



Universal Postal Union

# Decisions of the 2004 Bucharest Congress

Final text of the Acts signed in Bucharest  
Decisions other than those amending the Acts

Berne 2005  
International Bureau of the Universal Postal Union



The present volume should be quoted under the following reference:

Decisions of the 2004 Bucharest Congress

**Note concerning the use of bold type in the Decisions of the 2004 Bucharest Congress**

Bold type appearing in the texts of the Constitution, the Seventh Additional Protocol, the General Regulations and the Rules of Procedure of Congresses indicates amendments with respect to the Acts adopted by the 1999 Beijing Congress.

Bold type appearing in the texts of the Universal Postal Convention and its Final Protocol and in the Postal Payment Services Agreement indicates amendments with respect to the texts of the 1999 Beijing Convention and Agreement as recast by the Council of Administration (Congrès–Doc 25.Add 1 and Congrès–Doc 30.Add 1.Corr 1).



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<sup>1</sup> The Constitution of the Universal Postal Union, as signed at Vienna and amended by the 1969 Tokyo, 1974 Lausanne, 1984 Hamburg, 1989 Washington, 1994 Seoul, 1999 Beijing and 2004 Bucharest Additional Protocols, is reproduced in this volume for information purposes, but does not form part of the Acts signed at Bucharest. Only the Seventh Additional Protocol, which is reproduced separately in this volume, was signed by the plenipotentiaries of the 2004 Bucharest Congress.

<sup>2</sup> The Rules of Procedure of Congresses no longer form part of the Acts signed at Congress.



## List of abbreviations and acronyms used in the Decisions of the 2004 Bucharest Congress

administration	postal administration
Agr.	Postal Payment Services Agreement
CA	Council of Administration
CC	Consultative Committee
Const. or Constitution	Constitution of the Universal Postal Union
Conv. or Convention	Universal Postal Convention
Doc	Documents (of Congress, Committees, etc.)
EDI	Electronic data interchange
eMARIA	Electronic system for mathematical analysis by route of irregularities in the air transport of mail (computer application)
EMS	EMS service (Express Mail Service)
Gen. Reg. or General Regulations	General Regulations of the Universal Postal Union
GXS	Global eXchange Services
IATA	International Air Transport Association
IFS	International Financial System
ISO	International Organization for Standardization
ITU	International Telecommunication Union
J	Day of posting of items
M bag	Bag made up by a sender and containing printed matter addressed to a single addressee and for a single destination.
POC	Postal Operations Council
POST*CODE® products and services	Products: world postcode and addressing system files for address checking and improvement of mail transmission and delivery quality Services: International Bureau activities geared towards the promotion of postcodes and address standardization in member countries
POST*Net	World postal telecommunications network offering value-added services, designed in particular to improve communications between administrations and manage and monitor international mail
POST*SERFIN	Postal financial services
Prot. or Protocol	Final Protocol (of the respective Act)
QSF	Quality of Service Fund
RC	Parcel Post Regulations
RL	Letter Post Regulations
SDR	Special Drawing Right
S.A.L.	Surface airlifted mails, with reduced priority

TRAC 1	Target for Resources Assignment from the Core
UN	United Nations
UNDP	United Nations Development Programme
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNICEF	United Nations Children's Fund
UPU or Union	Universal Postal Union
WSBI	World Savings Banks Institute
WTO	World Trade Organization

# Constitution of the Universal Postal Union

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# Constitution of the Universal Postal Union

(as amended by the 1969 Tokyo, 1974 Lausanne, 1984 Hamburg, 1989 Washington, 1994 Seoul, and 1999 Beijing and 2004 Bucharest Additional Protocols<sup>1</sup>)

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<sup>1</sup> For the 1969 Tokyo Additional Protocol, see Documents of the Tokyo Congress, volume III, pp 5–8. For the second Additional Protocol (Lausanne 1974), see Documents of the Lausanne Congress, volume III, pp 23–25. For the third Additional Protocol (Hamburg 1984), see Documents of the Hamburg Congress, volume III, pp 25–28. For the fourth Additional Protocol (Washington 1989), see Documents of the Washington Congress, volume III/I, pp 27–32. For the fifth Additional Protocol (Seoul 1994), see Documents of the Seoul congress, volume III, pp 25–29. For the sixth Additional Protocol (Beijing 1999), see pp 9 to 12 of the Decisions of the 22nd Congress, Beijing 1999. For the seventh Additional Protocol (Bucharest 2004), see pp 25 to 29 of this volume.

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## Constitution of the Universal Postal Union

(as amended by the 1969 Tokyo, 1974 Lausanne, 1984 Hamburg, 1989 Washington, 1994 Seoul, 1999 Beijing and 2004 Bucharest Additional Protocols)

### Preamble<sup>1</sup>

With a view to developing communications between peoples by the efficient operation of the postal services, and to contributing to the attainment of the noble aims of international collaboration in the cultural, social and economic fields, the plenipotentiaries of the Governments of the contracting countries have, subject to ratification, adopted this Constitution.

**The mission of the Union is to stimulate the lasting development of efficient and accessible universal postal services of quality in order to facilitate communication between the inhabitants of the world by:**

- **guaranteeing the free circulation of postal items over a single postal territory composed of interconnected networks;**
- **encouraging the adoption of fair common standards and the use of technology;**
- **ensuring cooperation and interaction among stakeholders;**
- **promoting effective technical cooperation;**
- **ensuring the satisfaction of customers' changing needs.**

<sup>1</sup> Amended by the 2004 Bucharest Congress.

## Section I

### Organic provisions

## Chapter I

### General

#### Article 1

##### Scope and objectives of the Union

1 The countries adopting this Constitution shall comprise, under the title of the Universal Postal Union, a single postal territory for the reciprocal exchange of letter-post items. Freedom of transit shall be guaranteed throughout the entire territory of the Union.

2 The aim of the Union shall be to secure the organization and improvement of the postal services and to promote in this sphere the development of international collaboration.

3 The Union shall take part, as far as possible, in postal technical assistance sought by its member countries.

#### **Article 1bis<sup>1</sup>**

##### **Definitions**

**1 For the purpose of the Acts of the Universal Postal Union, the following terms shall have the meanings defined below:**

- 1.1 Postal service: all postal services, whose scope is determined by the bodies of the Union. The main obligations of postal services are to satisfy certain social and economic objectives of member countries, by ensuring the collection, sorting, transmission and delivery of postal items.**
- 1.2 Member country: a country that fulfils the conditions of article 2 of the Constitution.**
- 1.3 Single postal territory (one and the same postal territory): the obligation upon the contracting parties to the UPU Acts to provide for the reciprocal exchange of letter-post items, including freedom of transit, and to treat postal items in transit from other countries like their own postal items, without discrimination.**
- 1.4 Freedom of transit: obligation for intermediate postal administrations to transport postal items passed on to them in transit by another UPU postal administration, providing similar treatment to that given to domestic items.**
- 1.5 Letter-post item: items described in the Convention.**
- 1.6 International postal service: postal operations or services regulated by the Acts; set of these operations or services.**

<sup>1</sup> Introduced by the 2004 Bucharest Congress.

## Article 2

## Members of the Union

Member countries of the Union shall be:

- a countries which have membership status at the date on which the Constitution comes into force;
- b countries admitted to membership in accordance with article 11.

## Article 3

## Jurisdiction of the Union

The Union shall have within its jurisdiction:

- a the territories of member countries;
- b post offices set up by member countries in territories not included in the Union;
- c territories which, without being members of the Union, are included in it because from the postal point of view they are dependent on member countries.

## Article 4

## Exceptional relations

Postal administrations which provide a service with territories not included in the Union are bound to act as intermediaries for other administrations. The provisions of the Convention and its Regulations shall be applicable to such exceptional relations.

## Article 5

## Seat of the Union

The seat of the Union and of its permanent organs shall be at Berne.

## Article 6

## Official language of the Union

The official language of the Union shall be French.

Article 7<sup>1</sup>

## Monetary unit

The monetary unit used in the Acts of the Union shall be the accounting unit of the International Monetary Fund (IMF).

## Article 8

## Restricted Unions. Special Agreements

1 Member countries, or their postal administrations if the legislation of those countries so permits, may establish Restricted Unions and make Special Agreements concerning the international postal service, provided always that they do not introduce provisions less favourable to the public than those provided for by the Acts to which the member countries concerned are parties.

<sup>1</sup> Amended by the 1989 Washington Congress.

2 Restricted Unions may send observers to Congresses, Conferences and meetings of the Union, to the Council of Administration and to the Postal Operations Council.<sup>1</sup>

3 The Union may send observers to Congresses, Conferences and meetings of Restricted Unions.

#### Article 9

##### Relations with the United Nations

The relations between the Union and the United Nations shall be governed by the Agreements whose texts are annexed to this Constitution.

#### Article 10

##### Relations with international organizations

In order to secure close cooperation in the international postal sphere, the Union may collaborate with international organizations having related interests and activities.

## Chapter II

### Accession or admission to the Union. Withdrawal from the Union

#### Article 11<sup>2</sup>

##### Accession or admission to the Union. Procedure

1 Any member of the United Nations may accede to the Union.

2 Any sovereign country which is not a member of the United Nations may apply for admission as a member country of the Union.

3 Accession or application for admission to the Union must entail a formal declaration of accession to the Constitution and to the obligatory Acts of the Union. It shall be addressed by the Government of the country concerned to the Director-General of the International Bureau, who shall notify the accession or consult the member countries on the application for admission, as the case may be.

4 A country which is not a member of the United Nations shall be deemed to be admitted as a member country if its application is approved by at least two thirds of the member countries of the Union. Member countries which have not replied within a period of four months shall be considered as having abstained.

5 Accession or admission to membership shall be notified by the Director-General of the International Bureau to the Governments of member countries. It shall take effect from the date of such notification.

<sup>1</sup> Amended by the 1969 Tokyo and 1994 Seoul Congresses.

<sup>2</sup> Amended by the 1969 Tokyo and 1989 Washington Congresses.

Article 12<sup>1</sup>

## Withdrawal from the Union. Procedure

1 Each member country may withdraw from the Union by notice of denunciation of the Constitution given by the Government of the country concerned to the Director-General of the International Bureau and by him to the Governments of member countries.

2 Withdrawal from the Union shall become effective one year after the day on which the notice of denunciation provided for in paragraph 1 is received by the Director-General of the International Bureau.

## Chapter III

## Organization of the Union

Article 13<sup>2</sup>

## Bodies of the Union

1 The Union's bodies shall be Congress, the Council of Administration, the Postal Operations Council and the International Bureau.

2 The Union's permanent bodies shall be the Council of Administration, the Postal Operations Council and the International Bureau.

## Article 14

## Congress

1 Congress shall be the supreme body of the Union.

2 Congress shall consist of the representatives of member countries.

## Article 15

## Extraordinary Congresses

An Extraordinary Congress may be convened at the request or with the consent of at least two thirds of the member countries of the Union.

## Article 16

## Administrative Conferences

(Deleted.)<sup>3</sup>

<sup>1</sup> Amended by the 1989 Washington Congress.

<sup>2</sup> Amended by the 1969 Tokyo, 1984 Hamburg and 1994 Seoul Congresses.

<sup>3</sup> By the 1984 Hamburg Congress.

Article 17<sup>1</sup>

Council of Administration

1 Between Congresses the Council of Administration (CA) shall ensure the continuity of the work of the Union in accordance with the provisions of the Acts of the Union.

2 Members of the Council of Administration shall carry out their functions in the name and in the interests of the Union.

Article 18<sup>2</sup>

Postal Operations Council

The Postal Operations Council (POC) shall be responsible for operational, commercial, technical and economic questions concerning the postal service.

Article 19

Special Committees

(Deleted.)<sup>3</sup>

Article 20<sup>4</sup>

International Bureau

A central office operating at the seat of the Union under the title of the International Bureau of the Universal Postal Union, directed by a Director-General and placed under the control of the Council of Administration, shall serve as an organ of execution, support, liaison, information and consultation.

## Chapter IV

### Finances of the Union

Article 21<sup>5</sup>

Expenditure of the Union. Contributions of member countries

1 Each Congress shall fix the maximum amount which:

- a the expenditure of the Union may reach annually;
- b the expenditure relating to the organization of the next Congress may reach.

2 The maximum amount for expenditure referred to in paragraph 1 may be exceeded if circumstances so require, provided that the relevant provisions of the General Regulations are observed.

3 The expenses of the Union, including where applicable the expenditure envisaged in paragraph 2, shall be jointly borne by the member countries of the Union. For this purpose, each

<sup>1</sup> Amended by the 1994 Seoul Congress.

<sup>2</sup> Amended by the 1969 Tokyo and 1994 Seoul Congresses.

<sup>3</sup> By the 1984 Hamburg Congress.

<sup>4</sup> Amended by the 1984 Hamburg and 1994 Seoul Congresses.

<sup>5</sup> Amended by the 1969 Tokyo, 1974 Lausanne and 1989 Washington Congresses.

member country shall choose the contribution class in which it intends to be included. The contribution classes shall be laid down in the General Regulations.

4 In the case of accession or admission to the Union under article 11, the country concerned shall freely choose the contribution class into which it wishes to be placed for the purpose of apportioning the expenses of the Union.

## Section II

### Acts of the Union

#### Chapter I

##### General

###### Article 22

###### Acts of the Union

1 The Constitution shall be the basic Act of the Union. It shall contain the organic rules of the Union **and shall not be subject to reservations.**<sup>1</sup>

2 The General Regulations shall embody those provisions which ensure the application of the Constitution and the working of the Union. They shall be binding on all member countries **and shall not be subject to reservations.**<sup>1</sup>

3 The Universal Postal Convention, the Letter Post Regulations and the Parcel Post Regulations shall embody the rules applicable throughout the international postal service and the provisions concerning the letter-post and postal parcels services. These Acts shall be binding on all member countries.<sup>2</sup>

4 The Agreements of the Union, and their Regulations, shall regulate the services other than those of the letter post and postal parcels between those member countries which are parties to them. They shall be binding on those countries only.<sup>2</sup>

5 The Regulations, which shall contain the rules of application necessary for the implementation of the Convention and of the Agreements, shall be drawn up by the Postal Operations Council, bearing in mind the decisions taken by Congress.<sup>3</sup>

6 The Final Protocols annexed to the Acts of the Union referred to in paragraphs 3, 4 and 5 shall contain the reservations to those Acts.

###### Article 23<sup>4</sup>

###### Application of the Acts of the Union to territories for whose international relations a member country is responsible

1 Any country may declare at any time that its acceptance of the Acts of the Union includes all the territories for whose international relations it is responsible, or certain of them only.

<sup>1</sup> Amended by the 2004 Bucharest Congress.

<sup>2</sup> Amended by the 1999 Beijing Congress.

<sup>3</sup> Amended by the 1989 Washington, 1994 Seoul and 1999 Beijing Congresses.

<sup>4</sup> Amended by the 1989 Washington Congress.

2 The declaration provided for in paragraph 1 must be addressed to the Director-General of the International Bureau.

3 Any member country may at any time address to the Director-General of the International Bureau a notification of its intention to denounce the application of those Acts of the Union in respect of which it has made the declaration provided for in paragraph 1. Such notification shall take effect one year after the date of its receipt by the Director-General of the International Bureau.

4 The declarations and notifications provided for in paragraphs 1 and 3 shall be communicated to member countries by the Director-General of the International Bureau.

5 Paragraphs 1 to 4 shall not apply to territories having the status of a member of the Union and for whose international relations a member country is responsible.

#### Article 24

##### National legislation

The provisions of the Acts of the Union shall not derogate from the legislation of any member country in respect of anything which is not expressly provided for by those Acts.

## Chapter II

### Acceptance and denunciation of the Acts of the Union

#### Article 25<sup>1</sup>

##### Signature, authentication, ratification and other forms of approval of the Acts of the Union

1 The Acts of the Union arising from the Congress shall be signed by the plenipotentiaries of the member countries.

2 The Regulations shall be authenticated by the Chairman and the Secretary-General of the Postal Operations Council.<sup>2</sup>

3 The Constitution shall be ratified as soon as possible by the signatory countries.

4 Approval of the Acts of the Union other than the Constitution shall be governed by the constitutional regulations of each signatory country.

5 When a country does not ratify the Constitution or does not approve the other Acts which it has signed, the Constitution and other Acts shall be no less valid for the other countries that have ratified or approved them.

#### Article 26<sup>3</sup>

##### Notification of ratifications and other forms of approval of the Acts of the Union

The instruments of ratification of the Constitution and the Additional Protocols thereto and, where appropriate, of approval of the other Acts of the Union shall be deposited as soon as

<sup>1</sup> Amended by the 1989 Washington and 1994 Seoul Congresses.

<sup>2</sup> Amended by the 1999 Beijing Congress.

<sup>3</sup> Amended by the 1969 Tokyo and 1989 Washington Congresses.

possible with the Director-General of the International Bureau who shall notify the Governments of the member countries of their deposit.

#### Article 27

##### Accession to the Agreements

1 Member countries may, at any time, accede to one or more of the Agreements provided for in article 22.4.

2 Accession of member countries to the Agreements shall be notified in accordance with article 11.3.

#### Article 28

##### Denunciation of an Agreement

Each member country may cease being a party to one or more of the Agreements, under the conditions laid down in article 12.

### Chapter III

#### Amendment of the Acts of the Union

#### Article 29

##### Presentation of proposals

1 The postal administration of a member country shall have the right to present, either to Congress or between Congresses, proposals concerning the Acts of the Union to which its country is a party.

2 However, proposals concerning the Constitution and the General Regulations may be submitted only to Congress.

3 Moreover, proposals concerning the Regulations shall be submitted direct to the Postal Operations Council but must first be transmitted by the International Bureau to the postal administrations of all member countries.<sup>1</sup>

#### Article 30

##### Amendment of the Constitution

1 To be adopted, proposals submitted to Congress and relating to this Constitution must be approved by at least two thirds of the member countries of the Union **having the right to vote**.<sup>2</sup>

2 Amendments adopted by a Congress shall form the subject of an additional protocol and, unless that Congress decides otherwise, shall enter into force at the same time as the Acts renewed in the course of the same Congress. They shall be ratified as soon as possible by member countries and the instruments of such ratification shall be dealt with in accordance with the procedure laid down in article 26.

<sup>1</sup> Amended by the 1999 Beijing Congress.

<sup>2</sup> Amended by the 2004 Bucharest Congress.

Article 31<sup>1</sup>

Amendment of the General Regulations, the Convention and the Agreements

1 The General Regulations, the Convention and the Agreements shall define the conditions to be fulfilled for the approval of proposals which concern them.

2 The **Convention and the Agreements** referred to in paragraph 1 shall enter into force simultaneously and shall have the same duration. As from the day fixed by Congress for the entry into force of these Acts, the corresponding Acts of the preceding Congress shall be abrogated.<sup>2</sup>

## Chapter IV

### Settlement of disputes

Article 32

Arbitration

In the event of a dispute between two or more postal administrations of member countries concerning the interpretation of the Acts of the Union or the responsibility imposed on a postal administration by the application of those Acts, the question at issue shall be settled by arbitration.

## Section III

### Final provisions

Article 33<sup>2</sup>

Coming into operation and duration of the Constitution

This Constitution shall come into operation on 1 January 1966 and shall remain in force for an indefinite period.

In witness whereof, the plenipotentiaries of the Governments of the contracting countries have signed this Constitution in a single original which shall be deposited in the archives of the Government of the country in which the seat of the Union is situated. A copy thereof shall be delivered to each party by the **International Bureau of the Universal Postal Union**.

Done at **Vienna, 10 July 1964**.

<sup>1</sup> Amended by the 1984 Hamburg Congress.

<sup>2</sup> Amended by the 2004 Bucharest Congress.

Seventh Additional Protocol  
to the Constitution of the Universal Postal Union

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## Seventh Additional Protocol to the Constitution of the Universal Postal Union

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VII		Entry into force and duration of the Additional Protocol to the Constitution of the Universal Postal Union



## Seventh Additional Protocol to the Constitution of the Universal Postal Union

The plenipotentiaries of the Governments of the member countries of the Universal Postal Union, met in Congress at Bucharest, in view of article 30.2 of the Constitution of the Universal Postal Union concluded at Vienna on 10 July 1964, have adopted, subject to ratification, the following amendments to that Constitution.

### Article I (Preamble amended)

With a view to developing communications between peoples by the efficient operation of the postal services, and to contributing to the attainment of the noble aims of international collaboration in the cultural, social and economic fields, the plenipotentiaries of the Governments of the contracting countries have, subject to ratification, adopted this Constitution.

**The mission of the Union is to stimulate the lasting development of efficient and accessible universal postal services of quality in order to facilitate communication between the inhabitants of the world by:**

- **guaranteeing the free circulation of postal items over a single postal territory composed of interconnected networks;**
- **encouraging the adoption of fair common standards and the use of technology;**
- **ensuring cooperation and interaction among stakeholders;**
- **promoting effective technical cooperation;**
- **ensuring the satisfaction of customers' changing needs.**

### Article II (Article 1bis added) Definitions

**1 For the purposes of the Acts of the Universal Postal Union, the following terms shall have the meanings defined below:**

- 1.1 Postal service: all postal services, whose scope is determined by the bodies of the Union. The main obligations of postal services are to satisfy certain social and economic objectives of member countries, by ensuring the collection, sorting, transmission and delivery of postal items.**
- 1.2 Member country: a country that fulfils the conditions of article 2 of the Constitution.**

- 1.3 **Single postal territory (one and the same postal territory): the obligation upon the contracting parties to the UPU Acts to provide for the reciprocal exchange of letter-post items, including freedom of transit, and to treat postal items in transit from other countries like their own postal items, without discrimination.**
- 1.4 **Freedom of transit: obligation for intermediate postal administrations to transport postal items passed on to them in transit by another UPU postal administration, providing similar treatment to that given to domestic items.**
- 1.5 **Letter-post item: items described in the Convention.**
- 1.6 **International postal service: postal operations or services regulated by the Acts; set of these operations or services.**

#### Article III

(Article 22 amended)

Acts of the Union

1 The Constitution shall be the basic Act of the Union. It shall contain the organic rules of the Union **and shall not be subject to reservations.**

2 The General Regulations shall embody those provisions which ensure the application of the Constitution and the working of the Union. They shall be binding on all member countries **and shall not be subject to reservations.**

3 The Universal Postal Convention, the Letter Post Regulations and the Parcel Post Regulations shall embody the rules applicable throughout the international postal service and the provisions concerning the letter-post and postal parcels services. These Acts shall be binding on all member countries.

4 The Agreements of the Union, and their Regulations, shall regulate the services other than those of the letter post and postal parcels between those member countries which are parties to them. They shall be binding on those countries only.

5 The Regulations, which shall contain the rules of application necessary for the implementation of the Convention and of the Agreements, shall be drawn up by the Postal Operations Council, bearing in mind the decisions taken by Congress.

6 The Final Protocols annexed to the Acts of the Union referred to in paragraphs 3, 4 and 5 shall contain the reservations to those Acts.

#### Article IV

(Article 30 amended)

Amendment of the Constitution

1 To be adopted, proposals submitted to Congress and relating to this Constitution must be approved by at least two thirds of the member countries of the Union **having the right to vote.**

2 Amendments adopted by a Congress shall form the subject of an additional protocol and, unless that Congress decides otherwise, shall enter into force at the same time as the Acts renewed in the course of the same Congress. They shall be ratified as soon as possible by member countries and the instruments of such ratification shall be dealt with in accordance with the procedure laid down in article 26.

Article V

(Article 31 amended)

Amendment of the General Regulations, the Convention and the Agreements

1 The General Regulations, the Convention and the Agreements shall define the conditions to be fulfilled for the approval of proposals which concern them.

2 The **Convention and the Agreements** shall enter into force simultaneously and shall have the same duration. As from the day fixed by Congress for the entry into force of these Acts, the corresponding Acts of the preceding Congress shall be abrogated.

Article VI

Accession to the Additional Protocol and to the other Acts of the Union

1 Member countries which have not signed the present Protocol may accede to it at any time.

2 Member countries which are party to the Acts renewed by Congress but which have not signed them shall accede thereto as soon as possible.

3 Instruments of accession relating to the cases set forth in paragraphs 1 and 2 shall be sent to the Director-General of the International Bureau, who shall notify the Governments of the member countries of their deposit.

Article VII

Entry into force and duration of the Additional Protocol to the Constitution of the Universal Postal Union

This Additional Protocol shall come into force on **1 January 2006** and shall remain in force for an indefinite period.

In witness whereof the plenipotentiaries of the Governments of the member countries have drawn up this Additional Protocol, which shall have the same force and the same validity as if its provisions were inserted in the text of the Constitution itself, and they have signed it in a single original which shall be deposited with the Director-General of the International Bureau. A copy thereof shall be delivered to each party by the **International Bureau of the Universal Postal Union**.

Done at **Bucharest, 5 October 2004**.

*See signatures below.*



Declarations made on signature of the Acts

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## Declarations made on signature of the Acts

I

*On behalf of the Republic of Azerbaijan:*

"Illegitimate circulation of the illegal stamps issued by the occupying power of Armenia under the title of the so-called "Republic of Nagorny Karabakh" (illegal separatist puppet regime sponsored by the Republic of Armenia) has been the source of deep concern to the Government of the Republic of Azerbaijan since 1993, and the Universal Postal Union (UPU) has been duly informed about this infraction on several occasions.

"Reacting to the appeal by the Government of the Republic of Azerbaijan, the International Bureau of the UPU issued circular 426 of 20 December 1993 that called on the postal administrations of all UPU member states not to accept for processing items with the above-mentioned illegal stamps and to return such items to origin.

"However, letters with these stamps continue to enter the territory of some UPU member states. The latest registered violation took place when these illegal stamps entered the territory of Germany from Armenia without any obstacle, as confirmed by an article published in "Michel Rundschau" dated October 2003. The letter with the above-mentioned illegal stamps addressed to G. Bundesmann from the occupying power of Armenia under the title of the so-called "Republic of Nagorny Karabakh" served as a reason for the publication of that article. The article also stated that these illegal stamps had been presented in the Stanley Gibbons catalogue (United Kingdom).

"This confirms that certain postal administrations are grossly violating the norms and regulations enshrined in the Charter of the UPU, Universal Postal Convention and in other Acts of the UPU, as well as the rules governing the passage of postal correspondence among countries.

"With reference to International Bureau circulars 426 of 20 December 1993 and 263 of 30 August 2004, concerning the illegitimate circulation of the afore-mentioned illegal stamps, the Republic of Azerbaijan, by this declaration, officially informs member countries of the Union – as well as other interested parties (catalogues, stamp collectors, etc.), of the inadmissibility of processing any written correspondence bearing the illegal postage stamps issued by the occupying power of Armenia under the title of the so-called "Republic of Nagorny Karabakh". The publication of articles and information on these illegally issued stamp in postage stamp catalogues is equally unacceptable.

"Once again, the Republic of Azerbaijan requests the postal administrations of all UPU member countries, as well as all other interested parties, not to violate the norms and regulations of the UPU and international law and, accordingly, not to accept for processing items with the above-mentioned illegal stamps and to return such items to origin.

"The Republic of Azerbaijan hopes that all UPU member states will take the necessary steps to prevent the violation of generally recognized norms and principles of international law, and in particular, the sovereignty and territorial integrity of the Republic of Azerbaijan, and will not permit the recurrence of such illegal actions in the future.

"The Republic of Azerbaijan expects due account to be taken of its above-mentioned position by all UPU member states."

(Congrès–Doc 49.Add 1)

II

*On behalf of the Republic of Azerbaijan:*

"At present, the region of Nagorny Karabakh and adjacent districts, which are an integral part of the territory of the Republic of Azerbaijan, are under the occupation of the Republic of Armenia.

"The illegal territorial entity called the "Republic of Nagorny Karabakh" was created after the 1992/93 occupation of the Nagorny Karabakh region and adjacent Azerbaijani districts by the Armenian armed forces, which ethnically cleansed the area to remove the Azerbaijani people from the occupied territories.

"These people, who have become refugees in their own country and who number more than one million, live in tents and huts in unbearable conditions; they are deprived of all comforts and basic services, including postal services, and are waiting to be able to return to their homes.

"The actions of the Republic of Armenia's armed forces have been condemned by the international community, in particular by the UN Security Council, which, in resolutions 822 of 30 April 1993, 853 of 29 June 1993, 874 of 14 October 1993 and 884 of 12 November 1993, demanded the immediate, complete and unconditional withdrawal of forces occupying the territories of the Republic of Azerbaijan.

"Given this situation, the provisions of article RE 305 of the Letter Post Regulations of the Universal Postal Convention, concerning the circulation of postage stamps valid in the country of origin, are not observed in the territory of the Republic of Azerbaijan, which is occupied by the armed forces of the Republic of Armenia.

"In these conditions, the Government of the Republic of Azerbaijan declares that, in accordance with the Constitution of the Universal Postal Union, signed in Vienna (Austria) on 10 July 1964, the Republic of Azerbaijan reaffirms its sovereignty over the territory of the Nagorny Karabakh region and adjacent districts, which are currently occupied by the Republic of Armenia.

"The Government of the Republic of Azerbaijan works on the principle that the postal administration of the Republic of Azerbaijan is the only possible structure recognized by the international community in the territory of the Republic of Azerbaijan.

"The Government of the Republic of Azerbaijan considers the alleged Republic of Nagorny Karabakh to be an illegal entity created in territory of the Republic of Azerbaijan occupied by the Republic of Armenia.

"The Government of the Republic of Azerbaijan considers that any attempt to present the so-called Republic of Nagorny Karabakh as an independent entity with all the attributes of a State is a violation of the territorial integrity and sovereignty of the Republic of Azerbaijan as well as a violation of other rules of international law and of its right to operate postal services.

"The Government of the Republic of Azerbaijan makes the following statement: 'In view of the occupation of the Nagorny Karabakh region and adjacent districts of the Republic of Azerbaijan by the armed forces of the Republic of Armenia, the Republic of Azerbaijan reserves the right not to apply the articles of the Universal Postal Convention in respect of the Republic of Armenia.' "

(Congrès–Doc 49.Add 2)

III

*On behalf of the Syrian Arab Republic:*

"The postal administration of the Syrian Arab Republic declares that its signature of the Acts does not imply an obligation to perform or accept any transaction with the Israeli postal administration."

(Congrès–Doc 49.Add 3)

## IV

*On behalf of the Syrian Arab Republic:*

"The postal administration of the Syrian Arab Republic reiterates the declaration made at the 1999 Beijing Congress by the People's Democratic Republic of Algeria, the Kingdom of Bahrain, the Islamic Republic of Iran, the Republic of Iraq, Kuwait, the Lebanese Republic, the Socialist People's Libyan Arab Jamahiriya, the Islamic Republic of Mauritania, the Islamic Republic of Pakistan, the Kingdom of Saudi Arabia, the Republic of Sudan, the Republic of Tunisia, the United Arab Emirates and the Republic of Yemen and declares that their signature of all the Acts of the Universal Postal Union (1999 Beijing Congress) as well as any subsequent ratification of those Acts by their respective Governments are not valid vis-à-vis the member inscribed under the name of Israel and in no way imply its recognition."

(Congrès–Doc 49.Add 4)

## V

*On behalf of the Republic of Austria, Belgium, Cyprus, the Czech Republic, the Kingdom of Denmark, Estonia, the Republic of Finland, the French Republic, the Federal Republic of Germany, the United Kingdom of Great Britain and Northern Ireland, Channel Islands and Isle of Man, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, the Netherlands, Poland, Portugal, Slovakia, Slovenia, Spain and Sweden:*

"The delegations of the member countries of the European Union declare that their countries will apply the Acts adopted by this Congress in accordance with their obligations pursuant to the Treaty establishing the European Community and the General Agreement on Trade in Services (GATS) of the World Trade Organization."

(Congrès–Doc 49.Add 5)

## VI

*On behalf of Australia:*

"Australia will apply the Acts and other decisions adopted by this Congress in full compliance with its rights and obligations under the World Trade Organization Agreement, and in particular the General Agreement on Trade in Services."

(Congrès–Doc 49.Add 6)

## VII

*On behalf of Iceland, the Principality of Liechtenstein, and Norway:*

"The delegations of Iceland, the Principality of Liechtenstein, and Norway declare that their countries will apply the Acts adopted by this Congress in accordance with their obligations pursuant to the agreement establishing the European Economic Area and the General Agreement on Trade in Services (GATS) of the World Trade Organization."

(Congrès–Doc 49.Add 7)

VIII

*On behalf of New Zealand:*

"New Zealand will apply the Acts and other decisions adopted by this Congress insofar as they are consistent with its other international rights and obligations and, in particular, the General Agreement on Trade in Services."

(Congrès–Doc 49.Add 8)

IX

*On behalf of the Republic of Armenia:*

"Recently, the international community has been subjected to a significant amount of falsified propaganda and anti-Armenian campaigning carried out by Azerbaijani officials with the aim of presenting a distorted picture of the causes and issues of the Nagorno-Karabakh conflict and the resulting situation on the ground.

"Frivolous interpretations of the UN Security Council resolutions and groundless accusations against the Republic of Armenia are common practice for Azerbaijani authorities, with the goal of concealing their own grave crimes of the past.

"Azerbaijan's authorities use every international forum or organization to pursue their destructive policy instead of concentrating on the international community's peace efforts. Unfortunately, the Universal Postal Congress is no exception.

"Armenia believes that this behaviour at international gatherings is inadmissible and hinders the efforts of the international community to advance issues of mutual cooperation.

"As the Universal Postal Congress is in no way an appropriate forum at which to discuss the issues related to conflict resolution, the delegation of Armenia, without going into much detail, would confine itself to the following declaration for the record.

"The two declarations made on signature of the Acts on behalf of the Republic of Azerbaijan, circulated on 20 and 21 September, contain gross irregularities and are used for purely propaganda purposes and are aimed at deviating from the agenda of the 23rd UPU Congress.

"These two statements are clear evidence of the continuation of Azerbaijan's decades-long policy to deprive the population of Nagorno-Karabakh of its basic rights, including the right to communicate.

"Nagorno-Karabakh has never been a part of independent Azerbaijan. The references of Azerbaijan in article 23 of the Constitution and article 305 of the Letter Post Regulations and efforts to present Nagorno-Karabakh as "an integral part of the territory of the Republic of Azerbaijan" are neither legal nor legitimate.

"The future status of Nagorno-Karabakh must be determined through the peace negotiations within the framework of the Minsk process of the Organization of Security and Cooperation in Europe (OSCE), and taking into account all of the founding principles of the OSCE.

"The fact that the Republic of Nagorno-Karabakh has thus far not been officially recognized by the international community cannot prevent its population from freely communicating, inter alia via the postal services.

"Consequently, the postal administration of the Republic of Armenia acts as intermediary for the postal administration of the Republic of Nagorno-Karabakh within the meaning of Article 4 of the Constitution of the Universal Postal Union.

"The Republic of Armenia hopes that all the UPU member states pay due attention to the above-mentioned facts and arguments."

(Congrès–Doc 49.Add 9)

X

*On behalf of Jordan:*

"Jordan will apply the Acts and other decisions adopted by this Congress insofar as they are consistent with its other international rights and obligations and, in particular, the General Agreement on Trade in Services (GATS)."

(Congrès–Doc 49.Add 10)

XI

*On behalf of the Republic of Indonesia:*

"The delegation of the Republic of Indonesia declares that Indonesia will apply the Acts adopted by the 23rd Congress of the Universal Postal Union, in accordance with the Constitution, Laws and Regulations of the Republic of Indonesia and pursuant to its obligations as a party to other treaties, conventions and any principles of international law.

"The delegation of the Republic of Indonesia reserves the right of its Government to take any action or measures it deems necessary to safeguard its national interests should any Acts adopted by this Congress directly or indirectly affect its sovereignty or contravene the Constitution, Laws or Regulations of Indonesia, should any Member in any way fail to comply with the Constitution, Convention or Acts of the Universal Postal Union, or should the consequences of reservations by any Member jeopardize its postal services or result in an unacceptable increase in its contributory share towards defraying the expenses of the Union."

(Congrès–Doc 49.Add 11)

XII

*On behalf of the Republic of Togo:*

"On signing the Final Acts of the 23rd Congress of the Universal Postal Union (Bucharest 2004), the Togolese delegation declares that the Republic of Togo will in no way be bound by any provisions of these Acts that infringe its sovereignty or run counter to its national legislation. Similarly, the signature of these Acts should not be construed as a decision by Togo to give up any rights it has or could claim under the international agreements or instruments to which it is party."

(Congrès–Doc 49.Add 12)

XIII

*On behalf of the Republic of Moldova:*

"Moldova shall apply the Acts adopted by the 23rd Congress of the Universal Postal Union in conformity with the Constitution, laws and regulations of the Republic of Moldova, pursuant to its obligations as a party to other treaties, conventions and according to the principles of international law.

"Moldova reserves for its Government the right to undertake any actions or measures that it deems necessary to protect its national interests if any Acts adopted by congress directly or indirectly contravene the Constitution of Moldova, its laws and regulations, or if any member country fails to comply with the Constitution, Convention or Acts of the Universal Postal Union."

(Congrès–Doc 49.Add 13)

XIV

*On behalf of the State of Kuwait:*

"On signing the Final Acts of the 23rd Congress of the Universal Postal Union (Bucharest 2004), the Kuwaiti delegation declares that the State of Kuwait will apply the Acts and other decisions adopted by this Congress in so far as they are consistent with its other international rights and obligations."

(Congrès–Doc 49.Add 14)

XV

*On behalf of the Socialist Republic of Viet Nam:*

"The delegation of the Socialist Republic of Viet Nam to the Universal Postal Union Congress (Bucharest 2004) declares that it reserves for its Government the right to take action or measures it deems necessary to safeguard its national interests should any other postal administration in any way fail to comply with the provisions of the UPU Acts or should reservations by other postal administrations impair its postal services or violate its sovereignty.

"Viet Nam reserves for its Government the right to make additional declarations, if necessary, upon ratification of the UPU Acts."

(Congrès–Doc 49.Add 15)

XVI

*On behalf of the United States of America:*

"The United States regards the characterization of 'customer rights as one of the main features of human rights' in the resolution entitled "Universal Postal Declaration of Customer Rights" as an unfortunate and unwarranted example of the use of hyperbole to emphasize an otherwise important point. Customer rights is an important concept supported strongly in the United States in both law and practice, but it does not rise to the level of human rights such as those enunciated in the Universal Declaration of Human Rights. We are concerned that the attempt rhetorically to link the two concepts will detract from a clear understanding of human rights. The United States did not support the adoption of resolution 064.Rev 1 and does not recognize either that resolution or its annex as constituting the creation, or reflecting the existence, of a human right under international law."

(Congrès–Doc 49.Add 16)

XVII

*On behalf of the Kingdom of Tonga:*

"The Kingdom of Tonga will apply the Acts and other decisions adopted by this Congress insofar as they are consistent with its other international rights and obligations and, in particular, the General Agreement on Trade in Services."

(Congrès–Doc 49.Add 17)

## XVIII

*On behalf of the Republic of Azerbaijan:*

"In the declaration made on signature of the Acts on behalf of the Republic of Armenia which was distributed on 28 September 2004, Armenia once again, attempts to misinform the representatives of the world public when stating that Azerbaijan uses international forums for conducting an anti-Armenian propaganda campaign.

"In view of the above, Azerbaijan deems it necessary to declare that the Government of the Republic of Azerbaijan, in its declaration made on 20 September 2004 (Congrès–Doc 49.Add 1) informed the UPU member states that it reserves the right not to apply the articles of the Universal Postal Convention in respect of the Republic of Armenia, and gave its reasons for so doing.

"The UN Security Council Resolutions mentioned in the declaration cannot be interpreted violently, as they unambiguously state that Nagorny Karabakh belongs to the Republic of Azerbaijan, and upheld the sovereignty and territorial integrity of the Republic of Azerbaijan.

"The second declaration made on behalf of the Republic of Azerbaijan, which was distributed on 21 September 2004 (Congrès–Doc 49.Add.2), mentions the illegitimate circulation of illegal stamps issued by the occupying power of Armenia under the title of the so-called "Republic of Nagorny Karabakh". The problem of controlling the issue and circulation of illegal stamps comes within the competence of the Universal Postal Union, and by no means within that of the Minsk Group of the OSCE.

"Armenia's statement that the postal administration of the Republic of Armenia acts as an intermediary of the postal administration of the so-called "Republic of Nagorny Karabakh" according to article 4 of the UPU Constitution, can be considered not only as a misinterpretation of the above-mentioned article, but also as major interference in the affairs, and violation of the sovereignty, of the Republic of Azerbaijan. By making statements like this, and at the same time referring to the Constitution of the Universal Postal Union, the Republic of Armenia abuses the legitimate status of this organization and undermines the prestige of its member states.

"The Government of the Republic of Azerbaijan has never attempted to deprive the people of Nagorny Karabakh of their civil rights, including their right to communication. The postal administration of the Republic of Azerbaijan in its appeal to the General Secretary of the UPU, Mr. Thomas Leavey unambiguously declared that it undertook a commitment to provide delivery of postal items from and to the territory of Nagorny Karabakh.

"The Republic of Azerbaijan hopes that the UPU member states will take note of everything said above, and again reaffirms its sovereignty over the territory of the Nagorny Karabakh region and the adjacent districts.

(Congrès–Doc 49.Add 18)

## XIX

*On behalf of the People's Democratic Republic of Algeria:*

"The delegation of the People's Democratic Republic of Algeria declares that its country will apply the Acts adopted by this Congress in so far as they are compatible with its national legislation and regulations.

"Moreover, the delegation of the People's Democratic Republic of Algeria declares that the signature of these Acts should not be regarded as the waiving by its country of any right it may have and to which it could lay claim by virtue of the agreements and treaties to which it is party.

"The Algerian delegation reserves its government's right to issue other declarations, if necessary, concerning the ratification of the Acts of the UPU Congress."

(Congrès–Doc 49.Add 19)

XX

*On behalf of the United States of America:*

"The United States is concerned by language adopted by this Congress that could be read to suggest that the classification of countries as Least Developed Countries is a matter falling within the purview of the Universal Postal Union. Such matters may only be properly addressed by the Committee for Development Policy under the United Nations Economic and Social Council (ECOSOC). The United States considers that it is in the best interest of Least Developed Countries that the Committee for Development Policy remain the sole arbiter for the UN system for classification as a Least Developed Country. Accordingly, the United States does not consider that any decision taken by UPU bodies pursuant to implementation of proposal 20. 26.92.Rev 1 has any effect on the classification of countries as Least Developed Countries within the UN system."

(Congrès–Doc 49.Add 20)

XXI

*On behalf of the Republic of Iraq, Kuwait, the Lebanese Republic, the Kingdom of Saudi Arabia, the Republic of Sudan, the Syrian Arab Republic, the United Arab Emirates and the Republic of Yemen:*

"Iraq, Kuwait, Lebanon, the Kingdom of Saudi Arabia, Sudan, the Syrian Arab Republic, the United Arab Emirates and Yemen confirm that the signature of the UPU Acts (Bucharest 2004) and any subsequent ratification by their respective governments do not apply in respect of the member country known as "Israel" and in no way imply its recognition."

(Congrès–Doc 49.Add 21)

XXII

*On behalf of Israel:*

"The delegation of Israel to the 23rd Congress of the Universal Postal Union reiterates the declarations and reservations which it has made at previous UPU Congresses, and rejects unreservedly any declaration or reservation made by any other member country of the Union at this 23rd UPU Congress (Bucharest 2004) the intention of which is to disregard Israel's rights and status as a member of the UPU. Furthermore, any such declaration or reservation having been made with the intention of not applying the provisions of the Acts of the UPU to the State of Israel, is in contravention of both the letter and the spirit of the Constitution, Convention and Agreements. The delegation of Israel accordingly considers any such declaration or reservation to be illegal and void, and reserves its rights accordingly."

(Congrès–Doc 49.Add 22)

XXIII

*On behalf of the Republic of Zimbabwe:*

"The delegation of the Republic of Zimbabwe declares that its country will apply the Acts adopted by this Congress in so far as they are compatible with its national legislation and regulations. "The Zimbabwean delegation reserves its government's right to issue other declarations, if necessary, concerning the ratification of the Acts of the UPU Congress."

(Congrès–Doc 49.Add 23)

General Regulations of the Universal Postal Union



# General Regulations of the Universal Postal Union

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# General Regulations of the Universal Postal Union

The undersigned plenipotentiaries of the Governments of member countries of the Union, having regard to article 22.2, of the Constitution of the Universal Postal Union, concluded at Vienna on 10 July 1964, have, by common consent, and subject to article 25.4, of the Constitution, drawn up in these General Regulations the following provisions securing the application of the Constitution and the functioning of the Union.

## Chapter I

### Functioning of the Union's bodies

#### Article 101

Organization and convening of Congresses and Extraordinary Congresses (Const. 14, 15)

1 The representatives of member countries shall meet in Congress not later than **four** years after the **end of the year during which** the preceding Congress **took place**.

2 Each member country shall arrange for its representation at Congress by one or more plenipotentiaries furnished by their Government with the necessary powers. It may, if need be, arrange to be represented by the delegation of another member country. Nevertheless it shall be understood that a delegation may represent only one member country other than its own.

3 In debates, each member country shall be entitled to one vote, subject to the sanctions provided for in article **129**.

4 In principle, each Congress shall designate the country in which the next Congress will be held. If that designation proves inapplicable, the Council of Administration shall be authorized to designate the country where Congress is to meet, after consultation with the latter country.

5 After consultation with the International Bureau, the host Government shall fix the definitive date and the precise locality of Congress. In principle one year before that date the host Government shall send an invitation to the Government of each member country of the Union. This invitation may be sent direct or through the intermediary of another Government or through the Director-General of the International Bureau.

6 When a Congress has to be convened without a host Government, the International Bureau, with the agreement of the Council of Administration and after consultation with the Government of the Swiss Confederation, shall take the necessary steps to convene and organize the Congress in the country in which the seat of the Union is situated. In this event the International Bureau shall perform the functions of the host Government.

7 The meeting place of an Extraordinary Congress shall be fixed, after consultation with the International Bureau, by the member countries which have initiated that Congress.

8 Paragraphs 2 to 6 shall be applicable by analogy to Extraordinary Congresses.

Article 102

Composition, functioning and meetings of the Council of Administration (Const. 17)

1 The Council of Administration shall consist of forty-one members who shall exercise their functions during the period between two successive Congresses.

2 The chairmanship shall devolve by right on the host country of Congress. If that country waives this right, it shall become a de jure member and, as a result, the geographical group to which it belongs shall have at its disposal an additional seat, to which the restrictive provisions of paragraph 3 shall not apply. In that case, the Council of Administration shall elect to the chairmanship one of the member countries belonging to the geographical group of the host country.

3 The forty other members of the Council of Administration shall be elected by Congress on the basis of an equitable geographical distribution. At least a half of the membership shall be renewed at each Congress; no member may be chosen by three successive Congresses.

4 Each member of the Council of Administration shall appoint its representative, who shall be competent in postal matters.

5 The office of member of the Council of Administration shall be unpaid. The operational expenses of this Council shall be borne by the Union.

6 The Council of Administration shall have the following functions:

- 6.1 to supervise the activities of the Union between Congresses, ensuring compliance with the decisions of Congress, studying questions with respect to governmental policies on postal issues, and taking account of international regulatory developments such as those relating to trade in services and to competition;
- 6.2 to consider and approve, within the framework of its competence, any action considered necessary to safeguard and enhance the quality of and to modernize the international postal service;
- 6.3 to promote, coordinate and supervise all forms of postal technical assistance within the framework of international technical cooperation;
- 6.4 to consider and approve the **biennial** budget and **the** accounts of the Union;
- 6.5 to authorize the ceiling of expenditure to be exceeded, if circumstances so require, in accordance with article **128.3 to 5**;
- 6.6 to lay down the Financial Regulations of the UPU;
- 6.7 to lay down the rules governing the Reserve Fund;
- 6.8 to lay down the rules governing the Special Fund;
- 6.9 to lay down the rules governing the Special Activities Fund;
- 6.10 to lay down the rules governing the Voluntary Fund;
- 6.11 to provide control over the activities of the International Bureau;
- 6.12 to authorize election of a lower contribution class, if it is so requested, in accordance with the conditions set out in article **130.6**;
- 6.13 to authorize a change of geographical group if it is so requested, taking into account the views expressed by the countries which are members of the geographical groups concerned;
- 6.14 to lay down the Staff Regulations and the conditions of service of the elected officials;

- 6.15 to create or abolish International Bureau posts taking into account the restrictions imposed by the expenditure ceiling fixed;
- 6.16 to lay down the Regulations of the Social Fund;
- 6.17 to approve the **biennial** report on the work of the Union and the biennial Financial Operating Reports prepared by the International Bureau and where appropriate to furnish observations on them;
- 6.18 to decide on the contacts to be established with postal administrations in order to carry out its functions;
- 6.19 after consulting the Postal Operations Council, to decide on the contacts to be established with the organizations which are not de jure observers, to consider and approve the reports by the International Bureau on UPU relations with other international bodies and to take the decisions which it considers appropriate on the conduct of such relations and the action to be taken on them; to designate in due course, **after consulting the Postal Operations Council and the Secretary General, the international organizations, associations, enterprises and qualified persons to be invited to be represented at specific meetings of Congress and its Committees when this is in the interest of the Union or the work of Congress** and to instruct the Director-General to issue the necessary invitations;
- 6.20 to establish principles, as may be considered necessary, for the Postal Operations Council to take into account in its study of questions with major financial repercussions (charges, terminal dues, transit charges, basic airmail conveyance rates and the posting abroad of letter-post items), to follow closely the study of these questions, and to review and approve, for conformity with the aforementioned principles, Postal Operations Council proposals relating to these questions;
- 6.21 to study, at the request of Congress, the Postal Operations Council or postal administrations, administrative, legislative and legal problems concerning the Union or the international postal service; it shall be for the Council of Administration to decide, in the above-mentioned fields, whether it is expedient to undertake the studies requested by postal administrations between Congresses;
- 6.22 to formulate proposals which shall be submitted for the approval either of Congress or of postal administrations in accordance with article **125**;
- 6.23 to approve, within the framework of its competence, the recommendations of the Postal Operations Council for the adoption, if necessary, of regulations or of a new procedure until such time as Congress takes a decision in the matter;
- 6.24 to consider the annual report prepared by the Postal Operations Council and any proposals submitted by the Council;
- 6.25 to submit subjects for study to the Postal Operations Council for examination in accordance with article 104, paragraph 9.16;
- 6.26 to designate the country where the next Congress is to be held in the case provided for in article 101, paragraph 4;
- 6.27 to determine in due course and after consulting the Postal Operations Council, the number of Committees required to carry out the work of Congress and to specify their functions;
- 6.28 to designate, after consulting the Postal Operations Council and subject to the approval of Congress, the member countries prepared:
- to assume the vice-chairmanships of Congress and the chairman-ships and vice-chairmanships of the Committees, taking as much account as possible of the equitable geographical distribution of the member countries; and
  - to sit on the restricted Committees of Congress;
- 6.29 to review and approve the draft Strategic Plan for presentation to Congress developed by the Postal Operations Council with the support of the International Bureau; to review and approve annual revisions of the Plan approved by Congress on the basis of

recommendations from the Postal Operations Council, and to consult with the Postal Operations Council on the development and annual updating of the Plan;

- 6.30 to establish the framework for the organization of the Consultative Committee and concur in the organization of the Consultative Committee in accordance with the provisions of article 106;**
- 6.31 to establish criteria for membership of the Consultative Committee and to approve or reject applications for membership in accordance with those criteria, ensuring that action on the applications is accomplished through an expedited process between meetings of the Council of Administration;**
- 6.32 to designate the members that will serve as members of the Consultative Committee;**
- 6.33 to receive and discuss reports and recommendations from the Consultative Committee and to consider recommendations from the Consultative Committee for submission to Congress.**

7 At its first meeting, which shall be convened by the Chairman of Congress, the Council of Administration shall elect four Vice-Chairmen from among its members and draw up its Rules of Procedure.

8 On convocation by its Chairman, the Council of Administration shall meet in principle once a year, at Union headquarters.

9 The Chairman, the Vice-Chairmen and the Committee Chairmen of the Council of Administration and the Chairman of the Strategic Planning Group shall form the Management Committee. This Committee shall prepare and direct the work of each session of the Council of Administration. It shall approve, on behalf of the Council of Administration, the **biennial** report prepared by the International Bureau on the work of the Union and it shall take on any other task which the Council of Administration decides to assign to it or the need for which arises in the course of the strategic planning process.

10 The representative of each of the members of the Council of Administration participating in its meetings, except for meetings which take place during Congress, shall be entitled to reimbursement of the cost of either an economy class return air ticket or first class return rail ticket, or expenses incurred for travel by any other means subject to the condition that the amount does not exceed the price of the economy class return ticket. The same entitlement shall be granted to each member of its Committees, Working Parties or other bodies when these meet outside Congress and the sessions of the Council.

11 The Chairman of the Postal Operations Council shall represent that body at meetings of the Council of Administration on the agenda of which there are questions of interest to the body which he directs.

**12 The Chairman of the Consultative Committee shall represent it at meetings of the Council of Administration when the agenda contains questions of interest to the Consultative Committee.**

13 To ensure effective liaison between the work of the two bodies, the Postal Operations Council may designate representatives to attend Council of Administration meetings as observers.

14 The postal administration of the country in which the Council of Administration meets shall be invited to take part in the meetings in the capacity of observer, if that country is not a member of the Council of Administration.

15 The Council of Administration may invite any international body, any representative of an association or enterprise, or any qualified person whom it wishes to associate with its work to its meetings, without the right to vote. It may also invite, under the same conditions, one or more postal administrations of member countries concerned with questions on its agenda.

**16** If they so request, the following observers may participate in the plenary sessions and Committee meetings of the Council of Administration, without the right to vote:

**16.1** members of the Postal Operations Council;

**16.2** members of the Consultative Committee;

**16.3** intergovernmental organizations interested in the work of the Council of Administration;

**16.4** other member countries of the Union.

**17** For logistical reasons, the Council of Administration may limit the number of attendees per observer participating. It may also limit their right to speak during the debates.

**18** The members of the Council of Administration shall take an active part in its work. **Observers** may, at their request, **be allowed to** cooperate in the studies undertaken, subject to such conditions as the Council may establish to ensure the efficiency and effectiveness of its work. They may also be invited to chair Working Parties **and Project Teams** when their experience or expertise justifies it. The participation of **observers** shall be carried out without additional expense for the Union.

**19** In exceptional circumstances, observers may be excluded from a meeting or a portion of a meeting or may have their right to receive documents restricted if the confidentiality of the subject of the meeting or document so requires. This restriction may be decided on a case-by-case basis by any body concerned or its Chair. The case-by-case situations shall be reported to the Council of Administration and to the Postal Operations Council when matters of interest to the Postal Operations Council are concerned. If it considers this necessary, the Council of Administration may subsequently review restrictions, in consultation with the Postal Operations Council where appropriate.

#### Article 103

**Information** on the activities of the Council of Administration

1 After each session, the Council of Administration shall inform the member countries of the Union, the Restricted Unions **and the members of the Consultative Committee** about its activities by sending them, inter alia, a summary record and its resolutions and decisions.

2 The Council of Administration shall make to Congress a comprehensive report on its work and send it to postal administrations **of the member countries of the Union and the members of the Consultative Committee** at least two months before the opening of Congress.

#### Article 104

Composition, functioning and meetings of the Postal Operations Council (Const. 18)

1 The Postal Operations Council shall consist of forty members who shall exercise their functions during the period between successive Congresses.

2 The members of the Postal Operations Council shall be elected by Congress on the basis of qualified geographical distribution. Twenty-four seats shall be reserved for developing countries and sixteen seats for developed countries. At least one third of the members shall be renewed at each Congress.

**3** Each member of the Postal Operations Council shall appoint its representative, who shall have responsibilities for delivering services mentioned in the Acts of the Union.

4 The operational expenses of the Postal Operations Council shall be borne by the Union. Its members shall not receive any payment. Travelling and living expenses incurred by representatives of postal administrations participating in the Postal Operations Council shall be borne by those administrations. However, the representative of each of the countries considered to be disadvantaged according to the lists established by the United Nations shall, except for meetings which take place during Congress, be entitled to reimbursement of the price of an economy class return air ticket or first class return rail ticket, or expenses incurred for travel by any other means, subject to the condition that the amount does not exceed the price of the economy class return air ticket.

5 At its first meeting, which shall be convened and opened by the Chairman of Congress, the Postal Operations Council shall choose from among its members a Chairman, a Vice-Chairman, the Committee Chairmen and the Chairman of the Strategic Planning Group.

6 The Postal Operations Council shall draw up its Rules of Procedure.

7 In principle, the Postal Operations Council shall meet every year at Union headquarters. The date and place of the meeting shall be fixed by its Chairman in agreement with the Chairman of the Council of Administration and the Director-General of the International Bureau.

8 The Chairman, the Vice-Chairman and the Committee Chairmen of the Postal Operations Council and the Chairman of the Strategic Planning Group shall form the Management Committee. This Committee shall prepare and direct the work of each meeting of the Postal Operations Council and take on all the tasks which the latter decides to assign to it or the need for which arises in the course of the strategic planning process.

9 The functions of the Postal Operations Council shall be the following:

- 9.1 to conduct the study of the most important operational, commercial, technical, economic and technical cooperation problems which are of interest to postal administrations of all member countries, including questions with major financial repercussions (charges, terminal dues, transit charges, airmail conveyance rates, parcel-post rates, and the posting abroad of letter-post items), and to prepare information, opinions and recommendations for action on them;
- 9.2 to revise the Regulations of the Union within six months following the end of the Congress unless the latter decides otherwise; in case of urgent necessity, the Postal Operations Council may also amend the said Regulations at other sessions; in both cases, the Operations Council shall be subject to Council of Administration guidance on matters of fundamental policy and principle;
- 9.3 to coordinate practical measures for the development and improvement of international postal services;
- 9.4 to take, subject to Council of Administration approval within the framework of the latter's competence, any action considered necessary to safeguard and enhance the quality of and to modernize the international postal service;
- 9.5 to formulate proposals which shall be submitted for the approval either of Congress or of postal administrations in accordance with article **125**; the approval of the Council of Administration is required when these proposals concern questions within the latter's competence;
- 9.6 to examine, at the request of the postal administration of a member country, any proposal which that postal administration forwards to the International Bureau under article **124**, to prepare observations on it and to instruct the International Bureau to annex these observations to the proposal before submitting it for approval to the postal administrations of member countries;
- 9.7 to recommend, if necessary, and where appropriate after approval by the Council of Administration and consultation of all the postal administrations, the adoption of regulations or of a new procedure until such time as Congress takes a decision in the matter;

- 9.8 to prepare and issue, in the form of recommendations to postal administrations, standards for technological, operational and other processes within its competence where uniformity of practice is essential; it shall similarly issue, as required, amendments to standards it has already set;
- 9.9 to examine in consultation with and with the approval of the Council of Administration, the draft Strategic Plan drawn up by the International Bureau for consideration by Congress; to revise each year the Plan approved by Congress with the assistance of the Strategic Planning Group and of the International Bureau as well as with the approval of the Council of Administration;
- 9.10 to approve those parts of the annual report on the work of the Union prepared by the International Bureau which concern the responsibilities and functions of the Postal Operations Council;
- 9.11 to decide on the contacts to be established with postal administrations in order to carry out its functions;
- 9.12 to study teaching and vocational training problems of interest to the new and developing countries;
- 9.13 to take the necessary steps to study and publicize the experiments and progress made by certain countries in the technical, operational, economic and vocational training fields of interest to the postal services;
- 9.14 to study the present position and needs of the postal services in the new and developing countries and to prepare appropriate recommendations on ways and means of improving the postal services in those countries;
- 9.15 to take, in consultation with the Council of Administration, appropriate steps in the sphere of technical cooperation with all member countries of the Union and in particular with the new and developing countries;
- 9.16 to examine any other questions submitted to it by a member of the Postal Operations Council, by the Council of Administration or by any postal administration of a member country;
- 9.17 to receive and discuss reports as well as recommendations from the Consultative Committee and, when matters of interest to the Postal Operations Council are involved, to examine and comment on recommendations from the Consultative Committee for submission to Congress;**
- 9.18 to designate the members that will serve as members of the Consultative Committee.**
- 10** On the basis of the UPU Strategic Plan adopted by Congress and, in particular the part relating to the strategies of the Permanent Bodies of the Union, the Postal Operations Council shall, at its first session after Congress, prepare a draft basic work programme, containing a number of tactics aimed at implementing strategies. This basic work programme, which shall include a limited number of projects on topical subjects of common interest, shall be revised annually in the light of new realities and priorities, as well as of changes made to the Strategic Plan.
- 11** In order to ensure effective liaison between the work of the two bodies, the Council of Administration may designate representatives to attend Postal Operations Council meetings as observers.
- 12 If they so request, the following observers may participate in the plenary sessions and Committee meetings of the Postal Operations Council, without the right to vote:**
- 12.1 members of the Council of Administration;**
- 12.2 members of the Consultative Committee;**
- 12.3 intergovernmental organizations interested in the work of the Postal Operations Council;**

**12.4 other member countries of the Union.**

**13 For logistical reasons, the Postal Operations Council may limit the number of attendees per observer participating. It may also limit their right to speak during the debates.**

**14 The members of the Postal Operations Council shall take an active part in its work. Observers may, at their request, be allowed to cooperate in the studies undertaken, subject to such conditions as the Council may establish to ensure the efficiency and effectiveness of its work. They may also be invited to chair Working Parties and Project Teams when their experience or expertise justifies it. The participation of observers shall be carried out without additional expense for the Union.**

**15 In exceptional circumstances observers may be excluded from a meeting or a portion of a meeting or may have their right to receive documents restricted if the confidentiality of the subject of the meeting or document so requires. This restriction may be decided on a case-by-case basis by any body concerned or its Chair. The case-by-case situations shall be reported to the Council of Administration and to the Postal Operations Council. If it considers this necessary, the Council of Administration may, in consultation with the Postal Operations Council, subsequently review restrictions where appropriate.**

**16 The Chairman of the Consultative Committee shall represent that organization at meetings of the Postal Operations Council when the agenda contains questions of interest to the Consultative Committee.**

**17 The Postal Operations Council may invite the following to take part in its meetings without the right to vote:**

- 17.1** any international body or any qualified person whom it wishes to associate with its work;
- 17.2** postal administrations of member countries not belonging to the Postal Operations Council;
- 17.3** any association or enterprise that it wishes to consult with respect to its work.

Article 105

**Information** on the activities of the Postal Operations Council

**1 After each session, the Postal Operations Council shall inform the member countries of the Union, the Restricted Unions and the members of the Consultative Committee about its activities by sending them, inter alia, a summary record and its resolutions and decisions.**

**2 The Postal Operations Council shall prepare for the Council of Administration an annual report on its work.**

**3 The Postal Operations Council shall make to Congress a comprehensive report on its work and send it to the postal administrations of the member countries of the Union and the members of the Consultative Committee at least two months before the opening of Congress.**

Article 106

**Composition, functioning and meetings of the Consultative Committee**

**1 The aim of the Consultative Committee shall be to represent the interests of the wider international postal sector, and to provide a framework for effective dialogue between stakeholders. It shall consist of non-governmental organizations representing customers, delivery service providers, organizations of workers, suppliers of goods and services to the postal services sector and like organizations of individuals and companies which have an interest in international postal services. Where such organizations are registered, they must be registered in a member country of the Union. The Council of Administration and the Postal Operations Council shall designate the members of their respective Councils as**

members of the Consultative Committee. Apart from members designated by the Council of Administration and the Postal Operations Council, membership in the Consultative Committee shall be determined through a process of application and acceptance established by the Council of Administration, carried out in accordance with article 102.6.31.

**2** Each member of the Consultative Committee shall appoint its own representative.

**3** The operational costs of the Consultative Committee shall be shared by the Union and members of the Committee as determined by the Council of Administration.

**4** The members of the Consultative Committee shall not receive remuneration or any other compensation.

**5** The Consultative Committee shall reorganize itself after each Congress in accordance with the framework established by the Council of Administration. The Chairman of the Council of Administration shall preside at the organizational meeting of the Consultative Committee, which shall elect its Chairman at that meeting.

**6** The Consultative Committee shall determine its internal organization and shall draw up its own rules of procedure, taking into account the general principles of the Union and subject to the concurrence of the Council of Administration after having consulted the Postal Operations Council.

**7** The Consultative Committee shall meet twice annually. In principle, the meetings will be held at Union headquarters at the same time as meetings of the Council of Administration and the Postal Operations Council. The date and location of each meeting shall be fixed by the Chairman of the Consultative Committee in agreement with the Chairmen of the Council of Administration and the Postal Operations Council and the Director-General of the International Bureau.

**8** The Consultative Committee shall establish its own programme within the framework of the following functions:

**8.1** to examine documents and reports of the Council of Administration and the Postal Operations Council. In exceptional circumstances, the right to receive certain texts and documents may be restricted if the confidentiality of the subject of the meeting or document so requires. This restriction may be decided on a case-by-case basis by any body concerned or its Chairman. The case-by-case situations shall be reported to the Council of Administration, and to the Postal Operations Council when matters of interest to the Postal Operations Council are concerned. If it considers this necessary, the Council of Administration may subsequently review restrictions, in consultation with the Postal Operations Council, where appropriate;

**8.2** to conduct studies of and debate issues of importance to the Consultative Committee's members;

**8.3** to consider issues affecting the postal services sector and issue reports on such issues;

**8.4** to provide input to the work of the Council of Administration and the Postal Operations Council, including submitting reports and recommendations and giving opinions at the request of the two Councils;

**8.5** to make recommendations to Congress, subject to the approval of the Council of Administration and, when matters of interest to the Postal Operations Council are involved, subject to examination and comment by the Postal Operations Council.

**9** The Chairman of the Council of Administration and the Chairman of the Postal Operations Council shall represent those bodies at meetings of the Consultative Committee when the agenda of such meetings contains questions of interest to those bodies.

**10** In order to ensure effective liaison with the bodies of the Union, the Consultative Committee may designate representatives to attend meetings of Congress, the Council of

**Administration, and the Postal Operations Council, and their respective Committees, as observers without the right to vote.**

**11 If they so request, members of the Consultative Committee may attend plenary sessions and Committee meetings of the Council of Administration and the Postal Operations Council in accordance with articles 102.16 and 104.12. They may also participate in the work of project teams and working groups under terms established under articles 102.18 and 104.14. Members of the Consultative Committee may attend Congress as observers without the right to vote.**

**12 If they so request, the following observers may participate in the sessions of the Consultative Committee, without the right to vote:**

- 12.1 members of the Postal Operations Council and the Council of Administration;**
- 12.2 intergovernmental organizations interested in the work of the Consultative Committee;**
- 12.3 Restricted Unions;**
- 12.4 other member countries of the Union.**

**13 For logistical reasons, the Consultative Committee may limit the number of attendees per observer participating. It may also limit their right to speak during the debates.**

**14 In exceptional circumstances observers may be excluded from a meeting or a portion of a meeting or may have their right to receive documents restricted if the confidentiality of the subject of the meeting or document so requires. This restriction may be decided on a case-by-case basis by any body concerned or its Chair. The case-by-case situations shall be reported to the Council of Administration and to the Postal Operations Council when matters of interest to the Postal Operations Council are concerned. If it considers this necessary, the Council of Administration may subsequently review restrictions, in consultation with the Postal Operations Council where appropriate.**

**15 The International Bureau, under the responsibility of the Director-General, shall provide the secretariat for the Consultative Committee.**

#### **Article 107**

##### **Information on the activities of the Consultative Committee**

**1 After each session, the Consultative Committee shall inform the Council of Administration and the Postal Operations Council of its activities by sending to the Chairmen of those bodies, inter alia, a summary record of its meetings and its recommendations and views.**

**2 The Consultative Committee shall make to the Council of Administration an annual activity report, with a copy to the Postal Operations Council. This report shall be included in the documentation of the Council of Administration that is provided to member countries of the Union and Restricted Unions, in accordance with article 103.**

**3 The Consultative Committee shall make to Congress a comprehensive report on its work and send it to postal administrations of the member countries of the Union at least two months before the opening of Congress.**

**Article 108**

## Rules of Procedure of Congresses (Const. 14)

- 1 For the organization of its work and the conduct of its debates, Congress shall apply the Rules of Procedure of Congresses.
- 2 Each Congress may amend these Rules under the conditions laid down in the Rules of Procedure themselves.

**Article 109**

## Working languages of the International Bureau

The working languages of the International Bureau shall be French and English.

**Article 110**

## Languages used for documentation, for debates and for official correspondence

- 1 For the documentation of the Union, the French, English, Arabic and Spanish languages shall be used. The Chinese, German, Portuguese and Russian languages shall also be used provided that only the most important basic documentation is produced in these languages. Other languages may also be used on condition that the member countries which have made the request shall bear all of the costs involved.
- 2 The member country or countries which have requested a language other than the official language constitute a language group.
- 3 Documentation shall be published by the International Bureau in the official language and in the languages of the duly constituted language groups, either directly or through the intermediary of the regional offices of those groups in conformity with the procedures agreed with the International Bureau. Publication in the different languages shall be effected in accordance with a common standard.
- 4 Documentation published directly by the International Bureau shall, as far as possible, be distributed simultaneously in the different languages requested.
- 5 Correspondence between the postal administrations and the International Bureau and between the latter and outside entities may be exchanged in any language for which the International Bureau has available a translation service.
- 6 The costs of translation into any language, including those resulting from the application of paragraph 5, shall be borne by the language group which has asked for that language. The member countries using the official language shall pay, in respect of the translation of non-official documents, a lump-sum contribution, the amount of which per contribution unit shall be the same as that borne by the member countries using the other International Bureau working language. All other costs involved in the supply of documents shall be borne by the Union. The ceiling of the costs to be borne by the Union for the production of documents in Chinese, German, Portuguese and Russian shall be fixed by a Congress resolution.
- 7 The costs to be borne by a language group shall be divided among the members of that group in proportion to their contributions to the expenses of the Union. These costs may be divided among the members of the language group according to another system, provided that the countries concerned agree to it and inform the International Bureau of their decision through the intermediary of the spokesman of the group.
- 8 The International Bureau shall give effect to any change in the choice of language requested by a member country after a period which shall not exceed two years.

9 For the discussions at meetings of the Union's bodies, the French, English, Spanish and Russian languages shall be admissible, by means of a system of interpretation – with or without electronic equipment – the choice being left to the judgment of the organizers of the meeting after consultation with the Director-General of the International Bureau and the member countries concerned.

10 Other languages shall likewise be admissible for the discussions and meetings mentioned in paragraph 9.

11 Delegations using other languages shall arrange for simultaneous interpretation into one of the languages mentioned in paragraph 9, either by the system indicated in the same paragraph, when the necessary technical modifications can be made, or by individual interpreters.

12 The costs of the interpretation services shall be shared among the member countries using the same language in proportion to their contributions to the expenses of the Union. However, the costs of installing and maintaining the technical equipment shall be borne by the Union.

13 Postal administrations may come to an understanding about the language to be used for official correspondence in their relations with one another. In the absence of such an understanding the language to be used shall be French.

## Chapter II

### International Bureau

#### Article 111

##### Election of the Director-General and Deputy Director-General of the International Bureau

1 The Director-General and the Deputy Director-General of the International Bureau shall be elected by Congress for the period between two successive Congresses, the minimum duration of their term of office being **four** years. Their term of office shall be renewable once only. Unless Congress decides otherwise, the date on which they take up their duties shall be fixed at 1 January of the year following that in which Congress is held.

2 At least seven months before the opening of Congress, the Director-General of the International Bureau shall send a memorandum to the Governments of member countries inviting them to submit their applications, if any, for the posts of Director-General and Deputy Director-General and indicating at the same time whether the Director-General and Deputy Director-General in office are interested in a renewal of their initial term of office. The applications, accompanied by a curriculum vitae, must reach the International Bureau at least two months before the opening of Congress. The candidates must be nationals of the member countries which put them forward. The International Bureau shall prepare the election documents for Congress. The election of the Director-General and that of the Deputy Director-General shall take place by secret ballot, the first election being for the post of Director-General.

3 If the post of Director-General falls vacant, the Deputy Director-General shall take over the functions of Director-General until the expiry of the latter's term of office; he shall be eligible for election to that post and shall automatically be accepted as a candidate, provided that his initial term of office as Deputy Director-General has not already been renewed once by the preceding Congress and that he declares his interest in being considered as a candidate for the post of Director-General.

4 If the posts of Director-General and Deputy Director-General fall vacant at the same time, the Council of Administration shall elect, on the basis of the applications received following notification of the vacancies, a Deputy Director-General for the period extending up to the next Congress. With regard to the submission of applications, paragraph 2 shall apply by analogy.

5 If the post of Deputy Director-General falls vacant, the Council of Administration shall, on the proposal of the Director-General, instruct one of the **grade D 2 Directors** at the International Bureau to take over the functions of Deputy Director-General until the following Congress.

## Article 112

### Duties of the Director-General

1 The Director-General shall organize, administer and direct the International Bureau, of which he is the legal representative. He shall be empowered to classify posts in grades G 1 to D 2 and to appoint and promote officials in those grades. For appointments in grades P 1 to D 2, he shall consider the professional qualifications of the candidates recommended by the postal administrations of the member countries of which the candidates are nationals or in which they exercise their professional activities, taking into account equitable geographical distribution with respect to continents and languages. **D 2** posts shall as far as possible be filled by candidates from different regions and from regions other than those from which the Director-General and Deputy Director-General originate, bearing in mind the paramount consideration of the efficiency of the International Bureau. In the case of posts requiring special qualifications, the Director-General may seek applications from outside. He shall also consider, for the appointment of a new official, that, in principle, persons occupying grade D 2, D 1 and P 5 posts must be nationals of different member countries of the Union. For the promotion of an official of the International Bureau to grades D 2, D 1 and P 5, he shall not be bound to apply that principle. Moreover, the requirements of equitable geographical and language distribution shall rank behind merit in the recruitment process. The Director-General shall inform the Council of Administration once a year of appointments and promotions in grades P 4 to D 2.

2 The Director-General shall have the following duties:

- 2.1 to act as depositary of the Acts of the Union and as intermediary in the procedure of accession and admission to and withdrawal from the Union;
- 2.2 to notify the decisions taken by Congress to all the Governments of member countries;
- 2.3 to notify all postal administrations of the Regulations drawn up or revised by the Postal Operations Council;
- 2.4 to prepare the draft annual budget of the Union at the lowest possible level consistent with the requirements of the Union and to submit it in due course to the Council of Administration for consideration; to communicate the budget to the member countries of the Union after approval by the Council of Administration and to execute it;
- 2.5 to execute the specific activities requested by the bodies of the Union and those assigned to him by the Acts;
- 2.6 to take action to achieve the objectives set by the bodies of the Union, within the framework of the established policy and the funds available;
- 2.7 to submit suggestions and proposals to the Council of Administration or to the Postal Operations Council;
- 2.8 following the close of Congress, to submit proposals to the Postal Operations Council concerning changes to the Regulations required as a result of Congress decisions, in accordance with the Rules of Procedure of the Postal Operations Council;**
- 2.9** to prepare, for the Postal Operations Council and on the basis of directives issued by the latter, the draft Strategic Plan to be submitted to Congress and the draft annual revision;
- 2.10** to ensure the representation of the Union;

- 2.11** to act as an intermediary in relations between:
- the UPU and the Restricted Unions;
  - the UPU and the United Nations;
  - the UPU and the international organizations whose activities are of interest to the Union;
  - the UPU and the international organizations or the associations or enterprises that the bodies of the Union wish to consult or associate with their work;
- 2.12** to assume the duties of Secretary-General of the bodies of the Union and supervise in this capacity and taking into account the special provisions of these General Regulations, in particular:
- the preparation and organization of the work of the Union's bodies;
  - the preparation, production and distribution of documents, reports and minutes;
  - the functioning of the secretariat at meetings of the Union's bodies;
- 2.13** to attend the meetings of the bodies of the Union and take part in the discussions without the right to vote, with the possibility of being represented.

**Article 113**

Duties of the Deputy Director-General

1 The Deputy Director-General shall assist the Director-General and shall be responsible to him.

2 If the Director-General is absent or prevented from discharging his duties, the Deputy Director-General shall exercise his functions. The same shall apply in the case of a vacancy in the post of Director-General as mentioned in article **111.3**.

**Article 114**

Secretariat of the Union's bodies (Const. 14, 15, 17, 18)

The secretariat of the Union's bodies shall be provided by the International Bureau under the responsibility of the Director-General. It shall send all the documents published on the occasion of each session to the postal administrations of the members of the body, to the postal administrations of countries which, while not members of the body, cooperate in the studies undertaken, to the Restricted Unions and to postal administrations of other member countries which ask for them.

**Article 115**

List of member countries (Const. 2)

The International Bureau shall prepare and keep up to date the list of member countries of the Union showing therein their contribution class, their geographical group and their position with respect to the Acts of the Union.

**Article 116**

Information. Opinions. Requests for interpretation and amendment of the Acts. Inquiries. Role in the settlement of accounts (Const. 20; Gen Regs **124, 125, 126**)

1 The International Bureau shall be at all times at the disposal of the Council of Administration, the Postal Operations Council and postal administrations for the purpose of supplying them with any necessary information on questions relating to the service.

2 In particular it shall collect, collate, publish and distribute all kinds of information of interest to the international postal service, give an opinion, at the request of the parties involved, on questions in dispute, act on requests for interpretation and amendment of the Acts of the Union and, in general, carry out such studies and editorial or documentary work as are assigned to it by those Acts or as may be referred to it in the interest of the Union.

3 It shall also conduct inquiries requested by postal administrations to obtain the views of other postal administrations on a particular question. The result of an inquiry shall not have the status of a vote and shall not be formally binding.

4 It may act as a clearing house in the settlement of accounts of all kinds relating to the postal service.

#### Article 117

Technical cooperation (Const. 1)

The International Bureau shall develop postal technical assistance in all its forms within the framework of international technical cooperation.

#### Article 118

Forms supplied by the International Bureau (Const. 20)

The International Bureau shall be responsible for arranging the manufacture of international reply coupons and for supplying them, at cost, to postal administrations ordering them.

#### Article 119

Acts of Restricted Unions and Special Agreements (Const. 8)

1 Two copies of the Acts of Restricted Unions and of Special Agreements concluded under article 8 of the Constitution shall be sent to the International Bureau by the offices of such Unions, or failing that, by one of the contracting parties.

2 The International Bureau shall see that the Acts of Restricted Unions and Special Agreements do not include conditions less favourable to the public than those which are provided for in the Acts of the Union and shall inform postal administrations of the existence of such Unions and Agreements. The International Bureau shall notify the Council of Administration of any irregularity discovered through applying this provision.

#### Article 120

Union periodical

The International Bureau shall publish, with the aid of the documents made available to it, a periodical in Arabic, Chinese, English, French, German, Russian and Spanish.

#### Article 121 (Const. 20; Gen Regs 102.6.17)

**Biennial** report on the work of the Union

The International Bureau shall make a **biennial** report on the work of the Union, which shall be sent, after approval by the Council of Administration, to postal administrations, the Restricted Unions and the United Nations.

## Chapter III

### Procedure for the submission and consideration of proposals

#### Article 122

Procedure for submitting proposals to Congress (Const. 29)

1 Subject to the exceptions provided for in paragraphs 2 and 5, the following procedure shall govern the submission of proposals of all kinds to Congress by postal administrations of member countries:

- a proposals which reach the International Bureau at least six months before the date fixed for Congress shall be accepted;
- b no drafting proposal shall be accepted during the period of six months preceding the date fixed for Congress;
- c proposals of substance which reach the International Bureau in the interval between six and four months before the date fixed for Congress shall not be accepted unless they are supported by at least two postal administrations;
- d proposals of substance which reach the International Bureau in the interval between four and two months preceding the date fixed for Congress shall not be accepted unless they are supported by at least eight postal administrations; proposals which arrive after that time shall no longer be accepted;
- e declarations of support shall reach the International Bureau within the same period as the proposals to which they refer.

2 Proposals concerning the Constitution or the General Regulations shall reach the International Bureau not later than six months before the opening of Congress; any received after that date but before the opening of Congress shall not be considered unless Congress so decides by a majority of two thirds of the countries represented at Congress and unless the conditions laid down in paragraph 1 are fulfilled.

3 Every proposal must, as a rule, have only one aim and contain only the changes justified by that aim.

4 Drafting proposals shall be headed "Drafting proposal" by the postal administrations which submit them and shall be published by the International Bureau under a number followed by the letter R. Proposals which do not bear this indication but which, in the opinion of the International Bureau, deal only with drafting points shall be published with an appropriate annotation; the International Bureau shall draw up a list of these proposals for Congress.

5 The procedure prescribed in paragraphs 1 and 4 shall not apply either to proposals concerning the Rules of Procedure of Congresses or to amendments to proposals already made.

#### Article 123

**Procedure for submitting proposals to the Postal Operations Council concerning the preparation of new Regulations in the light of decisions taken by Congress**

**1 The Regulations of the Universal Postal Convention and the Postal Payment Services Agreement shall be drawn up by the Postal Operations Council in the light of the decisions taken by Congress.**

**2 Proposals that are consequential on proposed amendments to the Convention or Postal Payment Services Agreement shall be submitted to the International Bureau simultaneously with the Congress proposals to which they relate. They may be submitted by a single postal administration of a member country without the support of other postal**

**administrations of member countries. Such proposals shall be distributed to all member countries no later than one month prior to Congress.**

**3 Other proposals concerning the Regulations for consideration by the Postal Operations Council in its preparation of the new Regulations within the six months following Congress shall be submitted to the International Bureau at least two months prior to Congress.**

**4 Proposals concerning changes to the Regulations required as a result of Congress decisions that are submitted by postal administrations of member countries must reach the International Bureau no later than two months before the opening of the Postal Operations Council. Such proposals shall be distributed to all member countries no later than one month prior to the opening of the Postal Operations Council.**

#### Article 124

Procedure for submitting proposals between Congresses (Const. 29; Gen Regs 116)

1 To be eligible for consideration every proposal concerning the Convention or the Agreements submitted by a postal administration between Congresses shall be supported by at least two other postal administrations. Such proposals shall lapse if the International Bureau does not receive, at the same time, the necessary number of declarations of support.

2 These proposals shall be sent to other postal administrations through the intermediary of the International Bureau.

3 Proposals concerning the Regulations shall not require support but shall not be considered by the Postal Operations Council unless the latter agrees to the urgent necessity.

#### Article 125

Consideration of proposals between Congresses (Const. 29; Gen Regs 116, 124)

1 Every proposal concerning the Convention, the Agreements and their Final Protocols shall be subject to the following procedure: **where a postal administration of a member country has sent a proposal to the International Bureau, the latter shall forward it to all postal administrations of member countries for examination. They shall be allowed a period of two months in which to examine the proposal and forward any observations to the International Bureau.** Amendments shall not be admissible. **Once these two months have elapsed, the International Bureau shall forward to postal administrations of member countries all the observations it has received and invite each postal administration of a member country to vote for or against the proposal. Postal administrations of member countries that have not sent in their vote within a period of two months shall be considered to have abstained.** The aforementioned periods shall be reckoned from the dates of the International Bureau circulars.

2 Proposals for amending the Regulations shall be dealt with by the Postal Operations Council.

3 If the proposal relates to an Agreement or its Final Protocol, only the postal administrations of member countries which are parties to that Agreement may take part in the procedure described in paragraph 1.

Article **126**

Notification of decisions adopted between Congresses (Const. 29; Gen Regs **124, 125**)

1 Amendments made to the Convention, the Agreements and the Final Protocols to those Acts shall be sanctioned by notification thereof to the Governments of member countries by the Director-General of the International Bureau.

2 Amendments made to the Regulations and their Final Protocols by the Postal Operations Council shall be communicated to postal administrations by the International Bureau. The same shall apply to the interpretations referred to in article **36.3.2** of the Convention and in the corresponding provisions of the Agreements.

Article **127**

Entry into force of the Regulations and of the other decisions adopted between Congresses

1 The Regulations shall come into force on the same date and shall have the same duration as the Acts laid down by Congress.

2 Subject to paragraph 1, decisions on amending the Acts of the Union which are adopted between Congresses shall not take effect until at least three months after their notification.

## Chapter IV

### Finance

Article **128**

Fixing and regulation of the expenditure of the Union (Const. **22**)

1 Subject to the provisions of paragraphs 2 to 6, the annual expenditure relating to the activities of bodies of the Union may not exceed the following sums for **2005** and subsequent years: 37,000,000 Swiss francs for the years **2005** to **2008**. The basic limit for **2008** shall also apply to the following years in case the Congress scheduled for **2008** is postponed.

2 The expenditure relating to the convening of the next Congress (travelling expenses of the secretariat, transport charges, cost of installing simultaneous interpretation equipment, cost of reproducing documents during the Congress, etc.) shall not exceed the limit of **2,900,000** Swiss francs.

3 The Council of Administration shall be authorized to exceed the limits laid down in paragraphs 1 and 2 to take account of increases in salary scales, pension contributions or allowances, including post adjustments, approved by the United Nations for application to its staff working in Geneva.

4 The Council of Administration shall also be authorized to adjust, each year, the amount of expenditure other than that relating to staff on the basis of the Swiss consumer price index.

5 Notwithstanding paragraph 1, the Council of Administration, or in case of extreme urgency, the Director-General, may authorize the prescribed limits to be exceeded to meet the cost of major and unforeseen repairs to the International Bureau building, provided however that the amount of the increase does not exceed 125,000 Swiss francs per annum.

6 If the credits authorized in paragraphs 1 and 2 prove inadequate to ensure the smooth running of the Union, these limits may only be exceeded with the approval of the majority of the

member countries of the Union. Any consultation shall include a complete description of the facts justifying such a request.

7 Countries which accede to the Union or are admitted to the status of members of the Union as well as those which leave the Union shall pay their contributions for the whole of the year during which their admission or withdrawal becomes effective.

8 Member countries shall pay their contributions to the Union's annual expenditure in advance on the basis of the budget laid down by the Council of Administration. These contributions shall be paid not later than the first day of the financial year to which the budget refers. After that date, the sums due shall be chargeable with interest in favour of the Union at the rate of 3% per annum for the first six months and of 6% per annum from the seventh month.

9 Where the arrears of mandatory contributions, not including interest, owed to the Union by a member country are equal to or more than the amount of the contributions of that member country for the preceding two financial years, such member country may irrevocably assign to the Union all or part of the credits owed it by other member countries, in accordance with the arrangements laid down by the Council of Administration. The conditions of this assignment of credit shall be determined by agreement reached between the member country, its debtors/creditors and the Union.

10 A member country which, for legal or other reasons, cannot make such assignment shall undertake to conclude a schedule for the amortization of its arrears.

11 Other than in exceptional circumstances, recovery of arrears of mandatory contributions owed to the Union may not extend over more than ten years.

12 In exceptional circumstances, the Council of Administration may release a member country from all or part of the interest owed if that country has paid the full capital amount of its debts in arrears.

13 A member country may also be released, within the framework of an amortization schedule approved by the Council of Administration for its accounts in arrears, from all or part of the interest accumulated or to accrue; such release shall, however, be subject to the full and punctual execution of the amortization schedule within an agreed period of ten years at most.

14 To cover shortfalls in Union financing, a Reserve Fund shall be established the amount of which shall be fixed by the Council of Administration. This Fund shall be maintained primarily from budget surpluses. It may also be used to balance the budget or to reduce the amount of member countries' contributions.

15 As regards temporary financing shortfalls, the Government of the Swiss Confederation shall make the necessary short-term advances, on conditions which are to be fixed by mutual agreement. That Government shall supervise, without charge, book-keeping and accounting of the International Bureau within the limits of the credits fixed by Congress.

## Article 129

### Automatic sanctions

1 Any member country unable to make the assignment provided for in article 128.9 and which does not agree to submit to an amortization schedule proposed by the International Bureau in accordance with article 128.10, or which does not comply with such a schedule shall automatically lose its right to vote at Congress and at meetings of the Council of Administration and the Postal Operations Council and shall no longer be eligible for membership of these two Councils.

2 Automatic sanctions shall be lifted as a matter of course and with immediate effect as soon as the member country concerned has paid its arrears of mandatory contributions owed to

the Union, in capital and interest, or has agreed to submit to a schedule for the amortization of the arrears.

Article **130**

Contribution classes (Const. 21; Gen Regs **115, 128**)

1 Member countries shall contribute to defraying Union expenses according to the contribution class to which they belong. These classes shall be the following:

class of 50 units;

**class of 45 units;**

class of 40 units;

class of 35 units;

**class of 30 units;**

class of 25 units;

class of 20 units;

class of 15 units;

class of 10 units;

class of 5 units;

class of 3 units;

class of 1 unit;

class of 0.5 unit, reserved for the least advanced countries as listed by the United Nations and for other countries designated by the Council of Administration.

2 Notwithstanding the contribution classes listed in paragraph 1, any member country may elect to contribute more than 50 units.

3 Member countries shall be included in one of the above-mentioned contribution classes upon their admission or accession to the Union in accordance with the procedure laid down in article 21.4, of the Constitution.

4 Member countries may subsequently change contribution class on condition that this change is communicated to the International Bureau at least two months before the opening of Congress. This notification, which shall be brought to the attention of Congress, shall take effect on the date of the entry into force of the financial provisions drawn up by Congress. Member countries that have not made known their wish to change contribution class within the required time shall remain in the class to which they belonged up to that time.

5 Member countries may not insist on being lowered more than one class at a time.

6 Nevertheless, in exceptional circumstances such as natural disasters necessitating international aid programmes, the Council of Administration may authorize a temporary reduction in contribution class once between two Congresses when so requested by a member country if the said member establishes that it can no longer maintain its contribution at the class originally chosen. In the same circumstances, the Council of Administration may also authorize a temporary reduction for the non-least developed countries already in the class of 1 unit by placing them in the class of 0.5 unit.

7 The temporary reduction in contribution class in application of paragraph 6 may be authorized by the Council of Administration for a maximum period of two years or up to the next Congress, whichever is earlier. On expiry of the specified period, the country concerned shall automatically revert to its original contribution class.

8 Notwithstanding paragraphs 4 and 5, changes to a higher class shall not be subject to any restriction.

**Article 131**

Payment for supplies from the International Bureau (Gen Regs **118**)

Supplies provided by the International Bureau to postal administrations against payment shall be paid for in the shortest possible time and at the latest within six months from the first day of the month following that in which the account is sent by the Bureau. After that period the sums due shall be chargeable with interest in favour of the Union at the rate of 5% per annum reckoned from the date of expiry of that period.

## Chapter V

### Arbitration

**Article 132**

Arbitration procedure (Const. 32)

1 If a dispute has to be settled by arbitration, each of the postal administrations party to the case shall select a postal administration of a member country not directly involved in the dispute. When several postal administrations make common cause, they shall count only as a single administration for the purposes of this provision.

2 If one of the postal administrations party to the case does not act on a proposal for arbitration within a period of six months, the International Bureau, if so requested, shall itself call upon the defaulting postal administration to appoint an arbitrator or shall itself appoint one *ex officio*.

3 The parties to the case may agree to appoint a single arbitrator which may be the International Bureau.

4 The decision of the arbitrators shall be taken by a majority of votes.

5 In the event of a tie the arbitrators shall select another postal administration, not involved in the dispute either, to settle the matter. Should they fail to agree on the choice, this postal administration shall be appointed by the International Bureau from among postal administrations not proposed by the arbitrators.

6 If the dispute concerns one of the Agreements, the arbitrators may be appointed only from among the postal administrations that are parties to that Agreement.

## Chapter VI

### Final provisions

**Article 133**

Conditions for approval of proposals concerning the General Regulations

To become effective, proposals submitted to Congress relating to these General Regulations shall be approved by a majority of the member countries represented at Congress **and having the right to vote**. At least two thirds of the member countries of the Union **having the right to vote** shall be present at the time of voting.

Article **134**

Proposals concerning the Agreements with the United Nations (Const. 9)

The conditions of approval referred to in article **133** shall apply equally to proposals designed to amend the Agreements concluded between the Universal Postal Union and the United Nations, in so far as those Agreements do not lay down conditions for the amendment of the provisions they contain.

Article **135**

Entry into force and duration of the General Regulations

These General Regulations shall come into force on 1 January **2006** and shall remain in **force for an indefinite period**.

In witness whereof the plenipotentiaries of the Governments of the member countries have signed these General Regulations in a single original which shall be deposited with the Director-General of the International Bureau. A copy thereof shall be delivered to each party by the **International Bureau of the Universal Postal Union**.

Done at **Bucharest, 5 October 2004**.

Rules of Procedure of Congresses

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# Rules of Procedure of Congresses

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## Rules of Procedure of Congresses

### Article 1 General provisions

The present Rules of Procedure (hereinafter referred to as "the Rules") have been drawn up pursuant to the Acts of the Union and are subordinate to them. In the event of a discrepancy between one of their provisions and a provision of the Acts, the latter shall prevail.

### Article 2 Delegations

1 The term "delegation" shall denote the person or body of persons designated by a member country to take part in a Congress. The delegation shall consist of a Head of delegation and, if appropriate, his deputy, one or more delegates and, possibly, one or more attached officials (including experts, secretaries, etc.).

2 Heads of delegation, their deputies, and delegates shall be representatives of member countries within the meaning of article 14.2 of the Constitution if in possession of credentials which comply with the conditions laid down in article 3 of these Rules.

3 Attached officials shall be admitted to meetings, and shall have the right to participate in the proceedings, but they shall not normally have the right to vote. However, they may be authorized by the Head of their delegation to vote on behalf of their country at Committee meetings. Such authorizations shall be handed, in writing, to the Chairman of the Committee concerned, before the beginning of the meeting.

### Article 3 Delegates' credentials

1 Delegates' credentials shall be signed by the Head of State, the Head of Government or the Minister for Foreign Affairs of the country concerned. They shall be drawn up in due and proper form. The credentials of delegates entitled to sign the Acts (plenipotentiaries) shall specify the scope of such signature (signature subject to ratification or approval, signature ad referendum, definitive signature). In the absence of such specific information, the signature shall be regarded as being subject to ratification or approval. Credentials authorizing the holder to sign the Acts shall implicitly include the right to speak and to vote. Delegates on whom the relevant authorities have conferred full powers without specifying their scope shall be authorized to speak, to vote and to sign the Acts unless the wording of the credentials is explicitly to the contrary.

2 Credentials shall be deposited at the opening of Congress with the authority designated for that purpose.

3 Delegates who are not in possession of credentials or who have not deposited their credentials may, provided their names have been communicated by their Government to the

Government of the host country, take part in the debates and vote from the moment they participate in the work of Congress. The same shall apply to those whose credentials are found to be not in order. Such delegates shall cease to be empowered to vote from the time Congress approves the last report of the Credentials Committee establishing that their credentials have not been received or are not in order until such time as the position is regularized. The last report shall be approved by Congress before any elections other than that of the Chairman of Congress and before approval of the draft Acts.

4 The credentials of a member country which arranges for the delegation of another member country to represent it at Congress (proxy) shall be in the same form as those mentioned in paragraph 1.

5 Credentials and proxies sent by telegram shall not be admissible. However, telegrams sent in reply to requests for information relating to credentials shall be accepted.

6 A delegation which, after it has deposited its credentials, is prevented from attending one or more meetings, may arrange to be represented by the delegation of another country, provided that notice in writing is given to the Chairman of the meeting concerned. However, a delegation may represent only a single country other than its own.

7 The delegates of member countries which are not parties to an Agreement may take part in the debates of Congress concerning that Agreement, without the right to vote.

#### Article 4

##### Order of seating

1 At Congress and Committee meetings, delegations shall be seated in the French alphabetical order of the member countries represented.

2 The Chairman of the Council of Administration shall draw lots, in due course, for the name of the country to be placed foremost before the rostrum at Congress and Committee meetings.

#### Article 5

##### **De jure** observers

1 Representatives of the United Nations **shall be admitted as observers to attend and take part in the debates of Congress.**

2 **Restricted Unions shall be admitted as observers to Congress and its Committees.**

3 **The League of Arab States and the African Union (AU) shall be admitted as observers to Congress and its Committees.**

4 **Members of the Consultative Committee shall be admitted as observers to Congress and its Committees.**

5 The observers referred to in paragraphs 1 to 4 shall **not be entitled to vote, but may take the floor with the permission of the Chairman of the meeting.**

6 **In exceptional circumstances, the right of observers referred to in paragraph 4 to participate in certain meetings, or parts of meetings, may be restricted if the confidentiality of the subject dealt with so requires. They shall be so informed as quickly as possible. This restriction may be decided on a case-by-case basis by any body concerned or its Chairman. Such decisions shall be reviewed by the Bureau of Congress, which shall have the authority to confirm or reverse such decisions by a simple majority vote.**

**Article 6**  
**Invitees**

**1** Representatives of UN specialized agencies and intergovernmental organizations shall be designated by the Council of Administration to attend specified meetings of Congress and its Committees when questions of interest to these organizations are discussed.

**2** Representatives of any international body, any association or enterprise or any qualified person duly designated by the Council of Administration shall be admitted to specified meetings of Congress or its Committees.

**3** The invitees referred to in paragraphs 1 and 2 shall not be entitled to vote but may take the floor with the permission of the Chairman of the meeting.

**Article 7**  
Doyen of Congress

1 The postal administration of the host country of Congress shall suggest the person to be appointed as Doyen of Congress in agreement with the International Bureau. The Council of Administration shall approve this appointment in due course.

2 At the opening of the first plenary meeting of each Congress, the Doyen shall act as Chairman until Congress has elected one. He shall also exercise the functions assigned to him under the present Rules.

**Article 8**  
Chairmanships and vice-chairmanships of Congress and Committees

1 At its first plenary meeting, Congress shall elect, on the proposal of the Doyen, the Chairman of Congress and then approve, on the proposal of the Council of Administration, the appointment of the member countries which are to assume the vice-chairmanships of Congress and the chairmanships and vice-chairmanships of the Committees. These posts will be assigned taking as much account as possible of the equitable geographical distribution of the member countries.

2 The Chairmen shall open and close the meetings over which they preside, direct the debates, give speakers the floor, put proposals to the vote and announce what majority is required for their adoption, announce decisions and, subject to the approval of Congress, interpret such decisions if necessary.

3 The Chairmen shall see that the present Rules are observed and that order is maintained at meetings.

4 Any delegation may appeal to Congress or the Committee against a decision taken by the Chairman on the basis of a provision or interpretation of the Rules. The Chairman's decision shall nevertheless hold good unless rescinded by a majority of the members present and voting.

5 Should the member country appointed to the chairmanship be no longer able to exercise this function, one of the Vice-Chairmen shall be appointed by Congress or the Committee to replace it.

**Article 9**

Bureau of Congress

1 The Bureau shall be the central body responsible for directing the work of Congress. It shall consist of the Chairman and Vice-Chairmen of Congress and the Chairmen of the Committees. It shall meet periodically to review the progress of the work of Congress and its Committees and to make recommendations designed to facilitate such progress. It shall assist the Chairman in drawing up the agenda of each plenary meeting and in coordinating the work of the Committees. It shall make recommendations relating to the closing of Congress.

2 The Secretary-General of Congress and the Assistant Secretary-General, mentioned in article **12.1**, shall attend the meetings of the Bureau.

**Article 10**

Membership of Committees

1 The member countries represented in Congress shall, as of right, be members of the Committees responsible for studying proposals relating to the Constitution, the General Regulations and the Convention.

2 Member countries represented in Congress which are parties to one or more of the optional Agreements shall, as of right, be members of the Committee and/or Committees responsible for the revision of these Agreements. The right to vote of members of the Committee or Committees shall be confined to the Agreement or Agreements to which they are parties.

3 Delegations which are not members of Committees dealing with the Agreements may attend meetings of those Committees and take part in the debates without the right to vote.

**Article 11**

Working parties

Congress and each Committee may set up working parties to study special questions.

**Article 12**

Secretariat of Congress and of Committees

1 The Director-General and the Deputy Director-General of the International Bureau shall act as Secretary-General and Assistant Secretary-General of Congress, respectively.

2 The Secretary-General and the Assistant Secretary-General shall attend the meetings of Congress and of the Bureau of Congress and take part in the debates without the right to vote. They may also attend, under the same conditions, Committee meetings or be represented there at by a senior official of the International Bureau.

3 The work of the Secretariat of Congress, the Bureau of Congress and the Committees shall be performed by the staff of the International Bureau in conjunction with the postal administration of the host country.

4 Senior officials of the International Bureau shall act as Secretaries of Congress, of the Bureau of Congress and of the Committees. They shall assist the Chairman during meetings and shall be responsible for writing the reports.

5 The Secretaries of Congress and of the Committees shall be assisted by Assistant Secretaries.

**Article 13**

Languages of debates

- 1 Subject to paragraph 2, French, English, Spanish and Russian may be used for debates, by means of a system of simultaneous or consecutive interpretation.
- 2 The debates of the Drafting Committee shall be held in French.
- 3 Other languages may also be used for the debates mentioned in paragraph 1. The language of the host country shall have priority in this connection. Delegations using other languages shall arrange for simultaneous interpretation into one of the languages mentioned in paragraph 1, either by means of the simultaneous interpretation system, when the necessary technical alterations can be made, or by special interpreters.
- 4 The cost of installing and maintaining the technical equipment shall be borne by the Union.
- 5 The cost of the interpretation services shall be divided among the member countries using the same language in proportion to their contributions to the expenses of the Union.

**Article 14**

Languages used for drafting Congress documents

- 1 Documents prepared during Congress including draft decisions submitted to Congress for approval shall be published in French by the Secretariat of Congress.
- 2 To this end, documents produced by delegations of member countries shall be submitted in French, either direct or through the intermediary of the translation services attached to the Congress Secretariat.
- 3 The above services, organized at their own expense by the language groups set up in accordance with the relevant provisions of the General Regulations, may also translate Congress documents into their respective languages.

**Article 15**

Proposals

- 1 All questions brought before Congress shall be the subject of proposals.
- 2 All proposals published by the International Bureau before Congress shall be regarded as being submitted to Congress.
- 3 Two months before Congress opens, no proposal shall be considered except those amending earlier proposals.
- 4 The following shall be regarded as amendments: any proposal which, without altering the substance of the original proposal, involves a deletion from, addition to or revision of a part of the original proposal. No proposed change shall be regarded as an amendment if it is inconsistent with the meaning or intent of the original proposal. In case of doubt, Congress or the Committee shall decide the matter.
- 5 Amendments submitted at Congress to proposals already made shall be handed in to the Secretariat in writing, in French, before noon on the day but one before the day on which they will be discussed, so that they can be distributed to delegates the same day. This time limit shall not apply to amendments arising directly from the debates in Congress or in a Committee. In the latter case, if so requested, the author of the amendment shall submit a written version in French,

or in case of difficulty, in any other language used for debates. The Chairman concerned shall read it out or have it read out.

6 The procedure laid down in paragraph 5 shall also apply to the submission of proposals that are not designed to amend the text of the Acts (draft resolutions, draft recommendations, draft formal opinions, etc.).

7 Any proposal or amendment shall give the final form of the text which is to be inserted in the Acts of the Union, subject, of course to revision by the Drafting Committee.

## Article 16

### Consideration of proposals in Congress and in Committees

1 Drafting proposals (the number of which shall be followed by the letter R) shall be assigned to the Drafting Committee either direct, if the International Bureau has no doubt as to their nature (a list of such proposals shall be drawn up for the Drafting Committee by the International Bureau), or, if the International Bureau is in doubt as to their nature, after the other Committees have confirmed that they are purely of a drafting nature (a list of such proposals shall likewise be drawn up for the Committees concerned). If, however, such proposals are linked with other proposals of substance to be considered by Congress or by other Committees, the Drafting Committee shall postpone consideration of them until after Congress or the other Committees have taken a decision on the corresponding proposals of substance. Proposals whose numbers are not followed by the letter R but which, in the opinion of the International Bureau, are of a drafting nature, shall be referred direct to the Committees concerned with the corresponding proposals of substance. When these Committees begin work, they shall decide which of the proposals shall be assigned direct to the Drafting Committee. A list of these proposals shall be drawn up by the International Bureau for the Committees concerned.

2 If the same question is the subject of several proposals, the Chairman shall decide the order in which they are to be discussed, starting as a rule with the proposal which departs most from the basic text and entails the most significant change in relation to the status quo.

3 If a proposal can be subdivided into several parts, each part may, if the originator of the proposal or the assembly so agrees, be considered and voted upon separately.

4 Any proposal withdrawn in Congress or in Committee by its originator may be resubmitted by the delegation of another member country. Similarly, if an amendment to a proposal is accepted by the originator of the proposal, another delegation may resubmit the original, unamended proposal.

5 Any amendment to a proposal which is accepted by the delegation submitting the proposal shall be immediately included in the text thereof. If the originator of the original proposal does not accept an amendment, the Chairman shall decide whether the amendment or the proposal shall be voted upon first, starting with whichever departs furthest from the meaning or intent of the basic text and entails the most significant change in relation to the status quo.

6 The procedure described in paragraph 5 shall also apply where more than one amendment to a proposal is submitted.

7 The Chairman of Congress and the Chairmen of Committees shall arrange for the text of the proposals, amendments or decisions adopted to be passed to the Drafting Committee, in writing, after each meeting.

**Article 17**

Debates

1 Delegates may not take the floor until they have been given permission to do so by the Chairman of the meeting. They shall be urged to speak slowly and distinctly. The Chairman shall afford delegates the possibility of freely and fully expressing their views on the subject discussed, so long as that is compatible with the normal course of the debate.

2 Unless a majority of the members present and voting decides otherwise, speeches shall not exceed five minutes. The Chairman shall be authorized to interrupt any speaker who exceeds the said authorized time. He may also ask the delegate not to depart from the subject.

3 During a debate, the Chairman may, with the agreement of the majority of the members present and voting, declare the list of speakers closed after reading it out. When the list is exhausted, he shall declare the debate closed, although even after the closing of the list he may grant the originator of the proposal under discussion the right to reply to any of the speeches delivered.

4 The Chairman may also, with the agreement of the majority of the members present and voting, limit the number of speeches by any one delegation on a proposal or a certain group of proposals; but the originator of the proposal shall be given the opportunity of introducing it and speaking subsequently if he asks to do so in order to make new points in reply to the speeches of other delegations, so that he may, if he wishes, be the last speaker.

5 With the agreement of the majority of the members present and voting, the Chairman may limit the number of speeches on a proposal or a certain group of proposals; but this limit may not be less than five for and five against the proposal under discussion.

**Article 18**

Motions on points of order and procedural motions

1 During the discussion of any question and even, where appropriate, after the closure of the debate, a delegation may submit a motion on a point of order for the purpose of requesting:

- clarification on the conduct of the debates;
- observance of the Rules of Procedure;
- a change in the order of discussion of proposals suggested by the Chairman.

The motion on a point of order shall take precedence over all questions, including the procedural motions set forth in paragraph 3.

2 The Chairman shall immediately give the desired clarifications or take the decision which he considers advisable on the subject of the motion on a point of order. In the event of an objection, the Chairman's decision shall be put to the vote forthwith.

3 In addition, during discussion of a question, a delegation may introduce a procedural motion with a view to proposing:

- a the suspension of the meeting;
- b the closure of the meeting;
- c the adjournment of the debate on the question under discussion;
- d the closure of the debate on the question under discussion.

Procedural motions shall take precedence, in the order set out above, over all other proposals except the motions on points of order referred to in paragraph 1.

4 Motions for the suspension or closure of the meeting shall not be discussed, but shall be put to the vote immediately.

5 When a delegation proposes adjournment or closure of the debate on a question under discussion, only two speakers against the adjournment or the closure of the debate may speak, after which the motion shall be put to the vote.

6 The delegation which submits a motion on a point of order or a procedural motion may not, in its submission, deal with the substance of the question under discussion. The proposer of a procedural motion may withdraw it before it has been put to the vote, and any motion of this kind, whether amended or not, which is withdrawn may be reintroduced by another delegation.

## Article 19

### Quorum

1 Subject to paragraphs 2 and 3, the quorum necessary for the opening of the meetings and for voting shall be half the member countries represented in Congress and having the right to vote.

2 For votes on amending the Constitution and the General Regulations, the quorum required shall be two thirds of the Union member countries **having the right to vote**.

3 In the case of the Agreements, the quorum required for the opening of the meetings and for voting shall be half the member countries represented at Congress which are parties to the Agreement concerned and have the right to vote.

4 Delegations which are present but do not take part in a given vote, or which state that they do not wish to take part therein, shall not be considered absent for the purpose of establishing the quorums required under paragraphs 1, 2 and 3.

## Article 20

### Voting principle and procedure

1 Questions which cannot be settled by common consent shall be decided by vote.

2 Votes shall be taken by the traditional system or by the electronic voting system. They shall normally be taken by the electronic system when that system is available to the assembly. However, in the case of a secret ballot, the traditional system may be used if one delegation, supported by a majority of the delegations present and voting, so requests.

3 For the traditional system, the methods of voting shall be as follows:

- a by show of hands. If there is doubt about the result of such a vote, the Chairman, if he so wishes or if a delegation so requests, may arrange for an immediate roll-call vote on the same question;
- b by roll-call, at the request of a delegation or if so decided by the Chairman; the roll shall be called according to the French alphabetical order of the countries represented, beginning with the country whose name is drawn by lot by the Chairman; the result of the vote, together with a list of the countries grouped according to the way they voted, shall be included in the **report** of the meeting;
- c by secret ballot, using ballot papers, if requested by two delegations; in this case, the Chairman of the meeting shall appoint three tellers and make the necessary arrangements for the holding of a secret ballot.

4 For the electronic system, the methods of voting shall be as follows:

- a non-recorded vote: it replaces a vote by show of hands;

- b recorded vote: it replaces a roll-call vote; however, the names of the countries shall not be called unless one delegation, supported by a majority of the delegations present and voting, so requests;
  - c secret ballot: it replaces the secret ballot by ballot papers.
- 5 Regardless of the system of voting used, the secret ballot shall take precedence over any other voting procedure.
- 6 Once the voting has begun, no delegation may interrupt it, except to raise a point of order relating to the way in which the vote is being taken.
- 7 After the vote, the Chairman may permit delegates to explain why they voted as they did.

## Article 21

### Conditions of approval of proposals

- 1 To be adopted, proposals involving amendments to the Acts must:
- a in the case of the Constitution, be approved by at least two thirds of the member countries of the Union **having the right to vote**;
  - b in the case of the General Regulations, be approved by a majority of the member countries represented in Congress **and having the right to vote**;
  - c in the case of the Convention, be approved by a majority of the member countries present and voting **which have the right to vote**;
  - d in the case of the Agreements, be approved by a majority of the member countries present and voting which are parties to the Agreements **and have the right to vote**.
- 2 Procedural matters which cannot be settled by common consent shall be decided by a majority of the member countries present and voting **which have the right to vote**. The same shall apply to decisions not concerning changes in the Acts, unless Congress decides otherwise by a majority of the member countries present and voting **which have the right to vote**.
- 3 Subject to paragraph 5, "member countries present and voting" shall mean member countries **which have the right to vote** voting "for" or "against", abstentions being disregarded in counting the votes required to constitute a majority, and similarly blank or null and void ballot papers in the case of a secret ballot.
- 4 In the event of a tie, a proposal shall be regarded as rejected.
- 5 When the number of abstentions and blank or null and void ballot papers exceeds half the number of votes cast (for, against and abstentions), consideration of the matter shall be deferred until a subsequent meeting, at which abstentions and blank or null and void ballot papers shall be disregarded.

## Article 22

### Election of the members of the Council of Administration or the Postal Operations Council

In order to decide between countries which have obtained the same number of votes in elections of members of the Council of Administration or the Postal Operations Council, the Chairman shall draw lots.

Article **23**

Election of the Director-General and the Deputy Director-General of the International Bureau

1 The elections of the Director-General of the International Bureau and of the Deputy Director-General shall take place by secret ballot successively at one or more meetings held on the same day. The candidate who obtains a majority of the votes cast by the member countries present and voting shall be elected. As many ballots shall be held as are necessary for a candidate to obtain this majority.

2 "Member countries present and voting" shall mean member countries voting for one of the candidates whose applications have been announced in due and proper form, abstentions and blank or null and void ballot papers being ignored in counting the votes required to constitute a majority.

3 If the number of abstentions and blank or null and void ballot papers exceeds half the number of votes cast in accordance with paragraph 2, the election shall be deferred to a later meeting, at which abstentions and blank or null and void ballot papers shall no longer be taken into account.

4 The candidate who obtains the least number of votes in any one ballot shall be eliminated.

5 In the event of a tie, an additional ballot, and if necessary a second additional ballot, shall be held in an attempt to decide between the tying candidates, the vote relating only to these candidates. If the result is inconclusive, the election shall be decided by drawing lots. The lots shall be drawn by the Chairman.

Article **24**

**Reports**

1 The **reports** of the plenary meetings of Congress shall record the course of the meetings, briefly summarize speeches, and mention proposals and the outcome of the debates.

2 The debates of Committee meetings shall be the subject of reports to Congress. As a general rule, Working Parties shall prepare a report for the body that set them up.

3 Each delegate, however, shall be entitled to ask for any statement made by him to be included in the **reports** either verbatim or in summary form, provided the French **or English** text is handed to the Secretariat not later than two hours after the end of the meeting.

4 Delegates shall be allowed a period of twenty-four hours, from the moment when the draft **reports** are distributed, in which to make their comments to the Secretariat, which, if necessary, shall act as an intermediary between the party concerned and the Chairman of the meeting in question.

5 As a general rule and subject to the provisions of paragraph 4, at the beginning of each meeting of Congress, the Chairman shall submit the **report** of a previous meeting for approval. The same shall apply in regard to Committee reports. The reports of the last meetings which it has not been possible to approve in Congress or in a Committee shall be approved by the respective Chairmen of the meetings. The International Bureau shall also take account of any comments received from delegates of member countries within forty days of the dispatch of the **reports** to them.

6 The International Bureau shall be authorized to correct in the reports of meetings of Congress and Committees any clerical errors which were not brought to light when the minutes were approved in accordance with paragraph 5.

**Article 25****Appeal against decisions taken by the Committees and by Congress**

**1** Any delegation may appeal against a decision concerning proposals (Acts, resolutions, etc.) which have been approved or rejected in Committee. Notice of the appeal must be given to the Chairman of Congress, in writing, within 48 hours from the adjournment of the Committee meeting at which the proposal was approved or rejected. The appeal shall be considered during the next plenary meeting.

**2** When a proposal has been adopted or rejected by Congress, it can be reconsidered by the same Congress only if the appeal has been supported by at least ten delegations. Such an appeal must be approved by a two-thirds majority of the members present and voting which have the right to vote. This possibility shall be limited to proposals submitted direct to plenary meetings, it being understood that a single question cannot give rise to more than one appeal.

**Article 26****Approval by Congress of draft decisions (Acts, resolutions, etc.)**

**1** As a general rule, each draft Act submitted by the Drafting Committee shall be studied article by article. **The Chairman may, with the agreement of the majority, use a faster procedure, for instance chapter by chapter. Each Act** can only be regarded as adopted after an overall favourable vote. Article **21.1**, shall apply to such a vote.

**2** The International Bureau shall be authorized to correct in the final Acts any clerical errors which have not come to light during the study of the draft Acts, the numbering of articles and paragraphs and references.

**3** The drafts of decisions other than those amending the Acts, submitted by the Drafting Committee, shall as a general rule be considered en bloc. **The provisions of paragraph 2** shall also apply to the drafts of these decisions.

**Article 27****Assignment of studies to the Council of Administration and the Postal Operations Council**

On the recommendation of its Bureau, Congress shall assign studies to the Council of Administration and the Postal Operations Council, in accordance with the respective compositions and responsibilities of these two bodies as they are set forth in articles 102 and 104 of the General Regulations.

**Article 28****Reservations to Acts**

**1** Reservations must be submitted **in the form of a proposal to the Secretariat** in writing in **one of the working languages of the International Bureau** (proposals concerning the Final Protocol) **as soon as possible after adoption of the proposal concerning the article to which the reservation refers.**

**2** **To enable it to distribute proposals concerning reservations to all member countries before adoption of the Final Protocol by Congress, the Congress Secretariat shall set a deadline for the submission of reservations and notify member countries of it.**

**3** **Reservations to the Acts of the Union submitted after the deadline set by the Secretariat shall not be considered by the Secretariat or by Congress.**

Article **29**

Signature of Acts

Acts finally approved by Congress shall be submitted to the plenipotentiaries for signature.

Article **30**

Amendment of the Rules

1 Each Congress may amend the Rules of Procedure. In order to be accepted for discussion, proposals to amend the present Rules, unless submitted by a UPU body empowered to put forward proposals, shall be supported in Congress by at least ten delegations.

2 To be adopted, proposals for amendments to the present Rules must be approved by at least two thirds of the member countries represented in Congress **and having the right to vote.**

# Universal Postal Convention

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Universal Postal Convention  
Final Protocol



# Universal Postal Convention

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# Universal Postal Convention

The undersigned, plenipotentiaries of the Governments of the member countries of the Union, having regard to article 22.3 of the Constitution of the Universal Postal Union concluded at Vienna on 10 July 1964, have by common consent and subject to article 25.4 of the Constitution drawn up in this Convention the rules applicable throughout the international postal service.

## Part I

Rules applicable in common throughout the international postal service

Sole chapter

General provisions

### Article 1

#### Definitions

**1 For the purposes of the Universal Postal Convention, the following terms shall have the meanings defined below:**

- 1.1 universal postal service: the permanent provision of quality basic postal services at all points in a member country's territory, for all customers, at affordable prices;**
- 1.2 closed mail: labelled bag or set of bags or other receptacles sealed with or without lead, containing postal items;**
- 1.3 transit à découvert: open transit through an intermediate country, of items whose number or weight does not justify the make-up of closed mails for the destination country;**
- 1.4 postal item: generic term referring to anything dispatched by the Post's services (letter post, parcel post, money orders, etc.);**
- 1.5 terminal dues: remuneration owed to the postal administration of destination by the dispatching postal administration in compensation for the costs incurred in the country of destination for letter-post items received;**

- 1.6 transit charges: remuneration for services rendered by a carrier in the country crossed (postal administration, other service or combination of the two) in respect of the land, sea and/or air transit of mails;
- 1.7 inward land rate: remuneration owed to the postal administration of destination by the dispatching postal administration in compensation for the costs incurred in the country of destination for parcels received;
- 1.8 transit land rate: remuneration owed for services rendered by a carrier in the country crossed (postal administration, other service or combination of the two) in respect of the land and/or air transit of parcels through its territory;
- 1.9 sea rate: remuneration owed for services rendered by a carrier (postal administration, other service or a combination of the two) participating in the sea conveyance of parcels.

## Article 2

**Designation of the entity or entities responsible for fulfilling the obligations arising from adherence to the Convention**

1 Member countries shall notify the International Bureau, within six months of the end of Congress, of the name and address of the governmental body responsible for overseeing postal affairs. Within six months of the end of Congress, member countries shall also provide the International Bureau with the name and address of the operator or operators officially designated to operate postal services and to fulfil the obligations arising from the Acts of the Union on their territory. Between Congresses, changes in the governmental bodies and the officially designated operators shall be notified to the International Bureau as soon as possible.

## Article 3

Universal postal service

1 In order to support the concept of the single postal territory of the Union, member countries shall ensure that all users/customers enjoy the right to a universal postal service involving the permanent provision of quality basic postal services at all points in their territory, at affordable prices.

2 With this aim in view, member countries shall set forth, within the framework of their national postal legislation or by other customary means, the scope of the postal services offered and the requirement for quality and affordable prices, taking into account both the needs of the population and their national conditions.

3 Member countries shall ensure that the offers of postal services and quality standards will be achieved by the operators responsible for providing the universal postal service.

**4 Member countries shall ensure that the universal postal service is provided on a viable basis, thus guaranteeing its sustainability.**

## Article 4

Freedom of transit

1 The principle of the freedom of transit is set forth in article 1 of the Constitution. It shall carry with it the obligation for each postal administration to forward always by the quickest routes and the most secure means which it uses for its own items, closed mails and à découvert letter-post items which are passed to it by another administration. **This principle shall also apply to missent items or mails.**

2 Member countries which do not participate in the exchange of letters containing perishable biological substances or radioactive substances shall have the option of not admitting these items in transit à découvert through their territory. The same shall apply to letter-post items other than letters, postcards and literature for the blind. **It shall also apply to printed papers, periodicals, magazines, small packets and M bags the content of which does** not satisfy the legal requirements governing the conditions of their publication or circulation in the country crossed.

3 Freedom of transit for postal parcels to be forwarded by land and sea routes shall be limited to the territory of the countries taking part in this service.

4 Freedom of transit for air parcels shall be guaranteed throughout the territory of the Union. However, member countries which do not operate the postal parcels service shall not be required to forward air parcels by surface.

5 If a member country fails to observe the provisions regarding freedom of transit, other member countries may discontinue their postal service with that country.

#### Article 5

Ownership of postal items. Withdrawal from the post. Alteration or correction of address. Redirection. Return to sender of undeliverable items

1 A postal item shall remain the property of the sender until it is delivered to the rightful owner, except when the item has been seized in pursuance of the legislation of the country of **origin or destination and, in case of application of article 15.2.1.1 or 15.3, in accordance with the legislation of the country of transit.**

2 The sender of a postal item may have it withdrawn from the post or have its address altered or corrected. The charges and other conditions are laid down in the Regulations.

3 Member countries shall provide for the redirection of postal items, if an addressee has changed his address, and for the return to sender of undeliverable items. The charges and other conditions are laid down in the Regulations.

#### Article 6

Charges

1 The charges for the various international postal and special services shall be set by the postal administrations in accordance with the principles set out in the Convention and the Regulations. They shall in principle be related to the costs of providing these services.

2 The administration of origin shall fix the postage charges for the conveyance of letter- **and parcel**-post items. The postage charges shall cover delivery of the items to the place of address provided that this delivery service is operated in the country of destination for the items in question.

3 The charges collected, including those laid down for guideline purposes in the Acts, shall be at least equal to those collected on internal service items presenting the same characteristics (**category, quantity, handling time, etc.**).

4 Postal administrations shall be authorized to exceed any **guideline** charges appearing in the **Acts**.

5 Above the minimum level of charges laid down in 3, postal administrations may allow reduced charges based on their internal legislation for letter-post items **and parcels**

posted in their country. They may, for instance, give preferential rates to major users of the Post.

6 No postal charge of any kind may be collected from customers other than those provided for in the Acts.

7 Except where otherwise provided in the Acts, each postal administration shall retain the charges which it has collected.

## Article 7

### Exemption from postal charges

#### 1 Principle

1.1 Cases of exemption from postal charges, **as meaning exemption from postal prepayment**, shall be expressly laid down by the Convention. Nonetheless, the Regulations may provide for **both exemption from postal prepayment and exemption from payment of transit charges, terminal dues and inward rates** for **letter-post items and postal parcels** relating to the postal service sent by postal administrations and Restricted Unions. Furthermore, letter-post items and postal parcels sent by the UPU International Bureau to Restricted Unions and postal administrations shall be considered to be items relating to the postal service and shall be exempted from all postal charges. However, the administration of origin shall have the option of collecting air surcharges on the latter items.

#### 2 Prisoners of war and civilian internees

2.1 Letter-post items, postal parcels and postal financial services items addressed to or sent by prisoners of war, either direct or through the offices mentioned in the Regulations **of the Convention and of the Postal Payment Services Agreement**, shall be exempt from all postal charges, with the exception of air surcharges. Belligerents apprehended and interned in a neutral country shall be classed with prisoners of war proper so far as the application of the foregoing provisions is concerned.

2.2 The provisions set out under 2.1 shall also apply to letter-post items, postal parcels and postal financial services items originating in other countries and addressed to or sent by civilian internees as defined by the Geneva Convention of 12 August 1949 relative to the protection of civilian persons in time of war, either direct or through the offices mentioned in the Regulations **of the Convention and of the Postal Payment Services Agreement**.

2.3 The offices mentioned in the Regulations **of the Convention and of the Postal Payment Services Agreement** shall also enjoy exemption from postal charges in respect of letter-post items, postal parcels and postal financial services items which concern the persons referred to under 2.1 and 2.2, which they send or receive, either direct or as intermediaries.

2.4 Parcels shall be admitted free of postage up to a weight of 5 kilogrammes. The weight limit shall be increased to 10 kilogrammes in the case of parcels, the contents of which cannot be split up and of parcels addressed to a camp or the prisoners' representatives there ("hommes de confiance") for distribution to the prisoners.

2.5 In the accounting between postal administrations, rates shall not be allocated for service parcels and for prisoner-of-war and civilian internee parcels, apart from the air conveyance dues applicable to air parcels.

- 3 Literature for the blind
- 3.1 Literature for the blind shall be exempt from all postal charges, with the exception of air surcharges.

## Article 8

### Postage stamps

**1 The term "postage stamp" shall be protected under the present Convention and shall be reserved exclusively for stamps which comply with the conditions of this article and of the Regulations.**

**2 Postage stamps:**

- 2.1 shall be issued solely by a competent issuing authority, in conformity with the Acts of the UPU. The issue of stamps shall also include putting them into circulation;
- 2.2 shall be a manifestation of sovereignty and shall constitute:
  - 2.2.1 proof of prepayment of the postage corresponding to their intrinsic value when affixed to postal items, in conformity with the Acts of the Union;
  - 2.2.2 a source of supplementary revenue for postal administrations, as philatelic items;
- 2.3 must be in circulation, for postal prepayment or for philatelic purposes, in the territory of origin of the issuing postal administration.

**3 As a manifestation of sovereignty, postage stamps shall comprise:**

- 3.1 the name of the member country or territory to which the issuing postal administration is subject, in roman letters;
  - 3.1.1 optionally, the official emblem of the member country to which the issuing postal administration is subject;
  - 3.1.2 in principle, their face value in roman letters or arabic numerals;
  - 3.1.3 optionally, the word "Postes" (Postage) in roman or other letters.

**4 Emblems of State, official control marks and logos of intergovernmental organizations featuring on postage stamps shall be protected within the meaning of the Paris Convention for the Protection of Industrial Property.**

**5 The subjects and designs of postage stamps shall:**

- 5.1 be in keeping with the spirit of the Preamble to the UPU Constitution and with decisions taken by the Union's bodies;
- 5.2 be closely linked to the cultural identity of the country to which the issuing postal administration is subject, or contribute to the dissemination of culture or to maintaining peace;
- 5.3 have, when commemorating leading figures or events not native to the country or territory to which the issuing postal administration is subject, a close bearing on the country or territory in question;
- 5.4 be devoid of political character or of any topic of an offensive nature in respect of a person or a country;
- 5.5 be of major significance to the country to which the issuing postal administration is subject or to that postal administration.

- 6 Postage stamps may contain as the subject of intellectual property rights:**
- 6.1 an indication of the issuing postal administration's entitlement to use the intellectual property rights concerned, such as:**
    - 6.1.1 copyright, by affixing the copyright sign ©, indicating ownership of the copyright and mentioning the year of issue;**
    - 6.1.2 a mark registered in the territory of the member country to which the issuing postal administration is subject, by affixing the registered trademark symbol ® after the mark;**
  - 6.2 the name of the artist;**
  - 6.3 the name of the printer.**
- 7 Postal prepayment impressions, franking machine impressions and impressions made by a printing press or another printing or stamping process in accordance with the UPU Acts may be used only with the authorization of the postal administration.**

#### Article 9

##### Postal security

1 Member countries shall adopt and implement a proactive security strategy at all levels of postal operations to maintain and enhance **the confidence of the general public** in the postal services, **in the interests of all officials involved. This strategy shall include the exchange of information on maintaining the safe and secure transport and transit of mails between member countries.**

#### Article 10

##### Environment

**Member countries shall adopt and implement a proactive environment strategy at all levels of postal operations and promote environmental awareness in the postal services.**

#### Article 11

##### Violations

- 1 Postal items**
- 1.1 Member countries shall undertake to adopt the necessary measures to prevent, prosecute and punish any person found guilty of the following:**
    - 1.1.1 the insertion in postal items of narcotics and psychotropic substances, as well as explosive, flammable or other dangerous substances, where their insertion has not been expressly authorized by the Convention;**
    - 1.1.2 the insertion in postal items of objects of a paedophilic nature or of a pornographic nature using children.**
- 2 Means of postal prepayment and postal payment itself**
- 2.1 Member countries shall undertake to adopt the necessary measures to prevent, prosecute and punish any violations concerning the means of postal prepayment set out in this Convention, such as:**
    - 2.1.1 postage stamps, in circulation or withdrawn from circulation;**
    - 2.1.2 prepayment impressions;**

- 2.1.3 impressions of franking machines or printing presses;**
- 2.1.4 international reply coupons.**
- 2.2 In this Convention, violations concerning means of postal prepayment refer to any of the acts outlined below committed with the intention of obtaining illegitimate gain for oneself or for a third party. The following acts shall be punished:**
  - 2.2.1 any act of falsifying, imitating or counterfeiting any means of postal prepayment, or any illegal or unlawful act linked to the unauthorized manufacturing of such items;**
  - 2.2.2 any act of using, circulating, marketing, distributing, disseminating, transporting, exhibiting, showing, or publicizing any means of postal prepayment which has been falsified, imitated or counterfeited;**
  - 2.2.3 any act of using or circulating, for postal purposes, any means of postal prepayment which has already been used;**
  - 2.2.4 any attempt to commit any of these violations.**
- 3 Reciprocity**
  - 3.1 As regards sanctions, no distinction shall be made between the acts outlined in 2, irrespective of whether national or foreign means of postal prepayment are involved; this provision shall not be subject to any legal or conventional condition of reciprocity.**

## Part II

### Rules applicable to letter post and postal parcels

#### Chapter 1

##### Provision of services

###### Article 12

###### Basic services

- 1 Member countries shall ensure the acceptance, handling, conveyance and delivery of letter-post items.
- 2 Letter-post items are:
  - 2.1 priority items and non-priority items, up to 2 kilogrammes;
  - 2.2 letters, postcards, printed papers and small packets, up to 2 kilogrammes;
  - 2.3 literature for the blind, up to 7 kilogrammes;
  - 2.4 special bags containing newspapers, periodicals, books and similar printed documentation for the same addressee at the same address called "M bags", up to 30 kilogrammes.
- 3 Letter-post items shall be classified on the basis either of the speed of treatment of the items or of the contents of the items in accordance with the Letter Post Regulations.

4 Higher weight limits than those indicated in paragraph 2 apply optionally for certain letter-post **item** categories under the conditions specified in the Letter Post Regulations.

5 Member countries shall also ensure the acceptance, handling, conveyance and delivery of postal parcels up to 20 kilogrammes, either as laid down in the Convention, or, in the case of outward parcels and after bilateral agreement, by any other means which is more advantageous to their customers.

6 Weight limits higher than 20 kilogrammes apply optionally for certain parcel-post categories under the conditions specified in the Parcel Post Regulations.

7 Any country whose postal administration does not undertake the conveyance of parcels may arrange for the provisions of the Convention to be implemented by transport companies. It may, at the same time, limit this service to parcels originating in or addressed to places served by these companies.

8 Notwithstanding paragraph 5, countries which, prior to 1 January 2001 were not parties to the Postal Parcels Agreement shall not be obliged to provide the postal parcels service.

### Article 13

#### Supplementary services

1 Member countries shall provide the following mandatory supplementary services:

1.1 registration service for **outbound priority and airmail** letter-post items;

**1.2 registration service for outbound non-priority and surface letter-post items to destinations for which there is no priority or airmail service;**

**1.3 registration service for all inbound letter-post items.**

**2 The provision of a registration service for outbound non-priority and surface letter-post items to destinations for which there is a priority or airmail service shall be optional.**

3 Member countries may provide the following optional supplementary services in relations between those administrations which agreed to provide the service:

**3.1** insurance for letter-post items and parcels;

**3.2** recorded delivery for letter-post items;

**3.3** cash-on-delivery service for letter-post items and parcels;

**3.4** express delivery service for letter-post items and parcels;

**3.5** delivery to the addressee in person of registered, recorded delivery or insured **letter-post** items;

**3.6** free of charges and fees service for letter-post items and parcels;

**3.7** fragile and cumbersome parcels services;

**3.8** consignment service for collective items from one consignor sent abroad.

4 The following **three** supplementary services have both mandatory and optional parts:

**4.1** international business reply service (IBRS), which is basically optional. All administrations shall, however, be obliged to operate the IBRS "return" service;

- 4.2 international reply coupons, which shall be exchangeable in any member country. The sale of international reply coupons is, however, optional;
- 4.3 **advice of delivery for registered and recorded delivery letter-post items, parcels and insured items. All postal administrations shall admit incoming advices of delivery. The provision of an outward advice of delivery service is, however, optional.**
- 5 The description of these services and their charges are set out in the Regulations.
- 6 Where the service features below are subject to special charges in the domestic service, postal administrations shall be authorized to collect the same charges for international items, under the conditions described in the Regulations:
- 6.1 delivery for small packets weighing over 500 grammes;
- 6.2 letter-post items posted after the latest time of posting;
- 6.3 items posted outside normal counter opening hours;
- 6.4 collection at sender's address;
- 6.5 withdrawal of a letter-post item outside normal counter opening hours;
- 6.6 poste restante;
- 6.7 storage for letter-post items weighing over 500 grammes, and for parcels;
- 6.8 delivery of parcels, in response to the advice of arrival;
- 6.9 cover against risks of force majeure.

#### Article 14

Electronic mail, EMS, **integrated logistics** and new services

- 1 Postal administrations may agree with each other to participate in the following services, which are described in the Regulations.
- 1.1 electronic mail, which is a postal service involving the electronic transmission of messages;
- 1.2 EMS, which is a postal **express service for documents and merchandise, and shall wherever possible be the quickest postal service by physical means. Postal administrations may provide this service on the basis of the EMS Standard Multilateral Agreement or by bilateral agreement;**
- 1.3 **integrated logistics, which is a service that responds fully to customers' logistical requirements and includes the phases before and after the physical transmission of goods and documents;**
- 1.4 **the electronic postmark, which provides evidentiary proof of an electronic event, in a given form, at a given time, and involving one or more parties.**

2 Postal administrations may by mutual consent create a new service not expressly provided for in the Acts of the Union. Charges for a new service shall be laid down by each administration concerned, having regard to the expenses of operating the service.

Article 15

Items not admitted. Prohibitions

**1 General**

**1.1** Items not fulfilling the conditions laid down in the Convention and the Regulations shall not be admitted. **Items sent in furtherance of a fraudulent act or with the intention of avoiding full payment of the appropriate charges shall not be admitted.**

**1.2** **Exceptions to the prohibitions contained in this article are set out in the Regulations.**

**1.3** **All postal administrations shall have the option of extending the prohibitions contained in this article, which may be applied immediately upon their inclusion in the relevant compendium.**

**2 Prohibitions in all categories of items**

**2.1** The insertion of the articles referred to below shall be prohibited in all categories of items:

**2.1.1** narcotics and psychotropic substances;

**2.1.2** obscene or immoral articles;

**2.1.3** articles the importation or **circulation** of which is prohibited in the country of destination;

**2.1.4** articles which, by their nature or their packing, may expose officials **or the general public** to danger, or soil or damage other items, postal equipment **or third-party property**;

**2.1.5** documents having the character of current and personal correspondence exchanged between persons other than the sender and the addressee or persons living with them.

**3 Explosive, flammable or radioactive materials and other dangerous substances**

**3.1** **The insertion of explosive, flammable or other dangerous substances as well as radioactive materials shall be prohibited in all categories of items.**

**3.2** **Exceptionally, the following substances and materials shall be admitted:**

**3.2.1** the radioactive materials sent in letter-post items and postal parcels mentioned in article **16.1**;

**3.2.2** the biological substances sent in letter-post items mentioned in article **16.2**.

**4 Live animals**

**4.1** **Live animals shall be prohibited in all categories of items.**

**4.2** **Exceptionally, the following shall be admitted** in letter-post items other than insured items:

**4.2.1** bees, leeches and silk-worms;

**4.2.2** parasites and destroyers of noxious insects intended for the control of those insects and exchanged between officially recognized institutions;

**4.2.3** **flies of the family Drosophilidae for biomedical research exchanged between officially recognized institutions.**

**4.3** **Exceptionally, the following shall be admitted in parcels:**

**4.3.1** live animals whose conveyance by post is authorized by the postal regulations of the countries concerned.

**5 Insertion of correspondence in parcels**

- 5.1** the insertion of the articles mentioned below shall be prohibited in postal parcels:
- 5.1.1** documents having the character of current and personal correspondence;
- 5.1.2** correspondence of any kind exchanged between persons other than the sender and the addressee or persons living with them.

**6 Coins, bank notes and other valuable articles**

- 6.1** It shall be prohibited to insert coins, bank notes, currency notes or securities of any kind payable to bearer, travellers' cheques, platinum, gold or silver, whether manufactured or not, precious stones, jewels or other valuable articles:
- 6.1.1** in uninsured letter-post items;
- 6.1.1.1** however, if the internal legislation of the countries of origin and destination permits this, such articles may be sent in a closed envelope as registered items;
- 6.1.2** **in uninsured parcels, except where permitted by the internal legislation of the countries of origin and destination;**
- 6.1.3** in uninsured parcels exchanged between two countries which admit insured parcels;
- 6.1.3.1** in addition, any administration may prohibit the enclosure of gold bullion in insured or uninsured **parcels** originating from or addressed to its territory or sent in transit à découvert across its territory; it may limit the actual value of these items.

**7 Printed papers and literature for the blind**

- 7.1** Printed papers and literature for the blind:
- 7.1.1** shall nor bear any inscription or contain any **item of** correspondence;
- 7.1.2** shall not contain any postage stamp or form of prepayment, whether cancelled or not, or any paper representing a monetary value, **except in cases where the item contains as an enclosure a card, envelope or wrapper bearing the printed address of the sender of the item or his agent in the country of posting or destination of the original item, which is prepaid for return.**

**8 Treatment of items wrongly admitted**

- 8.1** The treatment of items wrongly admitted is set out in the Regulations. However, items containing articles mentioned in **2.1.1**, **2.1.2** and **3.1** shall in no circumstances be forwarded to their destination, delivered to the addressees or returned to origin. **In the case of articles mentioned in 2.1.1 and 3.1 discovered while in transit, such items shall be handled in accordance with the national legislation of the country of transit.**

**Article 16**

## Admissible radioactive materials and biological materials

- 1 Radioactive materials shall be admitted in letter-post items and parcels in relations between postal administrations which have declared their willingness to admit them either reciprocally or in one direction only under the following conditions:
- 1.1 radioactive materials shall be made up and packed in accordance with the respective provisions of the Regulations;
- 1.2 when they are sent in letter-post items, they shall be subject to the tariff for priority items or the tariff for letters and registration;

- 1.3 radioactive materials contained in letter-post items or postal parcels shall be forwarded by the quickest route, normally by air, subject to payment of the corresponding surcharges;
- 1.4 radioactive materials may be posted only by duly authorized senders.
- 2 Biological materials shall be admitted in letter-post items under the following conditions:
  - 2.1 Perishable biological substances, infectious substances and solid carbon dioxide (dry ice) when used as refrigerant for infectious substances may be exchanged through mail only between officially recognized qualified laboratories. These dangerous goods may be acceptable in mail for air carriage, subject to national legislation and current Technical Instructions of the International Civil Aviation Organization (ICAO) and as reflected in the IATA Dangerous Goods Regulations.
  - 2.2 Perishable biological substances and infectious substances made up and packed in accordance with the respective provisions of the Regulations shall be subject to the tariff for priority items or to the tariff for registered letters. An additional charge for the handling of these items is allowed.
  - 2.3 Admission of perishable biological substances and infectious substances shall be restricted to those member countries whose postal administrations have declared their willingness to admit such items, whether reciprocally or in one direction only.
  - 2.4 Such substances or materials shall be forwarded by the quickest route, normally by air, subject to the payment of the corresponding air surcharges and shall be given priority in delivery.

## Article 17

### Inquiries

- 1 Each postal administration shall be bound to accept inquiries relating to any item posted in the service of its own administration or any other **postal** administration provided that the inquiries are presented within a period of six months from the day after that on which the item was posted. **The period of six months shall concern relations between claimants and postal administrations and shall not include the transmission of inquiries between postal administrations.**
  - 1.1 **However, the acceptance of inquiries about the non-receipt of ordinary letter-post items shall not be mandatory. Consequently, postal administrations which accept inquiries about the non-receipt of ordinary letter-post items shall have the option of confining their inquiries to the undeliverable items service.**
- 2 Inquiries shall be entertained under the conditions laid down in the Regulations.
- 3 Inquiries shall be free of charge. However, additional costs caused by a request for transmission by EMS shall, in principle, be borne by the person making the request.

## Article 18

### Customs control. Customs duty and other fees

- 1 The postal administrations of the countries of origin and destination shall be authorized to submit items to customs control, according to the legislation of those countries.

2 Items submitted to customs control may be subjected to a presentation-to-Customs charge, the **guideline** amount of which is set in the Regulations. This charge shall only be collected for the submission to Customs and customs clearance of items which have attracted customs charges or any other similar charge.

3 Postal administrations which are authorized to clear items through the Customs on behalf of customers may charge customers a customs clearance fee based on the actual costs.

4 Postal administrations shall be authorized to collect from the senders or addressees of items, as the case may be, the customs duty and all other fees which may be due.

## Article 19

### Exchange of closed mails with military units

1 Closed letter-post mails may be exchanged through the intermediary of the land, sea or air services of other countries:

- 1.1 between the post offices of any member country and the commanding officers of military units placed at the disposal of the United Nations;
- 1.2 between the commanding officers of such military units;
- 1.3 between the post offices of any member country and the commanding officers of naval, air **or army** units, warships or military aircraft of the same country stationed abroad;
- 1.4 between the commanding officers of naval, air **or army** units, warships or military aircraft of the same country.

2 Letter-post items enclosed in the mails referred to under 1 shall be confined to items addressed to or sent by members of military units or the officers and crews of the ships or aircraft to or from which the mails are forwarded. The rates and conditions of dispatch applicable to them shall be fixed, according to its regulations, by the postal administration of the country which has made the military unit available or to which the ships or aircraft belong.

3 In the absence of special agreement, the postal administration of the country which has made the military unit available or to which the warships or military aircraft belong shall be liable to the administrations concerned for the transit charges for the mails, the terminal dues and the air conveyance dues.

## Article 20

### Quality of service **standards and** targets

1 Administrations shall **establish and publish delivery standards and targets for their inward** letter-post items **and parcels**.

2 **These standards and targets**, increased by the time normally required for customs clearance, shall be no less favourable than **those applied to** comparable items in their domestic service.

3 Administrations of origin shall **also establish and publish end-to-end standards** for priority and airmail letter-post items **as well as for parcels and economy/surface parcels**.

4 Postal administrations shall measure the **application of quality of service standards**.

## Chapter 2

### Liability

#### Article 21

Liability of postal administrations. Indemnities

##### 1 General

1.1 Except for the cases provided for in article 22, postal administrations shall be liable for:

1.1.1 the loss of, theft from or damage to registered items, ordinary parcels and insured items;

1.1.2 the loss of recorded delivery items;

**1.1.3 the return of a parcel on which the reason for non-delivery is not given.**

**1.2 Postal administrations shall not be liable for items other than those mentioned in 1.1.1 and 1.1.2.**

**1.3 In any other case not provided for in this Convention, postal administrations shall not be liable.**

1.4 When the loss of or total damage to registered items, ordinary parcels and insured items is due to a case of force majeure for which indemnity is not payable, the sender shall be entitled to repayment of the charges paid, with the exception of the insurance charge.

**1.5 The amounts of indemnity to be paid shall not exceed the amounts mentioned in the Letter Post Regulations and the Parcel Post Regulations.**

**1.6 In cases of liability, consequential losses or loss of profits shall not be taken into account in the indemnity to be paid.**

**1.7 All provisions regarding liability of postal administrations shall be strict, binding and complete. Postal administrations shall in no case, even in case of severe fault, be liable above the limits provided for in the Convention and the Regulations.**

##### 2 Registered items

2.1 If a registered item is lost, totally rifled or totally damaged, the sender shall be entitled to an indemnity set in the Letter Post Regulations. If the sender has claimed an amount less than the amount set in the Letter Post Regulations, administrations may pay that lower amount and shall receive reimbursement on this basis from any other administrations involved.

2.2 If a registered item is partially rifled or partially damaged, the sender shall be entitled to an indemnity corresponding, in principle, to the actual value of the theft or damage.

##### 3 Recorded delivery items

3.1 If a recorded delivery item is lost, totally rifled or totally damaged, the sender shall be entitled to refund of the charges paid **only**.

##### 4 Ordinary parcels

4.1 If a parcel is lost, totally rifled or totally damaged, the sender shall be entitled to an indemnity of an amount set in the Parcel Post Regulations. **If the sender has claimed an amount less than the amount set in the Parcel Post Regulations, postal administrations may pay that lower amount and shall receive reimbursement on this basis from any other postal administrations involved.**

4.2 If a parcel is partially rifled or partially damaged, the sender shall be entitled to an indemnity corresponding, in principle, to the actual value of the theft or damage.

4.3 Postal administrations may agree to apply, in their reciprocal relations, the amount per parcel set in the Parcel Post Regulations, regardless of the weight.

5 Insured items

5.1 If an insured item is lost, totally rifled or totally damaged, the sender shall be entitled to an indemnity corresponding, in principle, to the insured value in SDRs.

5.2 If an insured item is partially rifled or partially damaged, the sender shall be entitled to an indemnity corresponding, in principle, to the actual value of the theft or damage. It may, however, in no case exceed the amount of the insured value in SDRs.

6 In the cases mentioned in 4 and 5, the indemnity shall be calculated according to the current price, converted into SDRs, of articles or goods of the same kind at the place and time at which the item was accepted for conveyance. Failing a current price, the indemnity shall be calculated according to the ordinary value of articles or goods whose value is assessed on the same basis.

7 When an indemnity is due for the loss of, total theft from or total damage to a registered item, ordinary parcel or insured item, the sender, or the addressee, as the case may be, shall also be entitled to repayment of the charges and fees paid with the exception of the registration or insurance charge. The same shall apply to registered items, ordinary parcels or insured items refused by the addressee because of their bad condition if that is attributable to the postal service and involves its liability.

8 Notwithstanding the provisions set out under 2, 4 and 5, the addressee shall be entitled to the indemnity after delivery of a rifled or damaged registered item, ordinary parcel or insured item.

9 The **postal** administration of origin shall have the option of paying senders in its country the indemnities prescribed by its internal legislation for registered items and uninsured parcels, provided that they are not lower than those laid down in 2.1 and 4.1. The same shall apply to the **postal** administration of destination when the indemnity is paid to the addressee. However, the amounts laid down in 2.1 and 4.1 shall remain applicable:

9.1 in the event of recourse against the administration liable; or

9.2 if the sender waives his rights in favour of the addressee or vice versa.

**10 No reservations concerning payment of the indemnity to postal administrations may be made to this article, except in the event of bilateral agreement.**

## Article 22

### Non-liability of postal administrations

1 Postal administrations shall cease to be liable for registered items, recorded delivery items, parcels and insured items which they have delivered according to the conditions laid down in their regulations for items of the same kind. Liability shall, however, be maintained:

- 1.1 when theft or damage is discovered either prior to or at the time of delivery of the item;
  - 1.2 when, internal regulations permitting, the addressee, or the sender if it is returned to origin, makes reservations on taking delivery of a rifled or damaged item;
  - 1.3 when, internal regulations permitting, the registered item was delivered to a private mail-box and the addressee declares that he did not receive the item;
  - 1.4 when the addressee or, in the case of return to origin, the sender of a parcel or of an insured item, although having given a proper discharge, notifies the delivery administration without delay that he has found theft or damage. He shall furnish proof that such theft or damage did not occur after delivery. **The term "without delay" shall be interpreted according to national law.**
- 2 Postal administrations shall not be liable:
- 2.1 in cases of force majeure, subject to article **13.6.9**;
  - 2.2 when they cannot account for items owing to the destruction of official records by force majeure, provided that proof of their liability has not been otherwise produced;
  - 2.3 when such loss, theft or damage has been caused by the fault or negligence of the sender or arises from the nature of the contents;
  - 2.4 in the case of items **that** fall within the prohibitions specified in article **15**;
  - 2.5 when the items have been seized under the legislation of the country of destination, as notified by the administration of that country;
  - 2.6 in the case of insured items which have been fraudulently insured for a sum greater than the actual value of the contents;
  - 2.7 when the sender has made no inquiry within six months from the day after that on which the item was posted;
  - 2.8 in the case of prisoner-of-war or civilian internee parcels;
  - 2.9 when the sender's actions may be suspected of fraudulent intent, aimed at receiving compensation.**
- 3 Postal administrations shall accept no liability for customs declarations in whatever form these are made or for decisions taken by the Customs on examination of items submitted to customs control.

### Article 23

#### Sender's liability

- 1 The sender of an item shall be liable for **injuries caused to postal officials and for any damage caused to other postal items and postal equipment**, as a result of the dispatch of articles not acceptable for conveyance or the non-observance of the conditions of acceptance.
- 2 **In the case of damage to other postal items**, the sender shall be liable **for each item damaged** within the same limits as postal administrations.
- 3 The sender shall remain liable even if the office of posting accepts such an item.
- 4 However, **where the conditions of acceptance have been observed by the sender**, the sender shall not be liable, **in so far as** there has been fault or negligence **in handling the item** on the part of administrations or carriers, **after acceptance**.

**Article 24**

## Payment of indemnity

1 Subject to the right of recourse against the administration which is liable, the obligation to pay the indemnity and to refund the charges and fees shall rest either with the administration of origin or with the administration of destination.

2 The sender may waive his rights to the indemnity in favour of the addressee. Conversely, the addressee may waive his rights in favour of the sender. The sender or the addressee may authorize a third party to receive the indemnity if internal legislation allows this.

**Article 25**

## Possible recovery of the indemnity from the sender or the addressee

1 If, after payment of the indemnity, a registered item, a parcel or an insured item or part of the contents previously considered as lost is found, the sender or the addressee, as the case may be, shall be advised that the item is being held at his disposal for a period of three months on repayment of the amount of the indemnity paid. At the same time he shall be asked to whom the item is to be delivered. In the event of refusal or failure to reply within the prescribed period, the same approach shall be made to the addressee or the sender as the case may be, **granting that person the same period to reply.**

2 If the sender and the addressee refuse to take delivery of the item **or do not reply within the period provided for in paragraph 1**, it shall become the property of the administration or, where appropriate, administrations which bore the loss.

3 In the case of subsequent discovery of an insured item the contents of which are found to be of less value than the amount of the indemnity paid, the sender or the addressee, as the case may be, shall repay the amount of this indemnity against return of the item, without prejudice to the consequences of fraudulent insurance.

**Article 26****Reciprocity applicable to reservations concerning liability**

**1 Notwithstanding the provisions in articles 22 to 25, any member country which reserves the right not to pay indemnity for liability shall not be entitled to receive indemnity from other member countries which accept liability under these articles.**

## Chapter 3

## Provisions specific to letter post

**Article 27**

## Posting abroad of letter-post items

1 A member country shall not be bound to forward or deliver to the addressee letter-post items which senders residing in its territory post or cause to be posted in a foreign country with the object of profiting by the more favourable rate conditions there.

2 The provisions set out under 1 shall be applied without distinction both to letter-post items made up in the sender's country of residence and then carried across the frontier and to letter-post items made up in a foreign country.

3 The administration of destination may claim from the sender and, failing this, from the administration of posting, payment of the internal rates. If neither the sender nor the administration of posting agrees to pay these rates within a time limit set by the administration of destination, the latter may either return the items to the administration of posting and shall be entitled to claim reimbursement of the redirection costs, or handle them in accordance with its own legislation.

4 A member country shall not be bound to forward or deliver to the addressees letter-post items which senders post or cause to be posted in large quantities in a country other than the country where they reside if the amount of terminal dues to be received is lower than the sum that would have been received if the mail had been posted in the country where the senders reside. The administration of destination may claim from the administration of posting payment commensurate with the costs incurred and which may not exceed the higher of the following two amounts: either 80% of the domestic tariff for equivalent items, or 0.14 SDR per item plus 1 SDR per kilogramme. If the administration of posting does not agree to pay the amount claimed within a time limit set by the administration of destination, the administration of destination may either return the items to the administration of posting and shall be entitled to claim reimbursement of the redirection costs, or handle them in accordance with its own legislation.

## Part III

### Remuneration

#### Chapter 1

##### Provisions specific to letter post

###### Article 28

###### Terminal dues. General provisions

1 Subject to exemptions provided in the Regulations, each administration which receives letter-post items from another administration shall have the right to collect from the dispatching administration a payment for the costs incurred for the international mail received.

2 For the application of the provisions concerning the payment of terminal dues, postal administrations shall be classified as countries **and territories in the target system** or countries **and territories entitled to be in the transitional system**, in accordance with the list drawn up for this purpose by Congress **in its resolution C 12/2004. In the terminal dues provisions, both countries and territories shall be referred to as countries.**

3 The provisions of the present Convention concerning the payment of terminal dues are transitional arrangements, moving towards a country-specific payment system.

- 4 Access to the domestic service
- 4.1 Each administration shall make available to the other administrations all the rates, terms and conditions offered in its domestic service on conditions identical to those proposed to its national customers.
- 4.2 A dispatching administration may, on similar conditions, request the **destination administration in the target system** to offer it the same conditions that the latter offers to its national customers for equivalent items.
- 4.3 The administrations **in the transitional system** shall indicate whether they authorize access on the conditions mentioned in 4.1.
- 4.3.1 When an administration **in the transitional system** states that it authorizes access on the conditions offered in its domestic system, that authorization shall apply to all Union administrations on a non-discriminatory basis.
- 4.4 It shall be up to the administration of destination to decide whether the conditions of access to its domestic service have been met by the administration of origin.
- 5 The terminal dues rates for bulk mail shall not be higher than the most favourable rates applied by administrations of destination under bilateral or multilateral agreements concerning terminal dues. It shall be up to the administration of destination to decide whether the terms and conditions of access have been met by the administration of origin.
- 6 Terminal dues remuneration shall be based on quality of service performance in the country of destination. The Postal Operations Council shall therefore be authorized to supplement the remuneration in articles 29 and 30 to encourage participation in monitoring systems and to reward administrations for reaching their quality targets. The Postal Operations Council may also fix penalties in case of insufficient quality, but shall not deprive the administrations of their minimum remuneration according to articles 29 and 30.**
- 7 Any administration may waive wholly or in part the payment provided for under 1.
- 8 The administrations concerned may, by bilateral or multilateral agreement, apply other payment systems for the settlement of terminal dues accounts.

#### Article 29

Terminal dues. Provisions applicable to exchanges between countries **in the target system**

- 1 Payment for letter-post items, including bulk mail but excluding M bags, shall be established on the basis of the application of the rates per item and per kilogramme reflecting the handling costs in the country of destination; these costs must be in relation with the domestic tariffs. The rates shall be calculated in accordance with the conditions specified in the Letter Post Regulations.
- 2 The rates per item and per kilogramme **shall be** calculated on the basis of a **percentage** of the charge for a 20-gramme **priority** letter in the domestic service, **which shall be:**
- 2.1 for the year 2006: 62%;**
- 2.2 for the year 2007: 64%;**
- 2.3 for the year 2008: 66%;**
- 2.4 for the year 2009: 68%.**
- 3 The rates applied may not be higher than:**
- 3.1 for the year 2006, 0.226 SDR per item and 1.768 SDR per kilogramme;**

- 3.2 for the year 2007, **0.231 SDR** per item and **1.812 SDR** per kilogramme;
- 3.3 for the year 2008, **0.237 SDR** per item and **1.858 SDR** per kilogramme;
- 3.4 **for the year 2009, 0.243 SDR per item and 1.904 SDR per kilogramme.**

4 For the period from the year 2006 to the year 2009, the rates to be applied may not be lower than 0.147 SDR per item and 1.491 SDR per kilogramme. **Provided that the increased rates do not exceed 100% of the charge for a 20-gramme priority letter in the domestic service of the country concerned, the minimum rates shall be increased to:**

- 4.1 **for the year 2006, 0.151 SDR per item and 1.536 SDR per kilogramme;**
- 4.2 **for the year 2007, 0.154 SDR per item and 1.566 SDR per kilogramme;**
- 4.3 **for the year 2008, 0.158 SDR per item and 1.598 SDR per kilogramme;**
- 4.4 **for the year 2009, 0.161 SDR per item and 1.630 SDR per kilogramme.**

5 For M bags, the rate to be applied shall be **0.793 SDR** per kilogramme.

5.1 M bags weighing less than 5 kilogrammes shall be considered as weighing 5 kilogrammes for terminal dues payment purposes.

6 **For registered items there shall be an additional payment of 0.5 SDR per item and for insured items there shall be an additional payment of 1 SDR per item.**

7 The provisions applicable between countries **in the target system** shall apply to any country **in the transitional system** which declares that it wishes to **join the target system. The Postal Operations Council may fix transition measures in** the Letter Post Regulations.

**8 No reservations may be made to this article, except within the framework of a bilateral agreement.**

### Article 30

Terminal dues. Provisions applicable to mail flows **to, from and between countries in the transitional system**

1 Payment

1.1 Payment for letter-post items, excluding M bags, shall be **0.147 SDR per item and 1.491 SDR** per kilogramme.

1.1.1 **For flows below 100 tonnes a year, the two components shall be converted into a total rate of 3.727 SDR per kilogramme on the basis of a worldwide average of 15.21 items per kilogramme.**

1.1.2 **For flows above 100 tonnes a year, the total rate of 3.727 SDR per kilogramme shall be applied if neither the administration of destination nor the administration of origin asks to have the rate revised on the basis of the real number of items per kilogramme for the flow concerned. Moreover, this rate shall be applied when the real number of items per kilogramme proves to be between 13 and 17.**

1.1.3 **When one of the administrations concerned asks for the application of the real number of items per kilogramme, the payment to be applied for the flow in question shall be calculated according to the revision mechanism specified in the Letter Post Regulations.**

- 1.1.4 The downward revision of the total rate in 1.1.2 may not be invoked by a country in the target system against a country in the transitional system unless the latter asks for a revision in the opposite direction.**
- 1.2 For M bags, the rate to be applied shall be 0.793 SDR per kilogramme.
- 1.2.1 M bags weighing less than 5 kilogrammes shall be considered as weighing 5 kilogrammes for terminal dues payment purposes.
- 1.3 **For registered items there shall be an additional payment of 0.5 SDR per item and for insured items there shall be an additional payment of 1 SDR per item.**
- 2 System harmonization mechanism**
- 2.1** When an administration **in the target system** receiving a mail flow of over 50 tonnes a year establishes that the annual weight of this flow exceeds the threshold calculated in accordance with the conditions set out in the Letter Post Regulations, it may apply to the excess mail the payment system provided for in article 29 provided that it has not applied the revision mechanism.
- 2.2** **When an administration in the transitional system that receives a mail flow of over 50 tonnes a year from another country in the transitional system establishes that the annual weight of this flow exceeds the threshold calculated in accordance with the conditions set out in the Letter Post Regulations, it may apply to the excess mail the supplement provided for in article 31, provided that it has not applied the revision mechanism.**
- 3 Bulk mail**
- 3.1** The payment for bulk mail **to countries in the target system** shall be established by applying the rates per item and per kilogramme provided for in article 29.
- 3.2** **Administrations in the transitional system may request for bulk mail received a payment of 0.147 SDR per item and 1.491 SDR per kilogramme.**
- 4 No reservations may be made to this article, except within the framework of a bilateral agreement.**

### Article 31

#### Quality of Service Fund

**1 Terminal dues payable by all countries and territories to the countries defined as Least Developed Countries (LDCs) by ECOSOC, except for M bags and bulk mail items, shall be increased by 16.5% of the rate of 3.727 SDR per kilogramme given in article 30 for payment into the Quality of Service Fund (QSF) for improving the quality of service in the LDCs. There shall be no such payment from one LDC to another LDC.**

**2 Member countries of the UPU and territories coming within the Union shall be able to make well-founded requests to the Council of Administration for their countries and territories to be considered as being in need of additional resources. Countries classified as TRAC 1 (former DCs) may petition the CA to receive QSF funds on the same terms as least developed countries (LDCs). Further, countries classified by the UNDP as Net Contributor Countries (NCCs) may petition the CA to receive QSF funds on the same terms as TRAC 1 countries. Accepted requests granted under this article shall take effect on the first day of the calendar year following the decision by the CA. The Council of Administration shall assess the request and take a decision, according to strict criteria, on whether or not a country can be considered to be a least developed country or a TRAC 1 country, as the case may be, with regard to the**

**Quality of Service Fund.** The Council of Administration shall revise and update annually the list of UPU member countries and territories coming within the Union.

**3** Terminal dues, except for M bags and bulk mail items, payable by countries and territories classified by Congress as industrialized countries for terminal dues purposes to the countries and territories classified by the United Nations Development Programme (UNDP) as TRAC 1 countries other than LDCs shall be increased by 8% of the rate of 3.727 SDR per kilogramme given in article 30 for payment into the QSF for improving the quality of service of the TRAC 1 countries other than LDCs.

**4** Terminal dues, except for M bags and bulk mail items, payable by countries and territories classified by Congress as industrialized countries for terminal dues purposes to the countries and territories classified by the same Congress as developing countries other than those in paragraphs 1 and 3 shall be increased by 1% of the rate of 3.727 SDR per kilogramme given in article 30 for payment into the QSF for improving the quality of service.

**5** The TRAC 1 countries and territories may seek to improve their quality of service through regional or multi-country projects in favour of LDCs and low-income countries in which all parties contributing QSF funding to the projects would directly benefit.

**6** Regional projects should in particular promote the implementation of UPU quality of service improvement programmes and the introduction of cost accounting systems in developing countries. The Postal Operations Council shall adopt, in 2006 at the latest, procedures for financing these projects.

## Article 32

### Transit charges

**1** Closed mails and **à découvert transit items** exchanged between two administrations or between two offices of the same country by means of the services of one or more other administrations (third party services) shall be subject to the payment of transit charges. The latter shall constitute remuneration for the services rendered in respect of land transit, sea transit and air transit.

## Chapter 2

### Other provisions

## Article 33

### Basic rates and provisions concerning air conveyance dues

**1** The basic rate applicable to the settlement of accounts between administrations in respect of air conveyance shall be approved by the Postal Operations Council. It shall be calculated by the International Bureau according to the formula specified in the Letter Post Regulations.

**2** The calculation of air conveyance dues on closed dispatches, **priority items, airmail items** and air parcels sent in transit **à découvert, as well as the relevant methods of accounting, are described in the Letter Post and Parcel Post Regulations.**

- 3 The air conveyance dues for the whole distance flown shall be borne:
- 3.1 in the case of closed mails, by the administration of the country of origin of the mails, **including when these mails transit via one or more intermediate administrations;**
- 3.2 in the case of priority items and airmail items in transit à découvert, including missent items, by the administration which forwards the items to another administration.
- 4 These same regulations shall be applicable to items exempted from land and sea transit charges if they are conveyed by air.
- 5 Each administration of destination which provides air conveyance of international mail within its country shall be entitled to reimbursement of the additional costs incurred for such conveyance provided that the weighted average distance of the sectors flown exceeds 300 kilometres. **The Postal Operations Council may replace the weighted average distance by other relevant criteria.** Unless agreement has been reached that no charge should be made, the dues shall be uniform for all priority mails and airmails originating abroad whether or not this mail is reforwarded by air.
- 6 However, where the terminal dues levied by the administration of destination are based specifically on costs or on domestic rates, no additional reimbursement for internal air conveyance shall be made.
- 7 The administration of destination shall exclude, for the purpose of calculating the weighted average distance, the weight of all mails for which the terminal dues calculation has been based specifically on costs or on the domestic rates of the administration of destination.

#### Article 34

##### Parcel post land and sea rates

- 1 Parcels exchanged between two postal administrations shall be subject to inward land rates calculated by combining the **base** rate per parcel and **base** rate per kilogramme laid down in the Regulations.
- 1.1 Bearing in mind the above **base** rates, **postal administrations may, in addition, be authorized to claim supplementary rates per parcel and per kilogramme in accordance with provisions laid down in the Regulations.**
- 1.2 The rates mentioned in 1 and 1.1 shall be payable by the administration of the country of origin, unless the Parcel Post Regulations provide for exceptions to this principle.
- 1.3 The inward land rates shall be uniform for the whole of the territory of each country.
- 2 Parcels exchanged between two administrations or between two offices of the same country by means of the land services of one or more other administrations shall be subject to the transit land rates, payable to the countries whose services take part in the routeing on land, laid down in the Regulations, according to the distance step applicable.
- 2.1 For parcels in transit à découvert, intermediate administrations shall be authorized to claim the single rate per item laid down in the Regulations.
- 2.2 Transit land rates shall be payable by the administration of the country of origin unless the Parcel Post Regulations provide for exceptions to this principle.

3 Each of the countries whose services participate in the sea conveyance of parcels shall be authorized to claim sea rates. These rates shall be payable by the administration of the country of origin, unless the Parcel Post Regulations provide for exceptions to this principle.

3.1 For each sea conveyance used, the sea rate shall be laid down in the Parcel Post Regulations according to the distance step applicable.

3.2 Postal administrations may increase by 50% at most the sea rate calculated in accordance with 3.1. On the other hand, they may reduce it as they wish.

### Article 35

#### Authority of the POC to fix charges and rates

1 The Postal Operations Council shall have the authority to fix the following rates and charges, which are payable by postal administrations in accordance with the conditions shown in the Regulations:

1.1 transit charges for the handling **and conveyance** of letter mails through one or more intermediary countries;

1.2 basic rates and air conveyance dues for the carriage of mail by air;

1.3 inward land rates for the handling of inward parcels;

1.4 transit land rates for the handling **and conveyance** of parcels through an intermediary country;

1.5 sea rates for the conveyance of parcels by sea.

2 Any revision made, in accordance with a methodology that ensures equitable remuneration for administrations performing the services, must be based on reliable and representative economic and financial data. Any change decided upon shall enter into force at a date set by the Postal Operations Council.

## Part IV

### Final provisions

#### Article 36

##### Conditions for approval of proposals concerning the Convention and the Regulations

1 To become effective, proposals submitted to Congress relating to this Convention must be approved by a majority of the member countries present and voting **which have the right to vote**. At least half of the member countries represented at Congress **and having the right to vote** shall be present at the time of voting.

2 To become effective, proposals relating to the Letter Post Regulations and the Parcel Post Regulations must be approved by a majority of the members of the Postal Operations Council **having the right to vote**.

3 To become effective, proposals introduced between Congresses relating to this Convention and to its Final Protocol must obtain:

3.1 two thirds of the votes, at least one half of the member countries of the Union **which have the right to vote having taken part in the vote**, if they involve amendments;

3.2 a majority of the votes if they involve interpretation of the provisions.

4 Notwithstanding the provisions under 3.1, any member country whose national legislation is as yet incompatible with the proposed amendment may, within ninety days from the date of notification of the latter, make a written declaration to the Director General of the International Bureau stating that it is unable to accept the amendment.

### **Article 37**

#### **Reservations at Congress**

**1 Any reservation which is incompatible with the object and purpose of the Union shall not be permitted.**

**2 As a general rule, any member country whose views are not shared by other member countries shall endeavour, as far as possible, to conform to the opinion of the majority. Reservations should be made only in cases of absolute necessity, and proper reasons given.**

**3 Reservations to any article of the present Convention shall be submitted to Congress as a Congress proposal written in one of the working languages of the International Bureau and in accordance with the relevant provisions of the Rules of Procedure of Congresses.**

**4 To become effective, proposals concerning reservations must be approved by whatever majority is required for amendment of the article to which the reservation relates.**

**5 In principle, reservations shall be applied on a reciprocal basis between the reserving member country and the other member countries.**

**6 Reservations to the present Convention shall be inserted in the Final Protocol to the present Convention, on the basis of proposals approved by Congress.**

### **Article 38**

#### **Entry into force and duration of the Convention**

**1 This Convention shall come into force on 1 January 2006 and shall remain in operation until the entry into force of the Acts of the next Congress.**

In witness whereof the plenipotentiaries of the Governments of the member countries have signed this Convention in a single original which shall be deposited with the Director General of the International Bureau. A copy thereof shall be delivered to each party by the **International Bureau of the Universal Postal Union.**

Done at **Bucharest, 5 October 2004.**



## Final Protocol to the Universal Postal Convention

At the moment of proceeding to signature of the Universal Postal Convention concluded this day, the undersigned plenipotentiaries have agreed the following:

### Article I

Ownership of postal items. Withdrawal from the post. Alteration or correction of address

1 The provisions in article **5.1** and 2 shall not apply to Antigua and Barbuda, Bahrain, Barbados, Belize, Botswana, Brunei Darussalam, Canada, Hongkong, China, Dominica, Egypt, Fiji, Gambia, United Kingdom of Great Britain and Northern Ireland, Overseas Dependent Territories of the United Kingdom, Grenada, Guyana, Ireland, Jamaica, Kenya, Kiribati, Kuwait, Lesotho, Malawi, Malaysia, Mauritius, Nauru, New Zealand, Nigeria, Papua New Guinea, Saint Christopher and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Seychelles, Sierra Leone, Singapore, Solomon Islands, Swaziland, Tanzania (United Rep.), Trinidad and Tobago, Tuvalu, Uganda, Vanuatu and Zambia.

2 Nor shall article **5.1** and 2 apply to **Austria**, Denmark **and Iran (Islamic Rep.)**, whose internal legislation does not allow withdrawal from the Post or alteration of the address of correspondence, at the request of the sender, from the time when the addressee has been informed of the arrival of an item addressed to him.

3 Article **5.1** shall not apply to Australia, Ghana and Zimbabwe.

4 Article **5.2** shall not apply to Bahamas, Dem People's Rep. of Korea, Iraq and Myanmar, whose legislation does not permit withdrawal from the post or alteration of address of letter-post items at the sender's request.

**5 Article 5.2 shall not apply to the United States of America.**

6 Article **5.2** shall apply to Australia only in so far as that article is consistent with its domestic legislation.

7 Notwithstanding article **5.2**, **the Dem. Rep. of the Congo**, El Salvador, Panama (Rep.), Philippines and Venezuela shall be authorized not to return postal parcels after the addressee has requested their clearance by Customs, since this is incompatible with those countries' customs legislation.

Article II  
Charges

1 Notwithstanding article **6** the postal administrations of **Australia**, Canada and **New Zealand** shall be authorized to collect postal charges other than those provided for in the Regulations, when such charges are consistent with the legislation of **their countries**.

Article III  
Exception to the exemption of literature for the blind from postal charges

1 Notwithstanding article **7**, the postal administrations of **Indonesia**,<sup>2</sup> Saint Vincent and the Grenadines and Turkey, which do not concede exemption from postal charges to literature for the blind in their internal service, may collect the postage and charges for special services which may not, however, exceed those in their internal service.

2 Notwithstanding article **7**, the postal administrations of **Australia**,<sup>1</sup> Austria, Canada, Germany, United Kingdom of Great Britain and Northern Ireland, Japan, Switzerland and United States of America may collect the charges for special services which are applied to literature for the blind in their internal service.

Article IV  
Basic services

1 Notwithstanding the provisions of article **12**, Australia does not agree to the extension of basic services to include postal parcels.

**2 The provisions of article 12.2.4 shall not apply to Great Britain, whose national legislation requires a lower weight limit. Health and safety legislation in Great Britain limits the weight of mail bags to 20 kilogrammes.**

Article V  
Small packets

**1 Notwithstanding article 12 of the Convention, the postal administration of Afghanistan shall be authorized to limit the maximum weight of inward and outward small packets to one kilogramme.**

Article VI  
Advice of delivery

1 The postal administration of Canada shall be authorized not to apply article **13.4.3**, as regards parcels, given that it does not offer the advice of delivery service for parcels in its internal service.

Article VII  
International business reply service (**IBRS**)

**1 Notwithstanding article 13.4.1, the postal administration of Bulgaria (Rep.) shall provide the international business reply service after negotiations with the postal administration concerned.**

## Article VIII

## Prohibitions (letter post)

1 Exceptionally, the postal administrations of Dem. People's Rep. of Korea and Lebanon shall not accept registered items containing coins, bank notes, securities of any kind payable to bearer, travellers' cheques, platinum, gold or silver whether manufactured or not, precious stones, jewels or other valuable articles. They shall not be strictly bound by the provisions of the Letter Post Regulations with regard to their liability in cases of theft or damage, or where items containing articles made of glass or fragile articles are concerned.

2 Exceptionally, the postal administrations of Bolivia, China (People's Rep.), excluding Hong Kong Special Administrative Region, Iraq, Nepal, Pakistan, Saudi Arabia, Sudan and Viet Nam shall not accept registered items containing coins, bank notes, currency notes or securities of any kind payable to bearer, travellers' cheques, platinum, gold or silver whether manufactured or not, precious stones, jewels or other valuable articles.

3 The postal administration of Myanmar reserves the right not to accept insured items containing the valuable articles listed in article **15.5**, as this is contrary to its internal regulations.

4 The postal administration of Nepal does not accept registered items or insured items containing currency notes or coins, except by special agreement to that effect.

5 The postal administration of Uzbekistan does not accept registered or insured items containing coins, bank notes, cheques, postage stamps or foreign currency and shall accept no liability in cases of loss of or damage to such items.

6 The postal administration of Iran (Islamic Rep.) does not accept items containing articles contrary to the principles of the Islamic religion.

7 The postal administration of the Philippines reserves the right not to accept any kind of letter post (ordinary, registered or insured) containing coins, currency notes or securities of any kind payable to bearer, travellers' cheques, platinum, gold or silver, whether manufactured or not, precious stones or other valuable articles.

8 The postal administration of Australia does not accept postal items of any kind containing bullion or bank notes. In addition, it does not accept registered items for delivery in Australia, or items in transit à découvert, containing valuables such as jewellery, precious metals, precious or semi-precious stones, securities, coins or any form of negotiable financial instrument. It declines all liability for items posted which are not in compliance with this reservation.

9 The postal administration of China (People's Rep.), excluding Hong Kong Special Administrative Region, shall not accept insured items containing coins, bank notes, currency notes or securities of any kind payable to bearer and travellers' cheques in accordance with its internal regulations.

10 The postal administrations of Latvia and Mongolia reserve the right not to accept, in accordance with their national legislation, ordinary, registered or insured mail containing coins, bank notes, securities payable to bearer and travellers' cheques.

11 The postal administration of Brazil reserves the right not to accept ordinary, registered or insured mail containing coins, bank notes in circulation or securities of any kind payable to bearer.

12 The postal administration of Viet Nam reserves the right not to accept letters containing articles or goods.

Article IX

Prohibitions (postal parcels)

1 The **postal** administrations of Myanmar and Zambia shall be authorized not to accept insured parcels containing the valuable articles covered in article **15.6.1.3.1**, since this is contrary to their internal regulations.

2 Exceptionally, the postal administrations of Lebanon and Sudan shall not accept parcels containing coins, currency notes or securities of any kind payable to bearer, travellers' cheques, platinum, gold or silver whether manufactured or not, precious stones or other valuable articles, or containing liquids or easily liquefiable elements or articles made of glass or similar or fragile articles. They shall not be bound by the relevant provisions of the Parcel Post Regulations.

3 The postal administration of Brazil shall be authorized not to accept insured parcels containing coins and currency notes in circulation, as well as any securities payable to bearer, since this is contrary to its internal regulations.

4 The postal administration of Ghana shall be authorized not to accept insured parcels containing coins and currency notes in circulation, since this is contrary to its internal regulations.

5 In addition to the articles listed in article **15**, the postal administration of Saudi Arabia shall be authorized not to accept parcels containing coins, currency notes or securities of any kind payable to bearer, travellers' cheques, platinum, gold or silver, whether manufactured or not, precious stones or other valuable articles. Nor does it accept parcels containing medicines of any kind unless they are accompanied by a medical prescription issued by a competent official authority, products designed for extinguishing fires, chemical liquids or articles contrary to the principles of the Islamic religion.

6 In addition to the articles referred to in article **15**, the postal administration of Oman does not accept items containing:

6.1 medicines of any sort unless they are accompanied by a medical prescription issued by a competent official authority;

6.2 fire-extinguishing products or chemical liquids;

6.3 articles contrary to the principles of the Islamic religion.

7 In addition to the articles listed in article **15**, the postal administration of Iran (Islamic Rep.) shall be authorized not to accept parcels containing articles contrary to the principles of the Islamic religion.

8 The postal administration of the Philippines shall be authorized not to accept any kind of parcel containing coins, currency notes or securities of any kind payable to bearer, travellers' cheques, platinum, gold or silver whether manufactured or not, precious stones or other valuable articles, or containing liquids or easily liquefiable elements or articles made of glass or similar or fragile articles.

9 The postal administration of Australia does not accept postal items of any kind containing bullion or bank notes.

10 The postal administration of China (People's Rep.) shall not accept ordinary parcels containing coins, currency notes or securities of any kind payable to bearer, travellers' cheques, platinum, gold or silver, whether manufactured or not, precious stones or other valuable articles. Furthermore, with the exception of the Hong Kong Special Administrative Region, insured parcels containing coins, currency notes or securities of any kind payable to bearer and travellers' cheques shall not be accepted.

11 The postal administration of Mongolia reserves the right not to accept, in accordance with its national legislation, parcels containing coins, bank notes, securities payable to bearer and travellers' cheques.

12 The postal administration of Latvia does not accept ordinary and insured parcels containing coins, bank notes, securities (cheques) of any kind payable to bearer or foreign currency, and shall accept no liability in cases of loss of or damage to such items.

#### Article X

##### Articles subject to customs duty

1 With reference to article **15**, the postal administrations of Bangladesh and El Salvador do not accept insured items containing articles subject to customs duty.

2 With reference to article **15**, the postal administrations of Afghanistan, Albania, Azerbaijan, Belarus, Cambodia, Chile, Colombia, Cuba, Dem People's Rep. of Korea, El Salvador, Estonia, Italy, Latvia, Nepal, Peru, San Marino, Turkmenistan, Ukraine, Uzbekistan and Venezuela do not accept ordinary and registered letters containing articles subject to customs duty.

3 With reference to article **15**, the postal administrations of Benin, Burkina Faso, Côte d'Ivoire (Rep.), Djibouti, Mali **and** Mauritania do not accept ordinary letters containing articles subject to customs duty.

4 Notwithstanding the provisions set out under 1 to 3, the sending of serums, vaccines and urgently required medicaments which are difficult to procure shall be permitted in all cases.

#### Article XI

##### Inquiries

1 Notwithstanding article **17.3**, the postal administrations of **Bulgaria (Rep.)**, Cape Verde, Chad, Dem. People's Rep. of Korea, Egypt, Gabon, Overseas Dependent Territories of the United Kingdom, Greece, Iran (Islamic Rep.), **Kyrgyzstan**, Mongolia, Myanmar, Philippines, Saudi Arabia, Sudan, Syrian Arab Rep., **Turkmenistan**, Ukraine, **Uzbekistan** and Zambia reserve the right to collect from customers charges on inquiries lodged in respect of letter-post items.

2 Notwithstanding article **17.3**, the postal administrations of Argentina, Austria, **Azerbaijan**, Czech Rep. and Slovakia reserve the right to collect a special charge when, on completion of the investigation conducted in response to the inquiry, it emerges that the latter was unjustified.

3 The postal administrations of Afghanistan, **Bulgaria (Rep.)**, Cape Verde, Congo (Rep.), Egypt, Gabon, Iran (Islamic Rep.), **Kyrgyzstan**, Mongolia, Myanmar, Saudi Arabia, Sudan, Suriname, Syrian Arab Rep., **Turkmenistan**, Ukraine, **Uzbekistan** and Zambia reserve the right to collect an inquiry charge from customers in respect of parcels.

**4 Notwithstanding article 17.3, the postal administrations of Brazil, Panama (Rep.) and the United States of America reserve the right to collect a charge from customers for inquiries lodged in respect of letter-post items and parcels posted in countries which apply that type of charge in accordance with paragraphs 1 to 3 of this article.**

## Article XII

### Presentation-to-Customs charge

1 The postal administration of Gabon reserves the right to collect a presentation-to-Customs charge from customers.

2 The postal administrations of Congo (Rep.) and Zambia reserve the right to collect a presentation-to-Customs charge from customers in respect of parcels.

## Article XIII

### Posting abroad of letter-post items

1 The postal administrations of **Australia, Austria**, United Kingdom of Great Britain and Northern Ireland, Greece, **New Zealand** and United States of America reserve the right to impose a charge, equivalent to the cost of the work it incurs, on any administration which, under the provisions of article **27.4**, sends to it items for disposal which were not originally dispatched as postal items by their services.

2 Notwithstanding article **27.4**, the postal administration of Canada reserves the right to collect from the administration of origin such amount as will ensure recovery of not less than the costs incurred by it in the handling of such items.

3 Article **27.4** allows the postal administration of destination to claim, from the administration of posting, appropriate remuneration for delivering letter-post items posted abroad in large quantities. **Australia and** the United Kingdom of Great Britain and Northern Ireland **reserve** the right to limit any such payment to the appropriate domestic tariff for equivalent items in the country of destination.

4 Article **27.4** allows the postal administration of destination to claim, from the administration of posting, appropriate remuneration for delivering letter-post items posted abroad in large quantities. The following countries reserve the right to limit any such payment to the limits authorized in the Regulations for bulk mail: Bahamas, Barbados, Brunei Darussalam, China (People's Rep.), United Kingdom of Great Britain and Northern Ireland, Overseas Dependent Territories of the United Kingdom, Grenada, Guyana, India, Malaysia, Nepal, Netherlands, Netherlands Antilles and Aruba, New Zealand, Saint Lucia, Saint Vincent and the Grenadines, Singapore, Sri Lanka, Suriname, Thailand and United States of America.

5 Notwithstanding the reservations under 4, the following countries reserve the right to apply in full the provisions of article **27** of the Convention to mail received from Union member countries: Argentina, **Austria**, Benin, Brazil, Burkina Faso, Cameroon, Côte d'Ivoire (Rep.), Cyprus, **Denmark**, Egypt, France, Germany, Greece, Guinea, Israel, Italy, Japan, Jordan, Lebanon, **Luxembourg**, Mali, Mauritania, Monaco, Morocco, **Norway**, Portugal, Saudi Arabia, Senegal, Syrian Arab Rep. and Togo.

6 In application of article **27.4** the postal administration of Germany reserves the right to request the postal administration of the mailing country to grant compensation of the amount it would receive from the postal administration of the country of which the sender is resident.

**7 Notwithstanding the reservations made under article XIII, China (People's Rep.) reserves the right to limit any payment for delivering letter-post items posted abroad in large quantities to the limits authorized in the UPU Convention and Letter Post Regulations for bulk mail.**

Article **XIV**

Exceptional inward land rates

1 Notwithstanding article **34**, the postal administration of Afghanistan reserves the right to collect an additional exceptional inward land rate of 7.50 SDR per parcel.

Article **XV**

Special tariffs

1 The postal administrations of Belgium, Norway and United States of America may collect higher land rates for air parcels than for surface parcels.

2 The postal administration of Lebanon shall be authorized to collect for parcels up to 1 kilogramme the charge applicable to parcels over 1 and up to 3 kilogrammes.

3 The postal administration of Panama (Rep.) shall be authorized to collect 0.20 SDR per kilogramme for surface airlifted (S.A.L.) parcels in transit.

In witness whereof, the plenipotentiaries below have drawn up this Protocol which shall have the same force and the same validity as if its provisions were inserted in the text of the Convention itself, and they have signed it in a single original which shall be deposited with the Director General of the International Bureau. A copy thereof shall be delivered to each party by the **International Bureau of the Universal Postal Union**.

Done at **Bucharest, 5 October 2004**



Postal Payment Services Agreement

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# Postal Payment Services Agreement

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# Postal Payment Services Agreement

The undersigned, plenipotentiaries of the Governments of the member countries of the Union, having regard to article 22.4, of the Constitution of the Universal Postal Union concluded at Vienna on 10 July 1964, have, by common consent and subject to article 25.4, of the Constitution, drawn up the following Agreement.

## Chapter I

### Preliminary provisions

#### Article 1

Purpose of the Agreement and products concerned

1 This Agreement shall govern all the postal services for the transfer of funds. The contracting countries shall mutually agree on the products in the present Agreement which they intend to introduce in their reciprocal relations.

2 Non-postal organizations may participate, through the postal administration, the giro service or an organization operating a postal funds transfer network, in the exchanges governed by the provisions of this Agreement. Such organizations shall come to an agreement with the postal administration of their country to ensure full implementation of all clauses of the Agreement and under such agreement shall exercise rights and perform duties as postal administrations defined by this Agreement. The postal administration shall act as their intermediary in their relations with the postal administrations of the other contracting countries and with the International Bureau. Should a postal administration not provide financial services as described in this Agreement, or should the quality of service not match customer requirements, postal administrations may cooperate with non-postal organizations in that particular country.

**3 Member countries shall provide the International Bureau, within six months following the end of the Congress, with the name and address of the governmental body responsible for supervising the postal financial services and the name and address of the operator or operators officially designated to operate the postal financial services and to fulfil the obligations arising out of the Acts of the Union on their territory.**

**3.1 Member countries shall provide the International Bureau, within six months following the end of the Congress, with the contact details of the persons responsible for the operation of the postal financial services and the inquiry service.**

**3.2 Between Congresses, changes in the governmental bodies and the officially designated operators and persons responsible should be notified to the International Bureau as soon as possible.**

4 The following postal payment products are regulated in the present Agreement:

4.1 postal money orders including cash-on-delivery (COD) money orders;

4.2 transfers between accounts.

5 Other services can be provided on the basis of bilateral or multilateral agreements between or among the postal administrations concerned.

## Chapter II

### Postal money orders

#### Article 2

##### Definition of the product

1 Ordinary money order

1.1 The ordering customer hands over funds at a post office counter or orders his account to be debited and requests outpayment of the full amount without any deduction to the payee in cash.

2 Inpayment money order

2.1 The ordering customer hands over funds at a post office counter and requests that they be paid without any deduction into the payee's account operated by a postal administration or to an account operated by other financial organizations.

3 Cash-on-delivery money order

3.1 The receiver of a "cash-on-delivery item" hands over funds or orders his account to be debited and requests outpayment of the full amount without any deduction to the sender of the "cash-on-delivery item".

#### Article 3

##### Depositing of orders

1 In the absence of a special agreement, the amount of the postal money order shall be expressed in the currency of the destination country.

2 The issuing postal administration shall fix the conversion rate of its currency into that of the destination country.

3 The maximum amount of the postal money order shall be fixed bilaterally.

4 The issuing postal administration shall be entirely free to specify the documents and methods for depositing the postal money order. If the money order is to be transferred by mail, only the forms provided for in the Regulations shall be used.

Article 4  
Charges

1 The issuing postal administration shall freely decide the charges to be collected at the time of issue.

2 Postal money orders exchanged between a contracting country and a non-contracting country, through the intermediary of a country party to this Agreement, may be subjected by the intermediary postal administration to an additional charge determined by the latter on the basis of the costs generated by the operations it carries out; the amount of this charge shall be agreed upon between the postal administrations concerned and deducted from the amount of the postal money order. However, this charge may be collected from the sender and allocated to the postal administration of the intermediary country if the postal administrations concerned have so agreed.

3 Documents, instruments and payment orders pertaining to transfers of postal funds exchanged between postal administrations by post under the terms of articles RL 110 and 111 shall be exempt from all charges.

Article 5  
Obligations of the issuing postal administration

1 The issuing postal administration shall meet the service standards stipulated in the Regulations in order to provide satisfactory services to the customers.

Article 6  
Transmission of orders

1 Money order exchanges shall be carried out by means of the electronic networks provided for by the International Bureau of the UPU or by other organizations.

2 Electronic exchanges shall be carried out by dispatch sent directly to the paying office or to an office of exchange. The security and the quality of the exchanges must be guaranteed, either by the technical specifications relative to the networks used, or by bilateral agreement between the postal administrations.

3 Postal administrations may agree to exchange money orders by means of paper-based forms, provided for in the Regulations, and sent by priority mail.

4 Postal administrations may agree to use other means of exchange.

Article 7  
Treatment in the destination country

1 Postal money orders shall be paid according to the regulations of the destination country.

2 As a general rule, the whole amount of the postal money order shall be paid to the payee; optional charges may be collected if the latter requests supplementary special services.

3 The validity of electronic postal money orders shall be fixed according to bilateral agreements.

4 The validity of paper-based postal money orders shall extend, as a general rule, until the end of the first month following the month of issue.

5 After the period specified above, an unpaid postal money order shall be sent back immediately to the issuing postal administration.

#### Article 8

##### Remuneration of the paying postal administration

1 For each postal money order paid, the issuing postal administration shall allocate to the paying postal administration a remuneration, the rate of which shall be fixed in the Regulations.

2 Instead of the flat rate set out in the Regulations, postal administrations may agree on different remuneration rates.

3 Transfers of funds made free of charge shall give rise to no remuneration.

4 When the postal administrations concerned agree, transfers of aid funds exempted from charges by the issuing postal administration may be exempted from remuneration.

#### Article 9

##### Obligations of the paying postal administration

1 The paying postal administration shall meet the service standards stipulated in the Regulations in order to provide satisfactory services to the customers.

### Chapter III

#### Postal transfers

##### Article 10

###### Definition of the product

1 The holder of a postal account asks for an amount to be debited from his account and credited to the payee's account operated by the postal administration or to another account through the postal administration of the destination country.

##### Article 11

###### Depositing of orders

1 The amount of the transfer shall be expressed in the currency of the destination country or in any other currency according to agreement between issuing and receiving postal administrations.

2 The issuing postal administration shall fix the conversion rate of its currency into the one of that expressed in the transfer.

3 The amount of the transfers shall be unlimited, unless the postal administrations concerned decide otherwise.

4 The issuing postal administration shall be entirely free to specify the documents and methods for the issuing of transfers.

#### Article 12 Charges

1 The issuing postal administration shall freely decide the charge to be collected at the time of issue. To this principal charge, it shall add any charges pertaining to special services rendered to the sender.

2 Transfers of funds exchanged between a contracting party and a non-contracting party, through the intermediary of a country party to this Agreement, may be subjected by the intermediary administration to an additional amount. The amount of this charge shall be agreed between the administrations concerned and deducted from the amount of the transfer. However, this charge may be collected from the sender and allocated to the administration of the intermediary country if the postal administrations concerned have so agreed.

3 Documents, instruments and payment orders pertaining to postal fund transfers exchanged between postal administrations by mail under the terms of articles RL 110 and 111 shall be exempt from all charges.

#### Article 13 Obligations of the issuing postal administration

1 The issuing postal administration shall meet service standards stipulated in the Regulations in order to provide satisfactory services to the customers.

#### Article 14 Transmission of orders

1 Transfers shall be carried out by means of the electronic networks provided for either by the International Bureau of the UPU or by other organizations, on the basis of technical specifications adopted by the administrations concerned.

2 The security and the quality of the exchanges must be guaranteed, either by the technical specifications relative to the networks used, or by bilateral agreement between the issuing and paying postal administrations.

3 Postal administrations may agree to exchange transfers by means of paper-based forms, provided for in the Regulations, and sent by priority mail.

4 Postal administrations may agree to use other means of exchange.

#### Article 15 Treatment in the destination country

1 Incoming transfers shall be treated according to the regulations of the destination country.

2 As a general rule, the fees in the destination country shall be paid for by the beneficiary; however, this charge could be collected from the sender and allocated to the postal administration of the destination country, according to bilateral agreement.

## Article 16

### Remuneration of the paying postal administration

1 For each transfer, the paying postal administration may request payment of an arrival charge. This charge may either be debited to the payee's account or taken care of by the issuing postal administration by debiting its liaison account.

2 Transfers of funds made free of charge shall give rise to no remuneration.

3 When the postal administrations concerned agree, transfers of aid funds exempted from charges by the issuing postal administration may be exempted from remuneration.

## Article 17

### Obligations of the paying postal administration

1 The paying postal administration shall meet the service standards stipulated in the Regulations in order to provide satisfactory services to the customers.

## Chapter IV

### Liaison accounts, monthly accounts, inquiries, liability

## Article 18

### Financial relations between participating postal administrations

1 Postal administrations shall agree with one another on the technical methods to be used for settling their debts.

#### 2 Liaison accounts

2.1 **As a general rule**, where postal administrations have a giro institution, each shall cause to be opened in its name with the corresponding administration a liaison account, by means of which shall be settled mutual debts and claims resulting from exchanges made through the transfer and money order services and any other operations that the postal administrations may agree to settle by this means.

2.2 Where the postal administration of the destination **country** does not have a giro system, the liaison account may be opened with another administration.

2.3 Postal administrations may agree to settle their financial exchanges through designated administrations by multilateral agreement.

2.4 If the liaison account is overdrawn, interest, the rate of which is set in the Regulations, shall be payable on the amounts owing.

2.5 Interest yield on the outstanding balance of the liaison account shall be permitted.

#### 3 Monthly accounts

3.1 In the absence of a liaison account, each paying postal administration shall prepare for each issuing postal administration a monthly account showing the sums paid for money orders. The monthly accounts shall be incorporated, periodically, in a general offset account giving rise to the determination of a balance.

3.2 The settlement of accounts may also be made on the basis of monthly accounts, without offsetting.

4 No unilateral measure, such as a moratorium, prohibition of transfer, etc., may impinge upon the provisions of this article and those of the Regulations stemming therefrom.

#### Article 19 Inquiries

1 Inquiries shall be entertained within a period of six months from the day after that on which the postal money order was posted or the transfer was executed.

2 Postal administrations shall have the right to collect from customers charges on inquiries in regard to postal money orders or transfers.

#### Article 20 Liability

1 Principle and extent of liability

1.1 The postal administration shall be liable for the sums paid in at the counter or debited against the payer's account until such time as the money order has been duly paid or the payee's account has been credited.

1.2 The postal administration shall be liable for erroneous information supplied by it which has caused either non-payment or errors in execution of the transfer of funds. Liability shall extend to errors of conversion and transmission errors.

1.3 The postal administration shall be relieved of all liability:

1.3.1 for delays that may occur in the transmission, dispatch and payment of instruments and orders;

1.3.2 when, owing to the destruction of official records by a force majeure, they cannot account for the execution of a transfer of funds, unless proof of their liability is otherwise produced;

1.3.3 when the payer has made no claim within the period prescribed in article 19;

1.3.4 when the prescription period for money orders in the issuing country has expired.

1.4 In the case of a refund, regardless of the reason for it, the amount refunded to the sender may not exceed the amount that he paid in or that was debited from his account.

1.5 Postal administrations may also agree among themselves to apply broader conditions of liability suited to the requirements of their internal services.

1.6 The conditions for applying the principle of liability and, in particular, questions of the determination of liability, refund of amounts owing, recourse, time allowed for payment and reimbursement to the administration that paid the indemnity shall be those laid down in the Regulations.

## Chapter V

### Electronic networks

#### Article 21 General rules

1 For the transmission of payments by electronic means, postal administrations shall use the UPU network or any other network which permits fast, reliable and secure transfers.

2 UPU electronic financial services shall be regulated between postal administrations on the basis of bilateral agreements. The general operating rules for UPU electronic financial services shall be subject to the appropriate provisions of the Acts of the Union.

## Chapter VI

### Miscellaneous provisions

#### Article 22 Application to open a giro account abroad

**1 When a giro account or another account is opened abroad, or a financial product is applied for abroad, the postal organizations of the countries party to this Agreement shall agree to provide assistance in the application of those products.**

**2 The parties may agree bilaterally on the assistance they can provide to each other in the detailed procedure for application, and on the charges for providing such assistance.**

## Chapter VII

### Final provisions

#### Article 23 Final provisions

1 The Convention shall be applicable, where appropriate, by analogy, in all cases not expressly governed by this Agreement.

2 Article 4 of the Constitution shall not apply to this Agreement.

3 Conditions for approval of proposals concerning this Agreement **and the Regulations.**

3.1 To become effective, proposals submitted to Congress relating to this Agreement must be approved by a majority of the member countries present **and voting** which are parties to the Agreement **and have the right to vote.** At least half of these

- member countries represented at Congress **and having the right to vote** must be present at the time of voting.
- 3.2 To become effective, proposals relating to the Regulations of this Agreement shall be approved by a majority of the members of the Postal Operations Council which are parties to the Agreement **and have the right to vote**.
- 3.3 To become effective, proposals introduced between two Congresses relating to this Agreement must obtain:
- 3.3.1 two thirds of the votes, at least one half of the member countries **which are parties** to the Agreement **and have the right to vote** having **taken part in the vote**, if they involve the addition of new provisions;
- 3.3.2 a majority of the votes, at least one half of the member countries **which are parties** to the Agreement **and have the right to vote** having **taken part in the vote**, if they involve amendments to provisions of this Agreement;
- 3.3.3 a majority of the votes, if they involve interpretation of the provisions of this Agreement.
- 3.4 Notwithstanding the provisions under 3.3.1, any member country whose national legislation is as yet incompatible with the proposed addition may, within 90 days from the date of notification of the latter, make a written declaration to the Director General of the International Bureau stating that it is unable to accept the addition.
- 4 This Agreement shall come into force on **1 January 2006** and shall remain in operation until the entry into force of the Acts of the next Congress.

In witness whereof, the plenipotentiaries of the governments of the contracting countries have signed this Agreement in a single original which shall be deposited with the Director General of the International Bureau. A copy thereof shall be delivered to each party by the **International Bureau of the Universal Postal Union**.

Done at **Bucharest** on **5 October 2004**.

*See signatures below.*



























































Decisions of the 2004 Bucharest Congress  
other than those amending the Acts (resolutions,  
decisions, recommendations, formal opinions, etc.)

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## Classification key

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- 1 General affairs of the Union
  - 1.1 Member countries
  - 1.2 Political questions
  - 1.3 Miscellaneous
- 

- 2 Acts of the Union
  - 2.1 General
  - 2.2 Constitution
  - 2.3 General Regulations
  - 2.4 Convention
  - 2.4.1 Questions common to the various international postal services
  - 2.4.2 Letter post and postal parcels
  - 2.4.3 Remuneration
  - 2.5 Postal financial services
- 

- 3 Union bodies
  - 3.1 General
  - 3.2 Congress
  - 3.3 Council of Administration (CA)
  - 3.4 Postal Operations Council (POC)
  - 3.5 Consultative Committee (CC)
  - 3.6 International Bureau
  - 3.6.1 Staff
  - 3.6.2 Documents and publications
  - 3.6.3 Building
- 

- 4 Finance
- 

- 5 Technical cooperation
  - 5.1 General
  - 5.2 United Nations Development Programme (UNDP)
  - 5.3 UPU Special Fund
-

- 
- 6 External relations
  - 6.1 Restricted Unions
  - 6.2 United Nations (UN)
  - 6.3 UN specialized agencies
  - 6.4 Other organizations
  - 6.5 Public information
-

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### **Decision C 1/2004**

#### **Admission of the media to the 23rd UPU Congress**

Congress,

*Decides*

to allow the media to be present at the meetings of the 23rd UPU Congress in the capacity of listeners without the right to speak or to vote. The Chairman of Congress and the Chairman of each Committee would have the freedom to exclude the media if that proved necessary for the confidentiality of some meetings.

(Proposal 04, 1st plenary meeting)

### **Decision C 2/2004**

#### **Designation of member countries prepared to assume the vice-chairmanships of Congress and the chairmanships and vice-chairmanships of the Committees and/or to sit on the Restricted Committees**

Congress,

*Decides*

to approve the list of member countries designated by the CA as prepared to assume the vice-chairmanships of Congress and the chairmanships and vice-chairmanships of the Committees and/or to sit on the Restricted Committees as follows:

- a Vice-chairmanships of Congress:
- Barbados;
  - Nigeria;
  - Spain;
  - Ukraine.

Decisions other than those amending the Acts

b Chairmanship and vice-chairmanships of the Committees of Congress:

	<i>Chairman</i>	<i>Vice-Chairmen</i>
C 1 (Credentials)	Morocco	Philippines Senegal
C 2 (Finance)	Hungary (Rep.)	Germany Russian Federation
C 3 (General Matters and Structure of the Union)	Brazil	Estonia Great Britain
C 4 (Convention: Economic and Regulatory Issues)	United States of America	New Zealand United Arab Emirates
C 5 (Postal Financial Services)	Japan	Tunisia Viet Nam
C 6 (Quality of Service)	Australia	Finland Thailand Zambia
C 7 (Markets and Products)	Italy	Singapore South Africa
C 8 (Development Cooperation)	Burkina Faso	Costa Rica India Netherlands
C 9 (Drafting)	Switzerland	Belgium Côte d'Ivoire (Rep.)

c Committee 1 – Credentials:

Chairman: Morocco

Vice-Chairmen: Philippines, Senegal

Members: Armenia, Austria, China (People's Rep.), Cuba, Czech Rep., Lithuania, Norway and Qatar.

d Committee 9 – Drafting:

Chairman: Switzerland

Vice-Chairmen: Belgium, Côte d'Ivoire (Rep.)

Members: Benin, Canada, Chad, Dem. Rep. of the Congo, France, Luxembourg, Niger, Portugal, Syria and USA.

(Proposal 022, 1st plenary meeting)

## **Resolution C 3/2004**

### **Participation of Advisory Group members**

Congress,

Recalling  
that the Advisory Group duly constituted in pursuance of Beijing Congress resolution C 105/1999 has met regularly at the same time as the Council of Administration and Postal Operations Council plenaries since 2000,

Aware  
that the non-governmental members of the Advisory Group have regularly participated in the Plenary and Committee meetings of the Council of Administration and the Postal Operations Council pursuant to resolutions CA 13/2001 and CEP 4/2002,

Noting  
that the Advisory Group will be replaced by the Consultative Committee immediately on its creation by this Congress,

In view  
of the fact that the non-governmental members of the Advisory Group will automatically become members of the Consultative Committee,

Recalling  
that the Council of Administration wished to ensure that the non-governmental members of the Advisory Group are able to participate as observers in the meetings of this Congress,

Bearing in mind  
the need to ensure that their participation is facilitated from the very beginning of this Congress,

Noting  
that the Director General of the International Bureau has already sent invitations to the non-governmental members of the Advisory Group to attend this Congress, pursuant to the instructions of the Council of Administration,

*Decides*

to invite the non-governmental members of the Advisory Group to participate in this Congress as observers until such time as the proposals on the creation of the Consultative Committee and the admission of observers are adopted and they become eligible to attend the meetings of this Congress and its Committees in their own right, in accordance with the decisions of this Congress.

(Proposal 057, 1st plenary meeting)

**Resolution C 4/2004**

**Participation of Advisory Group members in the 23rd Congress**

Congress,

Recalling

that the Beijing Congress authorized the Council of Administration to create an Advisory Group that would increase the participation of interested parties in the Union's work (C 105/1999),

Considering

that the Advisory Group was duly constituted and has met on numerous occasions in furtherance of the role foreseen for it by the Beijing Congress,

Having approved

changes in the General Regulations regarding the creation of a new Consultative Committee, as proposed by the High Level Group on the Future Development of the Universal Postal Union and endorsed by the Council of Administration, and noting that this Consultative Committee is intended to replace the current Advisory Group,

Noting

that the Consultative Committee will replace the present Advisory Group as soon as it is created,

Bearing in mind

the composition and functions of the Consultative Committee adopted by Congress,

Noting further

that the Council of Administration has approved Rules of Procedure for the Consultative Committee and that under these rules non-governmental members of the Advisory Group will automatically become members of the new Consultative Committee,

Being of the opinion

that the Consultative Committee must become immediately operational and may wish to meet before Congress closes,

Wishing

to ensure that non-governmental members of the Advisory Group are able to participate as observers in meetings of this Congress that are open to all Union member countries, without voting rights,

*Decides*

- that the provisions of the General Regulations concerning the Consultative Committee shall come into effect immediately,
- that the non-governmental members of the Advisory Group shall be regarded as members of the new Consultative Committee for the purpose of this Congress.

(Proposal 03, Committee 3, 1st meeting)

## **Resolution C 5/2004**

### **Retirement pensions of elected officials**

Congress,

In view of resolution C 52/1979 of the Rio de Janeiro Congress concerning the retirement pensions of elected officials,

Recognizing the High Level Group recommendation to reduce the term of office of the Director General and Deputy Director General from five to four years,

Aware of the social security problems resulting there from for these two senior officials on the expiration of their term of office,

Bearing in mind the fact that the International Bureau Staff Regulations and Rules do not apply to them and that their conditions of service are regulated separately, as the United Nations common system covers only the grades up to D 2 (Director),

*Decides, with effect from 1 January 2005,*

to guarantee those elected officials (Director General and Deputy Director General) who have not completed four years' service at the International Bureau at the beginning of their term of office a retirement pension of 16 percent of the final average remuneration after four years' service at the International Bureau, increased by two percent for each additional year of service, this pension to serve also as the basis for calculating survivors' pensions. The difference between the amount of the pension actually paid to the elected officials and that of the pension to which they would be entitled under the Regulations of the UPU Provident Scheme shall be chargeable to the Union's budget.

(Proposal 067, Committee 3, 1st meeting)

## **Decision C 6/2004**

### **Measures for limiting the negative effects of the system of automatic sanctions on the satisfactory functioning of Congress**

Congress,

Recalling that the Beijing Congress introduced a system of automatic sanctions against member countries with arrears of mandatory contributions to the Union and created article 126<sup>1</sup> in the General Regulations,

Acknowledging the need to amend the provisions in the Acts of the Union relating to the quorum and the majority required to accommodate the system of automatic sanctions accordingly,

<sup>1</sup> Article 129 of the General Regulations adopted by the 2004 Bucharest Congress.

Having approved amendments to article 133 of the General Regulations concerning the quorum and the majority requirements to be linked to automatic sanctions,

*Decides*

that these amended provisions shall come into effect immediately in order to facilitate the smooth functioning of Congress.

(Proposal 071, Committee 3, 1st meeting)

### **Resolution C 7/2004**

#### **Universal Postal Union policy and action on postal reform and development for 2005–2008**

Congress,

Having examined the report on postal reform and development, containing a review of the activities carried out in this area by the International Bureau and the Postal Development Action Group during the 2000–2004 period (Congrès–Doc 39),

Aware that one of the aims of postal reform is to convert public Posts into competitive businesses able to provide quality services to all customers at reasonable prices,

Also aware that reform should ideally take account of the need to put in place, within public Posts, a business structure that meets the criteria of efficiency and profitability without abandoning the public service mission,

Noting that the success of reform often depends on the availability of outside resources, not always within reach of the postal sector, and on governments' willingness to make reform a national priority,

Also noting that there are good examples of governments, public Posts and multilateral investors working together to develop postal services and that postal reform represents a sound investment for all economic players,

Having observed that, in order to secure access to multilateral investors, a potential source of capital resources, public Posts must adopt a sound business plan if they are to receive their governments' approval and support beforehand,

Bearing in mind the objectives and strategies established by the Bucharest World Postal Strategy,

*Endorses*

the results of the work done by the International Bureau and the Postal Development Action Group since the Beijing Congress, based on efforts to increase financing and the resources assigned to postal reform and development by multilateral lending institutions, as set out in Congrès–Doc 39,

*Urges*

the various bodies of the Union to consider regulatory and structural reform of the postal sector as a priority area for 2005–2008,

*Approves*

the strategic framework of the reference work plan intended for the structure to be created by the Council of Administration and the Postal Operations Council elected by the Bucharest Congress, in order for that structure, in conjunction with the International Bureau, and involving the Regional Advisers in its efforts, to execute its mandate, which is to endeavour to make all the parties involved – governments, postal administrations, Restricted Unions and multilateral investors – more aware of the following key issues:

- the importance of governments giving the postal sector the necessary priority in national development plans so that it can contribute effectively to the economic development of countries;
- the need for international lenders to increase their support for the postal sector in view of the essential role it is able to play in the economic development of countries;
- the need for public Posts to transform themselves into viable, active businesses able to compete in the communications market and provide the universal postal service to the entire population throughout the territory;
- the importance of the Restricted Unions providing their members with the necessary support to implement postal reform projects,

*Instructs*

the Council of Administration, the Postal Operations Council and the International Bureau, each within its own area of responsibility, to ensure that appropriate measures are taken to implement this work plan, in accordance with the Bucharest World Postal Strategy.

(Congrès–Doc 39 and proposal 01.Rev 1, Committee 8, 1st meeting)

**Resolution C 8/2004**

**Quality of Service Fund**

Congress,

Having examined  
the report submitted by the Postal Operations Council on the progress of the Quality of Service Fund (Congrès–Doc 40),

Noting

that in three years of actual activity, the QSF has already launched more than 170 projects which have had a real impact on the quality of the mail service in numerous postal administrations,

Noting as well

that, through the volume of financial resources released, the Fund has become a vital component in the Union's development cooperation system and that the resources at its disposal have made it possible to substantially reinforce concrete improvements in the quality of the services provided by the international postal network,

Considering

that the Fund's innovative structures and operating rules, approved by the POC in 2001, have enabled the Board of Trustees, with the International Bureau's support and in conjunction with the Restricted Unions, to effectively manage the resources collected and have triggered extremely promising regional cooperation, as is demonstrated by the regional projects,

Aware

that, as the termination date for the QSF project was originally set for the end of 2008, any conclusions which may be drawn at this time must necessarily be provisional and require consolidation,

Also aware

that the method of calculating contributions, which is so constructed that the QSF revenue of a developing country (DC) which depends solely on the mail flows received from industrialized countries (ICs), is not adequately addressing the service quality investment costs of the least developed countries (LDCs) and certain countries in a special position,

Bearing in mind

the need to rationalize and expedite the use of all the resources available and the on-going concern about ensuring the overall coherence of the Union's activities, more specifically in the area of development of service quality for international mail,

Considering

that the efforts made by the Board of Trustees and the Postal Operations Council to optimize and simplify the Fund's rules must be continued, as must the efforts of the International Bureau to coordinate the formulation, monitoring and evaluation of QSF projects, and actions to improve the quality of postal services,

Also considering

that extending the Trust's duration and guaranteeing the funding for its activities for 2006 to 2009 would be fully consonant with Objective II of the Bucharest World Postal Strategy (BWPS) (Improve quality and raise the level of efficiency of the international postal network) and would substantially boost the financial resources allocated to this objective,

Considering

that, depending on the decisions taken on terminal dues and supposing that international mail flows remain stable, it would be desirable for the level of annual financing attained by the Fund between 2001 and 2004 to be preserved, as far as possible, for 2006 to 2009,

*Decides*

- i that QSF work on improving the quality of the universal service in the developing countries will be continued over the period 2006–2009;
- ii that the date for dissolving the Trust, which is currently set at 31 December 2008, should therefore be postponed until 31 December 2012;
- iii that the Fund's objectives and the responsibilities of the Board of Trustees, as the Trust management body reporting to the POC, which are described in the QSF Deed of Trust will remain the same for the period 2006–2009,

*Instructs*

the Postal Operations Council to study at its 2005 session, on the basis of the recommendations that will be made to it by the Board of Trustees, an updated version of the Deed of Trust, the Project Management Manual and the Financial Management Manual and, as appropriate, to approve these documents keeping the following requirements in mind:

- take account of the Congress decisions, in particular concerning the lists of QSF settlor and beneficiary countries, as well as the level and method of calculating QSF contributions;
- enable the least developed countries (LDCs) and those in a special situation to receive QSF payments that better reflect the costs of service quality improvements of international mail;
- facilitate access to Fund resources and if possible, simplify contribution billing procedures as well as the rules for managing small-scale projects or projects within the framework of action plans of Union bodies;
- speed up the submission of project proposals and the use of the QSF funds available,

*Also instructs*

the International Bureau:

- to continue to provide the Secretariat for the Board of Trustees and to manage QSF accounting during the period 2006 to 2009;
- to determine how assistance already provided in the field by the Regional Advisers could be developed, and possibly extended, under the head of QSF activities so as to resolve the problems encountered by certain countries in connection with preparing international accounting documentation and formulating complex project proposals;
- to lose no time implementing effective convergence between QSF projects and other projects assisting improvement of the postal network as regards defining country and regional action plans, project complementarity as well as monitoring and evaluation procedures.

(Congrès–Doc 40 and proposal 047, Committee 8, 1st meeting)

**Decision C 9/2004**

**Study concerning the definition of the term "reservation" in the Acts of the Union**

Congress,

*Decides*

to assign to the Council of Administration an in-depth study concerning the definition of the term "reservation" used in the Acts of the Union.

(Congrès–Doc 27 and proposal 10. 22.2.Rev 1, Committee 3, 2nd meeting)

## **Resolution C 10/2004**

### **Continuation of Universal Postal Service activities after the Bucharest Congress**

Congress,

Aware

of the right of all citizens of the world to communication, recognized in the United Nations Charter – Universal Declaration of Human Rights,

Recognizing

that the Universal Postal Service was established to ensure that users/customers have the right to basic, high-quality, postal services, provided on a permanent basis so they can send and receive goods and messages from any part of the world,

Acknowledging

that the essence of the UPU's mission is to encourage the sustainable development of an efficient and accessible Universal Postal Service to facilitate communication between the world's peoples,

Also recognizing

that the Union, in accordance with its mission, has made the Universal Postal Service Objective No. 1 of the Bucharest World Postal Strategy,

Considering

that actions to facilitate access to the postal service support the efforts of the international community to tackle poverty, since they provide more opportunities, more independence and more security for the poor,

Aware

of the importance of creating a specific body, whose participation extends to the UPU's permanent bodies, to address questions relating to the Universal Postal Service with the central objective of linking these bodies in terms of ensuring the provision of the Universal Postal Service,

*Decides*

that a specific CA body should continue the following activities concerning the Universal Postal Service after the Bucharest Congress and that this body should:

- take part in the discussions, actions, etc., relating to the Universal Postal Service conducted within the framework of the Union's various bodies;
- monitor, on a yearly basis, the progress made by postal administrations on providing the Universal Postal Service, using the monitoring/measurement system for the application of standards in the five main areas of the Universal Postal Service;
- propose actions aimed at ensuring the provision of a permanently evolving Universal Postal Service;
- propose, in conjunction with the POC and the International Bureau, awareness-raising campaigns among the bodies responsible for postal reform in each member country, to ensure that the provision of an evolving Universal Postal Service takes priority in these reforms;
- monitor technical cooperation actions in conjunction with the POC and the International Bureau to ensure that account is taken of the assurance of the Universal Postal Service;
- monitor, in conjunction with the POC, studies on the terminal dues system concerning covering the costs of administrations of destination in order to try and ensure the new system does not impact negatively on the assurance of a high-quality Universal Postal Service at affordable prices;

- analyze the implications for the Universal Postal Service of the activities of Extraterritorial Offices of Exchange;
- examine, in conjunction with the POC, the possibility of minimum international standards for the Universal Postal Service being established and adopted by groups of countries using research, statistics and other methods;
- establish, after consultation with postal administrations, annual targets for achieving these minimum standards, mainly in the area of lack of access to the postal service;
- monitor, on a yearly basis, achievement of these targets for minimum standards using the monitoring/measurement system for the application of standards in the five essential areas of the Universal Postal Service;
- carry out, in cooperation with the International Bureau, an annual review/update of the monitoring/measurement system for the application of standards in the five essential areas of the Universal Postal Service;
- carry out, in cooperation with the International Bureau, an annual review/update of the Memorandum on Universal Postal Service Obligations and Standards.

(Proposal 02, Committee 3, 3rd meeting)

#### **Resolution C 11/2004**

##### **Use of the term "postal administration". Timetable for completing the work**

Congress,

Aware

of the existence of diverse structures in member countries in which different entities have the national authority or responsibility to execute or carry out different obligations under the Acts of the Union,

Noting

that the term "postal administration" as mentioned in Seoul Congress resolution C 29/1994 no longer accurately or adequately represents the variety of structures that members have put in place to provide and administer postal services,

Conscious

that defining the term "postal administration" is a very sensitive and difficult subject for all Union member countries,

Recognizing

that the High Level Group recommended updating the term "postal administration" and defining new terms for use in the Acts of the Universal Postal Union,

Convinced

of the need to develop a consensus on this question,

*Instructs*

- the Council of Administration, in conjunction with the International Bureau, to:
- study the use of the term "postal administration" within the context of the Acts of the Union and as defined by Universal Postal Union member countries;

- delegate to one of its working bodies responsibility for adhering to the following timetable in arriving at a solution for either defining or replacing the term "postal administration":
  - 2005 Council of Administration session: the group responsible will meet for the first time to agree on a plan of work which will enable proposals to be presented to the Council of Administration in October 2006;
  - 2006 Council of Administration session: Congress proposals submitted to the Council of Administration for approval;
  - 2008 Congress: Congress proposals submitted for approval.

(Proposal 09, Committee 3, 3rd meeting)

### **Resolution C 12/2004**

#### **Classification of countries and territories for terminal dues and Quality of Service Fund purposes**

Congress,

Having adopted  
the basic provisions of the new UPU terminal dues system,

Considering  
that, for the application of these provisions, administrations entitled to be in the transitional system and those entitled to Quality of Service Fund benefits must be listed,

Noting  
that the current classification of industrialized countries and developing countries is based on that used by the United Nations Development Programme (UNDP) when Congrès–Doc 90 was adopted at the 1994 Seoul Congress, and that the 1999 Beijing Congress considered that classification to still be applicable,

Considering  
that the UNDP has since changed its classification and that the consultation carried out by International Bureau circular letter 3750(DER.PEP)1629 of 12 September 2003 revealed a large majority of countries in favour of using the new UNDP classification,

Having  
found a clear correlation between the gross national per capita income used by the UNDP for its classification and criteria for postal development, such as the number of items per capita, access to postal services and mechanization,

Considering  
that although the correlation between the current UNDP classification and postal development may not necessarily apply to the same extent in every country and territory, it is the best classification available,

*Decides*

- to adopt the "List of postal administrations entitled to be in the transitional terminal dues system and entitled to Quality of Service Fund benefits" given in Annex 1;
- to adopt the "List of postal administrations entitled to be in the transitional terminal dues system but not entitled to Quality of Service Fund benefits unless they can prove that their country or territory is entitled to UNDP TRAC 1 resources" given in Annex 2;

- that postal administrations listed in Annex 2 shall nevertheless be entitled to a reduced Quality of Service Fund benefit to offset their own Quality of Service Fund contribution for their mail for least developed countries;
- that postal administrations listed in Annex 2 shall not have to make contributions to the Quality of Service Fund, except for the contribution for their mail for least developed countries;
- to authorize the Council of Administration to readmit temporarily to Quality of Service Fund benefits any administration that can prove hardship resulting from factors outside its control;
- to instruct the Council of Administration to:
  - follow the development of the classification used in the UNDP and other international organizations, as well as developments in the postal environment,
  - submit revised lists stemming from its work for approval by the next Congress.

(Proposal 20. 0.4, Committee 4, 2nd meeting)

**List of postal administrations entitled to be in the transitional terminal dues system and entitled to Quality of Service Fund benefits**

Afghanistan	Grenada	Romania
Albania	Guatemala	Russian Federation
Algeria	Guinea	Rwanda
Angola	Guinea-Bissau	Saint Lucia
Argentina	Guyana	Saint Vincent and the Grenadines
Armenia	Haiti	Samoa
Azerbaijan	Honduras (Rep.)	Sao Tome and Principe
Bangladesh	Hungary (Rep.)	Senegal
Belarus	India	Serbia and Montenegro
Belize	Indonesia	Sierra Leone
Benin	Iran (Islamic Rep.)	Slovakia
Bhutan	Iraq	Solomon Islands
Bolivia	Jamaica	Somalia
Bosnia and Herzegovina	Jordan	South Africa
Botswana	Kazakhstan	Sri Lanka
Brazil	Kenya	Sudan
Bulgaria (Rep.)	Kiribati	Suriname
Burkina Faso	Kyrgyzstan	Swaziland
Burundi	Lao People's Dem. Rep.	Syrian Arab Rep.
Cambodia	Latvia	Tajikistan
Cameroon	Lebanon	Tanzania (United Rep.)
Cape Verde	Lesotho	Thailand
Central African Rep.	Liberia	the former Yugoslav Republic of Macedonia
Chad	Lithuania	Timor-Leste (Dem. Rep.)
Chile	Madagascar	Togo
China (People's Rep.)	Malawi	Tonga (including Niuafo'ou)
Colombia	Malaysia	Trinidad and Tobago
Comoros	Maldives	Tunisia
Congo (Rep.)	Mali	Turkey
Costa Rica	Mauritania	Turkmenistan
Côte d'Ivoire (Rep.)	Mauritius	Tuvalu
Croatia	Mexico	Uganda
Cuba	Moldova	Ukraine
Dem. People's Rep. of Korea	Mongolia	Territory of the United States of America:
Dem. Rep. of the Congo	Morocco	– Samoa
Djibouti	Mozambique	Uruguay
Dominica	Myanmar	Uzbekistan
Dominican Republic	Namibia	Vanuatu
Ecuador	Nauru	Venezuela
Egypt	Nepal	Viet Nam
El Salvador	Territories under New Zealand	Yemen
Equatorial Guinea	– Cook Islands	Zambia
Eritrea	– Niue	Zimbabwe
Ethiopia	– Tokelau	
Fiji	Nicaragua	
Gabon	Niger	
Gambia	Nigeria	
Georgia	Pakistan	
Ghana	Panama (Rep.)	
Overseas Territories of the United Kingdom of Great Britain and Northern Ireland:	Papua New Guinea	
– Montserrat	Paraguay	
– St. Helena	Peru	
	Philippines	
	Poland	

**List of postal administrations entitled to be in the transitional terminal dues system but not entitled to Quality of Service Fund benefits unless they can prove that their country or territory is entitled to UNDP TRAC 1 resources**

Antigua and Barbuda  
Bahamas  
Bahrain  
Barbados  
Brunei Darussalam  
Hong Kong, China  
Macao, China  
Cyprus  
Czech Rep.  
Estonia  
Overseas Territories of the United Kingdom of Great Britain and Northern Ireland:  
– Anguilla  
– Ascension  
– Bermuda  
– Cayman Islands  
– Turks and Caicos Islands  
– Virgin Islands  
Korea (Rep.)  
Kuwait  
Libyan Jamahiriya  
Malta  
Marshall Islands<sup>1</sup>  
Micronesia (Federated States of)<sup>1</sup>  
Netherlands Antilles and Aruba  
Oman  
Palau<sup>1</sup>  
Qatar  
Saint Christopher (St. Kitts) and Nevis  
Saudi Arabia  
Seychelles  
Singapore  
Slovenia  
United Arab Emirates

<sup>1</sup> UN member country whose situation with regard to the UPU has not yet been settled.

## **Resolution C 13/2004**

### **Classification of countries for the purposes of the Quality of Service Fund**

Congress,

Having adopted  
the basic provisions of the UPU terminal dues system,

Considering  
that Beijing Congress resolution C 32/1999 instructed the Council of Administration to determine a system of country classification for the purposes of terminal dues based on postal-specific criteria,

Noting  
that due to time constraints, the 1999–2004 Councils and the International Bureau were unable to carry out the specific instruction of Beijing Congress resolution C 32/1999 and, as a short term measure, have instructed a classification which does not take into account postal infrastructure development as an important element in classifying countries and territories for the purposes of having access to the Quality of Service Fund,

Noting as well  
that some countries most in need of the QSF will be denied access to this Fund under the new system, and will eventually have to be contributors,

#### *Instructs*

the Council of Administration to:

- defer implementation of the reclassification for net contributing countries (NCCs) that received less than 65,000 USD for the year 2002 in quality of service funds until completion of the studies referred to below;
- carry out full and adequate studies to determine an acceptable system of classification of countries, taking into full consideration the following:
  - i the special needs of small countries/territories i.e. small island developing countries/territories and land-locked countries/territories in similar circumstances;
  - ii the need to ensure that quality is improved in all regions of the UPU system;
  - iii the extent to which regular terminal dues payments are retained by postal administrations and used to enhance quality of service.

(Proposal 20. 0.11.Rev 2, Committee 4, 2nd meeting)

## **Resolution C 14/2004**

### **Union presence in the field**

Congress,

Having examined  
the joint report presented by the Council of Administration, the Postal Operations Council and the International Bureau on development cooperation in the Universal Postal Union (Congrès-Doc 38),

Noting  
that the system of Union presence in the field, implemented by the Regional Advisers, is considered useful and dynamic both in planning and implementing technical assistance projects, Quality of Service Fund, and other projects, and in improving the Union's image with its member countries and numerous external partners,

Bearing in mind  
the results of the survey of Union member countries conducted by the International Bureau in 2003 on the usefulness and several other aspects of this system,

Considering  
that the costs associated with the Union's presence in the field represent an ever greater share of the budgetary resources allocated to development cooperation (for the 2001–2004 cycle, almost 50% of article 17 of the Union's regular budget),

Aware  
that the assistance needs of developing countries, especially those of the least developed countries and countries in special situations, have increased,

Convinced  
that in order to meet these growing and urgent needs, cost-cutting measures to rationalize the use of available development cooperation resources are needed,

#### *Decides*

to maintain the Union's presence in the field in the form of seven Regional Adviser posts, while adapting it to the new general environment, to current needs and to the Union's financial capabilities;

#### *Instructs*

the International Bureau:

- to take the measures necessary for retaining seven Regional Adviser posts for the following geographical areas:
  - a two posts in Africa;
  - b one post in the Americas;
  - c one post in the Caribbean;
  - d one post in Asia/Pacific;
  - e one post in Europe and the Commonwealth of Independent States;
  - f one post for the Arab countries and observer;
- to finance the Union's presence in the field with resources earmarked for development cooperation in the Union's regular budget, as well as through voluntary contributions

pledged by certain Universal Postal Union member countries and from other sources of additional funding, including:

- the Quality of Service Fund, for financing Regional Advisers' missions relating to the formulation, implementation and evaluation of projects under that Fund;
  - the relevant programmes in the Universal Postal Union Programme and Budget, for financing Regional Advisers' missions directly relating to efforts to implement the objectives of the Bucharest World Postal Strategy;
  - funds under programmes of the United Nations Development Programme, for financing Regional Advisers' preparatory assistance missions;
  - the option of having countries benefiting from Regional Advisers' missions cover at least part of the cost of these missions;
- to continue seeking additional funding resources for Regional Advisers' activities,

*Also instructs*

the Council of Administration to study ways of making sufficient financial resources available for funding Regional Advisers' activities, without having to rely on voluntary contributions from 2009,

*Appeals*

- to the industrialized countries, and other countries and territories with the necessary resources, to contribute financially to development cooperation activities conducted under the mandate assigned to the Regional Advisers;
- to the developing countries to contribute, as their resources allow, to the costs incurred by the Regional Advisers during their visits to the countries concerned.

(Congrès–Doc 38 and proposal 013, Committee 8, 2nd meeting)

## **Resolution C 15/2004**

### **Development of electronic shopping through postal administrations**

Congress,

Considering

that the electronic market is developing increasingly and that multinational companies have made appropriate and efficient electronic services their top agenda,

Noting

that the constant presence of postal administrations all over the world and provision of the universal postal service in accordance with article 1 of the UPU Convention and the concept of the single postal territory have enabled producers and small businesses to make use of postal administrations to create a link between producers and consumers in spite of geographical barriers and even in remote areas. This in turn will not only prevent the migration of people from rural areas to cities but also promote implementation of article 1 of the UPU Convention on the universal postal service as regards fostering access by developing and least developed countries to global markets. Moreover, in order to create more facilities for customers, financial transactions could be done via the Post,

*Instructs*

the Postal Operations Council to study the subject and, in collaboration with the International Bureau, take the necessary action to adopt the general plan of an electronic postal shopping service and set its rules and regulations,

*Invites*

the administrations of UPU member countries to establish a database on their website in order to introduce producers and provide the necessary information about their goods and to notify its address to the International Bureau.

(Proposal 054, Committee 7, 1st meeting)

**Resolution C 16/2004**

**International Exprès (International Value-Added Letter Service) and International Registered and International Insured Services**

Congress,

*Acknowledging*

that the provision of value-added letters is a potential growth area for international mail services because customers have higher expectations and need to know quickly, by electronic means, if and when their Exprès, registered or insured letter has arrived in the destination country in the first instance, and secondly, if it has been delivered or if delivery has been attempted,

*Aware*

that a number of postal administrations are offering a service whereby items are scanned on receipt by the destination postal administration and traced so that confirmation of delivery can be obtained electronically, resulting in Posts being able to improve their customer satisfaction,

*Recognizing*

that this service has been developed to meet the needs of customers, in particular those involved in the exchange of business documents and small packets, who wish to have a more flexible range of delivery services that includes the quick exchange of delivery and attempted delivery information,

*Noting*

that Letter Post Regulations article RL 136.4.4 (Express items) (see CEP C 1 2003–Doc 4a. Rev 1. Annexe 1), as well as articles RL 132.5.10 and RL 175.9 in respect of registered items and articles RL 134.6.9 and RL 177.9 in respect of insured items (see CEP 2004–Doc 8a. Annexes 1 to 4), have been amended to facilitate these developments,

*Instructs*

the Postal Operations Council:

- to monitor further development of these services (the description of the project and services are given in the attached Annex) by seeking progress reports from the administrations/Prime Group which operate it;
- to consider, once the service has been operating successfully for a suitable period of time, whether it would be appropriate to restructure the current UPU service, if necessary,

(subject to participating countries meeting the delivery and technological standards) by incorporating further provisions for it in the Letter Post Regulations.

(Proposal 063, Committee 7, 1st meeting)

Annex

## Services

### International *Exprès* (International Value-Added Letter Service)



### International Registered and Insured – Barcodes as per UPU Regulations



## 1 Background

The Project Manager reports to the Prime Steering Committee. All costs, including International Post Corporation (IPC) overheads, are funded by the members of the Committee, namely, Sweden (Chairman), Denmark, Finland, Germany, Hungary, Iceland, Ireland, Portugal, Slovak Republic, Spain, Great Britain, Norway, France, Switzerland, Luxembourg and Austria.

### 1.1 The objectives of the project are to:

- improve the quality of service of the *Exprès* product.
  - Propose ways in which the product concept (including value-added services) can be improved to meet customers needs and ensure that the product is competitive in the market place;
- develop the electronic exchange of delivery data for the International Registered and International Insured Services.
  - Exchange this data between Posts by agreement.

## 2 Description of the products

### 2.1 *Exprès* product

- Pricing and positioning in the Posts' portfolio of products between EMS and priority letter, as an **up-market letter service**, not as a courier service.
- Service objective: reliable, consistent delivery – not time certain.
- Contents, weight and size will conform to the UPU regulations for letters.
- Registered or insured service is not included.
- Common branding plus logo.

### 2.2 Features – Post *Exprès* (in addition to those specified in the Letter Post Regulations)

- 100% achievement of delivery standard targets.
- J+1 within certain main neighbouring cities and cross-border areas.
- J+2 to the remainder of main cities on same continent.
- J+2/3 rest of continent.
- J+2/4 to/from other continents.
- Quick customer satisfaction, with agreed response times.
- Track and trace as per agreed UPU standard specifications.
- Quality of service monitoring on which an enhanced terminal dues payment will be based.
- Insurance, pricing and money-back guarantee may be decided by each administration.
- The name Post *Exprès* has been agreed.
- A subsidiary product name may be used instead of "Post" in the logo. "Post" may also appear in the local language, e.g. La Poste.

### 2.3 Registered and Insured Services

Specifications as per the Letter Post Regulations are recommended, including UPU barcodes, so as to facilitate synergy and international recognition of these products and thus improve and expedite handling.

## 3 Electronic systems

- ### 3.1
- Postal administrations must adhere to the technical specifications in the UPU Technical Standards Manual.

## 4 Inter-administration payments and settlement of accounts

- ### 4.1
- Countries have agreed to make each other an enhanced payment, subject to minimum performance thresholds, in addition to the normal terminal dues payment, for *Exprès* items delivered on time, including timely return of the H or I scan (Attempted Delivery or Final Delivery).
- ### 4.2
- This extra payment is for the extra work involved in tracking and tracing and for the return of the scan information. Normal terminal dues cover delivery.
- ### 4.3
- The International Post Corporation (IPC), monitors the performance against standards, and its report shows the percentage of items on time and the length of any delay, together with details as to when the scans were returned. This report forms the basis for the settlement of

accounts between administrations which will be carried out bilaterally by the central accounting points in each country.

- 4.4 Payment for registered and insured services will be made as per UPU payments, unless bilateral/multilateral terms are agreed in addition.

## **5 Current status**

- 5.1 At the time of writing this proposal, public postal operators in the following countries offer delivery of *Exprès* items with electronic delivery confirmation: Austria, Denmark, Finland, France, Germany, Great Britain, Hungary, Iceland, Ireland, Sweden, Luxembourg, Norway, Portugal, Slovak Republic, Spain, Switzerland and the USA. New Zealand is also testing the electronic exchange of data for *Exprès* with Great Britain.
- 5.2 In the case of registered items, approximately 23 countries are exchanging data, at item level in dispatches and eight countries are also scanning items on delivery and exchanging that delivery information. This is expanding rapidly.

## **6 Competition**

- 6.1 Customers are buying express and value-added services from other sources because they are guaranteed consistency and reliability from carriers that have a portfolio of "express-type" and delivery confirmation services at the right price.
- 6.2 The Prime Group wishes to extend their Posts' portfolio of services so that they can compete. The "International *Exprès*" has an excellent international postal and distribution network. By adding to and improving the range of value-added products, economies of scale can be achieved, revenue increased and customers better served. International *Exprès* offers:
- an excellent modern value-added proposition to interest customers in a range of express and signature services, thus meeting today's market needs;
  - posts the opportunity to provide a tracked product at a price far cheaper than courier products.
- 6.3 In addition, by using electronic means to exchange delivery information about registered and insured items and authorization codes for indemnity settlements regarding such items via the web-based customer service system, it is possible to improve customer satisfaction and settle customer complaints much more quickly.

## **Resolution C 17/2004**

### **Markets growth**

Congress,

In view of the rapidly changing postal environment, including globalization, liberalization, competition, regulation, new technologies and more sophisticated customer demand,

Noting the urgent need for postal services to become more enterprising, innovative and viable, and the particular need for developing countries to upgrade postal networks and services,

Noting further

the twin imperatives of Governments to effect change without impairing the postal services' ability to maintain and improve services, including providing high quality universal service,

Recognizing

the widening gap between postal administrations in terms of markets knowledge,

Acknowledging

the activities undertaken by the Postal Operations Council (POC) during the period 1999–2004 directed at facilitating access to knowledge and expertise in markets development,

Noting further

the valuable cooperation and results achieved through the work of POC Industry Groups, including that of the publishing sector,

Mindful that

the market segments of letter post, including publishing mail and value added letter services, e.g. *Exprès*, Registered and Insured services, parcels and postal financial services, will continue to be valued businesses of the Post,

Aware

of the value to the customer and the postal industry of other products and services in the market segments of courier, express, logistics and e-business,

Acknowledging

the benefits of markets growth that flow to all of the stakeholders in the postal industry,

*Urges*

Governments to:

- provide the legal framework for the growth of postal markets;
- create a business environment that will enable and encourage the postal services to improve performance and satisfy customer needs,

*Invites*

Postal administrations and Restricted Unions to:

- cooperate with the bodies of the Union to increase market knowledge and respond rapidly to the changing business environment;
- take advantage of the postal infrastructure to diversify the portfolio of products and services made available through the postal network;
- improve capabilities in marketing and sales functions,

*Instructs*

the Postal Operations Council to:

- facilitate the growth of letter post, including publishing mail, parcels and postal financial services markets, but also express, logistics and e-business;
- increase markets knowledge by monitoring changes and measuring growth within the industry and disseminating the information widely to all stakeholders;
- develop programmes designed to increase capabilities in business development, marketing and sales;
- create or maintain business relationships and partnerships at international level that help meet the markets growth objective.

(Proposal 044, Committee 7, 1st meeting)

## **Resolution C 18/2004**

### **Continuation of costing work to benefit developing countries**

Congress,

In view of  
the positive results of the costing work done by the Terminal Dues Action Group, especially its  
Project Team 2 "Cost Accounting model for developing countries",

Noting  
that it takes a long time to put in place adequate cost accounting systems,

Considering  
that member countries need adequate costing systems to price their services correctly and that it  
is hardly possible to introduce a country-specific cost-based terminal dues system, as foreseen by  
the 1999 Beijing Congress, without reliable cost information,

and  
that cost accounting systems provide core information for managing postal administrations by  
providing reliable information for regulators, management operations, business planning and  
strategic management decision making,

and  
that this process takes time and generates additional costs,

#### *Charges*

the Postal Operations Council to continue its work with a view to enabling member countries to  
know the costs of postal services in general, and letter-post services in particular,

#### *Invites*

the countries and territories concerned to furnish cost data to the International Bureau on an  
annual basis to enable the latter to verify that globally fixed terminal dues rates are still generally  
adequate.

(Proposal 20. 0.2, Committee 4, 4th meeting)

## **Resolution C 19/2004**

### **Terminal dues supplement for recorded delivery items**

Congress,

Noting

- that the postal administration of origin collects an additional charge for recorded delivery items;
- that the administration of destination delivers such items against receipt and provides proof of delivery when required, which entails additional work,

*Instructs*

the Postal Operations Council:

- to examine the question of introducing a terminal dues supplement for recorded delivery items;
- if appropriate, to determine the amount of such a supplement;
- to lay down the provisions for such a supplement in the Letter Post Regulations.

(Proposal 20. 0.5, Committee 4, 4th meeting)

**Resolution C 20/2004**

**Terminal dues supplement for express items**

Congress,

Noting

- that express items are dealt with in a different manner from other items;
- that express items are delivered by special messenger;
- that delivery by special messenger involves additional costs,

Considering

that the postal administration of origin collects an additional charge for express items,

*Instructs*

the Postal Operations Council:

- to examine the question of introducing a terminal dues supplement for express items;
- if appropriate, to determine the amount of such a supplement;
- to lay down the provisions for such a supplement in the Letter Post Regulations.

(Proposal 20. 0.6, Committee 4, 4th meeting)

**Resolution C 21/2004**

**Development cooperation policy of the Universal Postal Union for the period 2005–2008**

Congress,

Having examined

the joint report presented by the Council of Administration, the Postal Operations Council and the International Bureau on development cooperation in the Universal Postal Union (Congrès–Doc 38),

Noting  
the positive results:

- of the implementation of the development cooperation programme during the period 2001–2004;
- achieved in training and in extension of the TRAINPOST system,

Also noting  
that the Regional Advisers have carried out numerous and varied tasks to help developing countries implement the objectives of the Beijing Postal Strategy,

Aware  
that development cooperation is one of the Union's fundamental missions,

Also aware  
that, according to the Union's mission statement (resolution CA 12/2001), the mission of the UPU is to stimulate the lasting development of efficient and accessible universal postal services of quality in order to facilitate communication between the inhabitants of the world, inter alia by promoting effective technical cooperation,

Convinced  
that, in the current global environment, postal sector reform is a high priority area for action,

Convinced  
that development cooperation should give priority to aid facilitating the launch and sound management of institutional and structural reform processes in developing countries,

Bearing in mind  
the objectives and strategies established by the Bucharest World Postal Strategy,

*Endorses*

the results of the work carried out in the area of development cooperation since the Beijing Congress, as set out in Congrès–Doc 38,

*Decides*

- i to regard the least developed countries as the principal beneficiaries of the Union's development cooperation activities;
- ii to give the same priority to developing countries that find themselves in special situations;
- iii to also take account of the priority needs of other developing countries classified as low-income countries by the United Nation's Development Programme;
- iv to regard institutional and structural reforms of the postal sector in developing countries as a priority area for development cooperation activities;
- v to help developing countries achieve the other objectives of the Bucharest World Postal Strategy, particularly those relating to the universal postal service;
- vi to give priority to a regional approach, in the form of regional thematic projects, to ensure solid coordination between development cooperation activities, Quality of Service Fund activities and actions launched through other sources of funding, and to provide each region with well-targeted assistance with the benefit of stronger and more active Restricted Union involvement;
- vii to continue to provide Universal Postal Union assistance to the least developed countries and countries in special situations in the form of multi-year integrated projects, subject to the resources available;

- viii to continue with the expansion of the TRAINPOST system and with the training and further training of management staff in the priority areas of the Bucharest World Postal Strategy;
- ix to foster the promotion of new training technologies and e-learning as a means of disseminating courses,

*Invites*

- i the developing countries benefiting from Universal Postal Union assistance to mobilize all their available national human, financial, and material resources and obtain the greatest possible benefit from the assistance provided to them;
- ii the Restricted Unions to make a significant contribution to implementing joint actions planned with the Universal Postal Union as part of the regional approach and to provide the resources needed for their implementation;
- iii the industrialized countries to step up their assistance and support for the Universal Postal Union's development cooperation programme;
- iv all Union member countries to contribute to the maintenance of the Special Fund through voluntary contributions in order to meet urgent needs, primarily in training,

*Instructs*

the Council of Administration to set the total budgetary credit earmarked for development cooperation in the Programme and Budget for the 2005–2006 and 2007–2008 cycles, under article 17 of the Union's regular budget, so as to reach a level at least equal to that adopted by Beijing Congress resolution C 27/1999 for the 2001–2002 and 2003–2004 cycles,

*Also instructs*

the Council of Administration, the Postal Operations Council and the International Bureau, each within its own area of responsibility, to ensure that appropriate measures are taken to implement the Union's development cooperation programme, and in particular to:

- study and take into account, in their future structure, the transversal role of development cooperation, with the aim of strengthening information exchange and cooperation between the various Union bodies in their work on behalf of the Union's member countries, and more especially developing countries;
- establish the framework of the development cooperation programme for 2005–2008 on the basis of the present resolutions and the Bucharest World Postal Strategy, and ensure that it reflects the following action principles:
  - the countries benefiting from aid must demonstrate a close relationship between their national programme and postal sector objectives;
  - solid coordination between development cooperation projects and Quality Service Fund projects must be ensured during the planning and provision of aid, in particular in actions led by the International Bureau and the Union's Regional Advisers;
  - priority must be given to the implementation of regional and sub-regional projects, with particular emphasis on the input of all the parties involved and the desired results;
  - national multi-year integrated projects financed from the Union's own resources should be maintained and applied on behalf of the least developed countries and countries in special situations, where justified; the impact of these projects on the operation of services should be shown in terms of results – quantifiable wherever possible;

- countries benefiting from aid should, taking their situation into account, bear part of the costs relating to the assistance provided (cost-sharing) through contributions in cash and in kind.

(Congrès–Doc 38 and proposal 012, Committee 8, 3rd meeting)

## **Resolution C 22/2004**

### **Continuation of development cooperation work by means of twinning projects**

#### **Congress,**

Aware

that the sustained development of postal administrations makes a decisive contribution to strengthening the social and economic development of each country,

Also aware

that various international and regional organizations have been adopting twinning projects as a way of effectively improving development cooperation,

Noting

that the experience of twinning projects has proved to be a privileged medium for the sustainable improvement and strengthening of organizational and operational competences,

Likewise noting

that during the period 1999–2004, a number of twinning projects were started within the UPU, and that such projects need to be developed by introducing clear, systematic methods for analyzing their viability, monitoring their implementation and controlling the results afterwards,

Recognizing

that twinning projects will be a determining factor in the regional approach that is recommended for development cooperation within the UPU,

*Urges*

- UPU member countries to participate actively in twinning projects;
- Restricted Unions to design twinning projects and encourage their members to take an active part in such projects,

*Charges*

the Council of Administration and the Postal Operations Council, in collaboration with the International Bureau:

- to systematically proceed with setting up twinning projects between postal administrations, taking into consideration the need to carefully select the priority areas of action and to judiciously determine the potential candidates, bearing in mind their respective development stages;
- to promote awareness among possible donors and funding or sponsoring institutions, thus encouraging their collaboration in specifying the project objectives and in the actions to be carried out within each project;

- to continuously involve the Restricted Unions and the Regional Advisers in the design, setting up and follow up of the twinning projects.

(Proposal 062, Committee 8, 3rd meeting)

## **Resolution C 23/2004**

### **Development of direct mail markets**

Congress,

Taking note

of the activities undertaken during the period 2000–2004 aimed at developing direct mail markets around the world,

Noting in particular

that the development of direct mail markets helps to increase the volumes, revenues and profitability of the postal services and that increased direct mail activities promote the growth of many other traditional and value-added postal products and services, including letters, parcels, logistics and financial services,

Aware

that postal products and services relating to direct mail and direct marketing can be effective in countering the effects of electronic substitution,

Acknowledging

the economic benefits to countries, Posts and other industry stakeholders in the direct mail marketing value chain,

Convinced

of the value of strengthening relations with these stakeholders for mutual benefit,

Recognizing

the value and positive role of the UPU and its Direct Mail Advisory Board in guiding the Postal Operations Council on matters relating to direct mail and in providing valuable industry expertise to postal operators in general,

*Urges*

Postal administrations to undertake activities aimed at:

- fostering the development of the local direct mail market as a means to economic and market expansion;
- increasing direct mail volumes domestically and internationally;
- increasing expertise in direct mail marketing as used by businesses to acquire and retain customers;
- developing an appropriate postal infrastructure for traditional and value-added direct mail products and services;
- educating other stakeholders about direct mail and direct marketing so that they acquire the necessary skills;
- facilitating the international and cross-border flow of direct mail items;

- improving knowledge of the direct mail market and developing tools to monitor volume growth and quality;
- continuing their role in helping to define UPU standards in areas affecting direct mail, such as addressing and barcodes for tracking and tracing.

#### *Charges*

the Postal Operations Council, in conjunction with the International Bureau, to:

- foster the growth of direct mail as a factor of economic and market expansion, by increasing market knowledge and by developing the expertise of stakeholders at all levels;
- promote further the development of direct mail markets for the benefit of the entire industry, including the growth of direct mail volumes domestically and internationally, and by facilitating the international and cross-border flow of direct mail items through increased activities designated for this purpose;
- provide an adequate framework for the continued interaction with the direct mail industry;
- continue to interact with the Posts and the direct mail industry;
- help develop the expertise of postal administrations in direct mail marketing, including the development of tools to monitor volume growth and quality;
- assist in the development of an appropriate postal infrastructure for traditional and value-added direct mail products and services;
- assist postal administrations in educating other stakeholders about direct mail and direct marketing so that they acquire the necessary skills;
- continue its role in helping to define UPU standards in areas affecting direct mail, such as addressing and barcodes for tracking and tracing.

(Proposal 041, Committee 7, 2nd meeting)

#### **Recommendation C 24/2004**

##### **Introduction of partnership programmes between the Post and various national authorities and the industry with a view to promoting philately and the postal services**

Congress,

Considering

that the Universal Postal Union's mission is to promote, through the postal services, understanding and communication among peoples, as well as international cooperation in cultural, social and economic fields,

Referring to

recommendation C 64/1999 "Development and enhancement of activities to promote culture, philately and the postal services" whereby joint activities were launched in collaboration with UNESCO and UNICEF which have had positive effects on all organizations concerned,

Aware

of the promotional impact for the image of the country and for specific activities provided by the issue of commemorative postage stamps,

*Recommends*

- the introduction of partnership programmes between the Post and various national and industry authorities in such fields as education, culture, tourism, external affairs and external commerce, among others, in order to promote the activity concerned by means of postage stamps, philately and the postal services;
- that such partnership programmes should be included in the technical cooperation priorities, the programmes of the regional postal schools, etc.

(Proposal 060, Committee 7, 2nd meeting)

**Resolution C 25/2004**

**Issue of a commemorative postage stamp in 2005 on the occasion of the organization of the second phase of the World Summit on the Information Society in Africa (in Tunisia, in November 2005)**

Congress,

Referring to

- resolution 56/183 of 21 December 2001 of the General Assembly of the United Nations approving the holding of a World Summit on the Information Society (WSIS), under the high patronage of the United Nations Secretary-General;
- the successful holding of the first phase of the Summit from 10 to 12 December 2003 in Geneva (Switzerland),

Considering

- that the Universal Postal Union's mission is to promote understanding and communication among peoples, as well as international cooperation in cultural, social and economic fields, through the postal services;
- that the Universal Postal Union is closely involved in the organization of the World Summit on the Information Society (WSIS), together with several other organizations of the United Nations system, such as the International Telecommunication Union;
- that the holding of the second phase of the Summit from 16 to 18 November 2005 in Tunis (Tunisia) will enable developing countries to further highlight their progress in this area,

Aware

of the promotional impact for the image of the country and the activity concerned which commemorative postage stamps in general provide,

*Invites*

all member countries of the UPU, on the occasion of the holding of the second phase of the World Summit on the Information Society in Africa, in Tunisia, in November 2005, to include in their philatelic programme for 2005 a commemorative postage stamp, or a set of stamps and related philatelic products, on the theme of the "World Summit on the Information Society". The theme of the stamps could highlight the role of the Post in today's and tomorrow's Information Society. To maximize the promotional impact of this commemorative postage stamp, it is recommended that it be issued between January and August 2005.

(Proposal 061, Committee 7, 2nd meeting)

## **Recommendation C 26/2004**

### **Philatelic code of ethics for the use of UPU member countries**

Congress,

Referring

- to article 6 of the Universal Postal Convention (Beijing 1999), which specifies the terms under which postage stamps may be issued;
- to article RE 306 of the Regulations of the Beijing Convention, which specifies the characteristics of postage stamps and postal prepayment impressions; and
- to the Philatelic Code of Ethics adopted by the Beijing Congress under recommendation C 70/1999,

Observing

that postage stamps continue to have a commercial value when used for philatelic purposes,

Recognizing

that the Philatelic Code of Ethics as adopted by the Beijing Congress has provided valuable guidance to postal administrations in maximizing the value of postage stamps to collectors and administrations,

*Reaffirms*

its commitment to the production of high quality, ethical stamps, and to a vibrant philatelic market,

*Recommends*

that all postal administrations observe the procedures set out in the attached revised philatelic Code of Ethics when issuing and supplying postage stamps and postal items for postal and philatelic purposes.

(Proposal 20. 0.10.Rev 1, Committee 7, 2nd meeting)

*Annex*

### **Philatelic code of ethics for the use of UPU member countries**

The philatelic code of ethics for the use of member countries comprises the following recommendations:

1 Administrations creating philatelic products shall ensure that the use of the postage stamps and other means of denoting payment of postage does not lead to the creation of such postal products as would not result from the exercise of proper postal procedures.

1.1 Philatelic products within the scope of this code include, but are not limited to:

- postage stamps, as defined in article 6 of the Universal Postal Convention (Beijing 1999);
- maximum cards;

- first day covers;
  - presentation packs or albums;
  - envelopes with embossed or pre-printed stamps;
  - cachets for special occasions and events and related products;
  - stamps with surcharges, in conformity with article RE 306 of the Regulations of the Beijing Convention.
- 1.2 Other means of indicating payment (e.g. franking marks, postage paid indicia and other labels) are permitted in accordance with article 6 of the Beijing Convention, but are not considered to be postage stamps.
- 2 Administrations shall not authorize such use of cancellation dies, hand stamps or other official informative or operational markings as would not result from the exercise of proper postal procedures.
- 2.1 Administrations shall not permit the use of such cancelling or marking devices by persons other than their own employees.
- 2.2 In certain exceptional cases, and provided that direct supervision is exercised by their employees, administrations may authorize the use of these cancelling or marking devices by persons other than their own employees.
- 2.3 Where administrations contract out part of their operational activity and in particular cancellation, the contract shall specify that the cancelling and marking devices shall be used for operational purposes only and in strict accord with the proper postal procedures of the administration concerned, which shall ensure that this rule is strictly observed.
- 3 In the sale of products for philatelic purposes incorporating postage stamps, administrations shall ensure that the handling of the postage stamp itself and the use of cancellation dies, handstamps, cachets and other marking devices is in conformity with their respective postal procedures.
- 4 For each issue of postage stamps, administrations shall ensure that these are printed in sufficient quantity to meet potential operational requirements and foreseeable philatelic needs. In employing cancellation dies, handstamps and cachets for special occasions or events, administrations shall ensure that a sufficient quantity of philatelic products is available to meet requirements. Although administrations may not be able to make every stamp issue available from every outlet, they must nonetheless make sure that their customers and philatelists are well-informed at all times where each postage stamp issue is available for postal and philatelic purposes.
- 4.1 Issues of postage stamps depicting particular regions of a country or territory may be produced, so long as they comply with the requirements of this Code of Ethics and that customers and philatelists are well-informed at all times of their availability for postal and philatelic purposes.
- 4.2 Administrations shall take care to ensure that they issue stamps which help meet market demands. They shall ensure that the number of stamps issued each year is limited to that which their market will accept. If policies are still to be decided, administrations should respond cautiously to market demand to avoid oversupply. They shall not saturate the market and thus drive philatelists and collectors away from the hobby.
- 5 In choosing themes, logos, emblems and other design elements for their issues of postage stamps, administrations shall, at all times, respect intellectual property rights.
- 6 Whilst administrations have no control over the use of postage stamps or articles entrusted to the postal service for postal or philatelic purposes once they have been sold, they shall nevertheless:

- 6.1 Not support or acquiesce in any artifice intended to enhance sales of their postage stamps or products incorporating postage stamps by suggesting a potential scarcity of these products.
- 6.2 Avoid any action which might be taken as declaring approval of or conferring official status on products of unofficial origin incorporating postage stamps.
- 6.3 In the event that they appoint agents to market their philatelic products, instruct such agents to observe the same procedures and practices as those of the administrations themselves, to respect the provisions of the Philatelic Code of Ethics and of the administration's national postal legislation. Administrations shall not permit agents to operate or alter their proper postal procedures nor to control philatelic procedures.
- 6.4 Specifically prohibit the sale or disposal by their agents of their postage stamps or products incorporating postage stamps below face value. In remunerating their agents, administrations shall obviate as far as possible any need for agents to sell postage stamps or philatelic products incorporating postage stamps above face value. Due allowance may be made for national or local variations in sales and other taxes which may be pertinent, including at international philatelic exhibitions.
- 6.5 Administrations shall retain full responsibility for the printing and delivery of postage stamps and related philatelic products, either directly, or by making sure that all contractual obligations are fully respected and fulfilled by the agent, in order to avoid any misunderstanding between partners.
- 6.6 Printing of postage stamps should only be awarded to security printers that have signed up to the Code of Ethics for postage stamp security printers and that have achieved or undertaken to achieve certification as a security printer.
- 7 Postal administrations shall not produce postage stamps or philatelic products that are intended to exploit customers.
- 8 Administrations shall acknowledge in all their philatelic activities that, while their stamps represent symbols of national identity and culture, such stamps retain a secondary value beyond face value only because philatelists and collectors choose to purchase them. Administrations pledge to abide by this code of conduct in order to ensure the long-term survival of the philatelic market in each country.

## **Resolution C 27/2004**

### **Customer relationships**

Congress,

Conscious

of the importance of making the needs of customers the key focus of all activities of the Post,

Noting

the emphasis placed on customer needs in the Seoul, Beijing and Bucharest Postal Strategies and as reflected in the mission and activities of the UPU,

Stressing

the value of partnerships between the Posts and their customers in the customer satisfaction value chain, at international, regional and national levels,

*Recognizing*

- the existence of standards and guidelines for the provision of customer service (e.g. handling of inquiries for delayed or missing postal items), as well as publication of details such as key contact points in postal administrations to facilitate the speedy handling of customer service issues;
- that despite the efforts being made by postal administrations to increase their focus on customer service, there is not yet universal awareness of these standards and guidelines;
- that a practical and appropriate method for retaining focus on customer service issues between postal administrations is through the availability of best practice techniques and customer service resource material,

*Urges*

the administrations of UPU member countries to:

- make the needs of customers the key focus of all activities of the Post;
- act as customers to each other;
- share information, resources and experience in targeted customer service areas;
- ensure that sufficient financial and human resources are made available to support customer-related activities;
- participate in the activities undertaken at UPU level,

the Restricted Unions to:

support the efforts of their members to become customer-driven;

facilitate the development of marketing expertise,

*Instructs*

the Postal Operations Council, in conjunction with the International Bureau, to:

- make the customer the key focus of all activities of the Posts, including the organization of Customer Day-type activities (UPU, regional and national levels);
- strengthen customer/supplier relationships between the Posts and their partners in the customer satisfaction value chain;
- assist the postal operators of UPU member countries to become more customer-oriented, facilitating and sharing best customer relations practices and developing marketing expertise in all areas of customer service relationships;
- define and publish key customer service activities and the generally accepted standards for inter-administration customer services;
- monitor developments concerning the development of standards for current and new customer service activities in groups such as the International Organization for Standardization, and partner postal associations, and circulate updated information as appropriate.

(Proposal 040, Committee 7, 2nd meeting)

## **Resolution C 28/2004**

### **Universal Postal Declaration of Customer Rights**

Congress,

In view of resolution C 24/1999 (Customer Service Charter) and recommendation C 108/1999 (UPU Postal Operators Statement of Values) approved by the last Congress, and concepts such as "customer first" and "customer care" which are already included in the UPU mission,

Considering the importance given in postal strategies, especially over the last decade, to the role of customers in the survival of the Posts, to promoting postal services, and to increasing the range of services with the help of efficient and modern technologies,

Regarding the emphasis placed by the Universal Declaration of Human Rights in its Preamble and in article 21, paragraph 2, on the fact that: "... it is essential to promote the development of friendly relations among nations" and that "everyone has the right to equal access to public service in his country",

Noting article 23, paragraph 4, of the same Declaration which states that: "everyone has the right to form and to join trade unions for the protection of his interests", according to which postal administrations should provide the possibility of establishing customer communities seeking protection of their interests,

In view of article 25, paragraph 1, of the said Declaration to the effect that "everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services..." which draws our attention to the importance of implementing the Universal Postal Service provided for in article 1 of the UPU Convention,

Taking into account the effective role of UPU member countries in developing friendly relations among nations and their vital and important task in providing social services,

*Approves*

the text in the Annex entitled the "Universal Postal Declaration of Customer Rights" that assures the commitment of the Posts and their obligations towards customer rights as a human rights principle,

*Invites*

the International Bureau to develop a worldwide communication programme in partnership with the Posts around the world based on concepts originating from customer rights as one of the main features of human rights in the coming years,

*Invites*

member countries to:

- take note of customer rights as a human rights principle in their statements of values;

- issue a commemorative stamp on the subject of "customer rights as a feature of human rights".

(Proposal 064.Rev 1, Committee 7, 2nd meeting)

*Annex*

### **Universal Postal Declaration of Customer Rights**

The customer has the right to:

- benefit from high-quality and standard services at fair prices, according to his/her needs;
- benefit from an effective and comprehensive information system that incorporates his/her rights as well as the postal operator's responsibilities;
- enjoy a code of conduct based on ethical and human values and principles, without distinctions of any kind such as race, colour, gender, language, religion, political or other opinions, national or social origin, property, birth or other status;
- have access to postal services easily and conveniently;
- enjoy diversified choices in postal services;
- get fair compensation when the Post fails to deliver on its promise;
- be aware of his/her high status in the worldwide postal network and the fact that he/she is considered as a crucial partner in the success of the Posts;
- enjoy the possibility of establishing communities seeking to promote his/her interests.

### **Resolution C 29/2004**

#### **Worldwide standard for international postal service quality**

Congress,

Considering

the improvement of international postal service quality to be a key objective for the Universal Postal Union,

Noting

- a the encouraging results achieved by the implementation of the Quality of Service Programme for 2000–2004 (Beijing Congress resolution C 14/1999);
- b the general improvement in quality observed in the quality tests organized by the UPU;
- c the range of different transmission times observed on international links;
- d the need to set a quality minimum for the international postal service,

*Decides to set*

- at J+5 (the fifth working day after the day of posting) the worldwide standard for international postal service quality; this standard applies to the international priority letter post between those areas and/or cities that are most important in terms of international postal exchanges in each of the member administrations of the Union;

- at 50% the minimum percentage of test items meeting this standard,

*Instructs*

the Postal Operations Council, in conjunction with the Council of Administration, the Consultative Committee and the International Bureau, to:

- set regional (sub-regional) targets for compliance with the worldwide standard and ensure that they are set above 50%;
- organize and coordinate continuous measurement of compliance with the worldwide standard for the quality of the international postal service;
- make every effort to achieve compliance with the worldwide standard above 65% by the time of the next Congress;
- submit a report on implementation of this resolution to the next Congress,

*Urges*

- a the postal administrations of the Union and Governments, each insofar as it is concerned, to:
  - set quality objectives that exceed the worldwide standard wherever service conditions allow;
  - define the areas of application of the worldwide standard in their country;
  - continuously measure compliance with the worldwide standard, through at least one of the tests organized by the UPU or by the Restricted Unions, or on the basis of bilateral or multilateral agreements;
  - continuously analyze the results of these tests and take measures to help achieve the objective of compliance with the worldwide standard,
- b the Restricted Unions to:
  - coordinate the setting of regional targets for compliance with the worldwide standard;
  - lend their support to regional actions to improve compliance with the worldwide standard.

(Proposal 06, Committee 6, 1st meeting)

## **Resolution C 30/2004**

### **Future organization of UPU standardization activities**

Congress,

Having considered  
the report of the Postal Operations Council on UPU standardization activities (Congrès–Doc 33),

Having noted  
the considerable achievements derived from the activities of the UPU Standards Board (SB) during the 1999–2004 period,

Aware  
that standardization should be considered as a core activity of the UPU and a vital part of the functioning of the Union,

*Convinced*

that the UPU should continue to play a leading role in postal standardization activities and should adopt a pro-active approach in facilitating developments in this area,

*Stressing*

the importance of maintaining the UPU as the worldwide authority on postal standards,

*Aware*

that standards are an important part of the field of interest of government representatives/regulators in UPU activities,

*Invites*

*Governments:*

- to recognize the usefulness of UPU standards for improving the quality of postal services for their citizens;
- to participate actively in the UPU standards development process,

*Also invites*

*Postal administrations:*

- to use UPU standards in their daily mail handling operations;
- to participate actively in the UPU standards development process,

*Charges*

*the Postal Operations Council:*

- to manage the process of development and approval of UPU standards;
- to enable postal services to raise their quality and efficiency and to increase interconnection between postal administrations through the continued development and publication of new standards;
- to increase the visibility and credibility of UPU standards by maintaining close cooperation with other standardization bodies;
- to encourage greater use of UPU standards by postal administrations, especially those from developing countries, through the publication and wide circulation of UPU standards, and through targeted information campaigns;
- to report, as necessary, on its standardization activities to the Council of Administration.

(Congrès–Doc 33 and proposal 030, Committee 6, 1st meeting)

## **Formal opinion C 31/2004**

### **Conformity of forms used by postal administrations**

Congress,

Aware

that article RL 267 and article RC 213 state that forms used by postal administrations shall be in conformity with the specimens annexed to these Regulations,

Recognizing

that the use of modern technology, especially computers and computer systems and in particular national computer applications, makes it difficult to meet this requirement,

Considering

that the present variety of national versions of international forms for various purposes makes them difficult to use and to extract information from in other countries,

Taking account of

the fact that more and more staff without general postal training are used to perform duties which contribute substantially to the financial results of postal operators,

*Appeals urgently*

to postal administrations to only design and use forms which are in conformity with the specimens prescribed in the Regulations or, if deviations are necessary because of important national reasons, to at least use the full UPU title and prescribed number on the form and to include all the relevant information needed to achieve the purpose of the completed form in the same order as on the specimen.

(Proposal 20. 0.7, Committee 6, 1st meeting)

## **Resolution C 32/2004**

### **Facilitation of the electronic transfer of inter-administration forms**

Congress,

Noting

- that the postal administrations of the UPU enjoy the right to provide a universal postal service throughout the single postal territory;
- that this right carries with it an obligation to offer a high-quality, affordable postal service to the satisfaction of our customers worldwide;
- that the means are now available at reasonable cost to use electronic mail transfer to better support the universal service, thereby reducing the dependency on paper systems of communication;
- that electronic transfer of information can facilitate faster and more efficient resolution of routine and exceptional issues and complaints to the benefit of customers and administrations,

Considering

- that the Postal Operations Council, through its work programmes, provides technical consultancy, management training and a range of reference material to postal administrations;
- that these programmes could assist administrations in their efforts to utilize electronic communication,

Anxious

to support administrations' efforts to enhance electronic communication between administrations,

*Instructs*

the Postal Operations Council to study how the electronic transfer of inter-administration forms can best be facilitated and expanded by identifying, prioritizing and working on the relevant issues with a view to adopting necessary changes to the Regulations and appropriate recommendations.

(Proposal 20. 0.8, Committee 6, 1st meeting)

**Resolution C 33/2004**

**Comprehensive review of UPU operational and accounting procedures**

Congress,

Aware

that the use of computers in the exchange of international mail and inter-administration settlement of accounts has become increasingly common in recent years, to the extent that some administrations no longer use paper documentation for inter-administration payments for some classes of mail, such as EMS,

Recognizing

that the Postal Operations Council, through its Standards Board and other groups, has developed technical standards for the exchange of international mail that are attracting broad use by postal administrations as well as by delivery agents, airlines, Customs authorities and other stakeholders,

Taking into account

that the Postal Operations Council has successfully developed and promoted actions to increase the use of computer data for the exchange of mail, for example through the work of the EMS Cooperative, the Telematics Cooperative and the Postal Security Action Group,

Observing

that the use of computer transmissions, data and files by postal administrations is uneven, so that a widening gap has arisen between those administrations that rely heavily on the use of computers in their exchange of international mail and those that mainly use the paper-based UPU forms and documentation,

Highlighting

that the exchange of electronic data pertaining to mail among postal administrations and other stakeholders serves to expedite operational handling, reduce administrative costs, facilitate payments and improve supply chain security,

Convinced

that the long-term goal of the UPU should be to effect a transition from paper-based documentation to computer data to document the exchange of international mail, and that the development of a comprehensive set of operational and accounting procedures based on the exchange of computer data would be essential for the UPU to achieve this goal,

*Instructs*

the Postal Operations Council, in collaboration with the Council of Administration, to:

- carry out a comprehensive review of the procedures concerning postal operations and inter-administration settlement of accounts in order to distinguish those procedures that are based on the transmission of EDI messages or the exchange of computer files, such as spreadsheets or PDF documents, from those based on traditional UPU forms;
- identify all stakeholders involved in these procedures, such as postal administrations, carriers (airlines, shipping lines, road transporters, railroads), Customs authorities, delivery agents, etc.;
- draft a comprehensive set of operational and accounting procedures based strictly on the exchange of EDI transmissions or computer files, developing new or supplementary procedures where they do not yet exist, either in the Convention or the Regulations, as UPU standards or in other UPU documentation. These procedures should include the exchange of electronic data among all stakeholders that handle mail, including postal administrations, carriers, Customs authorities, delivery agents, etc.;
- make proposals about how the data in the current global networks, such as POST\*Net, GXS and eMaria, could be combined into a single database or how the data could be managed in such a way that from the user's perspective, the data appear to reside in a single database, and taking into account proper authorization and authentication for access to data;
- carry out a further recast of the Convention and Regulations, if necessary, based on the conclusions of this work.

(Proposal 20. 0.9.Rev 1, Committee 6, 1st meeting)

## **Resolution C 34/2004**

### **Relations with the organizations in the United Nations common system**

Congress,

In view of

the agreement between the United Nations and the Universal Postal Union, under the terms of which the UN recognizes the UPU as the specialized agency responsible for developing international postal communications,

Considering

the commitments made by the UPU in respect of the international community to take action on the major conferences and summits organized under United Nations auspices,

Noting

that the Universal Postal Union actively participates in the cooperation and coordination structures at UN-system level,

*Confirming*

that maintaining and developing cooperation with all the international organizations that are part of the extensive United Nations family, in areas within the purview of the Universal Postal Union's mission, serves the vital interests of the UPU and its 190 members,

*Bearing in mind*

the practice firmly established and confirmed by previous postal congresses of systematically renewing the mandate assigned to the UPU's bodies to pursue and invigorate contacts with international organizations,

*Calls on*

all the Union's bodies, in their respective areas of activity, to intensify cooperation within the framework of the United Nations system, particularly with the specialized agencies in areas relating to the UPU's mission and strategic choices,

*Instructs*

the Director General of the International Bureau to:

- continue monitoring international developments, particularly those which impact on the work of the Universal Postal Union;
- take the initiatives he deems necessary in this connection, in the interest of the Union and its members;
- submit a report each year to the Council of Administration on the progress of cooperation activities between the UPU and the organizations of the United Nations common system;
- submit a comprehensive report on these activities to the next Congress;
- put in place the structures and take the appropriate organizational steps for the International Bureau to ensure that the commitments set out in this resolution can be honoured to the entire satisfaction of member countries.

(Proposal 017, 6th plenary meeting)

## **Resolution C 35/2004**

### **Posts and the Information Society**

Congress,

*Recalling*

the first phase of the World Summit on the Information Society recently held in Geneva under United Nations auspices from 10 to 12 December 2003, during which reference was made to the immense digital divide that excludes the majority of the world's inhabitants from information that is otherwise accessible through new communication and information technology,

*Bearing in mind*

the strategic role played by the UPU, as a United Nations specialized agency, in the preparation and conduct of the Summit's first phase,

*Aware*

that the Geneva Summit is only the beginning of a process of monitoring international commitments aimed at building a fairer information society,

Considering

- the important role that Posts have always played in facilitating access to information through constantly evolving technological services;
- objective 4 of the Bucharest World Postal Strategy (Postal reform and sustainable development), which acknowledges the importance of actions aimed at reducing the digital divide in the postal sector and increasing the number of countries that have transformed and modernized their postal structures,

Noting

with satisfaction, the adoption by heads of participating states and governments of a Declaration of Principles and Plan of Action in which the importance of the postal sector is repeatedly acknowledged as being a stakeholder in the current and future information society,

Also noting

the impact of new communication and information technology on the Post's activities and the progress made by postal administrations on making this new technology available to customers through innovative services that respond to their needs,

Confirming

- the scope of the world postal network and its ability to provide all inhabitants, particularly those in remote areas, with access to new technology and the necessary resources that can help reduce poverty and improve their standard of living;
- the ability of postal services to ensure confidentiality and data security in a physical or virtual environment;
- the close links between the postal sector and telecommunications industry,

*Invites*

all UPU member countries to:

- promote cooperation between Posts and with external partners to enable developing countries to equip themselves with the necessary infrastructure, technology and know-how and thus contribute to reducing the current digital divide;
- include and implement the objectives of the WSIS Declaration of Principles and Plan of Action, as adopted by their governments, in their national strategies,

*Instructs*

the permanent bodies of the Union to:

- intensify their efforts between now and the second phase of the WSIS, which will take place in Tunis (Tunisia) from 16 to 18 November 2005, to highlight the important role of the Post in the Information Society;
- take an active part in preparing the second phase of the WSIS by attending the preparatory meetings;
- monitor how Posts develop as regards their use of new information and communication technology and disseminate the results;
- use new technology to facilitate the development of products that will enhance the range of services offered to customers;

- coordinate the participation of Posts in the second phase of the WSIS, in order to enable them to benefit from maximum visibility and increase the sector's credibility as a key player in the Information Society.

(Proposal 018, 6th plenary meeting)

## **Resolution C 36/2004**

### **External communications activities**

Congress,

Reaffirming

- the need for the UPU to share useful information with the Posts of member countries, external industry partners, the public and the media;
- the desire to promote a positive image of the UPU, the Posts of member countries and the postal industry at large,

Taking into account

- the rapidly changing postal environment, fuelled by globalization, the liberalization of the communications market, increased competition and the appearance of new communication and information technologies;
- the evolution toward an information society, bringing with it a need for immediate information and knowledge sharing through the use of new communication tools such as the Internet;
- the increased interest in the postal industry by the broader public and the media,

Recognizing

the importance of effective communications in helping to achieve objective 5 of the Bucharest World Postal Strategy, which calls for increased interaction and cooperation with the stakeholders in the postal sector,

Noting with satisfaction

the efforts undertaken by the UPU to enhance its image and to reach out to its stakeholders, notably through:

- expanding relations with the media/press, and allowing journalists to attend more UPU events, meetings and conferences, including Congress;
- strengthening relations with the communications specialists of UPU member Posts; private industry stakeholders, the United Nations and other international organizations;
- increased participation in external fora of interest to the postal sector;
- improving existing communications tools such as the UPU quarterly magazine "*Union Postale*", the UPU corporate brochure, as well as the creation of new communication tools such as the UPU Internet website;
- introducing new initiatives to fuel interest in World Post Day and the UPU International Letter-writing Competition,

*Urges*

Governments, postal operators, and Restricted Unions to ensure that public information and communications strategies are in place, supported by qualified communications specialists and communications tools that will enable them to share information and project a positive image of the postal service,

*Instructs*

the Council of Administration, the Postal Operations Council and the International Bureau to:

- enable the UPU, through an effective communication strategy, to make the best use of modern communication tools in sharing information about the postal sector;
- further strengthen relations with other communications experts from UPU stakeholder groups (governments, postal operators, external stakeholders, United Nations and other international organizations);
- further strengthen relations with the media/press;
- continue to use events and opportunities such as World Post Day, the UPU International Letter-writing Competition, conferences and exhibitions, as well as communication tools such as the media, UPU publications and the UPU website, to promote a positive image of the UPU and the postal industry at large.

(Proposal 019, 6th plenary meeting)

**Resolution C 37/2004**

**Publication of e-mail addresses of postal administrations**

Congress,

Recognizing

- the growth in the use of e-mail as a communication tool;
- the benefits of using this communication tool between postal administrations,

Having noted

- Beijing Congress resolution C 48/1999, assigning the task of a naming convention for e-mail addresses before the symbol @;
- the high response from postal administrations in providing their e-mail addresses,

Having realized

- that many postal administrations have still not provided their e-mail addresses;
- that no postal administration has yet provided the e-mail addresses of offices of exchange,

Having further realized

- that e-mail addresses of offices of exchange are of the utmost importance for quick handling of mail related to investigations and inquiries,

*Instructs*

the International Bureau

- to collect the e-mail addresses from the postal administrations which have not provided them so far;
- to collect the e-mail addresses of offices of exchange from all postal administrations;
- to publish such e-mail addresses in the List of Addresses, Heads and Senior Officials of Postal administrations, the International Bureau and the Restricted Unions as early as possible,

*Recommends*

the postal administrations to make maximum use of e-mail in handling inquiries.

(Proposal 038, 6th plenary meeting)

**Resolution C 38/2004**

**Optional service: Supplementary indemnity for registered items**

Congress,

*Acknowledging*

the studies conducted by the POC Liability Project Team since 2000, which have highlighted the difficulties experienced by postal administrations with regard to the insured service,

*Noting*

- that over one hundred countries and territories of the UPU do not admit inward insured items in their letter-post stream;
- that the UPU registered service with its low, flat-rate indemnity is the only means of providing customers with an indemnity in respect of loss or damage to letter-post items to these many destinations, and that as a result customers have to use competitors' services or arrange private insurance in order to obtain higher compensation rates to cover against loss or damage for items sent to these destinations;
- that European Union (EU) Member States are bound by the EU Postal Services Directive to offer a service for insured items,

*Considering*

- that the strict regulations governing the make-up of insured items makes the service awkward and time-consuming for customers to access and give the Post an old-fashioned image;
- that the dispatch requirements and inward checking of insured items are costly, difficult to administer and heavily reliant upon manual procedures;
- that detailed checks and investigations are required to decide liability between postal administrations in respect of irregularities with insured items;
- that there is no standardized indemnity for insured items since the maximum insured value varies from country to country;

- that insured items, being highly visible, are easy targets for thieves and that a large proportion of inquiries into these items relate to loss,

*Aware*

that a consultation of all UPU members conducted by the Liability Project Team in 2002 showed that, owing to the problems experienced with the insured service listed above, a product providing supplementary indemnity for registered items is offered by six postal administrations, generally in place of the insured service, and is being considered by more than thirty others,

*Further aware*

that this service has been developed to meet the needs of customers who require a straightforward registered service for sending packages which provides extra indemnity to many destinations,

*Noting*

that this service is not subject to the limitations and difficulties mentioned above in respect of the insured service as it provides supplementary indemnity for registered items sent to all postal administrations and can be offered by the postal administration of origin without the need for any agreement from, or additional procedures to be undertaken by, other postal administrations,

*Recommends*

that postal administrations consider introducing a supplementary indemnity for their outbound registered items on the basis of the service description in the attached annex,

*Instructs*

the Postal Operations Council to continue its study of the provision of supplementary indemnity services, monitor their progress and introduction by any additional postal administrations and report on this subject to the 2008 Congress.

(Proposal 052, Committee 4, 6th meeting)

*Annex*

**Optional service: Supplementary indemnity for registered items**

*Service description*

1 Supplementary indemnity for registered items is a product offered by the administration of origin, usually in place of offering the UPU insured service, but requires no agreement or special procedures between administrations. Items are processed between administrations in exactly the same way as for the registered service, with liability for the supplementary indemnity being assumed solely by the administration of origin. The service is financed through the additional fees paid by customers for supplementary indemnity. The administration offering the service decides whether to administer the supplementary indemnity itself or through an insurance company.

2 The product involves offering customers wishing to send UPU registered items the option of paying an additional fee to provide an extra indemnity in respect of their item should it be lost, rifled or damaged in the Post. The administration of origin decides itself to which countries it offers the supplementary indemnity, how much it charges the customer for the service and the limit of the supplementary indemnity. The indemnity limit may vary according to the destination. An administration may offer low, or even no, supplementary indemnity to countries where there is a high risk of loss. Cash and valuables may be admitted in the items, according to the provisions of the UPU Convention, if the administrations of origin and destination so allow.

3 When the administration of origin accepts a registered item, it offers the customer the option of purchasing supplementary indemnity. As with a registered item, the customer is given a receipt with information identifying the item in the country of origin in case of an inquiry. The receipt shows the fees paid and the amount of the indemnity paid for, which will either be the flat-rate for a registered item or the higher amount, if supplementary indemnity has been purchased.

4 Both traditional UPU registered items and those for which supplementary indemnity has been purchased appear identical, as the service label used is the UPU CN 04 registered label. Registered items with supplementary indemnity are sent through the postal pipeline (dispatch, transmission, receipt in country of destination and delivery) as traditional registered items, without any additional special precautions or procedures.

5 Inquiries are lodged in respect of registered items with supplementary indemnity in exactly the same way as inquiries involving registered items. If the liability of the postal service is invoked, the administration responsible for the loss or damage will be liable for payment of the current flat-rate indemnity in accordance with the UPU regulations on indemnity for registered items (currently up to 30 SDR). The supplementary indemnity due above 30 SDR is always, however, the responsibility of the administration of origin, regardless of which administration may have been responsible for the loss, theft or damage. Therefore only the administration of origin is bound to pay the supplementary indemnity to the sender of the item since the additional fee for supplementary indemnity was paid to that administration upon posting.

#### *Comparison with the insured service*

The service has a number of advantages over the insured service:

6 Supplementary indemnity for registered items can be offered by the outward administration without the need for any agreement from, or additional procedures to be undertaken by, other administrations. It can be offered to all destinations, including the one hundred or so (of which a few are the administrations of industrialized countries) that do not admit incoming insured items.

7 The service is easier for customers to use, as there are no complex provisions for making up items for posting.

8 For a number of destinations, higher compensation can be offered to customers than with the insured service since the insured compensation limits depend on the lower of the maxima allowed by the administration of origin and destination, which is fairly low in some instances. The range of indemnities offered can be simplified by dividing destinations into just two or three groups according to the maximum indemnity that the administration of origin wishes to offer to administrations in each group.

9 The service is less expensive and time-consuming for administrations to manage, compared with the insured service. Irregularities and inquiries can be processed more speedily than with insured items.

10 Registered items (including those sent with supplementary indemnity, since they look identical to other registered items) are less of a security risk than insured items, which have the declared value indicated on them.

A few potential drawbacks should be noted:

11 The maximum indemnities offered for the supplementary indemnity for registered items service are likely to be lower than those offered in respect of some destinations admitting insured items. However, the majority of insured items posted to these destinations are valued well below the current insured limits, therefore the higher limits are only required by a small number of customers.

12 Indemnity levels to high-risk destinations may have to be set quite low in order to avoid a rise in the overall cost of claims. However, since these administrations are likely to be those which

do not admit insured items, customers will note an improvement rather than a reduction in the service offered to these destinations.

13 Cash and other valuables cannot be sent as registered items with supplementary indemnity to administrations that do not admit these articles in uninsured items. However, these administrations may agree to admit them upon request, if the administrations sending the registered items with supplementary indemnity assumes total liability for them, including the flat-rate liability payable in respect of traditional registered items.

### **Resolution C 39/2004**

#### **Study of the rules governing the period for handling inquiries, the period and conditions for paying indemnities and the period and conditions for the reimbursement of indemnities to postal administrations**

Congress,

Noting

that many postal administrations refuse to comply with the provisions of article RL 164 and article RC 157 stipulating that the postal administration which is liable or on behalf of which payment is made shall reimburse the paying postal administration the amount of the indemnity paid to the rightful claimant,

Observing

that this refusal heavily penalizes paying postal administrations that apply, within the period and according to the conditions prescribed, article RL 158 and article RC 151 stipulating that the postal administration of origin or destination, as the case may be, shall be authorized to indemnify the rightful claimant on behalf of the postal administration that has not responded to the inquiry or has not finally settled the matter,

Considering

- that, on the one hand, this situation risks making paying postal administrations defer payment of the indemnity, thus rendering the provisions of article RL 158 and article RC 151 inapplicable, which would be detrimental to postal customers and to the image of the Post as its market share steadily declines; and
- on the other, calls into question all of the measures laid down in the Letter Post Regulations and Parcel Post Regulations relating to the period for handling inquiries and paying and settling indemnities,

*Instructs*

the Postal Operations Council to:

- conduct an exhaustive study on the conditions for applying the current provisions of the Letter Post Regulations and the Parcel Post Regulations in the following areas: periods for the treatment and settlement of inquiries, and period and conditions for the payment of indemnities and the reimbursement of paying postal administrations;
- seek solutions for guaranteeing the strict compliance with these provisions by all postal administrations or define, if appropriate, new rules application of which could not give rise to any reservation by member countries;

- submit the proposals stemming from this study to the next Congress.

(Proposal 20. 0.14, Committee 4, 8th meeting)

## **Resolution C 40/2004**

### **Study on the List of Prohibited Articles**

Congress,

Considering  
that the current List of Prohibited Articles is based on the Harmonized System of the World Customs Organization,

Aware  
that the List of Prohibited Articles comprehensively covers all items addressed in the Harmonized System, including those which are accepted and prohibited in each country,

Noting  
that the said publication has become cumbersome and difficult to manage, particularly in terms of the provision of adequate information to those offices which admit items containing goods,

Taking into account  
that what is required is information relating to prohibited articles or articles whose admission is governed by certain conditions or special requirements,

#### *Instructs*

the Postal Operations Council to conduct a study on simplifying the List of Prohibited Articles, excluding items which are accepted and including only those items which are prohibited or conditionally accepted in line with the Harmonized System.

(Proposal 20. 0.15, Committee 4, 8th meeting)

## **Resolution C 41/2004**

### **Transit charges**

Congress,

Considering  
that the transit charges laid down in article RL 205.1.1 are based on a charge per kilogramme,

Aware  
that the costs generated by mail in transit are independent of the weight of each bag, since the weight factor applies in the event of transportation, which is negligible and can occur only in those countries which have two airports serving the same city,

Noting

that the transit of mail dispatches is very similar to that of à découvert parcel dispatches, for which a fixed per-parcel charge is provided,

Taking into account

that it is expedient to harmonize charges with those for related procedures,

*Instructs*

the Postal Operations Council to study the handling costs of mail in transit, taking account of the system used for parcels in transit à découvert.

(Proposal 20. 0.16, Committee 4, 5th meeting)

## **Resolution C 42/2004**

### **Equivalents**

Congress,

Considering

that article RL 109.1 obliges postal administrations to fix the equivalents of the postal charges prescribed in the Convention and the other Acts of the Union and the selling price of international reply coupons, to which end each postal administration must notify the average value of the SDR in the currency of its country,

Aware

that the average value of the SDR which is operative from 1 January each year, determined on the basis of the data published by the IMF over a period of twelve months ended on the preceding 30 September, is not always reliable, since it sometimes differs considerably from the actual value, particularly in countries with weak economies,

Noting

that a large number of postal administrations do not notify that parity,

Taking into account

that updating of the List of Equivalents was suspended by decision CE 9/1993,

*Instructs*

the Postal Operations Council to conduct a study on the notification of average value of the SDR and to submit proposals with amendments in respect of article RL 109.

(Proposal 20. 0.17, Committee 4, 6th meeting)

## **Resolution C 43/2004**

### **Inquiries**

Congress,

Considering  
that article RL 150.4.6 establishes that inquiries about items which have been transited through one or more intermediate postal administrations must be sent direct to the postal administration of destination,

Aware  
that this provision aims to expedite the handling of inquiries and to ensure that customers receive an appropriate response,

Noting  
that in practice, the transmission of inquiries is delayed because the majority of postal administrations of destination return the CN 08 forms to origin, requesting the entry of data about routing from the office of origin to final destination and that generally this is not successful because when the forms are sent to the postal administrations of transit, the latter reject them citing the provision in RL 150.4.6, which states that the inquiry form should be sent direct to the postal administration of destination of the item under inquiry,

Taking into account  
that procedures should be adapted to customer needs,

### *Instructs*

the Postal Operations Council to study the procedure for the handling of CN 08 forms and to amend the provisions of the Letter Post Regulations, if necessary.

(Proposal 20. 0.19, Committee 4, 8th meeting)

## **Resolution C 44/2004**

### **Extraterritorial offices of exchange (ETOEs)**

Congress,

Recognizing  
that, for the purpose of this resolution, an extraterritorial office of exchange (ETOE) is defined as an office or facility operated by or in connection with a postal operator outside its national territory, on the territory of another country, and that these offices are established by postal operators for commercial purposes to draw business in markets outside their own national territory,

Noting  
that the issue of ETOEs has been extensively studied within the Universal Postal Union in recent years,

Noting further

that, as a result of the discussion on the issue of ETOEs during the 2001 CA session, a provisional measure was adopted as resolution CA 17/2001, which confirmed that the Acts of the Union did not at present contain provisions for settling ETOE-related questions, and which protected the revenues of postal administrations that delivered items dispatched by ETOEs,

Recognizing

that the CA subsequently adopted resolution CA 2/2003 as a provisional measure, until Congress took a decision on ETOEs, whereby any UPU member country seeking to establish an ETOE must obtain the agreement of the host country of the ETOE, according to the host country's legislation,

Recognizing further

that national legislation or policy has thus far been expected to determine whether items dispatched from ETOEs are to be treated as mail under the UPU Acts,

Aware

that the absence of a UPU decision in the matter may cause economic distortions in relations between administrations as regards remuneration of the administration of destination for items sent by ETOEs,

Considering

that the compensation currently received under terminal dues is premised on the mutual exchange of mails in carrying out the universal service obligation, and that this compensation does not necessarily cover the related costs of the delivering administration, particularly in industrialized countries,

Considering further

that this issue will not be equitably resolved in the medium term, to the point where compensation for one-way traffic will be adequate for the delivering administration in all circumstances,

Recognizing

that, according to the DC tariff questionnaire sent out by the Terminal Dues Action Group in 2002, a majority of postal administrations in developing countries report that domestic rates do not cover their costs, meaning that they provide insufficient remuneration compared with terminal dues,

*Decides that*

- i ETOEs are not in the same situation as postal administrations executing universal service obligations under the UPU Acts;
- ii items sent from ETOEs are considered commercial items not subject to the UPU Acts, unless the destination postal administration has announced a policy agreeing to apply those Acts to the items it receives from ETOEs;
- iii the dispatch of items via an ETOE shall not result in a decrease of the remuneration that the destination postal administration would receive for the delivery of those items (including, where applicable, the payment for the Quality of Service Fund provided for in article 31 of the Convention);
- iv items tendered by ETOEs:
  - a shall be treated according to the national policy of the destination country,
  - b may be treated in accordance with the rates, terms and conditions of acceptance for domestic postal products, or
  - c may be charged terminal dues if the destination postal administration has announced a policy to apply the UPU Acts to items tendered by ETOEs,

- v the commercial customs clearance procedures of the destination country shall apply to items sent from ETOEs, unless the destination postal administration has agreed to apply the UPU Acts;
- vi no documentation provided for under the Acts of the UPU may be used for any purposes relating to items sent from ETOEs to the postal administration of the destination country, including for purposes relating to airlines, to Customs and to other parties, unless the destination postal administration has agreed to apply the UPU Acts,

*Further decides*

that the agreement of any UPU member country must be obtained, in accordance with its national legislation, by any other countries or operators seeking to establish ETOEs within that country,

*Invites*

member countries to advise the International Bureau of national legislation or policy that makes the operation of an ETOE on its territory legitimate or authorized,

*Instructs*

the Postal Operations Council and the International Bureau to adopt procedures enabling the issue and withdrawal of International Mail Processing Centre (IMPC) codes in a manner consistent with the provisions of this resolution, including the requirement for ETOE operators to obtain the agreement of the member country in which they are seeking to establish an ETOE,

*Declares*

that nothing in this resolution may be construed as requiring an administration to accept items from any ETOEs as mail under the UPU Acts.

(Proposal 048, Committee 3, 4th meeting)

**Resolution C 45/2004**

**International reply coupons service**

Congress,

Having noted

Beijing Congress resolution C 45/1999 introducing a new accounting system for the international reply coupons service,

Having further noted

that, under the new accounting system, advance payment of the price of the international reply coupons is mandatory,

Having realized

that some developing postal administrations cannot afford the advance payment and thus cannot purchase international reply coupons,

Having further realized

that such postal administrations cannot provide the international reply coupons service to their customers,

*Instructs*

the Postal Operations Council and the International Bureau, each in its area of responsibility:

- to study ways and means of discontinuing the present system of mandatory advance payment while at the same time guaranteeing the financial health of the system.
- to amend the Letter Post Regulations accordingly.

(Proposal 045, Committee 4, 6th meeting)

**Resolution C 46/2004**

**Terminal dues**

Congress,

Noting

the results of the extensive studies on terminal dues performed by the Postal Operations Council leading up to the Bucharest Congress,

Recalling

that the 1999 Beijing Convention contains transitional terminal dues arrangements and that the final objective is to move to a country-specific payment system that is cost-based,

Recognizing

that it is not possible to attain this objective during the period of validity of the Bucharest Congress Acts without causing major difficulties for developing countries,

Acknowledging

that, for the development of a country-specific terminal dues system, before the end of the transition period all postal administrations need relevant, reliable information about their costs which allows them to evaluate the impact of their integration into a single terminal dues system,

Taking into account

the modifications to the terminal dues system adopted by the Bucharest Congress,

Considering

that these modifications constitute a further step on the way to a country-specific payment system,

Believing

that it is important to continue the work on terminal dues in a targeted and efficient manner with the aim of reaching the end objective as soon as possible, but in a gradual manner and by 1 January 2014 at the latest,

Further considering

that the issues associated with remuneration for the costs of services rendered are among the major concerns of the Union,

Believing

that the financial relations between postal administrations of dispatch and of destination must be founded on economic criteria that take account not only of the objectives established in order to approach more closely the cost and efficiency of the services rendered, but also of the

environment in which the Posts operate, particularly with regard to the extent of market liberalization and the level of competitive activity,

*Instructs*

the Council of Administration to:

- a ensure that the terminal dues system submitted to the 24th Congress supports successful achievement of the universal service obligation (USO), as well as the integrity of the postal network;
- b ensure that the terminal dues system submitted to that Congress contains clear mention of the end of the transition period at 31 December 2013;
- c ensure a gradual transition towards a country-specific terminal dues system between 2010–2013; the most advanced developing countries in terms of the criteria to be defined by the 24th Congress should be the first to join the cost-based system before 2012; the single system for all countries will commence on 1 January 2014 at the latest, after comprehensive and conclusive evaluation by Congress;
- d keep itself updated on the progress of the terminal dues work of the Postal Operations Council;
- e see to it that regulatory requirements and customers' interests are taken into account in the proposal;
- f seek compatibility between the proposal and the rules of the WTO;
- g determine what audited cost and traffic data should be collected from the governments and postal regulators in cases where the quality and quantity of the data obtained by the Postal Operations Council from the postal administrations are inadequate;
- h review how pertinent economic and market data available from external, internationally recognized sources may be used;
- i approve methodologies developed by the POC to establish terminal dues rates, or to adjust existing rates;
- j determine whether and to what extent members should be bound by results developed from methodologies agreed in advance,

*Instructs*

the Postal Operations Council to perform the following work:

- a *Economic studies*
  - develop methodologies for converting a postal administration's domestic tariffs or costs into terminal dues rates, which are consistent with the principles established by the Council of Administration;
  - determine the relation between domestic tariffs and costs in the member countries of the Union to establish the appropriate percentage of tariffs and mixture of rates to apply as terminal dues;
  - determine a methodology to apply a country-specific system;
  - develop and implement, in conjunction with the authorities of each country, an action programme designed to ensure that all postal administrations have a standardized cost accounting system before the end of the period of validity of the Bucharest Acts;
  - establish key postal development indicators;
  - collect and analyze data to determine the impact of changes on customers and on administrations;

*b Policy questions*

- identify the improvements required to the existing system in order to meet the needs of the market and of member countries;
- ascertain the conditions to be met for establishing a terminal dues system that takes account of country-specific costs while respecting the following two prerequisites:
  - knowledge on the part of each postal administration of its own costs, based on standardized and auditable cost accounting models, and
  - an evaluation of the impact of the move towards a single terminal dues system on the countries of the target system and on those of the transitional system;
- design the optimum system by endeavouring to bring it closer to costs, taking into account the criteria listed in the preambular paragraphs of this resolution and work carried out on developing other multilateral and bilateral terminal dues arrangements;
- draw up a transition schedule for application of such a system as soon as possible; since it will depend on satisfaction of the above-mentioned prerequisites, it is not realistic to introduce this single system before the end of the period of validity of the Acts of the 23rd Congress; however, intermediate stages for postal administrations that satisfy the conditions may be envisaged before this deadline;
- explore ways of remuneration taking account of the liberalization of markets;
- promote the use of direct access services to a larger number of administrations;

*c Statistics, accounting and operations*

- develop statistical, accounting and operational systems to promote economic and commercial advances in the terminal dues system;
- develop further the statistical, accounting and operational procedures for direct access;

*d Quality of service link*

- implement the link between quality of service and terminal dues decided by Congress, in particular see to it that appropriate monitoring systems are available;
- evaluate *the quality of service measurement systems* and propose the necessary improvements to enable the maximum number of countries to participate;

*e Internal air conveyance dues*

- review the current methodology for calculating *internal air conveyance dues*;
- report study results to the 2006 POC and recommend changes if required.

(Proposal 20. 0.3, Committee 4, 4th meeting)

## **Resolution C 47/2004**

### **Postal Financial Services development**

Congress,

In view of  
the encouraging results of implementing several projects within the framework of 1999 Beijing Congress resolution C 42 on the Postal Financial Services Development Action Plan POST\*SERFIN 2000–2004,

Aware

- that postal financial services do not match customer expectations in many member countries and are not as well developed as the financial services offered by their competitors;
- that the provision of postal financial services allows access to a wide range of options with regard to developing postal networks, the common asset of postal administrations worldwide;
- that the changes in today's world market are both rapid and profound and that there is customer demand for a speedy, secure and high-quality service,

Considering

- that the provision of basic financial services through the post office network contributes significantly to global economic stability and plays an important role in the improvement of living standards;
- the benefits of providing such services, particularly increased revenue and collected funds which could be invested in the national economies;
- the numerous advantages of an efficient cooperation between postal administrations and non-postal financial organizations;
- that traditional paper, telegraph and telex postal payment services are losing their market share, as customers now demand secure, rapid and time-guaranteed payment services;
- that the most effective way to establish an international electronic postal financial services network is mutual cooperation between postal administrations,

Noting

- that the International Financial System (IFS) is intended as a UPU electronic fund transfer and payment system to replace paper, telegraph and telex money orders, and that at present, this system is being implemented in a growing number of countries;
- that the UPU and Eurogiro have created a new, common product exchangeable between their users;
- that account-based postal financial services are ideal for meeting postal customers' requirements but are neither sufficiently developed nor provided in all UPU member countries,

Recognizing

the need to continue and intensify UPU work on developing postal financial services worldwide,

*Instructs*

the UPU's permanent bodies to take action on developing postal financial services in order to meet the needs of a changing environment, in particular through:

- increasing awareness among all postal administrations of the importance of postal financial services;
- providing the necessary information to member countries and helping them to reform postal financial services;
- encouraging governments to make postal financial services a priority;
- providing the necessary consultancy support for postal financial services development;
- increasing the number of member countries that have signed the Postal Payment Services Agreement;
- recasting the Postal Financial Services Acts;
- publishing the UPU Acts, standards and other important information on postal financial services;
- improving the quality and efficiency of international payment services, thus enhancing the service quality level of UPU IFS by strengthening and taking flexible approaches to management structure;
- promoting electronic payment services under the Postal Financial Services Project Team;
- strengthening and promoting cooperation with international payment systems, including Eurogiro;
- creating a UPU worldwide electronic payment network and helping all UPU members to access it;
- drawing up the necessary procedure for an electronic money transfer system for UPU member countries;
- introducing new electronic fund transfer services, such as urgent money transfer via electronic payment networks;
- establishing and controlling quality standards;
- improving security of services and promoting anti-money laundering activities;
- improving the remuneration/clearing methods of international payment services;
- promoting the introduction and development of account-based postal financial services among Union members, e.g. savings and payment/giro services;
- studying micro-financing and consumer loans;
- encouraging business cooperation between postal administrations;
- linking the postal financial and the banking worlds;
- prioritizing effective cooperation and coordination with stakeholders such as the World Savings Banks Institute, the World Bank and regional development banks in the field of postal financial services,

*Invites*

UPU member countries, their governments and their postal administrations to take the necessary measures to develop postal financial services,

*Instructs*

the International Bureau to monitor this work and to assist the Postal Operations Council with any changes to the above-mentioned actions deemed necessary.

(Proposal 40. 0.1.Rev 1, Committee 5, 2nd meeting)

## **Resolution C 48/2004**

### **UPU quality of service measurement: service standards, quantifiable goals and annual performance reviews for all classes of mail**

Congress,

Conscious

that the UPU's mission statement calls upon the UPU to foster the development of high-quality and efficient universal postal services to facilitate communication among the people of the world,

Mindful

that the five main objectives of the Bucharest Postal Strategy support the basic mission of the UPU to improve postal services in its member countries, with particular emphasis on international mail exchanges,

Recognizing

that in 2005 the postal administrations of industrialized countries will apply a system of terminal dues payments based in part on their performance in delivering letter class mail (Quality Link to Terminal Dues), and that a similar system will be designed for the international mail exchanges of developing countries in the years thereafter,

Informed

that several major member administrations of the EMS Cooperative have applied the EMS Pay-for-performance Plan under which these administrations compensate one another based on their performance in delivering inbound EMS items and scanning and transmitting event data on these items,

Aware

that if the UPU is to effect tangible improvement in the quality of international postal services worldwide, postal administrations must develop achievable delivery standards for international mail whose degree of attainment can be gauged by employing reliable and objective performance measurements,

Concerned

that the UPU currently has no comprehensive systems or methods for measuring and publishing results on:

- the performance of administrations in delivering parcels;
- the performance of airlines in handling and transporting dispatches of international mail;
- the performance of administrations in applying UPU technical standards developed by the Standards Board for all classes of mail, such as the PREDES, RESDES, PRECON, RESCON messages,

Confident

that current advanced technologies and the UPU standards that have been adopted to take advantage of these technologies offer new opportunities to measure service performance for all classes of mail in all UPU member countries,

Taking into account

the work developed by other organizations like the European Committee for Standardization CEN and the cooperation that exists between the CEN and UPU to promote standardization in measuring quality of service,

Persuaded

that the disciplines required by the Quality Link to Terminal Dues and EMS Pay-for-performance should be applied to UPU activities related to service performance measurement and possibly to

other UPU activities where quantifiable goals may be adopted and objective measurements conducted,

*Instructs*

the Postal Operations Council to:

- develop and publish periodic comprehensive report cards on the performance of all administrations in delivering all classes of mail, where such reports do not now exist, which could include the quality of tracking and data transmission for individual items and the performance of contractors, such as airlines, in carrying out tasks related to international mail exchanges;
- conduct annual reviews of the performance of administrations and contractors as reflected in these report cards;
- adopt quantifiable annual goals for service performance that could specify performance targets for individual administrations, groups of administrations (such as regional targets) or all administrations worldwide;
- continue efforts to link inter-administration payments for delivery of mail to service performance for all classes of mail;
- make recommendations, based on the results of annual reviews, to improve quality of service.

(Proposal 072, Committee 6, 1st meeting)

## **Resolution C 49/2004**

### **POST\*CODE® products and services**

Congress,

Noting

- that the POST\*CODE® products and services have been designed with a view to improving quality of service for international mail, by enabling the senders of postal items to format addresses as accurately as possible, and in accordance with the rules laid down by the Universal Postal Convention;
- that the preparation of standard S42 on international address components and formats is capable of improving the quality of exchanges and deliveries of income-generating mass mail, and enabling automatic formatting of addresses;
- the need for the UPU to play a more active role in the promotion of international addressing;

Aware

that expanded use of addressing techniques by major postal customers can bring about a significant improvement in the quality of postal transmissions and deliveries;

Considering

that the POST\*CODE® products and services help:

- the addressees of postal items, who benefit from better quality transmissions;
- postal administrations, enabling them to supplement the range of postcode files available nationally to their major customers;

- major customers of Posts to reduce their costs by harmonizing the postcode data they use in their address checking or correction software;
- member countries through the promotion of good addressing practices,

*Urges*

the postal administrations of all Union member countries:

- a to make their national postcode files available to their customers;
- b to maintain a permanent point of contact between the International Bureau and their addressing services;
- c to provide, on a regular basis, the International Bureau with full postcode data and files, accompanied by documentation explaining the structure of address types within their territory;
- d to provide the International Bureau with their postcode files free of charge, if possible to street level, for testing the Universal POST\*CODE® DataBase;
- e to facilitate the full updating of the Universal Postal List of Localities in electronic format, to enable in particular rapid searching of the names of localities or postcodes of 190 countries both by postal operators and by private users who only wish to perform occasional address checks, whilst safeguarding the intellectual property of Posts and their sources of income, on the one hand, and citizens' privacy, on the other;
- f to set up and maintain postcode databases to locality and street level and extend these bases to mail delivery points in order to promote direct mail activities,

*Instructs*

The Postal Operations Council:

- to take the necessary measures to enable the continued development and technological evolution of the POST\*CODE® products and services;
- to authorize, exceptionally and upon express request, incorporation of additional data into the Universal POST\*CODE® DataBase;
- to continue work on standard S42;
- to carry out promotion and technical assistance for the establishment and improvement of postcode systems.

(Proposal 014, Committee 7, 2nd meeting)

**Resolution C 50/2004**

**Development of philately**

Congress,

Noting

that sales of postage stamps for philatelic purposes generate significant revenue for many postal administrations, in particular those from developing countries,

Noting further

that the support and involvement of the philatelic industry are essential to the success of philately,

Recalling

that the Beijing Congress, in resolution C 63/1999, established a "Priority Action Plan for the Development of Philately", because:

- philately constitutes an important part of the business of the Post and provides appreciable support for the Post and for postal development in general;
- postage stamps and postal philatelic products continue to represent a considerable source of revenue for the Post, both when used for normal postal purposes and from the commercial and philatelic points of view;
- postage stamps represent a specific brand image distinguishing the postal service from private sector delivery services;
- postage stamps continue to serve as ambassadors for countries and their postal services, both nationally and internationally;
- additional advantages for the promotion of the postal service are represented by the increased use of postage stamps by the private sector, such as the direct mail marketing business,

Aware

that many governments are moving to transform postal administrations into commercial entities and to introduce competition into the letters market, but that few have actively contemplated philately during this process,

Considering

that the experiences of postal administrations whose governments have already moved in this direction can provide valuable guidance to others,

Recognizing

that the issuing of postage stamps as the symbols and trademarks of a country and administration requires particular attention and the identification of a single official authority for this function,

Acknowledging

the increasing competition in the collectibles market and its impact on stamp collecting,

Noting with satisfaction

the establishment and growth of the WADP Stamp Numbering System as a tool for registering and verifying authentic stamp issues,

*Urges*

the Governments of member countries to:

- require issuing authorities, in issuing stamps, to take into account the needs of philatelists, consumers of basic postal services and the social and cultural value of the stamps;
- give due consideration to regulatory issues associated with stamp issuing and philately, including copyright and intellectual property laws;
- put in place legal mechanisms to guarantee the right of postal administrations to issue postage stamps in accordance with the UPU Convention,

Postal administrations to:

- participate fully in the WADP Stamp Numbering System;

- monitor the philatelic market to ensure compliance with prevailing national laws on the issuing of stamps and to do their utmost to eliminate or prevent abuses;
- provide information to the UPU at their discretion on the development of the market;
- adopt and implement best practices to ensure the participation of industry stakeholders at the national level and their cooperation and support at the international level,

#### *Charges*

the Postal Operations Council to:

- continue to interact with partners in the philatelic industry and to coordinate developmental activities;
- continue its work on determining the most effective and efficient means of informing members and the philatelic industry about authentic stamps issued by postal administrations;
- continue to promote the application of best practices and sound business principles in the philatelic business through targeted training and industry activities.

(Proposal 042, Committee 7, 2nd meeting)

#### **Resolution C 51/2004**

#### **Protecting and safeguarding the integrity of the postage stamp as well as the image of the country and its postal service by means of the postage stamp**

Congress,

Taking into account

the purpose of the Union and the aims that it pursues, as expressed in the Preamble to, and article 1 of, the Constitution,

Considering

- that the Universal Postal Union's mission is to promote, through the postal services, understanding and communication among peoples as well as international cooperation in cultural, social and economic fields;
- that postage stamps and philately have an important role as "ambassadors" for the image of a country and its postal service, not only nationally but also internationally,

Recalling

resolution C 63/1999 of the Beijing Congress, which established a priority action plan in favour of the development of philately and noted, inter alia, that:

- philately constitutes an important part of the business of the Post and provides appreciable support for the Post and for postal development in general;
- postage stamps and postal philatelic products continue to represent a considerable source of revenue for the Post, both when used for normal postal purposes and from the commercial and philatelic points of view,

Referring to

- article 6 of the Universal Postal Convention (Beijing 1999), which sets out the conditions for the issue of postage stamps;

- article 63 of the Convention, concerning penal measures to be taken against fraudsters who produce and distribute illegal issues;
- article RE 306 of the Beijing Letter Post Regulations, which specifies the characteristics of postage stamps and other methods of payment of postage;
- the Philatelic Code of Ethics adopted by the Beijing Congress (recommendation C 70/1999),

*Noting*

- that a certain number of developing countries in the Africa region, the majority being of the least developed category, continue to be the victims of abusive industry practices, which also seem to be on the rise. These practices mainly concern the production, distribution and marketing, in the name of the countries concerned, of abusive, illegal and unauthorized stamps which also undermine the sovereignty of the country concerned and the revenue potential for its postal service;
- that many abusive, illegal and unauthorized stamps depict subjects and themes which have absolutely no relation to the country concerned, and that certain subjects are even immoral in nature and constitute a severe attack on the reputation and image of the country and its postal service;
- that several countries in other regions such as the Community of Independent States and the Asia and Pacific region are also victims of abusive practices of the philatelic industry,

*Convinced*

that urgent measures are required in order to eliminate these abusive industry practices as quickly as possible in order to safeguard the reputation and image of the postage stamp and the country,

*Urges*

all the bodies of the Union to undertake all possible measures to put a stop to abusive practices in order that philately and the postage stamp can continue to remain true promoters of the image of all the countries of the Union and important sources of revenue as required for postal development,

*Invites*

the Governments of Union member countries:

- to take a position on a more precise definition of the postage stamp and the designation of a single postal authority for the issue of stamps, as stipulated in article 6 of the Universal Postal Convention, which sets the conditions for the issue of stamps;
- to register the intellectual property of the name of the State and its symbols, including postage stamps, as protected trademarks;
- to strengthen the national and postal laws to allow strict surveillance to safeguard the integrity of the postage stamp and the image and reputation of the State,

*Also invites*

postal administrations:

- to take all possible measures aimed at eliminating the abusive practices of the philatelic industry;
- to take inspiration from the numerous recommendations concerning the fight against illegal issues and the promotion of philately that resulted from the work of the Action Group for the Promotion of Philately of the Pan African Postal Union;

- to give priority to the development of philately as a means of promoting the postal service and as an important factor for postal development in general and, in this regard, to provide a clear mandate and more autonomy to their philatelic service,

*Recommends*

that the Postal Operations Council:

- a create a "Monitoring Committee" or "Observatory" with the mandate of exercising constant vigilance over the philatelic market in order to provide maximum protection for the Posts and take the necessary steps against fraud and abusive and illegal stamps with a view to safeguarding postal revenue from the sale of postage stamps and related philatelic products. The Committee would be assisted by an appropriate management structure;
- b seek funds in favour of the development of philately;
- c ensure that adequate human and financial resources are allocated to support the development of philately and the developing countries in this area;
- d include safeguarding the integrity of the postage stamp as well as revenue protection in the technical cooperation programmes of the Union.

(Proposal 059, Committee 7, 2nd meeting)

**Resolution C 52/2004**

**Access to operational information on the UPU website**

Congress,

Conscious

of the need of member countries for rapid access to information related to international mail operations of other postal administrations,

Considering

how modern information technology can help to meet this need,

Noting

that the operational data on the UPU website are simply electronic reproductions of pages of UPU publications which are placed in different locations on the site and are often difficult to access,

Taking account

of recent advances in website design that have greatly improved capabilities for rapid access to information, as well as search features that allow better navigation through websites,

*Instructs*

the International Bureau to draw up guidelines and prepare a dossier for redesigning the website, under the direction of the POC, and to make an estimate of the resources necessary for recasting and managing the website in future. The study should cover the following aspects in particular:

- the possibility of compiling information in UPU compendia and publications, documents and lists into database systems which would standardize the information presented and take advantage of recent advances in website design;
- the advisability of employing recent advances in website design to improve the user interface with frequently updated databases to facilitate better access to needed information;

- regular updates of the site with information about the exchange of international mail submitted to the International Bureau by the administrations of Union member countries and, as appropriate, the CA and the POC;
- adaptation of the site, whenever necessary, to assist postal administrations in complying with new developments in operational requirements for the exchange of international mail (for example, desired methods for return of empty equipment or links to information about recent changes in government regulations).

(Proposal 039, 6th plenary meeting)

### **Resolution C 53/2004**

#### **Methodology for calculating charges for postal products and services which are specified both in the Convention and in the Regulations**

Congress,

Aware

that many postal administrations find it difficult to set some of the charges for services and products mentioned in the Convention and in the Regulations, which are often complementary to the postal products,

Also aware

that many postal administrations take the charges mentioned in the Regulations as maximum amounts, a fact which can produce serious internal market distortions, since these charges do not reflect the legal, commercial and cost framework of every postal administration,

Noting

that the charges mentioned both in the Convention and in the Regulations for postal products and services should be considered as guideline amounts,

Considering

that each postal administration should set the appropriate charge associated with the respective costs, as well as observing the commercial and legal framework, without losing sight of affordability,

Urges

the Postal Operations Council and the International Bureau:

- to propose methods for calculating the charges for postal products and services which are specified both in the Convention and in the Regulations, in order to support the countries in the pricing process. This methodology should:
  - consider different methods of cost allocation for these products and services;
  - identify all processes/tasks for each product and service;
  - specify the most suitable margin/mark-up systems,
- to take every action to support postal administrations in implementing this methodology.

(Proposal 20. 0.18, Committee 4, 6th meeting)

**Resolution C 54/2004**

**Management of the work of the Union – Further reform of the UPU**

Congress,

Recalling  
the reform and restructuring of the Union and its bodies implemented since the 1989 Washington Congress,

Noting  
the mandate given to the High Level Group (HLG) created by the 1999 Beijing Congress to review the UPU mission, its structure, constituency, decision-making, financing and budgetary processes and to make recommendations for any changes to the Council of Administration,

Recognizing with appreciation  
the work of the HLG and the subsequent work of the Council of Administration on the management of the work of the Union,

Aware of  
the imperative necessity to continue the Union reform process and the need to continuously adapt to shifting requirements in a rapidly changing environment affecting the UPU and its members,

Conscious  
of the successful integration of the Advisory Group into the work of the Union, the need to transform it into the Consultative Committee and the desire to enhance its effectiveness by continually reviewing its structure, membership and working methods,

*Decides*

- that the mission of the UPU should be studied further, taking into account the need to define and distinguish more clearly the proper role and structure of the bodies of the Union with respect to their governmental and operational functions in providing international postal services,
- that, in particular, the desirability of converting the Postal Operations Council into a Postal Operators Council should be considered, and consequently the impact of such a change on the role and membership of the Council of Administration should also be examined,

*Instructs*

the Council of Administration in consultation with the Postal Operations Council and the International Bureau:

- to continue seeking as a matter of urgent priority ways of improving all aspects of the work of the Union, including its mission, structure and constituency, decision-making by its bodies, the financing of its activities and the budgetary process;
- to formulate proposals for reform based on the results of the study, either for immediate implementation where possible and, as appropriate, prior to the next Congress, or for submission to the next Congress.

(Proposal 070, Committee 3, 4th meeting)

## **Resolution C 55/2004**

### **Study on liability issues**

Congress,

In view of  
the positive results of the work done by the Post and the Liability Project Team,

Noting  
that the Liability Project Team has completed the majority of the tasks assigned to it,  
Considering  
that the conclusions of the legal study conducted by the Project Team and of questionnaires sent to UPU member countries have generated further questions to be decided and developed,

Aware  
that it was not possible for the Liability Project Team to complete all the work within the timeframe stipulated and that a consensus on certain proposals was still required,

Recognizing  
that an in-depth study of pending work and an examination of other related liability issues is still necessary,

*Charges*

the Postal Operations Council to take measures to achieve these objectives.

(Proposal 029, Committee 4, 10th meeting)

## **Resolution C 56/2004**

### **Combatting terrorism**

Congress,

Reaffirming  
the UPU's solidarity with and commitment to the resolutions by the United Nations Security Council and General Assembly in response to terrorism,

Noting  
UPU participation in the United Nations Counter-Terrorism Committee and its affirmation of the resolutions adopted by this body,

Deeply concerned  
by the devastating political and economic effects of terrorist attacks, including mail-borne biological attacks, for the current and future activities of UN common-system organizations, including the Universal Postal Union,

Also deeply concerned  
by the increasing number of incidents of attacks on postal establishments and infrastructure, and  
by the disruption of mail systems by terrorists in the Union's member countries,

*Acknowledging*

that the criminal acts of terrorists may take many forms, strike against innocent people, and use means unanticipated by authorities,

*Recognizing*

that the global postal network, as a public service, may be used by terrorist or other criminal elements as a means to transport bombs, biological substances, radiological agents and other dangerous goods,

*Strongly urges*

Union member administrations:

- to commit appropriate resources to postal security initiatives;
- to reinforce or create, as appropriate, postal security units with the aim of coordinating their security activities with the UPU in the global fight against terrorism;
- to develop contingency and continuation of operation plans for mail processing centres and international offices of exchange in the event that mails are suspected of being used to transport illicit biological, chemical, or radiological substances; and
- to establish close and appropriate working contacts with State and local medical, first-responder and public health officials to prepare for incidents in which the mails are used to convey illicit biological, chemical, or radiological substances,

*Instructs*

the Postal Operations Council and Council of Administration to give priority attention to combatting the use of the Post as a vehicle for terrorism,

*Decides*

that the following articles of the Convention shall come into effect immediately:

- article 5.1: A postal item shall remain the property of the sender until it is delivered to the rightful owner, except when the item has been seized in pursuance of the legislation of the country of origin or destination and in case of application of article 15.2.1.1 or 15.3, in accordance with the legislation of the country of transit.
- article 15.8.1: The treatment of items wrongly admitted is set out in the Regulations. However, items containing articles mentioned in 2.1.1, 2.1.2 and 3.1 shall in no circumstances be forwarded to their destination, delivered to the addressees or returned to origin. If articles mentioned in 2.1.1 and 3.1 are discovered in items in transit, such items shall be dealt with in accordance with the national legislation of the country of transit.

(Proposal 074, Committee 6, 2nd meeting)

**Resolution C 57/2004**

**Combatting money laundering and terrorist financing**

Congress,

Aware

of the 2001 Council of Administration resolution on combatting terrorism,

Noting

a keynote presentation by the Postal Security Action Group during 2002 on Countering Money Laundering and Terrorist Funding via Postal Financial Systems,

Reaffirming

the UPU's solidarity with and commitment to the resolutions adopted by the United Nations Security Council and General Assembly in response to terrorism,

Acknowledging

the Financial Action Task Force's 2001 Special Recommendations on Terrorist Financing and the work of the United Nations Counter-Terrorism Committee,

Recognizing

the importance of the International Monetary Fund, World Bank and Financial Action Task Force joint methodology for assessing compliance with anti-money laundering and combatting the financing of terrorism standards,

Taking into account

the Beijing Postal Strategy, in particular, the desire to address postal payment services, including money orders, electronic fund transfers, giro and postal savings, and the challenge to take the path of postal development based on adjusting and reforming organizational, financial and legal structures and adopting better business practices,

Noting

that the updated Financial Action Task Force 40 recommendations will, in part, focus to a greater degree on customer due diligence and identification of beneficial owners of legal entities,

Acknowledging

the importance and the size of the Post base which covers almost the entire world and includes 190 member countries, six million postal employees and 700,000 postal outlets,

*Instructs*

the Council of Administration:

- to begin an immediate dialogue with the Financial Action Task Force and World Bank on money laundering and terrorist financing issues;
- to seek observer status at the Financial Action Task Force plenary and in its appropriate working groups;
- to begin a collaborative education and training programme within the framework of UPU postal security activities to review what new countermeasures and business practices may be necessary in the light of the updated Financial Action Task Force 40 recommendations and the International Monetary Fund-World Bank methodology; and

to survey members and observers to establish new objectives.

(Proposal 032, Committee 6, 2nd meeting)

## **Resolution C 58/2004**

### **Postal security policy and strategy**

Congress,

Having considered  
the report of the Postal Operations Council on postal security activities (Congrès–Doc 32),

Recalling  
Seoul Congress resolution C 35/1994 calling on postal administrations to take action to enhance the security and integrity of international mails,

Considering

- a the continuing need to safeguard the quality of postal services;
- b the vulnerability of the international postal system to criminal acts such as theft, robbery, burglary, assaults on employees, fraud, traffic in drugs and in pornography and other related crimes;
- c the growing threat of biological, chemical, and radiological terrorism utilizing the Post;
- d the specialized knowledge and skill required to counter criminal activity directed against postal services and the limited resources available to counter this activity;
- e the importance of combatting illegal stamp issues through postal revenue protection activities,

Recognizing

that in order to remain competitive in world markets, postal administrations must be able to guarantee security in all sectors of their activity,

Aware of the importance of:

- a preventing injury to people due to dangerous goods in the mail;
- b preventing the loss or theft of mail entrusted to the Posts by their customers;
- c preventing revenue and asset losses for postal administrations; and
- d preserving customer confidence in the Post,

Taking account of

the positive results of activities sponsored by the UPU's Postal Security Action Group in areas such as the:

- development of the International Airport Mail Security Review Program (PSAG Security Doc 15);
- hosting of the *Bioterrorism in the mails* seminar to address the consequences of the 2001 mailings of letters containing anthrax bacteria;
- signing of a Memorandum of Understanding between the UPU and the International Atomic Energy Agency;
- signing of a Memorandum of Understanding between the UPU and the World Health Organization;
- disruption of a high percentage of illegal advance-fee fraud mailings through the successful strategies undertaken by the West African Fraud Working Group;

- development of enhanced relationships with international organizations and stakeholders whose responsibility includes ensuring the safety and security of the international mail network;
- development of enhanced regional security networks to improve quality of service and mail security; and
- creation of the eCommerce Security Working Group to undertake initiatives to ensure customer confidence in the security of postal electronic commerce products and services,

Noting

- that postal security issues cover both regulatory and operational aspects of the postal business;
- that postal security issues will need attention by both the Council of Administration and the Postal Operations Council, each within its own area of responsibility;
- that security activities have been incorporated into the UPU's strategic planning process for the future;
- the considerable progress already made by the UPU Postal Security Action Group in raising awareness of the importance of security within the Union; and
- the need to maintain dynamic activity in postal security,

Endorses

the recommendations as laid out in the Postal Operations Council report on postal security activities (Congrès–Doc 32),

*Charges*

the Council of Administration, the Postal Operations Council and the International Bureau, each within its own area of responsibility, to manage the efficient organization of postal security activities, to maintain the viable international postal security network, and to ensure that appropriate measures are taken in the field of postal security by providing adequate human and financial resources to implement security-related activities.

(Congrès–Doc 32 and proposal 033, Committee 6, 2nd meeting)

**Recommendation C 59/2004**

**Adoption of the eMARIA computer application by UPU member countries**

Congress,

Noting

- that it is necessary to have a reliable method adopted internationally, within the framework of postal security, for collecting and processing international mail irregularity data;
- that the advantages resulting from a large number of countries using the same method are enormous,

Acknowledging

- that a computer application, known as eMARIA, developed as part of the work of the Postal Security Action Group (PSAG), has been widely tested in several regions;

- that, following the above-mentioned tests, the eMaria computer application has proved to be a simple, safe and effective way of keeping a global database of international mail irregularity data,

Considering

- that the eMARIA computer application is already in practical use, in a number of countries;
- that the greater the number of countries using it, the more efficient it will become,

Considering further

that it is vital for as many UPU member countries as possible to adopt this application,

*Recommends*

- that postal administrations adopt the eMARIA computer application as the standard application for the collection and treatment of international mail irregularities, in terms of security;
- that postal administrations which adopted computer applications, other than eMARIA for the collection and treatment of international mail irregularity data, within the framework of security should establish an interface connection with the global database, to enable them to access it and receive information,

*Charges*

the Postal Operations Council, through the PSAG, in collaboration with the International Bureau to:

- update and supervise all the changes considered necessary to guarantee that the eMARIA computer application meets the security needs of postal administrations in the area of international mail;
- publicize the advantages of the eMARIA computer application, encouraging those postal administrations which have not yet adopted it, to do so;
- support postal administrations using other applications in creating an interface connection to the global database, so that the maximum number of countries can access the information.

(Proposal 068, Committee 6, 2nd meeting)

## **Resolution C 60/2004**

### **Collaboration with the airline sector**

Congress,

In view of

the positive results of the work done by the IATA–UPU Contact Committee,

Noting

that airlines are a vital partner of the Posts,

Considering

that efforts to speed up and simplify the transmission and handling of airmail should be continued,

Aware of the fact

that collaboration with the International Air Transport Association is important for improving international mail flows,

Recognizing

that the cooperation between the UPU and IATA, which has existed for more than half a century, is in the best interests of both organizations,

*Charges*

the Postal Operations Council to take measures to continue collaboration with the airline sector in order to pursue the study of common problems.

(Proposal 025, Committee 6, 2nd meeting)

## **Resolution C 61/2004**

### **EMS Cooperative**

Congress,

Recognizing

- that EMS is offered, on the basis of article RL 255, and of the EMS Standard Multilateral Agreement (annexed to Congrès-Doc 37.Rev 1), by the great majority of postal administrations of UPU member countries and territories as an integral element of the postal offer effectively complementing the traditional range of letter-post and parcel-post services;
- that EMS has considerable commercial and strategic importance for postal services and for their customers;
- that in most countries EMS is the only practical and affordable means of providing universal access to international express services for the private customer and many small enterprises,

Noting

the progress and achievements of the EMS Cooperative, as a structure within the POC, providing a global focus to allow the worldwide EMS network to better meet the needs of postal customers,

Accepting

the need for the UPU to continue to support ongoing EMS activities, particularly for those UPU members that are not members of the EMS Cooperative,

Acknowledging

the reduction in expenditure for the regular UPU budget resulting from the EMS Cooperative's decision to finance from its own budget two posts in the EMS Unit currently or formerly paid from the regular budget,

*Decides*

to continue to finance, through the UPU budget, the institutional and other support costs of maintaining the EMS Unit at the International Bureau. The costs to be supported shall include those for the accommodation of the EMS Unit (at its current staffing level); its office and IT services; logistic support – including production and distribution of documents; translation and

interpretation for UPU meetings; personnel and financial management support; legal advice, and any other costs incurred by the International Bureau in respect of the EMS Unit which are not currently allocated to EMS tactics in the UPU's Programme and Budget (2003–2004),

*Charges*

- the EMS Cooperative, under the POC:
  - a to maintain its responsibilities for all operational, commercial, technical and economic matters concerning EMS, having authority to make and amend EMS recommendations and establish EMS standards in all these areas, taking into account directives from the UPU bodies;
  - b to present an annual report to the POC and, where appropriate, to the CA;
  - c to pay the direct personnel costs (salaries and allowances) and travel costs of all EMS Unit staff;
- the POC to present a report to the next Congress on the progress of EMS activities and their financing,

*Instructs*

the International Bureau to:

- a continue to provide the EMS Unit (at its 2003 staffing level) with office accommodation, furniture and equipment, free of any rent or other accommodation charges;
- b continue to provide support to the EMS Cooperative by covering all its institutional and other support costs as specified in this resolution, without cost to the Cooperative;
- c ensure that postal administrations which are not members of the EMS Cooperative continue to benefit from established UPU EMS programmes and publications;
- d continue to promote EMS activities for those administrations which are not members of the Cooperative.

(Congrès–Doc 37.Rev 1 and proposal 021.Rev 1, Committee 6, 3rd meeting)

**Resolution C 62/2004**

**Collaboration with the World Customs Organization (WCO)**

Congress,

In view of  
the positive results of the work done by the WCO–UPU Contact Committee,

Noting  
that Customs constitute a vital link in the mail processing chain,

Considering  
that efforts to speed up and simplify the customs treatment of postal items should be continued,

Aware of the fact  
that collaboration with the World Customs Organization is important for improving international mail flows,

Recognizing

that the cooperation between the UPU and the WCO, which has existed since 1965, is in the best interests of both organizations,

*Charges*

the Postal Operations Council to take measures to continue collaboration with the World Customs Organization in order to pursue the study of common problems.

(Proposal 026, Committee 6, 3rd meeting)

## **Resolution C 63/2004**

### **Work relating to Customs matters**

Congress,

In view of

the important nature of the work being carried out by the Customs Support Group,

Noting

that the Customs Support Group was recently created by the 2003 POC in order to have a forum where specialists could work on customs-related matters,

Considering

that the Group still needed to address vital issues relating to the European Union, EDI and the heightened security environment,

Recognizing

that in-depth study of these and other Customs issues is still necessary,

*Charges*

the Postal Operations Council to take measures to attain these objectives.

(Proposal 028, Committee 6, 3rd meeting)

## **Resolution C 64/2004**

### **Work relating to the environment**

Congress,

In view of

the positive results of the work done by the Post and the Environment Project Team,

Noting

that environment matters are becoming increasingly important for enterprises and governments,

Considering

that efforts to promote environment-friendliness, increase awareness of environmental issues, develop environment policies and environment training modules should be continued,

Aware of the fact

that collaboration with specialized agencies like the United Nations Environment Programme and participation in environmental initiatives is important for achieving environmental goals,

Recognizing

the importance of adopting the concept of sustainable development within the framework of the Union's mission, including environmental and social aspects and corporate governance,

*Charges*

the Postal Operations Council to take measures to achieve these objectives.

(Proposal 027, Committee 6, 3rd meeting)

## **Resolution C 65/2004**

### **Future parcel-post development strategies and associated activities**

Congress,

Having considered

the report of the Postal Operations Council on future parcel-post development strategies and associated activities (Congrès–Doc 35),

Having noted

the considerable achievements that have been obtained from the activities of the POC Parcels Project Team during the 1999–2004 period (Congrès–Doc 19),

Aware

that parcel-post development activities should be considered a core activity of the UPU and a vital part of the functioning of the Union,

Convinced

that the UPU should continue to play a leading role in parcel-post development activities and should adopt a pro-active approach in facilitating development in this area,

Stressing

the importance of raising the profile of the postal parcel product within the context of the UPU,

Considering

the need to take action to increase the Posts' share of ordinary parcels in the growing global parcels market,

Aware

of the urgent need to review and re-invigorate the postal parcel product in order to make it more competitive,

Recognizing

the need to convince the customer that the Posts can provide a parcel product which offers competitive quality of service and fully meets the demands of the marketplace,

*Invites*

governments:

- to recognize the importance of providing a good quality postal parcel service which is a core postal activity that provides vital links between individuals, businesses, their customers and suppliers, thereby stimulating the economy and reinforcing social cohesion;
- to acknowledge the role that UPU parcel-post development activities play in enhancing and improving the quality of the postal parcel service for their citizens,

*Also invites*

postal administrations:

- to participate actively in the UPU parcel-post development process;
- to better manage the relationship with their customers and to become as commercial, competitive and efficient as the private sector enterprises with which they are in competition in the parcels industry;
- to focus both on the challenges facing the international postal parcels industry and on implementing the strategies required to meet these challenges – for developing Posts in particular,

*Charges*

the Postal Operations Council:

- to manage and facilitate the implementation of the future parcel-post development strategies and associated activities described in Congrès–Doc 35.

(Proposal 020, Committee 6, 3rd meeting)

**Resolution C 66/2004**

**Future organization of telematics activities and their financing**

Congress,

Recalling

resolution C 27/1994 of the Seoul Congress and resolution C 52/1999 of the Beijing Congress concerning UPU activities in the field of EDI exchanges from 1995 to 2004,

Bearing in mind

the report of the Postal Operations Council concerning UPU telematics activities (Congrès–Doc 36),

Aware

of the strategic importance of UPU telematics activities for all Union member countries,

Noting

- that a Telematics Cooperative was established within the Postal Operations Council with the aim of developing synergies between Posts and stimulating the development of the postal service through the use of modern technologies;
- the inability of the Telematics Cooperative to be self-financing for the time being,

Considering

the large number of postal operators that have willingly joined the Telematics Cooperative,

Recognizing

the achievements of the Cooperative accomplished to date and its efforts aimed at improving and developing the postal service (Congrès–Doc 36),

Convinced

that the Telematics Cooperative will do all it can to speed up considerably the introduction of telematics and other technologies designed to improve communications between Posts, narrow the technology gap between them and with other market players, raise the quality of the international postal service and facilitate the expansion of current services and the development of new ones,

*Decides*

- to continue to finance, through the Union budget, the institutional costs connected with maintaining the Postal Technology Centre at the International Bureau, which cover use of the Postal Technology Centre's premises, its administrative and logistics services, including translation services, interpretation services during UPU meetings, the production and dispatch of documents, staff management and financial management, and legal services;
- to continue to subsidize the Telematics Cooperative, while providing for a gradual reduction so as to terminate this financial support at the end of a period covering two Congresses at the latest,

*Charges*

- the Postal Operations Council:
  - to assume competence for all strategic, operational, technical and economic matters concerning Telematics Cooperative activities;
  - to present a report to the next Congress on the progress of telematics activities;
- the Telematics Cooperative to assume competence for strategic, operational, technical and economic matters concerning telematics, as the body with the authority to make and amend telematics recommendations,

*Further charges*

- the Council of Administration:
  - to supervise Telematics Cooperative finances through the annual examination and approval of the budget and accounts;
  - to present a report to the next Congress on the financing of the Telematics Cooperative;
- the Telematics Cooperative to present an annual report to the Postal Operations Council and the Council of Administration,

*Instructs*

the International Bureau:

- to maintain the Postal Technology Centre as a service provider with responsibility for implementing the strategies approved by Congress and by the Telematics Cooperative in the field of telematics and technology;
- to provide financial support to the Telematics Cooperative through an annual subsidy and to cover its institutional costs, as specified above;
- to continue to promote the activities of the Telematics Cooperative and encourage postal operators to join it and to contribute actively to its activities,

*Invites*

the Council of Administration to cofinance Telematics Cooperative activities by continuing the annual contribution taken from the regular budget of a sum comparable to that of previous years. This sum is to be gradually reduced to zero over a period of eight years starting from 2005 with the possibility of reducing this period further should the Telematics Cooperative become self-financing more rapidly.

(Congrès–Doc 36 and proposal 046, Committee 6, 2nd meeting)

**Resolution C 67/2004**

**The role of Posts in environmental matters**

Congress,

Considering that

postal services are among the most basic needs of human beings, as well as the oldest means of communication, and have responsibility for transporting and delivering mail all over the world with speed, reliability, affordability and security, in a way that aims to save energy, national capital and natural resources to contribute to social welfare, productivity, the effectiveness of government organizations and efficient, economical use of time and energy, particularly in developing countries,

Given that

Posts are a fundamental factor in sustainable development, and that governments have to adopt a policy aimed at encouraging the public to make use of new and additional postal services in view of its ever-increasing needs and requirements,

Aware that

the existence and development of postal services are vital for optimizing human communications, thus leading to a healthier environment,

Noting that

the Postal Operations Council Post and the Environment Project Team has conducted many useful studies, produced numerous pamphlets, held symposiums, examined the impact of postal activities on the environment, determined guidelines for postal administrations to follow in order to minimize environmental pollution and encouraged them to use recyclable materials,

*Decides*

that activities concerning environmental matters should continue for the next four years, and

*Instructs*

the Postal Operations Council to conduct a comprehensive study on the practical and strategic role of the postal services in decreasing environmental pollution and preventing inappropriate exploitation of natural resources by making use of environment-friendly products, new postal services and state-of-the-art technologies, and to submit the study results to the Council of Administration and Postal Operations Council meetings in 2006.

(Proposal 053, Committee 6, 3rd meeting)

**Resolution C 68/2004**

**Preparation of a practical formal legislative drafting guide adapted to the UPU**

Congress,

Noting  
that it is essential for formal legislative drafting rules to be codified within the UPU,

*Instructs*

the Council of Administration to carry out a study on preparing a practical formal legislative drafting guide in cooperation with the International Bureau and the Postal Operations Council.

(Proposal 036, Committee 3, 6th meeting)

**Decision C 69/2004**

**Entry into force of the Acts of the 2004 Bucharest Congress**

Congress,

*Decides*

to set 1 January 2006 as the date of entry into force of the Acts of the 23rd Congress.

(Proposal 05, Committee 3, 5th meeting)

**Resolution C 70/2004**

**International law in the field of trade in services. WTO-UPU Memorandum of Understanding**

Congress,

Conscious  
of the influence that developments in the World Trade Organization will continue to have on postal policy making within the UPU and at national level,

Aware  
of the fact that the certain rules in the field of trade in services within the World Trade Organization may already apply to postal services in so far as such services are not provided in the exercise of governmental authority as laid down in Article I.3 of the General Agreement on Trade in Services (GATS),

Noting  
that services negotiations under the Doha Development Agenda have incorporated discussions on new rules relating to postal services, and that the outcome of such discussions may be reflected in the final text of the agreement, which is scheduled to be concluded by the end of 2004,

Convinced

- of the need for the Union to inform its member countries, as well as stakeholders in the World Trade Organization, of the implications of World Trade Organization agreements on the postal sector, both at national and international levels;
- of the strategic advantage of harmonizing the interests of the postal sector with applicable rules of other international organizations,

*Instructs*

the Council of Administration, in conjunction with the International Bureau, to:

- monitor developments in international law concerning trade in services and keep Union members informed of developments in this field;
- continue efforts to secure cooperation between the Union and the World Trade Organization through the establishment of a memorandum of understanding and observership status;
- seek compatibility between the rules of the Union and those of the World Trade Organization.

(Proposal 011, Committee 3, 5th meeting)

## **Resolution C 71/2004**

### **Strategy Conference**

Congress,

Recognizing

the value of the results obtained from implementation of the 1997 and 2002 Strategy Conferences and their usefulness during the Union's strategic planning process,

Aware

of the importance of permanently monitoring the postal environment to make it possible to identify trends, opportunities and threats, together with other strategic factors of interest to member countries,

Considering

the interval between Congresses,

Bearing in mind

the programme to be followed by the Council of Administration and the Postal Operations Council in shaping the World Postal Strategy for the period 2009–2012,

Aware

that making available scenarios and other elements of strategic content which focus on the postal environment is a crucial planning instrument for the Union and its member countries,

*Instructs*

the Council of Administration, in conjunction with the Postal Operations Council and the International Bureau, to take the necessary steps to hold a further Strategy Conference at the end of 2006.

(Proposal 050, Committee 3, 5th meeting)

**Decision C 72/2004**

**Accession to the Vienna Convention on the Law of Treaties between States and International Organizations or between International Organizations of 21 March 1986**

Congress,

Recognizing  
the appeal made by the United Nations General Assembly, in resolution A 53/100 of 20 January 1999, to States and to international organizations to consider ratifying or acceding to the Vienna Convention on the Law of Treaties between States and International Organizations or between International Organizations of 21 March 1986,

In view of  
the recommendation of the 2002 Council of Administration that Congress approve the accession of the Universal Postal Union to the Convention,

Bearing in mind  
that formal confirmation of, or accession to, the Convention has no legal effect on its entry into force and would contribute to the gradual development of international law and its codification,

Convinced  
of the need to promote acceptance of, and respect for, the principles of international law,

Aware  
that although a limited number of States and international organizations have ratified or acceded to the Convention, accession would be a major stride towards entry into force of the Convention,

*Decides*

- that the Universal Postal Union shall accede to the Vienna Convention on the Law of Treaties between States and International Organizations or between International Organizations of 21 March 1986;
- to give plenipotentiary power to the Director General of the International Bureau to sign and formally accept the Vienna Convention on the Law of Treaties between States and International Organizations or between International Organizations of 21 March 1986.

(Proposal 066, Committee 3, 5th meeting)

## **Resolution C 73/2004**

### **Certification of quality management systems at the International Bureau**

Congress,

Bearing in mind

that the International Bureau serves as an organ of execution, support, liaison, information and consultation for all Union member countries,

Also bearing in mind

that the success of the Union's work and its benefits for member countries and their postal service depend in large part on the effectiveness of management,

Considering

that member countries expend considerable effort to pay their annual contribution toward financing the Union,

Further considering

that the concept of quality should not apply just to postal services, but also to the management of the specialized international institutions in this field,

Taking into account

that it is the Director General's responsibility to organize, administer and direct the International Bureau and be its legal representative,

Also considering

that it is the responsibility of the Council of Administration to provide control over the activities of the International Bureau,

Convinced

that the introduction of a quality management system at the International Bureau, in addition to reducing the costs attributed to lack of quality, would improve the effectiveness of the International Bureau in carrying out its functions, which would directly benefit Union member countries,

Also convinced

that its certification by bodies recognized as competent internationally would guarantee the institution's management quality,

Further convinced

that the savings resulting from more efficient management and a reduction in the costs attributed to lack of quality would increase the resources available for cooperation and for development of the world postal network,

Stressing

that, at the present time, the International Bureau does carry out its functions satisfactorily, which should not prevent improvement from continuing to be an essential principle in the institution's management,

*Instructs*

the Director General:

- to assess the feasibility of introducing and certifying a quality management system at the International Bureau, not without having first identified the procedures that clearly contribute to efforts to achieve the Union's objectives and manage its resources;

- to submit a report on the matter to the 2006 Council of Administration and, if appropriate, to the Postal Operations Council,

the Council of Administration:

- to examine the report submitted by the Director General and to take the necessary decisions in this connection.

(Proposal 069, Committee 3, 5th meeting)

### **Resolution C 74/2004**

#### **Study of the proposals submitted to the WTO concerning the classification of postal services and courier services, and request for observer status for the UPU**

Congress,

Recognizing

the growing importance of the World Trade Organization (WTO) in establishing procedures for international trade and, in particular, trade in services,

Taking into account

the intergovernmental character of the WTO,

Aware

that future actions taken within the WTO will have an increasing impact on the postal sector,

Bearing in mind

that there are proposals under discussion at the WTO examining the classification of services,

Convinced

that discussions held on postal matters at the WTO need to be fully understood and assessed by Union member countries in terms of their possible subsequent impact,

Also convinced

that, by obtaining observer status at the WTO, the presence of the UPU will make it easier to monitor postal issues being discussed in this organization,

*Instructs*

the International Bureau

- to conduct a study of the various proposals concerning the classification of postal services and courier services submitted to the WTO, to identify their possible impact stemming from approval of each of them as regards the achievement of the mission and objectives of the UPU;
- to present the results of this study to all Union member countries before 31 March 2005 and to report on them to the 2005 Council of Administration session;

*Also instructs*

the International Bureau  
to invite member countries to request the WTO to grant observer status to the UPU in the WTO.

(Proposal 076, Committee 3, 5th meeting)

## **Resolution C 75/2004**

### **Support costs for extrabudgetary activities**

Congress,

Having considered  
the report on the finances of the Union (Congrès–Doc 21),

Aware  
that reimbursement of support costs to the Union's regular budget must be based in particular on reliable data relating to the actual costs of extrabudgetary activities,

Recognizing  
the importance of extrabudgetary funds in achieving the UPU's mission,

Noting  
the recommendations of the United Nation's Joint Inspection Unit on the identification of the support costs of extrabudgetary activities within the UN system, and the different reimbursement policies adopted by individual agencies,

Accepting  
the need for greater transparency in this area within the UPU's budgetary framework,

Instructs the International Bureau to:

- create permanent tools for determining the cost of all individual projects or programmes financed by the Union's regular budget or, wholly or in part, from extrabudgetary resources;
- establish an appropriate basis for assessing the fixed and variable indirect costs of these projects/programmes in conjunction with the entities/groups responsible for extrabudgetary funding;
- propose principles and modalities to be adopted in order to set reimbursement rates – where appropriate – for the support costs of extrabudgetary projects/programmes based on reliable data relating to the costs and the importance of these projects within the framework of the organization's mission, taking account of Beijing Congress resolution C 28/1999 on extrabudgetary financing;
- clarify the likely effects of reimbursement proposals on the UPU's regular budget and mandatory contribution system;
- report to the Council of Administration and the Postal Operations Council on this subject in time to allow these bodies to make appropriate recommendations to the 24th Congress on the principles and methodology to be adopted by the UPU with regard to the important question of the reimbursement of support costs for extrabudgetary activities.

(Proposal 077, Committee 2, 2nd meeting)

### **Decision C 76/2004**

#### **Election of the Director General and Deputy Director General of the International Bureau of the Universal Postal Union**

Congress,

In view of  
article 111.1, of the General Regulations,

*Elects*

- Mr. Edouard DAYAN, France, Director of European and International Affairs, the "La Poste" Group, to the post of Director General of the International Bureau;
- Mr. HUANG Guozhong, China (People's Rep.), Assistant Postmaster General, to the post of Deputy Director General of the International Bureau.

This decision takes effect on 1 January 2005.

(Congrès–Doc 41, 7th plenary meeting)

### **Resolution C 77/2004**

#### **Approval of the accounts of the regular budget of the Universal Postal Union for the 1999–2002 period**

Congress,

In view of

- a the Report on the finances of the Union (Congrès–Doc 21);
- b the report of its Finance Committee (Congrès–Doc 45),

*Approves*

the accounts of the Universal Postal Union for the 1999–2002 period.

(Congrès–Doc 21. Annexe 1, Committee 2, 2nd meeting)

### **Resolution C 78/2004**

#### **Approval of the annual tied and extrabudgetary accounts of the Universal Postal Union for the 1999–2003 period**

Congress,

In view of

- a the Report on the finances of the Union (Congrès–Doc 21);

b the report of its Finance Committee (Congrès–Doc 45),

*Approves*

the extrabudgetary accounts of the Universal Postal Union for the 1999–2003 period.

(Congrès–Doc 21. Annexe 4, Committee 2, 2nd meeting)

#### **Resolution C 79/2004**

##### **Aid provided by the Government of the Swiss Confederation in the field of the Union's finances**

Congress,

Having considered  
the Report on the finances of the Union (Congrès–Doc 21),

*Expresses*

its gratitude to the Government of the Swiss Confederation:

- i for the generous aid it provides to the Union in the field of finance by supervising the keeping of the International Bureau accounts and by acting as external auditor of the Union's accounts;
- ii for its willingness to cover temporary financing shortfalls by making the necessary short-term advances, on conditions which are to be fixed by mutual agreement.

(Congrès–Doc 21. Annexe 5, Committee 2, 2nd meeting)

#### **Resolution C 80/2004**

##### **Period covered by the financial decisions taken by the Bucharest Congress**

Congress,

Having considered  
the Report on the finances of the Union (Congrès–Doc 21),

In view of the fact  
that the financial resources must be allocated on the basis of the Programme and Budget stemming from the Bucharest World Postal Strategy covering the period from 2005 to 2008,

*Decides*

that the Bucharest financial system shall cover the period of execution of the Strategic Plan 2005–2008.

(Congrès–Doc 21. Annexe 6, Committee 2, 2nd meeting)

## **Resolution C 81/2004**

### **Measures proposed for safeguarding the UPU Provident Scheme's ability to meet its future obligations**

Congress,

Noting

that the Provident Scheme's ability to meet its future obligations has diminished as a result of the stock market slump in 2001 and 2002, though it did not reach the minimum level requiring application of the statutory guarantees introduced by the 1964 Vienna Congress (see Congrès–Doc 55),

Convinced

that supporting measures should be envisaged to avoid these guarantees being called upon in the near future,

*Decides*

- a to assign to the UPU Provident Scheme the balance from the international reply coupon service after the financial cycle of this service which will be closed in 2007;
- b to authorize the Council of Administration – in the event of an emergency – to implement measures with a view to contributing temporarily to the indexation of Provident Scheme periodic benefits paid since 1 January 1992 and to enter the relevant amounts in the Union's regular budget.

(Congrès–Doc 55. Annexe 2, Committee 2, 2nd meeting)

## **Resolution C 82/2004**

### **Strategic planning activities**

Congress,

Recalling

the progressive establishment of a strategic planning process within the Union, starting with the Declaration of Hamburg in 1984, and continuing with the Washington General Action Plan, the Seoul Postal Strategy and the Beijing Postal Strategy at successive Congresses,

In view of

the report on the implementation of the Beijing Postal Strategy (Congrès–Doc 22) and the presentation of the Bucharest World Postal Strategy (Congrès–Doc 46),

Aware

of the need for flexible strategic planning in order to guide the Union's activities in a changing postal environment,

Recognizing

that strategic planning helps the postal services of member countries to better meet the needs of their customers,

Noting with satisfaction

- the steady progress made towards implementing a strategic planning process in the UPU that is based on the results obtained,
- the continued improvements made to the Union's Programme and Budget, which allows for better and more transparent strategic planning of the Universal Postal Union's activities, in accordance with available resources,

Acknowledging

the work of the combined Council of Administration and Postal Operations Council Strategic Planning Group, particularly in the areas of setting priorities for implementation of the Beijing Postal Strategy, developing future scenarios for the postal sector, and results-based management,

*Urges*

member countries to adopt a strategic planning process in order to provide improved postal services to their citizens,

*Invites*

member countries to participate fully in the Universal Postal Union's strategic planning process through regular reporting on the results obtained in achieving the objectives of the Bucharest World Postal Strategy,

*Charges*

- the Council of Administration and the Postal Operations Council with:
  - reviewing the results achieved by implementation of the Bucharest World Postal Strategy, and making adjustments if required;
  - deciding on the Programme and Budget and its updates on the basis of the results obtained, the setting of priorities, available financing and changes in the postal environment;
  - reviewing and approving the draft of the strategic plan to be presented to Congress in 2008;
  - continuing management of strategic planning activities, as set out in Beijing resolution C 60/1999, and, in addition, with:
    - improving the current strategic planning methodologies by moving towards the implementation of a results-based management concept in the strategic planning process;
    - developing scenarios for the future of the postal sector;
    - cooperating with the International Bureau in the preparation of the draft strategic plan to be presented to Congress in 2008,
- the International Bureau with:
  - making every effort to ensure the appropriate organizational structure within the International Bureau for carrying out all the necessary activities in support of strategic planning;
  - carrying out regular monitoring of the results obtained through implementation of the Bucharest World Postal Strategy;
  - recommending adjustments to the Programme and Budget;
  - gathering analyses of the postal environment, with a view to integrating the findings into the Union's strategic planning process;

- drawing up the Programme and Budget and the financial reports relating to its execution and preparing, with the appropriate bodies, the annual report to both Councils and the final report to the 2008 Congress;
- preparing, together with the appropriate bodies, the draft of the strategic plan to be presented to Congress in 2008.

(Congrès–Doc 22 and 46, proposal 015, 9th plenary meeting)

## **Resolution C 83/2004**

### **Continuation of work on strategic planning**

Congress,

Aware

- that the work on strategic planning developed within the UPU during the period 1999–2004 – which included the allocation of priorities to the objectives and tactics of the Beijing Postal Strategy, their respective clarification and the recommendation to establish key performance indicators – has been of the utmost importance;
- that the above-mentioned work needs to be kept up and that gearing the Programme and Budget towards measurable results and careful, transparent allocation of budgetary resources – which are increasingly scarce – would be of significant benefit to the work of the UPU;
- that the Bucharest World Postal Strategy to be presented to Congress defines general objectives and programmes for the next four years, meaning there is a need, on the basis of the aforementioned Strategy, to develop work which pursues and fosters results-based budgeting and results-based management methodologies,

Recognizing

- that the above-mentioned methodologies and their successful use in other United Nations organizations have already been promoted and understood among the UPU's permanent bodies and that their step-by-step implementation has already been recommended;
- that this recommendation will decisively contribute to ensuring that the concepts of priorities, performance indicators, clear drafting of objectives and actions and clear and careful budgetary allocation with concrete and quantifiable measurement of results, will definitely be applied to the strategic planning activities of the Union,

*Instructs*

the Council of Administration and the Postal Operations Council, in collaboration with the International Bureau, within six months of the approval of the Bucharest World Postal Strategy, to:

- define the key performance indicators for each objective and programme as well as their respective values – starting value and target at the end of the period – so that the progress of each project implementation can be monitored effectively;
- detail in concrete and clearly specified actions the programmes defined in broad terms in Congrès–Doc 46, for each responsible body;

- define priorities and/or principles to prioritize particular objectives, programmes and actions in order to facilitate the process of budgetary allocation of resources, to allow a well-balanced decision and results-oriented actions;
- establish the actions, intermediate deliverables, schedule and persons responsible for results-based management within the UPU in order to achieve their full implementation by 2008 and their use in the process of implementing the World Postal Strategy for the post-2008 period.

(Proposal 065, 9th plenary meeting)

## **Resolution C 84/2004**

### **Bucharest World Postal Strategy**

Congress,

Considering  
the UPU mission statement, which states that the mission of the Union is to stimulate the lasting development of efficient and accessible universal postal services of quality in order to facilitate communication between the inhabitants of the world by:

- guaranteeing the free circulation of postal items over a single postal territory composed of interconnected networks;
- encouraging the adoption of fair common standards and the use of technology;
- ensuring cooperation and interaction among stakeholders;
- promoting effective technical cooperation;
- ensuring the satisfaction of customers' changing needs.

Taking account of

- the fruitful and intensive discussions which took place during the UPU's 2002 Strategy Conference in Geneva;
- the work of the Council of Administration and the Postal Operations Council in the area of strategic planning;
- the conclusions and views expressed during the Bucharest World Postal Strategy Forum held in Bucharest on 17 September 2004, on the theme "Embracing the future of the postal sector";
- the results of the work of Congress as a whole,

Also taking account of

the draft Bucharest World Postal Strategy, prepared by the International Bureau, accepted by the Postal Operations Council and approved by the Council of Administration, which takes account of the views expressed during a general consultation of the Chairmen of the Council of Administration and Postal Operations Council Committees, Action Groups and Project Teams, all Union member countries, the Restricted Unions and the non-governmental members of the Advisory Group,

Aware

of the urgent and continuing need to adapt the provision of postal services to developments in the postal environment and the changing needs of customers,

*Approves*

the Bucharest World Postal Strategy,

*Appeals urgently*

to governments, postal administrations and the Restricted Unions to implement all the strategies assigned to them, adapting them as necessary to their national and legislative particularities;

*Invites*

the Restricted Unions to integrate the relevant elements of the Beijing Postal Strategy into their respective priorities and action programmes,

*Instructs*

the permanent bodies of the Union:

- to implement the strategies assigned to them;
- to take without delay, within the framework of their respective competencies, all appropriate measures to attain the objectives set and, to this end, determine means of implementing the strategies to achieve the expected results;
- to regularly examine the state of implementation of the Bucharest World Postal Strategy and, following this examination, to:
  - make whatever changes in direction and adjustments are necessary;
  - reassign available resources, whilst respecting the budgetary ceilings set by Congress as regards the resources coming from the budget of the Union;
- to support member countries in the implementation of the Bucharest World Postal Strategy, in particular by establishing procedures for carrying out the strategies;
- to regularly disseminate the results achieved to Union member countries;
- to report to the next Congress on the results achieved and the experiences recorded.

(Congrès–Doc 46.Add 1, 9th plenary meeting)

## **Decision C 85/2004**

### **Questions referred to the POC for consideration**

Congress,

Having decided not to adopt the following proposals:

20. 2.92.Rev 1, 20. 9.5, 20. 10.4, 20. 12.3, 20. 12.4, 20. 12.6, 20. 12.7, 20. 25.7, 20. 26.9, 20. 27.3, 20. 28.3, 20. 30.6

Considering

that these proposals nevertheless contain ideas that deserve to be studied,

*Instructs*

the Postal Operations Council:

- to study the questions raised in these proposals;
- to submit appropriate proposals to the next Congress, if that should prove necessary; or
- to amend, where appropriate, the Letter Post Regulations and the Parcel Post Regulations, as the case may be.

(Committee 4, 4th, 5th, 6th, 7th and 8th meetings)

**Resolution C 86/2004**

**The value of publishing mail**

Congress,

Taking note

of the activities undertaken during the period 2000–2004 directed towards the development of relations between the publishing industry and the Posts,

Noting, in particular

that the Beijing Congress, in resolution C 22/1999, established a "Total Quality of Service Concept for Mutual Improvement", and had as its objectives:

- to establish best practices in business relations between the Posts and their customers in the publishing businesses of newspapers, periodicals and books;
- to promote mutual understanding and cooperation;
- to ensure constant improvement of quality at all levels,

Aware

of the significant contribution to the volumes and revenues of the Posts by publishing mail,

Acknowledging

the value to society of the wide distribution of newspapers, books and magazines,

Convinced

that the Posts can and must continue to play their part in the dissemination of news, information and literature,

Recognizing

the value and positive role of the UPU Publishing Sector Industry Group in guiding the POC and UPU members in the management of their relations with a major contributor to the development of postal markets,

*Urges*

the Governments of member countries to:

- give due consideration to regulatory issues and put in place legal mechanisms to encourage the development of the publishing sector;
- facilitate dialogue between the postal administrations and the publishers' associations and federations at national, regional and local level, including issues such as pricing and environmental policies,

Postal administrations to:

- put in place the necessary infrastructure to meet publishers' needs and expectations;
- facilitate the achievement of harmonized procedures to optimize mutual operational procedures;
- promote the importance of quality of service testing as a means for improving international services,

*Charges*

the Postal Operations Council, in conjunction with the International Bureau, to:

- provide an adequate framework for the continued improvement of relations between the Posts and their customers in the publishing sector;
- continue to ensure interaction and coordination with the partners in the publishing industry in the carrying out of developmental activities;
- encourage the development of the publishing sector as a market segment which offers considerable mutual growth opportunities;
- continue and extend the monitoring of quality of service of cross-border publishing mail flows;
- assist developing countries in establishing the necessary infrastructures to develop their publishing markets, to consolidate relations with the customers of the publishing industry and to improve quality of service in the publishing mail sector.

(Proposal 043, Committee 7, 2nd meeting)

## **Decision C 87/2004**

### **Venue of the 24th Universal Postal Congress**

Congress,

*Decides*

to accept the invitation of the Government of the Republic of Kenya to host the 24th Congress in that country in 2008.

(Congrès–Doc 47, 9th plenary meeting)