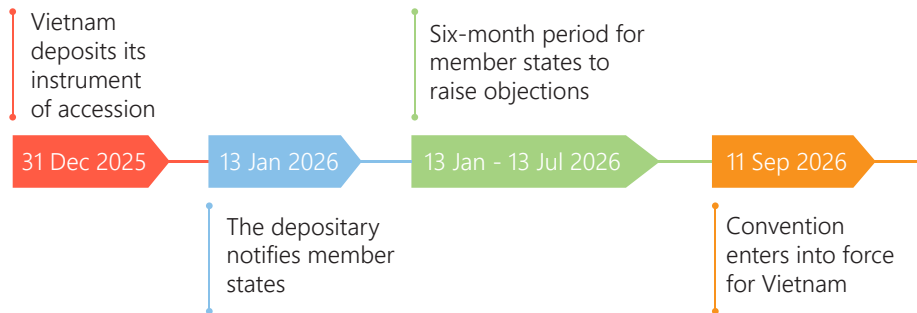




Simplifying Cross-Border Documents: Vietnam's Adoption of the Apostille Convention From September 2026

Historically companies operating across borders have faced a complex and time-consuming process to legalize foreign public documents before they can be used in Vietnam. This is changing as Vietnam is currently in the process of implementing the Hague Convention 1961.

Accordingly, Vietnam has completed the initial procedural steps toward accession to the Convention, and the implementation roadmap is expected to proceed as follows:



▶ The process transformation

Traditional Consular legalization

As a general principle, a public document issued in Country A must undergo Consular legalization in order to be validly used in Country B. Consular legalization is a formal certification process whereby the competent authorities of the receiving country confirm that the signature, seal, and capacity of the issuing authority on the document have been duly authenticated by the relevant authorities of the issuing country (typically the Ministry of Foreign Affairs or its authorized bodies). In practice, this process is complicated and time-consuming.



The Apostille method under Hague Convention 1961

To simplify the multi-layer legalization process, the Hague Convention 1961 established the Apostille mechanism. Under this mechanism, the relevant competent authority of a country provides a certificate known as an "Apostille" to confirm three elements:

- The signature on the document is authentic;
- The signatory has the proper capacity or authority;
- The seal affixed to the document is valid.

Once an Apostille has been issued, the document may be used in other member states without the need for further Consular legalization.



Scope of application

Under Article 1 of the Apostille Convention, the Apostille applies to:

- ✓ Documents issued by judicial authorities;
- ✓ Administrative documents;
- ✓ Notarial acts;
- ✓ Official certificates placed on private documents (e.g., certification of signatures).

The Convention does not apply to:

- ✗ Documents executed by diplomatic or Consular agents;
- ✗ Administrative documents dealing directly with commercial or customs operations.

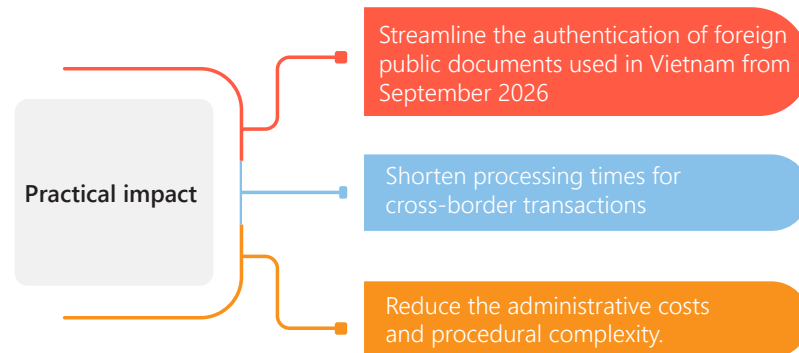
▶ What does not change?

While the Apostille mechanism simplifies the authentication process, several fundamental principles remain unchanged:

- Apostille does not eliminate translation or notarized translation requirements where applicable;
- Apostille does not apply to non-member states or to member states that object to Vietnam's accession within the six-month period.

Accordingly, Apostille does not entirely eliminate consular legalization in all circumstances. Prior to relying on an Apostille, enterprises should verify whether the relevant document qualifies for Apostille certification and confirm that it is acceptable in the destination country.

▶ Practical impact and recommendations for businesses



Relying on Apostille for use in Vietnam, businesses should:

- Verify whether the issuing country is a member of the Convention and whether it has objected to Vietnam's accession;
- Confirm that the document falls within the Convention's scope of application;
- Check the specific requirements of the receiving authority (e.g., investment authorities, business registration offices, courts);
- Plan appropriate timelines to account for transitional or practical uncertainties.



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