

# CONVENTION OF THE PAN AFRICAN POSTAL UNION

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## CONVENTION OF THE PAN AFRICAN POSTAL UNION

## PREAMBLE

We, the Plenipotentiaries of Governments of Member-States  
Of the organization of African Unity (OAU)

Pursuant to the principles and objectives of the OAU Charter;

Conscious of the important role of postal services in communications among peoples;

Convinced of the need for a permanent machinery to coordinate decisions adopted for the development and operation, of the said postal services;

Desirous of contributing, through efficient functioning of postal services, to the development of cooperation, notably inter-African cooperation, in cultural, social and economic field.

Guided by Resolutions CM/ Res. 586 (XXIX) on the setting-up of a Pan African Postal Union as approved by the 14<sup>th</sup> Session of the OAU Assembly of Heads of States and Government.

**Hereby agrees as follows:**

## CHAPTER 1: GENERAL PROVISIONS

### Article 1: Establishment of the Union

By the present Convention the contracting parties do hereby constitute the Pan African Postal Union (PAPU) hereinafter referred to as the “Union”. The union shall be the Specialized Agency of the OAU in the postal field.

### Article 2: Composition of the Union

1. The Union shall comprise Member-States of the AU, which have signed and ratified or adhered to this Convention.
2. Any other Member-State of the AU may become a Member of the Union by acceding to the Convention in compliance with Article 31.

### Article 3: Working Languages of the Union

The working languages of the Union shall be those of the African Unity (AU).

### Article 4: Seat of the Union

The seats of the Union shall be established in Arusha, United Republic of Tanzania.

## CHAPTER 11: OBJECTIVES

### Article 5: Objectives of the Union

The objectives of the Union shall be:

1. To maintain and extend co-operation among Member-States for the improvement and rational use of postal services;
2. To harmonize tariff structure among Member-States with the view of establishing tariffs compatible with good services and a sound financial management of postal services.
3. To promote the establishment of multi-national regional and sub-regional postal training institutes in Africa, in co-cooperation with international and African Regional and sub-regional organizations with legitimate interest in postal services in Africa.
4. To harmonize, as far as possible the position of the Member –States during international meetings in the field of postal services and in particular at UPU meetings.
5. To publish information and research material on postal services for the benefit of Member–States of the Union and to encourage the exchange of information and staff between the administrations of Member-States.
6. To act as a servicing institution for its Member-States for integrated postal development providing them with the necessary technical support.

### **CHAPTER III: ORGANS OF THE UNION**

#### Article 6: Organs of the Union

The organs of the Union shall be:

1. The Plenipotentiary Conference;
2. The Administrative Council;
3. The General Secretariat
4. The Administrative and Technical Committees.

#### Article 7: Permanent Organs

The Plenipotentiary Conference, the Administrative Council and the General Secretariat shall be permanent organs of the Union.

#### Article 8: Non-permanent organs

The Administrative and Technical Committees shall be the non-permanent organs of the Union.

### **CHAPTER IV: COMPOSITION AND FUNCTION OF THE ORGANS OF THE UNION**

#### Article 9: Plenipotentiary Conference

1. The plenipotentiary Conference hereinafter referred to, as “the Conference” shall be the supreme organ of the Union. It shall assume the prime functions with a view to achieving the objectives of the Union.
2. It shall consist of Ministers responsible for postal Services of Member-States.
3. The Conference shall convene in an ordinary session every four years.
4. At the request of one or more Member-States, the Administrative Council or the General Secretariat and subject to the agreement of two-thirds of the Member-States, the Conference shall convene in an extraordinary session.
5. African Liberation Movement recognized by the OAU shall, at their request, be admitted as observers to the sessions of the Conference.

#### Article 10: Administrative Council

1. The Administrative Council hereinafter referred to, as “the Council” shall consist of sixteen Member-States. Its term of office shall be four years.
2. Between the sessions of the Conference, the Council shall be the decision-making body of the Union within the limits of the powers delegated to it by the Conference.
3. It shall consist of the duly accredited representative of Member-States elected in accordance with the geographical distribution adopted by the OAU.
4. The Council shall convene in an ordinary session annually.
5. At the request of one or more Member-States of the Union, or the Secretary-General, and subject to the Agreement of two-thirds of the Member-States of the Council, the Council shall meet in an extra-ordinary session.

#### Article 11: General Secretariat

1. The General Secretariat is the executive body of the Union. A Secretary General assisted by an Assistant Secretary General shall head it.
2. The Secretary-General and the Assistant Secretary-General shall be elected by the Conference for a four-year period. They shall be eligible for re-election only once. At the end of the second term of office, neither of them can apply again for either post.
3. The Secretary-General shall be answerable to the Conference and the Conference and the Council. The Assistant Secretary-General shall be answerable to the Secretary-General.

#### Articles 12: Administrative and Technical Committee

1. The Administrative and Technical Committees, non-permanent organs of the Union, may be established by the Conference or the Council.

2. They shall have to study specific issues relating to the postal services and any other matters that may be entrusted to them.

## CHAPTER V: FINANCES OF THE UNION

### Article 13: Revenue of the Union

The Revenue of the Union shall consist of:

1. Contributions made by Member-States in accordance with the scale of assessment established by the Conference;
2. Any other funds including extra-budgetary contributions, which may be made available to the Union, subject to approval of the Council.

### Article 14: Expenditure of the Union

Expenditure by the Union shall be made up of expenses relating to:

1. Sessions of the Conference, and the Council, and meetings of the
2. Administrative and Technical Committees;
3. Operation of the General Secretariat;
4. Any other activities pertaining to the objectives of the Union.

### Article 15: Advance of funds to the union

The Government of the host-country shall to the fullest extent possible, advance to the Union, funds necessary for its operation pending their reimbursement.

## CHAPTER VI: CLASSIFICATION OF THE ACTS OF THE UNION

### Article 16: Classification of the Acts of the Union

1. The Convention shall be the basic Act of the Union. It shall supercede any other Act of the Union.
2. The Detailed Regulation shall ensure the application of the Convention and shall be subordinate to it.
3. All the other Acts of the Union shall be consistent with the Convention and its Detailed Regulations.

## CHAPTER VII: COOPERATION

### Article 17: Cooperation with national and international bodies

1. With a view to promoting the improvement, harmonization and development of African postal services, the Union shall maintain privileged relations with the Universal Postal Union.

2. It shall collaborate with the Restricted Postal Unions and other national and international bodies whose interests and activities are related to postal services.

#### Article 18: Relations with other Countries

In the interest of the Union, relations of cooperation may be established with other countries, subject to the assent or approval of the Council or the Conference.

#### Article 19: Agreements

Agreements may, whenever necessary, be concluded between the Union and national and international bodies and States.

#### Article 20: Cooperation among Member-States of the Union

Member-States shall promote among themselves cooperation of all kinds in the postal field.

### **CHAPTER VIII: LEGAL STATUS OF THE UNION**

#### Article 21: Relations between the Union and the African Unity (AU)

As a Specialized Agency of the African Unity in the postal field, the Union shall enjoy privileged relations with the AU. To this end, the Union and the OAU shall conclude an agreement.

#### Article 22: Juridical Personality of the Union

The Union shall be a body corporate in public international law. It shall have the right to enter into any legal contracts.

#### Article 23: Privileges and Immunities

The Union shall enjoy the status accorded to international Organizations, privileges and Immunities in the additional Protocol to the OAU General Convention on Immunities and privileges, including the issue of Laissez-Passer to the officials of the OAU Specialized Agencies.

#### Article 24: Headquarters Agreement

The Secretary-General shall conclude a Headquarter Agreement with government of the host-country of the Union.

### **CHAPTER IX: RIGHTS AND OBLIGATIONS OF MEMBER-STATES OF THE UNION**

#### Article 25: Commitment of Member-States

All Member-States shall undertake to respect the provisions of the present Convention. They shall enjoy equal rights and have equal duties.

#### Article 26: Voting Rights

1. Each member-States shall have one vote at the Union meetings.
2. Any Member-States whose contributions to the Union are in arrears for Consecutive years shall forfeit its right to vote in accordance with the present convention.

#### Article 27: Settlement of Dispute

Any dispute arising from the interpretation or application of this Convention or its Detailed Regulations shall be settled amicably or submitted to mediation or arbitration.

#### Article 28: Denunciation of the Convention

1. Any Member –State of the Union may denounce the present Convention by notification addressed to the Secretary-General by diplomatic channels and through the Government of the host-Country of the Union. The Secretary-General shall notify the other Member-States accordingly.
2. This denunciation shall become operative one year after the date of the receipt of the notification by the Secretary-General.

### **CHAPTER X: SIGNATURE, RATIFICATION AND ACCESSION**

#### Article 29: Signature of the Convention

1. The plenipotentiaries shall sign the present Convention in three copies of the working languages of the Union, all texts being equally authentic.
2. A copy shall be deposited with the Government of the host-country of the Union. The two others shall be deposited respectively with the General Secretariats of the Union and the General Secretariat of the OAU
3. A certified copy conforming to each text shall be forwarded to each of the signatory Member-States by the Secretary General of the Union.

#### Article 30: Ratification of the Convention

The present Convention shall be ratified by each of the Signatory Governments. The ratification instruments shall be deposited with the Secretary-General by diplomatic channels through the Government of the host-country of the Union and the Secretary-General shall notify the other Member-States accordingly.

#### Article 31: Accession to the Convention

Any Member-States of the AU that has not signed this Convention may accede to it. The instrument of accession shall be deposited with the Secretary-General of the Union by diplomatic channels through the Government of the host-country of the Union. It shall enter into force on the date it is deposited, unless otherwise stipulated. The Secretary-General shall notify Member-States of such accession and forward to each of them a certified copy of the instrument.

### **CHAPTER XI: FINAL PROVISIONS**

#### Article 32: Suspension of a Member-State

1. The Conference may decide by a two-thirds majority of votes cast to suspend a Member –State that:
  - a) Practices a policy contrary to the objectives and principles of the Union.
  - b) For three consecutive years does not honor its financial obligations to the Union;
  - c) Does not respect the decisions of the Conference, which are binding upon Member-States.
2. The Conference may, by a two-thirds majority of votes cast, revoke the suspension of a Member-State.
3. The suspension of a Member-State shall not exempt the Member concerned from fulfilling its financial obligations during the period of suspension.
4. The suspension of a Member-State for non-payment of contributions shall cease immediately after payment of all its financial obligations to the Union.

#### Article 33: Amendments

1. Any Member-States may submit a written amendment proposal to the Secretary-General who shall communicate it to all Member-States.
2. Member-States shall have at least six months to study the proposal before it is submitted to the Conference for consideration.
3. Amendments shall be considered adopted with immediate effect when approved by two-third majority of the Member-States present and voting at a session of the Conference.

#### Article 34: Detailed Regulations of the Convention

The Plenipotentiaries shall adopt Detailed Regulations to ensure the application of this Convention and the operation of the Organs of the Union.

#### Articles 35: Rules of Procedure

The Conference shall adopt its Rules of Procedure. The other organs of the Union shall adopt their own Rules of Procedure if they deem it necessary.

#### Articles 36: Entry into force

This present Convention shall enter into force six months after its approval by the Plenipotentiaries.