



UPU | UNIVERSAL
POSTAL
UNION

International Bureau

Weltpoststrasse 4
P.O. Box 312
3000 BERNE 15
SWITZERLAND

T +41 31 350 31 11
F +41 31 350 31 10
www.upu.int

To: The governmental authorities of CA
member countries

Contact: Mr Siva Somasundram
T +41 31 350 32 01
siva.somasundram@upu.int

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Subject: Consultation on the possibility of virtual representation at the exceptional session of the Council of Administration

Dear Sir/Madam,

As you will be aware, owing to the COVID-19 pandemic, the government of the host country of the 27th Congress, Côte d'Ivoire (Rep.), announced the postponement of the Congress from its originally scheduled dates of 10 to 28 August 2020. Nonetheless, Côte d'Ivoire has since reiterated its continued ability and willingness to host the 27th Congress and interest in doing so, once the health situation permits, and has asked UPU member countries for more time to monitor the pandemic.

Following the postponement announcement, several CA members have requested the convening of an exceptional session of the CA, under article 12.2 of the CA Rules of Procedure, to discuss the postponement and other "urgent matters" of importance to the Union.

I can now inform you that the International Bureau (IB) is in receipt of valid requests from 17 CA members for the holding of an exceptional session of the CA. Accordingly, the requirement set forth under article 12.2 has been fully satisfied. These CA members are listed in Annex 1.

Format of the exceptional session

Article 108.2 of the UPU General Regulations provides that the CA "shall meet twice a year, or **additionally on an exceptional basis, at Union headquarters**, in accordance with the relevant procedures set forth in its Rules of Procedure". In other words, only physical meetings of the CA may be organized, as the current UPU legal framework does not allow for the holding of virtual sessions of the CA.

However, given the current pandemic, a number of CA members and observers may face difficulties in sending their representatives to a physical meeting in Berne. Bearing this in mind, the CA Chair wishes, in line with the requirement contained in article 17.2 of the CA Rules of Procedure, to consult the other CA members on the "question of principle" as to whether CA members wish to allow the possibility of virtual representation at this exceptional session of the CA.

Virtual representation at an exceptional session of the CA

Prior to the holding of an exceptional CA session with virtual representation, CA members will also need to agree on: i) the principles that would govern it; and ii) the exceptional suspension and/or amendment of a number of provisions of the CA Rules of Procedure.

You will find attached two additional annexes relating to these matters:

- / In Annex 2, CA members are invited to inform the IB whether they: i) will be able to send representatives to physically attend the exceptional session of the CA at Union headquarters in Berne; or, alternatively ii) will be able to attend such an exceptional session virtually. CA members are asked to indicate “yes” or “no” for each question on the form and return it to the IB.
- / In Annex 3, CA members are invited to indicate whether they agree to the virtual representation of CA members (and observers) at this exceptional session of the CA, subject to the necessary suspension and/or amendment of certain provisions of the CA Rules of Procedure. In this regard, CA members are asked to indicate “yes”, “no” or “abstain” on the form and return it to the IB. The package proposal in Annex 3 will need to be approved by a simple majority of the 41 CA members. In the event of a tie, the proposal will be considered to have been rejected, meaning that no virtual representation will be allowed.

Benchmarking

A number of United Nations system organizations have held virtual meetings with some degree of success. Nevertheless, it is important to understand the context and conditions under which such meetings have taken place.

The IB has undertaken a benchmarking exercise vis-à-vis organizations such as the International Telecommunication Union and World Health Organization. Furthermore, the IB’s legal, logistics and information technology teams regularly attend meetings of their respective UN expert networks and are aware of the UN system’s experience with virtual meetings to date.

I must therefore stress that most virtual meetings within the UN system have been advisory in nature, with decisions taken on a purely consensual basis. Contentious issues requiring debate and potentially a vote have largely been avoided and deferred to physical meetings to be convened at a later date.

The issues to be discussed at the exceptional session of the CA could prove to be highly contentious. Accordingly, it is imperative that CA members (and other Union member countries) be clear as to how the meeting will be conducted, and under what rules. This consultation will assist in achieving that necessary clarity.

Submissions for the exceptional CA session

CA members and other Union member countries will continue to have the opportunity to exercise their right to submit proposals in line with article 14.3.2 of the CA Rules of Procedure (i.e. to submit questions in the form of a CA document to be considered at that exceptional session, provided that they are notified to the Secretary General at least six weeks before the opening of the session). This will not only help to ensure that CA members and observers have sufficient notice of the matters due to be discussed, and are able to prepare appropriately, but also minimize the risk of impromptu agenda items being presented at short notice or from the floor.

Date of the exceptional CA session

The exact date of the exceptional CA session will be set as soon as the present consultation is concluded.

You are thus kindly invited to return the two forms (Annexes 2 and 3) to the IB by e-mail to CA.Secretariat@upu.int **no later than 14 August 2020**.

I will keep you apprised of the results of this consultation and provide you with the agenda, registration and other necessary information in due time and in close consultation with the CA Chair.

Yours faithfully,

(signed)

Bishar A. Hussein
Director General