



DRAFT REPORT
CERP Working Group UPU
Lisbon, 10 October 2013

Participants: WG Chairman (Norway), Austria, Denmark, Estonia, Former Yugoslav Republic of Macedonia, Germany, Greece, Hungary, Norway, Netherlands, Poland, Portugal, Serbia, Spain, Switzerland, United Kingdom

Observers: UPU IB, PostEurop

1. Opening of the meeting and adoption of the agenda

The Chairman opened the meeting and the agenda was adopted.

2. Report from the sixth meeting in Madrid 14 – 15 March 2013

The report from the sixth meeting in Madrid 14 – 15 March 2013 was adopted by the CERP Plenary in Kristiansand with comments from the members. Certain issues were discussed quite extensively at the Plenary, in particular regarding how the WG should work in the future. The WG should make an effort to change its work by dealing with fewer issues, in an effort to find common European positions and get members to participate actively in this cycle.

3. Appointment of a new vice chair for the Working Group

Coral Iglesias Carrero (Spain) is the Vice chair of the WG. She has recently informed the WG that she is moving to a different Unit within the Ministry and will not be following the WG UPU work in the future. The WG is therefore in need of a new Vice chair.

During the previous cycle the Vice chair assisted the Chairman in his tasks and did quite extensive work to coordinate the proposals considered of particular interest for Europe and presented this for the WG for further discussion prior to Congress. The Chairman gave his appreciation for the work performed by the Vice chair. It should be expected that a new Vice chair will do similar work in the future but this will depend upon the capacity of the Vice chair who is chosen.

Candidates for the Vice chair position are encouraged to contact the Chairman. The Chairman will present the candidate/candidates for the WG which will choose a new Vice chair to assist the Chairman in his tasks.

4. General discussion about priorities

At the time of the meeting few CA documents were available on the UPU website. The WG used the Agendas that were available as a starting point for determining which issues that should be regarded of particular importance for further discussions in the WG. The Chairman suggested that the WG start focusing on the following documents, but WG members are free to suggest changes/additions:

Committee 1 Governance and Regulatory Issues	
<ul style="list-style-type: none"> • Protecting the .post project and the postal/mail industry in the Internet 	CA C1 2013.2-Doc 7
<ul style="list-style-type: none"> • Reform of the Union: <ul style="list-style-type: none"> ○ Drawing a clearer distinction between regulatory and operational functions of UPU bodies ○ Implementation of a policy to promote greater participation among stakeholders 	CA C1 RUPG 2013.2-Doc 2b CA C1 RUPG 2013.2-Doc 2c
<ul style="list-style-type: none"> • Acts of the Union: <ul style="list-style-type: none"> ○ General revision of the Convention and its Regulations to make the POC more efficient – ad hoc group report ○ Study of the use and definitions in the Acts – ad hoc group report 	CA C1 AUPG 2013.2-Doc 3b CA C1 AUPG 2013.2-Doc 4b
<ul style="list-style-type: none"> • Regulatory Issues: <ul style="list-style-type: none"> ○ Study of legal, regulatory, operational and economic problems in relation to multiple designated operators in one country 	CA C1 RIPG 2013.1-Doc 4
<ul style="list-style-type: none"> • Remuneration Governance Issues (Terminal Dues): <ul style="list-style-type: none"> ○ Organization of the work and adoption of the work plan 	CA C1 RGIPG 2013.1-Doc 2
Committee 2 Finance and Administration <ul style="list-style-type: none"> ○ Revised Programme and Budget 2013 – Draft Programme and Budget for 2014 ○ Changes to the IB's organizational structures 	CA C2 2013.2-Doc 10 and 11 CA C2 2013.2-Doc 14
Committee 4 Cooperation and Development <ul style="list-style-type: none"> ○ Cooperation between the UPU and the restricted unions 	CA C4 2013.2-Doc 2

All WG members commented on which issues should be added to the list, removed or given particular attention at this point in time. In summary it was general support of the proposed list. In addition the WG should include the following issues to the list based on the comments during the discussion:

- Audit
- Strategy
- Security
- E-services
- Customs framework
- The Strategy Conference

5. Discussion about the different issues/documents

There was a general discussion about the different issues listed under agenda item 4 and the few documents that were available on the UPU website at the time of the meeting.

- *Protection of the .post project and the postal/mail industry in the Internet*

The ICDR panel passed a discussion in July where the objection of UPU regarding .epost as top level domain was denied. At the CA meeting in April Committee 1 asked the IB to return to this issue in the autumn, especially concerning procedures for the IB to handle this type of measures on behalf of the UPU. No document has been presented yet. Members were urged to exchange views by e-mail on this issue, especially after the announced CA C1 2013.2-Doc 7 will be on the table.

- *Reform of the Union:*

- *Drawing a clearer distinction between regulatory and operational functions of UPU bodies*
- *Implementation of a policy to promote greater participation among stakeholders*

There were comments on the regulatory conference, which will be held during the CA meetings, especially it was asked for the finalization of the conference program well in advance, so that member countries can prepare and participate actively in discussions. Countries that are members of the CA were urged to play an active role and inform the WG and CERP about the deliberations of the CA, in order to stimulate to coordinated action from Europe in the future. More active participation in the Consultative Council from European member countries was also asked for.

- *Acts of the Union:*

- *General revision of the Convention and its Regulations to make the POC more efficient*
- *Study of the use and definitions in the Acts*

The IB explained that the ad hoc group on general revision has had one meeting; the second meeting will be on 31 October rearranging the order of the Convention to match with the regulations. When looking at the reorganization of parcel post articles there is coordination with a POC ad hoc group. There is also money on the IB budget to engage a consultant for the revision work. In general there is a hope that fewer working groups could be established in the future, to save costs and make the work more efficient. For information, the IB mentioned that France has presented a document on review of UPU procedures for submission of proposals to Congress (CA C1 RUPG 2013.2-Doc4).

- *Regulatory Issues:*

- *Study of legal, regulatory, operational and economic problems in relation to multiple designated operators in one country*

No document so far. During Congress the proposal to only allow member countries to have one designated operator was rejected. However, there is still a need for deciding how a system with multiple designated operators should work, and this is a regulatory issue that should be focused on by CERP. In addition, the issue of ETOEs was mentioned. This is an issue where there are many different views, even within Europe, and it is difficult to imagine that this can be a background for a common European position. However, the issue should be followed closely, as this is a very important regulatory issue for the future.

- *Remuneration Governance Issues (Terminal Dues):*
 - *Organization of the work and adoption of the work plan*

No document so far. The Chairman explained that Norway in collaboration with the chairman of RGIPG has suggested to introduce to the work plan the creation of an ad hoc group to study and develop the terminal dues system, especially for the industrialized countries already participating in the target system, against main regulatory and competition law principles, expected to present its report to the RGIPG at the CA session in the autumn 2014. The members of the group were invited to participate in this work if it was adopted as part of the work plan.

- *Finance and administration:*
 - *Revised Programme and Budget 2013 – Draft Programme and Budget for 2014*
 - *Internal Audit Committee report*

IB has tried to find ways to reduce costs, after the reduction of the 2013 budget in April. IB has frozen hiring of staff. A new discussion about the contribution unit could be expected at the CA. There was also a reference to the expected document on creation of an internal audit committee (CA C2 2013.2-Doc 8). The document was not yet available.

- *Changes to the IB's organizational structures*

There has been much interest from many member countries for human relations policies within the IB. In this document (CA C2 2013.2-Doc 14) information about the latest development is given, and CA is asked to approve the creation of the post of Provident Scheme Administrator.

- *Cooperation and development*
 - *Cooperation between the UPU and the restricted unions*

This concerns implementation of resolution C/14 from the Doha Congress, on further strengthening the cooperation between UPU and restricted unions. Since we have sought to strengthen the participation of CERP in the activities of UPU, this should be of interest for our organisation. CERP is working with a guide for Postal Policy in developing UPU member countries. This will be finalized at the CERP plenary meeting in spring 2014.

- *UPU Strategy*

There should be a focus from the WG on implementation of the Doha Strategy and on developing the next strategy for the coming cycle. It is very important to see the work on reform of the Union in connection with the strategies, as they are interlinked with each other.

- *Strategy Conference*

During the CA meeting in April, Côte d'Ivoire invited to a Strategy Conference in 2014. There is no regulation of strategy conferences in the Acts of the Union, and ambiguity as to whether a conference should be held or not. There is so far no budget to cover expenses connected with such a conference. This issue will probably be put on the agenda again during the CA meetings in November.

- *Security*

This issue is very important for ministries and regulators. The WG is encouraged to look into agendas for this issue and give comments to the group.

- *Customs*

This is also an issue of importance for ministries and regulators. The UPU set of rules concerning customs so far has favoured designated operators over other operators in the postal market. With more focus on competition regulation, this will be an issue of great relevance for member countries in the future. The WG is encouraged to look into agendas for this issue and give comments to the group.

- *E-services*

There was even a certain interest of having e-services among the issues for attention for the group. The WG is encouraged to look into agendas for this issue and give comments to the group.

6. Reaching CERP common positions and presenting CERP as a Restricted Union showing a “European” attitude – how to motivate member countries to contribute to the positions?

In previous cycles different methods of “Code of Conduct” have been established in order to enable CERP to present a European view within UPU meetings. However experience showed that none of these agreements have been workable in the meaning that any European Common Position was reached.

Therefore the CERP Plenary assembly in May 2013 entrusted the CERP Steering Group to develop a working mechanism taking into account the existing procedures in the other CEPT committees, Com-ITU and ECC.

Germany presented the result of this work in a draft document “*Working Methods for CERP in UPU matters*” which has been derived from the relevant Com-ITU document. The draft document consists of three parts:

- Part 1: “*Working Procedures for CEPT Co-ordination in the preparation of, and during UPU Conferences*”
- Part 2: “*Working Procedures for CEPT Co-ordination in the preparation of contributions to meetings of UPU groups*” and
- Part 3: “*European Common Proposal (ECP)*”.

The first part describes the working procedure in preparation and during conferences. The main idea is to coordinate the work by a Coordination Team (Steering Group). The task of this group is to find support for modified positions for ECPs (European Common Proposals).

The second part relates to the coordination in preparation of UPU meetings. Here a unanimous voting is needed. In order to be able to submit a relevant contribution (or to speak in a meeting on behalf of CERP) CERP would have to seek consent on special subjects prior to a meeting of a UPU body in a CERP WG UPU meeting.

The third part provides the rules to follow when developing ECPs, which means that CERP could establish a procedure by which proposals of regulatory nature can be developed and co-signed by CERP members.

If CERP follows this approach the consequences are as follows:

- At any time there need to be a CERP WG UPU meeting prior to CA and POC meetings;
- A clear understanding of the items discussed in UPU meetings is absolutely necessary;
- Items, where an ECP is foreseen, need to be explained in detail right before.

There was some discussion about the applicability of the different working methods for council meetings (CA) and Congress and the wording of the document.

The document will be voted on during Plenary. All members of WG UPU are asked to present their opinion.

The Chairman suggests that WG members should review the document and send comments to Ulrich Dammann who can prepare/adjust the document. E-mail:

Ulrich.Dammann@BNetzA.de

7. Work to be done before CA meetings in November

The Chairman suggested that all members bring forth comments to the issues discussed and on documents that soon will be published on the UPU website before the CA, and when possible express the view of each member country. The WG has not adopted any formal procedures for reaching common positions yet and thus common views of WG members will only be regarded as informal common views as information for the members. Suggestions or comments can be sent to the Chairman for further distribution to all members.

8. Next meeting

It was suggested that the next WG meeting should be held closer to the CA spring session 31st March to 7th April. Possible dates for the next meeting should be in the middle of March. The Chairman will inform the WG about date and venue when a host country for the next meeting is confirmed.

9. Any other business

It was suggested that the WG should have lunch meetings during CA to help coordination for instance in the middle of the first and second week. The Chairman will look into the possibilities of arranging such meetings.