









General Introduction to the e-APP and Update on the e-APP for Europe Project

First Regional Meeting of the e-APP for Europe project

HELSINKI, FINLAND 14 February 2011

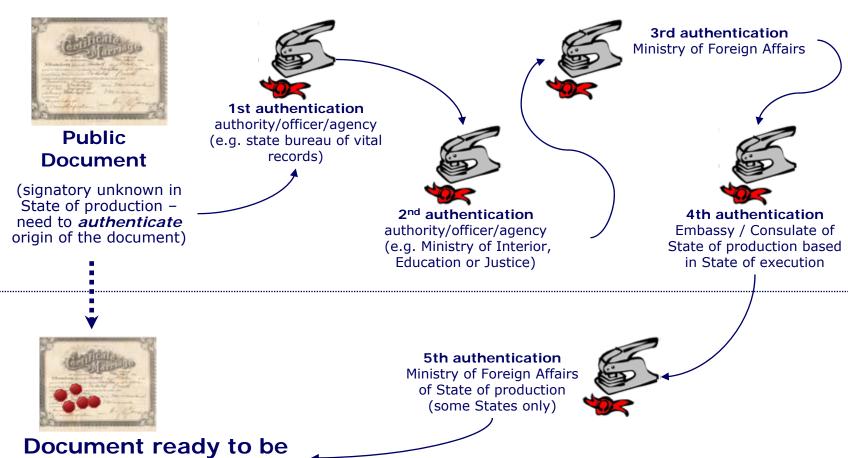
Christophe Bernasconi First Secretary Hague Conference on Private International Law

produced and used



Production of public documents abroad

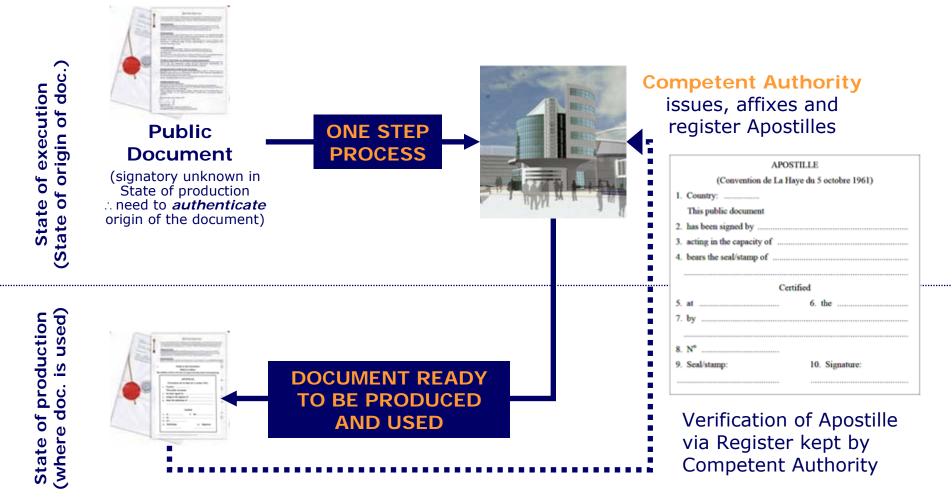
Without the Apostille Convention





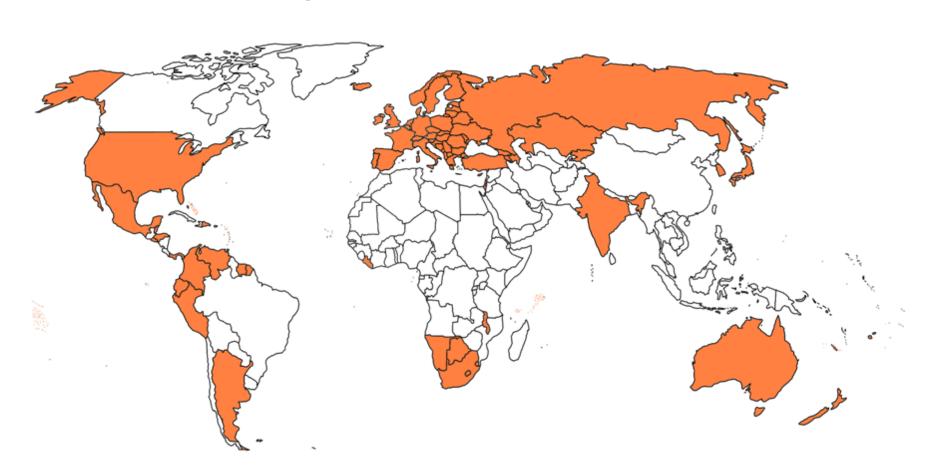
Production of public documents abroad

With the Apostille Convention





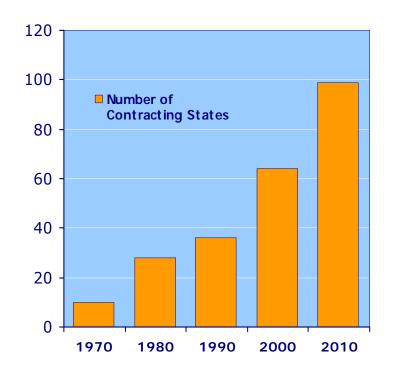
99 Contracting States





A very successful Convention

- The most widely ratified and applied Hague Convention
- Despite its age, continues to attract new Contracting States at an impressive rate – since 2000, more than 30 States have joined (>30%)





A very successful Convention

- Recent Contracting States include
 - Kyrgyzstan (EIF 31 July 2011)
 - Peru (EIF 30 September 2010)
- Other States are actively studying the Convention
 - Canada
 - Chile
 - Costa Rica
 - Iran
 - Malaysia
 - Oman
 - Philippines
 - Vietnam



A very popular Convention

- Applied millions of times a year:
 - more than 6000 per day in Venezuela;
 - approx. 6000 per day in Colombia (June 2010)
 - more than 3000 per day in UK;
 - approx. 400'000 per year in France
- 42 States that provided answers to 2008 Questionnaire issued 4,823,860 Apostilles in total (estimate of 10 million Apostilles issued per year)



A very popular Convention

- Makes people's lives easier (direct impact on citizens' and companies' lifes and needs)
- Frees up resources at Embassies and Consulates, yet maintains revenue stream
- Issuance of Apostilles may still generate revenue for a State:
 - Most States charge a fee for issuing Apostilles
 - Average price is about €15
 - States are encouraged to ensure that Apostilles are reasonably priced (C&R No 94 of the 2009 SC)



Why is there an e-APP?

- In numerous States, most of Apostille-related work is still done... manually
- Origin of public document is not always verified adequately before Apostille is issued...
- In some States:
 - Apostilles are... stapled to the underlying document
 - Use of stamped signatures on Apostilles
- "Register? What Register?!" so far, only few requests for verifications...



Why is there an e-APP?

- In 2006, HCCH launched the electronic Apostille Pilot Program ("e-APP"), in cooperation with the National Notary Association of the USA
- Promote use of modern technology to
 - improve effective operation of Apostille Convention
 - increase secure operation of Apostille Convention
- Make Apostille Convention fit for the 21st century without having to amend the Convention or adopt a Protocol



The e-APP in a nutshell

- Two components
 - Issuance and use of electronic Apostilles (e-Apostilles)
 - Creation and Operation of electronic Registers of Apostilles (e-Registers)
- The ultimate goal is for one day, most (all?) Apostilles to be issued electronically and all Competent Authorities to operate an electronic Register



More information

- on the "<u>Apostille Section</u>" of the Hague Conference website, or
- on <u>www.e-APP.info</u>



Contact | About HCCH | FAQ | Help | Disclaimer | Français 🕡 | Other languages 🐨



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Welcome to the Apostille Section

Latest updates



The ABCs of Apostilles

Brochure with short answers to frequently asked questions, including when, where and how the Convention applies, who issues Apostilles and what the effects of an Apostille are. To order hard copies of the brochure, please use the order form (DOC or PDF).

- Text of the Convention Translations
- How to get an Apostille

Updated list of Contracting States

(status table)

How to read the status table

Competent Authorities (contact details, practical information)

- **Model Apostille Certificate**
- o Model Apostille Certificate
- · Bilingual versions
- Trilingual versions

Explanatory documents

- Outline of the Convention
- The ABCs of Apostilles (FAQs)
- Explanatory Report 1960
- La légalisation des actes officiels étrangers by Georges A.L. Droz (Prel. Doc. No 1 of March 1959)

Special Commissions

- 2009 Special Commission
 - Conclusions & Recommendations
 - Apostilles & Diplomas
- o 2003 Special Commission
 - Conclusions & Recommendations
 - Succinct explanations

- Questionnaires & Responses
- 2008/2009
- 2005 (on education documents)
- 2003
- e-APP (electronic Apostille Pilot Program)



- Information brochure
- Implementation Chart
- List of operational e-Registers
- The e-APP website.
- Announcements
- Explanatory documents
- Bibliography on the e-APP ***
- e-APP For a and other meetings
 - Regional Meeting, Helsinki 264
 - 6th e-APP Forum, Madrid
 - Archive

Bibliography (general)



e-APP



Links

- Home
- Implementation Chart
- FAQ
- Archive
- HCCH Apostille Section
- NNA

Welcome to the e-APP Web Site

Under the electronic Apostille Pilot Program (e-APP), the Hague Conference on Private International Law (HCCH) and the National Notary Association of the United States (NNA) are, together with any interested State (or any of its internal jurisdictions), developing, promoting and assisting in the implementation of low-cost, operational and secure software technology for

- the issuance of and use of electronic Apostilles (e-Apostilles), and
- the creation and operation of electronic Registers of Apostilles (e-Registers).

Educational Material

Click the hyperlinks below to view the relevant educational material

The e-APP in General

- View the brief e-APP informational <u>brochure</u> (March 2006)
- Closer and Closer to Reality: the e-Apostille Pilot Program of the HCCH and the NNA (<u>Prel. Doc. No 10</u> of March 2006 for the attention of the Special Commission of April 2006 on general affairs and policy of the Conference)
- A comprehensive and updated online description of the e-APP (May 2007)

e-Apostilles

- Memorandum on some of the technical aspects underlying the suggested model for the issuance of e-Apostilles (<u>Prel. Doc. No 18</u> of March 2007 for the attention of the Council of April 2007 on General Affairs and Policy)
- View the <u>PDF template</u> of an e-Apostille as suggested under the e-APP
- Read the <u>step-by-step instructions</u> for issuing an e-Apostille using the suggested PDF template
- View the pages of the online description relating to e-Apostilles

e-Registers

- Download e-Register Software
- Access the comprehensive e-Register Installation Guide
- Access the comprehensive e-Register User's Guide
- View the pages of the online description relating to e-Registers
- · View a list of operational e-Registers

Latest Developments

California launches its
 e-Register of Apostilles

Languages

English -



The e-Register component

Basic features

- Recipient is able to verify the origin of an Apostille:
 - Online URL of e-Register should be indicated on Apostille, but outside the box with 10 standard items
 - Using number and date of Apostille no "fishing expeditions" possible (avoid consequential numbering of Apostilles)
 - Obtaining an automatic response ranging from a simple "yes" or "no", to providing the user with an image of the Apostille and/or underlying document
- e-Registers work for both e-Apostilles and paper Apostilles



The e-Register component

Operating an e-Register

- Where there are several Competent Authorities in a Contracting State, consider having ONE central e-Register for all Competent Authorities
- Open source e-Register software available for free on e-APP website
- e-Register encourages greater use of Apostille verification procedure as a public convenience and a deterrent to forgery and fraud



The e-Register component

Categories of e-Registers

- E-Registers can be categorised by the types of information they display in their response to the user:
 - Category 1 "yes" / "no"
 - Category 2 "yes" / "no" + basic information about the underlying document
 - Category 3 "yes" / "no" + basic information about + actual image of the underlying document
 - Category 4 "yes" / "no" + image of Apostille + verification of digital signature
 - Category 5 "yes" / "no" + image of Apostille + underlying document
 - Category 6 "yes" / "no" + image of Apostille + underlying document and verification of digital signature



Ministry of Foreign Affairs and Institutional Relations Verification of apostilles



Welcome to the register of apostilles issued in Andorra

Please introduce the register number and click on Search to verify the existence of the apostille.





Ministry of Foreign Affairs and Institutional Relations Results of the search

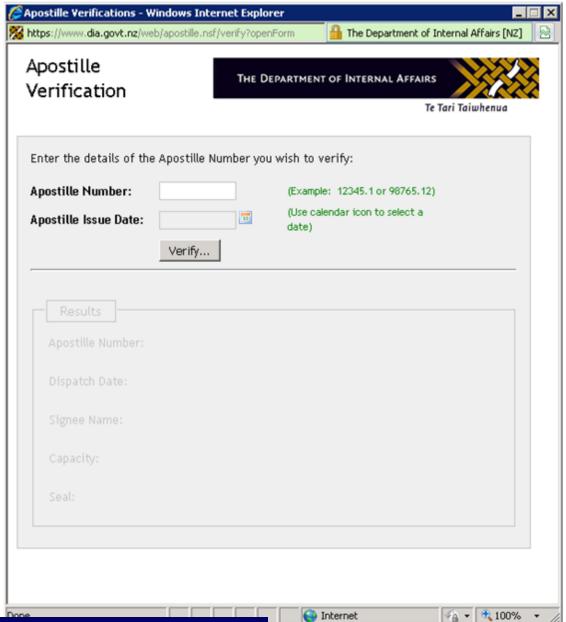


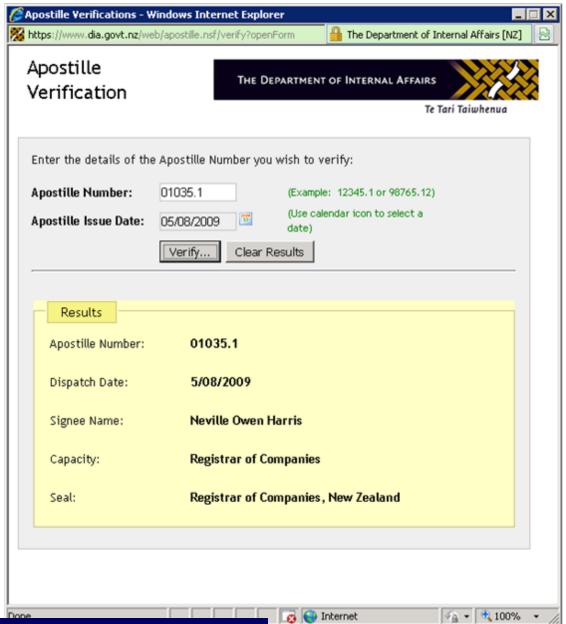
Welcome to the register of apostilles issued in Andorra

The apostille with register number 069334745U (08/07/2009) exists in register.



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Conscience without discrimination. All people common good

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Seal Manufacturer Permits

Authentications

- Apostille or Certification
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Verification of Apostilles

This allows you to verify whether an Apostille was issued by the California Secretary of State's office on or after October 1, 2006.

If you are unable to locate a record or you wish to verify an Apostille issued prior to October 1, 2006, please contact the Notary Public Section.

and			
Issue Date:	12/20/2010	mm/dd/yyyy	

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and Issue Date:	904722 12/20/2010 mm/dd/yyyy
Begin Search Reset Search Result	904722
Apostille Number:	D 1 00 0040
Issue Date:	December 20, 2010
·	December 20, 2010 Mona S. Y. Chiu Notary Public

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Sense Your Citizenship!



MAIN

SERVICES ABOUT US TERRITORIAL OFFICES STATISTICS FAQ

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SEARCH ON SITE

» SERVICES

ID card

Passport

Child's Passport

Residence Card

Birth Registration

Establishment of Paternity

Marriage Registration

Divorce Registration

Adoption Registration

Name, Surname Change Registration

Death Registration

Citizenship

Apostille

Other Services

Biometric Passport

Apostille

Category 3 – Georgia

Please insert the Apostille Number: 497161804145901 Please insert the Apostille Date:

18-06-2010

Send

(dd-MM-yyyy)

The document image can be viewed only with Adobe Acrobat Reader 9.0

If the document submitted for apostille exceeds 3 pages only the signed page can be viewed.

Procedure of the Legalisation and Apostile

- I. Legalisation and Certification by Apostille of a Document
- 1. What does legalisation and certification by Apostille of a document mean?
- 2. What is the difference between legalisation and certification by Apostille?
- 3. Which documents are subject to legalisation/certification by Apostille?
- 4. Who is authorized to legalise/certify by Apostille a document?
- II. I have a document issued in the territory of Georgia which I intend to use in a foreign country
- 1. How the documents issued in Georgia should be produced in foreign countries?
- 2. Which countries accept the documents issued in Georgia without legalisation/certification by Apostille?

ertification by Apostille of documents issued in

certify by Apostille documents issued in Georgia and what is the procedure of certification by Apostille in Georgia?

STRATEGIC PLAN

2007-2011



Short version



Full version

VIDEO DOCUMENTARY



POLL

How did you rate introduction of online services in Civil registry Agency?

Sense Your Citizenship!



MAIN

SERVICES ABOUT US TERRITORIAL OFFICES STATISTICS FAQ

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» SERVICES

ID card

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Divorce Registration

Adoption Registration

Name, Surname Change

Registration

Death Registration

Citizenship

Apostille

Other Services

Biometric Passport

Apostille

Apostille Number: 497161804145901

Apostille Date:

Signed by:

Acting in the capacity of:

Bears the seal/stamp of:

Certified by:

Download Link:

Go to back

18.06.2010

Ivane Mekoshvili

Deputy Head of Didube-Chugureti Territorial Office

Civil Registry Agency

Civil Registry Agency Ministry of Justice of Georgia

here

here





2007-2011



Short version



Full version

VIDEO DOCUMENTARY

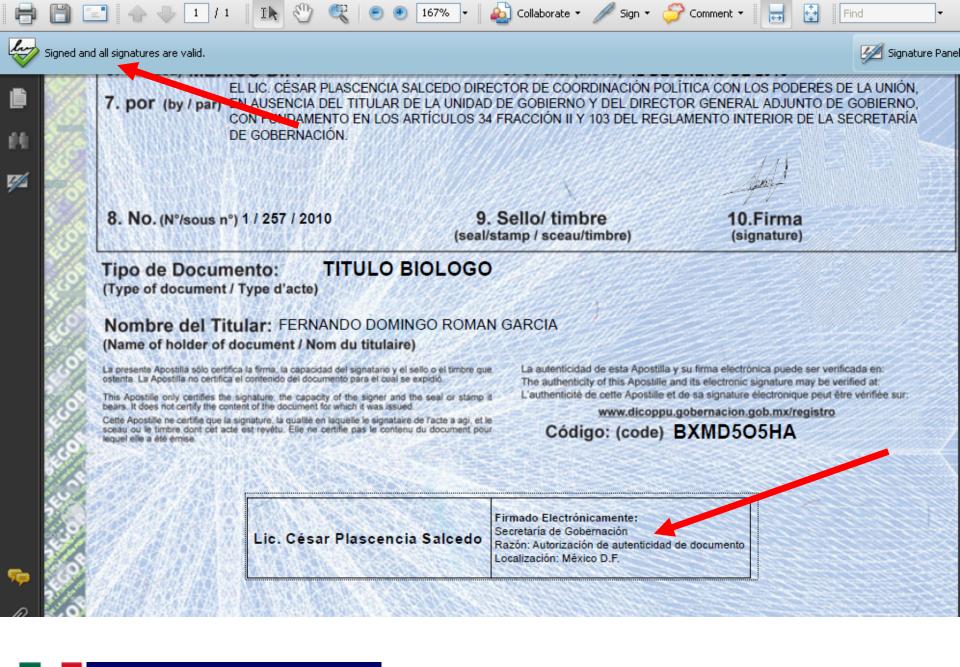


POLL

How did you rate introduction of online services in Civil registry Agency?

http://dicoppu.gobernacion.gob.mx/registro/

Unidad de Gobierno Dirección de Coordinación Política con los Poderes de la Unión **SEGOB** dicoppu.gobernacion.gob.mx Por favor ingrese el número de código de la Apostilla, la fecha de expedición y pulse "Buscar". Type the Apostille code number, date of issuance and press "Search". Verificación de Apostilla Consulta de documentos (Search of documents) > Fecha Apostilla (date) > Código Legalización (code) > Codigo Certificación imagen (Image code) GVWENA (search) Buscar Río Amazonas #62, Col. Cuauhtémoc, Del. Cuauhtémoc, C. P. 06500, México, D. F. Tel. 5093 3200 ext. 35175 y 35069











Ministry of Justice



CERTIFICATION BY APOSTILLE OF DOCUMENTS TO BE PRESENTED ABROAD

In conformity with the Declaration of the Republic of Bulgaria under Article 6, paragraph 1 of the Hague Convention of 1961, laid down in the Law on Ratification of the said Convention (published in SG No. 47/09.06.2000), the Ministry of Justice certifies by Apostille acts of the courts and the notaries only.

Under Article 1, letter "a" of the Convention, acts of the court are the documents issued by an authority or an official connected with the courts or tribunals of the State. The same should be submitted in original form or as a certified transcript and should contain the following attributes: date of issuance, first name and surname, signature of a chairperson or a judge and a secretary and seal of the court which has issued it.

The acts of the notaries under Article 1, letter "c" and "d" of the Convention are the notarial acts; the official certifications such as records in the register or authentications of a date or signature on a private document.

Authorizations concerning disposing of real estates which are attested by mayors and secretaries of municipalities are not subject to certification by Apostille.

The documents with Apostille applied on them may be obtained from 11.15 a.m. to 12.00 a.m. within three working days from the presentation thereof in the Ministry of Justice, and where their number exceeds 10 – after 5 working days.



Check apostille

Documents for certification by Apostille are accepted upon presentation of a documentary proof of stamp duty amounting to BGN 5.00 paid and transferred to the account of the Ministry of Justice:

IBAN account: BG09BNBG 96613000173701

BIC: BNBGBGSD

Documents for application of Apostille are accepted every working day from 9 a.m. to 11 a.m. and









riedth ...

Apostille with code :721060061124008

Apostille number 9008

Apostille date 24.6.2010 r.

Document name ДЕКЛАРАЦИЯ

Legal name НИНА ГЕНОВА ДОБЧЕВА-КАЛЧЕВА

Legal capacity HOТАРИУС № 36

Legal stamp/seal НОТ. 36 НИНА ГЕНОВА ДОБЧЕВА-КАЛЧЕВА - ЦЛОВДИВ

Register number 2157

Register date 17.6.2010 r.

Scanned document 721060061124008.pdf (79K)

2008 - REDURI IC OF BULGARIA MINISTRY OF JUSTICE







ДЕКЛАРАЦИЯ

Долуподписанота, ЕКАТЕРИНА ТАНЕВА КОЕВА, ЕГН 8203304478, български граждания, пол жележи, родента на 30.03.1982 г. в гр. Пловдив, кор. Клована, с мостояжителено в гр. Раковски, Иван Йошков №9, област 1 Івовдивска, притежетел на ЛК № 141836043 владента на 24.07.2000 г. от МВР Пловдив, декларирам на собствена отговорност, като съм запонят с предвижданата на чл. 292 от Наковления колеке, но отношение на декларирамето на неферни денти, че спазвам законовите взисквания предвидена от законодателетното в свята по отношение на притежванието в упражденамето на качеството на съдружник Търговско Дружество «КАТЯ ДИСТРИБУШЪН НЕТУОРК" ООД /КАТІА DISTRIBUTION NETWORK" SRL/, дружество в процее на учредяване, със запазено наименование съгласно доказателетното относно наименота у упраждиотета на фармата № 40925 от 16.06.2010 г. видадено от Отдел Търговски Регистър към Съдебна палята Букурси.

Давам настояфита декларация, кожто ще ми бъде необходима пред Отдел. Търговски Регистър.

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Category 5 – Bulgaria



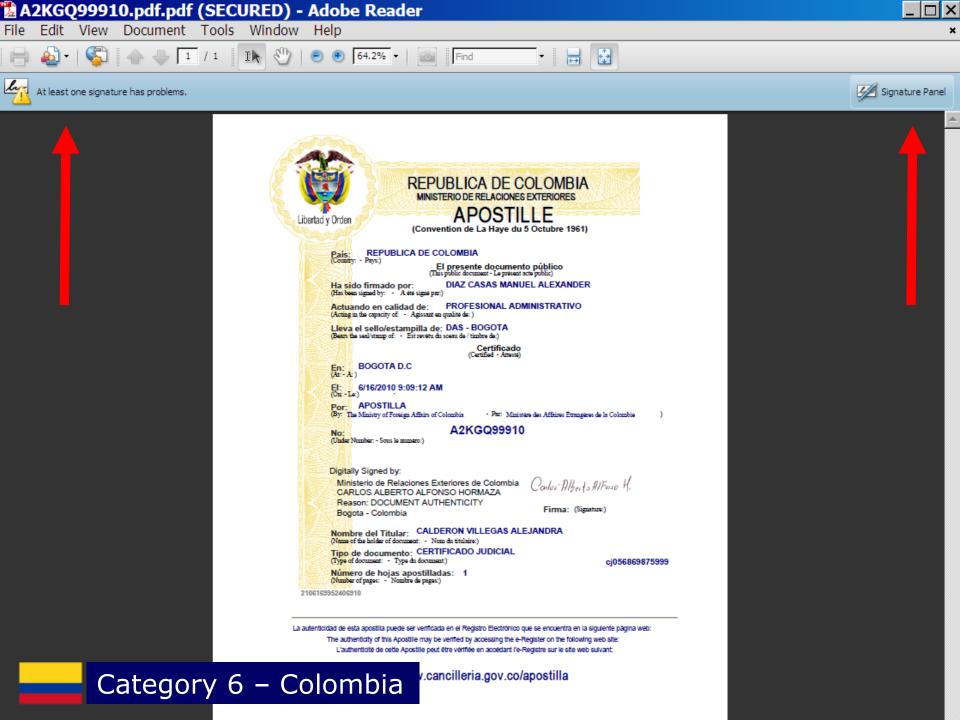


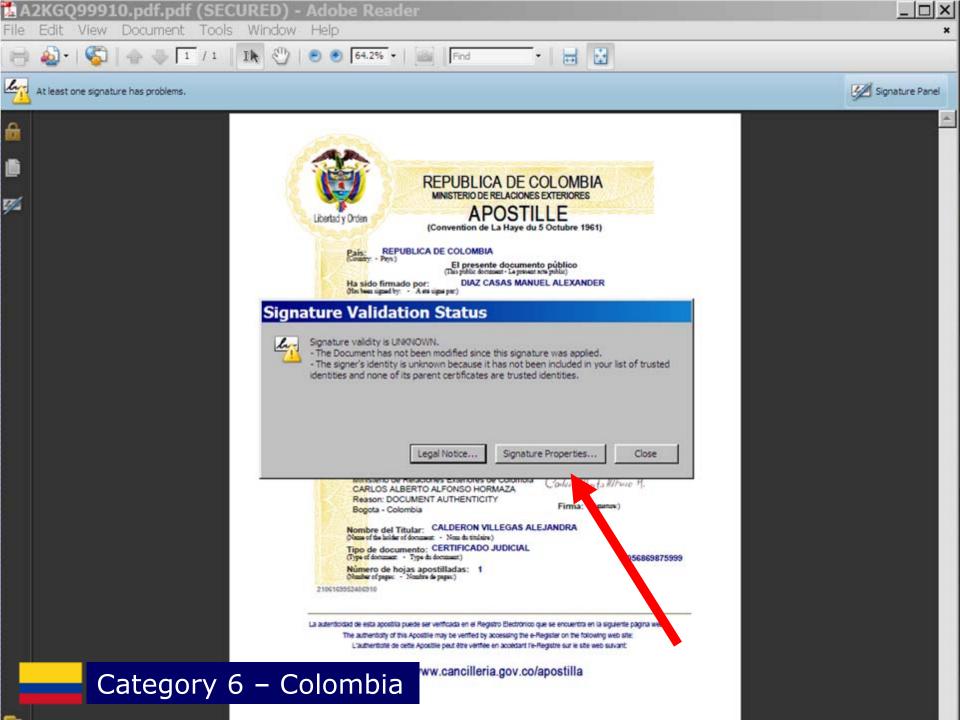


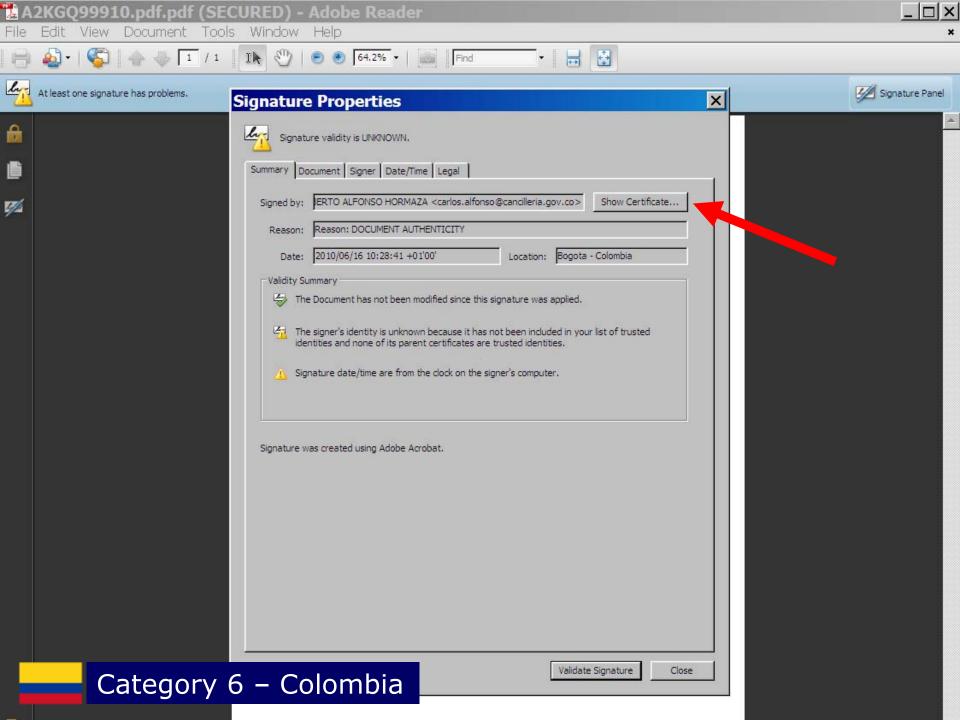
Viernes 11 de Febrero de 2011

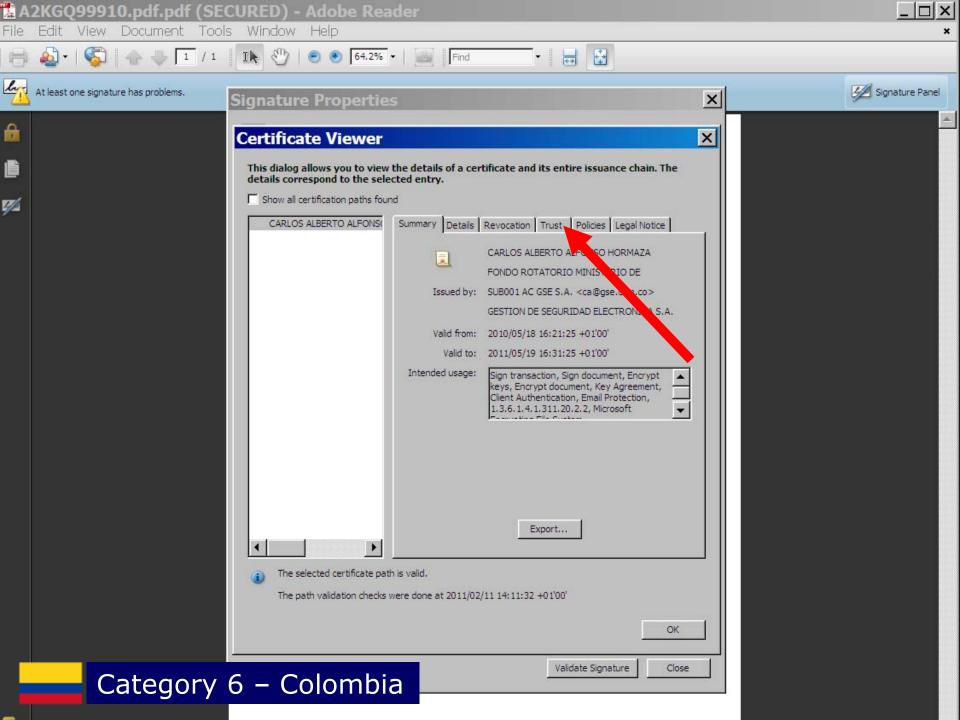


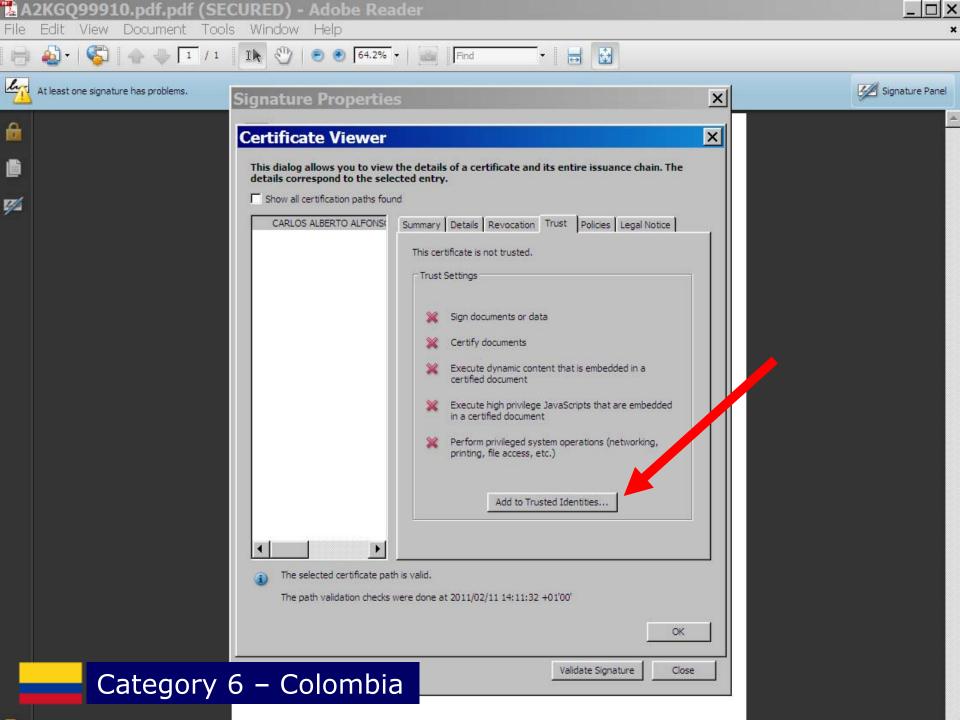


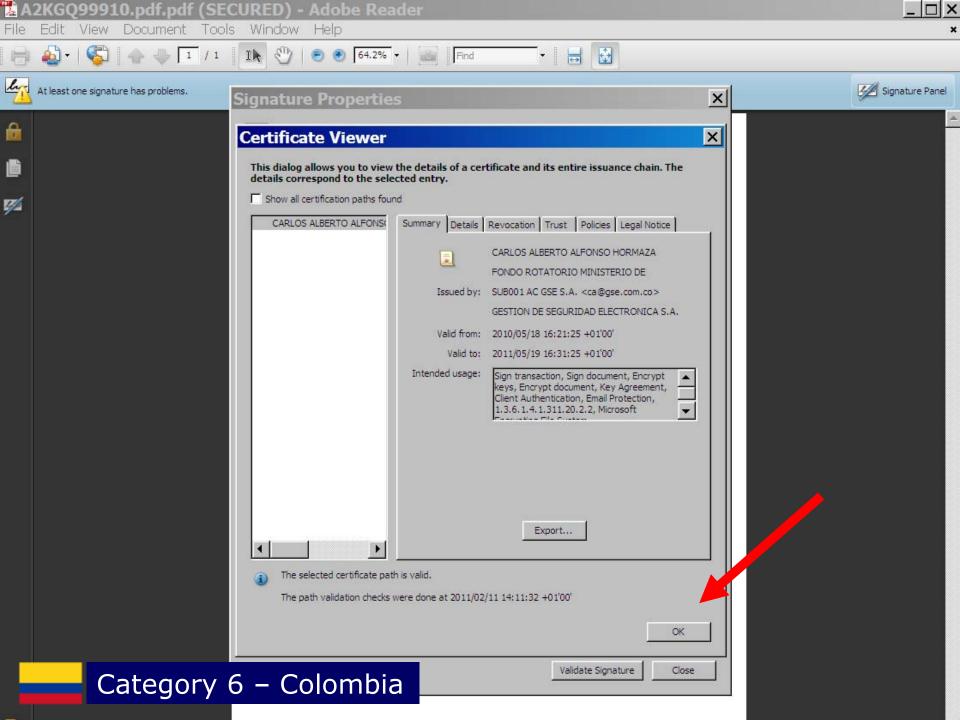


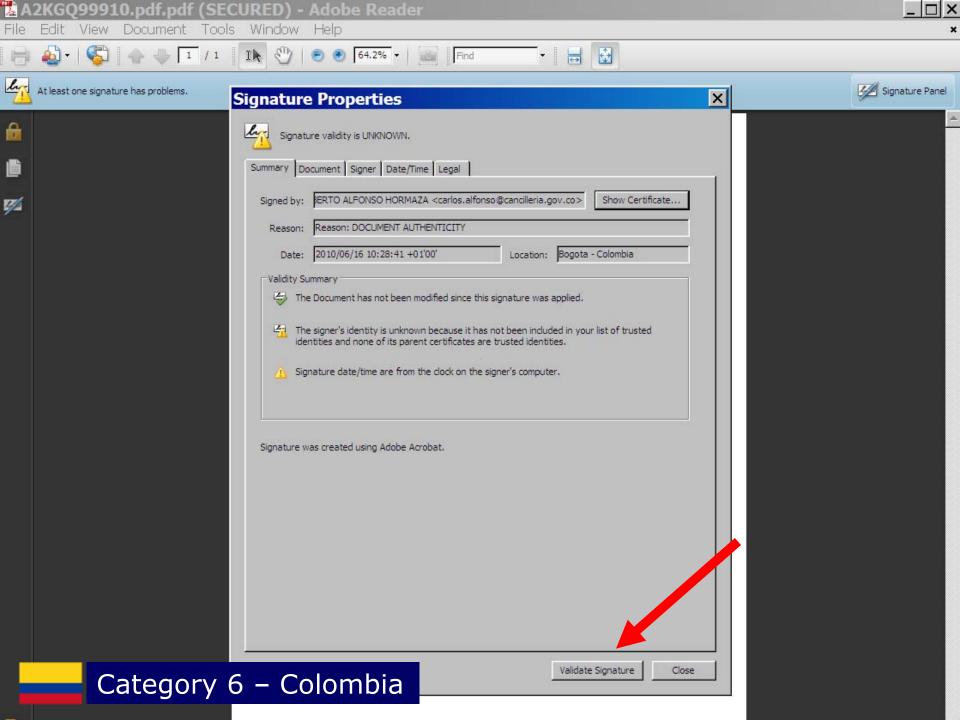


















REPUBLICA DE COLOMBIA MINISTERIO DE RELACIONES EXTERIORES

APOSTILLE

(Convention de La Haye du 5 Octubre 1961)

REPUBLICA DE COLOMBIA

El presente documento público (This public document - Le présent acte public)

DIAZ CASAS MANUEL ALEXANDER Ha sido firmado por: (Has been signed by: - A etc signe par:)

Actuando en calidad de: PROFESIONAL ADMINISTRATIVO (Acting in the capacity of - Agissant en qualité de:)

Lleva el sello/estampilla de: DAS - BOGOTA (Bears the seal/stamp of: - Est revetu du sceau de / timbre de:)

Certificado (Certified - Atteste)

BOGOTA D.C

El: 6/16/2010 9:09:12 AM

Por: APOSTILLA

(By: The Ministry of Foreign Affairs of Colombia

- Par: Ministère des Affaires Etrangères de la Colombie

++

A2KGQ99910 (Under Number: - Sous le numéro:)

Digitally Signed by:

Ministerio de Relaciones Exteriores de Colombia CARLOS ALBERTO ALFONSO HORMAZA

Reason: DOCUMENT AUTHENTICITY

Bogota - Colombia

Firma: (Signature:)

Carles Alberts AlFons H.

Nombre del Titular: CALDERON VILLEGAS ALEJANDRA (Name of the holder of document: - Nom du titulaire:)

Tipo de documento: CERTIFICADO JUDICIAL (Type of document - Type da document)

ci056869875999

Número de hojas apostilladas: 1 (Number of pages: - Nombre de pages:)

2106163952406910

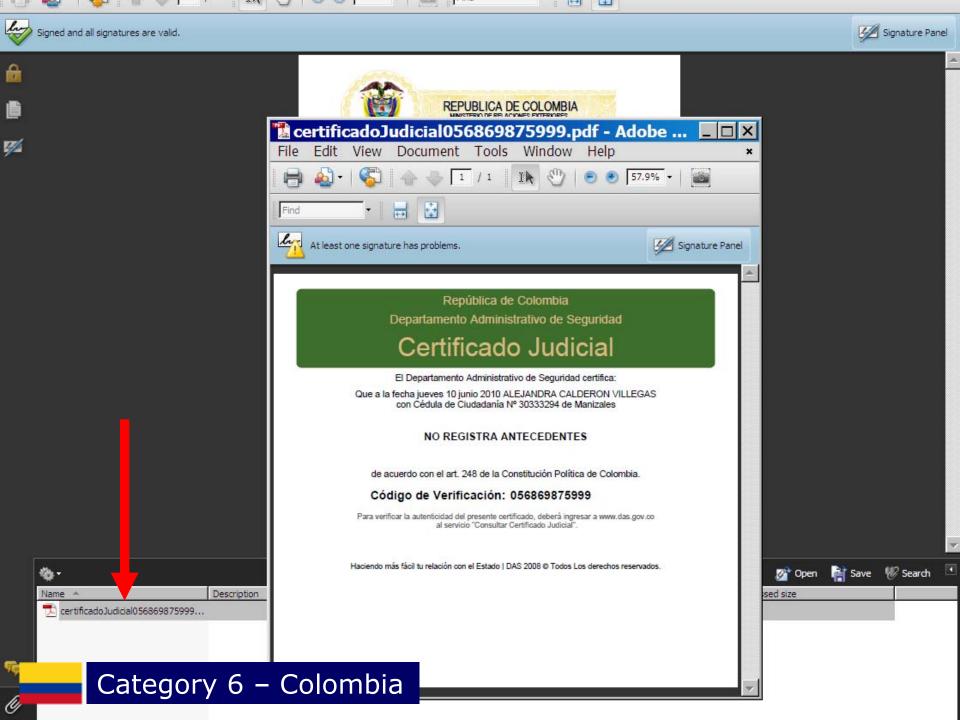
La autenticidad de esta apostilla puede ser verificada en el Registro Electrónico que se encuentra en la siguiente página web:

The authenticity of this Apostille may be verified by accessing the e-Register on the following web site: L'authenticité de cette Apostille peut être vérifiée en accédant l'e-Registre sur le site web suivant:

www.cancilleria.gov.co/apostilla









Overview

- Encourages Competent Authorities to issue secure e-Apostilles
- By using, for example, Adobe® Acrobat® out-of-thebox PDF technology (prof. ed.), enables CA to issue e-Apostilles in PDF and to sign these e-Apostilles by using a digital certificate
 - Origin of e-Apostille can easily be verified by recipient by checking origin and status of digital signature
- Implementation is ideally (but not necessarily) combined with implementation of electronic means to verify origin of underlying public document (comparing hash value)





Move from this...



LIVEL 1, 12 COLLINS STREET MELBOURNE VIC APOSTILLE (Convention de La Haye du 5 octobre 1961) This public document 2. has been signed by CHARLES BAST 3. acting in the capacity of ... MYTARY ... PUR ALE 4. bears the seal/stamp of CHARLE GERMANA GRAS GASTT MOTHER TURNS Certified 5 of Managerene 6 19-02, 3000 7. by RANG VATANA 8 No. Maga 24739

... or this...



... to...



www.cancilleria.gov.co/apostilla







... and eventually...

... or some other model to be unveiled in the coming minutes!?



So to recap...

- Both e-APP components (e-Apostilles and e-Registers) are addressed to / used by:
 - Competent Authorities in State of origin
 - ➤ issue e-Apostilles;
 - register paper or e-Apostilles in e-Register
 - Recipient in State of destination
 - verify origin of e-Apostilles via digital Certificate;
 - > verify origin of paper or e-Apostilles via e-Registers
- Software is a suggestion only other technologies possible



So to recap...

- Two components are independent one can be implemented before the other (typically e-Register is implemented first)
- As no need for a new or modified Convention, all Contracting States are on board



Jurisdiction	e-Apostilles	e-Register
Andorra		July 2009
Belgium		October 2007
Bulgaria		November 2008
Colombia	October 2007 (providing print-outs of e-Apostilles)	October 2007
Georgia		July 2009
Mexico – Federal District		February 2010 (additionally allows for the verification of the e-signature on the Apostille)
New Zealand	May 2009	April 2010
Republic of Moldova		January 2009
Spain – Murcia	November 2008	
USA – California		December 2010*
USA – Kansas	February 2007	
USA – North Carolina		June 2010*
USA – Rhode Island		February 2007
USA – Texas**		November 2008
USA – West Virginia		February 2011*



Bermuda expected to have both components up and running by mid 2011



Virginia, Pennsylvania, Delaware and Colorado expected to launch e-Registers in 2011

- * This component is not yet fully e-APP compatible
- ** Currently only for Apostilles issued by the Corporations Section of the Secretary of State

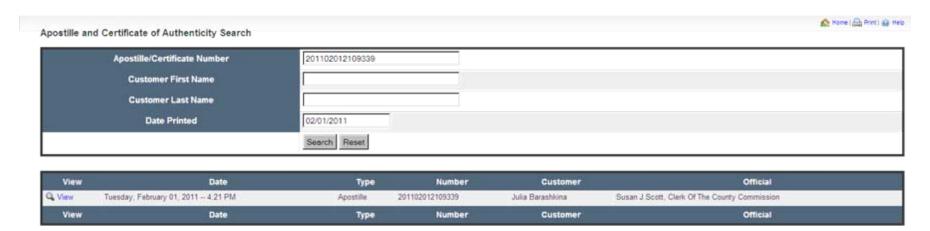


Preventing fishing expeditions

- Some of these e-Registers are not yet fully compliant with the e-APP so far as they do not prevent fishing expeditions
- Recall "best practices" established by 6th e-APP Forum require entry of unique information associated with an Apostille received:
 - number Apostilles non-sequentially (or otherwise randomly)
 - request recipient to enter unique identifier, ideally together with date of issuance
- In some e-Registers, however, interested persons may browse and view all Apostilles issued on a certain date, or Apostilles issued for a certain customer



For example... enter in Apostille number and date of issue...



So far so good



But enter in just the issue date...

postille	and Certificate of Authenticity Sear	rch			& Home A Print
	Apostille/Certificate Number				
	Customer First Name				
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lo image available	Friday, December 03, 2010		12031001	Maria Orrego	Victoria L. Moore, Notary	-
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o image available	Tuesday, November 30, 2010		11301001	Mariam Gallegos	Gina C. Shope, Notary	3
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lo image available	Tuesday, August 03, 2010		8031001	Maria Orrego	Lisa Deeley, Notary	
io image available	Thursday, July 22, 2010		7221006	Maria F. Mata	Loretta Conner, Notary	
lo image available	Thursday, June 17, 2010	4	6171001	Marie F. Mata	Pamela J. Livengood, Notary	
lo image available	Wednesday, June 09, 2010		6091001	Maria Orrego	Victoria L. Moore, Notary	
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io image available	Tuesday, January 05, 2010		1051001	Maria Orego	Martin T. Moore, Notary	
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lo image available	Friday, October 02, 2009		10020901	Maria Orego	Martin T. Moore, Notary	
io image available	Tuesday, June 09, 2009		6090906	Maria Valentina Sierasita	Harriet Collins, Notary	
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o image available	Monday, January 10, 2011	1101101	Caroline Labritz	Jodi Ralley, Notary	
io image available	Thursday, January 08, 2011	1061102	William Schloemer	Linda M. McCarthy, Notary	
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Background

- In 2007, the EU established the "Civil Justice" programme to contribute to the strengthening of the area of Freedom, Security and Justice through cofunding transnational projects
- Call for applications in 2009 focussed on e-Justice projects.
- HCCH made application with Spain as partner and the Czech Republic, Finland, France as associate partners – funding awarded in 2010



Aims and objectives

- e-APP for Europe is designed to develop best practices in relation to the Apostille Convention through the promotion of e-Registers of Apostilles
- Comprised in particular of three interrelated elements:
 - development and implementation of a central e-Register of Apostilles for all Competent Authorities in Spain
 - three regional meetings across Europe (one in each associate partner) to encourage all participating States to implement e-Registers and start issuing e-Apostilles
 - 6th International Forum on the e-APP (held in Madrid on 29-30 June 2010)



Relationship to the e-APP

- \circ e-APP for Europe is an initiative within the e-APP
- While focus of e-APP for Europe is on the development of e-Registers in Europe (particularly a new central register in Spain), the results and experiences gained through the e-APP for Europe are of course open to all interested States (also applies to the three regional meetings)
- The practices developed as part of e-APP for Europe are expected to be exported and applied to the broader e-APP



Project management

- Project duration: 18-month
- Close cooperation with Spain (partner), Czech Republic, Finland and France (associated partners)
- Project manager engaged by the HCCH and Ministry of Justice of Spain:
 - Ms Lucía PRIETO RIOS
- Overall project coordinated within the judicial and administrative co-operation section of the HCCH



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