



EXECUTIVE COUNCIL 2023

REVIEW OF GOVERNING DOCUMENTATION IMPLEMENTATION PLAN

(Document prepared by the APPU/UPU Reform Working Group)

1. Subject	References/paragraphs
Informing the EC on: - the background to the Review of Governing Documentation	§§ 2
2. Decisions expected	
The EC is asked to: - note the background - approve the implementation plan	§§ 2 §§ 3

Purpose of document

- 1.1 On 22 February 2023 at its constituent meeting, the APPU/UPU Reform Working Group (Working Group) approved three work items in relation to the Review of Governing Documentation (the Review):
- (i) Develop an approach and plan for aligning and amending the Acts of the Union (to be guided by a vision).
 - (ii) Harmonise agreed changes to the Rules of Procedure of Congresses to the Rules of Procedure of the Executive Council, in order to minimise any inconsistencies.
 - (iii) Draft an amendment to the Rules of Procedure of the Executive Council to facilitate online participation at the 2023 Executive Council meeting.
- 1.2 This document has been prepared to address 1.1 (i) above. Specifically, to:
- (i) outline the history of the Review;
 - (ii) explain the proposed approach to completing the Review; and
 - (iii) present the implementation plan.
- 1.3 EC 2023 Doc 4 and EC 2023 Doc 19 address points 1.1 (ii) and (iii) respectively.

2. Background

- 2.1 The need for the Review was identified through concern that the merger of the Central Office and the Training College in 2001 had not been fully implemented. The Executive Council endorsed the Review at its 2021 Meeting (EC 2021 Doc 13), noting it was related to the separate archiving project (approved in EC 2021 Doc 5.3).
- 2.2 Due to the size of the activity, the Review could not be completed prior to the 2022 Bangkok Congress. Resolution C2/2022: Continuation of the review of APPU governing documentation in the 2022-2026 cycle directed the Working Group to continue the Review commenced in the Tehran cycle.

- 2.3 During the Tehran cycle, the Review identified a number of inconsistencies and areas requiring attention. This, combined with the archiving project, have laid a strong foundation for the Bangkok cycle. Further details on the archiving work are included at EC 2023 Doc 13.3.
- 2.4 For completeness, there are also two other relevant decisions from the 2022 Bangkok Congress that should be considered as part of the Review:
- (i) C1/2022: Adoption of decisions and recommendations submitted to the 2022 APPU Congress. This decision requires that any matters dealt with at the 2022 Congress using an alternative to amending the Acts of the Union, will be considered at the 2026 Congress to ensure the complete legitimacy of the Acts of the Union.
 - (ii) C3/2022: Observers to meetings of the Union. This decision sets out the clear and common understanding on inviting observers to attend meetings of the APPU and will inform the approach to observers in the Review.

Implementation plan

- 3.1 Given the wide scope of the Review, it is important that the Working Group take a methodical approach and keep the Executive Council informed.
- 3.2 As outlined in EC 2023 Doc 13.1, the Working Group has developed a vision to guide this work. This vision sets out what APPU member countries want from their Union. If endorsed, the Working Group will use this vision to ensure that potential amendments align with member expectations and set the direction for the Review.
- 3.3 As the Acts of the Union have not been updated in some time, it is proposed to take a thematic approach rather than consider each Act in isolation. In practice, this will allow the Working Group to consider the purpose of each piece of governing documentation and include detail in less than treaty instruments, where appropriate (for example, because a matter requires regular updating), rather than the treaties. This will also ensure consistency and minimise repetition across the governing documentation.
- 3.4 To ensure progress is maintained, the below roadmap has been drafted to guide the process through the Bangkok cycle. The proposed process is to start by exploring a topic and coming to a policy position with the APPU membership, followed by drafting governing documentation amendments. The roadmap will provide members with a year to negotiate mandates for treaty changes domestically and for any necessary refinements to be made to achieve consensus.

Review roadmap			
2023 EC	2024 EC	2025 EC	2026 Congress
Vision and implementation plan for the Working Group agreed	Policy development and proposed solutions presented thematically for endorsement.	Text of proposals, including treaty amendments, presented as 'zero draft' for the 2026 Congress	Approve proposals

- 3.5 In undertaking policy development for each thematic topic, the Working Group will consider a number of key questions, including:
- (i) What have others done on this issue? (restricted unions, the UPU, other multilateral bodies)
 - (ii) What gaps in existing governing documentation exist?

- (iii) How can existing structures be strengthened and optimised?
 - (iv) Are there any emerging issues?
 - (v) (if endorsed) Does this align with the vision or what changes are required to achieve the vision?
- 3.6 By way of example, one theme to consider will be *Quorum requirements*. Details, rules and references to quorum are included in the Constitution, the General Regulations, the Rules of Procedure of Congresses and the Rules of Procedure of the Executive Council. The Working Group, guided by the vision, will consider whether the present rules of quorum are fit for purpose and develop a policy recommendation to be endorsed by the Executive Council in 2024. Once the Executive Council has confirmed the preferred approach, the Working Group will undertake the exercise of drafting the relevant treaty and rules amendments and present a 'zero draft' of these proposals for consideration by the Executive Council in 2025. Refinement of the 'zero draft' in conjunction with each member country's domestic mandate process will occur to enable a consensus amendment to be presented to the 2026 Congress.
- 3.7 It is expected that changes will need to be made at all levels of governing documentation at the 2026 Congress to ensure legitimacy and consistency. The Working Group acknowledges the difficulties some countries experience in domestic ratification processes of international treaties. The Working Group is committed to 'doing it right the first time' to minimise future changes to the Acts of the Union and to providing adequate timeframes for domestic consultation.
- 3.8 Following the 2023 Executive Council, the first priority of the Working Group will be to identify the relevant themes and map out the policy development process for each. It is expected that an in-person meeting of interested members may be useful at some stage as part of this work.