



**Asia-Pacific
Economic Cooperation**

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The Hague Apostille Convention and the Accession of Viet Nam

Submitted by: Viet Nam



**Workshop on Simplified Authentication Process
for Production of Public Documents Abroad
Through the Use of the Hague Apostille
Convention
Medan, Indonesia
27 June 2013**

**THE HAGUE APOSTILLE CONVENTION
AND
THE ACCESSION OF VIET NAM**

**BACH QUOC AN
MINISTRY OF JUSTICE OF VIET NAM**

**HAGUE CONFERENCE ON
PRIVATE INTERNATIONAL LAW (HCCH)**

- ✘ Viet Nam is member from April 10, 2013;
- ✘ Implementation of the rights and obligations of HCCH's Member
- ✘ April 2013, Viet Nam present its expectation to access to Apostille Convention.

PROCEDURE

- ✘ Study the Convention
- ✘ Review the conformity of the Vietnamese laws with the requirements of the Convention
- ✘ Prepare for the accession
- ✘ External procedure

THE ADVANTAGES

- ✘ The bilateral agreements (Mutual Legal Assistant, Consular, Adoption)
- ✘ Domestic laws: Decree No 111/2011/ND-CP and Circular 01/2012/TT-BNG
- ✘ The Competent Agencies
- ✘ Developing the data base

SHORTCOMINGS

- ✘ Definition on “public documents”
- ✘ Infrastructure
- ✘ Capacity

WORKS TO DO

- ✘ Legislation: to bring the laws into conformity with the Convention
- ✘ Complete the database on sample of the seal, signature and position; Develop the software and electronic registers;
- ✘ Capacity building

APOSTILLE CONVENTION AND ASEAN

- ✘ ALAWMM 6 and ASLOM 10 (Hanoi 2005)
- ✘ Survey on the domestic laws of ASEAN's Members on the coverage of Apostille Convention as well the possibility to access to HCCH
- ✘ October 2011, Viet Nam assigned to draft the Mini Apostille of ASEAN
- ✘ December 2012, ASEAN discussed on the 1st draft of Mini Apostille

APOSTILLE CONVENTION AND ASEAN

- ✘ Structure of Mini Apostille
- ✘ ASEAN's Members point of views
- ✘ Future works

COOPERATION

- ✦ Sharing the experiences on the accession and implementation of Apostille Convention
- ✦ Supporting in the technical issues and capacity building
- ✦ Cooperating during the implementation of Apostille Convention
- ✦ Strengthening the cooperation between ASEAN and HCCH

Thank you