

CONGRESS

Proposal of a general nature

03 Rev 2

CHINA, JAPAN, NEW ZEALAND

Resolution

Observers to meetings of the Union

Congress,

recognizing

the need to have a consistent and holistic view among members on the procedures for inviting observers to meetings of the Union, that are currently stipulated separately in the General Regulations, the Congress Rules of Procedure, and the EC Rules of Procedure,

reaffirming

that the work carried out by the Sub-Group of the APPU Reform Working Group aims to streamline members' understanding on the relevant rules

bearing in mind

that the legal stability of the existing rules is important and that the relevant texts regarding observers have functioned adequately over many years, albeit with some concerns expressed about consistency

welcoming

members' willingness to establish a clear and common understanding on the relevant rules without creating new rules at the present time,

decides

based on a review of all existing rules and the variations between them, that the principles for inviting observers to meetings of the Union should be as follows:

1. Observers may be invited to attend meetings of the Union and take part in debates without the right to vote.
2. Observers include the following entities:
 - 2.1 the Universal Postal Union;
 - 2.2 representatives of the United Nations or one of its other specialised agencies;
 - 2.3 any other international organization having an interest in the work of the Union;
 - 2.4 other restricted postal unions;
 - 2.5 postal administrations of member-countries of the Universal Postal Union categorised according to:
 - 2.5.1 being located in Asia and the Pacific, but not members of the APPU; or
 - 2.5.2 being ineligible for membership of the APPU,

- 2.6 postal administrations of non-members of the Universal Postal Union; and
- 2.7 postal administrations of non-self-governing territories and other areas in Asia and the Pacific.
3. Invitations must be approved by Congress or by the Executive Council. The approval requirement is support from the majority of members of the Union. Invitations shall include the capacity in which an observer is invited.
4. Invitations will generally be for one meeting only, although Congress or the Executive Council may issue a standing invitation, subject to the approval requirement in paragraph 3.
5. In the convening of meetings where observers are present, the Chair may, with the agreement of the meeting, declare the discussion of certain agenda items closed. In such cases, observers are not permitted to be present.
6. Observers may only be invited at the request of Congress or the Executive Council. Unless the host country of a meeting so wishes, the invitations will be sent by the Bureau.
7. In addition to the observers defined in paragraph 2 of this Article, Congress or the Executive Council may designate ad hoc observers to attend their meetings in accordance with their Rules of Procedure, when this is in the best interests of the Union.

Reasons – See Congress Doc 24.3.

Proposal 03 partly summarises current provisions that are separately recorded in Union documents, as well as introducing some new features that are regarded as necessary for a complete and balanced set of rules for observers attending all Union meetings. Overall, the objective of the draft resolution is to bring consistency to the processes for inviting observers to meetings, to minimise duplication of information, and to generally make the process easier to understand.

Proposal 03 does introduce some new information. The table below is a guide to what is existing text, and what is **new text**.

Para	Source
1	Gen Regs, Article 105, § 6, first sentence, plus references in Congress and EC RoP.
2	Gen Regs, Article 105, § 6, first and second sentences, EC RoP § 1, § 4 D.
3	EC RoP § 4 – see further comment for § 3 of Proposal 03 below.
4	See comment for § 4 of Proposal 03 below.
5	EC RoP § 7.
6	Gen Regs, Article 105, § 6, third and fourth sentences, EC RoP § 6.
7	See comment for § 7 of Proposal 03 below.

§ 3 of Proposal 03

1. **Invitations must be approved by Congress or by the Executive Council. The approval requirement is support from the majority of members of the Union.**

Currently, a number of observer categories are subject to majority approval by the EC (EC RoP § 4). However, the approval requirement is not specifically stated for all observer categories, the particular gap being the Congress RoP which are silent on the approval process.

The Sub-Group believes that seeking approval, in principle, for every situation is a standard discipline that the APPU should follow. (Refer also to notes under § 4 of Proposal 04 for a process rationalisation option.)

2. Invitations shall include the capacity in which an observer is invited.

Currently, the reason for observer status being given is stated in a few cases e.g., “in an advisory capacity”. In the majority of cases, however, observers appear to be present for assumed reasons. In the interests of transparency, the dignity and value of APPU as a meeting forum warrants specific reasons being agreed as to why an observer should attend.

§ 4 of Proposal 03

1. Invitations will generally be for one meeting only, ...

At present it is unclear what the commitment is from the APPU for various observers to attend. It might also be unclear for observers whether they have a permanent seat at APPU meetings. The proposal to issue invitations for one meeting only is not aimed at making it difficult for an observer, nor onerous for the Bureau. It is simply to establish a practice, and to exercise a form of control.

2. ... although Congress or the Executive Council may issue a standing invitation, subject to the approval requirement in paragraph 3.

As mentioned in notes for § 3 of Proposal 03 above, requiring all observers to be approved might appear onerous, particularly when combined with the “one meeting only” aspect. However, there are some observers for whom approval can be dealt with differently e.g., UPU, UN, UPU members in Asia-Pacific who are not members of the APPU. Congress or the EC should be able to have a standing invitation arrangement with these entities which might be reviewed at each Congress.

§ 7 of Proposal 03

In addition to the observers defined in paragraph 2 of this Article, Congress or the Executive Council may designate ad hoc observers to attend their meetings in accordance with their Rules of Procedure, when this is in the best interests of the Union.

The origin of this provision is from the UPU General Regulations, Article 105, § 3. In principle, it appears a useful mechanism that enables observers other than those listed in § 2 of Proposal 03 to be invited to meetings when it is considered in the best interests of the Union to do so.