



## **CERP WORKING GROUP UPU**

### **CERP Code of Conduct regarding the Participation of the European countries to the Doha Congress**

In its Plenary meeting in Dublin on 19-20 May 2011 CERP approved the terms of reference for its working groups. For the Working Group UPU this included amongst others the topic of the preparation of UPU Congress with consideration of proposals, drafting of proposals and developing of Common Positions.

In order to further the implementation of these tasks the working Group UPU has agreed to draft the annexed code of conduct.

Different from the Code-of-Conducts in previous UPU-Congresses, this draft does not include an agreement between CERP and PostEurop but describes the coordination and conditions solely for CERP members regarding the classification of proposals.

The CERP Plenary is asked to approve the draft Code of Conduct.

Egil Thorstensen  
Chairman CERP WG UPU

**Draft**

**CERP Code of Conduct regarding the  
Participation of the European countries to the Doha Congress**

**1. Introduction**

It is essential that European countries should display, during Congress, coordination and cohesion reflecting the common work accomplished within CERP.

For this reason, CERP members usefully reach an agreement on the desirable conditions for such coordination:

- CERP will have to consider the draft proposals from their members to allow the authors to know how the other members react to this proposal;
- CERP will have to consider the proposals from other sources relating to governmental, policy or regulatory issues;
- CERP will have to consider the proposals on special request from a CERP member.

When doing so, Member States will need to take into account their obligations under regional legislation &/or WTO/GATS, as appropriate (e.g. EU competition law).

In order to get a greater knowledge on the content of a proposal CERP may request the opinion of PostEurop.

CERP will concentrate on proposals of regulatory and/or strategic nature. In order to indicate those proposals CERP Working Group has established a sub-group that will look through all the proposals forwarded for congress decision and draft a separate list with the proposals of regulatory and/or strategic nature. Thus, this code of conduct concerns proposals indicated by the sub-group in this separate list only.

The group will distribute a list of the proposals concerned on a regular basis to all CERP members asking for their opinion within a given time frame. Based on the opinions given each proposal will be classified as follows:

- A) Approved unanimously,
- B) Approved by majority,
- C) Rejected unanimously,
- D) Rejected by majority.

In order to be classified as “A”-“D” a proxy with the qualified majority of voting members is requested. Thus, it is necessary that a minimum of 25 out of the 48 CERP members have submitted their opinion before a classification can be achieved.

All CERP members will be informed at least two weeks prior to Congress about those proposals, where a qualified majority of CERP members have submitted their opinion and about the classification of these proposals.

CERP invites PostEurop to keep each other informed and to exchange the opinion on proposals between both restricted Unions on a reciprocal, confidential basis.

## 2. Detailed Regulations

In the course of this work, the following situations may occur, and the members agree to behave as follows and subject to the general constraints set out in paragraph 3 below:

A. In case of *unanimous approval* by the members of CERP, the members are invited to vote for this proposal, and decide which one(s) of them will speak in support of it during Congress session, with reference to CERP's unanimous position. We would wish to ensure that a sufficient number of delegations effectively participate in the discussion about this proposal.

B. In case of *majority approval* by the members of CERP, minority members naturally keep their freedom of vote, but agree not to speak against the proposal; however, if they consider that the issue is of major importance for them, they give advance notice to the chairmanship of CERP that they intend to make an intervention against the proposal, on an individual basis. As far as possible, such a case should be considered as an exception. This proposal will be communicated to all members of CERP.

C. In case of *unanimous rejection* by the members of CERP, the members are invited to vote against this proposal, and agree to define beforehand if there is a need to intervene against it and, if so, to appoint those who will be entrusted with it, referring to the unanimous position of CERP members.

D. In case of *majority rejection* by the members of CERP, minority members naturally keep their freedom of vote, but agree not to speak in support of the proposal; however, if they consider that the issue is of major importance for them, they give advance notice to the chairmanship of CERP that they intend to make an intervention in support of the proposal, on an individual basis. As far as possible, such a case should be considered as an exception. This proposal will be communicated to all members of CERP.

## 3 General constraints

It is of course understood, as the UPU is an international organisation of member governments that it is ultimately for member governments to decide what proposals are supported and go forward from its country.

This "code of conduct" should of course not be construed as binding for the members, but could be used as a basis for a "moral commitment" to European cohesion, so that European interest can properly be taken into account during Congress.

The above procedure should be adapted to the importance of the issues, in line with the former practice of CEPT, according to which a firm common attitude was adopted on matters of interest for Europe, while a more flexible attitude was adopted for minor issues.

This procedure should be adapted to circumstances during Congress.

## 4. Entry into force

This "code of conduct" will enter into force after adoption by a majority of CERP members in the plenary meeting.