

Convention of 5 October 1961 Abolishing the Requirement of Legalisation for Foreign Public Documents

The need to produce public documents abroad has increased alongside cross-border mobility and interactions at the global level. In many cases, to ensure the authenticity of these public documents, they are subject to the costly and time-consuming process of legalisation, often requiring multiple steps and involving multiple authorities.

The Apostille Convention replaces the traditional and cumbersome legalisation process with a single formality; the issuance of a certificate called an Apostille. An Apostille, issued by the State of origin, authenticates the origin of a public document so that it can be presented abroad in another Contracting Party. This simplified framework facilitates the circulation of public documents internationally for individuals, families, and commercial operators.

Principal features of the Convention

Scope of the Convention

The Convention only applies to “public documents” (Art. 1). This term is not expressly defined in the Convention. The public nature of a document is determined by the law of the place where the document originates. It may extend to any document that is not a private document.

While the list is not exclusive, Article 1 of the Convention provides a number of examples: documents emanating from an authority or an official connected with the courts or tribunals of the State, including those emanating from a public prosecutor, a clerk of a court or a process-server; administrative documents; notarial acts; and official certificates which are placed on documents signed by persons in their private capacity, such as official certificates recording the registration of a document or the fact that it was in existence on a certain date, and notarial authentications of signatures.

In practice, the most popular public documents for which Apostilles are issued are civil status documents (e.g., birth, marriage, and death certificates), notarial authentications of signatures, and diplomas and other education documents.

Issuing and verifying Apostilles

Apostilles may only be issued by Competent Authorities formally designated by Contracting Parties (Art. 6). The Permanent Bureau does not issue Apostilles.

Competent Authorities will issue an Apostille once they are satisfied of the authenticity of the signature / stamp / seal on a public document. The Apostille may be issued in paper form or electronically (an e-Apostille) and must be attached to the underlying public document (Art. 4). Each Apostille will bear the title “Apostille (*Convention de La Haye du 5 octobre 1961*)” and have 10 numbered standard informational items (four of which refer to the public document and six to the Competent Authority issuing the Apostille).

Competent Authorities must keep a record of all the Apostilles that are issued and, upon request, verify whether the particulars in an Apostille correspond with those in the register (Art. 7).

The effect of an Apostille

The only effect of an Apostille is to certify the authenticity of the signature, the capacity in which the person signing the document has acted, and the identity of the seal or stamp which the document bears (Art. 5). The Apostille does not authenticate the content of the underlying public document.

Role of authorities

When joining the Convention, a Contracting Party must designate the authorities that are competent to issue Apostilles (Art. 6). Each Contracting Party is free to determine the identity and number of its Competent Authorities. Under the Convention, they perform three fundamental functions: verifying the authenticity (origin) of public documents; issuing Apostilles; and recording issued Apostilles in their register, to facilitate, at the request of a recipient, the verification of an Apostille.

The electronic Apostille Programme (e-APP)

The e-APP was launched in 2006 to promote and assist in the implementation of technology under the Apostille Convention. It allows improvements to be made to the accessibility and usability of the Convention using commonly available technologies. There are two components to the e-APP: e-Apostilles and e-Registers.

An e-Apostille is an Apostille issued in electronic form and signed by electronic signature with a digital certificate. e-Apostilles may be issued on electronic documents or on paper documents that have been scanned into electronic form.

An e-Register is a register maintained in a publicly accessible, electronic form which allows any interested person to verify their Apostille online.

Additional resources

The [Apostille Section](#) of the HCCH website contains the latest information about the Apostille Convention. This includes:

- Text of the Convention
- Model Apostille Certificate (in various languages)
- Status table of Contracting Parties
- List of Competent Authorities and practical information by Contracting Party
- Explanatory Report on the Apostille Convention
- Practical Handbook on the Operation of the Apostille Convention
- Information on the e-APP