



## **FREQUENTLY ASKED QUESTIONS (FAQS) CONCERNING THE POSTPONEMENT OF THE 27TH UNIVERSAL POSTAL CONGRESS AND THE COVID-19 PANDEMIC – Version 4 (27 April 2021)**

The following FAQs aim to provide a number of clarifications on the organization and convening of the 27th UPU Congress, particularly in the context of its announced postponement owing to the ongoing COVID-19 pandemic.

In consultation with the Government of the Republic of Côte d'Ivoire (as host country of the Congress), these FAQs will be regularly updated by the UPU International Bureau in order to ensure that the latest COVID-19 developments and other questions posed by Union member countries are taken into account.

Any further Congress-related inquiries from member countries that are not directly addressed by the FAQs should only be raised through formal governmental channels.

<b>1</b>	<b>Questions concerning the Congress timetable (including deadlines for submission of formal proposals and presentation of candidacies)</b>
1.1	<i>What are the new dates of the 27th UPU Congress and how were they set?</i>
–	The UPU Council of Administration held an exceptional session on 26 and 27 October 2020, during which it was decided to provisionally reschedule the 27th Congress in Côte d'Ivoire (Rep.) to 9–27 August 2021, owing to the COVID-19 pandemic.
–	The CA also instructed the Director General of the International Bureau to continue to monitor the situation with the Ivorian Government and to prepare a report, to be presented at the regular CA session in April 2021, on the legal, logistical, technological and other arrangements that would be required to host the 27th Congress in Switzerland, including the possibility of virtual representation at such a gathering, in the event it becomes evident, by 30 June 2021, that it is no longer possible to hold the Congress as currently planned.
1.2	<i>Given that the 27th UPU Congress has been rescheduled, have the deadlines for submission of proposals changed?</i>
–	International Bureau circular letter 2150(DPRM.URS.REG)1134 dated 17 December 2020 addresses this specific question.
–	It explains that, given the new Congress dates (9–27 August 2021), the deadlines are as follows, in accordance with article 138.1 of the General Regulations:
a	Proposals that reach the International Bureau by 9 February 2021 (at least six months before the opening of Congress) will be accepted.
b	No drafting proposals will be accepted after 9 February 2021 (during the period of six months preceding the opening of Congress).
c	Proposals of substance that reach the International Bureau between 10 February and 9 April 2021 (in the interval between six and four months before the opening of Congress) will not be accepted unless they are supported by at least two additional member countries.
d	Proposals of substance that reach the International Bureau between 10 April and 9 June 2021 (in the interval between four and two months before the opening of Congress) will not be accepted unless they are supported by at least eight additional member countries; proposals that arrive after that time will no longer be accepted.
e	Declarations of support must reach the International Bureau within the same period of time as the proposals to which they refer.

<p>1.3 <i>What about the deadlines for submission of candidacies for membership of the Council of Administration and/or the Postal Operations Council?</i></p>
<ul style="list-style-type: none"> <li>– Through circular 188 of 7 December 2020, the UPU International Bureau announced the new deadline for presentation of candidacies for the CA and POC to be elected at the Abidjan Congress. The lists of the candidacies officially received to date by the International Bureau appear in Congress–Doc 19 and Congress–Doc 22, which will be regularly updated and then finalized during Congress.</li> <li>– In order to allow for timely preparation and presentation of the relevant Congress documents, Union member countries are invited to present their candidacies for the CA and POC as early as possible but no later than one week before the election date based on the Congress timetable (19 August 2021). Following that deadline, the Congress secretariat will publish the final list of candidates for seats on the CA and POC.</li> </ul>
<p>1.4 <i>How will Union member countries be updated on the latest developments regarding the 27th Congress?</i></p>
<ul style="list-style-type: none"> <li>– The latest developments will be communicated to Union member countries through the dedicated Congress webpage on the UPU website (<a href="http://www.upu.int/en/Universal-Postal-Union/About-UPU/Bodies/Congress">www.upu.int/en/Universal-Postal-Union/About-UPU/Bodies/Congress</a>) and, as appropriate, International Bureau circular letters.</li> <li>– Union member countries are encouraged to regularly check the dedicated Congress webpage and these FAQs for any additional updates.</li> </ul>
<p><b>2 Questions of a legal nature concerning the postponement of the 27th UPU Congress</b></p>
<p>2.1 <i>Where can we find the legal basis for the postponement of Congresses?</i></p>
<p>The legal basis for the postponement of Congresses is to be found in article 101.4 of the UPU General Regulations, which states: “After consultation with the International Bureau, the host Government shall fix the definitive date and the precise locality of Congress.” This clearly means that the date originally set may undergo further changes owing to exceptional situations such as the COVID-19 pandemic.</p>
<p>2.2 <i>Is there any precedent for the postponement of Congresses in the history of the UPU?</i></p>
<ul style="list-style-type: none"> <li>– Two other Congress postponements (resulting from similar force majeure circumstances) can be cited since the inception of the UPU in 1874: <ul style="list-style-type: none"> <li>• The 1920 Congress in Madrid (originally due to take place in the same city in 1912 but postponed because of the First World War and preceding developments); and</li> <li>• The 1947 Congress in Paris (originally due to take place in the same city in 1944 but postponed because of the Second World War).</li> <li>• These are the only precedents for the postponement of Congress; however, there are recent precedents for a change in the host country of Congress (from Côte d’Ivoire to Romania in 2004) or for the convening of Congress without a host government (owing to civil unrest in Kenya in 2008) – in these two latter cases, a decision of the CA was required (in line with article 101, §§ 3 and 5, of the General Regulations).</li> </ul> </li> </ul>
<p>2.3 <i>Article 101.1 of the General Regulations states that “member countries shall meet in Congress not later than four years after the end of the year during which the preceding Congress took place”. What does this mean in legal terms? Does the 27th Congress need to be held on or before 31 December 2020? If it is not possible to do so, what is the legal basis for holding the Congress in 2021 or beyond? Who has the right to decide this?</i></p>
<ul style="list-style-type: none"> <li>– According to article 101.1 of the General Regulations, under normal circumstances a Congress is supposed to take place no later than four years after the end of the year during which the preceding Congress took place (meaning, in strict terms, a Congress beginning no later than 1 January 2021, or four years <b>after</b> the end of 2016).</li> <li>– Nevertheless, the language of articles 106.1 (“between two successive Congresses”), 112.1 (“between successive Congresses”), 126.1 (“minimum duration of their term of office being four years”) and 145.1 (“in the event that the Congress planned for 2020 is postponed”) of the General Regulations already caters to an exceptional scenario whereby a Congress might not be held as originally scheduled for reasons beyond the control of the organization and its member countries (as is the case for the current COVID-19 crisis).</li> </ul>

2.3 (cont.)
<p>– Assuming that the original Congress-designated host country remains the same, article 101.4 of the UPU General Regulations will continue to apply for any further confirmation of the definitive date for Congress, even if the date set is beyond the end of 2020 (for exceptional <i>force majeure</i> reasons) – in other words, the host government is responsible for setting this date after consultation with the International Bureau.</p>
2.4 <i>In case of postponement, what happens to the terms of office of UPU elected officials (Director General and Deputy Director General), and those of Union member countries which are members of the UPU councils?</i>
<p>As regards the scheduled election processes (for the Director General and Deputy Director General as well as for the UPU member countries that sit on the two councils), articles 106.1, 112.1 and 126.1 of the UPU General Regulations make it clear that such elections shall be for the period between “two successive [ordinary] Congresses”. Therefore, any postponement of Congress for exceptional <i>force majeure</i> reasons will also entail the exceptional continuation of the terms of the current elected officials and of the UPU member countries currently sitting on both councils, until such time as the <i>force majeure</i> situation no longer exists.</p>
2.5 <i>In case of postponement, what happens to ongoing UPU activities conducted under the current UPU strategy, business plan and budgetary ceiling? How is such work conducted during this interim period?</i>
<p>– In accordance with the provisions referred to above, UPU activities will continue to be conducted by the permanent bodies (the two councils and the International Bureau) in line with their respective roles and responsibilities; moreover, the Acts of the Union currently in force (even cycle-specific ones) will remain valid. The work of the organization will continue to take place through its elected officials and other UPU staff members, without interruption.</p> <p>– In this scenario, elected officials, council members, the annual budgetary ceiling, and the UPU strategy and business plan will remain unchanged and continue to work/apply until such time as the current <i>force majeure</i> situation is no longer in place and an ordinary Congress can be held again.</p>
2.6 <i>What is the role of the Council of Administration in the case of postponement?</i>
<p>– As far as the organization and convening of Congresses is concerned, the CA may only intervene in one of the following scenarios:</p> <ul style="list-style-type: none"> <li>• Designation of another host country if the originally designated country (in this case, Côte d’Ivoire) is no longer able or willing to host the 27th Congress (article 101.3 of the UPU General Regulations); or</li> <li>• Convening of a Congress without a host government, in which case the International Bureau, with the agreement of the CA and after consultation with the Government of the Swiss Confederation, will take the necessary steps to convene and organize the Congress in Switzerland (article 101.5 of the UPU General Regulations).</li> </ul> <p>– Therefore, unless the currently designated host government officially notifies the International Bureau that it is no longer able or willing to host the 27th Congress (even if the latter were to be postponed to a later date), the CA has no role to play as far as the postponement of Congress is concerned.</p>
2.7 <i>Can the POC bodies continue working to move activities forward and develop regulations during this period?</i>
<p>The POC bodies will continue working until the next POC is formed. In addition, any urgent questions falling within the responsibility of the POC will need to be submitted to the POC Chair using the process provided for in the POC Rules of Procedure.</p>

### 3 Questions concerning logistical aspects of Congress

3.1 *As the Congress has been postponed, how do we proceed with issues surrounding the reimbursement of expenses incurred on hotel bookings?*

The hotel management process has been established and organized by Côte d'Ivoire's Permanent Secretariat for the Organization of the Abidjan Congress. Requests and inquiries concerning cancellation of bookings should be addressed to that body, whose contact details are:

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**3.2 How do we proceed with the organization of Congress receptions?**

The contact person for the organization of receptions at the Abidjan Congress is:

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