



Legal Experts Task Team (LETT)  
Online Meeting of 11<sup>th</sup> April 2025

PAPU/AC/PRC/WGPL/LETT/03/2025 – Doc no. 02 and Annex  
*Original: French*

## PROPOSED AMENDMENTS TO THE PAPU ACTS

Agenda item no. 04

<b>1. Subject</b>  Proposed amendments to the PAPU Convention and Detailed Regulations of the Convention	<b>2. References/paragraphs</b> <ul style="list-style-type: none"><li>• PAPU Acts;</li><li>• Programme of Activities of the Policy and Regulation Committee for the 2022-2025 quadrennial cycle.</li></ul>
<b>3. Decision expected</b> <ul style="list-style-type: none"><li>• Consider this working document ;</li><li>• Make any relevant comments/observations.</li></ul>	

### **I. INTRODUCTION**

One of the primary objectives of the PAPU Programme of Activities 2024-2025 is to align the Union's legal instruments with each other by proposing amendments to the PAPU Acts and other legal instruments governing the organization and functioning of its constituent bodies. This is why, during the period under review, the PAPU General Secretariat conducted a considerable review of the PAPU Convention and its Detailed Regulations, which helped to point out existing flaws and inconsistencies so that appropriate amendments could be proposed.

The proposed amendments to the Acts of the Union focus mainly on

- a. gender mainstreaming in the French version of the Acts,
- b. rights and obligations of Member States and Associate Members, and
- c. introducing an alternative method of voting for elected officials (vote by acclamation).

### **II. OBJECTIVES OF PROPOSED AMENDMENTS**

The proposed amendments are aimed specifically at:

- a. Harmonizing the PAPU Convention's provisions with those of its Detailed Regulations by making appropriate proposals;
- b. Promoting gender equality within the Union in the French version of the Acts;
- c. Introducing international best practices in voting, namely voting by acclamation, particularly where there is a single candidate for a position;
- d. Effectively filling vacant seats and/or positions in the organs, while improving the Union's financial standing through proposals aimed at redefining the circumstances for forfeiting the right to hold office in the Union's organs.

### **III. DECISION EXPECTED**

The Legal Experts Task Team is therefore requested to consider the document and make any relevant comments and/or further proposals.

REFERENCES	COMMENTS	PROPOSED IMPROVEMENTS
<b>PAPU CONVENTION</b>		
<b>GENDER MAINSTREAMING</b>	In the French version of the PAPU Acts, the masculine gender is used when referring to the “Secretary General” and “Assistant Secretary General” in all related provisions. There is need to incorporate the feminine gender for purposes of gender equality. This amendment shall apply solely to the French version. The English remains unchanged as there is no “gender agreement” in English grammar.	<b>ARTICLE 1 OF PAPU CONVENTION:</b> <b>“Secretary General”: The Secretary General of the Pan African Postal Union;</b>  <b>“Assistant Secretary General”: The Assistant Secretary General of the Pan African Postal Union.</b>
<b>ARTICLE 20(3):</b>  <b>RIGHTS OF MEMBERS</b>  Any Member State whose contributions to the Union are in arrears for two consecutive years shall forfeit the right to:	The term “consecutive” signifies that Member States enjoy their rights as recognized by the Union insofar as they do not accumulate any outstanding contributions in a back-to-back manner. In other words, a Member State may have outstanding payments during a ten-year period and still continue to enjoy its rights, provided it has made sure such arrears are not incurred over consecutive financial years.  Conversely, a Member State may have arrears for only two years and forfeit its rights on account of having incurred them during back-to-back financial years.  It is therefore only right and proper that this discrepancy be rectified.	<b>ARTICLE 20(3):</b>  <b>RIGHTS OF MEMBERS</b>  Any Member State whose contributions to the Union are in arrears for two <b>consecutive</b> years shall forfeit the right to: ...

<p><b>ARTICLE 20(3)-b:</b></p> <p><b>RIGHTS OF MEMBERS</b></p> <p>Any Member State whose contributions to the Union are in arrears for two <b>consecutive</b> years shall forfeit the right to:</p> <p>(b) Hold any positions within the Union;</p>	<p>The posts held include elective posts (Secretary General and Assistant Secretary General), non-elective posts at the General Secretariat, seats on the Administrative Council, seats on the Bureau of the Plenipotentiary Conference and seats on the Bureau of the Administrative and Technical Committees. In this respect, <b>Rule 12(1)</b> of the Detailed Regulations of the Convention requires that Member States with nationals applying for the offices of Secretary General and Assistant Secretary General must have fully met their mandatory financial obligations to the Union, including for the current financial year.</p> <p>Furthermore, <b>Rule 9(1)-f</b> of the PAPU Staff Rules and Regulations states that Member States with nationals applying for non-elective positions with the General Secretariat must not have more than one year in arrears with their mandatory contributions.</p> <p>This creates an inconsistency between the provisions of <b>Rule 20(3)-b</b> of the Convention, <b>Rule 12(1)</b> of the Detailed Regulations and <b>Rule 9(1)-f</b> of the Staff Rules and Regulations.</p> <p>This inconsistency should therefore be rectified in order to harmonize the financial requirements for holding any office in the Union.</p>	<p><b>ARTICLE 20-3:</b></p> <p><b>RIGHTS OF MEMBERS</b></p> <ol style="list-style-type: none"> <li>1. All Member States shall enjoy the same rights;</li> <li>2. Each Member State shall have one vote during meetings of the Union;</li> <li>3. Any Member State whose contributions to the Union are in arrears <b>for at least two consecutive</b> years shall <b>automatically</b> forfeit the right to: <ol style="list-style-type: none"> <li>(a) Vote;</li> <li><del>(b) Hold any positions within the Union</del></li> <li>(b) Technical assistance from the Union;</li> <li>(c) Host meetings of organs of the Union.</li> </ol> </li> <li>4. <b>Any Member State in arrears of contributions of at least one year to the Union shall automatically forfeit its right to hold any position within the Union's organs, excluding positions at the General Secretariat.</b></li> <li>5. <b>Such sanctions shall be lifted automatically and with immediate effect as soon as the Member State concerned has fully paid its outstanding mandatory contributions to the Union, including relevant interest, or agrees with the Union to</b></li> </ol>
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	<p>To do this, while making a distinction between posts/seats on the Administrative Council, the Plenipotentiary Conference and those on the General Secretariat, there is need to:</p> <ul style="list-style-type: none"> <li>- Separate the provisions relating to the loss of the right to occupy posts from those relating to the loss of other rights in the event of accumulation of arrears of mandatory contributions;</li> <li>- Maintain the threshold of <b>two (02)</b> years for forfeiting the right to vote, to benefit from the technical assistance of the Union and the right to host meetings of the organs of the Union;</li> <li>- Set the threshold of one year of arrears of mandatory contributions for forfeiting the right to hold any positions within the Union.</li> <li>- Harmonize the requirement to be up to date with compulsory contributions, including for the current financial year, for elective positions and other positions at the PAPU General Secretariat.</li> <li>- Add the term "automatic" to specify that there will be no need to follow a formal procedure for taking a decision on forfeiting these rights. This practice is followed by the UPU (Cf. 150, 1 and 2 of the UPU General Regulations)</li> <li>- Also provide for the automatic lifting of said sanctions</li> </ul>	<p><b>submit a debt amortization schedule, with payment of the first instalment when signing the said schedule.</b></p> <p>6. Associate Members shall not have the right to vote and hold any positions within the Union.</p> <p style="text-align: center;"><b>RULE 9 OF PAPU STAFF RULES AND REGULATIONS</b></p> <p style="text-align: center;"><b>REQUIREMENTS</b></p> <p>1. No person shall be elected or recruited and appointed to any position of the Union:</p> <p>f) <del>if he/she is a national of Member State that is in arrears of contribution for two consecutive years;</del></p> <p>f) <b>If he/she is a national of Member State that is in arrears with its mandatory contribution, including for the current financial year.</b></p>
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## DETAILED REGULATIONS OF THE PAPU CONVENTION

### **ARTICLE 13: PROCEDURE FOR ELECTION OF THE SECRETARY GENERAL AND ASSISTANT SECRETARY GENERAL**

Voting by acclamation is not explicitly covered in the Acts of the Union, whereas it is increasingly used in international organizations. It should therefore be explicitly stated in the PAPU Acts.

### **ARTICLE 13 : PROCEDURE FOR ELECTION OF THE SECRETARY GENERAL AND ASSISTANT SECRETARY GENERAL**

- 1) Where only one candidate is standing for the office of Secretary General or Assistant Secretary General, he or she shall be elected by acclamation;**
- 2) Where there are at least two (02) candidates for the office of Secretary General or Assistant Secretary General:**

2.1 .....

2.2 .....

2.3 .....

<p style="text-align: center;"><b>ARTICLE 20:</b></p> <p><b>RIGHTS AND OBLIGATIONS OF ASSOCIATE MEMBERS</b></p> <p>1. The rights and obligations of Associate Members shall be as follows:</p> <p>a) Participate in the framework for dialogue between stakeholders of the postal sector;</p> <p>b) Participate in studies aimed at developing the postal sector;</p> <p>c) Advise the Union on specialized/technical issues and make recommendations/give opinions on matters referred to them by the Administrative Council;</p> <p>d) Make recommendations to the Conference, subject to approval by the Administrative Council;</p>	<p>This provision sets out the rights and obligations of Associate Members indiscriminately. The obligations outlined in this Rule are not exhaustive. The missing obligations should therefore be laid down explicitly, while equally separating rights and obligations in specific articles, as presented in Articles 19 and 20 of the Convention.</p>	<p style="text-align: center;"><b>ARTICLE 20:</b></p> <p><b>RIGHTS AND OBLIGATIONS OF ASSOCIATE MEMBERS</b></p> <p>1. Associate Member shall enjoy the right to:</p> <p>a) Participate in the framework for dialogue between stakeholders of the postal sector;</p> <p>b) Participate in studies aimed at developing the postal sector;</p> <p>c) Advise the Union on specialized/technical issues and make recommendations/give opinions on matters referred to them by the Administrative Council;</p> <p>d) Make recommendations to the Conference, subject to approval by the Administrative Council;</p> <p>e) Raise financing for the Union;</p> <p>f) Participate in the activities of the Union.</p>
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<p>e) Carry out any other activity assigned by the Administrative Council;</p> <p>f) Raise financing for the Union;</p> <p>g) Participate in the activities of the Union.</p>		<p><b>2. (New) Associate Member shall be under the obligation to:</b></p> <p>a) Carry out any other activity assigned by the Administrative Council;</p> <p>b) <b><i>Pay mandatory contributions ;</i></b></p> <p><b><i>c) Abide by the provisions of the Convention and its Detailed Regulations.</i></b></p>
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