

# Ensuring Legal Stability of the Acts of the Union

~ Simplified process to be legally bound by the Acts ~

Presentation by Japan

# Background ①

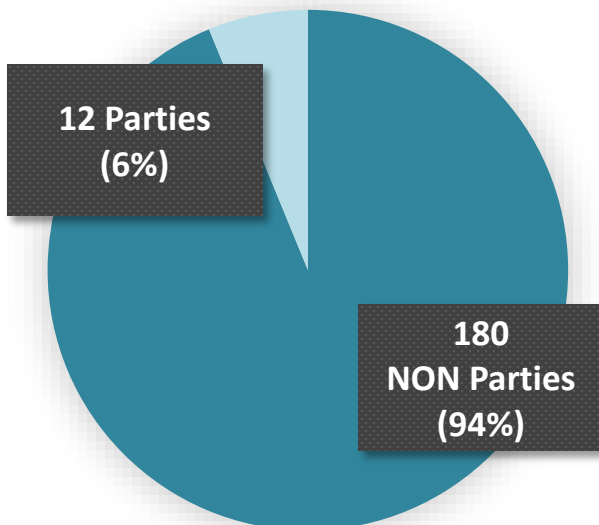
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- ◆ The majority of the member countries have not ratified / approved the amended Acts.
- ◆ Almost all countries operate in accordance with the latest Acts even if they are not Contracting Parties.
- ➔ Gap between the legal status and the practices

The current situation lacks...

Legal  
Stability

Number of Contracting Parties of the latest Acts (Istanbul)



At the point of 27 August 2018

Number of Contracting Parties and Signatories of the amended Acts

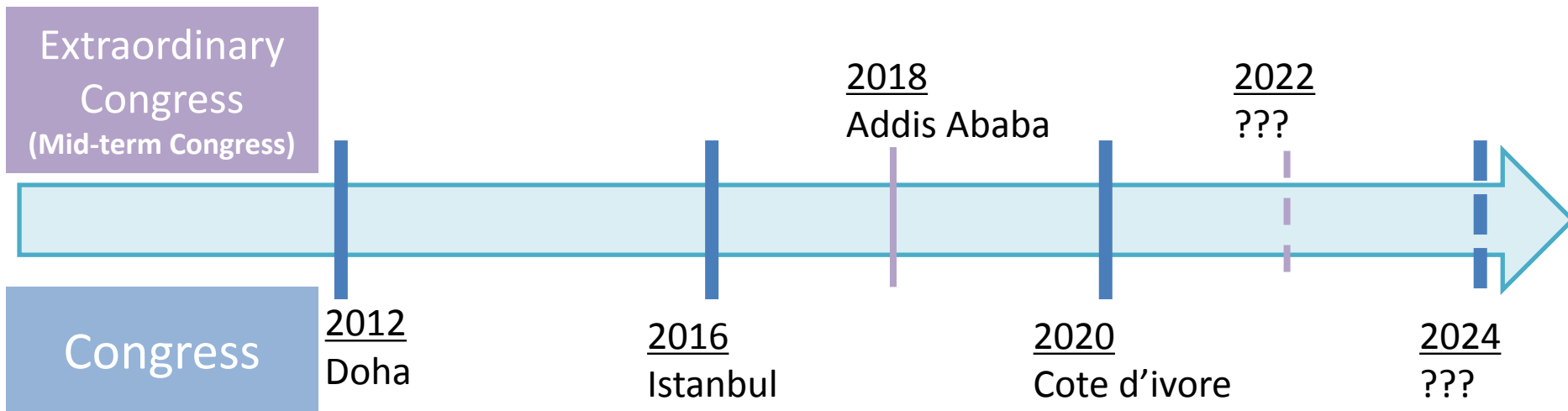
Congress Acts	2004 Bucharest	2008 Geneva	2012 Doha	2016 Istanbul
Parties (ratified / approved before the entry into force)	91 (14)	68 (15)	37 (5)	12 (2)
Signatories	159	147	144	129

# Background ②

2

- ◆ Emergence of smart technologies and e-commerce requires frequent reviews and updates of the Acts.
- ◆ Extraordinary Congress was held in 2018 in order to speed up the decision of UPU.
- ◆ If Mid-term Congress is established as a permanent organ, member countries will be required to ratify / approve the amended Acts every two years.

Needs to  
Frequently  
review and  
update matters



Ensure legal stability

Needs to frequently review and update matters

- ◆ To simplify the process to be legally bound by the Acts to be frequently updated, Japan proposes to amend the related provisions so that:
  - ✓ the amended Acts take effect to member countries without ratification / approval
  - ✓ the Acts reflect current practices within the UPU

# JAPAN's Proposal ①

- ✓ amend the related provisions so that the amended Acts take effect to member countries without ratification / approval

## Example

### Constitution

#### Article 30 Amendment of the Constitution

2 Amendments adopted by a Congress shall form the subject of an additional protocol and, unless that Congress decides otherwise, shall enter into force for all member countries, except the member country which has notified the Director General, prior to the entry into force of such amendments, that the amendments shall enter into force for it only after a subsequent notification of its ratification, 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.

# JAPAN's Proposal ②

✓ amend the related provisions so that the Acts reflect current practices within the UPU

## Example

### Constitution

#### Article 29 Presentation of proposals

1 A 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.~~

1bis 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.

# Proposed Amendments of related articles

Acts	Article	Main contents
Constitution	29	Presentation of proposals (CA C 2 2019.1–Pres 11 Annex 1)
	30	Amendment of the Constitution (CA C 2 2019.1–Pres 11 Annex 2)
	31	Amendment of the General Regulations, the Convention and the Agreements (CA C 2 2019.1–Pres 11 Annex 3)
Additional Protocol to the Constitution	Preamble	(CA C 2 2019.1–Pres 11 Annex 4)
	Conclusion	(CA C 2 2019.1–Pres 11 Annex 5)
General Regulations	158	Amendment, entry into force and duration of the General Regulations (CA C 2 2019.1–Pres 11 Annex 6)
Additional Protocol to the General Regulations	Preamble	(CA C 2 2019.1–Pres 11 Annex 7)
	Conclusion	(CA C 2 2019.1–Pres 11 Annex 8)
Convention	Preamble	(CA C 2 2019.1–Pres 11 Annex 9)
	40	Amendment, entry into force and duration of the Convention (CA C 2 2019.1–Pres 11 Annex 10)
	Conclusion	(CA C 2 2019.1–Pres 11 Annex 11)
Final Protocol to the Convention	Conclusion	(CA C 2 2019.1–Pres 11 Annex 12)