

Major Progress for the electronic Apostille Pilot Program (e-APP):

Belgium first European jurisdiction to operate an electronic Register of Apostilles that is fully compatible with the model suggested under the e-APP – Colombia takes significant steps toward full implementation of the e-APP

(31 October 2007) — In a most important development for the electronic Apostille Pilot Program (e-APP), Belgium and Colombia have both launched e-Registers for verifying the authenticity of their respective *Apostilles*. Both e-Registers are fully compatible with the model suggested under the e-APP, which is being deployed as an effective tool to combat fraud in the context of the ever increasing cross-border use of public documents.

Any interested person can now conduct a secure, online search to verify the origin of any Belgian or Colombian Apostille by entering its number and date in the relevant online e-Register. The e-Register will show automatically if a matching entry can be found, thus allowing receiving parties to verify the origin of the Apostille much more quickly and efficiently than can be accomplished currently. The URLs of the two e-Registers are < <http://www.diplomatie.be/FPSFAWeb/Consular/LegalWeb/WebUI/Pages/LegaliNetSearchPage.aspx> > and < <http://www.cancilleria.gov.co/apostilla> > respectively. The operation of e-Registers that are based on the easy and secure model suggested under the e-APP should allow for the verification of Apostilles to become a routine act, thus fostering the trust in foreign Apostilles and making the whole operation of the Apostille Convention more efficient and secure.

Belgium has become the first European jurisdiction to implement one of the two components of the e-APP. Belgium is now actively working toward implementation of the second component of the e-APP, namely the issuance of e-Apostilles. In addition, Belgium has indicated its willingness to accept foreign e-Apostilles issued in accordance with the e-APP model and is currently investigating the technical means to do so.

In an impressive step toward full adoption of the e-APP, Colombia has started to produce its Apostilles in accordance with the model suggested under the e-APP. As a result, the Colombian Competent Authority is now generating and signing all its Apostilles digitally, before recording them in its e-Register. The applicant is issued a printout of the e-Apostille. In addition to the standard items of an Apostille, the Colombian Apostille Certificate includes all the necessary information relating to the digital signature of the Competent Authority. The digital signature has been issued by a trusted Certificate Authority and can be verified independently. The Colombian Government has already

sent a model of its new Apostille Certificate to the Depositary of the Convention, who in turn will send it to all other Contracting States for information purposes. While the process described above currently only applies to public documents submitted in paper form, the Colombian Competent Authority plans to issue e-Apostilles for electronic public documents in the future. Colombia is one of the largest producers of Apostilles in the world, issuing more than 3,000 per day. Colombia's implementation of the e-APP is therefore a significant step forward for the implementation of the e-APP internationally.

The e-APP is an innovative program launched in April 2006 to support the development of secure, cost-effective models for the issuance of e-Apostilles and the electronic registration of Apostilles. The Program is designed to strengthen the important benefits of the Hague Apostille Convention in the cross-border use of public documents; in particular, the e-APP allows for dramatic cost savings and leads to a level of security which by far exceeds current standards in the paper-only environment.

The Program thus translates the current paper-based Apostille system into a more efficient and secure government service for consumers and businesses that rely on important public documents (such as birth certificates, notarial acts, notarial authentications of signatures, adoption papers, public school diplomas, etc.). Currently, there are over 90 Contracting States to the Apostille Convention, and the e-APP is open to participation by all of them. More information about the Apostille Convention and the e-APP can be found on the Program's website (<http://www.e-app.info>) and the "Apostille Section" of the Hague Conference's website (<http://www.hcch.net>).

Four jurisdictions have now adopted the e-APP in whole or in part. It is hoped that the example set by Colombia, Belgium, Kansas, and Rhode Island will soon be followed by other Contracting States. The e-APP provides software models that take advantage of entirely paperless processes to legalise a document with secure technology that will help deter fraud, reduce costs and increase the speed of critical transactions in international commerce. The e-APP thus promises parties who rely on this practically most important Hague Convention a future of greatly streamlined and much more secure procedures, as compared to the relatively lengthy process of transacting such documents in paper, which is also more prone to fraud.

The Permanent Bureau of the Hague Conference thanks the National Notary Association of the USA for the excellent cooperation under the e-APP; the Permanent Bureau is particularly grateful to the NNA for developing and providing the free, open-source software as defined in the e-APP and for serving as a partner in the effort to promote this initiative around the world. For more information on the NNA, go to <http://www.nationalnotary.org>.

For more details about the e-APP, contact First Secretary Christophe Bernasconi (cb@hcch.nl) at the Permanent Bureau.

About the Hague Conference on Private International Law (HCCH)

With over 60 Member States representing all continents, the Hague Conference on Private International Law is a global inter-governmental organisation. A melting pot of different legal traditions, it develops and services multilateral legal instruments, which respond to global needs. An increasing number of non-Member States are also becoming parties to the Hague Conventions. As a result, the work of the Conference encompasses more than 120 countries around the world. The *Hague Convention of 5 October 1961 Abolishing the Requirement of Legalisation for Foreign Public Documents* (Hague Apostille Convention) facilitates the circulation of public documents executed in one State party to the Convention and to be produced in another State party to the Convention. It does so by replacing the cumbersome and often costly formalities of a full legalisation process with the mere issuance of an Apostille (also called Apostille Certificate).