



# Decisions of the 2016 Istanbul Congress

Final texts of the Acts signed at Istanbul  
and of the Decisions other than those amending the Acts

Berne 2017  
International Bureau of the Universal Postal Union

The present volume should be quoted under the following reference:

Decisions of the 2016 Istanbul Congress

**Note on the printing of the texts adopted by the 2016 Istanbul Congress reproduced in this volume.**

Bold type appearing in the texts of the Constitution, the Ninth Additional Protocol, the General Regulations, the First Additional Protocol of the General Regulations, the Rules of Procedure of Congresses, the Convention and the Postal Payment Services Agreement indicates amendments with respect to the Acts adopted by the 2012 Congress.

The declarations made on signature of the Acts, and the Constitution of the Universal Postal Union adopted at Vienna in 1964 and amended by the 1969 Tokyo, 1974 Lausanne, 1984 Hamburg, 1989 Washington, 1994 Seoul, 1999 Beijing and 2004 Bucharest Congresses, and the 24th Congress held in Geneva in 2008, as well as the recast General Regulations adopted by the 2012 Doha Congress, are reproduced in this volume for information purposes, but do not form part of the Acts signed at Istanbul.

## Table of contents

	Page
Table of contents .....	3
List of abbreviations and acronyms used in the Decisions of the 2016 Istanbul Congress .....	5
Ninth Additional Protocol to the Constitution of the Universal Postal Union .....	7
Constitution of the Universal Postal Union <sup>1</sup> .....	15
First Additional Protocol to the General Regulations of the Universal Postal Union.....	31
General Regulations of the Universal Postal Union <sup>1</sup> .....	45
Declarations made on signature of the Acts.....	109
Rules of Procedure of Congresses <sup>1</sup> .....	119
Universal Postal Convention .....	135
Final Protocol to the Universal Postal Convention .....	169
Postal Payment Services Agreement.....	179
Final Protocol to the Postal Payment Services Agreement.....	197
Decisions of the 2016 Istanbul Congress other than those amending the Acts (resolutions, decisions, recommendations, etc.) .....	231

<sup>1</sup> The Constitution of the Universal Postal Union adopted at Vienna in 1964 and amended by the nine Additional Protocols, the General Regulations adopted by the 2012 Doha Congress and amended by the First Additional Protocol, and the Rules of Procedure of Congresses are reproduced in this volume for information purposes, but do not form part of the Acts signed at Istanbul.



## List of abbreviations and acronyms used in the Decisions of the 2016 Istanbul Congress

Agr.	Postal Payment Services Agreement
art.	Article of an Act
C number/year	Decision, resolution, recommendation or formal opinion of Congress
CA	Council of Administration
CA number/year	Decision, resolution, recommendation or formal opinion of the Council of Administration
CC	Consultative Committee
IBRS	International business reply service
POC	Postal Operations Council
CEP number/year	Decision, resolution, recommendation or formal opinion of the Postal Operations Council
CN	Form for letter-post items
Congress–Doc	Congress document
Const. or Constitution	Constitution of the Universal Postal Union
Conv. or Convention	Universal Postal Convention
CP	Form for postal parcels
SDR	Special drawing right
EDI	Electronic data interchange
EMS	Express Mail Service
QSF	Quality of Service Fund
FIP	International Federation of Philately
IATA	International Air Transport Association
IFS	International Financial System
J	Day of posting of items
ICAO	International Civil Aviation Organization
WCO	World Customs Organization
UN	United Nations
.POST	UPU-sponsored Internet top-level domain name
PREM	Postal registered electronic mail
POST*Net	World postal telecommunications network offering value-added services, designed in particular to improve communications between administrations and manage and monitor international mail
Prot. or Protocol	Final Protocol (of the respective Act)
Direct marketing	Advertising materials sent by post to specific addresses
R	Registered item
Gen. Reg. or General Regulations	General Regulations of the Universal Postal Union
M bag	Bag made up by a sender and containing printed matter addressed to a single addressee and for a single destination.
ITU	International Telecommunication Union
UPU or Union	Universal Postal Union



Ninth Additional Protocol to the Constitution  
of the Universal Postal Union

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

### Table of contents

#### Article

I.	(Art. 1 amended)	Scope and objectives of the Union
II.	(Art. 1bis amended)	Definitions
III.	(Art. 22 amended)	Acts of the Union
IV.		Coming into operation and duration of the Additional Protocol to the Constitution of the Universal Postal Union



## Ninth 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 Istanbul, 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

(Art. 1 amended)

#### 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 **postal** items. Freedom of transit shall be guaranteed throughout the entire territory of the Union, **subject to the conditions specified in the Acts 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 II

(Art. 1bis amended)

#### 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 **international** postal services whose scope is **determined and regulated by the Acts of the Union.** The main obligations of postal services are to satisfy certain social and economic objectives of member countries, by ensuring the collection, **processing**, 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 Acts of the Union to provide for the reciprocal exchange of **postal** items, including freedom of transit, and to treat postal items in transit from other countries like their own postal items, without discrimination, **subject to the conditions specified in the Acts of the Union.**
  - 1.4 Freedom of transit: obligation for an intermediate member country to ensure the transport of postal items passed on to it in transit for another member country, providing similar treatment to that given to domestic items, **subject to the conditions specified in the Acts of the Union.**

1.5 Letter-post item: items described in the Convention.

**1.6 (Deleted.)**

**1.6bis Postal item: generic term referring to anything dispatched by the designated operator of a member country (letter post, parcel post, money orders, etc.), as described in the Universal Postal Convention, the Postal Payment Services Agreement and their respective Regulations.**

1.7 Designated operator: any governmental or non-governmental entity officially designated by the member country to operate postal services and to fulfil the related obligations arising out of the Acts of the Union on its territory.

1.8 Reservation: an exemption clause whereby a member country purports to exclude or to modify the legal effect of a clause of an Act, other than the Constitution and the General Regulations, in its application to that member country. Any reservation shall be compatible with the object and purpose of Union as defined in the preamble and article 1 of the Constitution. It must be duly justified and approved by the majority required for approval of the Act concerned, and inserted in the Final Protocol thereto.

### Article III

(Art. 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 and **its** 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. Member countries shall ensure that their designated operators fulfil the obligations arising from the Convention and its Regulations.

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 member countries only. Signatory member countries shall ensure that their designated operators fulfil the obligations arising from the Agreements and their Regulations.

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

Coming into operation and duration of the Additional Protocol to the Constitution of the Universal Postal Union

1 This Additional Protocol shall come into operation on **1 January 2018** 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 **Istanbul, 6 October 2016**



Constitution of the Universal Postal Union

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# Constitution of the Universal Postal Union

(amended by the 1969 Tokyo, 1974 Lausanne, 1984 Hamburg, 1989 Washington, 1994 Seoul, 1999 Beijing, 2004 Bucharest, 24th Congress – 2008 and **2016 Istanbul Additional Protocols<sup>1</sup>**)

## Table of contents

### Preamble

### Section I Organic provisions

#### Chapter I General

##### Article

- 1 Scope and objectives of the Union
- 1bis Definitions
- 2 Members of the Union
- 3 Jurisdiction of the Union
- 4 Exceptional relations
- 5 Seat of the Union
- 6 Official language of the Union
- 7 Monetary unit
- 8 Restricted Unions. Special Agreements
- 9 Relations with the United Nations
- 10 Relations with international organizations

<sup>1</sup> For the 1969 Tokyo Additional Protocol, see the documents of that Congress, volume III, pages 9 to 12. For the Second Additional Protocol (Lausanne 1974), see the documents of that Congress, volume III, pages 23 to 25. For the Third Additional Protocol (Hamburg 1984), see the documents of that Congress, volume III, pages 25 to 28. For the Fourth Additional Protocol (Washington 1989), see the documents of that Congress, volume III/1, pages 27 to 32. For the Fifth Additional Protocol (Seoul 1994), see the documents of that Congress, volume III, pages 25 to 29. For the Sixth Additional Protocol (Beijing 1999), see pages A 3 to A 6 of the brochure published in Berne in 1999. For the Seventh Additional Protocol (Bucharest 2004), see pages 3 to 7 of the brochure published in Berne in 2004. For the Eighth Additional Protocol (24th Congress – 2008), see pages 3 to 7 of the brochure published in Berne in 2008. **For the Ninth Additional Protocol (Istanbul 2016), see pages 7 to 13 of the present brochure.**

## Chapter II

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

- 11 Accession or admission to the Union. Procedure
- 12 Withdrawal from the Union. Procedure

## Chapter III

### Organization of the Union

- 13 Bodies of the Union
- 14 Congress
- 15 Extraordinary Congresses
- 16 Administrative Conferences (deleted)
- 17 Council of Administration
- 18 Postal Operations Council
- 19 Special Committees (deleted)
- 20 International Bureau

## Chapter IV

### Finances of the Union

- 21 Expenditure of the Union. Contributions of member countries

## Section II

### Acts of the Union

## Chapter I

### General

- 22 Acts of the Union
- 23 Application of the Acts of the Union to territories for whose international relations a member country is responsible
- 24 National legislation

## Chapter II

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

- 25 Signature, authentication, ratification and other forms of approval of the Acts of the Union
- 26 Notification of ratifications and other forms of approval of the Acts of the Union
- 27 Accession to the Agreements
- 28 Denunciation of an Agreement

## Chapter III

### Amendment of the Acts of the Union

- 29 Presentation of proposals
- 30 Amendment of the Constitution
- 31 Amendment of the General Regulations, the Convention and the Agreements

Chapter IV  
Settlement of disputes

32 Arbitration

Section III  
Final provisions

33 Coming into operation and duration of the Constitution



## Constitution of the Universal Postal Union

(amended by the 1969 Tokyo, 1974 Lausanne, 1984 Hamburg, 1989 Washington, 1994 Seoul, 1999 Beijing, 2004 Bucharest, 24th Congress – 2008 **and 2016 Istanbul** Additional Protocols)

### Preamble<sup>2</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 inter-connected 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>2</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 **postal** items. Freedom of transit shall be guaranteed throughout the entire territory of the Union, **subject to the conditions specified in the Acts of the Union.**<sup>3</sup>

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>4</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 **international** postal services, whose scope is **determined and regulated by the Acts of the Union**. The main obligations of postal services are to satisfy certain social and economic objectives of member countries, by ensuring the collection, **processing**,<sup>3</sup> 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 Acts of the Union to provide for the reciprocal exchange of **postal** items, including freedom of transit, and to treat postal items in transit from other countries like their own postal items, without discrimination, **subject to the conditions specified in the Acts of the Union.**<sup>3</sup>

1.4 Freedom of transit: obligation for an intermediate member country to ensure the transport of postal items passed on to it in transit for another member country,<sup>5</sup> providing similar treatment to that given to domestic items, **subject to the conditions specified in the Acts of the Union.**<sup>3</sup>

1.5 Letter-post item: items described in the Convention.

1.6 **(Deleted.)**<sup>6</sup>

1.6bis **Postal item: generic term referring to anything dispatched by the designated operator of a member country (letter post, parcel post, money orders, etc.), as described in the Universal Postal Convention, the Postal Payment Services Agreement and their respective Regulations.**<sup>7</sup>

<sup>3</sup> Amended by the 2016 Istanbul Congress

<sup>4</sup> Introduced by the 2004 Bucharest Congress.

<sup>5</sup> Amended by the 24th Congress – 2008.

<sup>6</sup> By the 2016 Istanbul Congress.

<sup>7</sup> Introduced by the 2016 Istanbul Congress.

- 1.7 Designated operator: any governmental or non-governmental entity officially designated by the member country to operate postal services and to fulfil the related obligations arising out of the Acts of the Union on its territory.<sup>8</sup>
- 1.8 Reservation: an exemption clause whereby a member country purports to exclude or to modify the legal effect of a clause of an Act, other than the Constitution and the General Regulations, in its application to that member country. Any reservation shall be compatible with the object and purpose of Union as defined in the preamble and article 1 of the Constitution. It must be duly justified and approved by the majority required for approval of the Act concerned, and inserted in the Final Protocol thereto.<sup>8</sup>

## Article 2

### Members of the Union

- 1 Member countries of the Union shall be:
  - 1.1 countries which have membership status at the date on which the Constitution comes into force;
  - 1.2 countries admitted to membership in accordance with article 11.

## Article 3

### Jurisdiction of the Union

- 1 The Union shall have within its jurisdiction:
  - 1.1 the territories of member countries;
  - 1.2 post offices set up by member countries in territories not included in the Union;
  - 1.3 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

- 1 Member countries whose designated operators provide a service with territories not included in the Union are bound to act as intermediaries for other member countries.<sup>8</sup> The provisions of the Convention and its Regulations shall be applicable to such exceptional relations.

## Article 5

### Seat of the Union

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

## Article 6

### Official language of the Union

- 1 The official language of the Union shall be French.

<sup>8</sup> Amended by the 24th Congress – 2008.

Article 7<sup>9</sup>

Monetary unit

1 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 designated operators if the legislation of those member<sup>10</sup> 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.

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>11</sup>

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

Article 9

Relations with the United Nations

1 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

1 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>12</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.

<sup>9</sup> Amended by the 1989 Washington Congress.

<sup>10</sup> Amended by the 24th Congress – 2008.

<sup>11</sup> Amended by the 1969 Tokyo and 1994 Seoul Congresses.

<sup>12</sup> Amended by the 1969 Tokyo and 1989 Washington Congresses.



Member countries which have not replied within a period of four months counting from the date of the consultation<sup>13</sup> 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.

#### Article 12<sup>14</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>15</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

1 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.

<sup>13</sup> Amended by the 24th Congress – 2008.

<sup>14</sup> Amended by the 1989 Washington Congress.

<sup>15</sup> Amended by the 1969 Tokyo, 1984 Hamburg and 1994 Seoul Congresses.

Article 16  
Administrative Conferences

(Deleted.)<sup>16</sup>

Article 17<sup>17</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>18</sup>  
Postal Operations Council

1 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>16</sup>

Article 20<sup>19</sup>  
International Bureau

1 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>20</sup>  
Expenditure of the Union. Contributions of member countries

1 Each Congress shall fix the maximum amount which:

1.1 the expenditure of the Union may reach annually;

1.2 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.

<sup>16</sup> By the 1984 Hamburg Congress.

<sup>17</sup> Amended by the 1994 Seoul Congress.

<sup>18</sup> Amended by the 1969 Tokyo and 1994 Seoul Congresses.

<sup>19</sup> Amended by the 1984 Hamburg and 1994 Seoul Congresses.

<sup>20</sup> Amended by the 1969 Tokyo, 1974 Lausanne and 1989 Washington Congresses.

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 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>21</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>21</sup>

3 The Universal Postal Convention **and its** Regulations<sup>22</sup> 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>23</sup> Member countries shall ensure that their designated operators fulfil the obligations arising from the Convention and its Regulations.<sup>24</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 member countries only. Signatory member countries shall ensure that their designated operators fulfil the obligations arising from the Agreements and their Regulations.<sup>24</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>25</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.

<sup>21</sup> Amended by the 2004 Bucharest Congress.

<sup>22</sup> Amended by the 2016 Istanbul Congress

<sup>23</sup> Amended by the 1999 Beijing Congress.

<sup>24</sup> Amended by the 24th Congress – 2008.

<sup>25</sup> Amended by the 1989 Washington, 1994 Seoul and 1999 Beijing Congresses.

Article 23<sup>26</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.

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

1 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>27</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>28</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 member country<sup>29</sup> 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 member<sup>29</sup> countries that have ratified or approved them.

<sup>26</sup> Amended by the 1989 Washington Congress.

<sup>27</sup> Amended by the 1989 Washington and 1994 Seoul Congress.

<sup>28</sup> Amended by the 1999 Beijing Congress.

<sup>29</sup> Amended by the 24th Congress – 2008.

Article 26<sup>30</sup>

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

1 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 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

1 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 A<sup>31</sup> member country shall have the right to present, either to Congress or between Congresses, proposals concerning the Acts of the Union to which it 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 all member countries and all designated operators.<sup>31, 32</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>33</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>30</sup> Amended by the 1969 Tokyo and 1989 Washington Congresses.

<sup>31</sup> Amended by the 24th Congress – 2008.

<sup>32</sup> Amended by the 1999 Beijing Congress and 24th Congress – 2008.

<sup>33</sup> Amended by the 2004 Bucharest Congress.

Article 31<sup>34</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>35</sup>

## Chapter IV Settlement of disputes

Article 32

Arbitration

1 In the event of a dispute between two or more member countries<sup>36</sup> concerning the interpretation of the Acts of the Union or the responsibility imposed on a member country<sup>36</sup> by the application of those Acts, the question at issue shall be settled by arbitration.

## Section III Final provisions

Article 33

Coming into operation and duration of the Constitution

1 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.<sup>35</sup>

Done at Vienna, 10 July 1964

<sup>34</sup> Amended by the 1984 Hamburg Congress.

<sup>35</sup> Amended by the 2004 Bucharest Congress.

<sup>36</sup> Amended by the 24th Congress – 2008.

# First Additional Protocol to the General Regulations of the Universal Postal Union

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## First Additional Protocol to the General Regulations of the Universal Postal Union

### Table of contents

Article		
I.	(art. 103 amended)	Functions of Congress
II.	(art. 106 amended)	Composition and functioning of the CA
III.	(art. 112 amended)	Composition and functioning of the POC
IV.	(art. 113 amended)	Functions of the POC
V.	(art. 119 amended)	Composition of the CC
VI.	(art. 127 amended)	Duties of the Director General
VII.	(art. 130 amended)	Preparation and distribution of documents of the Union bodies
VIII.	(art. 138 amended)	Procedure for submitting proposals to Congress
IX.	<b>(art. 138bis added)</b>	<b>Procedure for amending proposals submitted in accordance with article 138</b>
X.	(art. 140 amended)	Consideration of proposals amending the Convention or the Agreements between Congresses
XI.	(art. 142 amended)	Amendment of the Regulations by the Postal Operations Council
XII.	(art. 145 amended)	Fixing of the expenditure of the Union
XIII.	(art. 146 amended)	Regulation of member countries' contributions
XIV.	(art. 149 amended)	Automatic sanctions



## First Additional Protocol to the General Regulations of the Universal Postal Union

The plenipotentiaries of the governments of the member countries of the Universal Postal Union, having met in Congress at Istanbul, Turkey, in view of article 22.2 of the Constitution concluded at Vienna on 10 July 1964, have, by common consent and subject to article 25.4 of the Constitution, adopted the following amendments to the General Regulations.

### Article I

(Art. 103 amended)

#### Functions of Congress

- 1 On the basis of proposals by member countries, the Council of Administration and the Postal Operations Council, Congress shall:
  - 1.1 determine the general principles for achieving the object and purpose of the Union set out in the Preamble and article 1 of the Constitution;
  - 1.2 consider and adopt, where appropriate, proposals for amendments to the Constitution, General Regulations, Convention and Agreements submitted by member countries and the Councils, in accordance with article 29 of the Constitution and article 138 of the General Regulations;
  - 1.3 set the date for the entry into force of the Acts;
  - 1.4 adopt its Rules of Procedure and the amendments to those Rules;
  - 1.5 consider the comprehensive reports on the work of the Council of Administration, the Postal Operations Council and the Consultative Committee, covering the period from the previous Congress, presented by these respective bodies in accordance with articles 111, 117 and 125 of the General Regulations;
  - 1.6 adopt the Union's strategy;
  - 1.6bis approve the draft quadrennial UPU business plan;**
  - 1.7 fix the maximum amount of the Union's expenditure, in accordance with article 21 of the Constitution;
  - 1.8 elect the member countries to sit on the Council of Administration and the Postal Operations Council;
  - 1.9 elect the Director General and Deputy Director General;
  - 1.10 set in a Congress resolution the ceiling of the costs to be borne by the Union for the production of documents in Chinese, German, Portuguese and Russian.
- 2 Congress, as the supreme body of the Union, shall deal with such other questions concerning postal services.

Article II

(Art. 106 amended)

Composition and functioning of the CA (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 member country of Congress. If that member 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 members belonging to the geographical group of the host member 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 is renewed at each Congress; no member country may be chosen by three successive Congresses.

4 Each member of the Council of Administration shall appoint its **representative**. The members of the Council of Administration shall take an active part in its work.

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.

Article III

(Art. 112 amended)

Composition and functioning of the POC

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 member countries and sixteen seats for developed member 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**. The members of the Postal Operations Council shall take an active part in its work.

4 The operational expenses of the Postal Operations Council shall be borne by the Union. Its members shall not receive any payment.

Article IV

(Art. 113 amended)

Functions of the POC

1 The Postal Operations Council shall have the following functions:

1.1 Coordinates practical measures for the development and improvement of international postal services.

1.2 Takes, 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.

1.3 Decides on the contacts to be established with member countries and their designated operators in order to carry out its functions.

- 1.4 Takes the necessary steps to study and publicize the experiments and progress made by certain member countries and their designated operators in the technical, operational, economic and vocational training fields of interest **to other member countries and their designated operators**.
- 1.5 Takes, in consultation with the Council of Administration, appropriate steps in the sphere of technical cooperation with all member countries of the Union and their designated operators and in particular with the new and developing countries and their designated operators.
- 1.6 Examines any other questions submitted to it by a member of the Postal Operations Council, by the Council of Administration or by any member country or designated operator.
- 1.7 Receives and discusses reports as well as recommendations from the Consultative Committee and, when matters of interest to the Postal Operations Council are involved, to examines and comments on recommendations from the Consultative Committee for submission to Congress.
- 1.8 Designates those of its members that will serve as members of the Consultative Committee.
- 1.9 Conducts the study of the most important operational, commercial, technical, economic and technical cooperation problems which are of interest to all member countries or their designated operators, 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 prepares information, opinions and recommendations for action on them.
- 1.10 Provides input to the Council of Administration for the development of the draft **Union Strategy and draft quadrennial business plan** to be submitted to Congress.
- 1.11 Studies teaching and vocational training problems of interest to member countries and their designated operators, as well as to the new and developing countries.
- 1.12 Studies the present position and needs **of the** new and developing countries and prepares appropriate recommendations on ways and means of improving **their postal services**.
- 1.13 Revises the Regulations of the Union within six months following the end of the Congress unless the latter decides otherwise; **the** Postal Operations Council may also amend the said Regulations at other sessions; in both cases, the Postal Operations Council shall be subject to Council of Administration guidance on matters of fundamental policy and principle.
- 1.14 Formulates proposals which shall be submitted for the approval either of Congress or of member countries in accordance with article 140; the approval of the Council of Administration is required when these proposals concern questions within the latter's competence.
- 1.15 Examines, at the request of a member country, any proposal which that member country forwards to the International Bureau under article 139, prepares observations on it and instructs the International Bureau to annex these observations to the proposal before submitting it for approval to the member countries.
- 1.16 Recommends, if necessary, and where appropriate after approval by the Council of Administration and consultation of all the member countries, the adoption of regulations or of a new procedure until such time as Congress takes a decision in the matter.
- 1.17 Prepares and issues, in the form of recommendations to member countries and designated operators, 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.
- 1.18 Establishes the framework for the organization of user-funded subsidiary bodies and concurs in the organization of these bodies in accordance with the provisions of article 152.
- 1.19 Receives and discusses reports from the user-funded subsidiary bodies on an annual basis.

Article V

(Art. 119 amended)

Composition of the CC

- 1 The Consultative Committee shall consist of:
  - 1.1 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 supporting the mission and objectives of the **Union**;
  - 1.1bis high-level figures from the postal sector recommended by member countries or the bodies of the Union concerned, including the Consultative Committee;**
  - 1.1ter civil society organizations: regional and non-governmental international postal organizations, as well as standardization, financial and development organizations, not provided for under 1.1;**
  - 1.2 members designated by the Council of Administration from among its members;
  - 1.3 members designated by the Postal Operations Council from among its members.
- 1bis If any organizations are registered, they must be registered in a Union member country.**
- 2 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.
- 3 The members of the Consultative Committee shall not receive remuneration or any other compensation.

Article VI

(Art. 127 amended)

Duties of the Director General

- 1 The Director General shall organize, administer and direct the International Bureau, of which he is the legal representative.
- 2 Regarding the classification of posts, appointments and promotions:
  - 2.1 the Director General shall be empowered to classify posts in grades G 1 to D 2 and to appoint and promote officials in those grades.
  - 2.2 for appointments in grades P 1 to D 2, he shall consider the professional qualifications of the candidates recommended by 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;
  - 2.3 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;
  - 2.4 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 the same principle as under 2.3;
  - 2.5 the requirements of equitable geographical and language distribution shall rank behind merit in the recruitment process;
  - 2.6 the Director General shall inform the Council of Administration once a year of appointments and promotions in grades P 4 to D 2.

- 3 Furthermore, the Director General shall have the following duties:
- 3.1 acts as depositary of the Acts of the Union and as intermediary in the procedure of accession and admission to and withdrawal from the Union;
  - 3.2 notifies the decisions taken by Congress to all the Governments of member countries;
  - 3.3 notifies all member countries and their designated operators of the Regulations drawn up or revised by the Postal Operations Council;
  - 3.4 prepares the draft annual budget of the Union at the lowest possible level consistent with the requirements of the Union and submits it in due course to the Council of Administration for consideration; communicates the budget to the member countries of the Union after approval by the Council of Administration and executes it;
  - 3.5 executes the specific activities requested by the bodies of the Union and those assigned to him by the Acts;
  - 3.6 takes action to achieve the objectives set by the bodies of the Union, within the framework of the established policy and the funds available;
  - 3.7 submits suggestions and proposals to the Council of Administration or to the Postal Operations Council;
  - 3.8 following the close of Congress, submits 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;
  - 3.9 prepares, for the Council of Administration and on the basis of directives issued by the Councils, the draft Union Strategy **and draft quadrennial UPU business plan** to be submitted to Congress;
  - 3.10 prepares, for approval by the Council of Administration, a four-yearly report on the member countries' performance in respect of the Union Strategy approved by the preceding Congress, which will be submitted to the following Congress;
  - 3.11 ensures the representation of the Union;
  - 3.12 acts as an intermediary in relations between:
    - 3.12.1 the UPU and the Restricted Unions;
    - 3.12.2 the UPU and the United Nations;
    - 3.12.3 the UPU and the international organizations whose activities are of interest to the Union;
    - 3.12.4 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;
  - 3.13 assumes the duties of Secretary General of the bodies of the Union and supervises in this capacity, taking into account the special provisions of these General Regulations, in particular:
    - 3.13.1 the preparation and organization of the work of the Union's bodies;
    - 3.13.2 the preparation, production and distribution of documents, reports and minutes;
    - 3.13.3 the functioning of the secretariat at meetings of the Union's bodies;
  - 3.14 attends the meetings of the bodies of the Union and takes part in the discussions without the right to vote, with the possibility of being represented.

#### Article VII

(Art. 130 amended)

#### Preparation and distribution of documents of the Union bodies

- 1 The International Bureau shall prepare and make available through the UPU website all the documents **published, in the language versions specified in article 155, at least two months before** each

session. The International Bureau shall also indicate new e-document publications on the UPU website by means of an efficient web-signalling system.

**2 Furthermore, the International Bureau shall physically distribute Union publications, such as International Bureau circulars and CA and POC Summary Records, only at the request of an individual member country.**

#### Article VIII

(Art. 138 amended)

##### 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 member countries:

- 1.1 proposals which reach the International Bureau at least six months before the date fixed for Congress shall be accepted;
- 1.2 no drafting proposal shall be accepted during the period of six months preceding the date fixed for Congress;
- 1.3 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 member countries;
- 1.4 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 member countries; proposals which arrive after that time shall no longer be accepted;
- 1.5 declarations of support must reach the International Bureau within the same period of time 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 member 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. Similarly, each proposal liable to lead to significant costs for the Union shall be accompanied by an indication of its financial impact, prepared by the member country submitting the proposal, in consultation with the International Bureau, so that the financial resources needed for its implementation can be determined.

4 Drafting proposals shall be headed "Drafting proposal" by the member countries 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 to** proposals concerning the Rules of Procedure of **Congresses**.

#### Article IX

(Art. 138bis added)

##### Procedure for amending proposals submitted in accordance with article 138

**1 Amendments to proposals already made, excluding those submitted by the Council of Administration or the Postal Operations Council, may continue to be presented to the International Bureau in accordance with the provisions of the Rules of Procedure of Congresses.**



**2 Amendments to proposals submitted by the Council of Administration or the Postal Operations Council shall be received by the International Bureau at least two months before the opening of Congress. Beyond this point, member countries may present their amendments at Congress sessions.**

Article X

(Art. 140 amended)

Consideration of proposals amending the Convention or the Agreements between Congresses

1 Every proposal concerning the Convention, the Agreements and their Final Protocols shall be subject to the following procedure: where a member country has sent a proposal to the International Bureau, the latter shall forward it to all member countries for examination. They shall be allowed a period of **45 days** in which to examine the proposal and forward any observations to the International Bureau. Amendments shall not be admissible. Once these **45 days** have elapsed, the International Bureau shall forward to member countries all the observations it has received and invite each member country to vote for or against the proposal. Member countries that have not sent in their vote within a period of **45 days** shall be considered to have abstained. The aforementioned periods shall be reckoned from the dates of the International Bureau circulars.

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

Article XI

(Art. 142 amended)

Amendment of the Regulations by the Postal Operations Council

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

2 **The support of at least one** member country shall be required for submitting any proposal to amend the Regulations.

**3 (Deleted.)**

Article XII

(Art.145 amended)

Fixing of the expenditure of the Union

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 37,235,000 Swiss francs for the years **2017 to 2020. In the event that the Congress planned for 2020 is postponed, the same ceilings shall also apply to the post-2020 period.**

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.

#### Article XIII

(Art. 146 amended)

#### Regulation of member countries' contributions

1 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.

2 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 6% per annum from the fourth month.

3 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.

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

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

6 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.

7 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.

8 The provisions under paragraphs 3 to 7 apply by analogy to the translation costs billed by the International Bureau to member countries belonging to the language groups.

**9 The International Bureau shall send bills to member countries at least three months before their due date. The original bills shall be sent to the correct address provided by the member country concerned. Electronic copies of the bills shall be sent via e-mail as pre-advice or alerts.**

**10 Furthermore, the International Bureau shall provide member countries with clear information each time it charges them interest on overdue payment of particular bills, so that member countries can easily verify to which bills the interest corresponds.**

Article XIV  
(Art. 149 amended)  
Automatic sanctions

1 Any member country unable to make the assignment provided for in article 146.3 and which does not agree to submit to an amortization schedule proposed by the International Bureau in accordance with article 146.4, 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 **with the Union** to submit to a schedule for the amortization of the arrears.

Article XV  
Entry into force and duration of the Additional Protocol to the General Regulations

1 This Additional Protocol shall come into force on **1 January 2018** 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 General Regulations 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 **Istanbul, 6 October 2016**



# General Regulations of the Universal Postal Union

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# General Regulations of the Universal Postal Union

## (amended by the 2016 Istanbul Additional Protocol)

### Table of contents

#### Chapter I

Organization, functions and operation of Congresses, the Council of Administration, the Postal Operations Council and the Consultative Committee

#### Section 1 Congress

##### Article

- 101 Organization and convening of Congresses and Extraordinary Congresses
- 102 Right to vote at Congresses
- 103 Functions of Congress
- 104 Rules of Procedure of Congresses
- 105 Observers to the Union's bodies

#### Section 2 Council of Administration (CA)

- 106 Composition and functioning of the CA
- 107 Functions of the CA
- 108 Organization of CA sessions
- 109 Observers
- 110 Reimbursement of travel expenses
- 111 Information on the activities of the CA

#### Section 3 Postal Operations Council (POC)

- 112 Composition and functioning of the POC
- 113 Functions of the POC
- 114 Organization of POC sessions
- 115 POC observers
- 116 Reimbursement of travel expenses
- 117 Information on the activities of the POC

## Section 4

### Consultative Committee (CC)

- 118 Aim of the CC
- 119 Composition of the CC
- 120 Membership of the CC
- 121 Functions of the CC
- 122 Organization of the CC
- 123 Representatives of the Consultative Committee at the Council of Administration, the Postal Operations Council and Congress
- 124 CC observers
- 125 Information on the activities of the CC

## Chapter II

### International Bureau

#### Section 1

##### Election and duties of the Director General and Deputy Director General

- 126 Election of the Director General and Deputy Director General of the International Bureau
- 127 Duties of the Director General
- 128 Duties of the Deputy Director General

#### Section 2

##### Secretariat of the Union bodies and the Consultative Committee

- 129 General remarks
- 130 Preparation and distribution of documents of the Union bodies
- 131 List of member countries
- 132 Information. Opinions. Requests for explanation and amendment of the Acts. Inquiries. Role in the settlement of accounts
- 133 Technical cooperation
- 134 Forms supplied by the International Bureau
- 135 Acts of Restricted Unions and Special Agreements
- 136 Union periodical
- 137 Annual report on the work of the Union

## Chapter III

### Submission, consideration of proposals, notification of decisions adopted and entry into force of the Regulations and other decisions adopted

- 138 Procedure for submitting proposals to Congress
- 138bis Procedure for amending proposals submitted in accordance with article 138**
- 139 Procedure for submitting proposals amending the Convention or the Agreements between Congresses
- 140 Consideration of proposals amending the Convention or the Agreements between Congresses
- 141 Procedure for submitting proposals to the Postal Operations Council concerning the preparation of new Regulations in the light of decisions taken by Congress
- 142 Amendment of the Regulations by the Postal Operations Council
- 143 Notification of decisions adopted between Congresses
- 144 Entry into force of the Regulations and of the other decisions adopted between Congresses



## Chapter IV Finance

- 145 Fixing of the expenditure of the Union
- 146 Regulation of member countries' contributions
- 147 Shortfalls in financing
- 148 Supervision of book-keeping and accounting
- 149 Automatic sanctions
- 150 Contribution classes
- 151 Payment for supplies from the International Bureau
- 152 Organization of user-funded subsidiary bodies

## Chapter V Arbitration

- 153 Arbitration procedure

## Chapter VI Use of languages within the Union

- 154 Working languages of the International Bureau
- 155 Languages used for documentation, for debates and for official correspondence

## Chapter VII Final provisions

- 156 Conditions for approval of proposals concerning the General Regulations
- 157 Proposals concerning the Agreements with the United Nations
- 158 Amendment, entry into force and duration of the General Regulations



# General Regulations of the Universal Postal Union

(amended by the 2016 Istanbul Additional Protocol<sup>1</sup>)

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

Organization, functions and operation of Congresses, the Council of Administration, the Postal Operations Council and the Consultative Committee

### Section 1

#### Congress

##### 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 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.

4 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.

5 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.

<sup>1</sup> For the First Additional Protocol (2016 Istanbul Congress), see pages xx to xx of the present brochure.

6 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.

7 Paragraphs 2 to 5 and article 102 shall be applicable by analogy to Extraordinary Congresses.

#### Article 102

##### Right to vote at Congress

1 Each member country shall be entitled to one vote, subject to the sanctions provided for in article 149.

#### Article 103

##### Functions of Congress

1 On the basis of proposals by member countries, the Council of Administration and the Postal Operations Council, Congress shall:

- 1.1 determine the general principles for achieving the object and purpose of the Union set out in the Preamble and article 1 of the Constitution;
- 1.2 consider and adopt, where appropriate, proposals for amendments to the Constitution, General Regulations, Convention and Agreements submitted by member countries and the Councils, in accordance with article 29 of the Constitution and article 138 of the General Regulations;
- 1.3 set the date for the entry into force of the Acts;
- 1.4 adopt its Rules of Procedure and the amendments to those Rules;
- 1.5 consider the comprehensive reports on the work of the Council of Administration, the Postal Operations Council and the Consultative Committee, covering the period from the previous Congress, presented by these respective bodies in accordance with articles 111, 117 and 125 of the General Regulations;
- 1.6 adopt the Union's strategy;
- 1.6bis approve the draft quadrennial UPU business plan;**
- 1.7 fix the maximum amount of the Union's expenditure, in accordance with article 21 of the Constitution;
- 1.8 elect the member countries to sit on the Council of Administration and the Postal Operations Council;
- 1.9 elect the Director General and Deputy Director General;
- 1.10 set in a Congress resolution the ceiling of the costs to be borne by the Union for the production of documents in Chinese, German, Portuguese and Russian.

2 Congress, as the supreme body of the Union, shall deal with such other questions concerning postal services.

#### Article 104

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

1 For the organization of its work and the conduct of its debates, Congress shall apply its Rules of Procedure.

2 Each Congress may amend its Rules of Procedure under the conditions laid down in those Rules of Procedure.

## Article 105

## Observers to the Union's bodies

1 The following entities shall be invited to participate in the plenary sessions and committee meetings of Congress, the Council of Administration and the Postal Operations Council as observers:

- 1.1 representatives of the United Nations;
- 1.2 Restricted Unions;
- 1.3 members of the Consultative Committee;
- 1.4 entities authorized to attend Union meetings as observers by virtue of a resolution or decision of Congress.

2 The following entities, if duly designated by the Council of Administration in accordance with article 107.1.12 shall be invited to attend specific meetings of Congress as ad hoc observers:

- 2.1 specialized agencies of the United Nations and other intergovernmental organizations;
- 2.2 any international body, any association or enterprise, or any qualified person.

3 In addition to the observers defined in paragraph 1 of this article, the Council of Administration and the Postal Operations Council may designate ad hoc observers to attend their meetings in accordance with their Rules of Procedure, when this is in the interests of the Union and its bodies.

## Section 2

## Council of Administration (CA)

## Article 106

## Composition and functioning of the CA (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 member country of Congress. If that member 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 members belonging to the geographical group of the host member 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 is renewed at each Congress; no member country may be chosen by three successive Congresses.

4 Each member of the Council of Administration shall appoint its **representative**. The members of the Council of Administration shall take an active part in its work.

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.

## Article 107

## Functions of the CA

1 The Council of Administration shall have the following functions:

- 1.1 Supervises all 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.

- 1.2 Promotes, coordinates and supervises all forms of postal technical assistance within the framework of international technical cooperation.
- 1.3 Examines the draft quadrennial UPU business plan approved by Congress, and finalizes it by bringing the activities set out in the draft plan for the four-year period into line with the actual resources available. The plan should also, if appropriate, be in line with the results of the prioritization process carried out by Congress. The finalized version of the quadrennial business plan, completed and approved by the CA, will then form the basis for the preparation of the annual UPU Programme and Budget as well as for the annual operating plans to be drawn up and implemented by the CA and POC.
- 1.4 Considers and approves the annual programme and budget and the accounts of the Union, while taking into account the final version of the UPU Business Plan, as described in article 107.1.3.
- 1.5 Authorizes the ceiling of expenditure to be exceeded, if circumstances so require, in accordance with article 145.3 to 5.
- 1.6 Authorizes election of a lower contribution class, if it is so requested, in accordance with the conditions set out in article 150.6.
- 1.7 Authorizes a change of geographical group if it is so requested by a member country, taking into account the views expressed by the member countries which are members of the geographical groups concerned.
- 1.8 Creates or abolishes International Bureau posts taking into account the restrictions imposed by the expenditure ceiling fixed.
- 1.9 Decides on the contacts to be established with member countries in order to carry out its functions.
- 1.10 After consulting the Postal Operations Council, decides on the relations to be established with the organizations which are not observers within the meaning of article 105.1.
- 1.11 Considers and approves the reports by the International Bureau on UPU relations with other international bodies and takes the decisions which it considers appropriate on the conduct of such relations and the action to be taken on them.
- 1.12 Designates in due course, after consulting the Postal Operations Council and the Secretary General, the specialized agencies of the United Nations, international organizations, associations, enterprises and qualified persons to be invited as ad hoc observers to specific meetings of Congress and its Committees when this is in the interest of the Union or the work of the Congress and instructs the Director General of the International Bureau to issue the necessary invitations.
- 1.13 Designates the member country where the next Congress is to be held in the case provided for in article 101.3.
- 1.14 Determines in due course and after consulting the Postal Operations Council the number of Committees required to carry out the work of Congress, and specifies their functions.
- 1.15 Designates, after consulting the Postal Operations Council and subject to the approval of Congress, the member countries prepared:
  - 1.15.1 to assume the vice-chairmanships of Congress and the chairmanships and vice-chairmanships of the Committees, taking as much account as possible of the equitable geographical distribution of the member countries; and
  - 1.15.2 to sit on the Restricted Committees of the Congress.
- 1.16 Designates those of its members that will serve as members of the Consultative Committee.
- 1.17 Considers and approves, within the framework of its competence, any action considered necessary to safeguard and enhance the quality of and to modernize the international postal service.
- 1.18 Studies, at the request of Congress, the Postal Operations Council or member countries, 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 member countries between Congresses.
- 1.19 Formulates proposals which shall be submitted for the approval either of Congress or of member countries in accordance with article 140.
  - 1.20 Submits subjects for study to the Postal Operations Council for examination in accordance with article 113.1.6.
  - 1.21 Reviews and approves, in consultation with the Postal Operations Council, the draft Strategy for presentation to Congress.
  - 1.22 Receives and discusses reports and recommendations from the Consultative Committee and considers recommendations from the Consultative Committee for submission to Congress.
  - 1.23 Provides control over the activities of the International Bureau.
  - 1.24 Approves the annual report on the work of the Union and the annual Financial Operating Reports prepared by the International Bureau and, where appropriate, furnishes observations on them.
  - 1.25 Establishes 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), follows closely the study of these questions, and reviews and approves, for conformity with the aforementioned principles, Postal Operations Council proposals relating to these questions.
  - 1.26 Approves, 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.
  - 1.27 Considers the annual report prepared by the Postal Operations Council and any proposals submitted by the Council.
  - 1.28 Approves the four-yearly report prepared by the International Bureau in consultation with the Postal Operations Council, on the performance of member countries in respect of the execution of the Union Strategy approved by the preceding Congress, for submission to the following Congress.
  - 1.29 Establishes the framework for the organization of the Consultative Committee and concurs in the organization of the Consultative Committee, in accordance with the provisions of article 122.
  - 1.30 Establishes criteria for membership of the Consultative Committee and approves or rejects 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.
  - 1.31 Lays down the Financial Regulations of the Union.
  - 1.32 Lays down the rules governing the Reserve Fund.
  - 1.33 Lays down the rules governing the Special Fund.
  - 1.34 Lays down the rules governing the Special Activities Fund.
  - 1.35 Lays down the rules governing the Voluntary Fund.
  - 1.36 Lays down the Staff Regulations and the conditions of service of the elected officials.
  - 1.37 Lays down the Regulations of the Social Fund.
  - 1.38 Exercises, within the context of article 152, overall supervision of the creation and activities of user-funded subsidiary bodies.

Article 108

Organization of CA sessions

1 At its constituent meeting, which shall be convened and opened 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.

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

3 The Chairman and Vice-Chairmen and the Committee Chairmen and Vice-Chairmen of the Council of Administration 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 annual 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.

4 The Chairman of the Postal Operations Council shall represent that body at meetings of the Council of Administration when the agenda contains questions of interest to the Postal Operations Council.

5 The Chairman of the Consultative Committee shall represent that organization at meetings of the Council of Administration when the agenda contains questions of interest to the Consultative Committee.

Article 109

Observers

1 Observers

1.1 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.

1.2 Member countries of the Union which are not members of the Council, as well as the observers and ad hoc observers referred to in article 105, may participate in the plenary sessions and Committee meetings of the Council of Administration, without the right to vote.

2 Principles

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

2.2 Observers and ad hoc 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 and ad hoc observers shall be carried out without additional expense for the Union.

2.3 In exceptional circumstances, members of the Consultative Committee and ad hoc 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 110 Reimbursement of travel expenses

1 The travel expenses of the representative of each of the members of the Council of Administration participating in its meetings shall be borne by his member country. However, the representative of each of the member countries classified as developing or least developed countries 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. 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.

#### Article 111 Information on the activities of the CA

1 After each session, the Council of Administration shall inform the member countries and their designated operators, 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 the member countries of the Union, their designated operators and the members of the Consultative Committee at least two months before the opening of Congress.

### Section 3 Postal Operations Council (POC)

#### Article 112 Composition and functioning of the POC

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 member countries and sixteen seats for developed member 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**. The members of the Postal Operations Council shall take an active part in its work.

4 The operational expenses of the Postal Operations Council shall be borne by the Union. Its members shall not receive any payment.

#### Article 113 Functions of the POC

- 1 The Postal Operations Council shall have the following functions:
  - 1.1 Coordinates practical measures for the development and improvement of international postal services.
  - 1.2 Takes, 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.

- 1.3 Decides on the contacts to be established with member countries and their designated operators in order to carry out its functions.
- 1.4 Takes the necessary steps to study and publicize the experiments and progress made by certain member countries and their designated operators in the technical, operational, economic and vocational training fields of interest **to other member countries and their designated operators**.
- 1.5 Takes, in consultation with the Council of Administration, appropriate steps in the sphere of technical cooperation with all member countries of the Union and their designated operators and in particular with the new and developing countries and their designated operators.
- 1.6 Examines any other questions submitted to it by a member of the Postal Operations Council, by the Council of Administration or by any member country or designated operator.
- 1.7 Receives and discusses reports as well as recommendations from the Consultative Committee and, when matters of interest to the Postal Operations Council are involved, to examines and comments on recommendations from the Consultative Committee for submission to Congress.
- 1.8 Designates those of its members that will serve as members of the Consultative Committee.
- 1.9 Conducts the study of the most important operational, commercial, technical, economic and technical cooperation problems which are of interest to all member countries or their designated operators, 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 prepares information, opinions and recommendations for action on them.
- 1.10 Provides input to the Council of Administration for the development of the draft **Union Strategy and draft quadrennial business plan** to be submitted to Congress.
- 1.11 Studies teaching and vocational training problems of interest to member countries and their designated operators, as well as to the new and developing countries.
- 1.12 Studies the present position and needs **of the** new and developing countries and prepares appropriate recommendations on ways and means of improving **their postal services**.
- 1.13 Revises the Regulations of the Union within six months following the end of the Congress unless the latter decides otherwise; **the** Postal Operations Council may also amend the said Regulations at other sessions; in both cases, the Postal Operations Council shall be subject to Council of Administration guidance on matters of fundamental policy and principle.
- 1.14 Formulates proposals which shall be submitted for the approval either of Congress or of member countries in accordance with article 140; the approval of the Council of Administration is required when these proposals concern questions within the latter's competence.
- 1.15 Examines, at the request of a member country, any proposal which that member country forwards to the International Bureau under article 139, prepares observations on it and instructs the International Bureau to annex these observations to the proposal before submitting it for approval to the member countries.
- 1.16 Recommends, if necessary, and where appropriate after approval by the Council of Administration and consultation of all the member countries, the adoption of regulations or of a new procedure until such time as Congress takes a decision in the matter.
- 1.17 Prepares and issues, in the form of recommendations to member countries and designated operators, 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.
- 1.18 Establishes the framework for the organization of user-funded subsidiary bodies and concurs in the organization of these bodies in accordance with the provisions of article 152.
- 1.19 Receives and discusses reports from the user-funded subsidiary bodies on an annual basis.

## Article 114

## Organization of POC sessions

1 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, and the Committee Chairmen and draw up its Rules of Procedure.

2 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.

3 The Chairman and Vice-Chairman and the Committee Chairmen and Vice-Chairmen of the Postal Operations Council 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.

4 On the basis of the Union Strategy 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 session following Congress, prepare a basic work programme containing a number of tactics aimed at implementing the 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.

5 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.

## Article 115

## Observers

## 1 Observers

1.1 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.

1.2 Member countries of the Union which are not members of the Council, as well as the observers and ad hoc observers referred to in article 105, may participate in the plenary sessions and Committee meetings of the Postal Operations Council, without the right to vote.

## 2 Principles

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

2.2 Observers and ad hoc 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 and ad hoc observers shall be carried out without additional expense for the Union.

2.3 In exceptional circumstances, members of the Consultative Committee and ad hoc 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 116

Reimbursement of travel expenses

1 Travelling and living expenses incurred by representatives of member countries participating in the Postal Operations Council shall be borne by these member countries. However, the representative of each of the member 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.

Article 117

Information on the activities of the POC

1 After each session, the Postal Operations Council shall inform the member countries and their designated operators, 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, including reports on user-funded subsidiary bodies as provided for in article 152, and send it to member countries of the Union, their designated operators and members of the Consultative Committee at least two months before the opening of Congress.

Section 4

Consultative Committee (CC)

Article 118

Aim of the CC

1 The aim of the Consultative Committee is to represent the interests of the wider international postal sector, and to provide a framework for effective dialogue between stakeholders.

Article 119

Composition of the CC

1 The Consultative Committee shall consist of:

1.1 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 supporting the mission and objectives of the **Union**;

**1.1bis high-level figures from the postal sector recommended by member countries or the bodies of the Union concerned, including the Consultative Committee;**

**1.1ter civil society organizations: regional and non-governmental international postal organizations, as well as standardization, financial and development organizations, not provided for under 1.1;**

1.2 members designated by the Council of Administration from among its members;

1.3 members designated by the Postal Operations Council from among its members.

**1bis If any organizations are registered, they must be registered in a Union member country.**

2 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.

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

#### Article 120 Membership of the CC

1 Apart from members designated by the Council of Administration and the Postal Operations Council, membership of 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 107.1.30.

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

#### Article 121 Functions of the CC

1 The Consultative Committee shall have the following functions:

1.1 Examines 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.

1.2 Conducts and contributes to studies of issues of importance to the Consultative Committee's members.

1.3 Considers issues affecting the postal services sector and issues reports on such issues.

1.4 Provides 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.

1.5 Makes 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.

#### Article 122 Organization of the CC

1 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.

2 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.

3 The Consultative Committee shall meet once a year. In principle, the meetings will be held at Union headquarters at the same time as meetings of 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.

Article 123

Representatives of the Consultative Committee at the Council of Administration, the Postal Operations Council and Congress

1 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.

2 Members of the Consultative Committee are invited to plenary sessions and Committee meetings of the Council of Administration and the Postal Operations Council in accordance with article 105. They may also participate in the work of project teams and working groups under terms established in articles 109.2.2 and 115.2.2.

3 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.

Article 124

CC observers

1 Other member countries of the Union and the observers and ad hoc observers referred to in article 105 may participate in the sessions of the Consultative Committee, without the right to vote.

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

3 In exceptional circumstances, observers and ad hoc 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 125

Information on the activities of the CC

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 provided to member countries of the Union, to their designated operators and to the Restricted Unions, in accordance with article 111.

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

## Chapter II International Bureau

### Section 1

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

##### Article 126

###### 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 127

###### Duties of the Director General

1 The Director General shall organize, administer and direct the International Bureau, of which he is the legal representative.

2 Regarding the classification of posts, appointments and promotions:

2.1 the Director General shall be empowered to classify posts in grades G 1 to D 2 and to appoint and promote officials in those grades.

2.2 for appointments in grades P 1 to D 2, he shall consider the professional qualifications of the candidates recommended by 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;

- 2.3 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;
- 2.4 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 the same principle as under 2.3;
- 2.5 the requirements of equitable geographical and language distribution shall rank behind merit in the recruitment process;
- 2.6 the Director General shall inform the Council of Administration once a year of appointments and promotions in grades P 4 to D 2.

3 Furthermore, the Director General shall have the following duties:

- 3.1 acts as depositary of the Acts of the Union and as intermediary in the procedure of accession and admission to and withdrawal from the Union;
- 3.2 notifies the decisions taken by Congress to all the Governments of member countries;
- 3.3 notifies all member countries and their designated operators of the Regulations drawn up or revised by the Postal Operations Council;
- 3.4 prepares the draft annual budget of the Union at the lowest possible level consistent with the requirements of the Union and submits it in due course to the Council of Administration for consideration; communicates the budget to the member countries of the Union after approval by the Council of Administration and executes it;
- 3.5 executes the specific activities requested by the bodies of the Union and those assigned to him by the Acts;
- 3.6 takes action to achieve the objectives set by the bodies of the Union, within the framework of the established policy and the funds available;
- 3.7 submits suggestions and proposals to the Council of Administration or to the Postal Operations Council;
- 3.8 following the close of Congress, submits 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;
- 3.9 prepares, for the Council of Administration and on the basis of directives issued by the Councils, the draft Union Strategy **and draft quadrennial UPU business plan** to be submitted to Congress;
- 3.10 prepares, for approval by the Council of Administration, a four-yearly report on the member countries' performance in respect of the Union Strategy approved by the preceding Congress, which will be submitted to the following Congress;
- 3.11 ensures the representation of the Union;
- 3.12 acts as an intermediary in relations between:
  - 3.12.1 the UPU and the Restricted Unions;
  - 3.12.2 the UPU and the United Nations;
  - 3.12.3 the UPU and the international organizations whose activities are of interest to the Union;
  - 3.12.4 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;
- 3.13 assumes the duties of Secretary General of the bodies of the Union and supervises in this capacity, taking into account the special provisions of these General Regulations, in particular:



- 3.13.1 the preparation and organization of the work of the Union's bodies;
- 3.13.2 the preparation, production and distribution of documents, reports and minutes;
- 3.13.3 the functioning of the secretariat at meetings of the Union's bodies;
- 3.14 attends the meetings of the bodies of the Union and takes part in the discussions without the right to vote, with the possibility of being represented.

#### Article 128

##### 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 126.3.

#### Section 2

##### Secretariat of the Union bodies and the Consultative Committee

#### Article 129

##### General remarks

- 1 The secretariat of the Union's bodies and the Consultative Committee shall be provided by the International Bureau under the responsibility of the Director General.

#### Article 130

##### Preparation and distribution of documents of the Union bodies

- 1 The International Bureau shall prepare and make available through the UPU website all the documents **published, in the language versions specified in article 155, at least two months before** each session. The International Bureau shall also indicate new e-document publications on the UPU website by means of an efficient web-signalling system.
- 2 **Furthermore, the International Bureau shall physically distribute Union publications, such as International Bureau circulars and CA and POC Summary Records, only at the request of an individual member country.**

#### Article 131

##### List of member countries (Const. 2)

- 1 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 132

##### Information. Opinions. Requests for explanation and amendment of the Acts. Inquiries. Role in the settlement of accounts (Const. 20; Gen. Regs 139, 140, 143)

- 1 The International Bureau shall be at all times at the disposal of the Council of Administration, the Postal Operations Council and member countries and their designated operators 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 explanation 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 member countries and their designated operators to obtain the views of other member countries and designated operators 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.

5 The International Bureau shall ensure the confidentiality and security of commercial data provided by member countries and/or their designated operators for the performance of its duties arising from the Acts or decisions of the Union.

#### Article 133

##### Technical cooperation (Const. 1)

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

#### Article 134

##### Forms supplied by the International Bureau (Const. 20)

1 The International Bureau shall be responsible for arranging the manufacture of international reply coupons and for supplying them, at cost, to member countries or their designated operators ordering them.

#### Article 135

##### 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. It shall notify the Council of Administration of any irregularity discovered through applying this provision.

3 The International Bureau shall inform member countries and their designated operators of the existence of the Restricted Unions and the Special Agreements mentioned above.

#### Article 136

##### Union periodical

1 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 137

Annual report on the work of the Union (Const. 20; Gen. Regs 107.1.24)

1 The International Bureau shall make an annual report on the work of the Union, which shall be sent, after approval by the Management Committee of the Council of Administration, to member countries and/or designated operators, the Restricted Unions and the United Nations.

## Chapter III

Submission, consideration of proposals, notification of decisions adopted and entry into force of the Regulations and other decisions adopted

## Article 138

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 member countries:

- 1.1 proposals which reach the International Bureau at least six months before the date fixed for Congress shall be accepted;
- 1.2 no drafting proposal shall be accepted during the period of six months preceding the date fixed for Congress;
- 1.3 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 member countries;
- 1.4 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 member countries; proposals which arrive after that time shall no longer be accepted;
- 1.5 declarations of support must reach the International Bureau within the same period of time 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 member 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. Similarly, each proposal liable to lead to significant costs for the Union shall be accompanied by an indication of its financial impact, prepared by the member country submitting the proposal, in consultation with the International Bureau, so that the financial resources needed for its implementation can be determined.

4 Drafting proposals shall be headed "Drafting proposal" by the member countries 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 to** proposals concerning the Rules of Procedure of **Congresses**.

**Article 138bis**

**Procedure for amending proposals submitted in accordance with article 138**

**1** Amendments to proposals already made, excluding those submitted by the Council of Administration or the Postal Operations Council, may continue to be presented to the International Bureau in accordance with the provisions of the Rules of Procedure of Congresses.

**2** Amendments to proposals submitted by the Council of Administration or the Postal Operations Council shall be received by the International Bureau at least two months before the opening of Congress. Beyond this point, member countries may present their amendments at Congress sessions.

Article 139

Procedure for submitting proposals amending the Convention or the Agreements between Congresses

**1** To be eligible for consideration, every proposal concerning the Convention or the Agreements submitted by a member country between Congresses shall be supported by at least two other member countries. 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 member countries through the intermediary of the International Bureau.

Article 140

Consideration of proposals amending the Convention or the Agreements between Congresses

**1** Every proposal concerning the Convention, the Agreements and their Final Protocols shall be subject to the following procedure: where a member country has sent a proposal to the International Bureau, the latter shall forward it to all member countries for examination. They shall be allowed a period of **45 days** in which to examine the proposal and forward any observations to the International Bureau. Amendments shall not be admissible. Once these **45 days** have elapsed, the International Bureau shall forward to member countries all the observations it has received and invite each member country to vote for or against the proposal. Member countries that have not sent in their vote within a period of **45 days** shall be considered to have abstained. The aforementioned periods shall be reckoned from the dates of the International Bureau circulars.

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

Article 141

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 should be submitted to the International Bureau simultaneously with the Congress proposals to which they relate. They may be submitted by a single member country without the support of other 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 before Congress.

4 Proposals concerning changes to the Regulations required as a result of Congress decisions that are submitted by 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 and their designated operators no later than one month prior to the opening of the Postal Operations Council.

#### Article 142

##### Amendment of the Regulations by the Postal Operations Council

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

2 **The support of at least one** member country shall be required for submitting any proposal to amend the Regulations.

3 **(Deleted.)**

#### Article 143

##### Notification of decisions adopted between Congresses (Const. 29; Gen. Regs 139, 140, 142)

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 member countries and their designated operators by the International Bureau. The same shall apply to the interpretations referred to in article 38.3.2 of the Convention and in the corresponding provisions of the Agreements.

#### Article 144

##### 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 the provisions of 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 145

##### Fixing of the expenditure of the Union (Const. 21)

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 37,235,000 Swiss francs for the years **2017 to 2020**. **In the event that the Congress planned for 2020 is postponed, the same ceilings shall also apply to the post-2020 period.**

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.

#### Article 146

##### Regulation of member countries' contributions

1 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.

2 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 6% per annum from the fourth month.

3 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.

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

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

6 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.

7 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.

8 The provisions under paragraphs 3 to 7 apply by analogy to the translation costs billed by the International Bureau to member countries belonging to the language groups.

**9** The International Bureau shall send bills to member countries at least three months before their due date. The original bills shall be sent to the correct address provided by the member country concerned. Electronic copies of the bills shall be sent via e-mail as pre-advice or alerts.

**10** Furthermore, the International Bureau shall provide member countries with clear information each time it charges them interest on overdue payment of particular bills, so that member countries can easily verify to which bills the interest corresponds.

Article 147  
Shortfalls in financing

1 A Reserve Fund shall be established with the Union to cover shortfalls in financing. Its amount shall be fixed by the Council of Administration. The Fund shall be maintained primarily from budget surpluses, and may also be used to balance the budget or reduce the amount of member countries' contributions.

2 In case of temporary shortfalls in Union financing, the Government of the Swiss Confederation shall make the necessary short-term advances to the Union, on conditions fixed by mutual agreement.

Article 148  
Supervision of book-keeping and accounting

1 The Government of the Swiss Confederation shall supervise, without charge, the book-keeping and accounting of the International Bureau within the limits of the credits fixed by Congress.

Article 149  
Automatic sanctions

1 Any member country unable to make the assignment provided for in article 146.3 and which does not agree to submit to an amortization schedule proposed by the International Bureau in accordance with article 146.4, 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 **with the Union** to submit to a schedule for the amortization of the arrears.

Article 150  
Contribution classes (Const. 21; Gen. Regs 131, 145, 146, 147 and 148)

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 units, 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 a higher number of units than that corresponding to the contribution class to which it belongs, for a minimum term equivalent to the period between Congresses. The announcement of a change shall be made at the latest at Congress. At the end of the period between Congresses, the member country shall return automatically to its original number of contribution units unless it decides to maintain its contribution of a higher number of units. The payment of additional contributions will increase the expenditure accordingly.

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 be placed in a lower contribution class, on condition that the request for this change is sent the International Bureau at least two months before the opening of Congress. Congress shall give a non-binding opinion on these requests for a change in contribution class. The member country shall be free to decide whether to follow the opinion of Congress. The final decision of the member country shall be transmitted to the International Bureau Secretariat before the end of Congress. This change request 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 151

#### Payment for supplies from the International Bureau (Gen. Regs 134)

1 Supplies provided by the International Bureau to member countries and their designated operators 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.



## Article 152

## Organization of user-funded subsidiary bodies

1 Subject to the approval of the Council of Administration, the POC may establish a number of user-funded subsidiary bodies, funded by voluntary means, in order to organize operational, commercial, technical and economic activities which fall within its competence under article 18 of the Constitution, but which may not be financed by the regular budget.

2 Upon the creation of such a body under the POC, the POC shall decide on the basic framework of the statutes of the body, taking due consideration of the fundamental rules and principles of the UPU as an intergovernmental organization, and shall submit it to the CA for approval. The basic framework shall include the following elements:

- 2.1 the mandate;
- 2.2 the constituency, including the categories of members participating;
- 2.3 decision-making rules, including its internal structure and its relationship with other UPU bodies;
- 2.4 voting and representation principles;
- 2.5 financing (subscription, usage fees, etc.);
- 2.6 composition of secretariat and management structure.

3 Each user-funded subsidiary body shall organize its activities in an autonomous manner within the basic framework decided by the POC and approved by the CA, and shall prepare an annual report on its activities for approval by the POC.

4 The Council of Administration shall establish the rules concerning support costs that user-funded subsidiary bodies should contribute to the regular budget, and shall publish them in the UPU Financial Regulations.

5 The Director General of the International Bureau shall administer the secretariat of the user-funded subsidiary bodies in accordance with the Staff Rules and Regulations, approved by the CA, applicable to the staff recruited for the user-funded subsidiary bodies. The secretariat of the subsidiary bodies shall be an integral part of the International Bureau.

6 Information concerning user-funded subsidiary bodies established in accordance with this article shall be reported to Congress following their establishment.

## Chapter V Arbitration

## Article 153

## Arbitration procedure (Const. 32)

1 If a dispute has to be settled by arbitration between member countries, each member country must advise the other party in writing of the subject of the dispute and inform it, by means of a notice to initiate arbitration, that it wishes to initiate arbitration.

2 If the dispute concerns questions of an operational or technical nature, each member country may ask its designated operator to act in accordance with the procedure provided for in the following paragraphs and delegate such power to its operator. The member country concerned shall be informed of the progress of the proceedings and of the result. The respective member countries or designated operators shall hereafter be referred to as "parties to the arbitration".

3 The parties to the arbitration shall appoint either one or three arbitrators.

4 Where the parties to the arbitration choose to appoint three arbitrators, each party shall, in accordance with paragraph 2, select a member country or designated operator not directly involved in the dispute, to act as an arbitrator. When several member countries and/or designated operators make common cause, they shall count only as a single party for the purposes of these provisions.

5 Where the parties agree to the appointment of three arbitrators, the third arbitrator shall be jointly agreed upon by the parties and shall not need to be from a member country or designated operator.

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

7 The parties to the arbitration may jointly agree to appoint a single arbitrator, who shall not need to be from a member country or designated operator.

8 If one or both parties to the arbitration do not, within a period of three months from the date of the notice to initiate arbitration, appoint an arbitrator or arbitrators the International Bureau shall, if so requested, itself call upon the defaulting member country to appoint an arbitrator, or shall itself appoint one automatically. The International Bureau will not be involved in the deliberations unless otherwise mutually requested by the parties.

9 The parties to the arbitration may mutually agree to reconcile the dispute at any time before a ruling is delivered by the arbitrator or arbitrators. Notice of any withdrawal must be submitted in writing to the International Bureau within 10 days of the parties reaching such agreement. Where the parties agree to withdraw from the arbitration process, the arbitrator or arbitrators shall lose their authority to decide the matter.

10 The arbitrator or arbitrators shall be required to make a decision on the dispute based on the facts and evidence before them. All information regarding the dispute must be notified to both parties and the arbitrator or arbitrators.

11 The decision of the arbitrator or arbitrators shall be taken by a majority of votes, and notified to the International Bureau and the parties within six months of the date of the notice to initiate arbitration.

12 The arbitration proceedings shall be confidential, and only a brief description of the dispute and the decision shall be advised in writing to the International Bureau within 10 days of the decision being delivered to the parties.

13 The decision of the arbitrator or arbitrators shall be final and binding on the parties and not subject to appeal.

14 The parties to the arbitration shall implement the decision of the arbitrator or arbitrators without delay. Where a designated operator is delegated power by its member country to initiate and adhere to the arbitration procedure, the member country shall be responsible for ensuring that the designated operator implements the decision of the arbitrator or arbitrators.

## Chapter VI Use of languages within the Union

### Article 154 Working languages of the International Bureau

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

## Article 155

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

1 In the documentation published by 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 bear all of the costs involved.

2 The member country or countries which have requested the use of 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 other 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 member countries or their designated operators of member countries 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 member 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, Russian and Arabic 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 Member countries and/or their designated operators 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 VII Final provisions

### Article 156

#### Conditions for approval of proposals concerning the General Regulations

1 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 157

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

1 The conditions of approval referred to in article 156 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 158

#### Amendment, entry into force and duration of the General Regulations

1 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.

2 These General Regulations shall come into force on 1 January 2014 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 Doha, 11 October 2012

*See signatures below:*

POUR  
L'ÉTAT ISLAMIQUE D'AFGHANISTAN:

POUR  
LA RÉPUBLIQUE ALGÉRIENNE  
DÉMOCRATIQUE ET POPULAIRE:



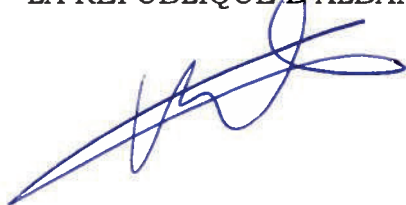
POUR  
LA RÉPUBLIQUE D'AFRIQUE DU SUD:

POUR  
LA RÉPUBLIQUE FÉDÉRALE  
D'ALLEMAGNE:

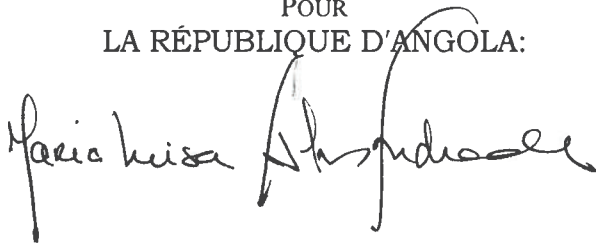


POUR  
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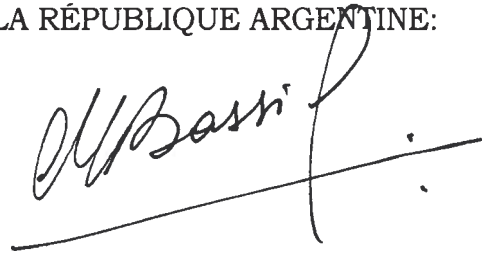
POUR  
LES ÉTATS-UNIS D'AMÉRIQUE:



POUR  
LA RÉPUBLIQUE D'ANGOLA:

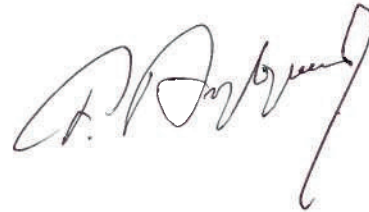


POUR  
LA RÉPUBLIQUE ARGENTINE:



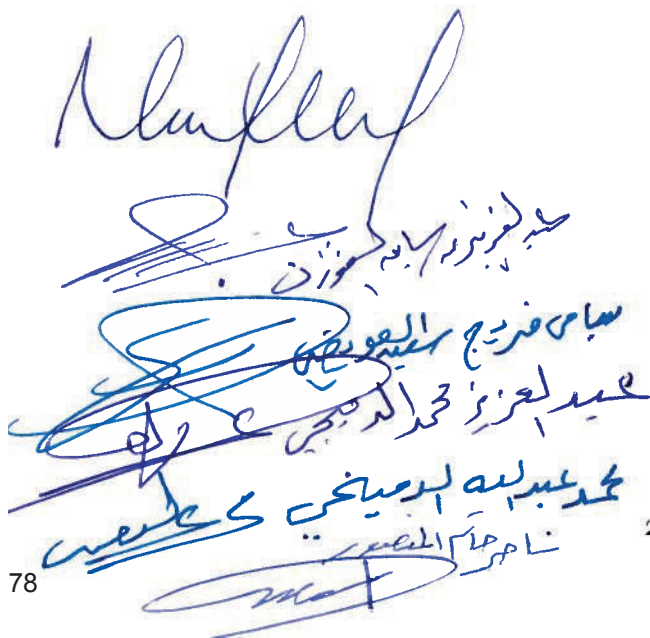
POUR  
ANTIGUA-ET-BARBUDA:

POUR  
LA RÉPUBLIQUE D'ARMÉNIE:



POUR  
LE ROYAUME DE L'ARABIE SAOUDITE:

Pour  
ARUBA, CURAÇAO et S. MARTIN :



Handwritten signature in black ink for Saudi Arabia, with several lines of Arabic text below it. The text includes names like 'عبد العزيز بن عبد الله آل سعود' and 'محمد بن عبد العزيز آل سعود'.



POUR  
L'AUSTRALIE:



POUR  
LA RÉPUBLIQUE D'AUTRICHE:

POUR  
LA RÉPUBLIQUE D'AZERBAÏDJAN:

POUR  
LE COMMONWEALTH DES BAHAMAS:

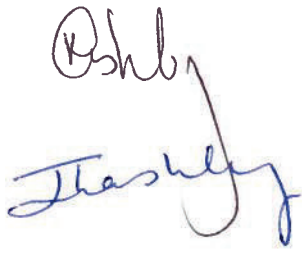
POUR  
LE ROYAUME DE BAHRAIN:



POUR  
LA RÉPUBLIQUE POPULAIRE  
DU BANGLADESH:



POUR  
LA BARBADE:



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POUR  
LA BELGIQUE:

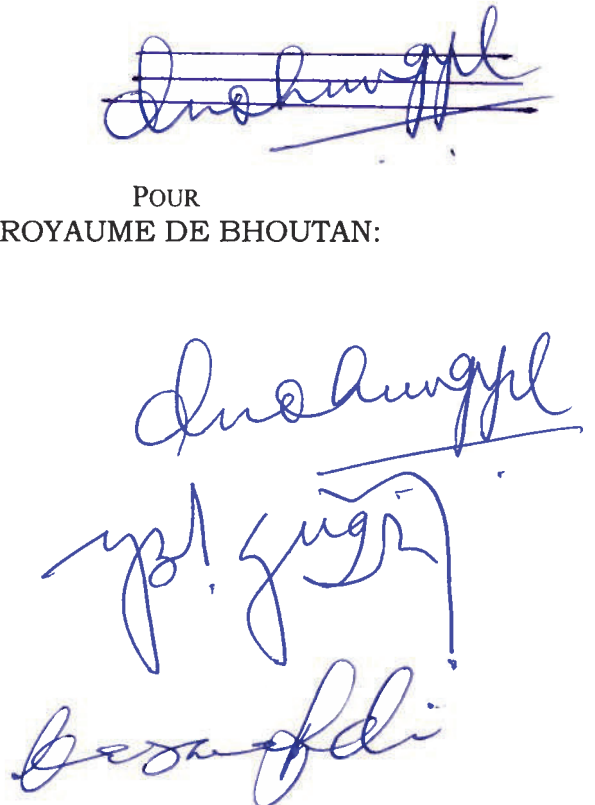


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POUR  
LE ROYAUME DE BHOUTAN:





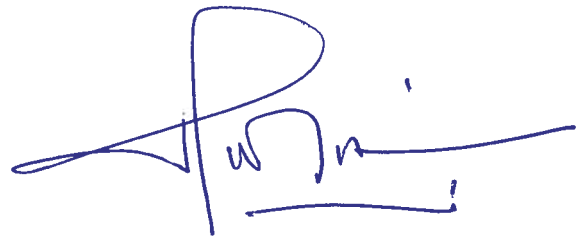
POUR  
ETAT PLURINATIONAL DE BOLIVIE:

POUR  
LA RÉPUBLIQUE FÉDÉRATIVE  
DU BRÉSIL:

POUR  
LA RÉPUBLIQUE  
DE BOSNIE ET HERZÉGOVINE:



POUR  
BRUNEI DARUSSALAM:



POUR  
LA RÉPUBLIQUE DU BOTSWANA:

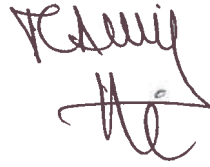
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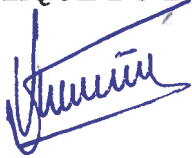
POUR  
LE BURKINA FASO:



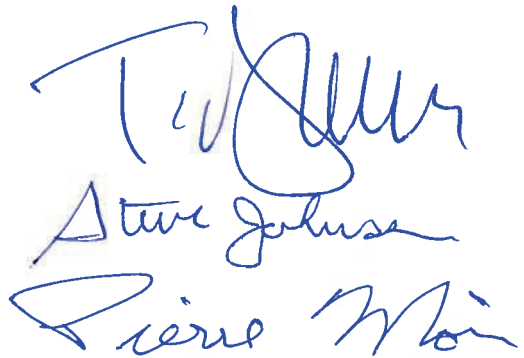
POUR  
LA RÉPUBLIQUE DU CAMEROUN:



POUR  
LA RÉPUBLIQUE DU BURUNDI:



POUR  
LE CANADA:



Steve Johnson  
Pierre Moir

POUR  
LE ROYAUME DU CAMBODGE:



POUR  
LA RÉPUBLIQUE DU CAP-VERT:

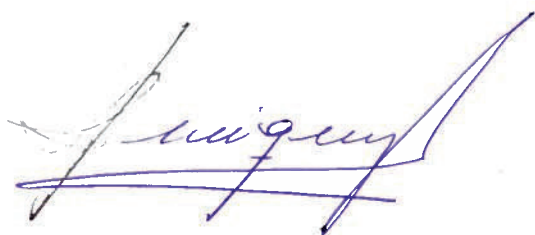
POUR  
LA RÉPUBLIQUE CENTRAFRICAINE:



POUR  
LA RÉPUBLIQUE DE CHYPRE:



POUR  
LE CHILI:



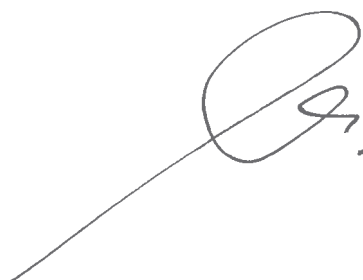
POUR  
LA RÉPUBLIQUE DE COLOMBIE:



POUR  
LA RÉPUBLIQUE POPULAIRE DE CHINE:



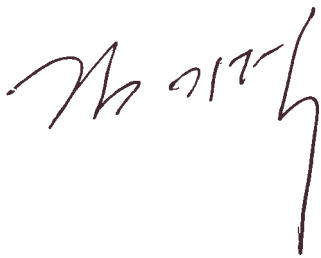
POUR  
L'UNION DES COMORES:



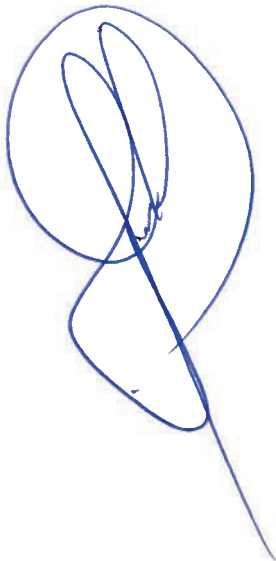
POUR  
LA RÉPUBLIQUE DU CONGO:

A complex, stylized handwritten signature in blue ink, featuring multiple overlapping loops and a dense, scribbled central section.

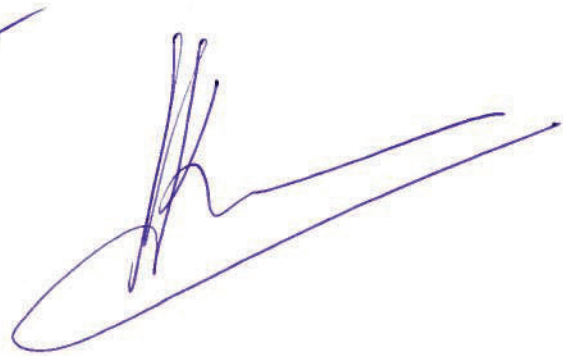
POUR  
LA RÉPUBLIQUE DE CORÉE:

A handwritten signature in blue ink, consisting of several fluid, connected strokes that form a cursive shape.


POUR  
LA RÉPUBLIQUE DE COSTA-RICA:

A handwritten signature in blue ink, characterized by a large, circular loop at the top and a long, sweeping tail that extends downwards.

POUR  
LA RÉPUBLIQUE DE CÔTE D'IVOIRE:

A handwritten signature in blue ink, featuring a prominent, elongated oval shape at the base and several vertical strokes above it.

POUR  
LA RÉPUBLIQUE DE CROATIE:

A handwritten signature in blue ink, showing a cursive style with a large, sweeping initial letter and a trailing flourish.

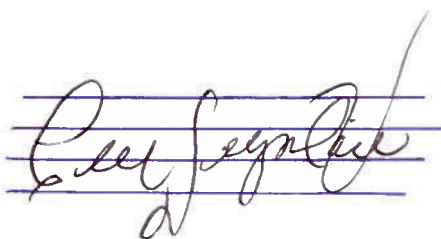
POUR  
LA RÉPUBLIQUE DE CUBA:

A handwritten signature in blue ink, consisting of a series of connected, fluid strokes that form a cursive shape.

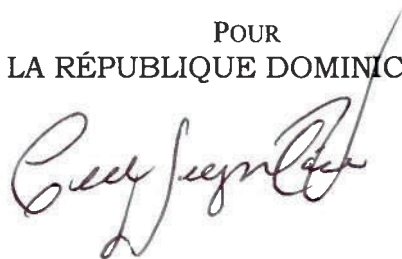
POUR  
LE ROYAUME DE DANEMARK:



POUR  
LA RÉPUBLIQUE DE DJIBOUTI:



POUR  
LA RÉPUBLIQUE DOMINICAINE:




POUR  
LE COMMONWEALTH  
DE LA DOMINIQUE:

POUR  
LA RÉPUBLIQUE ARABE D'ÉGYPTE:

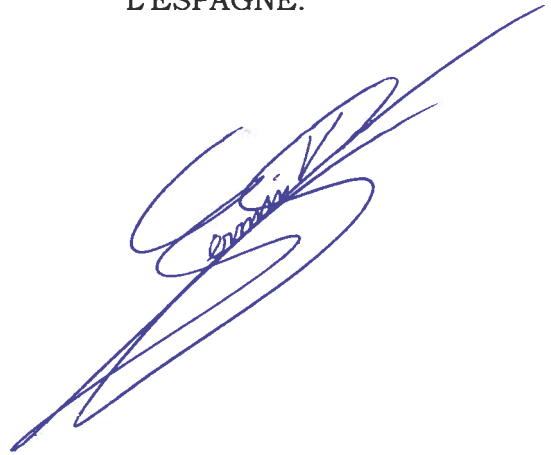


POUR  
LA RÉPUBLIQUE DE EL SALVADOR:

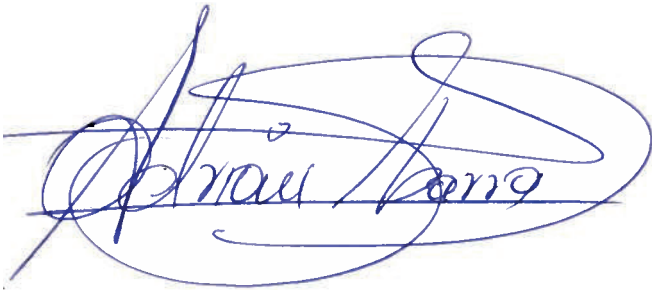
POUR  
LES ÉMIRATS ARABES UNIS:



POUR  
L'ESPAGNE:



POUR  
LA RÉPUBLIQUE DE L'ÉQUATEUR:



POUR  
LA RÉPUBLIQUE D'ESTONIE:




POUR  
L'ÉRYTHRÉE:

POUR  
L'ÉTHIOPIE:



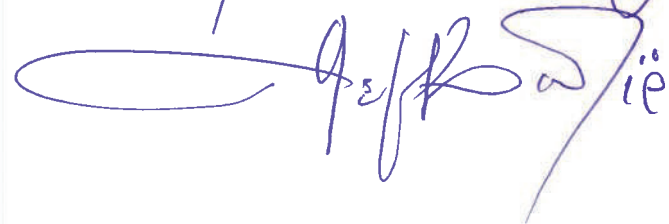
POUR  
FIDJI:

  
William Wong


POUR  
LA RÉPUBLIQUE DE FINLANDE:

POUR  
LA RÉPUBLIQUE GABONAISE:

POUR  
LA GAMBIE:

H.E. Momodou Badjie  


POUR  
LA RÉPUBLIQUE FRANÇAISE:

  
sous ~~réserve~~ <sup>réserve</sup> de ratification  
ou d'approbation.

POUR  
LA RÉPUBLIQUE DE GÉORGIE:

POUR  
LA RÉPUBLIQUE DU GHANA:

*Asell*

POUR  
LA GRÈCE:

*[Signature]*  
7/10/16

POUR  
LE ROYAUME-UNI  
DE GRANDE-BRETAGNE ET  
D'IRLANDE DU NORD,  
ÎLES DE LA MANCHE ET ÎLE DE MAN:

*[Signature]*

6/10/16

*Chr Powell* 6/10/16

POUR  
LA GRENADÉ:

*Raphael Stephen*

6/10/16

POUR  
LES TERRITOIRES D'OUTRE-MER  
DONT LES RELATIONS INTERNATIONALES  
SONT ASSURÉES PAR LE  
GOUVERNEMENT DU ROYAUME-UNI  
DE GRANDE-BRETAGNE  
ET D'IRLANDE DU NORD:

POUR  
LA RÉPUBLIQUE DU GUATÉMALA:

*Genf. Gomez*

7.10.2016

*[Signature]*

6/10/16

*Chr Powell* 6/10/16

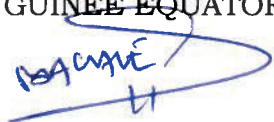


POUR  
LA RÉPUBLIQUE DE GUINÉE:



POUR  
LA RÉPUBLIQUE DE GUINÉE-BISSAU:

POUR  
LA RÉPUBLIQUE  
DE GUINÉE ÉQUATORIALE:



POUR  
LA GUYANE:

POUR  
LA RÉPUBLIQUE D'HAÏTI:

POUR  
LA RÉPUBLIQUE DU HONDURAS:

POUR  
LA HONGRIE:

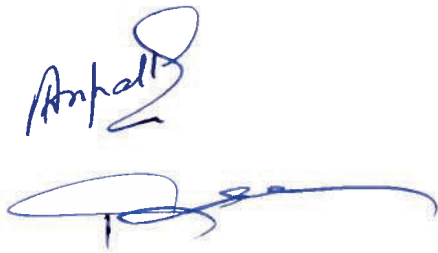
POUR  
LA RÉPUBLIQUE ISLAMIQUE D'IRAN:



H. Mehr

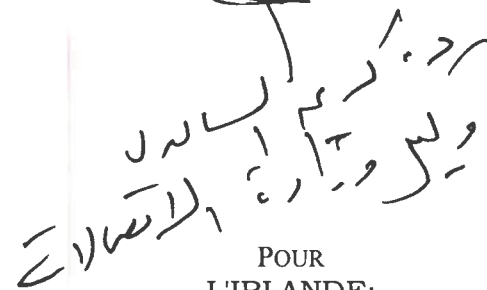


POUR  
L'INDE:

POUR  
LA RÉPUBLIQUE D'IRAQ:



  
(Padmagandha Mishra)  




POUR  
LA RÉPUBLIQUE D'INDONÉSIE:

POUR  
L'IRLANDE:



POUR  
LA RÉPUBLIQUE D'ISLANDE:

POUR  
LA JAMAÏQUE :

POUR  
ISRAËL:

POUR  
LE JAPON:

*Zvi Tal*

*Hiroshi Oka*

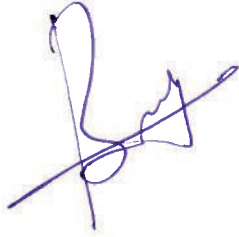
POUR  
L'ITALIE:

POUR  
LE ROYAUME HACHÉMITE  
DE JORDANIE:

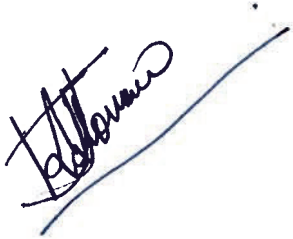
*Alfonso Gorbillo*

*س. س. س.*  
*Sachin*  
*سحر الطرادنة*  
*محمد بن جادوي*  
*محمد بن جادوي*

POUR  
LA RÉPUBLIQUE DU KAZAKHSTAN:



POUR  
LA RÉPUBLIQUE DE KENYA



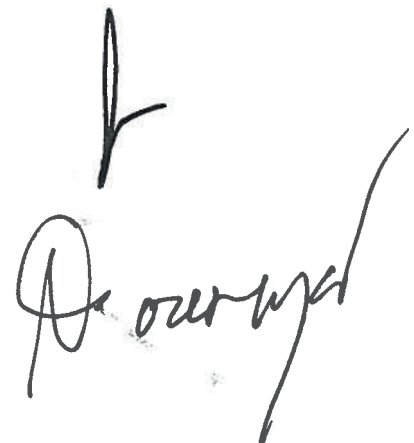
POUR  
LA RÉPUBLIQUE DU KIRGHIZISTAN:

POUR  
LA RÉPUBLIQUE DE KIRIBATI:

POUR  
LE KUWAIT:



POUR  
LA RÉPUBLIQUE DÉMOCRATIQUE  
POPULAIRE LAO:



POUR  
LE ROYAUME DU LESOTHO:

POUR  
LA RÉPUBLIQUE LIBANAISE:



POUR  
LA RÉPUBLIQUE DE LETTONIE:

POUR  
LA RÉPUBLIQUE DE LIBÉRIA:



POUR  
L'EX-RÉPUBLIQUE YOUGOSLAVE  
DE MACÉDOINE:

POUR  
LA LIBYE

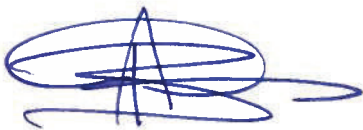


POUR  
LA PRINCIPAUTÉ DE LIECHTENSTEIN:



POUR  
LA RÉPUBLIQUE DE LITUANIE:

POUR  
LE LUXEMBOURG:



POUR  
LA RÉPUBLIQUE DE MADAGASCAR:

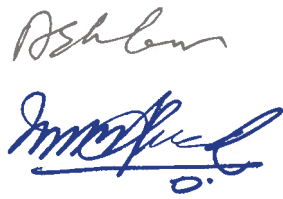


POUR  
LA MALAISIE:



POUR  
LE MALAWI:

POUR  
LA RÉPUBLIQUE DES MALDIVES:



POUR  
LA RÉPUBLIQUE DU MALI:



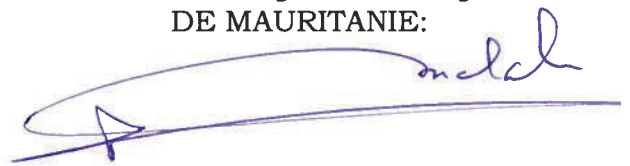
POUR  
MALTE:

POUR  
LE ROYAUME DU MAROC:



POUR  
MAURICE:

POUR  
LA RÉPUBLIQUE ISLAMIQUE  
DE MAURITANIE:

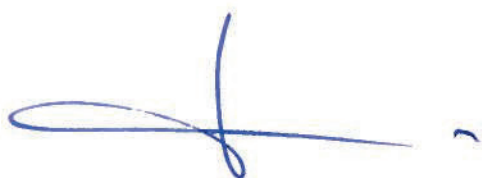


POUR  
LES ÉTATS-UNIS DU MEXIQUE:



POUR  
LA RÉPUBLIQUE DE MOLDOVA:

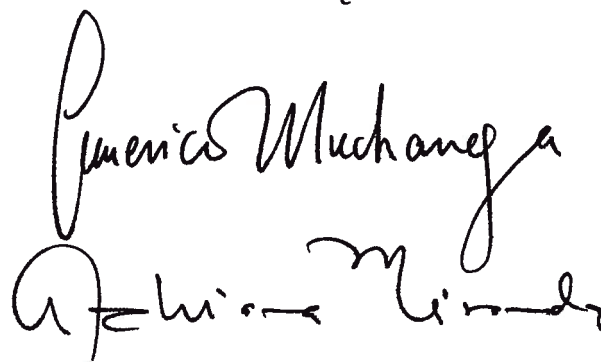
POUR  
LA PRINCIPAUTÉ DE MONACO:



POUR  
LA MONGOLIE:

POUR  
LE MONTÉNÉGRO:

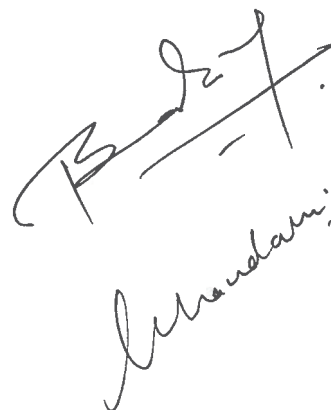
POUR  
LA RÉPUBLIQUE POPULAIRE  
DU MOZAMBIQUE:



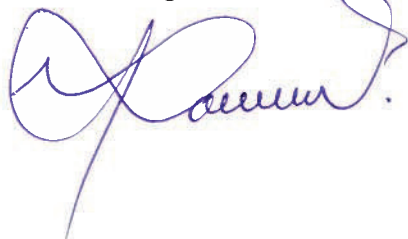


POUR  
L'UNION DE MYANMAR:

POUR  
LA RÉPUBLIQUE FÉDÉRALE  
DÉMOCRATIQUE DU NÉPAL:



POUR  
LA RÉPUBLIQUE DE NAMIBIE:



POUR  
LA RÉPUBLIQUE DU NICARAGUA:

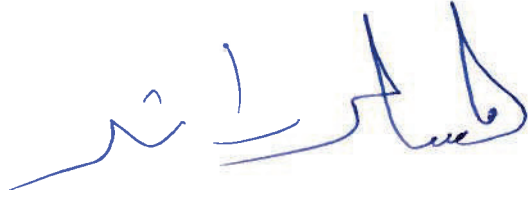
POUR  
LA RÉPUBLIQUE DE NAURU:

POUR  
LA RÉPUBLIQUE DU NIGER:



POUR  
LA RÉPUBLIQUE FÉDÉRALE  
DU NIGÉRIA:

POUR  
LE SULTANAT D'OMAN:



POUR  
LA NORVÈGE:

POUR  
LA RÉPUBLIQUE DE L'OUGANDA:

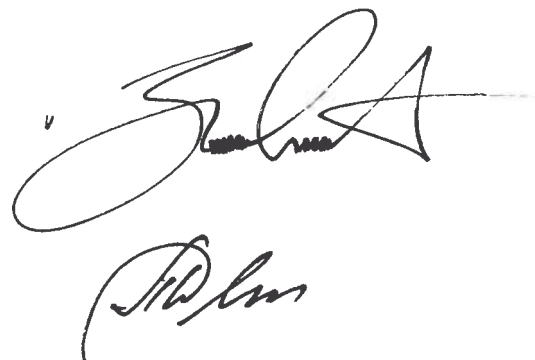
Heidi Fjøl  
Fanny Gaurbøvik



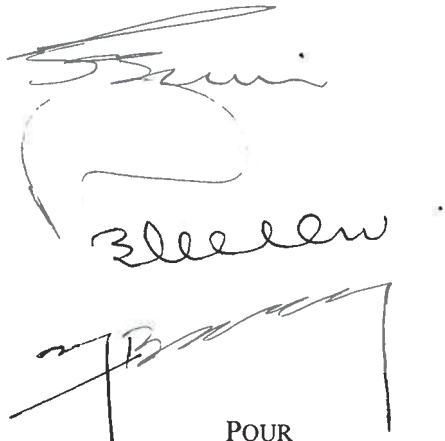
POUR  
LA NOUVELLE-ZÉLANDE:

POUR  
LA RÉPUBLIQUE D'OUZBÉKISTAN:

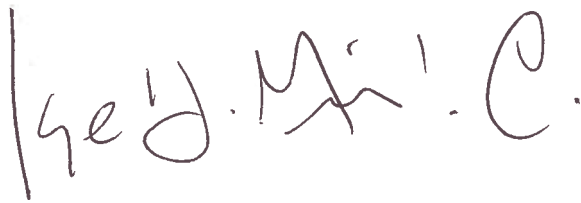
Bonni Roche.  
Spide Steve Birtwell  
Murtaw  
Muki



POUR  
LA RÉPUBLIQUE ISLAMIQUE  
DU PAKISTAN:



POUR  
LA RÉPUBLIQUE DE PANAMA:



POUR  
LA PAPOUASIE - NOUVELLE-GUINÉE:

POUR  
LA RÉPUBLIQUE DE PARAGUAY:




POUR  
LES PAYS-BAS  
- CARAÏBES NÉERLANDAISES  
(BONAIRE, SABA ET S. EUSTATIUS):



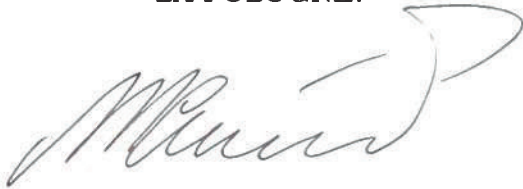
POUR  
LA RÉPUBLIQUE DU PÉROU:

POUR  
LA RÉPUBLIQUE DES PHILIPPINES:

POUR  
L'ÉTAT DE QATAR:



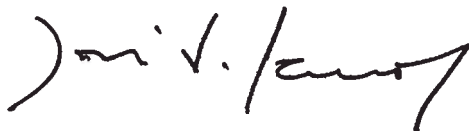
POUR  
LA POLOGNE:



POUR  
LA RÉPUBLIQUE DÉMOCRATIQUE  
DU CONGO:

POUR  
LE PORTUGAL:

MISSAZEL TAVARES



POUR  
LA RÉPUBLIQUE POPULAIRE  
DÉMOCRATIQUE DE CORÉE:

POUR  
LA ROUMANIE:

A handwritten signature in blue ink, consisting of several vertical, slightly wavy strokes, positioned to the left of a diagonal line that extends from the top right towards the bottom left.

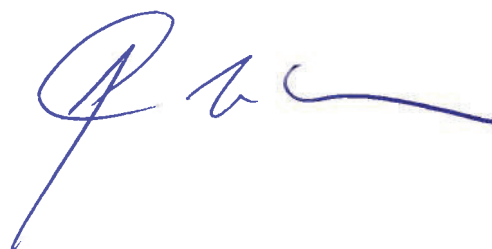
POUR  
LA FÉDÉRATION DE RUSSIE:

A handwritten signature in blue ink, featuring a large, stylized initial 'S' followed by a long, sweeping horizontal stroke that extends to the right.

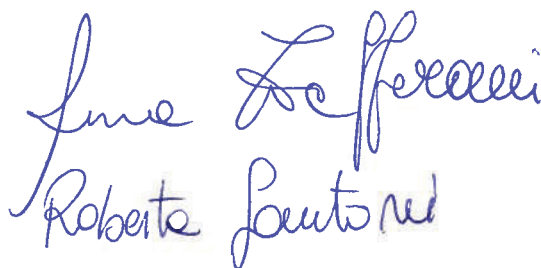
POUR  
LA RÉPUBLIQUE DU RWANDA :

POUR  
SAINT-CHRISTOPHE  
(SAINT-KITTS)-ET-NEVIS:

POUR  
SAINTE-LUCIE:

A handwritten signature in blue ink, starting with a large, circular initial 'P' followed by a few more strokes and ending with a long horizontal line.

POUR  
LA RÉPUBLIQUE DE SAINT-MARIN:

A handwritten signature in blue ink, consisting of two lines of text: 'June Lafferelli' on the top line and 'Roberto Lantoni' on the bottom line.

POUR  
SAINT-VINCENT-ET-GRENADINES:

POUR  
LA RÉPUBLIQUE DÉMOCRATIQUE  
DE SAO TOMÉ-ET-PRINCIPE:

POUR  
LES ÎLES SALOMON:

POUR  
LA RÉPUBLIQUE DU SÉNÉGAL:



POUR  
L'ÉTAT INDÉPENDANT DE SAMOA:

POUR  
LA RÉPUBLIQUE DE SERBIE:



POUR  
LA RÉPUBLIQUE DES SEYCHELLES:



POUR  
LA RÉPUBLIQUE DE SIERRA LEONE:



POUR  
LA RÉPUBLIQUE DE SINGAPOUR:



POUR  
LA RÉPUBLIQUE SLOVAQUE:



POUR  
LA RÉPUBLIQUE DE SLOVÉNIE:



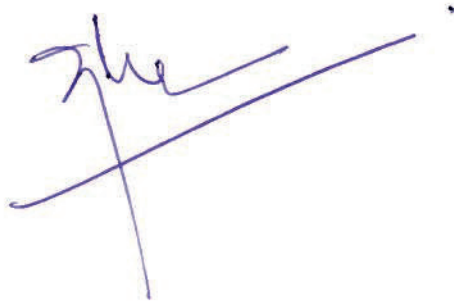
POUR  
LE GOUVERNEMENT FÉDÉRAL DE  
TRANSITION DE  
LA RÉPUBLIQUE  
DE SOMALIE:

POUR  
LA RÉPUBLIQUE DU SOUDAN:



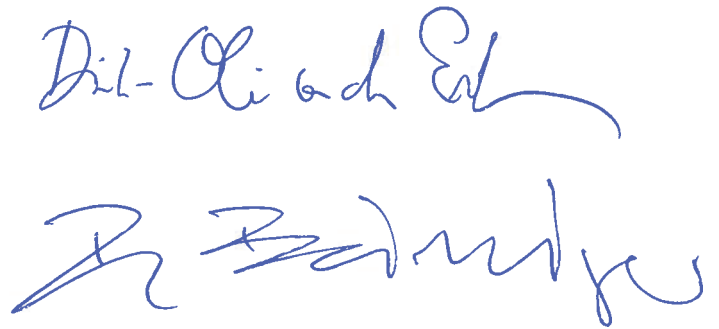
Pour  
LE SOUDAN DU SUD :

POUR  
LA RÉPUBLIQUE SOCIALISTE  
DÉMOCRATIQUE DE SRI LANKA:



POUR  
LA SUÈDE:

POUR  
LA CONFÉDÉRATION SUISSE:



POUR  
LA RÉPUBLIQUE DU SURINAME:



POUR  
LE ROYAUME DU SWAZILAND:



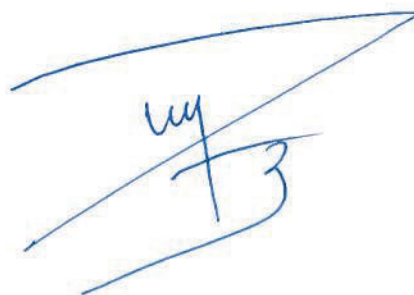
POUR  
LA RÉPUBLIQUE ARABE SYRIENNE:

POUR  
LA RÉPUBLIQUE DU TADJIKISTAN:

POUR  
LA RÉPUBLIQUE UNIE DE TANZANIE:



POUR  
LA RÉPUBLIQUE DU TCHAD:



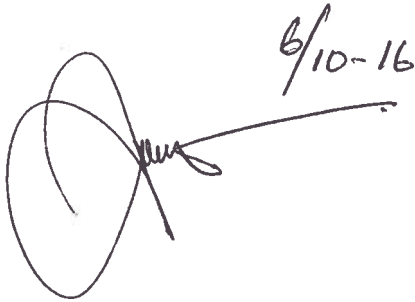
POUR  
LA RÉPUBLIQUE TCHÈQUE:



POUR  
LA THAÏLANDE:



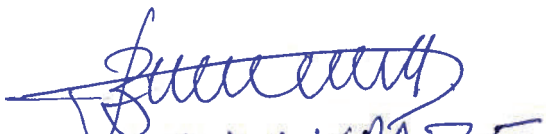
POUR  
LA RÉPUBLIQUE DÉMOCRATIQUE  
DU TIMOR-LESTE:



POUR  
LA RÉPUBLIQUE TOGOLAISE:



KWASI



N'DAKPAZE

POUR  
LE ROYAUME DES TONGA:



POUR  
LA RÉPUBLIQUE  
DE TRINITÉ-ET-TOBAGO:

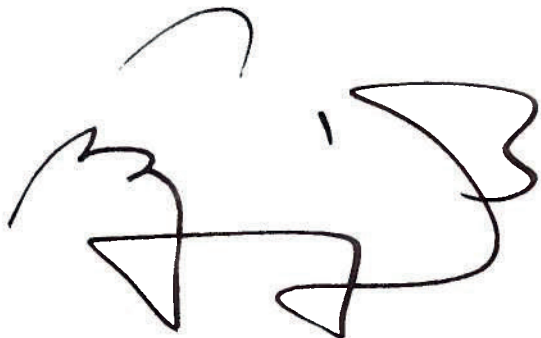
POUR  
LA RÉPUBLIQUE TUNISIENNE:

POUR  
LE TURKMÉNISTAN:

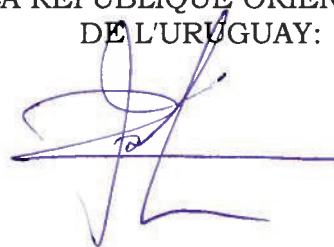
POUR  
L'UKRAINE:



POUR  
LA RÉPUBLIQUE DE TURQUIE:



POUR  
LA RÉPUBLIQUE ORIENTALE  
DE L'URUGUAY:



POUR  
TUVALU:

POUR  
LA RÉPUBLIQUE DE VANUATU:

POUR  
L'ÉTAT DE LA CITÉ DU VATICAN:

*Lev Attilio Riva*

*Sebastiano Bertol*

POUR  
LA RÉPUBLIQUE BOLIVARIENNE DU  
VÉNÉZUÉLA:

POUR  
LA RÉPUBLIQUE SOCIALISTE  
DU VIET NAM:

*Uho*

POUR  
LA RÉPUBLIQUE DU YÉMEN:

*Ally*

POUR  
LA RÉPUBLIQUE DE ZAMBIE:

*Full*

POUR  
LA RÉPUBLIQUE DE ZIMBABWE:

*WJL*

## Declarations made on signature of the Acts



## Declarations made on signature of the Acts

I

*On behalf of the Socialist Republic of Viet Nam*

The delegation of the Socialist Republic of Viet Nam declares that:

- Viet Nam reserves its right to take any action or measures, if necessary, to safeguard national rights and interests should any other UPU member countries in any way fail to comply with the provisions of the UPU Congress Acts or should declarations or reservations by other UPU member countries jeopardize the sovereignty, rights, interests and postal services of the Socialist Republic of Viet Nam.
- Viet Nam reserves the right to make reservations, if necessary, upon ratification/approval of the UPU Congress Acts.

(Congress–Doc 34.Add 1)

II

*On behalf of the Republic of Turkey*

The delegation of the Republic of Turkey makes the following statement in connection with the participation of the delegation of the Greek Cypriot Administration of Southern Cyprus in the 26th Congress of the Universal Postal Union purportedly on behalf of "the Republic of Cyprus".

There is no single authority, in law or in fact, that is competent to represent jointly the Turkish Cypriots and the Greek Cypriots and, consequently, Cyprus as a whole. Turkey regards the Greek Cypriot authorities as exercising authority, control and jurisdiction only in the territory south of the buffer zone, as is currently the case, and as not representing the Turkish Cypriot people, and will treat the acts performed by them accordingly.

In view of the above, Turkey declares that its presence and participation in the work of the Universal Postal Union, its signature of the Final Acts, and its approval of the Istanbul Postal Strategy does not amount to any form of recognition of the Greek Cypriot Administration's pretention to represent the so-called "Republic of Cyprus", nor does it imply any obligations on the part of Turkey to enter into any dealing with the so-called "Republic of Cyprus" within the framework of Universal Postal Union activities.

(Congress–Doc 34.Add 2)

III

*On behalf of Georgia*

At the 26th Universal Postal Congress (Istanbul, Turkey, 2016) the delegation of Georgia makes the following statement:

Abkhazia, Georgia, and Tskhinvali Region (South Ossetia), Georgia, are Georgian regions and represent inseparable parts of Georgian territory. The territorial integrity of Georgia has been supported and acknowledged by the resolutions of the UN Security Council. Any action for any reason in these Georgian regions in the postal sector can be carried out only in accordance with the Constitution and legislation of Georgia, the Acts of the Universal Postal Union and international law. All other cases represent illegal action and infringement of the sovereignty and territorial integrity of Georgia.

Georgia reserves its right, for protection of the sovereignty and territorial integrity of the state, to take any legal action considered appropriate in case any member country of the Universal Postal Union does not comply with the obligations derived from the Acts of the Universal Postal Union, and by its statements and actions directly or indirectly endangers the normal functioning of the postal sector on the whole territory of Georgia and undermines its national interests and sovereignty.

Georgia reserves the right in case of necessity to make additional statements regarding the Acts adopted at this Congress of the Universal Postal Union if any provision will directly or indirectly contravene international law, as well as the Constitution and the laws of Georgia.

(Congress–Doc 34.Add 3)

IV

*On behalf of the Republic of Cyprus*

The delegation of the Republic of Cyprus to the 26th Congress of the Universal Postal Union reiterates the declaration it made at previous UPU Congresses, and rejects unreservedly the declaration and reservation made by the Republic of Turkey on 20 September 2016 (Congress–Doc 34.Add 2) at the 26th Congress in Istanbul in connection with the participation, rights and status of the Republic of Cyprus as a member of the UPU.

The Turkish positions are totally inconsistent with the relevant provisions of international law and the specific provisions of the mandatory UN Security Council resolutions on Cyprus. It should be noted that, in its resolutions 541(1983) and 550(1984), inter alia, the UN Security Council condemned the purported secession of part of the Republic of Cyprus, regarded its "unilateral declaration of independence" as "legally invalid" and called for its withdrawal. It also called on all states not to recognize any Cypriot state other than the Republic of Cyprus and "not to facilitate or in any way assist the aforesaid secessionist entity". Lastly, it called on all states to respect the sovereignty, independence, territorial integrity and unity of the Republic of Cyprus.

The Republic of Cyprus has been a member state of the United Nations since its independence in 1960, and a member state of the European Union from 1 May 2004. It has also been a member of the Universal Postal Union since November 1961 and, in this capacity, participates in all of the organization's activities. The Government of the Republic of Cyprus is the internationally recognized government in Cyprus, with the competence and authority to represent the state, notwithstanding the de facto division of the island as a result of the 1974 Turkish invasion.

Since 1 May 2004, the Republic of Cyprus has been a full member of the European Union, underscoring the fact that there is only one state in Cyprus. In recognizing the problems caused by the occupation of part of its territory in implementing Community laws, Protocol 10 to the Act of Accession of the Republic of Cyprus to the European Union provides that implementation of the *acquis communautaire* shall be suspended in the area of the Republic of Cyprus over which its government exercises no effective control.



In view of the above, the declaration and reservation made by the Republic of Turkey contravene both the letter and spirit of the UPU Constitution, Convention and Agreements. The delegation of the Republic of Cyprus therefore considers any such declaration or reservation to be illegal and null and void, and reserves its rights accordingly.

(Congress–Doc 34.Add 4)

V

*On behalf of New Zealand*

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

(Congress–Doc 34.Add 5)

VI

*On behalf of the Argentine Republic*

The Argentine Republic recalls the reservation it made upon ratifying the Constitution of the Universal Postal Union signed in Vienna, Austria, on 10 July 1964, and reaffirms its sovereignty over the Malvinas Islands, South Georgia and the South Sandwich Islands, and the surrounding maritime areas, as well as over the Argentine Antarctica sector.

It also recalls that, with regard to the question of the Malvinas Islands, the United Nations General Assembly has adopted resolutions 2065 (XX), 3160 (XXVIII), 31/49, 37/9, 38/12, 39/6, 40/21, 41/40, 42/19 and 43/25, recognizing the existence of a sovereignty dispute and calling upon the Governments of the Argentine Republic and the United Kingdom of Great Britain and Northern Ireland to resume negotiations in order to resolve this dispute.

The Argentine Republic emphasizes also that the United Nations Special Committee on Decolonization has repeatedly passed resolutions to the same effect, most recently through the resolution adopted on 23 June 2016, and that the General Assembly of the Organization of American States adopted a new resolution on the issue in similar terms on 15 June 2016.

(Congress–Doc 34.Add 6)

VII

*On behalf of the Republic of Iceland, the Principality of Liechtenstein and the Kingdom of Norway*

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

(Congress–Doc 34.Add 7)

VIII

*On behalf of the Republic of Indonesia*

Indonesia consents to be bound by the Acts of the Union signed at the 26th UPU Congress (Istanbul, 2016) and:

- reserves the right for its Government to take any action and preservation measures it deems necessary to safeguard its national interests should any provision of the Convention, Final Protocol, or Postal Payment Services Agreement, as well as any decision of the 26th Congress of the UPU (Istanbul, 2016), directly or indirectly affect its sovereignty or be in contravention to the Constitution, laws and regulations of the Republic of Indonesia, as well as the existing rights acquired by the Republic of Indonesia as a party to other treaties and conventions, and any principles of international law;
- further reserves the right for its Government to take any action and preservation measures it deems necessary to safeguard its national interests should any member countries in any way fail to comply with the provisions of the Acts of the Union (Istanbul, 2016), or should the consequences of reservations by any member countries jeopardize its postal services or result in an unacceptable increase of its contributory share towards defraying expenses of the Union.

(Congress–Doc 34.Add 8)

IX

*On behalf of Australia*

Australia will apply the Acts and other decisions adopted by this Congress only insofar as they are consistent with its other international rights and obligations and, in particular, with the World Trade Organization's General Agreement on Trade in Services.

(Congress–Doc 34.Add 9)

X

*On behalf of the Oriental Republic of Uruguay*

On the occasion of the signing of the Final Acts of the 26th Universal Postal Congress (Istanbul, 2016), the delegation of the Oriental Republic of Uruguay declares that its Government reserves the right to:

- adopt the measures it deems necessary in order to protect its interests in cases in which other members of the Universal Postal Union fail to comply with the Final Acts, its annexes and its Protocols, or should the reservations made by other members jeopardize the proper functioning of its postal services or the fulfilment of its sovereign rights;
- formulate additional reservations to the Final Acts of the 26th Universal Postal Congress (Istanbul, 2016), in accordance with the 1969 Vienna Convention on the Law of Treaties, as necessary between the date of signature of the Final Acts and the ratification dates.

(Congress–Doc 34.Add 10)

XI

*On behalf of the Republic of Austria, the Kingdom of Belgium, the Republic of Bulgaria, the Czech Republic, the Republic of Croatia, the Republic of Cyprus, the Kingdom of Denmark, the Republic of Estonia, the Republic of Finland, the French Republic, the Federal Republic of Germany, the Hellenic Republic, Hungary, the Republic of Ireland, the Italian Republic, the Republic of Latvia, the Grand Duchy of Luxembourg, the Kingdom of the Netherlands, the Republic of Poland, the Portuguese Republic, Romania, the Slovak Republic, the Republic of Slovenia, the Kingdom of Spain, the Kingdom of Sweden and the United Kingdom of Great Britain and Northern Ireland*

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

(Congress–Doc 34.Add 11)

XII

*On behalf of Canada*

On signing the Final Acts of the 26th Congress of the Universal Postal Union (Istanbul, 2016), Canada declares that it will apply the Acts and other decisions adopted by this Congress in a manner consistent with all applicable laws and those international agreements to which it is a signatory party.

(Congress–Doc 34.Add 12)

XIII

*On behalf of the Republic of Azerbaijan*

The Republic of Azerbaijan is one of the fully authorized members of the Universal Postal Union and is entitled to deliver postal services on the internationally recognized territory of the country pursuant to the Universal Postal Convention and other international legal documents. However, 20 percent of the internationally recognized territory of Azerbaijan, including the Nagorno-Karabakh region and seven surrounding administrative regions, is under the occupation of Armenia and therefore facing obstacles with respect to the delivery of postal services.

Resolutions Nos 822 (30 April 1993), 853 (29 June 1993), 874 (14 October 1993) and 884 (12 November 1993) of the Security Council of the United Nations, as well as decisions and resolutions of other international organizations on the immediate, full and unconditional release of the occupied territories of Azerbaijan from Armenian invaders, have remained unfulfilled.

The occupation has resulted in extensive damage to the country's economy, including the postal sector. The working group established in order to assess the losses and damages incurred by the Republic of Azerbaijan is carrying out the evaluations.

It is impossible to comply with article 6 of the Universal Postal Convention concerning the circulation of postage stamps on the territories of the Republic of Azerbaijan occupied by the Republic of Armenia. The issue of postage stamps and illegal postal operations are still carried out on the territory of the so-called "Nagorno Karabakh Republic" by the illegal regime, in contravention of article 23 of the Constitution of the Universal Postal Union.

Considering the above, the Republic of Azerbaijan declares once again that, according to the relevant rules of the Universal Postal Union, the Government of the Republic of Azerbaijan is the only legitimate structure

entitled to issue and put into circulation postage stamps, as well as implement postal operations, on all territories of Azerbaijan recognized at international level, including on the occupied territories. No postal operations can be carried out on the occupied territories without the authorization of the Government of the Republic of Azerbaijan. These operations have no legal force and contravene the national legislation of the Azerbaijan Republic, as well as the international legal norms that exist in this field.

We regret to inform that it will be impossible to comply with the provisions of the Universal Postal Convention and its Final Protocol until the territories occupied by the Republic of Armenia are released and the consequences of the occupation are eliminated.

The Republic of Azerbaijan reserves the right not to apply the rights and obligations arising from the Universal Postal Convention and its Final Protocol in regard to the Republic of Armenia.

(Congress–Doc 34.Add 13)

XIV

*On behalf of the Republic of South Africa*

The delegation of the Republic of South Africa declares that South Africa will apply the Acts adopted by the 26th Congress of the Universal Postal Union in accordance with the Constitution and national legislation of the Republic of South Africa and pursuant to its obligations under other treaties, conventions and the principles of international law, subject to ratification of the Final Acts. South Africa reserves the right to make additional declarations, if necessary, upon ratification of the Acts of the Union.

The delegation of the Republic of South Africa reserves the right of its Government to take any action or measures it deems necessary to safeguard its national interests 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 negatively impact upon its postal services.

(Congress–Doc 34.Add 14)

XV

*On behalf of Malaysia*

The delegation of Malaysia declares that Malaysia will apply the Acts adopted by the 26th Congress of the Universal Postal Union in accordance with the Constitution and national legislation of Malaysia and pursuant to its obligations under other treaties, conventions and the principles of international law, subject to ratification of the Final Acts. Malaysia also reserves the right of its Government to make reservations, if necessary, upon ratification of the UPU Congress Acts.

The delegation of Malaysia reserves the right of its Government to take any action or measures it deems necessary to safeguard its national interests 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 negatively impact upon its postal services.

(Congress–Doc 34.Add 15)

XVI

*On behalf of the Republic of Cuba*

On the signing of the Final Acts of the Universal Postal Congress (Istanbul, 2016), the delegation of the Republic of Cuba declares that its Government reserves the right to adopt whatever measures or actions it deems necessary in accordance with its national legislation and international law, to protect or safeguard national interests if other members of the Universal Postal Union fail in any way to respect the Final Acts and its Regulations, or if the declarations or reservations made by other members compromise its sovereignty, security, rights or interests or the proper functioning of its national postal services.

(Congress–Doc 34.Add 16)

XVII

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

The delegation of the People's Democratic Republic of Algeria declares that it reserves the right of its government to apply the Acts adopted by this Congress insofar as they are consistent with Algeria's national legislation and regulations and with its foreign policy.

It also declares that the signature of said Acts shall not be considered a waiver by Algeria of any right that it holds or that it could hold by virtue of the conventions and treaties of which it is part.

The Algerian delegation also reserves the right of its government to make, where necessary, additional declarations regarding the ratification of the Acts of Congress of the UPU.

(Congress–Doc 34.Add 17)

XVIII

*On behalf of the Republic of Armenia*

Recently the international community has witnessed a significant upsurge of false propaganda and anti-Armenian campaigns conducted by the Azerbaijani authorities, presenting a distorted picture of the reasons and motives behind the Nagorno-Karabakh conflict and of the situation that has developed as a result on this territory. Armenia considers that such behaviour is unacceptable and hinders the international community's efforts to promote mutual cooperation.

As the Universal Postal Congress is not the appropriate forum for discussing issues connected with the resolution of conflicts, the delegation of Armenia will limit itself to the following statement:

On 10 December 1991, the population of Nagorno-Karabakh declared the independence of the Nagorno-Karabakh Republic following a referendum, in full accordance with international law, as well as the letter and spirit of the laws of the Soviet Union at the time. Thus, Nagorno-Karabakh is a sovereign republic, in accordance with article RL 116 of the Letter Post Regulations.

Arbitrary interpretation of the UN Security Council resolutions and groundless accusations against the Republic of Armenia are common practice for the authorities of Azerbaijan, with the objective of covering up their serious crimes in the past. The authorities of Azerbaijan use every international forum to pursue their destructive policy instead of participating in the peaceful efforts of the international community. Unfortunately, the Universal Postal Congress was no exception.

The statements delivered on behalf of the Republic of Azerbaijan contain gross distortions and are purely for propaganda purposes, in addition to serving as a distraction from the work programme of the 26th UPU Congress.

Such statements are clear evidence of Azerbaijan's decades-long policy aimed at depriving the population of Nagorno-Karabakh of their fundamental human rights, including the right to communicate, which is the means for the realization of all other rights. As we know, the main international human rights instruments define many aspects of the right to communicate; this right is directly linked to freedom of expression, which is enshrined in all the major international instruments for the protection of human rights, such as the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and many others.

Nagorno-Karabakh has never been part of independent Azerbaijan. Azerbaijan's references to article 23 of the Constitution and the attempts to present Nagorno-Karabakh as "an integral part of the territory of the Republic of Azerbaijan" are neither legally justified nor lawful.

The future status of Nagorno-Karabakh must be determined through peaceful negotiations in the framework of the Organization for Security and Cooperation in Europe (OSCE) Minsk Process, and on the basis of the fundamental principles of the OSCE. The fact that the Republic of Nagorno-Karabakh has still not been officially recognized by the international community cannot prevent its population from communicating freely, including through the postal service.

Azerbaijan's declaration runs contrary to the basic provisions of the Constitution and does not support the fundamental principles of the UPU.

As a member of the Universal Postal Union, Armenia bindingly declares that the postal operator of the Republic of Armenia serves as intermediary to the postal operator of the Republic of Nagorno-Karabakh pursuant to articles 3 and 4 of the UPU Convention and continues to fulfil its obligations arising from the above-mentioned articles.

(Congress–Doc 34.Add 18)

# Rules of Procedure of Congresses

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# Rules of Procedure of Congresses

## Table of contents

### Article

1	General provisions
2	Delegations
3	Delegates' credentials
4	Order of seating
5	Observers and ad hoc observers
6	Chairmanships and vice-chairmanships of Congress and Committees
7	Bureau of Congress
8	Membership of Committees
9	Working parties
10	Secretariat of Congress and of Committees
11	Languages of debates
12	Languages used for drafting Congress documents
13	Proposals
14	Consideration of proposals in Congress and in Committees
15	Debates
16	Motions on points of order and procedural motions
17	Quorum
18	Voting principle and procedure
19	Conditions of approval of proposals
20	Election of the members of the Council of Administration or the Postal Operations Council
21	Election of the Director General and the Deputy Director General of the International Bureau
22	Reports
23	Appeal against decisions taken by the Committees and by Congress
24	Approval by Congress of draft decisions (Acts, resolutions, etc.)
25	Assignment of studies to the Council of Administration and the Postal Operations Council
26	Reservations to Acts
27	Signature of Acts
28	Amendment of the Rules



# Rules of Procedure of Congresses

## Article 1

### General provisions

1 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. **Credentials authorizing the holder to participate on behalf of the country concerned or represent the latter shall implicitly include the right to speak and to vote only.**

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 **International Bureau**, 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 member 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

##### Observers and ad hoc observers

1 The observers referred to in article 105.1 of the General Regulations shall be invited to participate in the plenary sessions and Committee meetings of Congress.

2 The ad hoc observers referred to in article 105.2 of the General Regulations may be invited to attend specific meetings of Congress and its committees when it is in the interest of the Union or the work of Congress.

3 The observers and ad hoc observers shall not be entitled to vote, but may take the floor with the permission of the Chairman of the meeting.

4 In exceptional circumstances, the right of observers and ad hoc observers 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

##### Chairmanships and vice-chairmanships of Congress and Committees

1 At its first plenary meeting, Congress shall elect, on the proposal of the host member country of the Congress, 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 7

##### 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 10.1, shall attend the meetings of the Bureau.

#### Article 8

##### 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 9

##### Working parties

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

Article 10

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 thereat 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 host member 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 11

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 12

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 13

## 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 In the specific case of proposals from the Council of Administration or Postal Operations Council, amendments shall be received by the International Bureau at least two months before the opening of Congress. Beyond this point, member countries may present their amendments at sessions.**
- 5 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.
- 6 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.
- 7 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.) where these proposals result from the work of Congress.
- 8 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 14

## 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 15

### 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 16

### 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:

1.1 clarification on the conduct of the debates;

1.2 observance of the Rules of Procedure;



1.3 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:

3.1 the suspension of the meeting;

3.2 the closure of the meeting;

3.3 the adjournment of the debate on the question under discussion;

3.4 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 17

### 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 18

### 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:

3.1 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;

3.2 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;

3.3 by secret ballot, using ballot papers, if requested by two delegations; in this case, the Chairman of the meeting shall appoint three tellers, having regard to equitable geographical representation and the level of economic development of the member countries, 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:

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

4.2 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;

4.3 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 19

### Conditions of approval of proposals

1 To be adopted, proposals involving amendments to the Acts must:

1.1 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;

1.2 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;

1.3 in the case of the Convention, be approved by a majority of the member countries present and voting which have the right to vote;

1.4 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 20

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

1 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 21

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.

6 The candidates for Director General and Deputy Director General of the International Bureau may, at their request, be represented at the counting of the votes.

#### Article 22

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 23

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 10 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 24

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 19.1, 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 25

Assignment of studies to the Council of Administration and the Postal Operations Council

1 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 106, 107, 112 and 113 of the General Regulations.

Article 26  
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 27  
Signature of Acts

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

Article 28  
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 10 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





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# Universal Postal Convention

## Table of contents

### Section I

#### Rules applicable in common throughout the international postal service

##### Article

- 1 Definitions
- 2 Designation of the entity or entities responsible for fulfilling the obligations arising from adherence to the Convention
- 3 Universal postal service
- 4 Freedom of transit
- 5 Ownership of postal items. Withdrawal from the post. Alteration or correction of address **and/or name of the addressee (name of the legal person, or family name, given name or patronymic (if any))**. Redirection. Return to sender of undeliverable items
- 6 Postage stamps
- 7 Sustainable development
- 8 Postal security
- 9 Violations
- 10 Processing of personal data
- 11 Exchange of closed mails with military units
- 12 Posting abroad of letter-post items
- 13 Use of UPU forms**

### Section II

#### Quality of service standards and targets

- 14 Quality of service standards and targets

### Section III

#### Charges, surcharges and exemption from postal charges

- 15 Charges
- 16 Exemption from postal charges

## Section IV

### Basic and supplementary services

- 17** Basic services
- 18** Supplementary services

## Section V

### Prohibitions and customs matters

- 19** Items not admitted. Prohibitions
- 20** Customs control. Customs duty and other fees

## Section VI

### Liability

- 21** Inquiries
- 22** Liability of designated operators. Indemnities
- 23** Non-liability of member countries and designated operators
- 24** Sender's liability
- 25** Payment of indemnity
- 26** Possible recovery of the indemnity from the sender or the addressee

## Section VII

### Remuneration

#### A. Transit charges

- 27** Transit charges

#### B. Terminal dues

- 28** Terminal dues. General provisions
- 29** Terminal dues. Provisions applicable to mail flows between designated operators of countries in the target system
- 30** Terminal dues. Provisions applicable to flows to, from and between designated operators of countries in the transitional system
- 31** Quality of Service Fund

#### C. Rates for parcel post

- 32** Parcel post land and sea rates

#### D. Air conveyance dues

- 33** Basic rates and provisions concerning air conveyance dues

**E. Settlement of accounts****34** Provisions specific to the settlement of accounts and payments for international postal exchanges**F. Fixing of charges and rates****35** Authority of the Postal Operations Council to fix charges and rates**Section VIII****Optional services****36** EMS and integrated logistics**37** Electronic postal services**Section IX****Final provisions****38** Conditions of approval of proposals concerning the Convention and the Regulations**39** Reservations at Congress**40** Entry into force and duration of the Convention



## 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.

### Section I

#### Rules applicable in common throughout the international postal service

##### Article 1

##### Definitions

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

- 1.1 **letter-post item: item described in and conveyed under the conditions of the Universal Postal Convention and Regulations;**
- 1.2 **parcel-post item: item described in and conveyed under the conditions of the Universal Postal Convention and Regulations;**
- 1.3 **EMS item: item described in and conveyed under the conditions of the Universal Postal Convention, Regulations and associated EMS instruments;**
- 1.4 **documents: a letter-post, parcel-post or EMS item consisting of any piece of written, drawn, printed or digital information, excluding objects of merchandise, whose physical specifications lie within the limits specified in the Regulations;**
- 1.5 **goods: a letter-post, parcel-post or EMS item consisting of any tangible and movable object other than money, including objects of merchandise, which does not fall under the definition of "documents" as provided in paragraph 1.4 above and whose physical specifications lie within the limits specified in the Regulations;**
- 1.6 closed mail: labelled **receptacle(s)** sealed with or without lead, containing postal items;
- 1.7 misrouted mails: receptacles received at an office of exchange other than the one mentioned on the (**receptacle**) label;
- 1.8 personal data: information needed to identify a postal service user;
- 1.9 missent items: items received at an office of exchange meant for an office of exchange in another member country;
- 1.10 transit charges: remuneration for services rendered by a carrier in the country crossed (designated operator, other service or combination of the two) in respect of the land, sea and/or air transit of **letter-post items;**

- 1.11** terminal dues: remuneration owed to the designated operator of the country of destination by the designated operator of the dispatching country in compensation for the costs incurred in the country of destination for letter-post items received;
- 1.12** designated operator: any governmental or non-governmental entity officially designated by the member country to operate postal services and to fulfil the related obligations arising out of the Acts of the Union on its territory;
- 1.13** small packet: item conveyed under the conditions of the Convention and **the Regulations**;
- 1.14** inward land rate: remuneration owed to the designated operator of the country of destination by the designated operator of the dispatching country in compensation for the costs incurred in the country of destination for parcels received;
- 1.15** transit land rate: remuneration owed for services rendered by a carrier in the country crossed (designated operator, other service or combination of the two) in respect of the land and/or air transit of parcels through its territory;
- 1.16** sea rate: remuneration owed for services rendered by a carrier (designated operator, other service or a combination of the two) participating in the sea conveyance of parcels;
- 1.17** **inquiry: a complaint or query relating to the use of a postal service submitted in accordance with the conditions of the Convention and its Regulations;**
- 1.18** 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;
- 1.19** 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.

## 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, **member countries shall notify the International Bureau of any changes in the governmental bodies as soon as possible. Any changes with regard to the officially designated operators shall also be notified to the International Bureau as soon as possible, and preferably at least three months prior to the entry into force of the change.**

**2 When a member country officially designates a new operator, it shall indicate the scope of the postal services that the latter will provide under the Acts of the Union, as well as the operator's geographical coverage on its territory.**

## 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 member country to ensure that its designated operators forward, always by the quickest routes and the most secure means which they use for their own items, closed mails and à découvert letter-post items which are passed to them by another designated operator. This principle shall also apply to missent items and misrouted mails.

2 Member countries which do not participate in the exchange of **postal items** containing infectious substances or radioactive substances shall have the option of not admitting these items in transit à découvert through their territory. **The same** 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 parcels** shall be guaranteed throughout the territory of the **Union**.

4 If a member country fails to observe the provisions regarding freedom of transit, other member countries may discontinue their **provision of postal services** with that member country.

#### Article 5

Ownership of postal items. Withdrawal from the post. Alteration or correction of address **and/or name of the addressee (name of the legal person, or family name, given name or patronymic (if any))**. 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 **national** legislation of the country of origin or destination and, in case of application of article **19.2.1.1** or **19.3**, in accordance with the **national** legislation of the country of transit.

2 The sender of a postal item may have it withdrawn from the post or have its address **and/or the name of the addressee (name of the legal person, or family name, given name or patronymic (if any))** altered or corrected. The charges and other conditions are laid down in the Regulations.

3 Member countries shall ensure that their designated operators redirect postal items if an addressee has changed his address, and return undeliverable items to the sender. The charges and other conditions are laid down in the Regulations.

#### Article 6

##### 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 and put into circulation solely under the authority of the member country or territory, in conformity with the Acts of the Union;

- 2.2 are a manifestation of sovereignty and constitute proof of prepayment of the postage corresponding to their intrinsic value when affixed to postal items, in conformity with the Acts of the Union;
- 2.3 must be in circulation, for postal prepayment or for philatelic purposes, in the member country or territory of issue, according to its national legislation;
- 2.4 must be accessible to all citizens within the member country or territory of issue.
- 3 Postage stamps comprise:
- 3.1 the name of the member country or territory of issue, in roman letters, **or, if the UPU International Bureau is so requested by the member country or territory of issue, the abbreviation or initials officially representing the member country or territory of issue, in accordance with the conditions laid down in the Regulations;**<sup>1</sup>
- 3.2 the face value, expressed:
- 3.2.1 in principle, in the official currency of the country or territory of issue, or as a letter or symbol;
- 3.2.2 through other identifying characteristics.
- 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 member country or territory, or contribute to the dissemination of culture or to maintaining peace;
- 5.3 have, when commemorating leading figures or events not native to the member country or territory, 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 member country or territory.
- 6 Postal prepayment impressions, franking machine impressions and impressions made by a printing press or another printing or stamping process in accordance with the Acts of the Union may be used only with the authorization of the member country or territory.
- 7 Prior to issuing postage stamps using new materials or technologies, member countries shall provide the International Bureau with the necessary information concerning their compatibility with mail processing machines. The International Bureau shall inform the other member countries and their designated operators accordingly.

## Article 7

### Sustainable development

- 1 Member countries and/or their designated operators shall adopt and implement a proactive sustainable development strategy focusing on environmental, social and economic action at all levels of postal operations and promote sustainable development **awareness**.

<sup>1</sup> An exception shall be granted to **the United Kingdom of Great Britain and Northern Ireland**, the country which invented the postage stamp.



## Article 8 Postal security

1 Member countries and their designated operators shall observe the security requirements defined in the UPU security standards and 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 **provided by designated operators**, in the interests of all officials involved. This strategy **shall include the objectives defined in the Regulations, as well as** the principle of complying with requirements for providing electronic advance data on postal items identified in implementing provisions (including the type of, and criteria for, postal items) adopted by the Council of Administration and Postal Operations Council, in accordance with UPU technical messaging standards. The strategy shall also include the exchange of information on maintaining the safe and secure transport and transit of mails between member countries and their designated operators.

2 Any security measures applied in the international postal transport chain must be commensurate with the risks or threats that they seek to address, and must be implemented without hampering worldwide mail flows or trade by taking into consideration the specificities of the mail network. Security measures that have a potential global impact on postal operations must be implemented in an internationally coordinated and balanced manner, with the involvement of the relevant stakeholders.

## Article 9 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 dangerous goods**, where their insertion has not been expressly authorized by the Convention **and Regulations**;

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 **by any persons** 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 **manufacture, use, release for circulation, commercialization, distribution, dissemination, transportation, exhibition or display (also in the form of catalogues and for advertising purposes)** of 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.

#### Article 10

##### Processing of personal data

1 Personal data on users may be employed only for the purposes for which they were gathered in accordance with applicable national legislation.

2 Personal data on users shall be disclosed only to third parties authorized by applicable national legislation to access them.

3 Member countries and their designated operators shall ensure the confidentiality and security of personal data on users, in accordance with their national legislation.

4 Designated operators shall inform their customers of the use that is made of their personal data, and of the purpose for which they have been gathered.

**5 Without prejudice to the foregoing, designated operators may transfer electronically personal data to the designated operators of destination or transit countries that need these data in order to fulfil the service.**

#### Article 11

##### 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 designated operator of the member country which has made the military unit available or to which the ships or aircraft belong.

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

## Article 12

## Posting abroad of letter-post items

1 A designated operator shall not be bound to forward or deliver to the addressee letter-post items which senders residing in the territory of its member country 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 designated operator of destination may **claim from** the designated operator of posting, payment of the internal rates. **If the designated operator of posting does not agree** to pay these rates within a time limit set by the designated operator of destination, the latter may either return the items to the designated operator of posting and shall be entitled to claim reimbursement of the redirection costs, or handle them in accordance with its national legislation.

4 A designated operator 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 designated operator of destination may claim from the designated operator 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 the rates applicable pursuant to articles **29.5 to 29.11, 29.12 to 29.15, or 30.9**, as appropriate. If the designated operator of posting does not agree to pay the amount claimed within a time limit set by the designated operator of destination, the designated operator of destination may either return the items to the designated operator of posting and shall be entitled to claim reimbursement of the redirection costs, or handle them in accordance with its national legislation.

## Article 13

## Use of UPU forms

1 **Unless otherwise provided by the Acts of the Union, only designated operators shall use UPU forms and documentation for the operation of postal services and exchange of postal items in accordance with the Acts of the Union.**

2 **Designated operators may use UPU forms and documentation for the operation of extraterritorial offices of exchange (ETOE), as well as international mail processing centres (IMPCs) established by designated operators outside their respective national territory, as further defined in paragraph 6, in order to facilitate the operation of the aforementioned postal services and exchange of postal items.**

3 **The exercise of the possibility outlined in paragraph 2 shall be subject to the national legislation or policy of the member country or territory in which the ETOE or IMPC is established. In this regard, and without prejudice to the designation obligations contained in article 2, designated operators shall guarantee the continued fulfilment of their obligations under the Convention and be fully responsible for all their relations with other designated operators and with the International Bureau.**

4 **The requirement set forth in paragraph 3 shall equally apply to the destination member country for the acceptance of postal items from such ETOEs and IMPCs.**

5 **Member countries shall inform the International Bureau on their policies with regard to postal items transmitted and/or received from ETOEs or IMPCs. Such information shall be made available on the Union's website.**

6 **Strictly for the purposes of this article, ETOEs shall be defined as offices or facilities established for commercial purposes and operated by designated operators or under the responsibility of**

**designated operators on the territory of a member country or territory other than their own, with the objective of drawing business in markets outside their respective national territory. IMPCs shall be defined as international mail processing facilities for the processing of international mail exchanged either in order to generate or receive mail dispatches, or to act as transit centres for international mail exchanged between other designated operators.**

**7 Nothing in this article shall be construed to imply that ETOEs or IMPCs (including the designated operators responsible for their establishment and operation outside their respective national territory) are in the same situation under the Acts of the Union as designated operators of the host country, nor impose a legal obligation on other member countries to recognize such ETOEs or IMPCs as designated operators on the territory where they are established and operated.**

## Section II

### Quality of service standards and targets

#### Article 14

##### Quality of service standards and targets

1 Member countries or their designated operators 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 Member countries or their designated operators 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 Member countries or their designated operators shall measure the application of quality of service standards.

## Section III

### Charges, surcharges and exemption from postal charges

#### Article 15

##### Charges

1 The charges for the **various postal services defined in the Convention** shall be set by the member countries or their designated operators, depending on national legislation, in accordance with the principles set out in the Convention and its Regulations. They shall in principle be related to the costs of providing these services.

2 The member country of origin or its designated operator, depending on national legislation, 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 Member countries or their designated operators, depending on national legislation, shall be authorized to exceed any guideline charges appearing in the Acts.

5 Above the minimum level of charges laid down in 3, member countries or their designated operators may allow reduced charges based on their national legislation for letter-post items and parcels posted in the territory of the member 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 designated operator shall retain the charges which it has collected.

## Article 16

### 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 exemption** from postal **prepayment, transit** charges, terminal dues and inward rates for letter-post items and postal **parcels sent** by member countries, designated operators and Restricted Unions **and relating to the postal services**. Furthermore, letter-post items and postal parcels sent by the UPU International Bureau to Restricted Unions, member countries and designated **operators shall** be exempted from all postal charges. However, the member country of origin or its designated operator 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 payment 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 payment 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 payment 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 designated operators, 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 Items for the blind

3.1 Any item for the blind sent to or by an organization for the blind or sent to or by a blind person shall be exempt from all postal charges, with the exception of air surcharges, to the extent that these items are admissible as such in the internal service of the sending designated operator.

3.2 In this article:

- 3.2.1 a blind person means a person who is registered as blind or partially sighted in his or her country or who meets the World Health Organization's definition of a blind person or a person with low vision;
- 3.2.2 an organization for the blind means an institution or association serving or officially representing blind persons;
- 3.2.3 items for the blind shall include correspondence, literature in whatever format including sound recordings, and equipment or materials of any kind made or adapted to assist blind persons in overcoming the problems of blindness, as specified in **the Regulations**.

## Section IV Basic and supplementary services

### Article 17

#### Basic services

- 1 Member countries shall ensure that their designated operators accept, handle, convey and deliver letter-post items.
- 2 Letter-post items **containing only documents** are:
  - 2.1 priority items and non-priority items, up to 2 kilogrammes;
  - 2.2 letters, postcards **and printed papers, up to 2 kilogrammes**;
  - 2.3 items 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 containing goods are:**
  - 3.1 **priority and non-priority small packets, up to 2 kilogrammes.**
- 4 Letter-post items shall be classified on the **basis of both** the speed of treatment of the **items and** the contents of the items in accordance with **the Regulations**.
- 5 Within the classification systems referred to in 4, letter-post items may also be classified on the basis of their format as small letters (P), large letters (G), bulky letters (E) **or small packets (E)**. The size and weight limits are specified in **the Regulations**.
- 6 Higher weight limits than those indicated in paragraph 2 apply optionally for certain letter-post item categories under the conditions specified in **the Regulations**.
- 7 **Member** countries shall also ensure that their designated operators accept, handle, convey and deliver **parcel-post items** up to 20 **kilogrammes**.
- 8 Weight limits higher than 20 kilogrammes apply optionally for certain parcel-post **items** under the conditions specified in **the Regulations**.

### Article 18

#### Supplementary services

- 1 Member countries shall ensure the provision of the following mandatory supplementary services:
  - 1.1 registration service for outbound priority and airmail letter-post items;
  - 1.2 registration service for all inbound registered letter-post items.

2 Member countries or their designated operators may provide the following optional supplementary services in relations between those designated operators which agreed to provide the service:

- 2.1 insurance for letter-post items and parcels;
- 2.2 cash-on-delivery service for letter-post items and parcels;
- 2.3 tracked delivery service for letter-post items;**
- 2.4 delivery to the addressee in person of registered or insured letter-post items;
- 2.5 free of charges and fees delivery service for letter-post items and parcels;
- 2.6 fragile and cumbersome parcels services;
- 2.7 consignment service for collective items from one consignor sent abroad;
- 2.8 merchandise return service, which involves the return of merchandise by the addressee to the original seller, with the latter's authorization.

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

- 3.1 international business reply service (IBRS), which is basically optional. All member countries or their designated operators shall, however, be obliged to operate the IBRS "return" service;
- 3.2 international reply coupons, which shall be exchangeable in any member country. The sale of international reply coupons is, however, optional;
- 3.3 advice of delivery for registered letter-post items, parcels and insured items. All member countries or their designated operators shall admit incoming advices of delivery. The provision of an outward advice of delivery service is, however, optional.

4 The description of these services and their charges are set out in the Regulations.

5 Where the service features below are subject to special charges in the domestic service, designated operators shall be authorized to collect the same charges for international items, under the conditions described in the Regulations:

- 5.1 delivery for small packets weighing over 500 grammes;
- 5.2 letter-post items posted after the latest time of posting;
- 5.3 items posted outside normal counter opening hours;
- 5.4 collection at sender's address;
- 5.5 withdrawal of a letter-post item outside normal counter opening hours;
- 5.6 poste restante;
- 5.7 storage for letter-post items weighing over 500 grammes **(with the exception of items for the blind)**, and for parcels;
- 5.8 delivery of parcels, in response to the advice of arrival;
- 5.9 cover against risks of force majeure;
- 5.10 delivery of letter-post items outside normal counter opening hours.**

## Section V Prohibitions and customs matters

### Article 19

#### 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 member countries or their designated operators 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, as defined by the International Narcotics Control Board, or other illicit drugs which are prohibited in the country of destination;
    - 2.1.2 obscene or immoral articles;
    - 2.1.3 counterfeit and pirated articles;
    - 2.1.4 other articles the importation or circulation of which is prohibited in the country of destination;
    - 2.1.5 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;
    - 2.1.6 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 **Dangerous goods**
  - 3.1 The insertion of **dangerous goods as described in the Convention and Regulations** shall be prohibited in all categories of items.
  - 3.2 The insertion of replica and inert explosive devices and military ordnance, including replica and inert grenades, inert shells and the like, shall be prohibited in all categories of items.
  - 3.3 **Exceptionally, dangerous goods may be admitted in relations between member countries that have declared their willingness to admit them either reciprocally or in one direction, provided that they are in compliance with national and international transport rules and regulations.**
- 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 and/or national legislation 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 correspondence, with the exception of archived materials, 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 national 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 national 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 member country or designated operator 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 items for the blind:
- 7.1 shall not bear any inscription or contain any item of correspondence;
- 7.2 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, 3.1 and 3.2 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 discovered** while in transit, such items shall be handled in accordance with the national legislation of the country of transit. **In the case of articles mentioned in 3.1 and 3.2 discovered during transport, the relevant designated operator shall be entitled to remove the article from the item and dispose of it. The designated operator may then forward the remainder of the item to its destination, together with information about the disposal of the inadmissible article.**

## Article 20

### Customs control. Customs duty and other fees

- 1 The designated operators 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 Designated operators which are authorized to clear items through the Customs on behalf of customers, whether in the name of the customer or of the designated operator of the destination country, may

charge customers a customs clearance fee based on the actual costs. This fee may be charged for all items declared at Customs according to national legislation, including those exempt from customs duty. Customers shall be clearly informed in advance about the required fee.

4 Designated operators 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.

## Section VI Liability

### Article 21 Inquiries

1 Each designated operator shall be bound to accept inquiries relating to parcels or registered or insured items posted in its own service or that of any other designated operator, provided that the inquiries are presented **by customers** within a period of six months from the day after that on which the item was posted. The transmission **and processing** of inquiries **between designated operators** shall be made **under the conditions laid down in the Regulations**. The period of six months shall concern relations between claimants and designated operators and shall not include the transmission of inquiries between designated operators.

2 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 22 Liability of designated operators. Indemnities

#### 1 General

1.1 Except for the cases provided for in article 23, designated operators shall be liable for:

1.1.1 the loss of, theft from or damage to registered items, ordinary parcels **(with the exception of parcels in the e-commerce delivery category ("ECOMPRO parcels"), whose specifications are further defined in the Regulations)** and insured items;

1.1.2 the return of registered items, insured items and ordinary parcels on which the reason for non-delivery is not given.

1.2 Designated operators shall not be liable for items other than those mentioned in 1.1.1 and 1.1.2, **nor for ECOMPRO parcels**.

1.3 In any other case not provided for in this Convention, designated operators 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 for posting the item, with the exception of the insurance charge.

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

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

1.7 All provisions regarding liability of designated operators shall be strict, binding and complete. Designated operators 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 Regulations**. If the sender has claimed an amount less than the amount set in **the**

- Regulations**, designated operators may pay that lower amount and shall receive reimbursement on this basis from any other designated operators involved.
- 2.2 If a registered item is partially rifled or partially damaged, the sender is entitled to an indemnity corresponding, in principle, to the actual value of the theft or damage.
- 3 Ordinary parcels
- 3.1 If a parcel is lost, totally rifled or totally damaged, the sender shall be entitled to an indemnity of an amount set in **the Regulations**. If the sender has claimed an amount less than the amount set in **the Regulations**, designated operators may pay that lower amount and shall receive reimbursement on this basis from any other designated operators involved.
- 3.2 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.
- 3.3 Designated operators may agree to apply, in their reciprocal relations, the amount per parcel set in **the Regulations**, regardless of the weight.
- 4 Insured items
- 4.1 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.
- 4.2 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.
- 5 If a registered or insured letter-post item is returned and the reason for non-delivery is not given, the sender shall be entitled to a refund of the charges paid for posting the item only.
- 6 If a parcel is returned and the reason for non-delivery is not given, the sender shall be entitled to a refund of the charges paid by the sender for posting the parcel in the country of origin and the expenses occasioned by the return of the parcel from the country of destination.
- 7 In the cases mentioned in 2, 3 and 4, 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.
- 8 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 for posting the item 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 **designated operator** and involves its liability.
- 9 Notwithstanding the provisions set out under 2, 3 and 4, the addressee shall be entitled to the indemnity for a rifled, damaged or lost registered item, ordinary parcel or insured item if the sender waives his rights in writing in favour of the addressee. This waiver shall not be necessary in cases where the sender and the addressee are the same.
- 10 The designated operator of origin shall have the option of paying senders in its country the indemnities prescribed by its national legislation for registered items and uninsured parcels, provided that they are not lower than those laid down in 2.1 and 3.1. The same shall apply to the designated operator of destination when the indemnity is paid to the addressee. However, the amounts laid down in 2.1 and 3.1 shall remain applicable:
- 10.1 in the event of recourse against the designated operator liable; or
- 10.2 if the sender waives his rights in favour of the addressee.

11 Reservations concerning the exceeding of deadlines for inquiries and payment of indemnity to designated operators, including the periods and conditions fixed in the Regulations, shall not be made, except in the event of bilateral agreement.

### Article 23

#### Non-liability of member countries and designated operators

1 Designated operators shall cease to be liable for registered 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, **national** 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, **national** 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 designated operator that delivered the item 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 Member countries and designated operators shall not be liable:

- 2.1 in cases of force majeure, subject to article **18.5.9**;
- 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 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 **19**;
- 2.5 when the items have been seized under the **national** legislation of the country of destination, as notified by the member country or designated operator 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 Member countries and designated operators 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 24

#### 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 designated operators.

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 designated operators or carriers, after acceptance.

#### Article 25

##### Payment of indemnity

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

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

#### Article 26

##### 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 designated operator or, where appropriate, designated operators 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.

## Section VII

### Remuneration

#### A. Transit charges

#### Article 27

##### Transit charges

1 Closed mails and à découvert transit items exchanged between two designated operators or between two offices of the same member country by means of the services of one or more other designated operators (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. This principle shall also apply to missent items and misrouted mails.

## B. Terminal dues

### Article 28

#### Terminal dues. General provisions

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

2 For the application of the provisions concerning the payment of terminal dues by their designated operators, countries and territories shall be classified in accordance with the lists drawn up for this purpose by Congress in its resolution **C 7/2016**, as follows:

- 2.1 countries and territories in the target system prior to 2010 (**group I**);
- 2.2 countries and territories in the target system as of 2010 and 2012 (**group II**);
- 2.3 countries and territories in the target system as **from 2016 (group III)**;
- 2.4 countries and territories in the transitional system (**group IV**).

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

#### 4 Access to domestic services. Direct access

4.1 In principle, each designated operator of a country that was in the target system prior to 2010 shall make available to the other designated operators all the rates, terms and conditions offered in its domestic service on conditions identical to those proposed to its national customers. It shall be up to the designated operator of destination to decide whether the terms and conditions of direct access have been met by the designated operator of origin.

4.2 Designated operators of countries in the target system prior to 2010 shall make available to other designated operators of countries that were in the target system prior to 2010 the rates, terms and conditions offered in their domestic service, on conditions identical to those proposed to their national customers.

4.3 Designated operators of countries that joined the target system from 2010 may opt to make available to a limited number of designated operators the application of domestic conditions, on a reciprocal basis, for a trial period of two years. After that period, they must choose either to cease making available the application of domestic conditions or to continue to make their own domestic conditions available to all designated operators. However, if designated operators of countries that joined the target system from 2010 ask designated operators of countries that were in the target system prior to 2010 for the application of domestic conditions, they must make available to all designated operators the rates, terms and conditions offered in their domestic service on conditions identical to those proposed to their national customers.

4.4 Designated operators of countries in the transitional system may opt not to make available to other designated operators the application of domestic conditions. They may, however, opt to make available to a limited number of designated operators the application of domestic conditions, on a reciprocal basis, for a trial period of two years. After that period, they must choose either to cease making available the application of domestic conditions or to continue to make their own domestic conditions available to all designated operators.

5 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 designated operators for reaching their quality targets. The Postal Operations Council may also fix penalties in case of insufficient quality, but the remuneration shall not be less than the minimum remuneration according to articles **29 and 30**.

- 6 Any designated operator may waive wholly or in part the payment provided for under 1.
- 7 M bags weighing less than 5 kilogrammes shall be considered as weighing 5 kilogrammes for terminal dues payment purposes. The terminal dues rates to be applied for M bags shall be:
- 7.1 for the year **2018, 0.909** SDR per kilogramme;
- 7.2 for the year **2019, 0.935** SDR per kilogramme;
- 7.3 for the year **2020, 0.961** SDR per kilogramme;
- 7.4 for the year **2021, 0.988** SDR per kilogramme.
- 8 For registered items there shall be an additional payment of **1.100** SDR per item for **2018, 1.200** SDR per item for **2019, 1.300** SDR per item for **2020** and **1.400** SDR for **2021**. For insured items, there shall be an additional payment of **1.400** SDR per item for **2018, 1.500** SDR per item for **2019, 1.600** SDR per item for **2020** and **1.700** SDR for **2021**. The Postal Operations Council shall be authorized to supplement remuneration for these and other supplementary services where the services provided contain additional features to be specified in **the Regulations**.
- 9 For registered and insured items not carrying a barcoded identifier or carrying a barcoded identifier that is not compliant with UPU Technical Standard S10, there shall be a further additional payment of 0.5 SDR per item unless otherwise bilaterally agreed.
- 10 For terminal dues payment purposes, letter-post items posted in bulk by the same sender and received in the same dispatch or in separate dispatches in accordance with the conditions specified in **the Regulations** shall be referred to as "bulk mail". The payment for bulk mail shall be established as provided for in articles **29** and **30**.
- 11 Any designated operator may, by bilateral or multilateral agreement, apply other payment systems for the settlement of terminal dues accounts.
- 12 Designated operators may exchange non-priority mail on an optional basis by applying a 10% discount to the priority terminal dues rate.
- 13 The provisions applicable between designated operators of countries in the target system shall apply to any designated operator of a country in the transitional system which declares that it wishes to join the target system. The Postal Operations Council may set transitional measures in **the Regulations**. The full provisions of the target system may apply to any new target designated operator that declares that it wishes to apply such full provisions without transitional measures.

#### Article 29

Terminal dues. Provisions applicable to mail flows between designated operators of countries in the target system

- 1 Payment for letter-post items, including bulk mail but excluding M bags and IBRS items, 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. Charges corresponding to priority items in the domestic service which are part of the universal service provision will be used as a basis for the calculation of terminal dues rates.
- 2 The terminal dues rates in the target system shall be calculated taking into account, where applicable in the domestic service, the classification of items based on their format, as provided for in article **17.5** of the Convention.
- 3 Designated operators in the target system shall exchange format-separated mails in accordance with the conditions specified in **the Regulations**.
- 4 Payment for IBRS items shall be as described in **the Regulations**.

5 The rates per item and per kilogramme **are separated for small (P) and large (G) letter-post items and bulky (E) and small packet (E) letter-post items.** They shall be calculated on the basis of 70% of the charges for a 20-gramme small (P) letter-post item and for a 175-gramme large (G) letter-post item, exclusive of VAT or other taxes. **For bulky (E) and small packet (E) letter-post items, they shall be calculated from the P/G format line at 375 grammes, exclusive of VAT or other taxes.**

6 The Postal Operations Council shall define the conditions for the calculation of the rates as well as the necessary operational, statistical and accounting procedures for the exchange of format-separated mails.

7 The rates applied for flows between countries in the target system in a given year shall not lead to an increase of more than 13% in the terminal dues revenue for a letter-post item **in the P/G format of 37.6 grammes and in the E format of 375 grammes**, compared to the previous year.

8 The rates applied for flows between countries in the target system prior to 2010 **for small (P) and for large (G) letter-post items** may not be higher than:

8.1 for the year **2018, 0.331 SDR per item and 2.585 SDR per kilogramme;**

8.2 for the year **2019, 0.341 SDR per item and 2.663 SDR per kilogramme;**

8.3 for the year **2020, 0.351 SDR per item and 2.743 SDR per kilogramme;**

8.4 for the year **2021, 0.362 SDR per item and 2.825 SDR per kilogramme.**

9 The rates applied for flows between countries in the target system prior to 2010 **for bulky (E) and small packet (E) letter-post items** may not be higher than:

9.1 **for the year 2018, 0.705 SDR per item and 1.584 SDR per kilogramme;**

9.2 **for the year 2019, 0.726 SDR per item and 1.632 SDR per kilogramme;**

9.3 **for the year 2020, 0.748 SDR per item and 1.681 SDR per kilogramme;**

9.4 **for the year 2021, 0.770 SDR per item and 1.731 SDR per kilogramme.**

10 The rates applied for flows between countries in the target system prior to 2010 **or from 2010, 2012 and 2016 for small (P) and for large (G) letter-post items** may not be lower than:

10.1 for the year **2018, 0.227 SDR per item and 1.774 SDR per kilogramme;**

10.2 for the year **2019, 0.233 SDR per item and 1.824 SDR per kilogramme;**

10.3 for the year **2020, 0.240 SDR per item and 1.875 SDR per kilogramme;**

10.4 for the year **2021, 0.247 SDR per item and 1.928 SDR per kilogramme.**

11 The rates applied for flows between countries in the target system prior to 2010 **or from 2010, 2012 and 2016 for bulky (E) and small packet (E) letter-post items** may not be lower than:

11.1 **for the year 2018, 0.485 SDR per item and 1.089 SDR per kilogramme;**

11.2 **for the year 2019, 0.498 SDR per item and 1.120 SDR per kilogramme;**

11.3 **for the year 2020, 0.512 SDR per item and 1.151 SDR per kilogramme;**

11.4 **for the year 2021, 0.526 SDR per item and 1.183 SDR per kilogramme.**

12 The rates applied for flows between countries in the target system as from 2010 and 2012 as well as between these countries and countries in the target system prior to 2010 **for small (P) and for large (G) letter-post items** may not be higher than:

12.1 for the year **2018, 0.264 SDR per item and 2.064 SDR per kilogramme;**

12.2 for the year **2019, 0.280 SDR per item and 2.188 SDR per kilogramme;**

12.3 for the year **2020, 0.297 SDR per item and 2.319 SDR per kilogramme;**

12.4 for the year **2021, 0.315 SDR per item and 2.458 SDR per kilogramme.**



**13** The rates applied for flows between countries in the target system as from 2010 and 2012 as well as between these countries and countries in the target system prior to 2010 for bulky (E) and small packet (E) letter-post items may not be higher than:

**13.1** for the year 2018, 0.584 SDR per item and 1.313 SDR per kilogramme;

**13.2** for the year 2019, 0.640 SDR per item and 1.439 SDR per kilogramme;

**13.3** for the year 2020, 0.701 SDR per item and 1.577 SDR per kilogramme;

**13.4** for the year 2021, 0.770 SDR per item and 1.731 SDR per kilogramme.

**14** The rates applied for flows between countries in the target system as from 2016 as well as between these countries and countries in the target system prior to 2010 or as from 2010 and 2012 for small (P) and for large (G) letter-post items may not be higher than:

**14.1** for the year 2018, 0.234 SDR per item and 1.831 SDR per kilogramme;

**14.2** for the year 2019, 0.248 SDR per item and 1.941 SDR per kilogramme;

**14.3** for the year 2020, 0.263 SDR per item and 2.057 SDR per kilogramme;

**14.4** for the year 2021, 0.279 SDR per item and 2.180 SDR per kilogramme.

**15** The rates applied for flows between countries in the target system as from 2016 as well as between these countries and countries in the target system prior to 2010 or as from 2010 and 2012 for bulky (E) and small packet (E) letter-post items may not be higher than:

**15.1** for the year 2018, 0.533 SDR per item and 1.198 SDR per kilogramme;

**15.2** for the year 2019, 0.602 SDR per item and 1.354 SDR per kilogramme;

**15.3** for the year 2020, 0.680 SDR per item and 1.530 SDR per kilogramme;

**15.4** for the year 2021, 0.770 SDR per item and 1.731 SDR per kilogramme.

**16** For flows below 50 tonnes a year between countries that joined the target system in 2010 and 2012, as well as between these countries and countries that were in the target system prior to 2010, the per-kilogramme and per-item components shall be converted into a total rate per kilogramme on the basis of a worldwide average composition of one kilogramme of mail in which P and G format items account for 8.16 items weighing 0.31 kilogrammes and E format items account for 2.72 items weighing 0.69 kilogrammes.

**17** For flows below 75 tonnes a year in 2018, 2019 and 2020, and below 50 tonnes in 2021, between countries that joined the target system in 2016 or after that date, as well as between these countries and countries in the target system prior to 2010 or as from 2010 and 2012, the per-kilogramme and per-item components shall be converted into a total rate per kilogramme on the basis of a worldwide average composition of one kilogramme of mail, as referred to in paragraph 16.

**18** The payment for bulk mail sent to countries in the target system prior to 2010 shall be established by applying the rates per item and per kilogramme provided for in paragraphs 5 to 11.

**19** The payment for bulk mail sent to countries in the target system as from 2010, 2012 and 2016 shall be established by applying the rates per item and per kilogramme provided for in paragraphs 5 and 10 to 15.

**20** 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 designated operators of countries in the transitional system

**1** In preparation for the entry into the target system of the designated operators of countries in the terminal dues transitional system, payment for letter-post items, including bulk mail but excluding M bags and IBRS items, shall be established on the basis of a rate per item and a rate per kilogramme.

2 Payment for IBRS items shall be as described in **the Regulations**.

3 The rates applied for flows to, from and between countries in the transitional system **for small (P) and for large (G) letter-post items** shall be:

3.1 for the year **2018**, **0.227** SDR per item and **1.774** SDR per kilogramme;

3.2 for the year **2019**, **0.233** SDR per item and **1.824** SDR per kilogramme;

3.3 for the year **2020**, **0.240** SDR per item and **1.875** SDR per kilogramme;

3.4 for the year **2021**, **0.247** SDR per item and **1.928** SDR per kilogramme.

4 **The rates applied for flows to, from and between countries in the transitional system for bulky (E) and small packet (E) letter-post items shall be:**

4.1 **for the year 2018, 0.485 SDR per item and 1.089 SDR per kilogramme;**

4.2 **for the year 2019, 0.498 SDR per item and 1.120 SDR per kilogramme;**

4.3 **for the year 2020, 0.512 SDR per item and 1.151 SDR per kilogramme;**

4.4 **for the year 2021, 0.526 SDR per item and 1.183 SDR per kilogramme.**

5 For flows **below the flow threshold specified in article 29.16 or 29.17**, the per-kilogramme and per-item components shall be converted into a total rate per kilogramme on the basis of a worldwide **average composition of one kilogramme of mail**. The following rates shall apply:

5.1 for the year **2018**, **4.472** SDR per kilogramme;

5.2 for the year **2019**, **4.592** SDR per kilogramme;

5.3 for the year **2020**, **4.724** SDR per kilogramme;

5.4 for the year **2021**, **4.858** SDR per kilogramme.

6 For mail flows **over the flow threshold specified in article 29.17**, the flat rate per kilogramme listed above shall be applied if neither the origin designated operator nor the destination designated operator requests the revision mechanism in order to revise the rate on the basis of the actual number of items per kilogramme, rather than the worldwide average. The sampling for the revision mechanism shall be applied in accordance with the conditions specified in **the Regulations**.

7 The downward revision of the total rate in paragraph 5 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.

8 Designated operators of countries in the terminal dues transitional system may send **and receive** format-separated mail on an optional basis, in accordance with the conditions specified in **the Regulations**. In the case of format-separated exchanges the rates in paragraphs 3 **and** 4 above shall apply.

9 The payment for bulk mail to designated operators of countries in the target system shall be established by applying the rates per item and per kilogramme provided for in article 29. For bulk mail received, designated operators in the transitional system may request payment according to paragraphs 3 **and** 4.

10 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 classified **as least developed countries and included in group IV** for terminal dues **and Quality of Service Fund (QSF) purposes**, except for M bags, IBRS items and bulk mail items, shall be increased by 20% of the rates given in article 30 for payment into the **QSF** for improving the quality of service **in those** countries. There shall be no such payment from one group **IV** country to another group **IV** country.

2 Terminal dues, except for M bags, IBRS items and bulk mail items, payable by countries and territories **classified as group I** countries to the countries **classified as group IV** countries, **other than the least developed countries referred to in paragraph 1 of this article**, shall be increased by 10% of the rates given in **article 30**, for payment into the QSF for improving the quality of service **in those** countries.

3 Terminal dues, except for M bags, IBRS items and bulk mail items, payable by countries and territories **classified as group II** countries to the countries **classified as group IV** countries, **other than the least developed countries referred to in paragraph 1 of this article**, shall be increased by 10% of the rates given in **article 30**, for payment into the QSF for improving the quality of service **in those** countries.

4 Terminal dues, except in respect of M bags, IBRS items and bulk mail items, payable by countries and territories **classified as group III** countries to the countries **classified as group IV** countries, **other than the least developed countries referred to in paragraph 1 of this article**, shall be increased by 5% of the rates given in **article 30**, for payment into the QSF for improving the quality of service in those countries.

5 An increase of 1%, calculated on the basis of terminal dues payable by countries and territories **classified as group I, II and III** countries to the countries **classified as group III** countries, except in respect of M bags, IBRS items and bulk mail items, shall be paid into a common fund to be established for improving the quality of service in countries **classified in groups II, III and IV** and managed in accordance with the relevant procedures set by the Postal Operations Council.

6 Subject to the relevant procedures set by the Postal Operations Council, any unused amounts contributed under paragraphs 1, 2, 3 and 4 of this article and accumulated over the four preceding QSF reference years (with 2018 as the earliest reference year) shall also be transferred to the common fund referred to in paragraph 5 of this article. For the purposes of this paragraph, only funds that have not been used in QSF-approved quality of service projects within two years following receipt of the last payment of contributed amounts for any given four-year period as defined above shall be transferred to the aforementioned common fund.

7 The combined terminal dues payable into the QSF for improving the quality of service of countries in **group IV** shall be subject to a minimum of 20,000 SDR per annum for each beneficiary country. The additional funds needed for reaching this minimum amount shall be invoiced, in proportion to the volumes exchanged, to the countries **in groups I, II and III**.

8 The Postal Operations Council shall adopt or update, in 2018 at the latest, procedures for financing QSF projects.

## C. Rates for parcel post

### Article 32

#### Parcel post land and sea rates

1 **With the exception of ECOMPRO parcels**, parcels exchanged between two designated operators 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, designated operators 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 designated operator of the country of origin, unless **the 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 designated operators or between two offices of the same country by means of the land services of one or more other designated operators shall be subject to the transit land

rates, payable to the designated operators which take part in the routing on land, laid down in the Regulations, according to the distance step applicable.

- 2.1 For parcels in transit à découvert, intermediate designated operators 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 designated operator of the country of origin unless **the Regulations** provide for exceptions to this principle.
- 3 Any designated operator which participates in the sea conveyance of parcels shall be authorized to claim sea rates. These rates shall be payable by the designated operator of the country of origin, unless **the Regulations** provide for exceptions to this principle.
  - 3.1 For each sea conveyance used, the sea rate shall be laid down in **the Regulations** according to the distance step applicable.
  - 3.2 Designated operators 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.

## D. Air conveyance dues

### Article 33

Basic rates and provisions concerning air conveyance dues

- 1 The basic rate applicable to the settlement of accounts between designated operators in respect of air conveyance shall be approved by the Postal Operations **Council and** shall be calculated by the International Bureau according to the formula specified in **the Regulations**. The rates applying to the air conveyance of parcels sent via the merchandise return service shall be calculated according to the provisions defined in **the Regulations**.
- 2 The calculation of air conveyance dues on closed dispatches, priority items, airmail items and air parcels sent in transit à découvert, missent items and misrouted mails, as well as the relevant methods of accounting, are described in **the Regulations**.
- 3 The air conveyance dues for the whole distance flown shall be borne:
  - 3.1 in the case of closed mails, by the designated operator of the country of origin of the mails, including when these mails transit via one or more intermediate designated operators;
  - 3.2 in the case of priority items and airmail items in transit à découvert, including missent items, by the designated operator which forwards the items to another designated operator.
- 4 These same regulations shall be applicable to items exempted from land and sea transit charges if they are conveyed by air.
- 5 Each designated operator 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 designated operator of destination are based specifically on costs or on domestic rates, no additional reimbursement for internal air conveyance shall be made.
- 7 The designated operator 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 designated operator of destination.

## E. Settlement of accounts

### Article 34

Provisions specific to the settlement of accounts and payments for international postal exchanges

1 Settlements in respect of operations carried out in accordance with the present Convention (including settlements for the transport (forwarding) of postal items, settlements for the treatment of postal items in the country of destination and settlements in compensation for any loss, theft or damage relating to postal items) shall be based on and made in accordance with the provisions of the Convention and other Acts of the Union, and shall not require the preparation of any documents by a designated operator except in cases provided for in the Acts of the Union.

## F. Fixing of charges and rates

### Article 35

Authority of the Postal Operations Council 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 designated operators 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 **all** inward parcels **except ECOMPRO 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.
- 1.6 outward land rates for the provision of the merchandise return service for parcels.

2 Any revision made, in accordance with a methodology that ensures equitable remuneration for designated operators 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.

## Section VIII

### Optional services

#### Article 36

EMS and integrated logistics

1 Member countries or designated operators may agree with each other to participate in the following services, which are described in the Regulations:

- 1.1 EMS, which is a postal express service for documents and merchandise, and shall whenever possible be the quickest postal service by physical means. This service may be provided on the basis of the EMS Standard Multilateral Agreement or by bilateral agreement;
- 1.2 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.

**Article 37**

Electronic postal services

- 1 Member countries or designated operators may agree with each other to participate in the following electronic postal services, which are described in the Regulations:
  - 1.1 electronic postal mail, which is an electronic postal service involving the transmission of electronic messages and information by designated operators;
  - 1.2 electronic postal registered mail, which is a secure electronic postal service that provides proof of sending and proof of delivery of an electronic message and a secure communication channel to the authenticated users;
  - 1.3 electronic postal certification mark, which provides evidentiary proof of an electronic event, in a given form, at a given time, and involving one or more parties;
  - 1.4 electronic postal mailbox, which enables the sending of electronic messages by an authenticated mailer and the delivery and storage of electronic messages and information for the authenticated addressee.

**Section IX**

Final provisions

**Article 38**

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 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 39**

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 40

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

1 This Convention shall come into force on 1 January **2018** 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 **Istanbul, 6 October 2016**





## Final Protocol to the Universal Postal Convention

### Article

- I. Ownership of postal items. Withdrawal from the post. Alteration or correction of address
- II. Postage stamps
- III. Posting abroad of letter-post items
- IV. Charges
- V. Exception to the exemption of items for the blind from postal charges
- VI. Basic services
- VII. Advice of delivery
- VIII. Prohibitions (letter post)
- IX. Prohibitions (postal parcels)
- X. Articles subject to customs duty
- XI. Presentation-to-Customs charge
- XII. Inquiries
- XIII. Exceptional inward land rates
- XIV. Basic rates and provisions concerning air conveyance dues
- XV. Special tariffs
- XVI. Authority of the Postal Operations Council to fix charges and rates



## 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 (Kingdom), Barbados, Belize, Botswana, Brunei Darussalam, Canada, Hong Kong, 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, Belgium, the 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, Dem. Rep. of the Congo, El Salvador, Panama (Rep.), Philippines and Venezuela (Bolivarian Rep.) 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

Postage stamps

1 Notwithstanding article 6.7, Australia, **the United Kingdom of Great Britain and Northern Ireland**, Malaysia and New Zealand will process letter-post items and postal parcels bearing postage stamps using new materials or technologies that are not compatible with their respective mail processing machines only upon prior agreement with the designated operator of origin concerned.

### Article III

#### Posting abroad of letter-post items

1 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 designated operator which, under the provisions of article 12.4, sends to it items for disposal which were not originally dispatched as postal items by their services.

2 Notwithstanding article 12.4, Canada reserves the right to collect from the designated operator 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 12.4 allows the designated operator of destination to claim, from the designated operator 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 12.4 allows the designated operator of destination to claim, from the designated operator of posting, appropriate remuneration for delivering letter-post items posted abroad in large quantities. The following member 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 member countries reserve the right to apply in full the provisions of article 12 of the Convention to mail received from Union member countries: Argentina, **Australia**, Austria, **Azerbaijan**, Benin, Brazil, Burkina Faso, Cameroon, Canada, Côte d'Ivoire (Rep.), Cyprus, Denmark, Egypt, France, Germany, Greece, Guinea, Iran (Islamic Rep.), Israel, Italy, Japan, Jordan, Lebanon, Luxembourg, Mali, Mauritania, Monaco, Morocco, Norway, **Pakistan**, Portugal, **Russian Federation**, Saudi Arabia, Senegal, Switzerland, Syrian Arab Rep., Togo **and Turkey**.

6 In application of article 12.4, Germany reserves the right to request the mailing country to grant compensation of the amount it would receive from the country of which the sender is resident.

7 Notwithstanding the reservations made under article III, 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 **its Regulations** for bulk mail.

**8 Notwithstanding article 12.3, Austria, Germany, the United Kingdom of Great Britain and Northern Ireland, Liechtenstein and Switzerland reserve the right to claim from the sender or, failing that, from the designated operator of posting, the payment of the internal rates.**

### Article IV

#### Charges

1 Notwithstanding article 15, Australia, **Belarus**, 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.

**2 Notwithstanding article 15, Brazil shall be authorized to collect an additional fee from the addressees of ordinary items containing merchandise that had to be converted to tracked items as a result of customs and security requirements.**

## Article V

## Exception to the exemption of items for the blind from postal charges

- 1 Notwithstanding article **16**, Indonesia, Saint Vincent and the Grenadines and Turkey, which do not concede exemption from postal charges to items 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 France shall apply the provisions of article **16** concerning items for the blind subject to its national regulations.
- 3 Notwithstanding article **16.3**, and in accordance with its national legislation, Brazil reserves the right to consider as items for the blind only those items which are sent by or addressed to blind persons or organizations for the blind. Items not satisfying these conditions shall be subject to payment of postage.
- 4 Notwithstanding article **16**, New Zealand will accept as items for the blind for delivery in New Zealand only those items that are exempted from postal charges in its domestic service.
- 5 Notwithstanding article **16**, Finland, which does not provide exemption from postal charges for items for the blind in its domestic service according to the definitions in article **16** adopted by Congress, may collect the domestic charges for items for the blind destined for other countries.
- 6 Notwithstanding article **16**, Canada, Denmark and Sweden allow exemption from postal charges for the blind only to the extent provided for in their internal legislation.
- 7 Notwithstanding article **16**, Iceland accepts exemption from postal charges for the blind only to the extent provided for in its internal legislation.
- 8 Notwithstanding article **16**, Australia will accept as items for the blind for delivery in Australia only those items that are exempted from postal charges in its domestic service.
- 9 Notwithstanding article **16**, Australia, Austria, **Azerbaijan**, 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 items for the blind in their internal service.

## Article VI

## Basic services

- 1 Notwithstanding the provisions of article **17**, Australia does not agree to the extension of basic services to include postal parcels.
- 2 The provisions of article **17.2.4** shall not apply to **the United Kingdom of Great Britain and Northern Ireland**, whose national legislation requires a lower weight limit. Health and safety legislation in **the United Kingdom of Great Britain and Northern Ireland** limits the weight of mail bags to 20 kilogrammes.
- 3 Notwithstanding article **17.2.4**, **Azerbaijan**, Kazakhstan, **Kyrgyzstan** and Uzbekistan shall be authorized to limit to 20 kilogrammes the maximum weight of inward and outward M bags.

## Article VII

## Advice of delivery

- 1 Canada **and Sweden** shall be authorized not to apply article **18.3.3**, as regards parcels, given that **they do** not offer the advice of delivery service for parcels in **their** internal service.

**2 Notwithstanding article 18.3.3, Denmark and the United Kingdom of Great Britain and Northern Ireland reserve the right not to admit inward advices of delivery, given that they do not offer advice of delivery in their internal service.**

**3 Notwithstanding article 18.3.3, Brazil shall be authorized to admit inward advices of delivery only when they can be returned electronically.**

#### Article VIII

##### Prohibitions (letter post)

1 Exceptionally, 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 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, 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 Myanmar reserves the right not to accept insured items containing the valuable articles listed in article **19.6**, as this is contrary to its internal regulations.

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

5 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 Iran (Islamic Rep.) does not accept items containing articles contrary to the principles of the Islamic religion, and reserves the right not to accept letter-post items (ordinary, registered or insured) containing coins, bank notes, travellers' cheques, platinum, gold or silver, whether manufactured or not, precious stones, jewels or other valuable articles, and shall accept no liability in cases of loss or damage to such items.

7 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 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 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 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 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 Viet Nam reserves the right not to accept letters containing articles or goods.
- 13 Indonesia does not accept registered or insured items containing coins, bank notes, cheques, postage stamps, foreign currency, or any kind of securities payable to bearer for delivery in Indonesia, and shall accept no liability in cases of loss of or damage to such items.
- 14 Kyrgyzstan reserves the right not to accept letter-post items (ordinary, registered, insured, small packets) containing coins, 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, and shall accept no liability in cases of loss of or damage to such items.
- 15 Azerbaijan and Kazakhstan shall not accept registered or insured items containing coins, banknotes, credit notes or any securities payable to bearer, cheques, precious metals, whether manufactured or not, precious stones, jewels and other valuable articles or foreign currency, and shall accept no liability in cases of loss of or damage to such items.
- 16 Moldova and the Russian Federation do not accept registered or insured items containing bank notes in circulation, 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.
- 17 Notwithstanding article **19.3**, France reserves the right not to accept items containing goods in cases where these items do not comply with its national regulations, or international regulations, or technical and packing instructions for air transport.
- 18 Cuba reserves the right not to accept, handle, convey or deliver letter-post items containing coins, banknotes, currency notes or securities of any kind payable to bearer, cheques, precious metals and stones, jewels or other valuable articles, or any kind of document, goods or object in cases where these items do not comply with its national regulations, or international regulations, or technical and packing instructions for air transport, and shall accept no liability in cases of theft, loss or damage to such items. Cuba reserves the right not to accept letter-post items subject to customs duty containing goods that are imported to the country if their value does not comply with its national regulations.**

## Article IX

## Prohibitions (postal parcels)

- 1 Myanmar and Zambia shall be authorized not to accept insured parcels containing the valuable articles covered in article **19.6.1.3.1**, since this is contrary to their internal regulations.
- 2 Exceptionally, 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 Regulations**.
- 3 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 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 **19**, 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 19, 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 19, Iran (Islamic Rep.) shall be authorized not to accept parcels containing articles contrary to the principles of the Islamic religion, and reserves the right not to accept ordinary or insured parcels containing coins, bank notes, travellers' cheques, platinum, gold or silver, whether manufactured or not, precious stones, jewels or other valuable articles; it shall accept no liability in cases of loss or damage to such items.

8 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 Australia does not accept postal items of any kind containing bullion or bank notes.

10 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 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 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.

13 Moldova, the Russian Federation, Ukraine and Uzbekistan do not accept ordinary or insured parcels containing bank notes in circulation, 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.

14 Azerbaijan and Kazakhstan do not accept ordinary or insured parcels containing coins, bank notes, credit notes or any securities payable to bearer, cheques, precious metals, whether manufactured or not, precious stones, jewels and other valuable articles or foreign currency, and shall accept no liability in cases of loss of or damage to such items.

**15 Cuba reserves the right not to accept, handle, convey or deliver postal parcels containing coins, banknotes, currency notes or securities of any kind payable to bearer, cheques, precious metals and stones, jewels or other valuable articles, or any kind of document, goods or object in cases where these items do not comply with its national regulations, or international regulations, or technical and packing instructions for air transport, and shall accept no liability in cases of theft, loss or damage to such items. Cuba reserves the right not to accept postal parcels subject to customs duty containing goods that are imported to the country if their value does not comply with its national regulations.**



## Article X

## Articles subject to customs duty

- 1 With reference to article **19**, Bangladesh and El Salvador do not accept insured items containing articles subject to customs duty.
- 2 With reference to article **19**, Afghanistan, Albania, Azerbaijan, Belarus, Cambodia, Chile, Colombia, Cuba, Dem. People's Rep. of Korea, El Salvador, Estonia, Kazakhstan, Latvia, Moldova, Nepal, Peru, Russian Federation, San Marino, Turkmenistan, Ukraine, Uzbekistan and Venezuela (Bolivarian Rep.) do not accept ordinary and registered letters containing articles subject to customs duty.
- 3 With reference to article **19**, 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

## Presentation-to-Customs charge

- 1 Gabon reserves the right to collect a presentation-to-Customs charge from customers.
- 2 Notwithstanding article **20.2**, **Australia**, Brazil, **Canada**, **Cyprus** and the **Russian Federation reserve** the right to collect a presentation-to-Customs charge from customers for any item submitted to customs control.
- 3 Notwithstanding article **20.2**, **Azerbaijan**, Greece, **Pakistan** and **Turkey** reserve the right to collect from customers a presentation-to-Customs charge for all items presented to customs authorities.
- 4 Congo (Rep.) and Zambia reserve the right to collect a presentation-to-Customs charge from customers in respect of parcels.

## Article XII

## Inquiries

- 1 Notwithstanding article **21.2**, 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 **21.2**, Argentina, Austria, Azerbaijan, **Hungary**, Lithuania, Moldova, **Norway** 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 Afghanistan, 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 **21.2**, 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 XIII

Exceptional inward land rates

1 Notwithstanding article **32**, Afghanistan reserves the right to collect an additional exceptional inward land rate of 7.50 SDR per parcel.

Article XIV

Basic rates and provisions concerning air conveyance dues

1 Notwithstanding the provisions of article **33**, Australia reserves the right to apply air conveyance rates for outward parcels sent via the merchandise return service, either as laid down in **the Regulations** or by any other means, including bilateral agreements.

Article XV

Special tariffs

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

2 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 Panama (Rep.) shall be authorized to collect 0.20 SDR per kilogramme for surface airlifted (S.A.L.) parcels in transit.

Article XVI

Authority of the Postal Operations Council to fix charges and rates

1 Notwithstanding article **35.1.6**, Australia reserves the right to apply outward land rates for the provision of the merchandise return service for parcels, either as laid down in **the Regulations** or by any other means, including bilateral agreements.

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 **Istanbul, 6 October 2016**

# Postal Payment Services Agreement

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Postal Payment Services Agreement  
Final Protocol



# Postal Payment Services Agreement

## Table of contents

### Part I

#### Common principles applying to the postal payment services

##### Chapter I

###### General provisions

- 1 Scope of the Agreement
- 2 Definitions
- 3 Designation of the **entity or entities responsible for fulfilling the obligations arising from adherence to this Agreement**
- 4 Functions of member countries
- 5 Operational functions
- 6 Ownership of postal payment services funds
- 7 Prevention of money laundering, terrorist funding and financial crime
- 8 Confidentiality and use of personal data
- 9 Technological neutrality

##### Chapter II

###### General principles and quality of service

- 10 General principles
- 11 Quality of service

##### Chapter III

###### Principles for electronic data interchange

- 12 Interoperability
- 13 Ensuring the security of electronic exchanges
- 14 Track and trace

**Part II**  
**Rules governing the postal payment services**

**Chapter I**  
**Processing of postal payment orders**

- 15 Deposit, entry and transmission of postal payment orders
- 16 Checking and release of funds
- 17 Maximum amount
- 18 Reimbursement

**Chapter II**  
**Inquiries and liability**

- 19 Inquiries
- 20 Liability of designated operators with regard to users
- 21 Obligations and liability of designated operators to each other
- 22 Non-liability of designated operators
- 23 Reservations regarding liability

**Chapter III**  
**Financial relations**

- 24 Accounting and financial rules
- 25 Settlement and clearing

**Part III**  
**Transitional and final provisions**

- 26 Reservations at Congress
- 27 Final provisions
- 28 Entry into force and duration of the Postal Payment Services Agreement

# Postal Payment Services Agreement

The undersigned, plenipotentiaries of the Governments of the member countries of the Union, in provision with 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, which is in line with the principles of the Constitution, **in particular in order to foster financial inclusion and** implement a secure and accessible postal payment service adapted to the greatest number of users on the basis of systems enabling the interoperability of designated operators' networks.

## Part I

### Common principles applying to the postal payment services

#### Chapter I

##### General provisions

###### Article 1

###### Scope of the Agreement

- 1 Each member country shall ensure on a best effort basis that at least one of the following postal payment services is **offered or accepted** on its territory:
  - 1.1 Money order in cash: the sender hands over funds at the service access point of the designated operator and asks for the full amount to be paid to the payee in cash, with no deductions.
  - 1.2 Outpayment money order: the sender gives instructions for his account held by the designated operator to be debited and asks for the payee to be paid the full amount in cash, with no deductions.
  - 1.3 Inpayment money order: the sender hands over funds at the service access point of the designated operator and asks for them to be paid into the payee's account, with no deductions.
  - 1.4 Postal transfer: the sender gives instructions for his account held by the designated operator to be debited and asks for the payee's account with the paying designated operator to be credited with the equivalent amount, with no deductions.
  - 1.5 COD money order: the recipient of the COD item hands over funds at the service access point of the designated operator or gives instructions for his account to be debited, and asks that the full amount specified by the sender of the COD item be paid to the latter, without any deductions.
  - 1.6 Urgent money order: the sender hands over the postal payment order at the service access point of the designated operator and asks that it be transferred within thirty minutes and paid in full to the payee, with no deductions, at the payee's first request, at any service access point of the country of destination (in accordance with the list of service access points of the country of destination).
- 2 The Regulations shall define the procedures for executing the present Agreement.

Article 2  
Definitions

1 Competent authority – any national authority of a member country which, by virtue of the powers conferred on it by the law or regulations, supervises the activities of the designated operator or of the persons referred to in the present article. The competent authority may contact the administrative or legal authorities engaged in combating money laundering and terrorist financing, and in particular the national financial intelligence unit and the oversight authorities.

2 Instalment – partial advance payment made by the issuing designated operator to the paying designated operator to ease the cash situation of the paying designated operator's postal payment services.

3 Money laundering – the conversion or transfer of funds in the knowledge that these funds are derived from a criminal activity or participation in such activity, with the aim of hiding or disguising the illegal origins of the funds or of helping any person having participated in such activity to escape the legal consequences of his action; money laundering shall be considered as such when the activities producing funds to be laundered are liable to prosecution in the territory of another member country or a third country.

4 Ring-fencing – the compulsory separation of users' funds from those of the designated operator which prevents the use of users' funds for purposes other than the execution of postal payment service operations.

5 Clearing house – within the framework of multilateral exchanges, a clearing house handles mutual debts and claims arising from services provided by one operator to another. Its role is to put to account exchanges between operators that are settled through a settlement bank, and to take the necessary steps in the event of settlement irregularities.

6 Clearing – a system enabling the number of payments to be made to be kept to a minimum by drawing up a periodic debit and credit balance for the parties involved. Clearing involves two stages: determining the bilateral balances and, by adding these balances, calculating the overall position of each entity with regard to the entire community in order to carry out only one settlement based on the debtor or creditor position of the entity in question.

7 Concentration account – an aggregation of funds from various sources combined into one account.

8 Liaison account – giro account opened reciprocally by designated operators as part of bilateral relations, by means of which mutual debts and credits are settled.

9 Criminal activity – any type of participation in, or perpetration of, a crime or misdemeanour, as defined by the national legislation.

10 Security deposit – amount deposited, in the form of cash or securities, to guarantee payments between designated operators.

11 Payee – natural or legal person designated by the sender as the beneficiary of the money order or postal giro transfer.

12 Third currency – intermediate currency used in cases of non-convertibility between two currencies or for clearing/settlement of accounts.

13 Due diligence in relation to users – general obligation on the part of designated operators, comprising the following duties:

13.1 identifying users;

13.2 obtaining information on the purpose of the postal payment order;

13.3 monitoring postal payment orders;



- 13.4 checking that the information concerning users is up to date;
- 13.5 reporting suspicious transactions to the competent authorities.
- 14 Electronic data relating to postal payment orders – data transmitted by electronic means, from one designated operator to another, relating to the execution of postal payment orders, inquiries, alteration or correction of addresses or reimbursement; these data are either entered by designated operators, or generated automatically by their information system, and indicate a change in the status of the postal payment order or of the order request.
- 15 Personal data – personal information needed in order to identify the sender or the payee.
- 16 Postal data – data needed for the routing and tracking of a postal payment order or for statistical purposes, as well as for the centralized clearing system.
- 17 Electronic data interchange (EDI) – computer-to-computer exchange of data concerning operations, by means of networks and standard formats compatible with the Union system.
- 18 Sender – natural or legal person that gives the designated operator the order to execute a postal payment service in accordance with the Acts of the Union.
- 19 Terrorist financing – covers the financing of acts of terrorism, of terrorists and of terrorist organizations.
- 20 Users' funds – sums delivered by the sender to the issuing designated operator in cash, or debited to the sender's account written up in the books of the issuing designated operator, or by any other secure method of electronic banking, placed at the disposal of the issuing designated operator or any other financial operator by the sender, to be paid to a payee specified by the sender in accordance with the present Agreement and its Regulations.
- 21 COD (cash-on-delivery) money order – operational term used to designate a postal payment order given in exchange for the delivery of a COD item, as defined in article 1 of the present Agreement.
- 22 Currency of issue – currency of the country of destination or third currency authorized by the destination country in which the postal payment order is issued.
- 23 Issuing designated operator – designated operator which transmits a postal payment order to the paying designated operator, in accordance with the Acts of the Union.
- 24 Paying designated operator – designated operator responsible for executing the postal payment order in the destination country, in accordance with the Acts of the Union.
- 25 Validity period – period of time during which the postal payment order may be executed or cancelled.
- 26 Service access point – physical or virtual place where the user may deposit or receive a postal payment order.
- 27 Remuneration – sum owed by the issuing designated operator to the paying designated operator for payment to the payee.
- 28 Revocability – the ability of the sender to recall his postal payment order (money order or transfer) up to the moment of payment, or at the end of the validity period if payment has not been made.
- 29 Counterparty risk – risk that one of the parties to a contract will default, leading to loss or liquidity risk.

30 Liquidity risk – risk that a settlement system participant or a counterpart is temporarily unable to fulfil an obligation in its entirety at the required time.

31 Reporting of suspicious transaction – obligation of the designated operator, based on the national legislation and Union resolutions, to provide its competent national authorities with information on suspicious transactions.

32 Track and trace – system that enables the progress of postal payment order to be monitored and its location and status to be identified at any time.

33 Price – amount paid by the sender to the issuing designated operator for a postal payment service.

34 Suspicious transaction – single or repeated postal payment order or request for reimbursement relating to a postal payment order linked to a money-laundering or terrorist financing offence.

35 User – natural or legal person, sender or payee, that uses the postal payment services in accordance with the present Agreement.

### Article 3

#### Designation of the **entity or entities responsible for fulfilling the obligations arising from adherence to this Agreement**

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 providing governmental regulation and oversight related to the provision of postal payment services.**

2 **Within six months of the end of Congress, member countries shall also provide the International Bureau with the name and address of the operator(s) officially designated to operate the postal payment services by means of its (their) network, by offering or accepting at least one postal payment service, and to fulfil the obligations arising from the Acts of the Union on their territories.**

3 **In the absence of such notification within the prescribed six-month period, the International Bureau shall send a reminder to the member country.**

4 **Between Congresses, changes concerning the governmental bodies and the officially designated operators shall be notified to the International Bureau as soon as possible.**

5 Designated operators shall provide the postal payment services in accordance with the present Agreement.

### Article 4

#### Functions of member countries

1 Member countries shall take the necessary steps towards ensuring the continuity of the postal payment services in the event of default by their designated operator(s), without prejudice to the liability of that (those) operator(s) towards other designated operators by virtue of the Acts of the Union.

2 In the event of the default of its designated operator(s), the member country shall inform, through the International Bureau, the other member countries party to the present Agreement:

2.1 of the suspension of its postal payment services, with effect from the date indicated and until further notice;

2.2 of the measures taken to re-establish its services under the responsibility of any new designated operator.

#### Article 5

##### Operational functions

1 The designated operators shall be responsible for the execution of postal payment services vis-à-vis other operators and users.

2 They shall be accountable for risks such as operational risks, liquidity risks, and counterparty risks, in accordance with the national legislation.

3 In order to implement the postal payment services whose provision is entrusted to them by their respective member country, designated operators shall conclude bilateral or multilateral agreements with the designated operators of their choice.

**4 Without prejudice to the foregoing obligations, a designated operator shall have the possibility of subcontracting, in part, the interconnection and operation of the postal payment services, defined herein as entrusted by its member country, to other entities contractually bound with that designated operator and in accordance with national legislation. In this regard, the designated operator shall guarantee the continued fulfilment of its obligations in accordance with the present Agreement and be fully responsible for all its relations with designated operators of other member countries and with the International Bureau.**

#### Article 6

##### Ownership of postal payment services funds

1 Any sum of money, given in cash or debited to an account for the execution of a postal payment order, shall belong to the sender until such time as it is paid to the payee or credited to the payee's account, except in the case of COD money orders.

2 During the validity period of the postal payment order, the sender may recall this postal payment order until its payment to the payee or until it is credited to the payee's account, except in the case of COD money orders.

3 Any sum of money, given in cash or debited to an account for the execution of a COD money order, shall belong to the sender of the COD item once the order has been issued. The payment order shall then be irrevocable.

#### Article 7

##### Prevention of money laundering, terrorist financing and financial crime

1 Designated operators shall take all necessary steps to fulfil their obligations stemming from national and international legislation aimed at combating money laundering, terrorist financing and financial crime.

2 They should inform their country's competent authorities of suspicious transactions, in accordance with national laws and regulations.

3 The Regulations shall set out the detailed obligations of designated operators in respect of user identification, due diligence and the procedures for implementing regulations against money laundering, terrorist financing and financial crime.

Article 8

Confidentiality and use of personal data

1 Member countries and their designated operators shall ensure the confidentiality and security of personal data in accordance with national legislation and, where applicable, international obligations, and the Regulations.

2 Personal data may be employed only for the purposes for which it was gathered in accordance with applicable national legislation and international obligations.

3 Personal data shall be notified only to third parties authorized by applicable national legislation to access that data.

4 Designated operators shall inform their customers of the use that is made of their personal data, and of the purpose for which it has been gathered.

5 The data required to execute the postal payment order shall be confidential.

6 For statistical purposes, and possibly also for the purpose of quality of service measurement and centralized clearing, designated operators shall be required to provide the International Bureau of the Universal Postal Union with postal data at least once a year. The International Bureau shall treat all individual postal data in confidence.

Article 9

Technological neutrality

1 The exchange of data necessary for the provision of the services defined in this Agreement shall be governed by the principle of technological neutrality, which means that the provision of these services does not depend on the use of a particular technology.

2 The procedures for executing postal payment orders, including the conditions for depositing, entering, dispatching, paying and reimbursing orders and for processing inquiries, and the time limit for making the funds available to the payee, may vary according to the technology used for transmitting the order.

3 Postal payment services may be provided on the basis of a combination of different technologies.

Chapter II

General principles and quality of service

Article 10

General principles

1 **Accessibility via the network and financial inclusion**

1.1 The postal payment services shall be provided by the designated operators via their network(s) and/or via any other partner network in order to ensure accessibility to these services for the greatest number, **and with a view to ensuring access to, and use of, a wide range of affordably priced postal payment services.**

1.2 All users shall have access to postal payment services regardless of any contractual or commercial relationship existing with the designated operator.

- 2 Separation of funds
  - 2.1 Users' funds shall be ring-fenced. These funds and the flows that they generate shall be separate from operators' other funds and flows, particularly their own funds.
  - 2.2 Settlements relating to remuneration between designated operators are separate from settlements relating to users' funds.
- 3 Currency of issue and currency of payment in respect of postal payment orders
  - 3.1 The amount of the postal payment order shall be expressed and paid in the currency of the destination country or in any other currency authorized by the destination country.
- 4 Non-repudiability
  - 4.1 The transmission of postal payment orders by electronic means shall be subject to the principle of non-repudiability, in the sense that the issuing designated operator shall not question the existence of these orders and the paying designated operator shall not deny receipt of the orders, insofar as the message conforms to the applicable technical standards.
  - 4.2 The non-repudiability of electronic postal payment orders shall be ensured by technological means, regardless of the system used by the designated operators.
- 5 Execution of postal payment orders
  - 5.1 Postal payment orders transmitted between designated operators must be executed, subject to the provisions of the present Agreement and the national legislation.
  - 5.2 In the designated operators' network, **if both member countries use the same currency**, the sum delivered to the issuing designated operator by the sender shall be the same as the sum paid to the payee by the paying designated operator. **If the currency is not the same, the sum shall be converted on the basis of an established exchange rate upon issue and/or payment, as appropriate.**
  - 5.3 Payment **in cash** to the payee shall not be conditional on receipt by the paying designated operator of the corresponding funds from the sender. It shall be made subject to the fulfilment by the issuing designated operator of its obligations towards the paying designated operator regarding instalments, **the regular settlement of accounts**, the provision of a liaison account **or settlement via the centralized clearing and settlement system**.
  - 5.4 **Payment into the payee's account by the paying designated operator shall be conditional on receipt of the corresponding funds from the sender, to be made available by the issuing designated operator to the paying designated operator. These funds may come from the liaison account of the issuing designated operator or from a centralized clearing and settlement system.**
- 6 Setting of rates
  - 6.1 The issuing designated operator shall set the price of postal payment services.
  - 6.2 Charges may be added to this price for any optional or supplementary service required by the sender.
- 7 Exemption from charges
  - 7.1 The provisions of the Universal Postal Convention concerning exemption from postal charges on postal items intended for prisoners of war and civil internees shall apply to the postal payment service items for this category of payee.
- 8 Remuneration of the paying designated operator
  - 8.1 The paying designated operator shall be remunerated by the issuing designated operator for the execution of postal payment orders.

- 9 Intervals for settlement between designated operators
- 9.1 The frequency of settlement between designated operators of sums paid or credited to a payee on behalf of a sender may be different from that in respect of the settlement of remuneration between designated operators. Sums paid or credited shall be settled at least once a month.
- 10 Obligation to inform users
- 10.1 Users shall be entitled to the following information, which shall be published and made available to all senders: conditions covering the provision of postal payment services, prices, charges, exchange rates and arrangements, conditions of implementation of liability, and the addresses of information and inquiry services.
- 10.2 Access to this information shall be provided free of charge.

#### Article 11

##### Quality of service

- 1 Designated operators may decide to identify postal payment services by means of a collective brand.
- 2 The Postal Operations Council shall define the quality of service objectives, elements and standards for postal payment orders transmitted electronically.
- 3 Designated operators must apply a minimum number of quality of service elements and standards for postal payment orders transmitted electronically.

### Chapter III

#### Principles for electronic data interchange

#### Article 12

##### Interoperability

- 1 Networks
- 1.1 In order to exchange the data needed to execute postal payment services between all designated operators, and to monitor quality of service, designated operators shall use the Union's electronic data (EDI) exchange system or any other system ensuring the interoperability of the postal payment services in accordance with this Agreement.

#### Article 13

##### Ensuring the security of electronic exchanges

- 1 Designated operators shall be responsible for the proper functioning of their equipment.
- 2 The electronic transmission of data shall be made secure in order to ensure the authenticity and integrity of the data transmitted.
- 3 Designated operators shall make transactions secure, in accordance with international standards.

Article 14  
Track and trace

1 The systems used by designated operators shall permit the monitoring of the processing of the order and its revocation by the sender, until such time as the corresponding amount is paid to the payee or credited to the payee's account, or, if appropriate, reimbursed to the sender.

Part II  
Rules governing the postal payment services

Chapter I  
Processing of postal payment orders

Article 15  
Deposit, entry and transmission of postal payment orders

1 The conditions for depositing, entering and transmitting postal payment orders are set out in the Regulations.

2 The period of validity for postal payment orders may not be extended and is set in the Regulations.

Article 16  
Checking and release of funds

1 After confirming the payee's identity in accordance with national legislation and the accuracy of the information he has provided, the designated operator shall make the payment in cash. For an inpayment order or a transfer, this payment shall be credited to the payee's account.

2 The time limits for release of the funds shall be established in the bilateral and multilateral agreements between designated operators.

Article 17  
Maximum amount

1 Designated operators shall inform the International Bureau of the Universal Postal Union of the maximum amounts for sending or receipt set according to their national legislation.

Article 18  
Reimbursement

1 Extent of reimbursement

1.1 Reimbursement within the framework of the postal payment services shall cover the full amount of the postal payment order in the currency of the issuing country. The amount to be reimbursed shall be equal to the amount paid by the sender or to the amount charged to his account. The price of the postal payment service shall be added to the amount reimbursed in the event of an error made by a designated operator.

1.2 There shall be no reimbursement of a COD money order.

## Chapter II Inquiries and liability

### Article 19 Inquiries

- 1 Inquiries shall be entertained within a period of six months from the day after that on which the postal payment order was accepted.
- 2 Designated operators, subject to their national legislation, shall have the right to collect from customers charges on inquiries in regard to postal payment orders.

### Article 20 Liability of designated operators with regard to users

- 1 Treatment of funds
  - 1.1 Except in the case of COD money orders, the issuing designated operator shall be accountable to the sender for the sums handed over at the counter or debited to the sender's account until:
    - 1.1.1 the postal payment order has been duly paid; or
    - 1.1.2 the payee's account has been credited; or
    - 1.1.3 the funds have been reimbursed to the sender in the form of cash or as a credit to his account.
  - 1.2 For COD money orders, the issuing designated operator shall be accountable to the payee for the sums handed over at the counter or debited to the sender's account until the COD money order has been duly paid or the payee's account has been duly credited.

### Article 21 Obligations and liability of designated operators to each other

- 1 Each designated operator shall be liable for its own errors.
- 2 The conditions and extent of liability are set out in the Regulations.

### Article 22 Non-liability of designated operators

- 1 Designated operators shall not be liable:
  - 1.1 in cases of delay in the execution of the service;
  - 1.2 when they cannot account for the execution of a postal payment order owing to the destruction of postal payment service data by force majeure, unless proof of their liability is otherwise produced;
  - 1.3 when the damage has been caused by the fault or negligence of the sender, particularly concerning his responsibility to provide correct information in support of his postal payment order, including the fact that the funds remitted are from a legitimate source and that the postal payment order is for a legitimate purpose;
  - 1.4 if the funds remitted are seized;
  - 1.5 in the case of prisoner-of-war or civilian internee funds;
  - 1.6 when the user has made no inquiry within the period set in the present Agreement;
  - 1.7 when the time allowed for recourse in respect of postal payment services in the issuing country has expired.



#### Article 23

##### Reservations regarding liability

1 No reservations may be made to the provisions regarding liability prescribed in articles 20 to 22, other than in case of a bilateral agreement.

### Chapter III

#### Financial relations

#### Article 24

##### Accounting and financial rules

##### 1 Accounting rules

1.1 Designated operators shall comply with the accounting rules defined in the Regulations.

##### 2 Preparation of monthly and general accounts

2.1 The paying designated operator shall prepare for each issuing designated operator a monthly account showing the sums paid for postal payment orders. The monthly accounts shall be incorporated, at the same intervals, in a general offset account including instalments and giving rise to a balance.

##### 3 Instalment

3.1 In case of an imbalance in exchanges between designated operators, an instalment shall be paid by the issuing designated operator to the paying designated operator, at least once a month, at the beginning of the settlement period. In cases where increasing the frequency of settlement of exchanges reduces the period to less than a week, operators can agree to waive this instalment.

##### 4 Concentration account

4.1 In principle, each designated operator shall have one concentration account for users' funds. These funds shall be used solely for settling postal payments paid to the payees or for reimbursing non-executed postal payment orders to senders.

4.2 Any instalments paid by the issuing designated operator shall be credited to the concentration account for the paying designated operator. These instalments shall be used exclusively for payments to payees.

##### 5 Security deposit

5.1 The payment of a security deposit may be required in accordance with the conditions provided for in the Regulations.

#### Article 25

##### Settlement and clearing

##### 1 Centralized settlement

1.1 Settlements between designated operators may pass through a central clearing house, in accordance with the procedures set out in the Regulations and shall be carried out from the designated operators' concentration accounts.

- 2 Bilateral settlement
- 2.1 Billing on the basis of the general account balance
  - 2.1.1 In general, designated operators that are not members of a centralized clearing system shall settle accounts on the basis of the balance of the general account.
- 2.2 Liaison account
  - 2.2.1 Where designated operators have a giro institution, they may each open a liaison account by means of which shall be settled their mutual debts and claims resulting from postal payment services.
  - 2.2.2 Where the paying designated operator does not have a giro system, the liaison account may be opened with another financial institution.
- 2.3 Currency of settlement
  - 2.3.1 Settlements shall be carried out in the currency of the destination country or in a third currency agreed between the designated operators.

### Part III Transitional and final provisions

#### Article 26 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 should endeavour, as far as possible, to conform to the opinion of the majority. Reservations shall be made only in cases of absolute necessity, and shall be duly justified.
- 3 Any reservation to an article of the present Agreement 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, any proposal 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 Agreement shall be inserted in its Final Protocol on the basis of proposals approved by Congress.

#### Article 27 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 which have the right to vote. At least half of these member countries represented at Congress and having the right to vote shall be present at the time of voting.
- 3.2 To become effective, proposals relating to the Regulations of the present Agreement must be approved by a majority of the members of the Postal Operations Council which are present and voting, which have the right to vote, and which are signatories or have acceded to the Agreement.
- 3.3 To become effective, proposals introduced between two Congresses relating to this Agreement must obtain:
  - 3.3.1 two thirds of the votes, with 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, with 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 the 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 this addition.

#### Article 28

##### Entry into force and duration of the Postal Payment Services Agreement

- 1 This Agreement shall come into force on 1 January **2018** 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 **Istanbul, 6 October 2016**



## Final Protocol to the Postal Payment Services Agreement

**At the moment of proceeding to signature of the Postal Payment Services Agreement concluded this day, the undersigned plenipotentiary has agreed the following:**

### **Article I**

#### **Operational functions**

**1 With reference to article 5.4 and in application of articles 3 and 4 of the Postal Payment Services Agreement, any operator designated by France shall open postal payment services only with operators of member countries that are signatories to the Agreement.**

**2 In cases where one of these operators is not a designated operator, it shall only be able to pay orders received from the French designated operator. To conclude an exchange contract with a French designated operator, this operator shall first provide a copy of the declaration of its participation in the exclusive execution of postal payment service orders, made to the competent authorities of the member country concerned, which may, at its discretion, combine it with an authorization.**

**3 These same provisions shall apply reciprocally on the national territory of France to any operator in France wishing to enter into a partnership exclusively with designated operators of other member countries that are signatories to the Postal Payment Services Agreement.**

**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 Istanbul, 6 October 2016**

*See signatures below:*



POUR  
L'ÉTAT ISLAMIQUE D'AFGHANISTAN:

POUR  
LA RÉPUBLIQUE ALGÉRIENNE  
DÉMOCRATIQUE ET POPULAIRE:



POUR  
LA RÉPUBLIQUE D'AFRIQUE DU SUD:

POUR  
LA RÉPUBLIQUE FÉDÉRALE  
D'ALLEMAGNE:

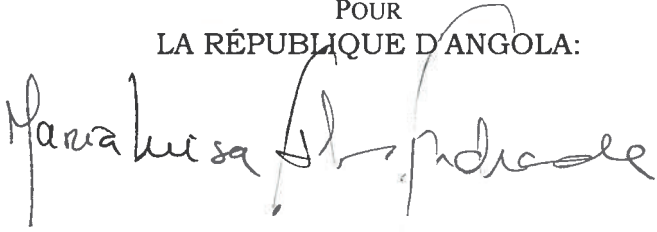


POUR  
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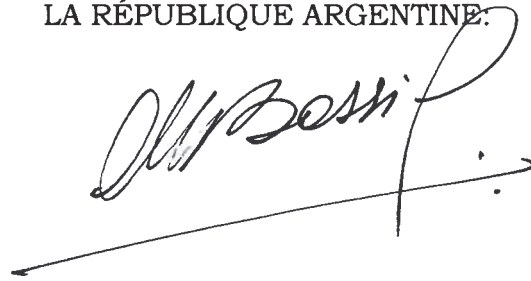
POUR  
LES ÉTATS-UNIS D'AMÉRIQUE:



POUR  
LA RÉPUBLIQUE D'ANGOLA:



POUR  
LA RÉPUBLIQUE ARGENTINE:



POUR  
ANTIGUA-ET-BARBUDA:

POUR  
LA RÉPUBLIQUE D'ARMÉNIE:



POUR  
LE ROYAUME DE L'ARABIE SAOUDITE:

Pour  
ARUBA, CURAÇAO et S. MARTIN :





POUR  
L'AUSTRALIE:



POUR  
LE COMMONWEALTH DES BAHAMAS:

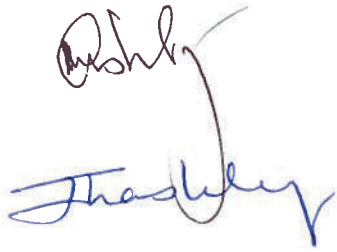
POUR  
LA RÉPUBLIQUE D'AUTRICHE:

POUR  
LE ROYAUME DE BAHRAIN:

POUR  
LA RÉPUBLIQUE D'AZERBAÏDJAN:

POUR  
LA RÉPUBLIQUE POPULAIRE  
DU BANGLADESH:

POUR  
LA BARBADE:

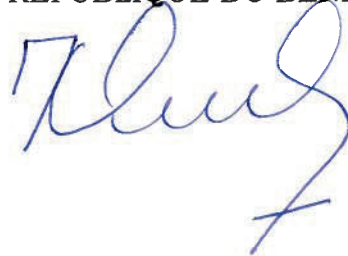
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POUR  
BELIZE:

POUR  
LA RÉPUBLIQUE DU BÉLARUS:

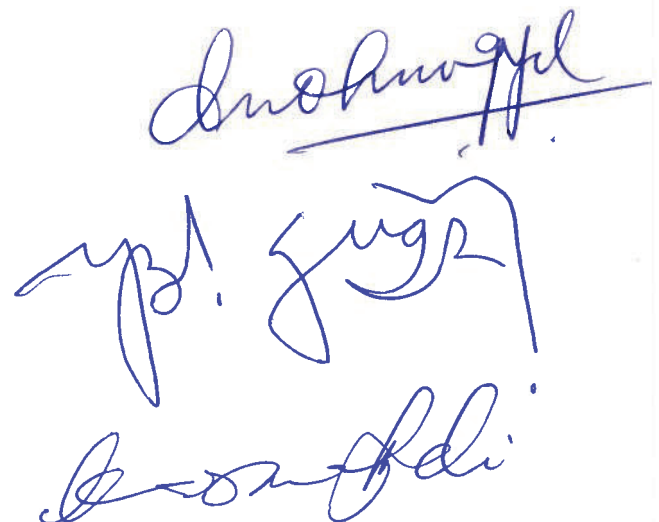
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POUR  
LA RÉPUBLIQUE DU BÉNIN:

Handwritten signature in blue ink, appearing to be 'Thomas Soglo'.

POUR  
LA BELGIQUE:

POUR  
LE ROYAUME DE BHOUTAN:

Handwritten signature in blue ink, appearing to be 'Drukgyel' and 'Gyempo'.

POUR  
ETAT PLURINATIONAL DE BOLIVIE:

POUR  
LA RÉPUBLIQUE FÉDÉRATIVE  
DU BRÉSIL:

POUR  
LA RÉPUBLIQUE  
DE BOSNIE ET HERZÉGOVINE:

POUR  
BRUNEI DARUSSALAM:



POUR  
LA RÉPUBLIQUE DU BOTSWANA:

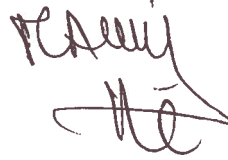
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LA RÉPUBLIQUE DE BULGARIE:



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LE BURKINA FASO:



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LA RÉPUBLIQUE DU CAMEROUN:



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LA RÉPUBLIQUE DU BURUNDI:



POUR  
LE CANADA:

POUR  
LE ROYAUME DU CAMBODGE:



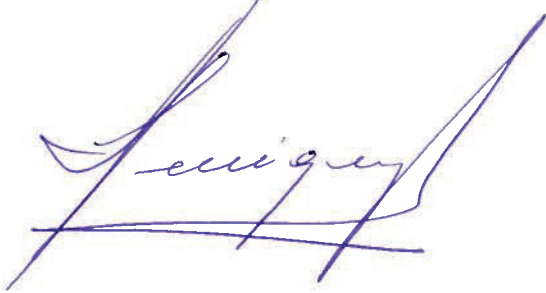
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LA RÉPUBLIQUE CENTRAFRICAINE:

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LA RÉPUBLIQUE DE CHYPRE:

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POUR  
LE CHILI:

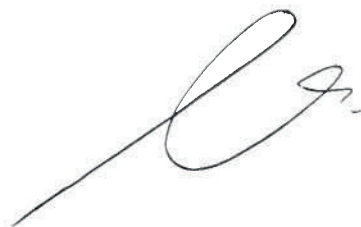
A handwritten signature in blue ink, appearing to be 'Leung' with a long horizontal stroke underneath.

POUR  
LA RÉPUBLIQUE DE COLOMBIE:

POUR  
LA RÉPUBLIQUE POPULAIRE DE CHINE:

A handwritten signature in blue ink, consisting of several bold, sweeping strokes.

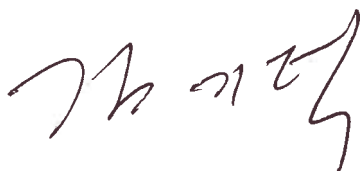
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L'UNION DES COMORES:

A handwritten signature in blue ink, featuring a large, elegant loop.

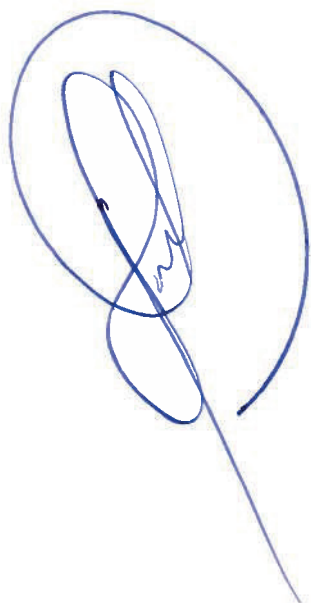
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LA RÉPUBLIQUE DE CORÉE:




POUR  
LA RÉPUBLIQUE DE COSTA-RICA:

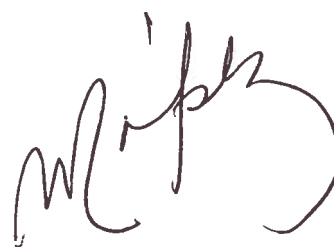


POUR  
LA RÉPUBLIQUE DE CÔTE D'IVOIRE:

POUR  
LA RÉPUBLIQUE DE CROATIE:



POUR  
LA RÉPUBLIQUE DE CUBA:



POUR  
LE ROYAUME DE DANEMARK:

POUR  
LE COMMONWEALTH  
DE LA DOMINIQUE:

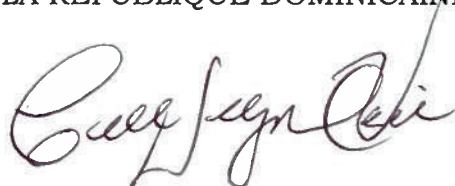
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POUR  
LA RÉPUBLIQUE ARABE D'ÉGYPTE:

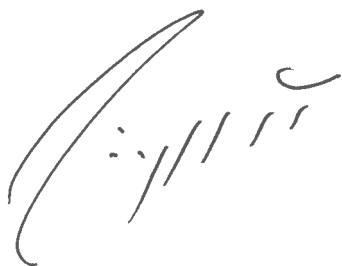


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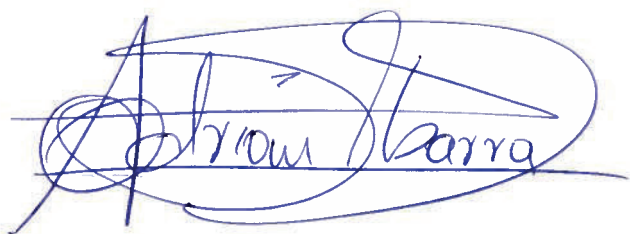


POUR  
LA RÉPUBLIQUE DE EL SALVADOR:

POUR  
LES ÉMIRATS ARABES UNIS:



POUR  
LA RÉPUBLIQUE DE L'ÉQUATEUR:



POUR  
L'ÉRYTHRÉE:

POUR  
L'ESPAGNE:



POUR  
LA RÉPUBLIQUE D'ESTONIE:

POUR  
L'ÉTHIOPIE:



POUR  
FIDJI:


POUR  
LA RÉPUBLIQUE GABONAISE:

POUR  
LA RÉPUBLIQUE DE FINLANDE:

POUR  
LA GAMBIE:

POUR  
LA RÉPUBLIQUE FRANÇAISE:

POUR  
LA RÉPUBLIQUE DE GÉORGIE:

  
*sous réserve de ratification  
ou d'approbation.*

POUR  
LA RÉPUBLIQUE DU GHANA:



POUR  
LA GRÈCE:



7/10/16

POUR  
LE ROYAUME-UNI  
DE GRANDE-BRETAGNE ET  
D'IRLANDE DU NORD,  
ÎLES DE LA MANCHE ET ÎLE DE MAN:

POUR  
LA GRENADE:

POUR  
LES TERRITOIRES D'OUTRE-MER  
DONT LES RELATIONS INTERNATIONALES  
SONT ASSURÉES PAR LE  
GOUVERNEMENT DU ROYAUME-UNI  
DE GRANDE-BRETAGNE  
ET D'IRLANDE DU NORD:

POUR  
LA RÉPUBLIQUE DU GUATÉMALA:



POUR  
LA RÉPUBLIQUE DE GUINÉE:



POUR  
LA RÉPUBLIQUE DE GUINÉE-BISSAU:

POUR  
LA RÉPUBLIQUE  
DE GUINÉE ÉQUATORIALE:


POUR  
LA GUYANE:

POUR  
LA RÉPUBLIQUE D'HAÏTI:



POUR  
LA RÉPUBLIQUE DU HONDURAS:


POUR  
LA HONGRIE:

POUR  
LA RÉPUBLIQUE ISLAMIQUE D'IRAN:

H. Mehri  




POUR  
L'INDE:

  
(Padmagandha Mishra)



POUR  
LA RÉPUBLIQUE D'INDONÉSIE:

POUR  
LA RÉPUBLIQUE D'IRAQ:


POUR  
L'IRLANDE:

POUR  
LA RÉPUBLIQUE D'ISLANDE:

POUR  
LA JAMAÏQUE :

POUR  
ISRAËL:

POUR  
LE JAPON:

*Hiroshi Oka*

POUR  
L'ITALIE:

*Alfonso Carullo*

POUR  
LE ROYAUME HACHÉMITE  
DE JORDANIE:

POUR  
LA RÉPUBLIQUE DU KAZAKHSTAN:



POUR  
LA RÉPUBLIQUE DE KENYA

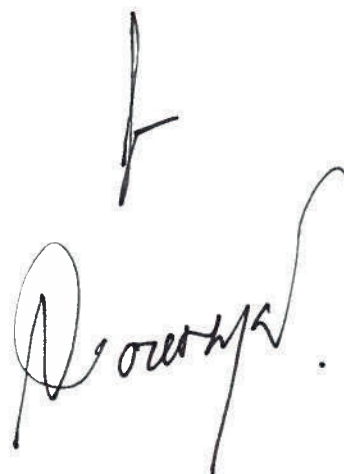


POUR  
LA RÉPUBLIQUE DU KIRGHIZISTAN:

POUR  
LA RÉPUBLIQUE DE KIRIBATI:

POUR  
LE KUWAIT:

POUR  
LA RÉPUBLIQUE DÉMOCRATIQUE  
POPULAIRE LAO:



POUR  
LE ROYAUME DU LESOTHO:

POUR  
LA RÉPUBLIQUE LIBANAISE:


POUR  
LA RÉPUBLIQUE DE LETTONIE:

POUR  
LA RÉPUBLIQUE DE LIBÉRIA:



POUR  
L'EX-RÉPUBLIQUE YOUGOSLAVE  
DE MACÉDOINE:

POUR  
LA LIBYE



POUR  
LA PRINCIPAUTÉ DE LIECHTENSTEIN:



POUR  
LA RÉPUBLIQUE DE LITUANIE:

POUR  
LE LUXEMBOURG:

POUR  
LA RÉPUBLIQUE DE MADAGASCAR:



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LA MALAISIE:



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LE MALAWI:



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LA RÉPUBLIQUE DES MALDIVES:



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LA RÉPUBLIQUE DU MALI:



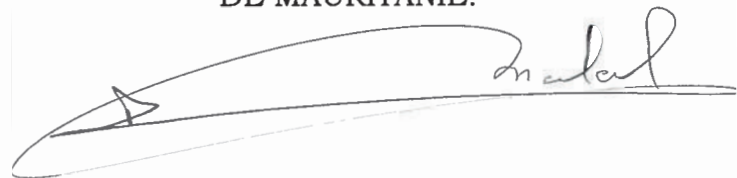
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POUR  
LE ROYAUME DU MAROC:

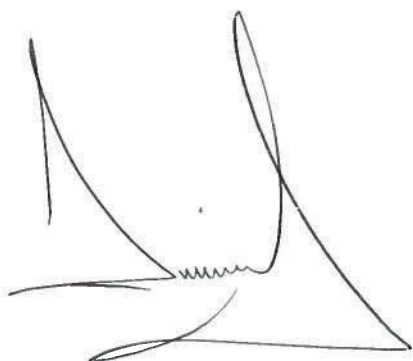


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MAURICE:

POUR  
LA RÉPUBLIQUE ISLAMIQUE  
DE MAURITANIE:

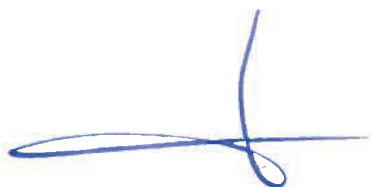


POUR  
LES ÉTATS-UNIS DU MEXIQUE:



POUR  
LA RÉPUBLIQUE DE MOLDOVA:

POUR  
LA PRINCIPAUTÉ DE MONACO:



POUR  
LA MONGOLIE:

POUR  
LE MONTÉNÉGRO:

POUR  
LA RÉPUBLIQUE POPULAIRE  
DU MOZAMBIQUE:

POUR  
L'UNION DE MYANMAR:

POUR  
LA RÉPUBLIQUE FÉDÉRALE  
DÉMOCRATIQUE DU NÉPAL:



POUR  
LA RÉPUBLIQUE DE NAMIBIE:



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LA RÉPUBLIQUE DU NICARAGUA:

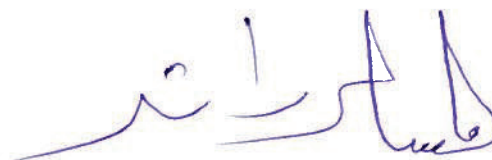
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LA RÉPUBLIQUE DU NIGER:



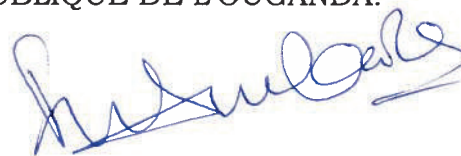
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LA RÉPUBLIQUE FÉDÉRALE  
DU NIGÉRIA:

POUR  
LE SULTANAT D'OMAN:



POUR  
LA NORVÈGE:

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LA RÉPUBLIQUE DE L'OUGANDA:



POUR  
LA NOUVELLE-ZÉLANDE:

POUR  
LA RÉPUBLIQUE D'OUZBÉKISTAN:



POUR  
LA RÉPUBLIQUE ISLAMIQUE  
DU PAKISTAN:

POUR  
LA RÉPUBLIQUE DE PANAMA:

POUR  
LA PAPOUASIE – NOUVELLE-GUINÉE:

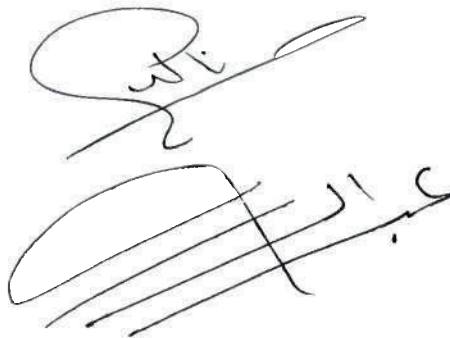
POUR  
LA RÉPUBLIQUE DE PARAGUAY:

POUR  
LES PAYS-BAS  
- CARAÏBES NÉERLANDAISES  
(BONAIRE, SABA ET S. EUSTATIUS):

POUR  
LA RÉPUBLIQUE DU PÉROU:

POUR  
LA RÉPUBLIQUE DES PHILIPPINES:

POUR  
L'ÉTAT DE QATAR:




POUR  
LA POLOGNE:



POUR  
LA RÉPUBLIQUE DÉMOCRATIQUE  
DU CONGO:

POUR  
LE PORTUGAL:

Isabel TAVARES  


POUR  
LA RÉPUBLIQUE POPULAIRE  
DÉMOCRATIQUE DE CORÉE:

POUR  
LA ROUMANIE:

A blue ink signature consisting of a long diagonal line that curves downwards and ends in a scribbled, circular flourish.

POUR  
LA FÉDÉRATION DE RUSSIE:

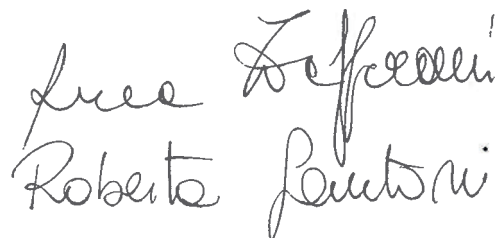
A blue ink signature in cursive, starting with a large, looped initial and ending with a long, sweeping horizontal stroke.

POUR  
LA RÉPUBLIQUE DU RWANDA :

POUR  
SAINT-CHRISTOPHE  
(SAINT-KITTS)-ET-NEVIS:

POUR  
SAINTE-LUCIE:

POUR  
LA RÉPUBLIQUE DE SAINT-MARIN:

A blue ink signature in cursive, with the name 'Roberto Fontana' written in a stylized, flowing script.

POUR  
SAINT-VINCENT-ET-GRENADINES:

POUR  
LA RÉPUBLIQUE DÉMOCRATIQUE  
DE SAO TOMÉ-ET-PRINCIPE:


POUR  
LES ÎLES SALOMON:

POUR  
LA RÉPUBLIQUE DU SÉNÉGAL:



POUR  
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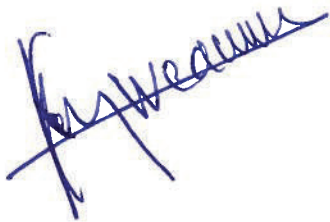




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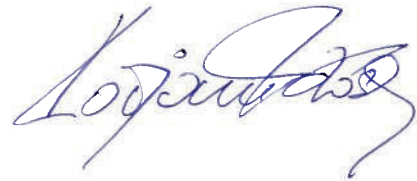


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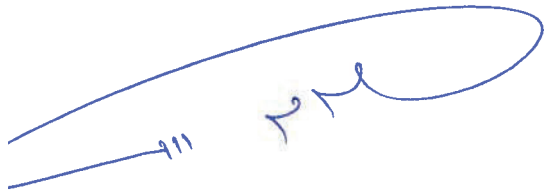


POUR  
LA RÉPUBLIQUE DE SLOVÉNIE:



POUR  
LE GOUVERNEMENT FÉDÉRAL DE  
TRANSITION DE  
LA RÉPUBLIQUE  
DE SOMALIE:

POUR  
LA RÉPUBLIQUE DU SOUDAN:



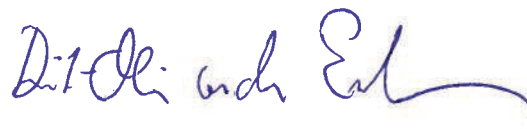
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LE SOUDAN DU SUD :

POUR  
LA RÉPUBLIQUE SOCIALISTE  
DÉMOCRATIQUE DE SRI LANKA:



POUR  
LA SUÈDE:

POUR  
LA CONFÉDÉRATION SUISSE:



POUR  
LA RÉPUBLIQUE DU SURINAME:

POUR  
LE ROYAUME DU SWAZILAND:



POUR  
LA RÉPUBLIQUE ARABE SYRIENNE:

POUR  
LA RÉPUBLIQUE DU TADJIKISTAN:

POUR  
LA RÉPUBLIQUE UNIE DE TANZANIE:



POUR  
LA RÉPUBLIQUE DU TCHAD:



POUR  
LA RÉPUBLIQUE TCHÈQUE:



POUR  
LA THAÏLANDE:



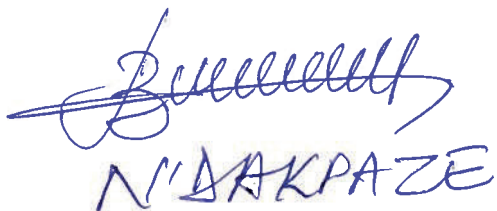
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POUR  
LA RÉPUBLIQUE DÉMOCRATIQUE  
DU TIMOR-LESTE:

POUR  
LA RÉPUBLIQUE TOGOLAISE:



Kwasi



N'DAKPAZE

POUR  
LE ROYAUME DES TONGA:

POUR  
LA RÉPUBLIQUE  
DE TRINITÉ-ET-TOBAGO:

POUR  
LA RÉPUBLIQUE TUNISIENNE:

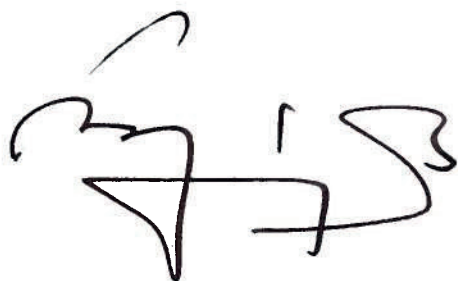
POUR  
LE TURKMÉNISTAN:

POUR  
L'UKRAINE:



POUR  
LA RÉPUBLIQUE DE TURQUIE:

POUR  
LA RÉPUBLIQUE ORIENTALE  
DE L'URUGUAY:



POUR  
TUVALU:

POUR  
LA RÉPUBLIQUE DE VANUATU:

POUR  
L'ÉTAT DE LA CITÉ DU VATICAN:

Rév. *Atilio Riva*

*Salvatore Berra*

POUR  
LA RÉPUBLIQUE BOLIVARIENNE DU  
VÉNÉZUÉLA:

POUR  
LA RÉPUBLIQUE SOCIALISTE  
DU VIET NAM:

*Uho*

POUR  
LA RÉPUBLIQUE DU YÉMEN:

*[Signature]*

POUR  
LA RÉPUBLIQUE DE ZAMBIE:

POUR  
LA RÉPUBLIQUE DE ZIMBABWE:

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## Decisions other than those amending the Acts





## Decisions of the 26th Congress other than those amending the Acts (resolutions, decisions, recommendations, formal opinions, etc.)

### Classification key

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- 1 General affairs of the Union
    - 1.1 Political questions
    - 1.2 Postal strategy
- 
- 2 Acts of the Union
    - 2.1 General
    - 2.2 Constitution
    - 2.3 General Regulations
    - 2.4 Convention
      - 2.4.1 Common questions applicable to the international postal service
        - 2.4.1.1 Accounts
        - 2.4.1.2 Environment
        - 2.4.1.3 Security
        - 2.4.1.4 Forms
        - 2.4.1.5 Markets and customer relations
        - 2.4.1.6 Postage stamps and philately
      - 2.4.2 Matters applicable to letter post and postal parcels
        - 2.4.2.1 Airmail
        - 2.4.2.2 Customs control
        - 2.4.2.3 Inquiries, liability and indemnity
        - 2.4.2.4 Remuneration
        - 2.4.2.5 Quality of service
        - 2.4.2.6 EMS
      - 2.4.3 Matters specific to letter post
      - 2.4.4 Matters specific to postal parcels
    - 2.5 Postal financial services

- 
- 3 Union bodies
    - 3.1 General
    - 3.2 Congress
    - 3.3 Executive Council (EC)/Council of Administration (CA)
    - 3.4 Consultative Council for Postal Studies (CCPS)/Postal Operations Council (POC)
    - 3.5 Consultative Committee
    - 3.6 International Bureau
      - 3.6.1 Staff
      - 3.6.2 Documentation and publications
- 

- 4 Finance

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- 5 Development cooperation

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- 6 External relations
    - 6.1 Restricted unions
    - 6.2 United Nations (UN)
    - 6.3 Specialized agencies
    - 6.4 Other organizations
    - 6.5 Public information
-

Table of contents of the resolutions, decisions, recommendations, formal opinions, etc., other than those amending the Acts of the 26th Congress

<i>Classification key</i>		<i>Title and references</i>	<i>Type and number of the decision</i>	<i>Page</i>
1	General affairs of the Union	E-commerce services as key to a vibrant and effective postal service	Resolution C 6	247
1.1	Political questions			
1.2	Postal strategy	Istanbul World Postal Strategy	Resolution C 23	279
		Draft Istanbul Business Plan	Resolution C 24	280
2	Acts of the Union			
2.1	General			
2.2	Constitution			
2.3	General Regulations			
2.4	Convention	General revision of the Universal Postal Convention	Decision C 3	242
2.4.1	Common questions applicable to the international postal service	Integrated Product Plan implementation	Resolution C 15	270
		Application of geographic information systems to postal address development	Resolution C 16	272
		Further strengthening the activities of the Union in the area of postal regulation	Resolution C 21	277
2.4.1.1	Accounts			
2.4.1.2	Environment	Integration of the Postal Carbon Fund® within the Universal Postal Union's structure	Resolution C 12	264
		Promotion of disaster risk management measures in the field of development cooperation	Recommendation C 14	268
2.4.1.3	Security	Strengthening information technology security	Resolution C 17	274
2.4.1.4	Forms			

## Decisions other than those amending the Acts

<i>Classification key</i>	<i>Title and references</i>	<i>Type and number of the decision</i>	<i>Page</i>
2.4.1.5	Markets and Customer relations		
2.4.1.6	Postage stamps and philately	Philatelic Code of Ethics for the use of UPU member countries	Recommendation C 13 266
2.4.2	Matters applicable to letter post and postal parcels		
2.4.2.1	Airmail		
2.4.2.2	Customs control		
2.4.2.3	Inquiries, liability and indemnity		
2.4.2.4	Remuneration	Classification of countries and territories for terminal dues and Quality of Service Fund (QSF) purposes for the 2018–2021 period	Resolution C 7 247
		Results of the study on the definition of a sanctions mechanism for non-payment of ongoing, long-term debts related to general accounts (CN 52) between designated operators	Resolution C 25 281
2.4.2.5	Quality of service	Quality of Service Fund	Resolution C 9 260
2.4.2.6	EMS		
2.4.3	Matters specific to letter post		
2.4.4	Matters specific to postal parcels		
2.5	Postal financial services	Development of postal payment services (and possibly other postal financial services), and financial inclusion	Resolution C 8 257
3	Union bodies		
3.1	General	EMS Cooperative	Resolution C 4 243
		Future strategy of the Telematics Cooperative and financing of its activities	Resolution C 5 244
		Policy on the access of wider postal sector players to UPU products and services	Resolution C 10 261

<i>Classification key</i>	<i>Title and references</i>	<i>Type and number of the decision</i>	<i>Page</i>
	Broadcasting of sessions of the Council of Administration and the Postal Operations Council through the Universal Postal Union website, for full access by registered users	Resolution C 18	275
	Management of the work of the Union – Reform of the UPU	Resolution C 27	283
3.2	Congress	Designation of member countries prepared to assume the vice-chairmanships of Congress and the chairmanships and vice-chairmanships of the committees	Decision C 1 241
		Designation of member countries prepared to sit on the restricted committees	Decision C 2 242
		Organization of an Extraordinary Congress in 2018	Resolution C 28 284
		Venue of the 27th Universal Postal Congress	Decision C 30 286
3.3	Executive Council (EC)/ Council of Administration (CA)		
3.4	Consultative Council for Postal Studies (CCPS)/Postal Operations Council (POC)		
3.5	Consultative Committee		
3.6	International Bureau		
3.6.1	Staff		
3.6.2	Documentation and publications		
4	Finance	Report on the consolidated accounts of the Universal Postal Union for the 2012–2015 period	Resolution C 19 276
		Aid provided by the Government of the Swiss Confederation in the field of the Union's finances	Resolution C 20 276
		Incorporation of designated operators into the account settlement system administered by the International Bureau	Resolution C 22 278

## Decisions other than those amending the Acts

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<i>Classification key</i>	<i>Title and references</i>	<i>Type and number of the decision</i>	<i>Page</i>
	Period covered by the financial decisions taken by the 26th Congress	Resolution C 26	282
	Reform of the system applied to contributions by Union member countries	Resolution C 29	285
	Future sustainability of the Union's Provident Scheme	Resolution C 31	286
5	Development cooperation		
6	External relations		
6.1	Restricted unions		
6.2	United Nations		
6.3	Specialized		
6.4	Other organizations		
6.5	Public information	Inclusion of postal trends and developments in the UPU postal statistics	Resolution C 11 264

## Numerical list of resolutions, decisions, recommendations, formal opinions, etc.

<i>Type of decision</i>	<i>Number</i>	<i>Title</i>	<i>Page</i>
Dec.	C 1	Designation of member countries prepared to assume the vice-chairmanships of Congress and the chairmanships and vice-chairmanships of the committees	241
Dec.	C 2	Designation of member countries prepared to sit on the restricted committees	242
Dec.	C 3	General revision of the Universal Postal Convention	242
Res.	C 4	EMS Cooperative	243
Res.	C 5	Future strategy of the Telematics Cooperative and financing of its activities	244
Res.	C 6	E-commerce services as key to a vibrant and effective postal service	247
Res.	C 7	Classification of countries and territories for terminal dues and Quality of Service Fund (QSF) purposes for the 2018–2021 period	247
Res.	C 8	Development of postal payment services (and possibly other postal financial services), and financial inclusion	257
Res.	C 9	Quality of Service Fund	260
Res.	C 10	Policy on the access of wider postal sector players to UPU products and services	261
Res.	C 11	Inclusion of postal trends and developments in the UPU postal statistics	264
Res.	C 12	Integration of the Postal Carbon Fund® within the Universal Postal Union's structure	264
Rec.	C 13	Philatelic Code of Ethics for the use of UPU member countries	266
Rec.	C 14	Promotion of disaster risk management measures in the field of development cooperation	268
Res.	C 15	Integrated Product Plan implementation	270
Res.	C 16	Application of geographic information systems to postal address development	272
Res.	C 17	Strengthening information technology security	274
Res.	C 18	Broadcasting of sessions of the Council of Administration and the Postal Operations Council through the Universal Postal Union website, for full access by registered users	275
Res.	C 19	Report on the consolidated accounts of the Universal Postal Union for the 2012–2015 period	276
Res.	C 20	Aid provided by the Government of the Swiss Confederation in the field of the Union's finances	276
Res.	C 21	Further strengthening the activities of the Union in the area of postal regulation	277
Res.	C 22	Incorporation of designated operators into the account settlement system administered by the International Bureau	278
Res.	C 23	Istanbul World Postal Strategy	279

## Decisions other than those amending the Acts

---

<i>Type of decision</i>	<i>Number</i>	<i>Title</i>	<i>Page</i>
Res.	C 24	Draft Istanbul Business Plan	280
Res.	C 25	Results of the study on the definition of a sanctions mechanism for non-payment of ongoing, long-term debts related to general accounts (CN 52) between designated operators	281
Res.	C 26	Period covered by the financial decisions taken by the 26th Congress	282
Res.	C 27	Management of the work of the Union – Reform of the UPU	283
Res.	C 28	Organization of an Extraordinary Congress in 2018	284
Res.	C 29	Reform of the system applied to contributions by Union member countries	285
Dec.	C 30	Venue of the 27th Universal Postal Congress	286
Res.	C 31	Future sustainability of the Union's Provident Scheme	286



Decisions of the 26th Congress other than those amending the Acts (resolutions, decisions, recommendations, formal opinions, etc.)

### Decision C 1/2016

#### Designation of member countries prepared to assume the vice-chairmanships of Congress and the chairmanships and vice-chairmanships of the committees

Congress,

*Decides*

to approve the following list of member countries, designated by the Council of Administration, which are prepared to assume the vice-chairmanships of Congress and the chairmanships and vice-chairmanships of the committees:

*a Vice-chairmanships of Congress*

- Cuba (1)
- Belarus (2)
- China (People's Rep.) (4)
- Kenya (5)

*b<sup>1</sup> Chairmanships and vice-chairmanships of Congress committees*

	<i>Chair</i>	<i>Vice-Chairs</i>
C 1 (Credentials) <sup>2</sup>	United States of America (1)	India (4)
C 2 (Finance)	Japan (4)	Costa Rica (1)
C 3 (General and Policy Matters)	South Africa (5)	Belgium (3)
C 4 (Convention)	Australia (4)	Congo (Rep.) (5)
C 5 (Postal Financial Services)	Russian Federation (2)	Spain (3)
C 6 (Cooperation and Development)	France (3)	Saudi Arabia (4)
C 7 (Drafting) <sup>2</sup>	Morocco (5)	Switzerland (3)

(Proposal 18, 1st plenary meeting)

<sup>1</sup> Group 1 = 2 member countries; Group 2 = 1 member country; Group 3 = 4 member countries; Group 4 = 4 member countries; Group 5 = 3 member countries.

<sup>2</sup> Restricted committee.

### **Decision C 2/2016**

#### **Designation of member countries prepared to sit on the restricted committees**

Congress,

*Decides*

to approve the following list of member countries which are prepared to sit on the restricted committees:

- a Committee 1 (Credentials): Azerbaijan, Cameroon, Czech Republic, India (Vice-Chairman), Indonesia, Pakistan, Slovakia, Ukraine, United States of America (Chairman), Viet Nam.
- b Committee 7 (Drafting): Cameroon, Morocco (Chairman), Poland, Switzerland (Vice-Chairman), United States of America.

(Proposal 19.Rev 1, 1st plenary meeting)

### **Decision C 3/2016**

#### **General revision of the Universal Postal Convention**

Congress,

In view of  
resolution C 24/2012 of the Doha Congress regarding general revision of the Convention and its Regulations,

Having noted with satisfaction  
the results of the CA study on the general revision of the Convention and the presentation in a single volume of the rules applicable to letter post and parcel post,

Considering  
that during the consultations arranged by the CA, all Union member countries had the opportunity to comment on the draft revised Convention and its Regulations,

Noting  
that the new texts take into account the comments from member countries,

*Decides*

- to approve the recast Convention, which served as the basis for the preparation of amendment proposals submitted to the Istanbul Congress;
- to approve the recast Regulations to the Convention, presented as a single volume, to serve as the basis of the deliberations by the first session of the POC after Congress.

(Proposal 01.Rev 1, Committee 3, 1st meeting)

## **Resolution C 4/2016**

### **EMS Cooperative**

Congress,

Recognizing

- that EMS is offered, on the basis of article 16 of the Universal Postal Convention, and the EMS Standard Agreement, by the great majority of designated operators of 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 member countries and territories 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, as set out in Congress–Doc 10,

Affirming

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

that the EMS Cooperative is financed by its members and that it pays for all EMS programmes and activities for members and non-members, including all direct staff costs, from its own budget,

Also acknowledging

that the EMS Cooperative programmes and activities benefit the UPU by sharing information and experience and by leading new efforts which are emulated by other groups in the areas of quality of service measurement, customer service approaches, and the use of technology and training,

*Decides*

to continue to finance, through the UPU budget, the institutional and other support costs of maintaining the EMS Unit as an integral part of the International Bureau. The costs to be supported will include those for the accommodation of the EMS Unit; its office and IT services; logistical 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 that are not currently allocated to the EMS chapters of the UPU Programme and Budget. Actual consumed office maintenance costs (building maintenance, electricity, water, telecommunications, printers, computers and publications) shall, however, be charged by the Union to the EMS Cooperative budget,

*Charges*

- the EMS Cooperative, under the POC, with:
  - maintaining, within the framework of the UPU strategy, 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;
  - presenting an annual report to the POC and, where appropriate, to the CA;
- the POC with presenting a report to the next Congress on the progress of EMS activities and their financing,

*Instructs*

the International Bureau to:

- 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;
- ensure that designated operators that are not members of the EMS Cooperative continue to benefit from UPU EMS programmes and publications;
- continue to promote EMS activities for those designated operators which are not members of the Cooperative,

*Invites*

member countries and territories whose designated operators are not EMS Cooperative members to join the Cooperative, in the light of the excellent results achieved.

(Proposal 06, Committee 4, 1st meeting)

**Resolution C 5/2016**

**Future strategy of the Telematics Cooperative and financing of its activities**

Congress,

Recalling

- resolution C 27 of the 1994 Seoul Congress, resolution C 52 of the 1999 Beijing Congress, resolution C 66 of the 2004 Bucharest Congress, resolution C 53 of the 24th Congress held in Geneva, and resolution C 59 of the 2012 Doha Congress, concerning Union activities in the field of EDI exchanges from 1995 to 2016;
- the success of telematics activities since 1994, and in particular the large and steadily growing number of designated operators of member countries that have willingly joined the Telematics Cooperative;
- the widespread adoption of UPU software among all member countries, from the least developed countries to the industrialized countries,

Aware

- of the strategic importance of UPU telematics activities for all Union member countries;
- of the fact that the telematics network infrastructure and activities are crucial for further improving postal products and services, for maintaining a quality universal service obligation, for further postal developments in the information society, for reducing the digital divide between Union member countries and for helping to solve some important problems such as the future of the universal service and the question of remittances for migrant workers, at both a domestic and an international level,

Noting

- the establishment, through the efforts of the Telematics Cooperative, of an interconnected worldwide network linking all players in the logistical chain: designated operators, Customs and airlines, as well as other international organizations;
- that this electronic network infrastructure and the state-of-the-art IT solutions owned by the UPU and made affordable to all Union member countries ensure electronic exchange capability between those countries and the automation of important postal operational processes irrespective of their postal development status, and hence provide the opportunity for further quality and service improvements to postal services that would not otherwise be possible;

- that the Telematics Cooperative carries out significant work to support Union member countries not only in areas closely related to the adoption and deployment of UPU information and communication technology (ICT) solutions, but also in the field of operational consulting and monitoring activities, so as to encourage them to adopt best practices for the improvement of postal operational processes and related electronic infrastructures, particularly in the developing and least developed countries;
- the work done in the area of advanced electronic services, geared towards developing and/or hosting UPU ICT systems in support of secure Internet-based postal services such as postal registered electronic mail, and other systems related to radio frequency identification standards, e-shopping, postal identification, the postal electronic mailbox and the .post platform;
- the support provided by the Telematics Cooperative to other UPU bodies in the strategic area of electronic data interchange standards, and through its active participation in other projects not directly linked to UPU ICT solutions, from which all Union member countries stand to benefit,

Noting also

- the inability of the Telematics Cooperative to finance tasks not directly related to development, deployment, operation and support of UPU ICT solutions from fees received for product maintenance, network services, assistance missions, product development or member contributions;
- that the required funds to enable research, development and commercialization of new high-potential postal products and services may need to come from external resources,

Considering

the digital divide in terms of operational development and differences in the level of development of member countries,

Recognizing

- the achievements of the Telematics Cooperative to date and its efforts aimed at improving and developing ICT solutions in support of postal services (Congress–Doc 10);
- that the strategy of the Telematics Cooperative (POC 2016.1–Doc 19c.Rev 1) and its activities must not only support the Istanbul World Postal Strategy but also be deemed essential to its implementation;
- the need to continuously improve UPU ICT solutions and meet customers' requirements for both maintenance and support within a reasonable timeframe;
- the considerable added value offered by the Telematics Cooperative in maintaining a universal service at the cutting edge of technology, allowing all designated operators to provide their customers with modern postal services,

Convinced

that the development gap can be reduced by technical cooperation activities aimed at:

- making the same state-of-the-art information and communication technology solutions and infrastructure usable by, and affordable to, all Union member countries;
- providing ongoing support and advice on business and operational matters;
- supporting the provision of a worldwide electronic infrastructure such as .post, in order to give every citizen and small, medium or large business the opportunity to participate in global trade exchanges in a trusted environment verified by Union member countries' designated operators,

Noting with satisfaction

the strategy approved by the Telematics Cooperative and endorsed by the POC for the 2017–2020 period (POC 2016.1–Doc 19c.Rev 1),

*Instructs*

the Council of Administration to:

- continue to cover, through the Union's regular budget, those institutional support costs associated with maintaining the Postal Technology Centre (or an equivalent structure) as a unit of the International Bureau which do not appear in the latter's internal budget covered by the Telematics Cooperative, particularly in order to maintain the affordability of UPU information and communication technology solutions for developing and least developed Union member countries; consumed office maintenance costs (building maintenance, electricity, water, telecommunications, printing machines, publications) shall, however, be charged by the Union to the Telematics Cooperative budget;
- maintain funds from the Union's regular budget to cover recurrent support actions by the Postal Technology Centre within the framework of technical cooperation assistance and/or for supporting other International Bureau directorates and programmes, to the extent that the latter are not closely linked to the development and use of standard UPU information and communication technology solutions and insofar as such actions are formally authorized and consistent with the respective mandates and objectives of the Telematics Cooperative and UPU projects, as defined by the permanent bodies of the Union;
- supervise Telematics Cooperative finances through the examination and approval of the International Bureau's budget and annual accounts (also comprising detailed financial information on revenues and expenses for each UPU ICT solution), and the presentation of a detailed report to the next Congress on the financing of the Telematics Cooperative;
- continue to exercise its competency in all matters of principle and governance concerning the functioning of the Telematics Cooperative, including the supervision of any aspects related to the implementation of the Istanbul World Postal Strategy, insofar as they are specifically linked to Telematics Cooperative activities,

*Also instructs*

the Postal Operations Council to:

- continue to exercise its competency for all strategic matters concerning Telematics Cooperative activities;
- present a report to the next Congress on the progress of telematics activities;
- continue to supervise and approve the Telematics Cooperative's specific operating rules, in order to ensure that they are consistent with the relevant matters of principle and governance adopted by the Council of Administration,

*Further instructs*

the International Bureau to:

- provide for and maintain any internal structures (such as the Postal Technology Centre or an equivalent structure) deemed necessary for the implementation of strategies approved by the Telematics Cooperative, giving due regard, to the extent possible, to the organizational flexibility needs of such a structure in the light of information and communication technology market conditions, without prejudice to the relevant functions of the Council of Administration and Director General of the International Bureau on matters of administration and human resources management;
- continue to promote the activities of the Telematics Cooperative and encourage designated operators of Union member countries to join it and to contribute actively to its activities.

(Proposal 17.Rev 1, Committee 4, 1st meeting)

## **Resolution C 6/2016**

### **E-commerce services as key to a vibrant and effective postal service**

Congress,

Taking note

of the activities in recent years aimed at the development of e-commerce in the developing and least developed countries,

Considering

that the current century is the information society era, in which various forms of Internet-based economic activities are developing at unprecedented speed,

Also considering

that the development of e-commerce is changing people's lifestyle,

Recognizing

that e-commerce as a catalyst has created opportunities for businesses to develop their markets,

Aware

that Posts are actively exploring new and innovative e-commerce solutions,

*Decides*

to mark the four-year cycle ending with the 2020 UPU Congress by highlighting the theme "E-commerce services as key to a vibrant and effective postal service",

*Invites member countries:*

- to continue their activities aimed at introducing new and innovative e-services based on customer expectations;
- to foster a culture of making use of e-commerce solutions in all aspects of their postal operations.

(Proposal 23, Committee 4, 1st meeting)

## **Resolution C 7/2016**

### **Classification of countries and territories for terminal dues and Quality of Service Fund (QSF) purposes for the 2018–2021 period**

Congress,

Having adopted

the provisions of the Union's new terminal dues system,

Considering

that Congress resolution C 18/2008 approved the methodology for the classification of countries and territories for terminal dues and QSF purposes for the 2010–2013 period,

Considering also

that the 25th Congress (i) reiterated the position of the previous Congress that the need for preferential terminal dues rates decreases with the country-specific potential to self-finance postal development and increases with the country-specific difficulties in serving the postal territory and with the postal service level provided; (ii) noted that the gross national income per capita reflects the potential to self-finance postal

development; and (iii) noted that the average costs per letter reflect the difficulties in serving the postal territory,

Recognizing

that Congress resolution C 77/2012 approved the update to the aforementioned methodology and its application for the 2014–2017 period,

Bearing in mind

that Congress resolution C 57/2012 instructed the Council of Administration to continue the process of gradually applying country-specific, cost-based principles for the remuneration of letter-post exchanges at the worldwide level, as well as to propose a timetable or a transition principle for the full application of target system provisions by all countries and territories, taking into account the possible impacts of the transition to the target system,

Noting

that Congress resolution C 77/2012 allowed the United Arab Emirates to apply the same terminal dues rates as countries in group 3 for the 2014–2017 period, with that country applying the provisions pertaining to countries in group 1.2 for the purposes of the QSF and the quality of service link to terminal dues.

Noting also

the Council of Administration decisions on requests for temporary downward classification in the 2014–2017 period lodged by the Maldives, Tunisia and Libya, as well as on the request by the Netherlands to separately classify the Caribbean part of the Netherlands,

Taking into account

that four sets of terminal dues provisions are applicable to the six groups of countries and territories (i.e. group 1, groups 1.2 and 2, group 3, and groups 4 and 5), with the only exception being that the level of QSF contributions paid to countries in group 4 differs from that paid to countries in group 5, recognizing the special needs of least developed countries for preferential treatment,

Bearing in mind also

that the request of a country to apply provisions other than those pertaining to the group in which it is classified falls under the provisions of Annex 1 concerning appeals,

*Decides*

- to update the grouping of countries for the 2018–2021 period by reducing the number of groups from six to four, in order to align the number of groups with the respective terminal dues provisions applicable thereto, except as pertains to the level of contributions to the QSF originally paid to countries in groups 4 and 5 in the 2014–2017 period;
- to approve the classification of countries and territories in the groups shown in Annex 2 for terminal dues and QSF purposes in the 2018–2021 period, in accordance with the relevant provisions specified in the Convention;
- to classify the Caribbean part of the Netherlands in the new group II (former groups 1.2 and 2), since it had not been classified by the 25th Congress;
- that least developed countries classified as such by the 25th Congress in the former group 5 (as of the date of adoption of Congress resolution C 77/2012) shall continue to benefit from higher QSF contributions than those received by other countries and territories classified in the new group IV,

*Authorizes*

the Council of Administration to:

- decide on the temporary downward reclassification of countries and territories owing to war or extremely severe economic crisis;



- decide on the classification of other countries and territories not originally classified by Congress;
- hear any appeals and issue decisions, following the process described in Annex 1,

*Instructs*

the International Bureau to:

- make technical assessments of appeals for temporary downward reclassification, owing to war or extremely severe economic crisis, or for the classification of countries and territories not classified by Congress, and report to the Council of Administration;
- implement Congress and Council of Administration decisions on issues concerning country classification;
- collect the relevant data from the countries and territories concerned for the technical assessment of their appeals,

*Urges*

member countries to:

- abide by the provisions related to their classification groups;
- provide the International Bureau with relevant data to enable the conduct of technical assessments of member country appeals.

(Proposal 21, Committee 4, 2nd meeting)

*Annex 1*

**Appeals on country classification for the terminal dues system in the 2018–2021 period**

*a Requests for reclassification owing to war or extremely severe economic conditions*

1 A country in group IV, but not in the ECOSOC list of least developed countries (LDCs) as of the date of adoption of Congress resolution C 77/2012, may request a temporary downward reclassification owing to war or extremely severe economic conditions, in order to benefit from higher QSF contributions applicable to those LDCs. The request shall substantiate the reason given for the reclassification request and be documented with verifiable supporting data and information.

2 Such requests may be received and examined by any CA session and shall be sent to the International Bureau two months before the beginning of the relevant CA session.

3 The International Bureau shall perform technical analyses of requests received and make them available to CA members no later than two weeks in advance of the beginning of the relevant CA session.

4 The temporary downward reclassification decided by the CA shall be valid for a maximum of two years, with a possible extension after that period upon a new decision by the CA, but not beyond the end of the 2018–2021 period.

*b Requests for classification*

5 Any country or territory not classified by Congress, and therefore not listed in Annex 2, will have the possibility to request classification at any CA session.

6 Such requests may be received and examined by any CA session. The two-month deadline specified above in § 2 shall equally apply.

7 The International Bureau's technical analysis of requests received shall be made available to CA members no later than two weeks in advance of the beginning of the relevant CA session.

8 The classification decided by the CA shall be valid for the whole period (2018–2021), but not beyond the end of that period.

**Classification of countries and territories for terminal dues and Quality of Service Fund (QSF) purposes**

**Group I (formerly group 1.1) – List of countries and territories that were in the target system prior to 2010 and shall apply the target system during the period from 2018 to 2021, and that contribute to the QSF as provided for in article 28 of the Convention**

<i>Countries and territories</i>	<i>Former group</i>
Australia	1.1
– Norfolk Island	1.1
Austria	1.1
Belgium	1.1
Canada	1.1
Denmark	1.1
– Faroe Islands	1.1
– Greenland	1.1
Finland (including the Åland Islands)	1.1
France	1.1
French Overseas Territories coming within the Union's jurisdiction by virtue of article 23 of the Constitution:	
– French Polynesia (including Clipperton Island)	1.1
– New Caledonia	1.1
– Wallis and Futuna Islands	1.1
Germany	1.1
Great Britain:	
– United Kingdom of Great Britain and Northern Ireland	1.1
– Guernsey	1.1
– Isle of Man	1.1
– Jersey	1.1
Overseas Territories (United Kingdom of Great Britain and Northern Ireland):	
– Falkland Islands (Malvinas)	1.1
– Gibraltar	1.1
– Pitcairn, Henderson, Ducie and Oeno Islands	1.1
– Tristan da Cunha	1.1
Greece	1.1
Iceland	1.1
Ireland	1.1
Israel	1.1
Italy	1.1
Japan	1.1
Liechtenstein	1.1
Luxembourg	1.1
Monaco	1.1
Netherlands	1.1

<i>Countries and territories</i>	<i>Former group</i>
New Zealand (including the Ross Dependency)	1.1
Norway	1.1
Portugal	1.1
San Marino	1.1
Spain	1.1
Sweden	1.1
Switzerland	1.1
United States of America	1.1
Vatican	1.1

**Group II (formerly groups 1.2 and 2) – List of countries and territories that joined the target system in 2010 (formerly group 1.2) and 2012 (formerly group 2) and shall apply the target terminal dues system during the period from 2018 to 2021, and that contribute to the QSF as provided for in article 28 of the Convention**

<i>Countries and territories</i>	<i>Former group</i>
Aruba, Curaçao and Sint Maarten	1.2 (Aruba), 2 (Curaçao and Sint Maarten), previously part of "Netherlands Antilles and Aruba"
Antigua and Barbuda	2
Bahamas	1.2
Bahrain (Kingdom)	2
Barbados	2
Brunei Darussalam	2
Croatia	2
Cyprus	2
Czech Rep.	2
Dominica	2
Estonia	2
Grenada	2
Hong Kong, China	1.2
Hungary	2
Korea (Rep.)	2
Kuwait	1.2
Latvia <sup>1</sup>	2
Macao, China	2
Malta	2

<sup>1</sup> Initially classified in group 3, Latvia voluntarily moved to group 2 in 2014 (IB circular 105/2013).

<i>Countries and territories</i>	<i>Former group</i>
Territory under Netherlands:	
– Dutch Caribbean (Bonaire, Saba and Sint Eustatius) <sup>2</sup>	1.1
Territory under New Zealand:	
– Cook Islands	2
Overseas Territories (United Kingdom of Great Britain and Northern Ireland):	
– Anguilla	1.2
– Bermuda	1.2
– British Virgin Islands	1.2
– Cayman Islands	1.2
– Montserrat	2
– Turks and Caicos Islands	1.2
Poland	2
Qatar	1.2
Saint Christopher (St. Kitts) and Nevis	2
Saudi Arabia	2
Singapore	1.2
Slovakia	2
Slovenia	1.2
Trinidad and Tobago	2

**Group III (formerly group 3) – List of countries and territories that joined the target system in 2016 and shall apply the target system during the period from 2018 to 2021, and that contribute to the QSF as provided for in article 28 of the Convention**

<i>Countries and territories</i>	<i>Former group</i>
Argentina	3
Belarus	3
Bosnia and Herzegovina	3
Botswana	3
Brazil	3
Bulgaria (Rep.)	3
Chile	3
China (People's Rep.)	3
Costa Rica	3
Cuba	3
Fiji	3
Gabon	3
Jamaica	3
Kazakhstan	3
Lebanon	3
Lithuania	3
Malaysia	3
Mauritius	3

<sup>2</sup> Classification recommended by the 2015 CA.

<i>Countries and territories</i>	<i>Former group</i>
Mexico	3
Montenegro	3
Nauru	3
Territory under New Zealand:	
– Niue	3
Oman	3
Panama (Rep.)	3
Romania	3
Russian Federation	3
Saint Lucia	3
Saint Vincent and the Grenadines	3
Serbia	3
Seychelles	3
South Africa	3
Suriname	3
Thailand	3
the former Yugoslav Republic of Macedonia	3
Turkey	3
Ukraine	3
Uruguay	3
United Arab Emirates (UAE) <sup>3</sup>	1.2
Venezuela (Bolivarian Rep.)	3

**Group IV (formerly groups 4 and 5) – List of countries and territories that apply the transition terminal dues system during the period from 2018 to 2021 and that benefit from the QSF as provided for in article 28 of the Convention**

<i>Countries and territories</i>	<i>Former group</i>
Albania	4
Algeria	4
Afghanistan <sup>4</sup>	5
Angola <sup>4</sup>	5
Armenia	4
Azerbaijan	4
Bangladesh <sup>4</sup>	5
Belize	4
Benin <sup>4</sup>	5
Bhutan <sup>4</sup>	5
Bolivia	4

<sup>3</sup> The Doha Congress classified the United Arab Emirates in group 1.2 for the purposes of the QSF and the terminal dues link to quality of service, but allowed that country to apply the same terminal dues rates as countries classified in group 3 for the 2014–2017 period.

<sup>4</sup> LDCs classified in former group 5 as of the date of adoption of Congress resolution C 77/2012 shall continue to benefit from higher QSF contributions than those received by other countries and territories classified in the new group IV.

<i>Countries and territories</i>	<i>Former group</i>
Burkina Faso <sup>5</sup>	5
Burundi <sup>5</sup>	5
Cambodia <sup>5</sup>	5
Cameroon	4
Cape Verde	4
Central African Rep. <sup>5</sup>	5
Chad	5
Colombia	4
Comoros <sup>5</sup>	5
Congo (Rep.)	4
Côte d'Ivoire (Rep.)	4
Dem People's Rep. of Korea	4
Dem. Rep. of the Congo <sup>5</sup>	5
Djibouti <sup>5</sup>	5
Dominican Republic	4
Ecuador	4
Egypt	4
El Salvador	4
Equatorial Guinea <sup>5</sup>	5
Eritrea <sup>5</sup>	5
Ethiopia <sup>5</sup>	5
Gambia <sup>5</sup>	5
Georgia	4
Ghana	4
Guatemala	4
Guinea <sup>5</sup>	5
Guinea-Bissau <sup>5</sup>	5
Guyana	4
Haiti <sup>5</sup>	5
Honduras (Rep.)	4
India	4
Indonesia	4
Iran (Islamic Rep.)	4
Iraq	4
Jordan	4
Kenya	4
Kiribati <sup>5</sup>	5
Kyrgyzstan	4
Lao People's Dem. Rep. <sup>5</sup>	5
Lesotho <sup>5</sup>	5
Liberia <sup>5</sup>	5

<sup>5</sup> LDCs classified in former group 5 as of the date of adoption of Congress resolution C 77/2012 shall continue to benefit from higher QSF contributions than those received by other countries and territories classified in the new group IV.

<i>Countries and territories</i>	<i>Former group</i>
Libya <sup>6</sup>	3
Madagascar <sup>7</sup>	5
Malawi <sup>7</sup>	5
Maldives <sup>6</sup>	3
Mali <sup>7</sup>	5
Mauritania <sup>7</sup>	5
Moldova	4
Mongolia	4
Morocco	4
Mozambique <sup>7</sup>	5
Myanmar <sup>7</sup>	5
Namibia	4
Nepal <sup>7</sup>	5
Nicaragua	4
Niger <sup>7</sup>	5
Nigeria	4
Overseas Territories (United Kingdom of Great Britain and Northern Ireland):	
– Ascension	4
– St Helena	4
Pakistan	4
Palestine <sup>7</sup>	5
Papua New Guinea	4
Paraguay	4
Peru	4
Philippines	4
Rwanda <sup>7</sup>	5
Samoa <sup>7</sup>	5
Sao Tome and Principe <sup>7</sup>	5
Senegal <sup>7</sup>	5
Sierra Leone <sup>7</sup>	5
Solomon Islands <sup>7</sup>	5
Somalia <sup>7</sup>	5
South Sudan <sup>7</sup>	5
Sri Lanka	4
Sudan <sup>7</sup>	5
Swaziland	4
Syrian Arab Rep.	4
Tajikistan	4
Tanzania (United Rep.) <sup>7</sup>	5

<sup>6</sup> These countries appealed against their classification and were reclassified from former group 3 to former group 4 by the CA in 2013 (Tunisia and the Maldives) and in 2015 (Libya) up to 2017.

<sup>7</sup> LDCs classified in former group 5 as of the date of adoption of Congress resolution C 77/2012 shall continue to benefit from higher QSF contributions than those received by other countries and territories classified in the new group IV.



<i>Countries and territories</i>	<i>Former group</i>
Territory under New Zealand:	
– Tokelau	4
Territory under United States of America:	
– Samoa	4
Timor-Leste (Dem. Rep.) <sup>8</sup>	5
Togo <sup>8</sup>	5
Tonga (including Niuafou'ou)	4
Tunisia <sup>9</sup>	3
Turkmenistan	4
Tuvalu <sup>8</sup>	5
Uganda <sup>8</sup>	5
Uzbekistan	4
Vanuatu <sup>8</sup>	5
Viet Nam	4
Yemen <sup>8</sup>	5
Zambia <sup>8</sup>	5
Zimbabwe	4

### Resolution C 8/2016

#### Development of postal payment services (and possibly other postal financial services), and financial inclusion

Congress,

Considering resolution C 23/2012 on the development of postal financial services, which sets out the Doha Congress's broad guidelines for the 2013–2016 cycle, which are:

- to encourage member countries and designated operators to develop efficient, reliable, secure and affordable electronic postal payment services;
- to continue developing the multilateral framework for postal payment services;
- to strengthen and promote cooperation with partners from the public and private sectors with a view to developing the UPU worldwide electronic postal payment network (WEPPN) and promoting its connection to other networks;
- to promote the provision of financial services directly by designated operators or in partnership with banks, microfinance institutions or mobile telephone operators, with a view to promoting the financial inclusion of populations,

Also considering the proposed changes to postal payment services and the new postal payment services vision aimed at developing the WEPPN in the context of the work carried out by the Council of Administration and Postal Operations Council in response to Doha Congress resolution C 23/2012,

<sup>8</sup> LDCs classified in former group 5 as of the date of adoption of Congress resolution C 77/2012 shall continue to benefit from higher QSF contributions than those received by other countries and territories classified in the new group IV.

<sup>9</sup> These countries appealed against their classification and were reclassified from former group 3 to former group 4 by the CA in 2013 (Tunisia and the Maldives) and in 2015 (Libya) up to 2017.

#### Noting

- that the provision of basic postal payment services (and possibly other postal financial services) through the worldwide post office network can contribute to global economic and social development and play an important role in improving the standard of living and financial inclusion in rural areas;
- that the postal networks, with their worldwide coverage and the combination of electronic, financial and physical dimensions, can facilitate for all people of the world increased access to efficient, reliable, secure and affordable electronic payment services and financial services;
- that the UPU provides a unique regulatory framework for postal payment services as defined in the Postal Payment Services Agreement, and that the development of the WEPPN needs to be continued;
- that the development of electronic postal payment services (and possibly other postal financial services) should take place in a context of cooperation with international organizations and wider postal sector players (WPSPs);
- that postal financial services actively contribute to achieving the United Nations Sustainable Development Goals, notably combating poverty, particularly as a result of their presence in rural areas;
- that a 2005 United Nations General Assembly resolution (A/RES/60/1) reaffirmed "the need to adopt policies and undertake measures to reduce the cost of transferring migrant remittances to developing countries and [welcomed] efforts by Governments and stakeholders in this regard";
- that, in a number of countries, governments have already established a legal framework or national service agreement with designated operators in an effort to promote the development of public missions other than postal services owing to the capillarity of the national postal network, including in rural and disadvantaged areas, and that, accordingly, many designated operators have developed a full range of postal financial services, thus contributing to the achievement of the objective of social inclusion;
- that the 2012 high-level segment of the United Nations Economic and Social Council issued a ministerial declaration which stated the following: "We also recognize the need for Member States to continue considering the multidimensional aspects of international migration and development in order to identify appropriate ways and means of maximizing the development benefits and minimizing the negative impacts, including by exploring ways to lower the costs of transferring remittances, garnering the active engagement of expatriates and fostering their involvement in promoting investment in countries of origin and entrepreneurship among non-migrants";
- that the development and implementation of the new postal payment services vision, guided by the UPU, is necessary in order to reach out to WPSPs in an effort to achieve social inclusion, and that, at the same time, the new vision should guarantee the current level of protection of designated operators in terms of the security of the network and contractual relations with other parties,

#### Recognizing

- that the positive impact of postal financial services on the business development of designated operators, particularly in the form of increased revenue, significantly contributes to the viability of the postal network;
- that the UPU needs to continue and reinforce its work on developing postal payment services (and possibly other postal financial services) worldwide;
- that today's world market has undergone rapid and profound changes and that users are demanding speedy, secure and high-quality services,

*Instructs*

the Council of Administration:

- to support the development of the WEPPN and promote financial inclusion;
- to strengthen and promote cooperation with WPSPs with a view to developing the WEPPN and promoting its connection to other networks;
- to support the development and implementation of the new postal payment services vision by facilitating the creation of the necessary regulatory framework to open the WEPPN to WPSPs;
- to ensure the availability of sufficient budgetary resources to implement the new postal payment services vision,

*Also instructs*

the Postal Operations Council:

- to encourage designated operators to carry out actions to market and promote electronic postal payment services;
- to adapt postal payment services regulations in order to facilitate implementation of the new postal payment services vision;
- to develop and implement the new postal payment services vision in order to open the WEPPN by:
  - selecting potential WPSPs;
  - connecting and opening postal payment services exchanges with WPSPs;
  - extending the WEPPN to WPSPs,

*Further instructs*

the International Bureau:

- to develop the interconnection platform in an effort to ensure interoperability between designated operators and WPSPs in order to facilitate financial inclusion through the postal network and respond appropriately to the emerging needs of clients;
- to develop and implement the new postal payment services vision in order to open the WEPPN to WPSPs,

*Invites*

Union member countries:

- to consider the potential advantages of diversifying operators' activities to include postal payment services;
- to take the necessary action to ensure the efficient operational exchange of the international payments of designated operators with WPSPs through the UPU's interconnection platform.

(Proposal 09, Committee 5, 2nd meeting)

## **Resolution C 9/2016**

### **Quality of Service Fund**

Congress,

Having examined  
the document submitted by the Postal Operations Council on the progress of the Quality of Service Fund  
(Congress–Doc 17.Rev 1),

Noting  
that in its 15 years of activity, the QSF has launched more than 800 projects, which have had a substantial  
impact in terms of improving the quality of the mail service in over 200 beneficiary designated operators,

Observing  
that, through the volume of financial resources released, the Fund has become a vital component in the  
Union's development cooperation system,

Aware  
that the Fund's structures and operating rules have enabled the Board of Trustees, with the support of the  
International Bureau and in collaboration with the restricted unions, to manage the Fund's financial resources  
effectively and foster close regional cooperation, as demonstrated by the regional and global projects,

Concerned  
that, despite the changes in the method of calculating QSF contributions introduced by the 25th Congress,  
the revenues generated do not appear to adequately address the service quality investment costs of the  
least developed countries (LDCs) and certain countries in a special situation,

Bearing in mind  
the need to rationalize and expedite the use of all the resources available, and the ongoing concern to  
ensure the overall coherence of the Union's activities, more specifically in the area of development of service  
quality for international mail with focus on performance measurement and evaluation and enhancement of  
network operations,

Persuaded  
that the efforts made by the Board of Trustees and the Postal Operations Council, with the support of the  
International Bureau, to optimize and simplify the Fund's rules must be continued, as must the efforts to  
coordinate the formulation, monitoring and evaluation of QSF projects,

Confident  
that extending the trust's duration and guaranteeing the funding for its activities for 2018 to 2021 would be  
fully consistent with Goal 1 of the Istanbul World Postal Strategy and would constitute a major source of  
funding for activities related to the fields described in article 7.2.1 of the QSF Deed of Trust,

Convinced  
that, depending on the decisions taken on terminal dues and assuming that international mail flows remain  
stable, it would be desirable that the level of annual financing generated by the Fund between 2014 and  
2017 be maintained, as far as possible, from 2018 to 2021,

*Decides*

that the date for dissolving the Trust, currently set at 31 December 2020, will be postponed until  
31 December 2028, without prejudice to the relevant decisions concerning the Fund as may be adopted by  
future Congresses.

(Proposal 32, Committee 6, 2nd meeting)

## **Resolution C 10/2016**

### **Policy on the access of wider postal sector players to UPU products and services**

Congress,

Recognizing

that the access of wider postal sector players to UPU products and services will help to advance the UPU mission, particularly in the areas of cooperation and interaction among stakeholders, and in ensuring the satisfaction of customers' changing needs,

Acknowledging

that wider postal sector players may include customers, postal suppliers, supply chain service providers (e.g. Customs, airlines and other transporters), and non-designated operators that use or may wish to use UPU products, services and networks under predefined conditions,

Aware

that today's postal world, with letter mail volumes in decline and e-commerce packet and parcel volumes rapidly increasing, requires designated operators to cooperate with wider postal sector players in order to meet customer demands,

Recalling

the mandate of Doha Congress resolution C 6/2012 to conduct a study, with the aim of producing a definitive policy on the conditions of access for non-designated operators to international mail processing centre codes, as well as to other UPU products, such as International Postal System applications (IPS and IPS Light) and POST\*Net, in order to manage these access conditions in a properly regulated manner and with due regard to transparency and efficiency,

Also recalling

the mandate of Doha Congress resolution C 7/2012 to conduct a full audit of UPU product and service offerings, to assess the risks and benefits of allowing access to specific products and services to external stakeholders in the wider postal sector, and to develop the governing rules and principles applicable to each product and service that the UPU wishes to make available to wider postal sector players,

Considering

the results of the October 2014 CA audit of UPU products and services, in which UPU products and services, as well as potential stakeholders, were identified; the risks and benefits of allowing access to specific products and services to external stakeholders in the wider postal sector were assessed; and potential rules and principles applicable to each product and service that the UPU might want to make available to wider postal sector players were developed,

*Decides*

to adopt the general policy on the access of wider postal sector players to UPU products and services attached in Annex 1,

*Instructs*

the Council of Administration to approve and oversee the implementation of the access policy.

(Proposal 20, Committee 3, 2nd meeting)

## **Policy on the access of wider postal sector players to UPU products and services**

1 The UPU is the fundamental organization for the Post, intergovernmental in nature, with the concept of wider sector involvement embedded in its mission and strategy. The access of wider postal sector players to UPU products and services will help advance the UPU mission as laid out in the UPU Constitution. In particular, it will help advance the UPU mission in the areas of cooperation and interaction among stakeholders, as well as in ensuring the satisfaction of customers' changing needs. We have to recognize that today's postal world, with letter-mail volumes going down and e-commerce packet and parcel volumes growing fast, is very different from the postal world of five or ten years ago. In order to meet today's and tomorrow's customer demands and remain relevant, designated operators will increasingly have to cooperate with wider postal sector players. Wider postal sector players may include customs organizations, postal suppliers, supply chain service providers (e.g. Customs, transporters and airlines), as well as non-DOs.

### *a General principles*

2 The access policy should be based on several important principles:

- maintaining the integrity and independence of the UPU;
- no unfair advantage to any group or individual player;
- clear delineation of the responsibilities and roles of all entities involved;
- transparent management, control and integration of the postal supply chain;
- reciprocity of interconnection with other stakeholder networks, as applicable;
- wider postal sector payment for access to UPU products and services;
- demonstrated need for wider postal sector access to specific UPU products and services;
- proper security mechanisms in place to ensure data protection and privacy.

3 The policy targets access to UPU products, services and networks under predefined conditions for wider postal sector players involved or wishing to be involved in the international postal business. Of course, these stakeholders will be restricted in their area of participation.

4 In order to make the UPU's products and services available to wider postal sector players, it is imperative that the Council of Administration oversee the gradual, systematic opening up of access under a policy of fairness and equality consistent with the general principles in paragraph 2. At the same time, the responsibilities and obligations of UPU member countries must be preserved.

### *b UPU mission and customers*

5 In keeping with the UPU mission, one stakeholder group that the UPU should also take into consideration is the customer of the designated operator, in order to ensure the satisfaction of customers' changing needs. It may be possible to make some products available directly to those customers, either through the UPU itself or through UPU members. Licensing or conditions of sale must be carefully considered.

6 Other stakeholders include supply chain service providers, in particular Customs, airlines, transporters and security authorities, as well as non-DOs.

### *c Target products and services*

7 Considering the range of interests among the different stakeholders, the UPU may provide access to part(s) of the functionalities of IT-related products and services developed by the UPU International Bureau and some of the UPU technical standards (such as EDI messages). These should be offered on the basis of the demonstrated needs of players that can contribute to enhancing the quality of postal services.

8 Further, some or even all of the UPU's IT-related products, developed to support seamless postal operations among designated operators, can be made available for sale or through a licence, taking into account the working relationship between the designated operator concerned and the third party (this may include non-designated operators).

9 UPU products and services are clearly of value to stakeholders other than UPU member countries and designated operators. Over the next cycle, the UPU should gradually review and open up categories of products and services most likely to be of interest to wider sector stakeholders. The first could be UPU standards.

10 Therefore, the UPU should begin with considering the conditions for access to EDI messaging standards and IT-related products, according to the conditions below.

*d General conditions*

*i Eligibility and pricing*

11 Different types of products and services may require different criteria for eligibility. Each product and service should be reviewed in terms of the utility to UPU members and other stakeholders, and the advantages and disadvantages of availability.

12 Prices should be set according to the costs of the products and services, so that the UPU can recover costs, potentially including development costs. A rationale for providing a product or service below cost must be clearly communicated under the policy.

13 The elements of the policy concerning eligibility, as well as a pricing structure, should, in principle, be uniform for all wider postal sector stakeholders. All products and services currently available should be reviewed.

*ii Contracts for sale, licensing, etc.*

14 Currently, many UPU products and services are available through contracts which include general terms and conditions. These documents must be thoroughly reviewed so that the conditions are in compliance with the new policy, and to ensure harmonized conditions of use, disclosure, etc. Licences for use of products and services should also be reviewed in order to ensure that the conditions are uniform and in compliance with UPU policy.

15 Once the conditions have been reviewed and harmonized, a set of guidelines for the sale, licensing, etc., of new products and services should be established. A best practice is to establish model contracts for new products and services.

*e Implementation*

16 The International Bureau will open up access to the products and services identified following the consultant's audit, prioritizing according to the perceived interest of wider postal sector players. Each category has been reviewed and potential stakeholders identified. The current conditions will be examined and harmonized following the principles of cost recovery, transparency, fairness and openness.

*f Monitoring and reporting*

17 Once a schedule for access has been established, the International Bureau will monitor the gradual opening up of access, and will report on progress at each session of the Council of Administration and its project groups in the next cycle.

## **Resolution C 11/2016**

### **Inclusion of postal trends and developments in the UPU postal statistics**

Congress,

Aware of the United Nations' recognition of postal e-commerce in its Trade and Development plan as a potential opportunity for developing countries,

Acknowledging that postal statistics are required to cover all the indicators related to the major postal services, including new e-services prescribed in the UPU Regulations, in line with modern technologies,

Considering that the data indicated in the UPU postal statistics are considered a valid source for member countries and their designated operators in their studies and research,

Taking into account the development of e-services in the postal industry as well as the need to be aware of related e-services data and statistics,

Recognizing the effort and achievements of the Postal Operations Council Committee 2 Applied Economics and Markets Research Group in ensuring that recent developments in postal services are reflected in the UPU postal statistics,

*Instructs*

the Postal Operations Council, with the support of the International Bureau, to conduct a study on a possible expansion of the contents of the UPU postal statistics to include the development of postal e-services.

(Proposal 29, Committee 3, 2nd meeting)

## **Resolution C 12/2016**

### **Integration of the Postal Carbon Fund® within the Universal Postal Union's structure**

Congress,

Recognizing that the fight against climate change is one of the key objectives approved by the United Nations within the framework of the Sustainable Development Goals (SDGs) and the post-2015 development agenda,

Considering the importance of the United Nations Framework Convention on Climate Change, and in particular the first universal agreement adopted during COP21 in Paris reinforcing the need to finance the transformation of the economy to limit global warming to well below 2 °C above pre-industrial levels and pursuing efforts to limit the temperature increase to 1.5 °C,

Also considering that the Paris agreement recognizes the importance of carbon pricing to encourage the implementation of low-carbon technologies and practices,



Also recognizing

that the aforementioned framework encourages other voluntary actions implemented in parallel, in particular through the Non-State Actor Zone for Climate Action (NAZCA) and the Lima-Paris Action Agenda (LPAA),

In the light of

the adoption of resolutions C 66/2012 (Work on sustainable development) and C 76/2012 (Establishment of a voluntary carbon offset system for designated operators of UPU member countries) by the 25th Congress in Doha,

Recalling

the creation, in April 2014, of the Postal Carbon Fund® as an association under Swiss law, outside the scope of the UPU bodies, by the designated operators of Costa Rica, Ecuador, Finland, France, Ireland, Senegal, Switzerland, Thailand and Togo, with the aim of providing the postal sector with an efficient tool to offset, on a voluntary basis, greenhouse gas emissions linked to postal activities,

Also recalling

that the Postal Carbon Fund® was created to benefit all postal operators, whether willing to offset their emissions or to develop and finance low-carbon, climate-resilient offsetting projects linked to the reduction of emissions through energy efficiency, renewable energy and alternative transportation that could not otherwise be carried out,

Further recalling

the many potential benefits for the postal sector of expanding participation in the Postal Carbon Fund®, particularly in terms of positioning the sector as a committed player in the fight against climate change, responding to the need to anticipate and align its development with new regulations on carbon performance and climate mitigation and adaptation,

Welcoming

the efforts of the International Bureau of the Universal Postal Union to measure the carbon footprint of the postal sector and help designated operators of the Union's member countries reduce their impact on the environment and on climate change, especially through its calculation and reporting tool OSCAR,

Taking into account

the pilot activities launched by the Postal Carbon Fund® to train postal operators on carbon offsetting procedures and activities for project identification in five countries,

Further considering

that the Postal Carbon Fund® is the first carbon fund in the world aimed at providing an efficient funding system for low-carbon development and climate solidarity at sector level,

Convinced

that, as the United Nations agency in charge of the postal sector, the Universal Postal Union should play a more active role in the governance of the Postal Carbon Fund®,

Observing

that the current role given to the UPU vis-à-vis the Postal Carbon Fund® is limited to its promotion among UPU member countries, and that including the Postal Carbon Fund® in the UPU structures would make it possible to reinforce the fund's institutional image and visibility, in particular within the United Nations community, to the benefit of UPU member countries through an innovative financing mechanism for low-carbon postal projects in developing countries,

*Instructs*

- the relevant UPU bodies to study the legal, financial and structural conditions under which the Postal Carbon Fund® could be integrated into the UPU's activities;
- the relevant UPU council(s) to proceed with the integration of the Postal Carbon Fund® within the structure of the UPU during the Istanbul cycle, should the study demonstrate the feasibility of this inte-

gration, in particular the absence of a financial impact on member countries and the protection of the principle of voluntary participation for designated operators,

*Encourages*

UPU members to join in the Postal Carbon Fund® and participate in related studies on a voluntary basis.

(Proposal 10.Rev 2, Committee 6, 3rd meeting)

**Recommendation C 13/2016**

**Philatelic Code of Ethics for the use of UPU member countries**

Congress,

Referring to:

- article 8 of the Universal Postal Convention, which establishes the status of the postage stamp;
- article RL 115 of the Letter Post Regulations, which specifies the characteristics of postage stamps and postal prepayment impressions; and
- the Philatelic Code of Ethics adopted by the 24th Congress under recommendation C 26/2008,

Recognizing

that postage stamps continue to have a commercial value when used for philatelic purposes,

Also recognizing

that the Philatelic Code of Ethics as adopted by the Bucharest Congress has provided valuable guidance to the issuing postal authorities of UPU member countries in maximizing the value of postage stamps to collectors and issuing postal authorities,

*Reaffirms*

its commitment to the production of high quality, ethical stamps, and to a vibrant philatelic market,

*Recommends*

that all issuing postal authorities observe the procedures set out in the annexed revised Philatelic Code of Ethics when issuing and supplying postage stamps and philatelic products.

(Proposal 07, Committee 4, 3rd meeting)

*Annex 1*

**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 Issuing postal authorities 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 8 of the Universal Postal Convention;
- cards and first day covers;
- presentation packs and albums;

- stamp yearbooks;
  - envelopes with embossed or pre-cancelled/pre-printed stamps;
  - cachets for special occasions and events and related products;
  - stamps with surcharges.
- 1.2 Other means of indicating payment (e.g. franking marks, postage paid indicia and other labels) are permitted in accordance with article 8 of the Universal Postal Convention, but are not considered to be postage stamps.
- 2 Issuing postal authorities 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 Issuing postal authorities 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, issuing postal authorities may authorize the use of these cancelling or marking devices by persons other than their own employees.
- 2.3 Where issuing postal authorities 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 issuing postal authority concerned, which shall ensure that this rule is strictly observed.
- 3 In the sale of products for philatelic purposes incorporating postage stamps, issuing postal authorities shall ensure that the handling of the postage stamp itself and the use of cancellation dies, hand stamps, cachets and other marking devices is in conformity with their respective postal procedures.
- 4 For each issue of postage stamps, issuing postal authorities shall ensure that these are printed in sufficient quantity to meet potential operational requirements and foreseeable philatelic needs. In employing cancellation dies, hand stamps and cachets for special occasions or events, issuing postal authorities shall ensure that a sufficient quantity of philatelic products is available to meet requirements. Although issuing postal authorities 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 purposes.
- 4.2 Issuing postal authorities 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, issuing postal authorities 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, issuing postal authorities shall, at all times, respect intellectual property rights.
- 6 If issuing postal authorities offer their customers personalized stamps, they shall establish a legal framework to protect the latter's status, in accordance with their national law.
- 7 Whilst issuing postal authorities have no control over the use of postage stamps or articles entrusted to the postal service for postal purposes once they have been sold, they shall nevertheless:
- 7.1 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.
- 7.2 Avoid any action which might be taken as declaring approval of or conferring official status on products of unofficial origin incorporating postage stamps.

- 7.3 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 issuing postal authorities themselves, and to respect the provisions of the Philatelic Code of Ethics and of the issuing postal authority's national postal legislation. Issuing postal authorities shall not permit agents to operate or alter their proper postal procedures nor to control philatelic procedures.
- 7.4 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, issuing postal authorities 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.
- 7.5 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.
- 7.6 Establish separate contractual provisions for the printers entrusted with producing the stamps and the agents responsible for marketing them.
- 7.7 Award the printing of postage stamps only 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, while abiding by public procurement practices (where applicable).
- 8 Issuing postal authorities shall not produce postage stamps or philatelic products that are intended to exploit customers.
- 8.1 In this spirit, issuing postal authorities shall not produce any abusive issues of postage stamps or philatelic products. Any issue that has one or more of the following features shall be regarded as abusive:
- A philatelic issue whose theme is a subject totally contrary to article 8, paragraph 5, of the definition of a postage stamp, i.e. alien to the culture of the issuing member country or territory, and which cannot be considered as contributing to "the dissemination of culture or to maintaining peace".
  - A programme and issue whose quantity far exceeds the acceptable limits for philatelic issues as defined in point 4 of this Code of Ethics, particularly 4.2. That is, where the number of annual issues is unrelated to the actual market capacity, whether for postal prepayment or for stamp collection, of the member country or territory concerned.
- 8.2 On the proposal of the International Bureau, and with the approval of the relevant Union body, abusive issues may be reported on the WNS website. These incidents should be reported in a form proposed by the International Bureau and approved by the relevant Union body following the Istanbul Congress.
- 9 Issuing postal authorities 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. Issuing postal authorities pledge to abide by this code of conduct in order to ensure the long-term survival of the philatelic market in each country.

## **Recommendation C 14/2016**

### **Promotion of disaster risk management measures in the field of development cooperation**

Congress,

Recalling

recommendation C 27/2008 entitled "Initiatives for the sustainable reduction of the negative environmental impact of the postal sector" and resolution C 34/2008 entitled "Work on sustainable development", adopted at the 2008 Congress held in Geneva,

Also recalling

recommendation C 64/2012 entitled "Initiatives for the study of sustainable development and development cooperation measures to make postal organizations more resistant to major disasters", adopted at the 2012 Doha Congress, and the Universal Postal Union's emphasis on the importance of enhancing measures for postal sector resilience,

Recognizing

the United Nations Plan of Action on Disaster Risk Reduction for Resilience adopted by the United Nations Chief Executives Board in 2013, which committed to making disaster risk reduction a priority for the UN system and organizations within,

Considering

the recommendation adopted at the Third UN World Conference on Disaster Risk Reduction to take action to substantially reduce global disaster mortality and economic loss caused by natural disasters by 2030 and enhance international cooperation for developing countries for this purpose, as set out in the Sendai Framework for Disaster Risk Reduction 2015–2030,

Stressing

the positive results achieved by the ad hoc group on disaster risk management, part of the Council of Administration (CA) Committee 4 (Cooperation and Development) Sustainable Development Project Group, in increasing awareness of disaster risk management in the postal sector and sharing best practices through multiple channels, including several regional seminars held during the 2013–2016 cycle,

Greatly appreciating

the efforts of the International Bureau in developing and implementing projects and tools for member countries through the formulation of a UPU framework for disaster management, a disaster management guide, and other works,

Confirming

that building disaster-resilient postal services on a global scale is consistent with the UPU's aim to develop communication between peoples and thereby contribute to international cooperation in cultural, societal and economic fields,

Also considering

the adoption of resolution CA 2/2010 entitled "Creation of a UPU emergency solidarity fund for countries affected by natural disasters and/or in special situations" and resolution CA 1/2011.1 entitled "Rules for the administrative management of the UPU Emergency and Solidarity Fund",

Strongly believing

that it is very useful for UPU disaster risk management to take advantage of the valuable lessons learned from the catastrophic damage of natural disasters to member countries,

Emphasizing

the importance of disaster risk management activities in developing countries as well as the need to take measures to guarantee the continuation of postal services in times of disaster,

*Recommends*

that the relevant bodies of the UPU:

- design and implement a technical assistance approach in developing countries, especially least developed countries, in order to provide the best level of assistance to designated operators and relevant authorities in the implementation or improvement of disaster risk management policies and business continuity planning. This approach would combine, in an effective manner, the three elements of development cooperation (assistance from experts, training, and supply of equipment/material);

- study the possibility of a specific certification process which would allow postal operators to improve their disaster risk management approaches and benchmark their level of implementation in the framework of the UPU disaster risk management guide;
- develop strategies to address the identified challenges and resource allocation plans as part of development cooperation, while maximizing the knowledge and experience of member countries;
- enhance cooperation and partnerships with relevant organizations related to disaster risk management at the international, national, regional and local levels in order to be in line with disaster risk management frameworks such as the Sendai Framework for Disaster Risk Reduction 2015–2030;
- promote the integration of the disaster risk management efforts of the postal sector into the overall social and economic activities at all levels,

*Also recommends*

that the International Bureau, in coordination with the restricted unions, support and cooperate with efforts for the smooth and concrete implementation of the measures above.

(Proposal 08.Rev 1, Committee 6, 3rd meeting)

## **Resolution C 15/2016**

### **Integrated Product Plan implementation**

Congress,

Taking note

of the work carried out by POC Committee 3 (Physical Services) in 2015 and 2016 to develop the Integrated Product Plan (IPP) in response to directions given by the 2012 Congress through various resolutions, and also in direct response to POC resolution CEP 3/2015.1 (Accelerating actions to modernize and integrate the UPU's international postal network),

Fully supporting

the implementation of all of the recommendations contained in the IPP presented in Congress–Doc 39,

Considering

that, with an expected worldwide growth of more than 10% a year, cross-border e-commerce represents an untapped potential for the postal sector,

Also considering

that Posts are best placed to exploit the potential of e-commerce, but they must deliver reliably and continue to innovate in order to match the changing needs of consumers and e-sellers to be able to successfully compete in the market,

Noting

that competition in the postal market, especially for e-commerce delivery, is fierce and rapidly evolving,

Convinced

of the growth opportunities for postal operators in business generated through e-commerce,

Recognizing

that growth and growth opportunities are applicable worldwide,

Also recognizing however

that the ongoing development and growth of alternative networks is a clear signal that the UPU network is not meeting needs and that if the UPU does not adapt there will be a continuing increase in the number of designated operators moving traffic outside the UPU network,

*Acknowledging*

that one of the challenges faced by the UPU in relation to customer needs and product features is how to satisfy market requirements by rationalizing, modernizing and integrating the existing framework of products,

*Instructs*

the Postal Operations Council to ensure that the UPU keeps pace with change by modernizing letter post, parcel post and EMS using an integrated approach (both to product development and to remuneration systems), and ensuring speedier decision making in response to market needs by implementing all of the recommendations contained in the IPP presented in Congress–Doc 39, namely:

- step 1 to be implemented following the 26th Congress, from 1 January 2018, with a target for transitioning to implementation of step 2 from 1 January 2020;
- a comprehensive review to be carried out on optional and mandatory supplementary services, with recommendations made to the 2018 mini-Congress or designated body and implemented immediately afterwards in order to modernize them in line with market requirements and objectives of the IPP;
- a comprehensive operational and accounting impact study to be completed in advance of the implementation of step 2;
- the development activities and timelines (outlined in the table in Congress–Doc 39, § 28) to be respected in order to ensure that implementation of the IPP is in line with the wishes of the UPU member countries,

*Also instructs*

the Postal Operations Council to:

- develop and implement POC activities (including remuneration, quality measurement, standards, accounting and operations) that are driven by product definition and development while at the same time recognizing customer, market and supply chain needs;
- ensure continued close coordination between the UPU body responsible for providing the roadmap for the implementation of electronic advance data and the body responsible for the implementation of the IPP;
- ensure the development of a system of integrated remuneration driven by the requirements of the IPP;
- ensure the continuous review of the IPP with the aim of submitting an updated version to the 27th Congress in 2020,

*Further instructs*

the Postal Operations Council to:

- incorporate into its 2017–2020 programmes a range of activities to ensure that the opportunities created by physical product development are realized for the entire UPU membership, with the activities to focus on providing customers with access to simple, affordable and reliable international postal services;
- take an integrated approach to product development, including remuneration aspects and research activities across the full range of physical services (letter post, parcel post and EMS) with a view to modernizing these services in the light of identified customer needs and expectations;
- develop services to meet customer needs in terms of speed, dimensions, reliability, price, etc., with the aim of modernizing the UPU's physical service portfolio to cover the different needs of each customer segment;
- establish an integrated approach to issues related to the supply chain, including customs, security, aviation, transport, and operating standards, as the UPU network is vulnerable to external threats in this area and requires a globally coordinated UPU response,

*Invites*

the Postal Operations Council to set up a single body to assume overall responsibility for coordinating all aspects related to the future integrated development of letter post, parcel post and EMS, namely: product development, remuneration, supply chain, quality of service, etc.,

*Also invites*

member countries and their designated operators to:

- take measures enabling designated operators to provide quality physical products as part of the universal service, to stimulate the economy and reinforce social cohesion;
- acknowledge the role of UPU physical product development activities in enhancing the quality of the services for their citizens and businesses, particularly small and medium-sized businesses;
- take steps to ensure that their designated operators better manage relationships with their customers in order to become commercial, competitive and efficient;
- ensure that their designated operators focus not only on the challenges facing the development of international physical products, but also on the strategies needed to meet those challenges;
- participate actively in the UPU physical product development process;
- undertake activities aimed at increasing business by exploiting e-commerce opportunities,

*Further invites*

the restricted unions to lend their support to the development of e-commerce within their regions.

(Proposal 13, Committee 3, 3rd meeting)

**Resolution C 16/2016**

**Application of geographic information systems to postal address development**

Congress,

Considering

that research and experience has demonstrated that address systems are necessary, fundamental tools which are employed by literally every governmental function and public service, and every business, social, and economic unit worldwide, and are a necessary component of economic development,

In view of

the increasing recognition that the availability and effective use of address information can alleviate many of the developmental challenges faced by countries, such as urban development, social inclusion, provision of basic services, and preparedness for natural disasters, pandemics and population displacement,

Recognizing

that a significant portion of the population of many countries lives in unplanned settlements, informal housing areas or rural areas which do not have systematic addressing,

Recognizing also

that addresses are a critical component of the mail and parcel delivery infrastructure, and the full development of this business, including that of e-commerce, cannot be achieved efficiently without sound addressing systems and available address data,



Further recognizing

that the traditional means of developing and allocating addresses involve a complex, burdensome, time-consuming and technically demanding process,

Noting

that the development of information and communication technologies (ICTs) and geographic information systems (GIS) have increased dramatically in recent years, resulting in the invention of numerous new means for geo-locating businesses and residences more quickly and at a much lower cost than previously possible,

Bearing in mind

the measures adopted by previous Congresses, and the considerable efforts made at international, regional and national levels to underscore the importance of quality addressing and develop and implement effective addressing systems in various countries using the most advanced technology, and particularly GIS,

*Instructs*

the Council of Administration, in consultation with the Postal Operations Council, and with the support of the International Bureau, to:

- conduct a study, with the aim of producing guidelines on the integration of GIS, and more particularly geocodes and mapping, to existing and emerging addressing systems in order to identify possible postal applications for tackling the lack of a comprehensive address system, strengthening operational efficiency and stimulating commercial activity, and more particularly e-commerce and parcel delivery;
- organize advocacy activities on the importance of developing address systems, using the most advanced technology for the effective implementation of the UN's 2030 Agenda and Sustainable Development Goals, including conferences and meetings;
- take appropriate measures to ensure capacity building of member countries in the field of addressing integrating GIS, including gathering in a unique online platform (library) materials and resources on address-related issues, such as address infrastructure development, best practices and success stories, benchmark studies, address standards and guidelines, integration of technology, etc.;
- identify actual and potential financing sources for addressing system development, including non-traditional sources,

*Also instructs*

the Postal Operations Council to:

- support the Council of Administration and the International Bureau in producing and promoting the study;
- study all operational recommendations resulting from the study on the implications of introducing GIS, such as geocodes, mapping or geo-marketing by DOs, and prepare an impact analysis;
- establish and implement a concrete action plan and roll out a roadmap for the effective implementation by DOs of the practical recommendations stemming from the study, particularly with countries willing to improve their postal markets and develop geo and predictive marketing;
- continue developing and promoting international address references and standards, such as S42, to allow for integration of the GIS technology, particularly geocodes and mapping,

*Further instructs*

the International Bureau to:

- support and advise member countries in their efforts to provide an address for everyone using the most advanced ICTs, with special focus on the most vulnerable populations;

- coordinate address-related technical assistance activities and the formation and management of a network of experts in that connection,

*Urges*

Union member countries to make address development, especially in unplanned settlements, a key element of their policy and national development plans in the upcoming cycle, as one of the bases for national and international communication (messages) and trade (goods),

*Also urges*

the Consultative Committee to assist the Council of Administration and the International Bureau in the task of developing an interactive list of professionals, universities, companies and non-profit organizations with expertise in address-related services and products integrating GIS, and particularly geocodes and mapping.

(Proposal 27, Committee 4, 5th meeting)

**Resolution C 17/2016**

**Strengthening information technology security**

Congress,

**Acknowledging**

that designated operators are increasingly reliant on information technology systems to support efficient operations and offer convenient services to their customers, and to provide important information to other operators,

**Observing**

that the dependence of mail operations and mail automation on information technologies has grown and will continue at an accelerated pace,

**Recognizing**

the growing interdependence of member countries' information technology to provide data across borders and around the world,

**Aware**

that goal 1 of the Istanbul World Postal Strategy places emphasis, among other things, on security as well as the use of information and communication technologies,

**Conscious**

of the global nature of security threats and their impact on member countries and customers,

**Noting**

that information technology security has been increasingly viewed as essential in recent information technology development efforts of the UPU committees and projects,

**Also acknowledging**

the need for guidance appropriate for member countries' information technology departments to safeguard data and system access,

**Also aware**

that information technology is ever changing, and therefore security measures will also have to keep pace,

*Instructs*

the Postal Operations Council:

- to conduct a study to identify relevant information technology security best practices, strategies and other measures, to promote a secure information technology environment for UPU member countries;
- to create an information technology security work item with the primary focus of monitoring information technology security trends to enable development of future requirements, as well as keeping UPU member countries abreast of the continually changing cybersecurity landscape, and to assign the work item to the group responsible for security for the UPU.

(Proposal 31, Committee 4, 5th meeting)

**Resolution C 18/2016**

**Broadcasting of sessions of the Council of Administration and the Postal Operations Council through the Universal Postal Union website, for full access by registered users**

Congress,

Considering:

- that the use of new technologies to broadcast the meetings of international organizations encourages transparency and participation from member countries, and saves on human, logistical and financial resources;
- that the UN has already established a live broadcasting system and meetings database incorporating sessions held during the Doha Congress,

Recognizing:

- the efforts made by the International Bureau in developing an Internet streaming channel, into which meetings held during the 2015 Geneva Strategy Conference have already been incorporated;
- that the UPU has an operating system for broadcasting meetings held in Berne; and that its website can broadcast such sessions via the "Web TV" section,

Aware:

- of the continuous efforts of the International Bureau to demonstrate transparency in all its activities, especially in meetings held at UPU headquarters in Berne;
- that the technical capability already exists to facilitate the broadcasting of meetings, in respect of which the application of this proposal would not incur any additional costs;
- that the broadcasting of meeting sessions may result in significant financial and logistical savings for member countries and the UPU itself,

*Instructs*

the International Bureau to:

- enable direct broadcasting of the CA and POC plenary and committee sessions (or those of the equivalent new bodies that may be created should UPU reform be adopted) to member countries and authorized observers, starting with the new cycle (1 January 2017);
- develop a virtual library where meeting videos can be accessed on demand;

- develop clear rules for the council(s) on this issue, taking into consideration the possible need to restrict access owing to confidentiality issues (in the light of the relevant provisions contained in the UPU General Regulations as well as the respective Rules of Procedure of the aforementioned bodies), and present the updated rules to such bodies at their first 2016 session for approval;
- study the financial, legal and technical viability of extending such broadcasting facilities to include interactive participation, interpretation and voting, with a view to potentially considering them for future implementation within the UPU;
- present the results of the aforementioned study to the relevant bodies of the Union for decision by the end of 2018.

(Proposal 26.Rev 2, Committee 3, 3rd meeting)

### **Resolution C 19/2016**

#### **Report on the consolidated accounts of the Universal Postal Union for the 2012–2015 period**

Congress,

In view of:

- a the report on the finances of the Union (Congress–Doc 26);
- b the report of its Finance Committee (Congress–Doc 29),

*Notes*

the consolidated accounts of the Universal Postal Union for the 2012–2015 period, and gives final discharge to the bodies responsible.

(Congress–Doc 26. Annex 1. Attachment 3, Committee 2, 4th meeting)

### **Resolution C 20/2016**

#### **Aid provided by the Government of the Swiss Confederation in the field of the Union's finances**

Congress,

Having examined  
the report on the finances of the Union (Congress–Doc 26),

*Expresses*

its gratitude to the Government of the Swiss Confederation 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;
- its willingness to cover temporary financing shortfalls by making the necessary short-term advances, on conditions which are to be fixed by mutual agreement.

(Congress–Doc 26. Annex 3, Committee 2, 4th meeting)

**Resolution C 21/2016****Further strengthening the activities of the Union in the area of postal regulation**

Congress,

Considering

that, in accordance with article 1 of the Constitution of the Universal Postal Union, the aim of the Union is to secure the organization and improvement of the postal services and to promote in this sphere the development of international collaboration,

Also considering

that, in recent years, in the context of a fast-changing internal and external environment, there has been an increasing separation of regulatory and operational functions, with more postal regulators being established, so that postal regulation has become an important issue for the UPU and its member countries,

Recognizing

that, through resolutions C 41/2008 and C 13/2012, the 24th and 25th Congresses called for the creation of postal regulation forums and conferences within the Council of Administration to promote best practice experiences in providing the universal service and organizing postal markets in member countries, and to discuss and exchange views on issues of common interest related to postal regulation,

Also recognizing

that, over the past few years within the sphere of the UPU, the integrated postal reform and development plans (IPDPs) and the regional development plans (RDPs), with a focus on reinforcing and developing postal regulation, have proven to be effective tools in addressing postal sector reform,

Convinced

that the aforementioned valuable UPU initiatives taken in the area of postal regulation have attracted great attention and interest among member countries, and could be a good reference for the development of their postal regulation activities,

Realizing

that member countries have various needs with respect to postal regulation in an era of electronic substitution and market liberalization,

Also realizing

that, in full exercise of their sovereignty, only member countries can establish their public policies, define institutional structures, and determine their use of resources according to what they deem is the best model to reach their social and economic development goals,

Also convinced

that, to meet the needs of member countries in terms of knowledge and awareness of the range of reforms conducted in the postal sector, the good practices adopted, and the evolving markets and players, it is necessary for the UPU to continue its activities in this area,

*Instructs*

the Council of Administration to:

- identify and describe the main aspects of postal regulation, to serve as a reference for member countries in their reform processes, and work in conjunction with restricted unions in line with these objectives;
- continue to organize the UPU Conference on Postal Regulation during the annual sessions of the Council of Administration, as a forum for exchanging experiences and disseminating information and best practices in the field;
- support reform and regulatory processes in member countries,

*Also instructs*

the International Bureau to:

- collect information on postal regulation from member countries and publish this information in a database on the UPU website;
- analyze the structures, models, best practices, and case studies;
- disseminate the research results to the relevant parties through publications, workshops, and conferences.

(Proposal 05, Committee 3, 6th meeting)

## **Resolution C 22/2016**

### **Incorporation of designated operators into the account settlement system administered by the International Bureau**

Congress,

Having noted

- that, in certain cases, the official means of recovery prove ineffective in debtor countries, even when the general or detailed accounts have been duly accepted by the designated operators;
- that the Acts of the Union and their Regulations do not provide for any specific mechanism to resolve such situations,

Recognizing

- that the Council of Administration has examined in detail the Acts and their articles to identify a way to incorporate a sanction mechanism into the provisions;
- that this examination revealed that any sanction mechanism would be wholly incompatible with the principles of a single postal territory and freedom of transit of the Universal Postal Union, set out in articles 1 and 1bis of the Constitution,

Aware

- that there exist bilateral best practices available to designated operators or governments wishing to resolve such situations between designated operators, including:
  - encouraging debt recovery agreements, by proposing long-term payment plans for debtor countries;
  - promoting recovery by means of a third party country, with the three parties in agreement as to the procedure;
  - approaching the International Bureau to help find a solution between the debtor designated operator and the creditor designated operator, recognizing that the International Bureau can play no regulatory or enforcement role in such cases;
  - referring the matter to the governmental authorities;
  - confirming the accounting information between designated operators;
- that these best practices do not guarantee a solution to bad debts, and that designated operators are required to make considerable additional efforts to resolve these situations,

*Instructs*

the Postal Operations Council to define a mechanism that makes the UPU\*Clearing system the preferential method for settling international accounts, inviting the UPU\*Clearing User Group to present a proposal to the 2018 Postal Operations Council aimed at encouraging designated operators that are not members of the Group to join this multilateral clearing system.

(Proposal 12.Rev 1, Committee 3, 6th meeting)

**Resolution C 23/2016**

**Istanbul World Postal Strategy**

Congress,

Taking account of:

- the fruitful and intensive discussions which took place during the UPU World Strategy Conference in Geneva in April 2015;
- the work of the Council of Administration and the Postal Operations Council in the area of strategic planning;
- the conclusions and views expressed during a series of regional strategy conferences, held throughout 2015, which provided over 150 countries with the opportunity to discuss the draft Istanbul World Postal Strategy while outlining their own regional priorities;
- the results of the questionnaire on the draft Istanbul World Postal Strategy and the prioritization of UPU activities;
- the lessons learned from the implementation of the Doha Postal Strategy;
- the results of the work of Congress as a whole,

Also taking account of

the draft Istanbul World Postal Strategy (Congress–Doc 13), prepared collaboratively by the CA, the POC and the International Bureau, which takes into consideration the views expressed during a general consultation of the chairmen of the CA and POC committees, Consultative Committee and project groups, as well as all Union member countries and the restricted unions,

Aware

of the continuing need to adapt the provision of postal services to developments in the postal environment and the changing needs of customers,

*Approves*

the Istanbul World Postal Strategy,

*Invites*

member countries to integrate the relevant elements of the Istanbul World Postal Strategy into their respective priorities and action programmes,

*Also invites*

restricted unions to integrate the relevant elements of the Istanbul World Postal Strategy into their respective priorities and action programmes,

*Instructs*

the permanent bodies of the Union, in accordance with the provisions set out in its General Regulations:

- to implement the goals and programmes defined in the Istanbul World Postal Strategy;
- 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 strategy to achieve the expected results;
- to regularly examine the state of implementation of the Istanbul World Postal Strategy through active and ongoing measurement and evaluation and, following this examination, to:
  - make whatever changes in direction and adjustments that are necessary;
  - reassign available resources, while noting that the degree of implementation of the Istanbul World Postal Strategy will be subject to the ceiling of expenses set and approved by Congress as well as to the budget established and approved by the newly elected Council of Administration;
- to regularly disseminate the results achieved to Union member countries;
- to report to the next Congress on the results achieved and the experiences recorded;
- to engage in a consultative process with member countries to prepare and present the future strategy for 2021–2024 for the approval of the 2020 Congress.

(Proposal 24, Committee 3, 6th meeting)

**Resolution C 24/2016**

**Draft Istanbul Business Plan**

Congress,

Noting

that, in accordance with article 107.1.3 of the General Regulations of the Union, the Council of Administration examines the draft quadrennial UPU business plan approved by the Congress, and finalizes it by bringing the activities set out in the draft plan for the four-year period into line with the actual resources available,

Recognizing

that the finalized version of the quadrennial business plan, completed and approved by the CA, will then form the basis for the preparation of the annual UPU Programme and Budget, as well as the operating plans to be drawn up and implemented by the CA and POC,

Noting also

that Congress proposals of a general nature that have financial implications and provide instructions to the permanent bodies of the Union are included in the draft quadrennial UPU business plan to be adopted at the 26th Congress,

*Approves*

the draft Istanbul Business Plan, including all the work proposals contained therein,

*Instructs*

the Council of Administration to carry out regular updates to the draft Istanbul Business Plan in the 2017–2020 cycle in line with the decisions taken by Congress,



*Also instructs*

the Council of Administration, with the support of the International Bureau, to prepare and present the draft Business Plan for 2021–2024 to the 2020 Congress.

(Proposal 28, Committee 3, 6th meeting)

## **Resolution C 25/2016**

### **Results of the study on the definition of a sanctions mechanism for non-payment of ongoing, long-term debts related to general accounts (CN 52) between designated operators**

Congress,

Recognizing

- that the official collection methods do not necessarily produce the desired results among countries with long-standing debts, despite the fact that the CN 52 accounts were duly accepted by the designated operators;
- that certain designated operators have debts in arrears dating back over 25 years on international accounts,

Considering

that neither the Acts of the Union nor the Regulations provide for a specific mechanism to address this situation,

Noting

that Congress resolution C 58/2012 instructed that a study of designated operators with long-term debts be carried out with a view to including in the Regulations a sanctions mechanism to address the situation, and that the mechanism be presented during the 2013–2016 cycle with a view to a rapid implementation,

Recalling

that during the 2009–2012 cycle the Postal Operations Council studied the possibility of resolving these situations by means of sanctions,

Recalling also

that during the 2009–2012 cycle the Postal Operations Council stressed that many of these financial situations were between countries that did not have political relations with each other, which was why funds were not being exchanged,

Recognizing also

that the Council of Administration (CA) reviewed the Acts in depth in an effort to identify a means of incorporating an appropriate mechanism in the Regulations, and that it emerged from the CA's review that any sanctions mechanism runs completely counter to the Universal Postal Union principle regarding the single postal territory and freedom of transit set forth in articles 1 and 1bis of the Constitution,

Convinced

that there are a number of bilateral best practices that can be used by designated operators and governments to resolve these situations, including the following:

- Promoting payment agreement mechanisms for the settlement of long-term debts by debtor countries;
- Promoting triangular collection methods – collecting debts via third countries, subject to the three parties agreeing on the terms;
- Consulting the International Bureau with a view to seeking a solution between the debtor designated operator and the creditor designated operator, but on the understanding that the International Bureau does not perform a regulatory role in these cases;

- Taking the matter to government level;
- Facilitating the provision of accounting information between designated operators,

*Instructs*

- the International Bureau to inform the member countries of the best practices for recovering debts in arrears;
- the Postal Operations Council to continue to identify a mechanism for incentivizing countries to join the UPU\*Clearing system, in collaboration with the UPU\*Clearing User Group, which could define and revise the mechanism,

*Invites*

Member countries, through their designated operators, to consider these best practices for resolving financial situations with countries with long-term debts.

(Proposal 04, Committee 3, 6th meeting)

**Resolution C 26/2016**

**Period covered by the financial decisions taken by the 26th Congress**

Congress,

Having examined  
the draft Istanbul Business Plan for 2017 to 2020 (Congress–Doc 14) and Congress–Doc 30.Rev 1,

In view of the fact  
that the financial resources for the future must be allocated on the basis of the Programme and Budget stemming from the Istanbul World Postal Strategy covering the period from 2017 to 2020,

*Decides*

that the financial system shall cover the period of execution of the Strategy (2017–2020),

*Also decides*

that, in strict accordance with the solidarity rule contained in article 21.3 of the UPU Constitution (and taking into account both the ceiling of expenditure determined by Congress and the finalized version of the quadrennial UPU Business Plan), the amount of the contributory unit shall be calculated solely on the basis of the annual Programme and Budget approved by the Council of Administration, as well as the number of contributory units announced at the time when the Council of Administration approves the aforementioned Programme and Budget,

*Further decides*

that, consistent with the above, under no circumstances shall the amount of the contributory unit be subject to any freezing measure during the entire period covered by the Istanbul Congress cycle (from 2017 to 2020), as well as all future Congress cycles.

(Congress–Doc 30.Rev 1.Annex 1, Committee 2, 4th meeting)

**Resolution C 27/2016****Management of the work of the Union – Reform of the UPU**

Congress,

Fully recognizing and appreciating the work on UPU reform accomplished by:

- the Council of Administration, presented in Congress–Doc 38 ("Reform of the Union. Proposals concerning structural changes to the Union and faster decision making");
- Germany and France, the authors of proposals 11 and 25, both entitled "Management of the work of the Union – Reform of the Union", which drew support from 21 countries,

Recognizing

that the postal environment is undergoing profound and rapid change, meaning that the UPU needs to adapt its operations, decision-making process, work methods and activities,

Confirming

that there was a consensus at Congress on the imperative need for the Union to enhance its relevance and speed up its decision-making processes, and also to ensure cost-effectiveness in view of the financial constraints and the rising expectations of member countries,

Bearing in mind

that the UPU is an organization of an intergovernmental nature and a specialized agency of the United Nations, whose mission 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,

Taking into consideration

the mandate of Congress resolution C 26/2012, which reaffirmed the above considerations, as well as "the need to continue to evaluate the organization, structure and running of various UPU bodies [...] in order to draw a clearer distinction between their respective roles",

Stressing

the need to secure the future of the Union by strengthening a consensual decision-making approach as well as solidarity principles amongst member countries,

Noting

the desire for fair geographical representation and wider participation in the work of the Union,

*Decides*

- to defer examination of reform issues to an Extraordinary Congress to be convened in 2018,
- to instruct the Council of Administration and the Postal Operations Council to apply the following principles as a basis for their respective structures and decision-making processes:
  - i the concept of standing groups will be implemented, but they will be kept limited in number and be created to address ongoing and cycle-long business;
  - ii the concept of task forces, to be given specific mandates, objectives, deliverables and timeframes, in line with the Union's strategy and business plan and relevant Congress resolutions, will likewise be implemented;
  - iii task forces will be disbanded once the assignment is completed or suspended by the respective councils;
  - iv participation in task forces will be open to all UPU member countries;
  - v in principle, participation of observers may be allowed, subject to the relevant rules of procedure of the respective councils;

- vi information on the task forces' activities, responsiveness, mandates and progress will be made available on the UPU website;
  - vii the work of task forces and standing groups may, in principle, be conducted by electronic means (e.g., teleconferences and electronic mail) between council sessions; when necessary, they may hold physical meetings at UPU headquarters in Berne, with final deliverables to be submitted to the relevant Council within the timeframe given; and
- that each Council shall meet twice a year, for a maximum total period of 10 working days, with the two councils meeting consecutively,

*Also decides*

to establish an ad hoc group charged with studying and advising on the reform of the Union and submitting its conclusions to the Council of Administration before further consideration by the Extraordinary Congress in 2018.

(Proposal 36, 2nd plenary meeting)

## **Resolution C 28/2016**

### **Organization of an Extraordinary Congress in 2018**

Congress,

Recognizing

that one of the key expectations of the reform was faster, timely decision making within the Union in order to cope with rapidly changing needs in the postal environment,

Considering

that since 2001, the Union has held a Strategy Conference at the midway point between Congresses, to assess the progress made in achieving the World Postal Strategy, address the challenges facing the postal sector, and discuss the development of a more dynamic, competitive, customer-focused postal network,

*Decides*

to hold an Extraordinary Congress midway between the Istanbul Congress and the 2020 Congress, which would mean a plenary Congress in 2018, to address various issues relating to the current and future World Postal Strategy, as well as any urgent postal sector issues, for five working days at the maximum,

*Instructs*

the Council of Administration, with the full support of the International Bureau, to take all the necessary measures to organize the Extraordinary Congress (e.g. timetable, agenda, host country, designation of the Chair if applicable),

*Further instructs*

the Council of Administration, with the full support of the International Bureau, to assess the need as to whether a mid-term Congress should take place on a permanent basis and therefore be defined in the Acts of the Union, and to submit proposals to the 2020 Congress as appropriate.

(Proposal 16, 2nd plenary meeting)

## **Resolution C 29/2016**

### **Reform of the system applied to contributions by Union member countries**

Congress,

Considering

that, in accordance with article 21 of the UPU Constitution, the Union's expenses shall be jointly borne by its member countries, and that in accordance with the UPU General Regulations, each member country shall, on a voluntary basis, choose the contribution class to which it intends to belong,

Also considering

that, since the 2012 Doha Congress, the number of units contributed by Union member countries has decreased significantly and that the current contribution model can no longer ensure the Union's financial stability,

Recognizing

that, through its Director General, the International Bureau has taken a number of steps over the past few years to actively encourage member countries to increase the number of units during the Doha cycle (2013–2016), despite which only two member countries agreed to make such additional contributions towards the Union's budget,

Also recognizing

that, in addition to the above measures, the International Bureau, through its Director General, was compelled to implement several ad hoc measures with the aim of stabilizing the Union's short-term funding, including the freezing of staff recruitment processes and general cost-cutting actions in response to existing financial constraints,

Noting

that, in view of the aforementioned financial constraints, the Council of Administration (CA) decided to abolish several International Bureau posts,

Noting also

that the development of a sustainable contribution model constitutes both a priority and a cornerstone within the context of the reform of the Union, for which an ad hoc working group was created by decision of the 2014 CA, in order to seek innovative funding sources through dialogue with member country governments, regulators and designated operators, including, without limitation, the subject of fair compensation for use of the various solutions and tools created and managed by the Union,

Acknowledging

the aforementioned initiatives undertaken in the area of sustainable financing of the Union,

Realizing

the Union's fundamental needs with respect to financial stability, and that due re-engineering of the contribution model by splitting it into fixed mandatory and variable usage-based components has become a necessity in order to secure the Union's financial stability,

Also realizing

that in full exercise of their sovereignty, member countries, particularly through the CA, should recommend possible fair and sustainable financing models aimed at ensuring the achievement of the Union's constitutional mission, scope and objectives,

Convinced

that, in order to meet the Union's needs with regard to its long-term financial sustainability, the prevailing practice adopted within the United Nations (UN) system, mainly based on assessed contributions based on the relative capacity of each member country to pay (gross national income, while taking into account other

elements such as external debt and development levels), should be used as a basis for any future Congress proposals,

*Instructs*

the Council of Administration to

prepare, for submission to the next Congress (regular or extraordinary), an alternative contribution model proposal in order to guarantee the Union's long-term financial sustainability,

*Also instructs*

the International Bureau to identify and describe the main issues pertaining to the Union's long-term financial sustainability (including, without limitation, an analysis of the various contribution models applied in the UN system) with a view to assisting the CA in preparing the aforementioned Congress proposal.

(Proposal 22, Committee 2, 4th meeting)

## **Decision C 30/2016**

### **Venue of the 27th Universal Postal Congress**

Congress,

*Decides*

to accept the invitation of the Government of the Republic of Côte d'Ivoire to host the 27th Congress in that country in 2020.

(Congress–Doc 31, 2nd plenary meeting)

## **Resolution C 31/2016**

### **Future sustainability of the Union's Provident Scheme**

Congress,

Considering

the work done by the task force created by the Council of Administration in February 2016 at the proposal of the Provident Scheme Secretariat to study and develop, for consideration by the Istanbul Congress, any possible solutions to cover the shortage in the statutory funding rate,

Also considering

that Congress resolution C 81/2004, entitled "Measures proposed for safeguarding the UPU Provident Scheme's ability to meet its future obligations", authorized 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,

In view of

the structural stabilization measures taken by the Management Board of the UPU Provident Scheme on the basis of the actuarial valuation at 31 December 2010 (CA C 2 2013.2–Doc 16), measures which were intended to have a long-term impact and which were aimed at remedying the imbalance associated with the increase in the average age of the UPU Provident Scheme's participants,

Taking into account

the decision taken by the Council of Administration in 2012, based on the recommendations of the UPU Provident Scheme's consultant actuary, to distribute the amount required under the guarantees over a 10-year period, with the payments into the Scheme ending once the minimum coverage requirement of 85% had been satisfied, and that these measures improved the Provident Scheme's financial health in 2013, although its accounts continued to show a slight shortfall,

Recognizing

that the UPU Provident Scheme Management Board took a number of structural stabilization measures in 2014 on the basis of updated actuarial assumptions, and noting the conclusion from the Management Board's 2015 report to the Council of Administration that the updated assumptions were no longer in step with the current economic environment, together with a number of temporary measures,

Also recognizing

that article 8.2 of the UPU Provident Scheme Regulations explicitly states that appropriate payments aimed at supplementing the assets of the UPU Provident Scheme and stabilizing in the medium term its degree of coverage (to a minimum level of 85%) may be one-off or periodical,

Further recognizing

that the member countries could have decided in 2015 whether they wished to make a one-off payment of 4,781,343.69 CHF to absorb the shortfall in one go in 2015, or preferred to schedule their payments,

Acknowledging

that, given the risk of further deterioration in the Scheme's financial situation (attributable to the lowering of performance expectations, the cut in the technical interest rate for the purpose of the actuarial balance sheet, increasing longevity, and the unfavourable demographic ratio), the consultant actuary recommended in 2015 that the appropriate payments required to stabilize the degree of coverage of 85% should be made in the short term, and over the next five years at the most (rather than 10 years as previously stated in document CA C 2 2014.1–Doc 14),

Convinced

that reform measures may be envisaged to prevent these guarantees from being called upon in the near future,

Noting

that the UPU Provident Scheme's ability to meet its future obligations has diminished as a result of the downturn in the financial market in 2007 and beyond, and that since 2014 the Scheme has been operating under the aforementioned 85% threshold,

Also noting

that the UPU previously undertook reforms of its pension management when it closed the Pension Fund to new entrants in 1963, and any subsequent members were brought under the Provident Scheme,

Acknowledging

that the UPU Provident Scheme has reached the minimum level requiring application of the statutory guarantees introduced by Vienna Congress resolution C 9/1964, which charges the Director General of the International Bureau if need be to provide in the ordinary budget of the Union, after taking the advice of the Executive Council (current Council of Administration), for the sums that would be required in order to amortize in an appropriate way any technical deficit in the Provident Scheme,

Also acknowledging

that article 4 § b of the UPU Provident Scheme Regulations provides for appropriate payments if the degree of coverage falls below the minimum rate of 85%,

Bearing in mind

that the decision to guarantee UPU Provident Scheme shortfalls with the ordinary budget of the Union was taken before the constitution of the subsidiary bodies that manage extrabudgetary activities (like the Quality of Service Fund, EMS Cooperative and Telematics Cooperative), and that these bodies have their own budget that covers salaries but not pension costs,

*Instructs*

the Council of Administration, with the support of the International Bureau, to:

- conduct a study on how to ensure the continued stability and sustainability of the UPU Provident Scheme in order to prevent the recurrence of the current situation, with the primary aim of examining potential options for future reform of the UPU Provident Scheme, so that it is less expensive to maintain in the future;
- take into consideration in this study potential structural measures, including possible changes to the UPU Provident Scheme's legal and/or governance frameworks; the possible transfer of the UPU Provident Scheme to the United Nations Joint Staff Pension Fund; the feasibility of borrowing money from banks to recapitalize the fund and repay the debt when the Union recovers the arrears; the implementation of additional measures to reduce the liabilities, for example, assessment of health insurance rationalization in line with common practice; increase of retirement age; correlation between contribution and benefits of an employee; setting up of a minimum contribution period; increase of contribution made to the Scheme by both employer and employee, subject to the legal obligations towards UPU Provident Scheme beneficiaries and their assignees and taking into account input from a range of Scheme stakeholders, including the Provident Scheme Management Board and the International Bureau's Staff Association;
- present the results of the aforementioned study in 2018 to the appropriate body of the Union, either an extraordinary Congress (if so decided) or the Council of Administration;
- take note of the latest audit reports concerning the UPU Provident Scheme (without prejudice to the remit of its Management Board and supervisory authority),

*Also instructs*

the International Bureau to continue to provide for the necessary sums that would be required to amortize any technical deficit in the UPU Provident Scheme, implementing structural and temporary measures to stabilize the fund until the result of the study is presented,

*Decides*

to take note of the information included in Congress–Doc 28, as well as the member countries' rejection of the payment options and request for a full study outlined therein, with a view to making an informed decision on the potential options for the future sustainability of the UPU Provident Scheme.

(Proposal 37.Rev 1, 3rd plenary meeting)