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2678

The President has seem

THE WHITE HOUSE

WASHINGTON

1986 APR -8 AH 9-51

ACTION

April 7, 1986

MEMORANDUM FOR THE PRESIDENT

THROUGH:

THE EXECUTIVE CLERK

FROM:

JOHN M. POINDEXTER

SUBJECT:

Ratification of the Acts of the

Universal Postal Union

Issue

To sign the attached instrument of ratification, in duplicate (Tab A).

Facts

The attached "Hamburg Acts" were signed by the United States at Hamburg on July 27, 1984 (Tab B). These documents were negotiated by the Postal Service (USPS) subject to your approval, pursuant to 39 U.S.C. \$407.

Since the Acts entered into force internationally on January 1, 1986, it is requested that the instrument of ratification be signed by you expeditiously, so that the Department of State can take the necessary steps to deposit the instrument.

Discussion

An issue has arisen regarding Article 23(4) of the Universal Postal Convention which permits member postal administrations to deny "freedom of transit" to mail posted outside the sender's country of residence. There is some interagency concern that this article could be relied on by USPS to inhibit competition in international mail from firms known as "remailers."

Because Article 23(4) is merely permissive, and the Postmaster General indicated that USPS has not engaged in, nor asked nations to engage in any curtailment under this provision, the Department of State believes, and I concur, that questions about the implementation of Article 23(4) or about USPS's proposed regulations should not further delay ratification of the Hamburg Acts.

Recommendation

No

That you sign the attached instrument of ratification, in duplicate (Tab A).

Attachments

Instrument of Ratification Tab A

Prepared by:

NSC advised by Dan 14/9 (5139 D1=++

cc Vice President

Tab B 5/1/66 Hamburg Acts" To State, Rm 7241, wie recorded WH magn

Alevander H

Ron,
Let me Know on Mon. if
you have any problems with
press statement.

Thanks.

Haria white

of 1.75/1.186

X6515

5/9/86

Tokyo, Japan

May 1, 1986

Dear Postmaster General Casey:

I have signed the Acts of the Nineteenth Congress of the Universal Postal Union, negotiated at Hamburg in 1984, but I want us now to make sure that the Acts, and particularly Article 23, are not used to stifle healthy private competition in the international mail arena. The policy of this Administration is to encourage free enterprise in ways that will improve services and reduce costs to our citizens, and I know I can count on your support to carry out this policy.

Therefore, I am asking that you do all within your power, working closely with the Executive Branch, especially the Secretary of State and the Attorney General, to permit and promote marketplace competition in international mail, and to influence other nations to do likewise.

Sincerely,

The Honorable Albert Casey Postmaster General United States Postal Service 475 L'Enfant Plaza, S.W. Washington, D.C. 20260-0010

5/12/76 (9:45 am)

Hortem: Foddsvellen mani lehte to ok

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Par Lush

SEPARATE LETTERS TO EACH:

BOARD OF GOVERNORS U.S. POSTAL SERVICE

Hon. John R. McKean (Chairman) John R. McKean Accountants 1 California Street - Suite 1200 San Francisco, CA 94111-5484 415 788-2400

Hon. Peter E. Voss (Vice Chairman) President Northeastern, Inc. 948 High Avenue, S.W. Canton, OH 44707-4153 216 456-7600

Hon. George W. Camp 11950 Chaffin Road Roswell, GA 30075-1450 404 992-5433

Hon. John N. Griesemer Route 2, Box 52 Springfield, Mo. 65802-9704 417 862-4311

Hon. Tyler McConnell 400 S. Ocean Boulevard Palm Beach, FL 33480-4431 305 832-8888

Hon. Ruth O. Peters 2200 N. Taft Street Arlington, VA 22201-3617 703 528-4253

Hon. John L. Ryan President Dean Brothers Pump P. O. Box 68172 Indianapolis, IN 46268-0172 317 293-2930

Hon. Robert Setrakian 601 California Street, Suite 610 San Francisco, CA 94108-2811 415 398-1111 PMG Albert Casey U.S. Postal Service 475 L'Enfant Plaza West, S.W. Washington, D.C. 20260-0010 268-5225

DPMG JACKIE STRANGE
U.S. POSTAL SERVICE
475 L'ENFANT PLAZA WEST C.W.
WASHINGTON, D.C. 20260-0010

(One Vacancy)

THE WHITE HOUSE

WASHINGTON

May 13, 1986

FOR THE RECORD:

On April 8, 1986, the President signed the instrument of ratification (in duplicate) of the Acts of the Universal Postal Union (the Hamburg Acts), and on that day it was forwarded to State, Room 7241, via receipted White House messenger. Late the next day (about 5:30p) someone called me from OMB to ask if the instrument had yet been received at the White House from State. . I reported that not only had it been received, but that the President had ratified it and returned it to State. OMB, OPD, and others evidently had strong reservations as to the President ratifying the Acts, as is mentioned in the Discussion section of the Poindexter memo. Those reservations had not been adequately satisfied, as had been represented in the Secretary of State's memo to the President (seen only by NSC, but reported to me yesterday by Alex Platt, NSC). The other interested parties asked David Chew to intercede. He ordered the instrument called back from State, which NSC did. It was returned to Chew and given to the Clerk to hold on the morning of April 10. After that time John Svahn had letters prepared for the Board of Governors of the Postal Service and others and an informational White House press release drafted stating that the President had ratified the Acts, but he wanted the recipients of the letters to make sure that the Acts, and particularly Article 23, were not used to stifle healthy private competition in the international mail arena. Those letters were dated May 1, but dispatched by Svahn some time later. David Chew's office, after checking with Svahn's office, directed that the instruments held by us be dated May 1, 1986, in which we concurred. Today, the Press Office announced the President's action, and the instrument (in duplicate) was returned to State, Room 7241, via receipted White House messenger.

Deputy Executive Clerk

PRESIDENT SIGNS THE ACTS OF THE NINETEENTH UNIVERSAL POSTAL UNION CONGRESS, SUPPORTS MARKETPLACE COMPETITION IN INTERNATIONAL MAIL

The President has signed the Acts of the Nineteenth Congress of the Universal Postal Union, negotiated at Hamburg in 1984, and expressed to the Postal Service Board of Governors and to the Postmaster General his concern that the Acts might be used in ways that would stifle private competition in the international mail arena.

Administration policy is to encourage free enterprise in ways that will ensure better products and services at lower costs to our citizens. In line with this policy the President has asked the Postal Service Governors and the Postmaster General to permit and promote marketplace competition in international mail, and to influence other nations to do likewise.

I hereby approve and ratify the foregoing Third
Additional Protocol to the Constitution of the Universal
Postal Union and Acts of the Universal Postal Union
comprising the General Regulations (including the Final
Protocol thereof), the Universal Postal Convention
(including its Final Protocol and Detailed Regulations),
and the Postal Parcels Agreement (including its Final
Protocol and Detailed Regulations), signed at Hamburg on
the 27th day of July 1984.

IN TESTIMONY WHEREOF, I have caused the seal of the United States of America to be affixed.

DONE at the city of Washington

5/1/86

our Lord one thousand
nine hundred eightysix and of the
Independence of the
United States of America
the two hundred tenth.

By the President:

Ronald Rayon

Secretary of State

I hereby approve and ratify the foregoing Third

Additional Protocol to the Constitution of the Universal

Postal Union and Acts of the Universal Postal Union

comprising the General Regulations (including the Final

Protocol thereof), the Universal Postal Convention

(including its Final Protocol and Detailed Regulations),

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the two hundred tenth.

By the President:

Ronald Reagon

Secretary of State

2nd date

RETURN TO NSC

4/10 Recid. from D. C. (am) Ccopy of original - later the date was elaged to read 5/1/86.) I hereby approve and ratify the foregoing Third

Additional Protocol to the Constitution of the Universal

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(including its Final Protocol and Detailed Regulations),

and the Postal Parcels Agreement (including its Final

Protocol and Detailed Regulations), signed at Hamburg on

the 27th day of July 1984.

IN TESTIMONY WHEREOF, I have caused the seal of the United States of America to be affixed.

DONE at the city of Washington

4/8/86

our Lord one thousand
nine hundred eightysix and of the
Independence of the
United States of America
the two hundred tenth.

By the President:

Ronald Rayon

Secretary of State

1st date

I hereby approve and ratify the foregoing Third

Additional Protocol to the Constitution of the Universal

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4/8/86

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Independence of the
United States of America
the two hundred tenth.

By the President:

Ronald Rogan

Secretary of State

1st date

THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release

May 13, 1986

The President has signed the Acts of the Nineteenth Congress of the Universal Postal Union, negotiated at Hamburg in 1984, and expressed to the Postal Service Board of Governors and to the Postmaster General his concern that the Acts might be used in ways that would stifle private competition in the international mail arena.

Administration policy is to encourage free enterprise in ways that will ensure better products and services at lower costs to our citizens. In line with this policy the President has asked the Postal Service Governors and the Postmaster General to permit and promote marketplace competition in international mail, and to influence other nations to do likewise.

#

THE WHITE HOUSE WASHINGTON

4/15/86

NOTE:

Per conversation with Lou Hayes, OPD would like to have the letters and press release back. Lou said it was "a false start."

He assured me that the letters and press release would go to Chew for staffing.

se

Draft

THE WHITE HOUSE

Dear Chairman McKean:

I have signed the Acts of the Nineteenth Universal Postal Union ("UPU") Congress, negotiated at Hamburg in 1984. I am concerned, however, that Article 23, paragraph 4 of the Convention could be used to intercept U.S. mail posted abroad by private firms that compete with the Postal Service.

It is the policy of the United States not to invoke Article 23, paragraph 4, but to permit and promote private sector competition in international mail. Moreover, the United States would urge other nations not to take any actions under Article 23, paragraph 4 that interfere with marketplace competition in international mail.

I have consented to the Convention despite my concerns about Article 23, paragraph 4 on the basis of the Postmaster General's letter of March 3, 1986 to the Secretary of State that states the Postal Service will not ask foreign postal administrations to take any action under this provision. I am instructing the Department of State to work closely with the Postal Service to ensure that U.S. policy is carried out. Furthermore, the Postal Service should, consistent with our policies of marketplace competition, compete for international mail on terms that are fair, equitable and compensatory.

Finally, it is the policy of the United States that the Postal Service not invoke other provisions of the Hamburg Acts in a manner that discriminates against entities competing with the Postal Service without prior consultation with the President or his designees.

Sincerely,

The Honorable John R. McKean Chairman Board of Governors United States Postal Service Room 10300 475 L'Enfant Plaza, S.W. Washington, D.C.

THE WHITE HOUSE

Dear Postmaster General Casey:

I have signed the Acts of the Nineteenth Universal Postal Union ("UPU") Congress, negotiated at Hamburg in 1984. I am concerned, however, that Article 23, paragraph 4 of the Convention could be used to intercept U.S. mail posted abroad by private firms that compete with the Postal Service.

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Sincerely,

The Honorable Albert V. Casey Postmaster General United States Postal Service Room 1022 475 L'Enfant Plaza, S.W. Washington, D.C.

THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release

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THE WHITE HOUSE WASHINGTON, D.C.

The Honorable John R. McKean Chairman Board of Governors United States Postal Service Room 10300 475 L'Enfant Plaza, S.W. Washington, D.C. THE WHITE HOUSE WASHINGTON

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Sincerely,

The Honorable John R. McKean Chairman Board of Governors United States Postal Service Room 10300 475 L'Enfant Plaza, S.W. Washington, D.C.

RR:pt/sew REC1

FROM
THE WHITE HOUSE
WASHINGTON, D.C.

The Honorable Albert V. Casey Postmaster General United States Postal Service Room 1022 475 L'Enfant Plaza, S.W. Washington, D.C. Dear Postmaster General Casey:

I have signed the Acts of the Nineteenth Universal Postal Union ("UPU") Congress, negotiated at Hamburg in 1984. I am concerned, however, that Article 23, paragraph 4 of the Convention could be used to intercept U.S. mail posted abroad by private firms that compete with the Postal Service.

It is the policy of the United States not to invoke Article 23, paragraph 4, but to permit and promote private sector competition in international mail. Moreover, the United States would urge other nations not to take any actions under Article 23, paragraph 4 that interfere with marketplace competition in international mail.

I have consented to the Convention despite my concerns about Article 23, paragraph 4 on the basis of the Postmaster General's letter of March 3, 1986 to the Secretary of State that states the Postal Service will not ask foreign postal administrations to take any action under this provision. I am instructing the Department of State to work closely with the Postal Service to ensure that U.S. policy is carried out. Furthermore, the Postal Service should, consistent with our policies of marketplace competition, compete for international mail on terms that are fair, equitable and compensatory.

Finally, it is the policy of the United States that the Postal Service not invoke other provisions of the Hamburg Acts in a manner that discriminates against entities competing with the Postal Service without prior consultation with the President or his designees.

Sincerely,

The Honorable Albert V. Casey Postmaster General United States Postal Service Room 1022 475 L'Enfant Plaza, S.W. Washington, D.C.

RR:pt/sew REC1

PRESIDENT SIGNS THE ACTS OF THE NINETEENTH UNIVERSAL POSTAL UNION CONGRESS, SUPPORTS MARKET PLACE COMPETITION IN INTERNATIONAL MAIL

-

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It is the policy of the United States not to invoke Article 23, paragraph 4, but to permit and promote private sector competition in international mail. Moreover, the United States would urge other nations not to take any actions under Article 23, paragraph 4 that interfere with marketplace competition in international mail.

The President consented to the convention despite concerns about Article 23, paragraph 4 on the basis of the Postmaster General's letter of March 3, 1986 to the Secretary of State that states the Postal Service will not ask foreign postal administrations to take any action under the provision. The President has instructed the Department of State to work closely with the Postal Service to ensure that U.S. policy is carried out. Furthermore, the Postal Service should, consistent with U.S. policies of marketplace competition, compete for international mail on terms that are fair, equitable and compensatory.

Finally, it is the policy of the United States that the Postal Service not invoke other provisions of the Hamburg Acts in a manner that discriminates against entities competing with the Postal Service without prior consultation with the President or his designees.

press release from this.
prepared by OPD.

Et

Alix (5:552-) fra Suela. "+

April 11, 1986

Dear Chairman McKean and Postmaster General Casey:

I have signed the Acts of the Nineteenth Universal Postal Union ("UPU") Congress, negotiated at Hamburg in 1984. I am concerned, however, that Article 23, paragraph 4 of the Convention could be used to intercept U.S. mail posted abroad by private firms that compete with the Postal Service.

It is the policy of the United States not to invoke Article 23, paragraph 4, but to permit and promote private sector competition in international mail. Moreover, the United States would urge other nations not to take any actions under Article 23, paragraph 4 that interfere with marketplace competition in international mail.

I have consented to the convention despite my concerns about Article 23, paragraph 4 on the basis of the Postmaster General's letter of March 3, 1986 to the Secretary of State that states the Postal Service will not ask foreign postal administrations to take any action under this provision. I am instructing the Department of State to work closely with the Postal Service to ensure that U.S. policy is carried out. Furthermore, the Postal Service should, consistent with our policies of marketplace competition, compete for international mail on terms that are fair, equitable and compensatory.

Finally, it is the policy of the United States that the Postal Service not invoke other provisions of the Hamburg Acts in a manner that discriminates against entities competing with the Postal Service without prior consultation with the President or his designees.

Sincerely,

Honorable John R. McKean Chairman, Board of Governors U.S. Postal Service 475 L'Enfant Plaza, S.W., Room 10300 Washington, D.C. 20260-1000

Honorable Albert V. Casey
Postmaster General
U.S. Postal Service
475 L'Enfant Plaza, S.W., Room 1022
Washington, D.C. 20260-0010

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M-god-sel ne dogst (5:57,5-)

April 11, 1986

Dear Chairman McKean and Postmaster General Casey:

I have signed the Acts of the Nineteenth Universal Postal Union ("UPU") Congress, negotiated at Hamburg in 1984. I am concerned, however, that Article 23, paragraph 4 of the Convention could be used to intercept U.S. mail posted abroad by private firms that compete with the Postal Service.

It is the policy of the United States not to invoke Article 23, paragraph 4, but to permit and promote private sector competition in international mail. Moreover, the United States would urge other nations not to take any actions under Article 23, paragraph 4 that interfere with marketplace competition in international mail.

I have consented to the convention without formal reservation to Article 23, paragraph 4 based on the Postal Service's pledge that it will not ask foreign postal administrations to take any action under this provision. I am instructing the Department of State to work closely with the Postal Service to ensure that U.S. policy is carried out. Furthermore, the Postal Service should, consistent with our policies of marketplace competition, compete for international mail on terms that are fair, equitable and compensatory.

Finally, it is the policy of the United States not to invoke other provisions of the Hamburg Acts to seize mail in a manner that discriminates against entities competing with the Postal Service.

Sincerely,

Honorable John R. McKean
Chairman, Board of Governors
U.S. Postal Service
475 L'Enfant Plaza, S.W., Room 10300
Washington, D.C. 20260-1000

Honorable Albert V. Casey
Postmaster General
U.S. Postal Service
475 L'Enfant Plaza, S.W., Room 1022
Washington, D.C. 20260-0010

Ong the ween

OFFICE OF THE EXECUTIVE CLERK TRACKING SHEET FOR PRESIDENTIAL DOCUMENTS

TITLE: UNIVERSAL POS	TAL Union Ratification
4 Letters to fo	ous of U.S. PostAL Service
	ous of U.S. PostAL Service
TYPE DOCUMENT:	
PROCLAMATION	LETTER (S)
EXECUTIVE ORDER	MESSAGE TO THE CONGRESS/SENATE
MEMORANDUM	STATEMENT BY THE PRESIDENT
DECISION MEMORANDUM	SIGNING STATEMENT
OTHER:	
the state of the s	rime: //p.m.) rime: a.m./p.m.
SENT TO CORRESPONDENCE FOR TYPING IN	N FINAL:
(Advance: / /86)	Time: a.m./p.m.) Time: a.m./p.m.
TO DAVID L. CHEW'S OFFICE:	
Date:	Fime: a.m./p.m.
INFO, INCLUDING STENCIL, TO PRESS OF	FFICE:
Date:	Time: a.m./p.m.
POSTED:	Time: a.m./p.m.
NOTIFICATIONS:	
	or message is transmitted call Jane Moody, ext. 2230.
(initial) N.S.C., when appro	opriate (Brian Merchant, ext. 2585).
(initial)	
OTHER INFORMATION:	less returned to Tuck Suphn.
4/15/86: Letter + press here He will sent to Chen	lease refurned to Jack Suahn. of for staffing of Itrs. +
press presente.	



UNIVERSAL POSTAL UNION

DOCUMENTS OF THE 1984 HAMBURG CONGRESS

VOLUME III

FINAL TEXTS OF THE ACTS SIGNED AT HAMBURG
AND CONSTITUTION OF THE UNIVERSAL POSTAL UNION
AS AMENDED BY THE 1969 TOKYO, 1974 LAUSANNE
AND 1984 HAMBURG ADDITIONAL PROTOCOLS
DECISIONS OTHER THAN THOSE AMENDING THE ACTS

BERNE 1985
INTERNATIONAL BUREAU OF THE UNIVERSAL POSTAL UNION

This volume should be quoted with the following reference:

Documents of the 1984 Hamburg Congress, volume III

CONTENTS

General table of contents	
List of abbreviations (acronyms, symbols, etc) and signs used in the decisions of the 1984 Hambur	_
Constitution of the Universal Postal Union as amended by the 1969 Tokyo, 1974 Lausanne and 198 Hamburg Additional Protocols	
Third Additional Protocol to the Constitution of the Universal Postal Union	
Declarations made on signature of the Acts	
General Regulations of the Universal Postal Union	
Universal Postal Convention Final Protocol Detailed Regulations Forms	
Postal Parcels Agreement Final Protocol Detailed Regulations Forms	
Money Orders and Postal Travellers' Cheques Agreement	
Detailed Regulations	
- FormsFinal Protocol to the Detailed Regulations	
Giro Agreement	
Cash-on-Delivery Agreement	
Detailed Regulations	
Collection of Bills Agreement	
nternational Savings Agreement	
Subscriptions to Newspapers and Periodicals Agreement	

TABLE OF ABBREVIATIONS (ACRONYMS, SYMBOLS, ETC) AND SIGNS USED IN THE DECISIONS OF THE 1984 HAMBURG CONGRESS

A. Common abbreviations, etc

administration = postal administration

(however, this abbreviation is not used when, in order to avoid ambiguity, it is desirable

to indicate precisely whether a postal administration or other administration is meant)

Agr = Agreement
art = article
c = centime

CCPS = Consultative Council for Postal Studies

cf = confer (in the sense of comparing two things in order to see how far they are the same

or in what way they differ)

cm = centimetre

COD = Cash-on-Delivery Agreement

col = column

Collection of Bills = Collection of Bills Agreement

Constitution = Constitution of the Universal Postal Union

Conv or Convention = Universal Postal Convention
Det Regs = Detailed Regulations

dm = decimetre

Doc = Documents (of Congress, Committees, etc)

EC = Executive Council
eg = for example

EMS = express mail service (international high-speed mail)

Gen Regs or

General Regulations = General Regulations of the Universal Postal Union

Giro = Giro Agreement

Ib (16 ounces) = pound avoirdupois (453.59 grammes)

M... = to be completed as Mr, Mrs, Miss (chiefly used in forms)

m = metre
max = maximum
min = minimum
mm = millimetre
mn = minute (of time)

Money Orders = Money Orders and Postal Travellers' Chaques Agreement

n.m. = nautical mile (1852 metres)

No = number

oz = ounce (28.3465 grammes) (16th part of a pound avoirdupois)

p = page

Parcels = Postal Parcels Agreement

Prot or Protocol = Final Protocol (to the Act concerned)

= second (of time)

Savings

= International Savings Agreement

SDR

= Special Drawing Right

Subscriptions

= Subscriptions to Newspapers and Periodicals Agreement

t

tonne (1000 kilogrammes)

t-km

= tonne-kilometre or kilometric tonne (unit used in connection with conveyance)

UN

= United Nations

UPU or Union

= Universal Postal Union

B. Abbreviations relating to forms

(These abbreviations are always followed by the number of the form)

ΑP = Subscriptions = Money Orders

ΑV = Airmail

= COD R

= Convention C

Collection of Bills RP VD = Insured Letters

CE = Savings

CP = Parcels VP = Giro

C. Other conventional abbreviations mentioned in the Acts

= advice of entry (Avis d'inscription) ΑI

= other items (autres abjets) or AO

items other than LC

= advice of delivery (Avis de réception) AR

= transit bulletin (Bulletin de transit) **BT**

= letter bill (feuille d'avis) or

parcel bill (feuille de route)

= letters and postcards (lettres et cartes postales) or LC

letters, aerogrammes, postcards, postal money orders, COD money orders, bills for collection,

insured letters, advices of payment and advices of delivery

l.t. = land transit

M bags = special bags containing printed papers for the same addressee at the same address

= postage paid (port payé) PP = registered (recommandé) R

= sea transit

= empty bag (sac vide) SV

= charge to be paid (taxe à payer) T = charge collected (taxe perçue) TP = insured value (valeur déclarée)

= by express (indicates charged telegraph service) XP

Constitution of the Universal Postal Union

as amended by the 1969 Tokyo, 1974 Lausanne and 1984 Hamburg Additional Protocols

CONSTITUTION OF THE UNIVERSAL POSTAL UNION

(as amended by the 1969 Tokyo, 1974 Lausanne and 1984 Hamburg Additional Protocols¹)

CONTENTS

Preamble

Section 1

Organic provisions

Chapter I

General

Art

- 1 Scope and objectives of the Union
- 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 standard
- 8 Restricted Unions. Special Agreements
- 9 Relations with the United Nations
- 10 Relations with international organizations

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

¹ For the 1969 Tokyo Additional Protocol, see Documents of the Tokyo Congress, volume III, pp 6–27. For the second Additional Protocol (Lausanne 1974), see Documents of the Lausanne Congress, volume III, pp 23–25. For the third Additional Protocol (Hamburg 1984), see pages 25 to 28 of this volume.

Chapter III

Organization of the Union

Art

- 13 Bodies of the Union
- 14 Congress
- 15 Extraordinary Congresses
- 16 Administrative Conferences (Deleted)
- 17 Executive Council
- 18 Consultative Council for Postal Studies
- 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, 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

Art

- 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

FINAL PROTOCOL TO THE CONSTITUTION OF THE UNIVERSAL POSTAL UNION

Sole art Accession to the Constitution

CONSTITUTION OF THE UNIVERSAL POSTAL UNION'

Preamble

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.

Section 1

Organic provisions

Chapter !

General

Article 1

Scope and objectives of the Union

- 1 The countries adopting this Constitution shall comprise, under the title of the Universal Postal Union, a single postal territory for the reciprocal exchange of letter-post items. Freedom of transit shall be guaranteed throughout the entire territory of the Union.
- 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 2

Members of the Union

Member countries of the Union shall be:

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

¹ As amended by the 1969 Tokyo, 1974 Lausanne and 1984 Hamburg Additional Protocols.

Jurisdiction of the Union

The Union shall have within its jurisdiction:

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

Article 4

Exceptional relations

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

Article 5

Seat of the Union

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

Article 6

Official language of the Union

The official language of the Union shall be French.

Article 7

Monetary standard

The franc adopted as the monetary unit in the Acts of the Union shall be the gold franc of 100 centimes weighing 10/31 of a gramme and of a fineness of 0.900.

Article 8

Restricted Unions. Special Agreements

- 1 Member countries, or their postal administrations if the legislation of those countries so permits, may establish Restricted Unions and make Special Agreements concerning the international postal service, provided always that they do not introduce provisions less favourable to the public than those provided for by the Acts to which the member countries concerned are parties.
- 2 Restricted Unions may send observers to Congresses, Conferences and meetings of the Union, to the Executive Council and to the Consultative Council for Postal Studies.¹
- 3 The Union may send observers to Congresses, Conferences and meetings of Restricted Unions.

¹ Amended by the 1969 Tokyo Congress.

Relations with the United Nations

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

Article 10

Relations with international organizations

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

Chapter II

Accession or admission to the Union. Withdrawal from the Union

Article 11

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 through diplomatic channels to the Government of the Swiss Confederation, which shall notify the accession or consult the member countries on the application for admission, as the case may be. ¹
- A country which is not a member of the United Nations shall be deemed to be admitted as a member country if its application is approved by at least two thirds of the member countries of the Union. Member countries which have not replied within a period of four months shall be considered as having abstained.
- Accession or admission to membership shall be notified by the Government of the Swiss Confederation to the Governments of member countries. It shall take effect from the date of such notification.

Article 12

Withdrawal from the Union. Procedure

- 1 Each member country may withdraw from the Union by notice of denunciation of the Constitution given through diplomatic channels to the Government of the Swiss Confederation and by that Government to the Governments of member countries.
- 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 Government of the Swiss Confederation.

¹ Amended by the 1969 Tokyo Congress.

Chapter III

Organization of the Union

Article 13

Bodies of the Union

- 1 The Union's bodies shall be Congress, the Executive Council, the Consultative Council for Postal Studies and the International Bureau.¹
- 2 The Union's permanent bodies shall be the Executive Council, the Consultative Council for Postal Studies and the International Bureau.

Article 14

Congress

- 1 Congress shall be the supreme body of the Union.
- 2 Congress shall consist of the representatives of member countries.

Article 15

Extraordinary Congresses

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

Article 16

Administrative Conferences

(Deleted2)

Article 17

Executive Council

- 1 Between Congresses the Executive Council (EC) 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 Executive Council shall carry out their functions in the name and in the interests of the Union.

Article 18

Consultative Council for Postal Studies

The Consultative Council for Postal Studies (CCPS) shall be entrusted with carrying out studies and giving opinions on technical, operational and economic questions concerning the postal service.³

¹ Amended by the 1969 Tokyo and 1984 Hamburg Congresses.

² By the 1984 Hamburg Congress.

³ Amended by the 1969 Tokyo Congress.

Special Committees

(Deleted1)

Article 20

International Bureau²

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 Executive Council, shall serve as an organ of liaison, information and consultation for postal administrations.

Chapter IV

Finances of the Union

Article 21

Expenditure of the Union. Contributions of member countries³

- 1 Each Congress shall fix the maximum amount which:
- a the expenditure of the Union may reach annually;
- b the expenditure relating to the organization of the next Congress may reach.
- 2 The maximum amount for expenditure referred to in paragraph 1 may be exceeded if circumstances so require, provided that the relevant provisions of the General Regulations are observed.
- 3 The expenses of the Union, including where applicable the expenditure envisaged in paragraph 2, shall be borne in common by member countries. 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.
- In the case of accession or admission to the Union under article 11, the Government of the Swiss Confederation shall fix, by agreement with the Government of the country concerned, the contribution class into which the latter is 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.

¹ By the 1984 Hamburg Congress.

² Amended by the 1984 Hamburg Congress.

³ Amended by the 1969 Tokyo and 1974 Lausanne Congresses.

- 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.
- 3 The Universal Postal Convention and its Detailed Regulations shall embody the rules applicable throughout the international postal service and the provisions concerning the letter-post services. These Acts shall be binding on all member countries.
- 4 The Agreements of the Union, and their Detailed Regulations, shall regulate the services other than those of the letter post between those member countries which are parties to them. They shall be binding on those countries only.
- The Detailed 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 administrations of the member countries concerned.
- 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.

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 Government:
- a of the country where Congress is held, if made at the time of signature of the Act or Acts in question;
- b of the Swiss Confederation in all other cases.
- 3 Any member country may at any time address to the Government of the Swiss Confederation a notification of its intention to denounce the application of these 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 Government of the Swiss Confederation.
- 4 The declarations and notifications provided for in paragraphs 1 and 3 shall be communicated to member countries by the Government of the country which has received them.
- Paragraphs 1 to 4 shall not apply to territories having the status of a member of the Union and for whose international relations a member country is responsible.

Article 24

National legislation

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

Chapter II

Acceptance and denunciation of the Acts of the Union

Article 25

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

- 1 Signature of the Acts of the Union by plenipotentiaries shall take place at the end of Congress.
- 2 The Constitution shall be ratified as soon as possible by the signatory countries.
- 3 Approval of the Acts of the Union other than the Constitution shall be governed by the constitutional regulations of each signatory country.
- When a country does not ratify the Constitution or does not approve the other Acts which it has signed, the Constitution and other Acts shall be no less valid for the other countries that have ratified or approved them.

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

The instruments of ratification of the Constitution and, where appropriate, of approval of the other Acts of the Union shall be addressed as soon as possible to the Government of the Swiss Confederation and by that Government to the Governments of member countries.¹

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, paragraph 4.
- 2 Accession of member countries to the Agreements shall be notified in accordance with article 11, paragraph 3.

Article 28

Denunciation of an Agreement

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

Chapter III

Amendment of the Acts of the Union

Article 29

Presentation of proposals

- 1 The postal administration of a member country shall have the right to present, either to Congress or between Congresses, proposals concerning the Acts of the Union to which its country is a party.
- 2 However, proposals concerning the Constitution and the General Regulations may be submitted only to Congress.

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.
- 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.

¹ Amended by the 1969 Tokyo Congress.

Amendment of the General Regulations, the Convention and the Agreements¹

- 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 Acts 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.

Chapter IV

Settlement of disputes

Article 32

Arbitration

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

Section III

Final provisions

Article 33

Coming into operation and duration of the Constitution

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

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

Done at Vienna, 10 July 1964.

For signatures, see French version of the Documents of the 1964 Vienna Congress, vol III, pp 18 to 33.

¹ Amended by the 1984 Hamburg Congress.

FINAL PROTOCOL TO THE CONSTITUTION OF THE UNIVERSAL POSTAL UNION

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

Sole article

Accession to the Constitution

Member countries of the Union which have not signed the Constitution may accede to it at any time. Instruments of accession shall be addressed through diplomatic channels to the Government of the country in which the seat of the Union is situated and by that Government to the Governments of the member countries of the Union.

In witness whereof, the under-mentioned plenipotentiaries 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 Constitution itself, and they have signed it 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 Government of the country in which Congress is held.

Done at Vienna, 10 July 1964.

For signatures, see French version of the Documents of the 1964 Vienna Congress, vol III, pp 35 to 50.

Third Additional Protocol to the Constitution of the Universal Postal Union

THIRD ADDITIONAL PROTOCOL TO THE CONSTITUTION OF THE UNIVERSAL POSTAL UNION

CONTENTS

Art

I.	(art 13 amended)	Bodies of the Union
H.	(art 16 deleted)	Administrative Conferences
Ш.	(art 19 deleted)	Special Committees
IV.	(art 20 amended)	International Bureau
٧.	(art 31 amended)	Amendment of the General Regulations, the Convention and the Agreements
VI.		Accession to the Additional Protocol and to the other Acts of the Union
VII.		Entry into force and duration of the Additional Protocol to the Constitution
		of the Universal Postal Union

THIRD 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 Hamburg, in view of article 30, paragraph 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

(Article 13 amended)

Bodies of the Union

- 1 The Union's bodies shall be Congress, the Executive Council, the Consultative Council for Postal Studies and the International Bureau.
- 2 The Union's permanent bodies shall be the Executive Council, the Consultative Council for Postal Studies and the International Bureau.

Article II

Article 16

Administrative Conferences

(Article 16 deleted)

Article III

Article 19

Special Committees

(Article 19 deleted)

Article IV

(Article 20 amended)

International Bureau

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

¹ The Constitution of the Universal Postal Union was concluded by the 1964 Vienna Congress and appears in volume III of the Documents of that Congress. The first Additional Protocol was adopted at the 1969 Tokyo Congress, and the second at the 1974 Lausanne Congress.

Article V

(Article 31 amended)

Amendment of the General Regulations, the Convention and the Agreements

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

Article VI

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

- 1 Member countries which have not signed the present Protocol may accede to it at any time.
- 2 Member countries which are party to the Acts renewed by Congress but which have not signed them, shall accede thereto as soon as possible.
- 3 Instruments of accession relating to the cases set forth in paragraphs 1 and 2 shall be sent through diplomatic channels to the Government of the Swiss Confederation, which shall notify the member countries of their deposit.

Article VII

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

This Additional Protocol shall come into force on 1 January 1986 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 in the archives of the Government of the Swiss Confederation. A copy thereof shall be delivered to each party by the Government of the country in which Congress is held.

Done at Hamburg, 27 July 1984.

See signatures below.

Pour LA RÉPUBLIQUE DÉMOCRATIQUE D'AFCHANISTAN:

33/19

Pour LA RÉPUBLIQUE POPULAIRE SOCIALISTE D'ALBANIE:

Pour LA RÉPUBLIQUE ALGÉRIENNE DÉMOCRATIQUE ET POPULAIRE:

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Pour LA RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE:

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Pour LES ÉTATS-UNIS D'AMÉRIQUE:

Michael Regan Some Harrison David Clark Norton Pour LA RÉPUBLIQUE POPULAIRE D'ANGOLA:

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Pour LE ROYAUME DE L'ARABIE SAOUDITE:

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Pour LA REPUBLIQUE ARGENTINE:

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Pour L'AUSTRALIE:

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Pour LE COMMONWEALTH DES BAHAMAS:

John Hannder

Pour L'ÉTAT DE BAHRAIN:

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Pour LA RÉPUBLIQUE D'AUTRICHE:

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Pour LA RÉPUBLIQUE POPULAIRE DU BANGLADESH:

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Pour BELIZE:

Pour LE ROYAUME DE BHOUTAN:

Pour LA RÉPUBLIQUE SOCIALISTE SOVIÉTIQUE DE BIÉLORUSSIE:

Bolos -

Pour LA DEPUBLIQUE DU BOTSWANA:

porton Jan-

Pour LA RÉPUBLIQUE SOCIALISTE DE L'UNION DE BIRMANIE:

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Pour LA RÉPUBLIQUE FÉDÉRATIVE DU BRÉSIL:

Pour LA RÉPUBLIQUE DE BOLIVIE:

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Pour LA RÉPUBLIQUE POPULAIRE DE BULGARIE:

Pour LA RÉPUBLIQUE DU CAMEROUN:

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Pour LE CANADA:

Mermut.
Gary Halpin

Pour LA RÉPUBLIQUE DU BURUNDI:

Pour LA RÉPUBLIQUE DU CAP-VERT:

Pour LA RÉPUBLIQUE CENTRAFRICAINE:

Pour LA RÉPUBLIQUE POPULAIRE DE CHINE:

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Pour LA RÉPUBLIQUE DE CUBA:

Pour LA RÉPUBLIQUE DE DJIBOUTI:

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Pour LE ROYAUME DE DANEMARK:

Boye Rordbo

Pour LA RÉPUBLIQUE DOMINICAINE:

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Pour LE COMMONWEALTH DE LA DOMINIQUE:

Janden Shilligand.

Pour LA RÉPUBLIQUE ARABE D'ÉGYPTE:

H. Software P. Sof

Pour LA RÉPUBLIQUE DE EL SALVADOR: | Pour L'ESPAGNE:

Pour LES ÉMIRATS ARABES UNIS:



Pour LA RÉPUBLIQUE DE L'ÉQUATEUR:

Pour L'ÉTHIQPIE SOCIALISTE:

Pour FIDJI:

Pour LA FINLANDE:

Tolla Tapune

Pour LA RÉPUBLIQUE FRANÇAISE:

Pour LA RÉPUBLIQUE GABONAISE:

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Pour LA RÉPUBLIQUE DE GAMBIE:

Pour LA RÉPUBLIQUE DU GHANA:

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

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

Walnuth