

Progress with the implementation and experience with the operation of the e-APP in Spain

Commemoration of the 50th Anniversary of the Apostille Convention
Third Regional Meeting of the e-APP for Europe Project

4-5 October 2011, Paris

Agenda

1. Objectives
2. Update implementation
3. Legal framework
4. Objectives of the e-APP system
5. General features
6. Main system components:
 - E-Apostille
 - E-Register
 - Public Issuers Signatures Database
7. Future improvements envisaged
8. Products & Technology used
9. Modularity & Exportability
10. Experiences and lessons learned from the implementation of an e-APP system in Spain
11. Experiences of Competent Authorities in the implementation of the new system in Spain.

1. Objectives of the presentation

1. Update state of implementation new e-APP system in Spain
2. Brief e-APP system overview
3. Exportability of the Spanish e-APP system
4. Experiences from Competent Authorities in its implementation

2. Update implementation

- 50.083 Apostilles issued as of 30th Sep.
- Out of which: 3.729 e-Apostilles
- 36 administrative and judicial Competent Authorities already issuing Apostilles under the new system
- Deployment in remaining judicial Competent Authorities in process
- Notaries: Preparing to join e-Register component



3. Legal framework

1. Royal Decree 2433/1978, designating Competent Authorities in Spain

- Currently under review, to be approved soon
 - Updates the scheme of Competent Authorities in Spain
 - Incorporates new advantages for applicants of Apostilles, overcome territorial division of competences for judicial and administrative Competent Authorities

2. Ministerial Order JUS/1207/2011, 14th May 2011

- Establishes and regulates the electronic Register of Apostilles of the Ministry of Justice
- Regulates the procedure of issuing paper Apostilles and e-Apostilles
- Recognizes the full validity in Spain of e-Apostilles validly issued in other Contracting States to the Apostille Convention.



4. Objectives of the Spanish e-APP system

- Develop a system usable by different authorities
- Expedite the issuance of Apostilles: **faster and more quality service to the citizen**
- **Increase** the **guarantees** linked to Apostilles
- To **facilitate international circulation** of public documents and reduce the chances of fraud.
- Allow comprehensive control of **Apostilles** issued in both electronic and paper through **on-line verification** (e-Register).

5. General features

Comprehensive e-APP system: two components

1. **e-Apostille:** Allows issuing both paper Apostilles and e-Apostilles
2. **e-Register:** Information available on-line regarding Apostilles issued in Spain through the new system.



5. General features

- Allows issuing both electronic Apostilles (**e-Apostilles**) and **paper Apostilles**
 - E-Apostille for electronic public documents
 - E-Apostille for public documents issued in paper that are digitalised (scanned)
 - Paper apostille for paper public documents
- Apostille **signed digitally** (PAdES standard, advanced signature for PDF files)
- **Apostille certificate** used: **trilingual version** developed by Hague Conference

APOSTILLE (Convention de La Haye du 5 octobre 1961)			
1. País: Country/ Pays:		España	
El presente documento público This public document/Le présent acte public			
2. ha sido firmado por has been signed by a été signé par		ACOSTA GARCIA, ROSARIO MARIA	
3. quien actúa en calidad de acting in the capacity of agissant en qualité de		GESTOR PROCESAL	
4. y esta revestido del sello / timbre bears the seal / stamp of est revêtu du sceau / timbre de		REGISTRO CIVIL CENTRAL	
Certificado Certifié/Attesté			
5. en en	MADRID	6. el día the day	31/08/2011
7. por by/par	JEFA DE NEGOCIADO		
8. bajo el número N/le sous n°	2011/38266		
9. Sello / timbre: Seal / stamp: Sceau / timbre:	10. Firma: Signature: Signature:		
<p>Esta Apostilla certifica únicamente la autenticidad de la firma, la calidad en que el suscriptor del documento haya actuado y, en su caso, la identidad del sello o timbre del que el documento público está revestido.</p> <p>Esta Apostilla no certifica el contenido del documento para el cual se expidió.</p> <p>Esta Apostilla se puede verificar en la dirección siguiente: https://sede.mjusticia.gob.es/registro</p> <p>Código de verificación de la Apostilla (H): AP11ue4E-vlas-y104-dp1F</p>			
<p>This Apostille only certifies the authenticity of the signature and the capacity of the person who has signed the public document, and, where appropriate, the identity of the seal or stamp which the public document bears.</p> <p>This Apostille does not certify the content of the document for which it was issued.</p> <p>To verify the issuance of this Apostille, see: https://sede.mjusticia.gob.es/registro</p> <p>Verification code of the Apostille (H): AP11ue4E-vlas-y104-dp1F</p>			
<p>Cette Apostille atteste uniquement la véracité de la signature, la qualité en laquelle le signataire de l'acte a agi et, le cas échéant, l'identité du sceau ou timbre dont cet acte public est revêtu.</p> <p>Cette Apostille ne certifie pas le contenu de l'acte pour lequel elle a été émise.</p> <p>Cette Apostille peut être vérifiée à l'adresse suivante : https://sede.mjusticia.gob.es/registro</p> <p>Code de vérification de l'Apostille (H) : AP11ue4E-vlas-y104-dp1F</p>			

5. General features

- **Common database** of all **signatures** of Public Document Issuers: replaces paper samples in Competent Authorities
- Possibility to **download e-Apostille online** by the applicant within its validity period (30 days)
- Single **e-Register** of ALL Apostilles (paper Apostilles and e-Apostilles) issued in Spain

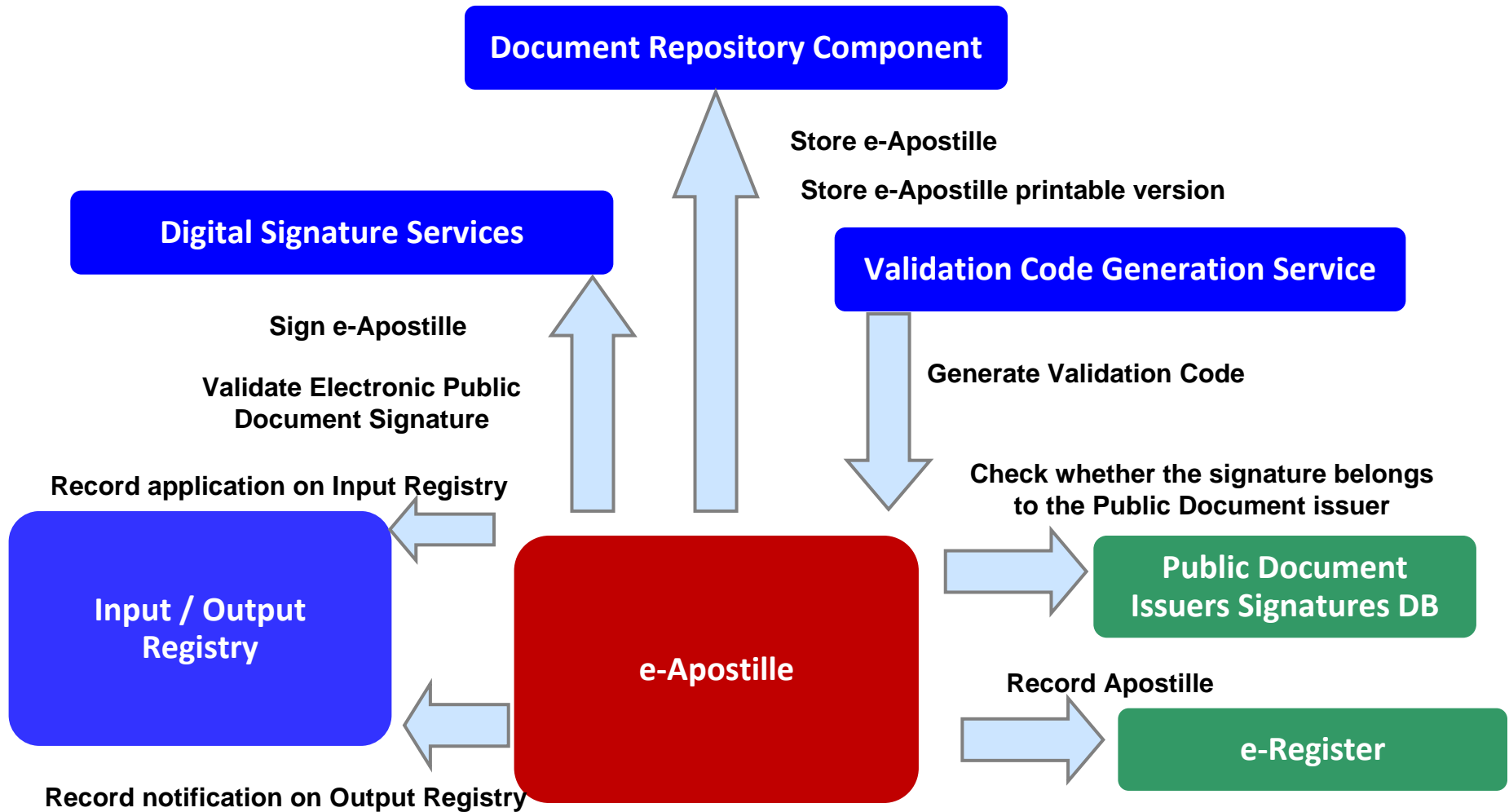


6. System components

1. User Management Component
2. Public Document Issuers Signatures Database
3. e-Apostille Component
4. e-Register Component
5. Integration Layer (Web Services)



6. System components: e-Apostille



Document Repository Component

Retrieve printable version



e-Apostille Visu

Validation Code + Apostille Number + Issuing Date

APOSTILLE (Convention de La Haye du 5 octobre 1961)			
1. País / Country/Pays: España			
El presente documento público / This public document/Le présent acte public			
2. Ha sido firmado por / has been signed by / a été signé par: FERNANDO MARTINEZ DOMEZ			
3. Quien actúa en calidad de / acting in the capacity of / agissant en qualité de: SECRETARIO			
4. y este revestido del sello / timbre / bears the seal / stamp of / est revêtu du sceau / timbre de: REGISTRO CIVIL LAS PEDROGUERAS			
Certificado / Certificate/Attestation			
5. en / at: MADRID	6. el día / the / le: 04/02/2011		
7. por / by/par: El Secretario del Gobierno del Tribunal Superior de Justicia de Castilla-La Mancha			
8. bajo el número / under no: 2011/037			
9. Sello / timbre: / Seal / stamp: / Sceau / timbre:	10. Firma: / Signature: / Signature:		

Esta Apostille certifica únicamente la autenticidad de la firma, la validez en que el signatario del documento haya actuado y, en su caso, la identidad del sello o timbre del que el documento público está revestido. No se valida el uso de esta Apostille en España. Esta Apostille se puede verificar en la dirección siguiente: Código de verificación de la Apostille: CIVD.742049046883

This Apostille only certifies the authenticity of the signature and the capacity of the person who has signed the public document, and, where appropriate, the identity of the seal or stamp which the public document bears. This Apostille does not certify the content of the document for which it was issued. This Apostille is not valid for use anywhere within Spain. To verify the issuance of this Apostille, see: <http://www2.judicial.es/apostille/verificacionapostille> verification code of the Apostille: CIVD.742049046883

Cette Apostille atteste uniquement l'authenticité de la signature, la qualité en laquelle le signataire du Texte a agi et, le cas échéant, l'identité du Sceau ou Timbre dont est revêtu le présent acte public. Cette Apostille ne certifie pas le contenu du Texte pour lequel elle a été émise. Cette Apostille n'est valable que pour être utilisée en Espagne. Pour vérifier la délivrance de cette Apostille, voir: <http://www2.judicial.es/apostille/verificacionapostille> Code de vérification de l'Apostille: CIVD.742049046883

Digital Signature Services



OK.

e-Apostille Digital Signature Verification

Ministry of Justice – Web Site



6. Public Document Issuers Signature Database

- Allows to create, delete or update records corresponding to Public Document issuers
- Data stored for every Public Document issuer:
 - Name
 - Post
 - Institution
 - Signature validity period
 - Scanned handwritten signature and stamp
 - Public key from digital certificate
- Integrates with e-Apostille for signature validation:
 - Name
 - Visual check of handwritten signatures
 - Automatic check of electronic signatures



7. Future Improvements

- A number of further developments envisaged, to be undertaken in phases.
 - a) On-line application of e-Apostilles.**
 - Uploading of electronic public documents in order to apply for their Apostilles
 - On-line application for an electronic public document and its Apostille altogether

 - b) Signing e-Apostilles with a “Public Institution Certificate”**
 - “Public Institution Certificate”: a special kind of server certificate owned by a Public Institution
 - The main advantage in using this kind of certificate is that the whole process can be done with no human intervention

8. Products & Technology used

- Open Standards: J2EE architecture (Web Applications developed in Java running on WAS 6.1)
- Interoperability: SOA architecture (Web Services)
- RDBMS: Oracle 10g
- Standard Document Format: Adobe PDF
- Digital Signature Standards:
 - PAdES for signing e-apostilles
 - XAdES, CAdES & PAdES supported for Public Documents

9. Modularity and Exportability

- One of the main goals in designing the Electronic Apostille System was to **enable re-use** of its components by other Competent Authorities in Spain or in other countries
- As an example, the e-Apostille and e-Register components are integrated, but not coupled
- In a similar manner, other **pieces can be replaced**, meeting certain conditions.



9. Modularity and Exportability

- A given jurisdiction may **adapt the Spanish system** by replacing some of the components:
 1. Database Manager
 2. Digital Signature Component
 3. Validation Code Generator

- Spanish e-APP software will be distributed to any interested State
 - Under **European Public License**: for Spanish e-APP software and open software components
 - Commercial products must be substituted by open software products or purchased

10. Experiences and lessons learned from the implementation of an e-APP system in Spain

Challenges

- Deployment in the entire national territory, in Competent Authorities under different jurisdictions
- Potential rejections/objections to the acceptance of Apostilles issued with the new system by jurisdictions more accustomed to paper

Opportunities

- Taking advantage of the possibilities offered by new technologies: new Royal Decree in process proposes to break the territorial division of competences for judicial and administrative Competent Authorities
- Increased advantages for applicants of Apostille (download of e-Apostilles)
- Progressive reduction of affluence of public at Competent Authorities, thanks to new telematic possibilities

10. Experiences and lessons learned from the implementation of an e-APP system in Spain

Lessons learned

- Training before deployment & technical support for users at the moment of deployment are of great importance
- Implementation of the e-APP in a given State might need legal coverage at national level
- Information and Communication campaigns:
 - Competent Authorities.
 - Citizens/ applicants of Apostilles
 - Receiving authorities in third countries.



Experiences of Competent Authorities in the implementation of the new e-APP system in Spain.

THANK YOU