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To : Ms Anna Rister  
Russia Program Director  
Children's Hope International  
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United States of America

Fax No : +1 (314) 427 4288

From : Christophe Bernasconi, First Secretary

Date sent : 18 October 2010

Total number of pages sent : 2

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Our ref.: 50061(10)CB/LJM Your ref.:

Dear Ms Rister,

I am writing to you in my capacity as First Secretary of the Hague Conference on Private International Law, more precisely as the lawyer with primary responsibility for the Hague Conference's work in relation to the *Hague Convention of 5 October 1961 Abolishing the Requirement of Legalisation for Foreign Public Documents (Apostille Convention)*.

We understand that Children's Hope International has requested at least one Secretary of State Office in the United States of America to issue a letter describing the procedure relating to the issuance of Apostilles. Similar confirmation letters have been requested from other Secretary of State Offices in the US, always in relation to international adoption procedures. These letters are sought in response to queries from foreign authorities, which insist on having the issuance of US Apostilles certified through such confirmation letters.

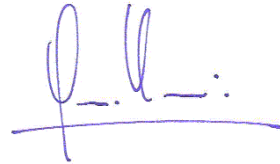
The requirement that US state authorities certify Apostilles is *inconsistent* with the Apostille Convention. According to Article 3(1) of the Apostille Convention, the only formality that may be required in order to authenticate a public document is the addition of an Apostille. Article 5(3) provides that the Apostille is itself exempt from any further certification. (For the full text of the Apostille Convention, please see the Hague Conference website < [www.hcch.net](http://www.hcch.net) > under "Apostille Section" then "Text of the Convention".) In other words, asking the Secretary of State Offices to issue confirmation letters is asking them to violate the Apostille Convention. Under these circumstances, you will understand that we of course encourage the Competent Authorities *not* to issue such confirmation letters.

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Against this background, the Permanent Bureau urges Children's Hope International not to request confirmation letters or any other form of certification from US state authorities in respect of Apostilles. We understand that the US Department of State has also advised state authorities against issuing such letters.

Please do not hesitate to contact me should you require any further information.

Yours sincerely,

A handwritten signature in blue ink, consisting of stylized initials 'C.B.' followed by a horizontal line and a small flourish.

Christophe Bernasconi