



**ORGANIZATION OF
AFRICAN UNITY**

Secretariat
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**ORGANISATION DE L'UNITE
AFRICAIN**

Secretariat
B. P. 3243

أديس أبابا * Addis Ababa

COUNCIL OF MINISTERS

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CM/821(XXIX)

REPORT OF THE ADMINISTRATIVE SECRETARY-GENERAL ON THE REQUEST
SUBMITTED BY THE AFRICAN POSTAL UNION FOR THE STATUS OF A
SPECIALIZED AGENCY OF THE ORGANIZATION OF AFRICAN
UNITY



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REPORT OF THE ADMINISTRATIVE SECRETARY-GENERAL ON THE REQUEST SUBMITTED
BY THE AFRICAN POSTAL UNION FOR THE STATUS OF A SPECIALIZED AGENCY
OF THE ORGANIZATION OF AFRICAN UNITY

The African Postal Union was formed in Tangiers, Morocco, in the early sixties in response to paragraph 2 of Article II of the Charter of the Organization of African Unity which stipulates that Member States "shall co-ordinate and harmonize their general policies in all fields including matters relating to economic co-operation, transport and communications".

2. Furthermore, at the 11th OAU Summit held in Addis Ababa in May 1973, the Heads of State and Government adopted the famous "African Declaration on Co-operation, Development and Economic Independence", now known as the Economic Charter of Africa.

3. On Postal Communications, the Conference recommended that under the sponsorship of OAU, ECA and the Universal Postal Union, and in collaboration with the various African Postal Unions, and the signatories of the special agreements establishing the existing schedules and routines, annual inter-governmental consultations should be held by African Postal Authorities to a:-

- i) review the bilateral and multilateral postal traffic, arrangements conducted by, and between, African States with a view to developing a common approach to intra-African Postal Communications problems and policies;
- ii) concert measures for standardizing and co-ordinating postal procedures and practices;
- iii) authorize and subsidize vital intra-African Postal systems improvements by use of professional consultative feasibility studies.

4. It further recommended that the OAU, ADB and ECA should assist the African countries in the establishment of an African Postal Union to pursue appropriate action in the above areas.

5. The aims of the Union as spelt out in paragraph 2 of Article 1 of its constitution are as follows:-

"Within the framework of the Charter of the Organization of African Unity, the Union aims at promoting collaboration and solidarity, tightening the bonds between the Countries of the Union in their reciprocal relationships, and introducing provisions more favourable to the public than those mentioned in the Acts of the Universal Postal Union. Moreover, the aim of the Union is that the Member-Countries and their delegations completely co-operate with each other in the Universal Postal Congress, follow a unified plan therein and, as far as possible in all other postal activities outside the range of the African Postal Administrations unify and co-ordinate, as far as possible, their proposals submitted to the Universal Postal Union".

6. Taking into account the crucial need to develop at continental level, efficient postal administrations within the framework of an African Postal Administration Co-ordinating Centre, the Council of Ministers may wish to grant the African Postal Union the status of a Specialized Agency - in the field of postal administration and co-ordination similar to those already granted the African Civil Aviation Commission and the Union of African Railways.

7. The Council may also wish to mandate the Administrative Secretary-General of the OAU and the Secretary-General of the African Postal Union to meet as soon as possible and prepare a draft co-operation agreement between the OAU and APU. This draft agreement would be presented to the Council of Ministers at its Thirty-First Ordinary Session for its consideration.

8. In short, the agreement to be drafted should provide for the following:

- (a) Active participation of OAU in all the activities of APU, including meetings of the Executive Council and Plenary Session of the Union;
- (b) The need for OAU to receive and comment on draft provisional agenda of the Union's Plenary Session;

- (c) Presentation by APU of annual reports to the PAU Policymaking bodies;
- (d) Attendance by APU of the regular sessions as well as other meetings of the OAU and active participation therein;
- (e) Need for APU to have its own, autonomous Secretariat, the running of which would be financed by APU's regular budget;
- (f) Establishment of an OAU/APU Co-ordinating Committee, which would hold regular meetings at which other African Organizations with common interests with APU (e.g. ECA, ADB, PATU, etc...) might be invited.

Attachments to this Report

9. Attached to this report are the following documents:-

- (a) Letter dated 2 February 1977 from the Secretariat of the African Postal Union requesting to be admitted as a Specialized Agency of the OAU - Annex I.
- (b) Constitution of the African Postal Union as adopted by its 3rd Congress which met in Alexandria, Arab Republic of Egypt, from 21 - 30 June 1975 --- Annex II.
- (c) Draft Resolution for the admittance of the African Postal Union as a Specialized Agency of the Organization of African Unity --- Annex III.

CM/821(XXIX)

Annex I

Cairo, February 2, 1977

The Secretary-General
Organization of African Unity
Addis Ababa
ETHIOPIA

Ref : 117.25/6 of 25.3.1976

O/Ref : 12/1 of 8.12.1975
245/124 of 17.5.1976

Subject : Admission of the African Postal Union (UPAF)
as Specialized Institution of the O.A.U.

Dear Sir,

With reference to your kind letter indicated in reference and to my letters of 8.12.75 and 17.5.1976, I would like to bring to your kind attention that the Executive Council of the African Postal Union has been held in Cairo, Seat of the Union, in the period from 10 to 15 January 1977. We have been honoured by the participation of your esteemed Observer, Mr. Mohammed Hafez Tunis. The Council received him with all enthusiasm and respect which we hold for the great Organization of African Unity, and his presence was so fruitful. In fact, we have benefited from his experience and pertinent views. His declarations have been encouraging for the members of the UPAF who work for the admission of their Union as a specialized institution of the OAU in the domain of Posts, just as the Pan-African Institution of Telecommunications. Thus, it will be realized on the level of the African Continent what is already existing on the level of the UN: the International Union of Telecommunications and the Universal Postal Union, each of them being a specialized institution on the universal level and having its proper domain of activity.

Convinced of the legitimacy and justness of the action of the UPAF in this domain, the Executive Council took the following decision :

"The General Secretariat of the UPAF shall continue its efforts vis-a-vis the OAU General Secretariat with a view to admitting the UPAF as a specialized institution of the OAU, and shall inform the member-countries of the outcome of its contacts.

The Secretary-General of the OAU is persistently requested to respond to the request of the African Postal Union".

In fact, the UPaf is a pan-African Postal Union by its nature which had already declared in its Constitution (Alexandria, 1975) its entire fidelity to the OAU and its adherence to its principles. In the preamble of the said Constitution and in its first article are indicated the following constitutional declarations:

"Preamble :

The undersigned plenipotentiary delegates of the countries listed hereinafter, meeting in the Congress in Alexandria from 21 to 30 June 1975,

Taking into consideration the legitimate aspirations of the African peoples for their unity;

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

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

Cognizant of the Charter of the Organization of African Unity and the Acts of the UPU;

Adopted, subject to ratification, the present Constitution."

"Article 1 :

1. The countries signatories of the African Postal Union form, under the title of the African Postal Union (UPaf), a single postal territory for the reciprocal exchange of correspondence and postal services.

2. Within the framework of the Charter of the Organization of African Unity, the Union aims at promoting collaboration and solidarity, tightening the bonds between the countries of the Union in their reciprocal relations, and introducing provisions more favourable to the public, than those mentioned

in the Acts of the Universal Postal Union. Moreover, the aim of the Union is that the member-countries and their delegations completely cooperate with each other in the Universal Postal Congresses, follow a unified plan therein and, as far as possible, in all other postal activities outside the range of the African Postal Union; and that the African Postal Administrations unify and coordinate, as far as possible, their proposals submitted to the Universal Postal Union".

Taking these constitutional and purely pan-African foundations into consideration, I have the honour to confirm the demand of the UPAf to be admitted by the OAU as a specialized Institution in the domain of African posts, equally with the pan-African Institution of Telecommunications.

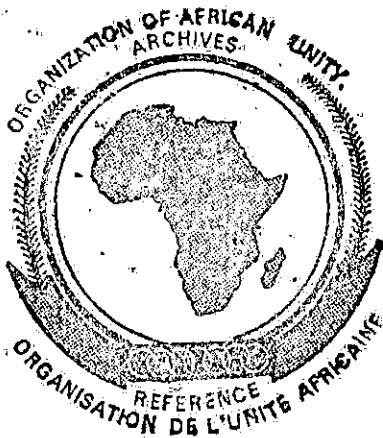
Please find, herewith, two copies in French and another two copies in English of the Acts in force of the UPAf.

In addition, the Secretary-General of the UPAf is completely ready to submit all information and clarifications you may deem useful to ask for. To this effect, he is also ready to go in person to the seat of the OAU or to any other competent meeting.

Awaiting your kind and favourable reply, please accept, Dear Sir, the assurance of my highest consideration.

SECRETARY GENERAL

Diarra Sidiki



C O N S T I T U T I O N

of the

AFRICAN POSTAL UNION

PREAMBLE

The undersigned plenipotentiary delegates of the countries listed hereinafter, meeting in the Congress in Alexandria from 21 to 30 June 1975,

Taking into consideration the legitimate aspirations of African peoples for their unity;

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

Desirous of contributing, through efficient functioning of postal services, to the development of co-operation, notably inter-African co-operation, in cultural, social and economic fields;

Cognizant of the Charter of the Organization of African Unity and the Acts of the U.P.U.;

Adopted, subject to ratification, the present Constitution.

CHAPTER I

Article I
Constitution and Aim of the Union

1. The countries signatories of the African Postal Union, form, under the title of the African Postal Union (UPAF), a single postal territory for the reciprocal exchange of correspondence and postal services.

2. Within the framework of the Charter of the Organization of African Unity, the Union aims at promoting collaboration and solidarity, tightening the bonds between the countries of the Union in their reciprocal relations, and introducing provisions more favourable to the public than those mentioned in Acts of the Universal Postal Union. Moreover, the aim of the Union is that the member-countries and their delegations completely co-operate with each other in the Universal Postal Congresses, follow a unified plan therein and, as far as possible, in all other postal activities outside the range of the African Postal Union; and that the African Postal Administrations unify and coordinate, as far as possible, their proposals submitted to the Universal Postal Union.

Article 2

Membership of the Union and Adherence thereto

1. Each of the following countries is considered as a member of the Union:

- A - The African countries members of the Union at the time of the entry of this Constitution into force.
- B - The member-countries of the OAU which requested to adhere thereto.
- C - The African countries non-members of the OAU which request to adhere thereto and obtain the consent of the majority of the member-Administrations.

2. The General Secretariat of the Union shall accept the admission applications and obtain, when necessary, the consent of the majority required.

3. The General Secretariat of the Union shall notify the new adherence of any country to the Government of the seat country of the Union as well as to the Governments of other countries of the Union.
4. The subsequent adherence to the membership of the Union shall comprise the approval of all obligatory acts of the Union actually into force.
5. In their relations with any adhering African country, the Administrations of the Union shall apply the provisions of the Union's Acts one month after the notification of this adherence.

Article 3

Withdrawal from the Union

1. Each member-country has the right to withdraw from the Union. For this purpose the interested country should address its request through diplomatic channels to the Government of the country, seat of the General Secretariat of the Union. Notification of the admission is made by the aforesaid Government and by the same channels to the other countries of the Union.
2. Withdrawal from the Union becomes effective only on the expiry of a period of one year from the date on which the notice is received by the Government of the country, seat of the Union.

Article 4

L a n g u a g e s

1. The French, English and Arabic languages are the official languages of the Union and for its work. Postal Administrations may come to an understanding either among

themselves or with the General Secretariat of the Union on the use of one of those languages for official correspondence in their reciprocal relations.

2. In case of a divergence on the interpretation of a text, the French text holds precedence.

Article 5

Emblem of the Union

The emblem of the African Postal Union is composed of a circle in which the Continent of Africa is drawn together with the horn of posts in its upper part. The rings and spikes surrounding the circle are symbols of peace, solidarity and fraternal friendship between the peoples.

Article 6

Special Agreements

The member-Administrations of the Union may hold, either among themselves or with other Postal Administrations and Restricted Unions, special postal agreements, provided that they do not contravene the basic target of the Union, and should not contain provisions less favourable than those laid down in the Acts of the Union.

Such Unions or agreements must be made known to the General Secretariat of the Union which gives communication of them to the other Administrations of the Union.

Article 7

Organs of the Union

The Organs of the Union are:

- A - The Congress.
- B - The Executive Council.
- C - Special Committees.
- D - General Secretariat.

Article 8

The Congress

The Congress is the supreme authority of the Union.
It consists of the plenipotentiaries of the member-countries.

Article 9

Extra-ordinary Congresses

1. Each member-country has the right to ask for convening an extra-ordinary Congress. The request shall be submitted to the General Secretariat to expose it to the other members for approval.
2. After the approval of the majority of the members, the convocation shall be addressed through diplomatic channels to hold the extra-ordinary Congress in the country requesting its meeting.
3. All provisions and arrangements stated for the Ordinary Congress shall apply to the Extra-ordinary one.

Article 10

The Executive Council

In the interval between two congresses, the Executive Council assures the continuity of the work of the Union according to the provisions of its Acts.

Article 11

Special Committees

The Congress, or Executive Council may form special committees carrying out certain studies or functions.

Article 12

Arbitration

In the event of disagreement between two or more postal Administrations members of the Union as to the interpretation of the provisions of the Union's Acts, the question at issue is settled by arbitration.

Article 13

Expenditure of the Union

1. After examination of the recommendations of the Secretary-General, the Congress fixes the maximum figure for the annual ordinary expenditure of the Union. This expenditure shall be borne in common by the Administrations of the Union in the same proportions stated for their countries in a scale of contribution ranging from one to five units. In extra-ordinary cases, the Administration concerned may agree with the Secretary General to make the contribution symbolic for two years at most.
2. The Executive Council accordingly shall verify and adopt the final accounts of the Union's expenditures. The Postal Administration of the country seat of the Union shall give

this latter, as loan, the amounts equivalent to the contributive shares of the member-Administrations and the expenses provided for in the budget for each year, and this pending the settlement by these Administrations of their shares provided for in the budget of each year.

Article 14

Presentation of Proposals

Each member-Administration of the Union has the right to present its proposals concerning the Union's Acts to the Congress or the Executive Council.

Article 15

Application of the Provisions of the Universal Postal Union Acts

The provisions of the UPU Acts shall be applied in all cases not provided for in the Acts of the African Postal Union.

Article 16

Entry into Force and Duration of the Decisions of the Congress

The provisions of the Acts of each Congress shall come into force with effect from the date fixed by the Congress. It remains into force until the Acts of the next Congress come into force.

Article 17Internal Legislations

The provisions of the "African Postal Union" acts do not override the internal legislations of any member-Country as regards anything for which they do not expressly provide.

Article 18Application of Privileges
and Immunities of the OAU to the
African Postal Union

1. The privileges and immunities agreement of the Organization of African Unity applies to the African Postal Union, its General Secretariat, its other organs and institutions, the Secretary-General, the Assistant Secretary-General, and the personnel of the General Secretariat. The Secretary-General must nominate the persons to whom these privileges and immunities may apply, and also the subject of their applying. He also must issue the necessary decisions to this effect.
2. The General Secretariat of the Union, its Bureau, the Secretary-General, the Assistant Secretary-General, the personnel of the General Secretariat, special delegates, and the representatives of the member-Countries enjoy in the country which is the seat of the Union the privileges and immunities granted to members of the diplomatic corps and other international organizations. In particular, the Secretary-General enjoys the privileges and immunities enjoyed by the OAU . Secretary-General.

Article 19

Co-operation of the Union
with the Universal Postal Union, the African
and the International Organizations

1. The Union, its General Secretariat and the member Administrations co-operate with the UPU and its International Bureau in connection with all domains interesting the international and inter-African postal service.
2. The Union co-operates with the African and International Organizations which have relation with postal work, with the object of developing the postal services within the framework of the Union.
3. In the universal postal congresses, the member-Countries of the Union and their delegations co-operate, as far as possible, with the delegations of the member-Countries of the Arab Postal Union and follow a unified plan.

Article 20

Acts of the Union

The Acts of the Union are the following:

1. The Constitution.
2. The General Regulations of the African Postal Union and their annexes.
3. The Rules of Procedure of the Congresses.
4. The Convention and its Detailed Regulations.
5. The Agreements and their detailed Regulations.
6. The Decisions and Recommendations taken by the Congresses or the Executive Council.

Article 21

Signing, Keeping and Communicating
the Acts of the Union

1. The Plenipotentiaries of the Union countries in the Postal Congresses shall sign one copy of the Acts. This copy shall be kept in the archives of the General Secretariat of the Union. The Secretariat of the Congress shall deliver a copy thereof to each delegation in order to present it to their government.
2. The General Secretariat of the Union shall send a copy of the original one, which is kept in the above Secretariat to the governments of the signatory countries and to the Administrations of the Union.

Article 22

Rectification of the Union's Acts

1. The signatory countries shall ratify, as soon as possible, the Acts of the Union which shall be deposited at the General Secretariat of the Union through diplomatic channels by the government of the country-seat of the Union. The Secretary-General of the Union shall notify the members with every ratification Act to be deposited.
2. If one or more countries do not ratify one or other of the Acts of the Union, these Acts shall be none the less valid for the countries that have ratified them. As for the country or the countries whose ratification has not been effected, they shall remain bounded to the provisions of the previous Act or Acts.

Article 23

Amendment of the Constitution

The provisions of this Constitution shall not be amended except by the Congress and with the consent of at least two-thirds of the member-Countries of the Union.

Article 24

Entry into Force and Duration
of the Constitution

This Constitution shall come into force with effect from the 1st of January 1977. It shall remain into operation for an indefinite period.

In faith whereof, the Plenipotentiaries of the Governments of the member-Countries have hereinafter signed the present Constitution on one copy which will be kept at the archives of the General Secretariat of the African Postal Union. A copy conforming with the original will be delivered to each party by the Government of the Country-seat of the Congress.

Drawn up at Alexandria, the 30th June 1975,

- For the Republic of Burundi:
- For the Arab Republic of Egypt:
- For the Republic of Guinea:
- For the Republic of Ghana:

- For the Islamic Republic of Mauritania:
- For the Republic of Liberia;
- For the Libyan Arab Republic:
- For the Republic of Mali:
- For the Democratic Republic of Somalia:
- For the Democratic Republic of Sudan:
- For the Republic of Zaire:

Draft Resolution on the Request of the African Postal Union
to be admitted as a Specialized Agency of the
Organization of African Unity

The Council of Ministers of the Organization of African Unity meeting in its Twenty-Ninth Ordinary Session in Libreville, Gabon, from 26 June to 5 July 1977,

Having heard the report of the Administrative Secretary-General of the OAU contained in Document CM/

Considering paragraph 2 of Article II of the Charter of the OAU;

Considering further the declaration made by the OAU Heads of State and Government at their 11th meeting held in Addis Ababa in June 1973, especially the relevant operative paragraph recommending that the OAU, ADB and ECA should assist the African countries in the establishment of an African Postal Union;

Considering also the aims of the Union as spelt out in paragraph 2 of Article I of its Constitution,

1. RECOMMENDS that the African Postal Union be admitted as a Specialized Agency of the OAU in the field of postal services, similar to those already granted the African Civil Aviation Commission and the Union of African Railways;
2. REQUESTS that the Administrative Secretary-General of the OAU and the Secretary-General of APU meet as soon as possible to prepare a co-operation agreement between the OAU and the APU, and that such draft agreement be presented to the 31st Ordinary Session of the Council of Ministers for its consideration.



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