

Title	1961 Apostille Convention: Update
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Annexes	Conclusions & Recommendations adopted at the 13 th International Forum on the electronic Apostille Programme (e-APP)
Related Documents	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 *Convention of 5 October 1961 Abolishing the Requirement of Legalisation for Foreign Public Documents* (1961 Apostille Convention or 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 in relation to the Convention, publications, the implementation of the electronic Apostille Programme (e-APP), including the 13th International Forum on the e-APP (Forum), promotional activities, and assistance provided by the PB. Section III provides information on the Sixth Meeting of the Special Commission (SC). Section IV sets out proposals for the consideration of the Council on General Affairs and Policy (CGAP).

II. Work carried out

A. Treaty actions

- 3 The 1961 Apostille Convention currently has 127 Contracting Parties following the accession of one new Contracting Party in 2024. The Convention will enter into force for Bangladesh on 30 March 2025, following Bangladesh's accession on 29 July 2024.

B. Translation of the Apostille Handbook

- 4 The 2nd edition of the Practical Handbook on the Operation of the Apostille Convention (Apostille Handbook) is available in English, French, Spanish, Georgian and Portuguese.¹ The Apostille Handbook was translated into Portuguese in 2024, thanks to the generous contribution of the Brazilian Notarial College (Federal Council) and the National Council of Justice (CNJ).
- 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.²

C. Implementation of the e-APP

- 6 The e-APP continued to generate significant interest from a range of Contracting Parties to the 1961 Apostille Convention in 2024.

¹ The second edition of the Apostille Handbook is available on the HCCH website at www.hcch.net under "Apostille" then "HCCH Publications".

² See also Conclusion & Decision (C&D) No 50 of CGAP 2024, available on the HCCH website at www.hcch.net under "Governance" then "Archive (2000-2024)".

7 In 2024, the PB was advised of seven Contracting Parties which had implemented one or both components of the e-APP. The Philippines, the Russian Federation,³ Panama,⁴ Ecuador, and Morocco implemented both components, *i.e.*, issuing e-Apostilles and establishing an e-Register. Three states in the United States of America (USA), Kentucky, Minnesota, and Washington, have also implemented both components. Uruguay has commenced issuing e-Apostilles and Pakistan has 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 56, among which 36 have implemented both components.⁵

8 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.

D. 13th International Forum on the e-APP

9 On 21 and 22 October 2024, the 13th Forum took place in Astana, Kazakhstan.⁶ The Forum was the first to be held in Central Asia and was jointly organised by the HCCH, the Ministry of Justice of Kazakhstan, and the Maqsut Narikbayev University (MNU). The PB is grateful for the significant contributions and generous support received by the Republic of Kazakhstan and the MNU in advance of and during this event.

10 The Forum was conducted in a hybrid format and attended by over 300 participants, representing 70 Contracting Parties and three non-Contracting Parties to the 1961 Apostille Convention. The Forum was also attended by interested members of the public, private companies and organisations directly and indirectly connected to the Convention and the e-APP.

11 Fourteen Contracting Parties, at various stages of the e-APP implementation process, delivered presentations on the status of the e-APP in their State.⁷ The Forum was divided into five sessions and included panel discussions on the operation of both components of the e-APP, the steps required for implementing the e-APP, including promotional and educational measures, as well as the integration of new technologies and e-Government solutions.

12 The Conclusions & Recommendations adopted at the Forum are included as Annex I.

13 The PB remains open to discussing the location and timing of the 14th Forum. Members interested in hosting a future meeting of the Forum are invited to contact the PB.

E. Assistance and promotion

14 The PB has carried out activities to raise awareness of the 1961 Apostille Convention and to promote its use, either individually or jointly with other HCCH Conventions and in different formats depending on the needs of stakeholders involved.

1. Assistance and support

15 Throughout the year, the PB provided the following assistance:

³ The PB was advised that the Russian Federation had implemented an e-Register and commenced issuing e-Apostilles in March 2023.

⁴ The PB was advised that Panama had implemented an e-Register and commenced issuing e-Apostilles in April 2023.

⁵ The Implementation Chart is available on the HCCH website at www.hcch.net under “Apostille” then “e-APP Implementation Chart”.

⁶ See C&D No 51 of CGAP 2024, available on the HCCH website at www.hcch.net (see path indicated in note 2).

⁷ Belgium, Brazil, Chile, China (People’s Republic of), Colombia, El Salvador, Greece, Israel, Kazakhstan, Philippines, Republic of Korea, Singapore, United Kingdom (UK), and USA.

- The PB met, in person and online, with officials from Bangladesh, Bosnia and Herzegovina, Iran, Namibia, Pakistan, Spain, and Thailand to discuss the implementation and / or operation of the 1961 Apostille Convention.
- The PB provided assistance and / or responses to written consultations from Denmark, Italy, New Zealand, Ukraine, the UK, and the USA.
- The PB provided various Contracting Parties with information about the implementation of the e-APP. This included meeting with officials and stakeholders from India, Ireland, the Netherlands and the USA. Finally, the PB continued to facilitate meetings between a range of Contracting Parties to the Convention to share practical information and experience on the e-APP.

16 The PB would like to thank Contracting Parties that continue to share their domestic experiences regarding the implementation and operation of the e-APP with other interested Contracting Parties. This form of practical exchange is particularly useful for Contracting Parties which are seeking to implement the e-APP.

2. Promotional activities

17 The PB also participated in a number of workshops, conferences, and events to promote the 1961 Apostille Convention and the e-APP:

- The PB participated in various online and in-person seminars and workshops organised by governmental authorities and institutions to promote the Convention and the e-APP.
- The PB joined discussions and presented at regional events regarding the operation of the Convention and the implementation of the e-APP, such as the Annual Session of the Asian African Legal Consultative Organization (AALCO) 2024, held in Bangkok, Thailand.
- The PB cooperated with other stakeholders to promote the Convention and the e-APP. Notable events included attending and presenting at the e-APP Symposium and the Montana Notary Conference, both events held in Helena, Montana, USA, in August 2024.

3. World Bank's Business Ready Report

18 The World Bank's Business Ready project assesses and reports on the business and investment climate of economies worldwide. The first Business Ready Report (Report) was published in October 2024⁸. Importantly, the most recent Business Ready Methodology Handbook, which contains the project's indicators and scoring guidelines against which economies are assessed for the purposes of the Report, includes the 1961 Apostille Convention, the e-APP, and the 2019 Judgments Convention.⁹ The Conventions and the e-APP are referred to in the Dispute Resolution scoring methodology as factors used to assess an economy's business environment.¹⁰ The PB will continue to collaborate with the World Bank Group on this project to promote the practical importance of acceding to the Apostille Convention and implementing the e-APP.

⁸ The first Report covers 50 economies assessed by the World Bank and is available at: www.worldbank.org/en/businessready (accessed on 11 December 2024).

⁹ The Methodology Handbook is available at: [Business Ready Methodology Handbook 2nd ed.pdf](#) (accessed on 10 December 2024).

¹⁰ The Methodology Handbook uses points to quantify business environment conditions into corresponding measurable indicators for benchmarking purposes. The data produced by the project are combined to produce a score for each of the 10 Business Ready topics included in the Methodology Handbook: Business Entry, Business Location, Utility Services, Labor, Financial Services, International Trade, Taxation, Dispute Resolution, Market Competition, and Business Insolvency.

III. Sixth Meeting of the SC

19 At CGAP 2022, Members agreed to consider the timing of the next meeting of the SC on the Apostille Convention at CGAP 2024.¹¹ However, this matter was not included in the CGAP 2024 agenda.

20 The PB invites CGAP to consider holding the next meeting of the SC in three to four years' time, taking into account the work programme of the Transnational Litigation and Apostille Division, including future work on the Jurisdiction Project, and the overall Work Programme of the HCCH. The PB could propose more specific timing for this meeting at CGAP 2027.

IV. Proposals for CGAP

21 Based on the above report, the PB proposes the following C&D for CGAP's consideration:

- CGAP encouraged Contracting Parties and Members interested in translating the Apostille Handbook to contact the PB.
- CGAP welcomed the C&R of the 13th International Forum on the e-APP and thanked the Republic of Kazakhstan and the Maqsut Narikbayev University for their generous support in hosting the event.
- CGAP encouraged all Members which had not acceded to the Apostille Convention or Contracting Parties which had not yet implemented the e-APP to take note of the World Bank's Business Ready Report and assess the possibility of joining the Convention and implementing the e-APP.
- CGAP agreed to consider holding the next meeting of the SC on the Apostille Convention in three to four years' time. CGAP will consider the specific timing for this meeting at CGAP 2027.

¹¹ See C&D No 29 of CGAP 2022, available on the HCCH website at www.hcch.net (see path indicated in note 2).

ANNEXES



13th International Forum on the electronic Apostille Programme (e-APP)

Conclusions & Recommendations (C&R)

- 1 On 21 and 22 October 2024, the 13th International Forum on the electronic Apostille Programme (e-APP) took place in Astana, Kazakhstan. The Forum was jointly organised by the HCCH, the Ministry of Justice of the Republic of Kazakhstan, and the Maqsut Narikbayev University. Notably, the Forum was the first to be held in Central Asia.
- 2 The Forum was conducted in a hybrid format and attended by over 300 participants, representing 70 Contracting Parties and three non-Contracting Parties to the *Convention of 5 October 1961 Abolishing the Requirement of Legalisation for Foreign Public Documents* (Apostille Convention). The Forum was also attended by members of the public, private companies and organisations directly and indirectly connected to the Apostille Convention and the e-APP.
- 3 The e-APP Forum provides a unique international platform for governments, organisations, and the private sector to learn more about the benefits of the Apostille Convention and the e-APP, to promote its effective implementation, and to discuss the latest developments in relation to the e-APP worldwide. Fourteen Contracting Parties,¹ at various stages of the e-APP implementation process, gave presentations on the status of the e-APP in their State and participated in panel discussions.
- 4 The 13th International Forum on the e-APP adopted the following C&R:
 1. **Global significance and continuous promotion of the e-APP**
- 5 Participants noted the growing global interest in both the Apostille Convention and the e-APP. At the time of the Forum, the Apostille Convention had 127 Contracting Parties. Fifty-six Contracting Parties had implemented the e-Register component of the e-APP; 35 among them were also issuing e-Apostilles. Competent Authorities of current and future Contracting Parties to the Apostille Convention were strongly encouraged to consider implementing both components of the e-APP.
- 6 The presentations at the Forum emphasised the crucial role played by the e-APP in modernising and streamlining the process of obtaining Apostilles. Participants highlighted the pressing need to incorporate technology into the operation of the Apostille Convention, as digital solutions not only improve the issuance and verification of Apostilles but also facilitate accessibility for users worldwide. Discussions demonstrated that by transitioning from traditional paper-based methods to electronic systems, the e-APP enhances efficiency, reduces costs, and minimises the risk of document fraud.
- 7 Participants highlighted that further promotion of the benefits of the e-APP among Contracting Parties is necessary. Sharing experiences between Contracting Parties can

¹ Belgium, Brazil, Chile, China (People's Republic of), Colombia, El Salvador, Greece, Israel, Kazakhstan, Philippines, Republic of Korea, Singapore, United Kingdom, and United States of America.

also provide valuable insights into best practices and innovations, and assist in fostering a collaborative approach to the implementation of the e-APP.

8 Competent Authorities were encouraged to communicate and share their experiences in relation to the implementation and operation of the e-APP with other Contracting Parties in the region or across the globe.

9 Building on Conclusion & Decision No 59 of the 2024 meeting of the Council on General Affairs and Policy of the HCCH, Competent Authorities were further encouraged to record statistical data, and to share it with the Permanent Bureau (PB) of the HCCH on an annual basis. This information should include the number of Apostilles and e-Apostilles issued annually. If possible, Competent Authorities are also invited to include information relating to the type of underlying documents. Furthermore, if such information is available to them, Competent Authorities are invited to share with the PB information relating to the savings made in terms of time and resources, as compared to previous Apostille procedures (e.g., paper issuance / verification) and traditional legalisation.

2. Implementation of the e-APP

a. e-Apostille

10 The e-Apostille component of the e-APP also provides significant advantages that enhance the efficiency and reliability of the Apostille process. By implementing this component, Competent Authorities expedite the issuance of Apostilles. Participants noted that e-Apostilles reduce the administrative burden on Competent Authorities and minimise delays often associated with traditional paper-based methods. Participants agreed that the integration of user-friendly interfaces simplifies the application process, making it accessible to a broader audience. Moreover, it was observed that the digital format facilitates better tracking and record-keeping, ensuring that Apostille information is easily retrievable and verifiable.

b. e-Register

11 Participants recalled that e-Registers offer numerous benefits that significantly enhance the operation of the Apostille Convention. One of the key advantages continues to be the increased accessibility, as e-Registers allow users to verify Apostilles directly without needing assistance from the issuing Competent Authority. It was noted that this self-service capability empowers users and streamlines the verification process.

12 Additionally, it was agreed that e-Registers ensure timely access regardless of business hours or time zone differences. Contracting Parties were encouraged to implement multilingual interfaces, as they help overcome language barriers, making it easier for users from diverse backgrounds and Contracting Parties to verify Apostilles. Furthermore, e-Registers reduce the need for manual responses to enquiries about Apostilles, freeing up valuable resources and allowing authorities to focus on other critical tasks. Finally, participants concurred that the digital nature of e-Registers ensures the longevity and accessibility of records, safeguarding essential information for future use.

3. Education and training

13 Participants further reiterated that based on the principle of functional equivalence, validly issued e-Apostilles must be accepted by all Contracting Parties in the same way that paper Apostilles are accepted. Participants agreed that greater efforts to promote and educate receiving authorities on the importance of accepting e-Apostilles is crucial.

14 Accordingly, educational and promotional measures should be integrated throughout the process – prior to, during, and after implementation of the e-APP. Participants also recognised that training is essential for officials at the Competent Authority, ensuring that

they are proficient in operating both the e-Apostille and e-Register components. It was also noted that raising awareness among other stakeholders, including members of the public, is important. By prioritising correct training and promotion, the Apostille Convention and the e-APP can achieve their full operational potential, leading to a more efficient and trustworthy international document authentication process.

- 15 Participants recalled the valuable guidance contained in the document entitled [“The e-APP: Key Principles and Good Practices”](#). Contracting Parties were encouraged to disseminate this document domestically to relevant agencies and other users of the e-APP to assist with education and training.

4. Visions for the future

- 16 Noting Principle 5 of the Key Principles and Good Practices mentioned above, participants stressed the importance for Competent Authorities to regularly update and upgrade their e-APP infrastructure and to consider whether technical and security developments, including relevant regional and international standards, can improve existing technology. Participants recommended that Competent Authorities which are considering e-APP implementation explore the use of the latest technological developments and solutions. Participants further recommended that Competent Authorities which have already implemented the e-APP monitor developments and consider, where possible, updating or upgrading their e-APP infrastructure as appropriate, to keep pace with technology.
- 17 When either component of the e-APP is implemented, or if Contracting Parties make changes to e-APP practices or procedures, the importance of informing the PB, other Contracting Parties (and in circumstances where there is a change in designated Competent Authority(ies)), the depositary for the Convention, *i.e.*, the Ministry of Foreign Affairs of the Kingdom of the Netherlands) was recalled, as well as making information available for the general public.

5. Next Forum

- 18 Participants agreed that the e-APP Forum was a valuable opportunity for officials to meet and connect to share experiences on the e-APP and welcomed the suggestion for a further Forum at an appropriate time.