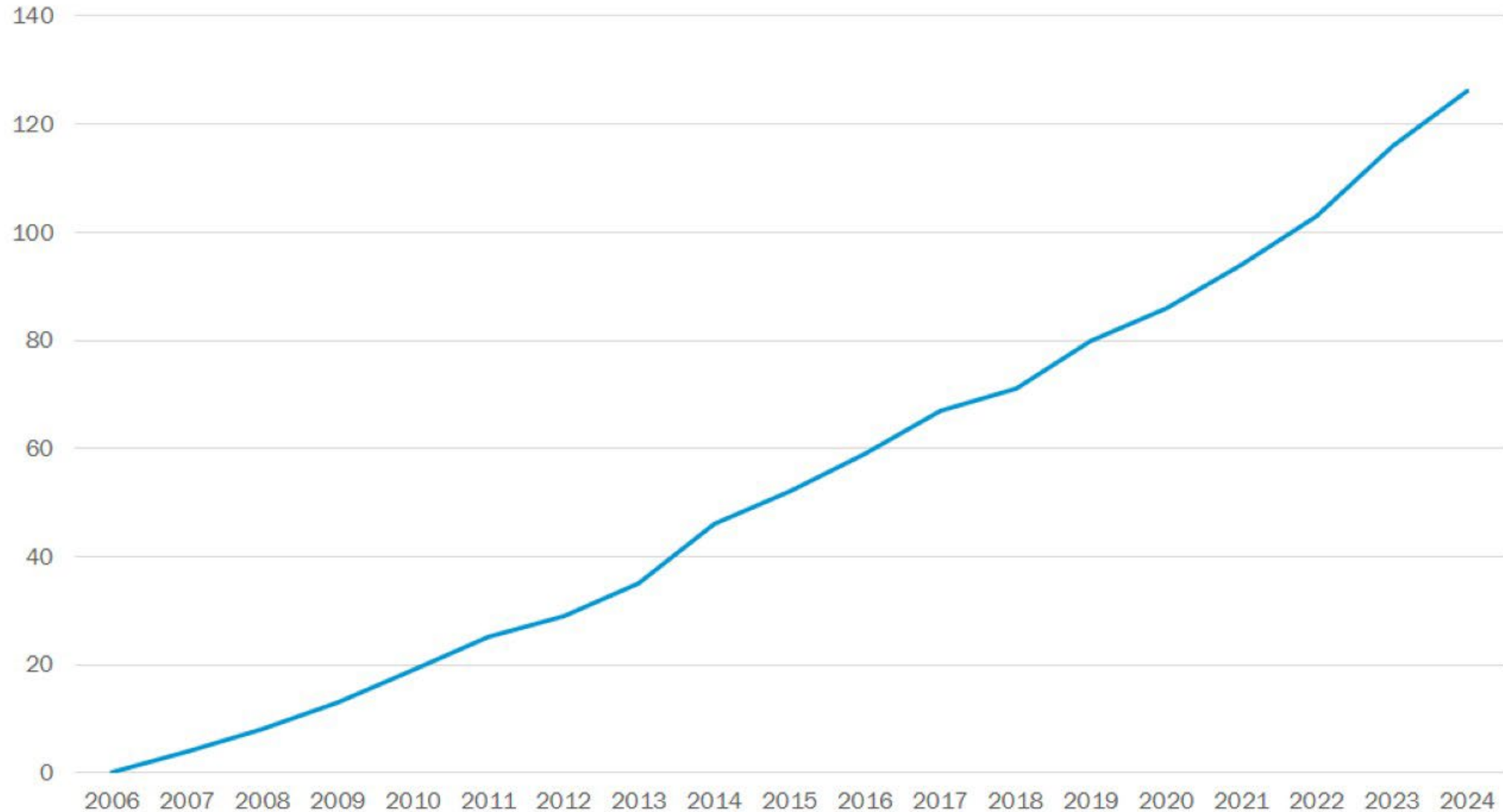
Implementation of e-Register component 2006 - 2024



Implementation of e-Apostille component 2006 - 2024



Implementation of either e-APP component 2006 - 2024



DIGITAL ENVIRONMENT

Countries across the world have adopted or are in the process of developing a **digital agenda** or **digital strategy**

These agendas typically focus on:

- **Digital infrastructure** (e.g., broadband expansion)
- **Digital economy** (e.g., e-commerce, digital entrepreneurship)
- **e-governance** (e.g., online government services)
- **Digital inclusion** (e.g., access for marginalized communities)
- **Cybersecurity** and data protection
- **Artificial Intelligence** and emerging technologies



CITIZENS AND BUSINESSES

- Communication Tools
- Government Services (e-Government)
- Financial Services (FinTech)
- e-commerce and Shopping
- Productivity Tools
- Transportation

These digital products have become essential to modern life, helping citizens stay connected, informed, and engaged with society.



USING PUBLIC DOCUMENTS ACROSS BORDERS TODAY?





Thank you

Melissa Ford

Secretary

Transnational Litigation and Apostille Division

