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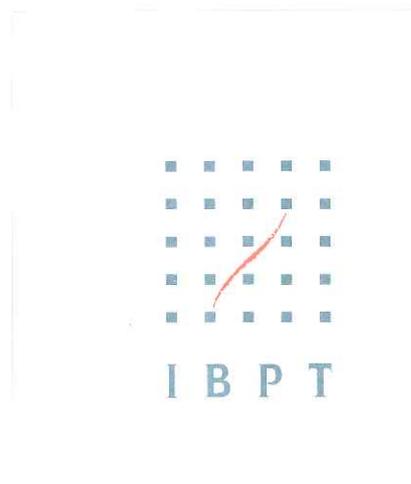
Faculty of Law and Criminology
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Study

Legal Aspects of the Universal Postal Union's Status as a United Nations Specialized Agency and its Extrabudgetary Activities

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I. The Relationship between the United Nations and the Specialized Agencies

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INTRODUCTION

The present study has been prepared by the Belgian Institute for Postal Services and Telecommunications in collaboration with the Centre for International Law of the *Vrije Universiteit Brussel* (Brussels). The objective of this study is twofold: 1) to clarify the legal features underpinning the Universal Postal Union's (hereafter UPU) status as a specialized agency of the United Nations (hereafter UN) and 2) to identify and analyse international law aspects of certain UPU extrabudgetary activities, namely the Telematics and EMS Cooperatives.

The structure of this study is as follows. Part I provides an overview of the relationship between the UN on the one hand and other international organizations on the other hand. A first section is dedicated to the analysis of the specialized agencies and the UN system, i.e. a framework for interaction between the United Nations and its specialized agencies. In part II the links maintained between the UN and the UPU are further examined making use of the concepts developed in part I. Part III is dedicated to the legal analysis of the Telematics and EMS Cooperatives. Building on the legal framework applicable to subsidiary organs, the study considers the establishment, control and regulation of staff of the aforementioned cooperatives.

I. THE RELATIONSHIP BETWEEN THE UNITED NATIONS AND OTHER INTERNATIONAL ORGANIZATIONS

A. Specialized agencies

i. Concept

Definition. The concept of specialized agency¹ can be found in article 57 of the UN Charter, which states:

¹ There are 17 specialized agencies: ILO, FAO, UNESCO, WHO, World Bank, IDA, IFC, MIGA, IMF, ICAO, UPU, ITU, WMO, IMO, WIPO, IFAD and UNIDO.

“1. The various specialized agencies, established by intergovernmental agreement and having wide international responsibilities, as defined in their basic instruments, in economic, social, cultural, educational, health, and related fields, shall be brought into relationship with the United Nations in accordance with the provisions of Article 63.

2. Such agencies thus brought into relationship with the United Nations are hereinafter referred to as specialized agencies.”

Thus, a careful reading of this provision allows us to distinguish three criteria which must be met.

Condition 1: intergovernmental agreement. All specialized agencies hinge upon a multilateral treaty concluded between States.² Several specialized agencies have given their founding document the name constitution³, although other variations exist.⁴

Their object “is to create new subjects of law endowed with a certain autonomy, to which the parties entrust the task of realizing common goals.”⁵ In order to achieve these aims, specialized agencies are bestowed with legal personality in the international and domestic legal orders. Legal personality in domestic law typically includes the capacity to enter into contracts, own property and initiating proceedings before domestic courts. Often these powers are clearly enumerated in the international organisation’s constitution⁶ and additional⁷ conventions.⁸

The attribution of international legal personality, which empowers the organization to conclude treaties, bring claims for damages against States etc., raises more difficulties. Usually it can be located explicitly or implicitly in the specialized agency’s constitutive

² The intergovernmental requirement must be nuanced in light of the European Union’s membership in the Food and Agriculture Organization (FAO). See R. Frid, “The European Economic Community – A Member of a Specialized Agency of the United Nations”, *European Journal of International Law*, vol. 4, 1993, pp. 239-255.

³ ILO, FAO, UNESCO, WHO, UPU, UNIDO.

⁴ E.g. Agreement, Articles of Agreement, Convention and Statutes. See E. Klein, “United Nations, Specialized Agencies”, in R. Wolfrum (ed.), *The Max Planck Encyclopedia of Public International Law*, Oxford University Press, 2008, online edition, § 14, www.mpepil.com.

⁵ International Court of Justice, *Legality of the Use by a State of Nuclear Weapons in Armed Conflict (Request by WHO)*, *Advisory Opinion*, *I.C.J. Reports 1996*, 66, p. 75.

⁶ The UPU holds a singular position in that unlike other international organizations, its constitutional document does not regulate its legal status on the territory of member states.

⁷ E.g. Art. III Convention on the Privileges and Immunities on the Specialized Agencies, 21 November 1947, 1 *U.N.T.S.* 521.

⁸ Sand & Klein, *o.c.*, p. 480.

instrument.⁹ The sole example of a specialized agency explicitly granted juridical personality on the international plane is IFAD¹⁰. In all other cases, the convention is either vague¹¹, silent¹², or refers to personality within the realm of municipal law¹³. Nevertheless, these organizations too possess international legal competences as a result of the theory of implied powers. The ICJ expounded this doctrine in the *Reparations for Injuries* case holding that “[the UN] must be deemed to have those powers which, though not expressly provided in the Charter, are conferred upon it by necessary implication as being essential to the performances of its duties (...).”¹⁴ The Court later applied this theory in other cases.¹⁵ Scholars widely accept that the conferral of international juridical personality by implication equally applies to organizations other than the UN.¹⁶

The intergovernmental agreement aims to regulate *inter alia* the membership and structure of the specialized agency.¹⁷ Even though each organization is subject to its own specificities, some general observations can be made. All specialized agencies aspire for universal membership. In this regard they have been successful, having reached numbers

⁹ Klein, *o.c.* note 2, § 61.

¹⁰ Art. 10 section 1 Agreement Establishing the International Fund for Agricultural Development, 20 December 1976, 1059 *U.N.T.S.* 191: “The Fund shall possess international legal personality.”

¹¹ E.g. Art. 31 Statutes of the World Tourism Organization, 27 September 1970, 985 *U.N.T.S.* 351: “The Organization shall have legal personality.”

¹² E.g. the Constitution of the Universal Postal Union.

¹³ E.g. Art. 27 (a) Convention of the World Meteorological Organization, 11 October 1947, 77 *U.N.T.S.* 143: “The Organization shall enjoy in the territory of each Member such legal capacity as may be necessary for the fulfilment of its purposes and for the exercise of its functions.”

¹⁴ International Court of Justice, *Reparation for Injuries Suffered in the Service of the United Nations*, Advisory Opinion, *I.C.J. Reports* 1949, 174, p. 182.

¹⁵ E.g. International Court of Justice, *Certain Expenses of the United Nations*, Advisory Opinion, *I.C.J. Reports* 1962, 151, p. 177.

¹⁶ P. d’Argent, “Reparation for Injuries Suffered in the Service of the United Nations (Advisory Opinion)”, in R. Wolfrum (ed.), *The Max Planck Encyclopedia of Public International Law*, Oxford University Press, 2008, online edition, § 11, www.mpepil.com; Sand & Klein, *o.c.*, p. 476; Schermers & Blokker, § 1568.

¹⁷ In order to fall under Art. 57 UN Charter, the intergovernmental agreement must regulate more than the substantive rights and duties of state parties and the organizing of periodic conferences. The agreement must envisage the creation of an international organization. W. Meng, “Article 57”, in B. Simma (ed.), *The Charter of the United Nations: A Commentary*, 2nd ed., vol. II, Oxford, Oxford University Press, 2002, p. 947.

comparable to the UN.¹⁸ From a structural perspective, the specialized agencies follow a similar pattern:

- (i) a plenary organ in which all members are represented;
- (ii) an executive body with limited membership;
- (iii) an independent and impartial secretariat charged with day-to-day administration;
- (iv) often several subsidiary bodies and regional and/or technical commissions.¹⁹

Finally, all specialized agencies contain amendment procedures in their constitutions.²⁰ Although varying greatly in procedure, the plenary organ of the organization plays a pivotal role in this regard.²¹ Practice regarding the permissibility of reservations to intergovernmental agreements is mixed.²² Some specialized agencies expressly prohibit reservations²³ whereas others are silent. In the latter case, the general rules regarding the acceptability of formulation reservations apply.²⁴

Condition 2: limited scope of activities. Specialized agencies are classified as special/technical organizations because they are created for the purpose of performing one or more specific functions. Their scope is limited and their tasks are technical in nature. As a result, member states are often represented by delegations comprised of technical experts rather than diplomats.²⁵ These bodies can be contrasted with general/political organisations of which the UN is the prime example.²⁶ Moreover, we can deduce from the words “having wide international responsibilities” that specialized agencies must be global organisations. Accordingly, regional organisations cannot be granted this status.²⁷

¹⁸ FAO: 189, IBRD: 184, ICAO: 189, IDA: 165, IFAD: 165, IFC: 178, ILO: 179, IMF: 184, IMO: 166, ITU: 191, UNESCO: 191, UNIDO: 171, UPU: 191, UNWTO: 150, WHO: 192, WIPO: 183, WMO: 187; Klein, *o.c.*, § 20.

¹⁹ Klein, *o.c.*, § 31.

²⁰ See generally R. Zacklin, *The Amendment of the Constitutive Instruments of the United Nations and Specialized Agencies*, Leiden, Nijhoff, 2005.

²¹ Klein, *o.c.*, § 15.

²² Sands & Klein, *o.c.*, pp. 449-451.

²³ E.g. Art. 16 Convention Establishing the World Intellectual Property Organization, 14 July 1967, 828 *U.N.T.S.* 3.

²⁴ These can be found in Art. 19-23 Vienna Convention on the Law of Treaties, 23 May 1969, 1155 *U.N.T.S.* 331.

²⁵ Schermers & Blokker, § 63.

²⁶ *Id.*, § 64.

²⁷ Simma, *o.c.*, p. 949.

Their activities are limited to the non-exhaustive set of areas enumerated in Art. 57 UN Charter. This provision should be given a broad interpretation. For instance, the *travaux préparatoires* point out that the term “economic” is comprehensive in scope, including international trade, finance, communications and transport, reconstruction and international co-operation in the fight against drugs.²⁸ Not contented with restricting the activities of specialized agencies to economic and social fields, the drafters decided to include education, culture and health.²⁹ However, Art. 57 UN Charter is not entirely open-ended. By way of illustration, organizations with a military object would not be eligible.³⁰

Condition 3: relationship agreement. In accordance with Art. 57 UN Charter, a special agreement is entered into between the UN and the agency concerned. The accord to be concluded is elaborated in Art. 63.1 UN Charter:

“The Economic and Social Council may enter into agreements with any of the agencies referred to in Article 57, defining the terms on which the agency concerned shall be brought into relationship with the United Nations. Such agreements shall be subject to approval by the General Assembly.”

Consensus is lacking regarding the legal qualification of the liaison agreement. According to some authors, such an accord constitutes a treaty concluded between international legal persons and contains rights and duties for the parties.³¹ As a logical consequence, this implies the treaty-making power of both the UN and the specialized agencies.³² Others maintain that the liaison agreement forms part and parcel of the UN Charter and the constitutive treaty of the specialized agency in question. If one follows the first view, a violation of the agreement would amount to the non-fulfilment of a conventional obligation. Under the second view, the violation would render a resolution adopted by an organ illegal.³³

Relationship agreements result from an elaborate negotiation process. The competent organs or interim commissions act on behalf of the specialized agency. On the part of the UN,

²⁸ *U.N.C.I.O. Docs.*, vol. X, 271, § 8.

²⁹ *Id.*, 271, § 7.

³⁰ This explains why the IAEA is not a specialized agency. Simma, *o.c.*, p. 949.

³¹ W. Meng, “Article 63”, in B. Simma (ed.), *The Charter of the United Nations: A Commentary*, 2nd ed., vol. II, Oxford, Oxford University Press, 2002, p. 1002.

³² On this topic, see generally J. Carroz & Y. Probst, *Personnalité juridique internationale et capacité de conclure des traités de l'O.N.U. et des institutions spécialisées*, Paris, Foulon, 1953.

³³ B. Conforti, *The Law and Practice of the United Nations*, 3rd ed., Leiden, Nijhoff, 2005, p. 252.

several actors are involved in this phase: the Secretary-General assists in conceiving a draft, ECOSOC negotiates, and the General Assembly ultimately endorses the final text.³⁴ Once concluded, the agreement is published.³⁵ So far not a single liaison agreement has been amended despite this being a conceivable possibility.³⁶

ii. UN System

History. The UN system can be seen as the successor to the arrangements maintained by the League of Nations.³⁷ At the time of the League's founding, a number of technical organizations were present on the international scene, the so-called international administrative unions or bureaux, such as the UPU. These institutions, which were created in the second half of the 19th century, enjoyed relative success, demonstrating that states were willing to give up a small amount of their sovereignty in the pursuance of technical co-operation. Over the years, the unions developed considerable activities.³⁸ With a view to utilizing their decades of accumulated experience, plans arose to set up a system for co-ordinating their actions.³⁹ Art. 24 §1 of the League's Covenant stipulated:

“There shall be placed under the direction of the League all international bureaux already established by general treaties if the parties to such treaties consent. All such international bureaux and all commissions for the regulation of matters of international interest hereafter constituted shall be placed under the direction of the League.”

For several reasons, including the reluctance of the bureaux to join for fear of losing their autonomy, the endeavour was not a success.⁴⁰ Despite the failure, the founding fathers of

³⁴ Meng, *o.c.*, p. 1003.

³⁵ Art. 102 UN Charter regulates the publication of treaties and international agreements.

³⁶ It should be noted that in light of changing events this option was taken into consideration. See UNGA Res. 3172 (XXVIII), 17 December 1973; ECOSOC Res. 1768 (LIV), UN Doc. E/5524, Add. 1-5.

³⁷ For a detailed comparison, see G.A. Coddington, “The Relationship of the League and the United Nations with the Specialized Agencies: A Comparison”, *Annals of International Studies*, vol. 1, 1970, pp. 65-87.

³⁸ P. Kovács, “Article 57”, in J-P Cot, A. Pellet & M. Forteau (eds), *La Charte des Nations Unies: Commentaire Article par Article*, 3rd ed., vol. II, Paris, Economica, 2005, p. 1519.

³⁹ Meng, *o.c.*, p. 951.

⁴⁰ Only 6 organizations of relatively minor importance accepted affiliation with the League of Nations: the International Bureau for Information and Inquiries regarding Relief to Foreigners (in 1921); the International Hydrographic Organization (in 1921); the International Commission for Air Navigation (in 1922); the International Central Office for the Control of

the UN Charter opted to preserve this type of linkage. The resulting system was a compromise: a high level of flexibility for the agencies to determine the intensity of the link with the UN, an issue of great importance to the old organizations such as the UPU, but at the same time effective co-ordination.⁴¹

Concept. The UN System constitutes a constellation linking the UN with the specialized agencies. As observed by the International Court of Justice (ICJ):

“(…) the Charter of the United Nations laid the basis of a “system” designed to organize international co-operation in a coherent fashion by bringing the United Nations, invested with powers of general scope, into relationship with various autonomous and complementary organizations, invested with sectorial powers.”⁴²

The specialized agencies are to complement the work of the UN in more technical fields whilst aspiring to achieve the general objectives of the UN.⁴³ This cannot however be achieved with a proper structure enabling efficiency, hence the need for such machinery.

The main underlying premise is *functionalism*.⁴⁴ This theory argues that international economic and social co-operation is best served when pursued by specialized organizations that are separate from or co-ordinated by a general, political world organization.⁴⁵ In so doing, the politicisation of the specialized agencies and by extension international co-operation in the abovementioned areas is avoided.⁴⁶ Despite the logical coherence of this supposition, specialized agencies have not been immune to politicization in practice. The UPU is a prime example of this phenomenon. During the XVIth Congress, it decided to exclude virtually all political questions from its debates.⁴⁷ Yet, it has on several occasions entertained debates of a

Liquor Traffic in Africa (in 1922); the Nansen International Office for Refugees (in 1931); the International Exhibitions Bureau (in 1931). Meng, *o.c.*, p. 952.

⁴¹ Meng, *o.c.*, pp. 952-953.

⁴² International Court of Justice, *Legality of the Use by a State of Nuclear Weapons in Armed Conflict (Request by WHO)*, *Advisory Opinion*, *I.C.J. Reports 1996*, 66, p. 75.

⁴³ Sands & Klein, *o.c.*, p. 75.

⁴⁴ As regards the UPU, see Y. Omeorogbe, “Functionalism in the UPU and the ITU”, *Indian Journal of International Law*, vol. 27, 1987, pp. 50-62.

⁴⁵ Klein, *o.c.*, § 6.

⁴⁶ Kovács, *o.c.*, p. 1528.

⁴⁷ UPU Congress Res. C 4 (Tokyo), 1969: “Congress (...) *decides* to exclude from its debates all specific questions of a political nature, without prejudice to the obligations of the Union arising from articles IV and VI of the UN/UPU Agreement to the right of each delegation to make any specific declaration of a political nature in writing at the time of its signature of the Acts.”

political nature. This can be starkly observed in the deliberations surrounding the representation of apartheid-era South Africa within the UPU.⁴⁸

The UN system portrays two major characteristics. The first is *decentralization*. Decentralization entails that the specialized agencies are actors with separate legal personality operating independently from the UN. Accordingly, the UN acknowledges the right of the specialized agencies to exercise their functions to the fullest in their respective domains, whereas the latter accept that they may not engage in topics beyond their scope of action.⁴⁹

The second characteristic is *co-operation and co-ordination*. International economic and social co-operation can only thrive in the presence of optimal co-ordination.⁵⁰ This is essential for preventing the duplication of efforts and wasting financial means. In theory this might seem of little concern given that specialized agencies are granted specific international competences in certain areas pursuant to the principle of speciality.⁵¹ In reality, the risk is far from moot. Firstly, the UN, by virtue of article 55, has extensive competences in the domains entrusted to the agencies. Secondly, the UN system has never applied the speciality principle *stricto sensu*. In other words, there has never been a “precise delimitation” of the aforementioned domains.⁵² This was pointed out by Judge Weeramantry in the *Nuclear Weapons Advisory Opinion (WHO Request)*:

“The family of United Nations organizations was not set up in a fretwork pattern of neatly dovetailing components, each with a precisely carved outline of its own. These organisations deal with human activities and human interrelationships, and it is of their very nature that they should have overlapping

⁴⁸ E.g. UPU Congress Res. C 2 (Tokyo); and UPU Congress Res. C 6 (Rio de Janeiro), 1979.

⁴⁹ J.-M. Thouvenin, “La distribution des compétences dans le système des Nations Unies”, in R. Chemain & A. Pellet (eds.), *La Charte des Nations Unies, constitution mondiale?*, Paris, Pedone, 2005, pp. 80-82.

⁵⁰ United Nations Joint Inspection Unit, “Relationship Agreements between the United Nations and the Specialized Agencies: Review and Strengthening of Sections pertaining to the Common System of Salaries, Allowances and Conditions of Service”, JIU/REP/93/3, p. 12, § 30.

⁵¹ For a synopsis of the development of the principle of speciality, see J. Klabbers, “Global Governance Before the ICJ: Re-Reading the WHA Opinion”, *Max Planck Yearbook of United Nations Law*, vol. 13, 2009, pp. 14-19.

⁵² A.A. Yusuf, “La coordination des actions dans le système des Nations Unies”, in R. Chemain & A. Pellet (eds.), *La Charte des Nations Unies, constitution mondiale?*, Paris, Pedone, 2005, p. 89.

areas of concern. Their broad contours are of course defined, but different aspects of the self-same question may well fall within the ambit of two or more organizations.”⁵³

In practical terms, co-ordination can be translated into a network of agreements between the UN and specialized agencies, promoting and improving their collaboration. Articles 57 to 60 UN Charter provides that it is principally the ECOSOC that will co-ordinate their activities. The co-ordination power is, however, limited to administrative tutelage. Consequently, the UN does not possess a real hierarchical power over the specialized agency.⁵⁴ The specialized agency keeps, for instance, discretionary competence and autonomy during negotiations with the UN.⁵⁵

ii. Forms of co-operation and co-ordination

Although the systemic qualities⁵⁶ as well as its actual functioning⁵⁷ have been put into question, the UN system has elaborated a multifaceted scheme of co-operation and co-ordination, involving the UN General Assembly, ECOSOC, the specialized agencies and a host of subsidiary bodies. The Chief Executives Board (CEB), the successor body to the Administrative Committee on Coordination (ACC), furthers coordination and cooperation on a whole range of substantive and management issues facing UN system organizations. CEB brings together on a regular basis the executive heads of the organizations of the United Nations system, under the chairmanship of the Secretary General of the United Nations. In addition to its regular reviews of contemporary political issues and major concerns facing the UN system CEB approves policy statements on behalf of the UN system as a whole.⁵⁸

⁵³ International Court of Justice, *Dissenting Opinion of Judge Weeramantry, Legality of the Use by a State of Nuclear Weapons in Armed Conflict (Request by WHO), Advisory Opinion*, *I.C.J. Reports 1996*, 101, pp. 150-151.

⁵⁴ M. Zani, “La coordination inter-organisationnelle: l'exemple du B.I.T et l'O.N.U.”, *Revue de droit international de sciences diplomatiques et politiques*, vol. 85/2, 2007, p. 113.

⁵⁵ R.-J. Dupuy, “Le droit des relations entre les Organisations internationales”, *Recueil des cours de l'Académie de la Haye*, vol. 100, 1960-II, p. 567.

⁵⁶ P.M. Eisemann, “Peut-on parler d'un "système" des Nations Unies?”, in R. Chemain & A. Pellet (eds.), *La Charte des Nations Unies, constitution mondiale?*, Paris, Pedone, 2005, pp. 67-78.

⁵⁷ See UN ECOSOC, “Report of the Secretary-General: Review of the Agreement between the United Nations and the Specialized Agencies and the International Atomic Energy Agency”, 30 June 1974, UN Doc. E/5524, p. 3, § 7 in which (already in 1974) certain elements of the liaison agreements are called “outdated”.

⁵⁸ See UN System Chief Executives Board for Coordination, www.unsystemceb.org/

From a global perspective, the framework consists of unilateral rights of the UN vis-à-vis the specialized agencies as well as reciprocal rights between the UN and the specialized agencies. The various aspects of this scheme will be discussed below.

a) RECOMMENDATIONS

UN Charter. The key tool of the UN system consists of the power of the General Assembly and ECOSOC to formulate recommendations. Article 58 UN Charter authorizes the UN in general terms to make recommendations aimed at co-ordinating the policies and activities of the specialized agencies. Articles 62.1 and 63.2 UN Charter specifically deal with ECOSOC. According to these articles, ECOSOC has the power to make recommendations to specialized agencies with respect to international economic, social, cultural, educational, health, and related matters and for the purpose of co-ordinating their activities.

Legal effects. Recommendations emanating from the UN are not legally binding vis-à-vis their addressees.⁵⁹ Nevertheless, it cannot be inferred that a recommendation is devoid of any legal effect.

Firstly, it has been argued that the addressee of the recommendation has a duty to consider its content in good faith. This principle “of overriding importance”⁶⁰ has been enshrined in international law, amounting to a general principle of law. Not only states but also international organizations are held to this standard.⁶¹ Here, the practical consequence is that if the specialized agency chooses not to comply with the recommendation, it must state its reasons.⁶²

Secondly, the relationship agreements of specialized agencies typically include a provision requiring the specialized agency to submit recommendations emanating from the UN to its competent organ. This requirement is far less stringent with respect to the financial institutions: the UN General Assembly may only issue a recommendation after having

⁵⁹ F.B. Sloan, “The Binding Force of a ‘Recommendation’ of the General Assembly of the United Nations”, *British Yearbook of International Law*, vol. 25, 1948, pp. 1-33.

⁶⁰ R. Jennings & A. Watts, *Oppenheim’s International Law*, 9th ed., London, Longman, 1992-1996, vol. 1, 38.

⁶¹ M. Shaw, *International Law*, 6th ed., Cambridge, Cambridge University Press, 2008, p. 1318.

⁶² Conforti, *o.c.*, 292-293. The author deals with states, however the reasoning applies *mutatis mutandis* to specialized agencies.

consulted with the financial institution and more generally the UN agrees to respect the agencies' autonomy.⁶³

b) FINANCIAL AND BUDGETARY MATTERS

The relationship between the UN and its specialized agencies in financial matters is regulated by article 17.3 of the UN Charter. The General Assembly has exclusive competence in this regard. Two aspects can be distinguished. Firstly, the General Assembly shall consider and approve any **financial and budgetary arrangements** with UN specialized agencies. Such a decision must be made with a two-thirds majority of UN members present and voting⁶⁴ and is legally binding.⁶⁵

Secondly, the General Assembly examines the **budgets⁶⁶ of the specialized agencies** with a view to making recommendations to these agencies. It must be noted that this provision does not confer on the General Assembly the financial power to control the policies of the specialized agencies. As is clear from the *travaux préparatoires*, the goal of article 17.3 is to stimulate fiscal and financial co-ordination for reasons of efficiency that will benefit the UN and the specialized agencies.⁶⁷ Further details are to be found in the specific agreement concluded between the UN and a given specialized agency.

c) RECIPROCAL REPRESENTATION AND INFORMATION

According to article 70 UN Charter, ECOSOC may make arrangements for representatives of the specialized agencies to participate, without vote, in its deliberations and in those of its commissions, and for its own representatives to participate in the deliberations of the specialized agencies. This notion of **reciprocal representation** can be seen as one of

⁶³ Sands & Klein, *o.c.*, 79.

⁶⁴ Art. 18.2 UN Charter contains a non-exhaustive list of “important questions” that the General Assembly must decide upon with a two-thirds majority. The aforementioned list includes “budgetary questions”.

⁶⁵ W. Koschorreck, “Article 17”, in B. Simma, *The Charter of the United Nations: A Commentary*, 2nd ed., Oxford, Oxford University Press, 2002, p. 340.

⁶⁶ Although art. 17.3 UN Charter refers the “administrative budgets” of the specialized agencies, one should interpret this term as encompassing the entire budget. See J.-P. Cot, A. Pellet & M. Forteau, *La Charte des Nations Unies: commentaire article par article*, 3rd ed., Paris, Economica, 2005, p. 800.

⁶⁷ Simma, *o.c.*, p. 340.

the means for fulfilling the functions of the UN set out in Chapter IX (International Social and Economic Co-operation).⁶⁸

Article 64.1 UN Charter ensures that the UN is kept informed of the activities of the specialized agencies through a system of periodic reporting. Furthermore, ECOSOC can make arrangements with specialized agencies to obtain reports on the steps taken to give effect to its own recommendations and to recommendations on matters falling within its competence made by the General Assembly.

d) ASSISTANCE

According to the report of the preparatory commission of the UN, a close cooperation between the UN and specialized agencies was necessary for reaching the goals set out by the UN.⁶⁹ At the same time, the UN-UPU Agreement was strongly influenced by the concern to safeguard the independence of the UPU and prevent the UN from intervening in the agency's affairs. This attribute of independence comes to the fore in article 57 of the UN Charter which states that specialized agencies shall only be "brought into relationship" with the UN. This provision marks a patent deviation from a similar stipulation in the Covenant of the League of Nations, the predecessor of the UN, which envisioned the relationship between the League and other international organizations as one of subordination.

d) INTERNATIONAL COURT OF JUSTICE

In addition to having the capacity to decide disputes between states, the ICJ may give advisory opinions. Article 65 of its Statute declares that "the Court may give an advisory opinion on any legal question at the request of whatever body may be authorised by or in accordance with the Charter of the United Nations to make such a request", while article 96 of the Charter notes that as well as the General Assembly and Security Council, other organs of the UN and specialised agencies where so authorised by the Assembly may request such opinions on legal questions arising within the scope of their activities.⁷⁰

⁶⁸ Art. 60 UN Charter.

⁶⁹ L. Chaubert, *L'Union postale universelle: son statut juridique, sa structure et son fonctionnement*, Berne, Lang, 1970, p. 70.

⁷⁰ See J. Frowein and K. Oellers-Frahm, 'Article 65' in Zimmermann et al., *Statute of the International Court*, p. 1401, and K. Oellers-Frahm, 'Article 96 UN Charter', *ibid.*, p. 181. See further as to advisory opinions which are to be recognised as binding, below, chapter 23, p. 1304.

Unlike contentious cases, the purpose of the Court's advisory jurisdiction is not to settle, at least directly or as such, inter-state disputes, but rather to 'offer legal advice to the organs and institutions requesting the opinion'.⁷¹

3. Relationship between the specialized agencies

Despite the attribution of specific functions to each of the individual agencies, more often than not there are overlapping activities among the agencies.⁷² Moreover, contrary to the transparent regulating the correlation between the UN and the specialized agencies, there is no clear structure for the mutual relation between specialized agencies.

This does, however, not provoke any difficulties as practice demonstrates that specialized agencies do not mind working together. The co-operation between the specialized agencies varies from general agreements to initiatives to competitions. By way of illustration (non-exhaustive list):

Agreement Between the International Monetary Fund and the World Trade Organization⁷³

Agreement between the World Health Organization and the Universal Postal Union⁷⁴

Roll Back Malaria Initiative (RBM) - partnership between the World Health Organization, the UNDP, UNICEF and the World Bank

Agreement between the ILO and the FAO⁷⁵

Memorandum of understanding between the ILO and the FAO⁷⁶

Agreement between the World Tourism Organization and the ILO⁷⁷

⁷¹ M. Shaw, *International Law*, 6th ed., Cambridge, Cambridge University Press, 2008, p. 1279.

⁷² Klein, *o.c.* § 77.

⁷³ Agreement Between the International Monetary Fund and the World Trade Organization, 9 December 1996. <http://www.imf.org/external/pubs/ft/sd/index.asp?decision=DN33>

⁷⁴ Agreement between the World Health Organization and the Universal Postal Union, 9 February 1999.

⁷⁵ Agreement between the ILO and the FAO, 11 September 1947, <http://www.ilo.org/public/english/bureau/leg/agreements/fao.htm>

⁷⁶ Memorandum of understanding between the ILO and the FAO, 7 September 2004, <http://www.ilo.org/public/english/bureau/leg/agreements/fao3.htm>

⁷⁷ Agreement between the World Tourism Organization and the ILO, signed 4 December 2008, <http://www.ilo.org/public/english/bureau/leg/agreements/unwto.pdf>.

B. Other International Organizations

1. Notion

According to Sands and Klein :

"international organizations exist in a variety of forms, and the term is capable of reflecting different situations. (...) for an entity to qualify as an international organisation, it must have the following characteristics: its membership must be composed of states and/or other international organizations; it must be established by a treaty or other instrument governed by international law, such as a resolution adopted in an international conference; it must have an autonomous will distinct from that of its members and be vested with legal personality; and it must be capable of adopting norms (in the broadest sense) addressed to its members."⁷⁸

The differences between specialized agencies and international organizations not part of the UN system can be based on their competences and membership. Compared to other international organizations not part of the UN-system, specialized agencies have specific aims and specific competences. Besides this functional difference, there is also a difference in membership. Specialized agencies are always universal. They aim at a great number of participants, whilst this is not always important to other international organizations outside the UN-system. For instance, some international organizations not part of the UN system uphold a closed membership due for example geographic limitations.⁷⁹

2. Relationship

Firstly, the UN Charter contains provisions regulating the relationship between the UN and international organizations that are not part of the UN system. Chapter VII refers to international agencies in art. 48 whilst Chapter VIII of the UN Charter determines the relation between the UN and regional organizations with regard to international peace and security.⁸⁰

⁷⁸ Sands & Klein, *o.c.*, pp. 15-16.

⁷⁹ *Id.*, pp. 15-16.

⁸⁰ Art. 48 UN Charter: "1. The action required to carry out the decisions of the Security Council for the maintenance of international peace and security shall be taken by all the Members of the United Nations or by some of them, as the Security Council may determine. 2. Such decisions shall be carried out by the Members of the United Nations directly and through their action in the *appropriate international agencies* of which they are members." (emphasis added); and Art. 52-54 UN Charter speaks of "regional arrangements".

Article 103 of the UN Charter fulfils an indirect role in regulating the discussed relationship. This provision states that

“in the event of a conflict between the obligations of the Members of the United Nations under the present Charter and their obligations under any other international agreement, their obligations under the present Charter shall prevail.”⁸¹

Secondly, the UN has forged institutional links with several intergovernmental organizations hailing from diverse areas. In the field of international peace and security, the

Thirdly, the UN General Assembly plays a significant role in this regard: (i) it has accorded observer status⁸²; (ii) concluded cooperation agreements⁸³ and (iii) passed resolutions on co-operation⁸⁴ with a host of international organizations.⁸⁵

3. Relationship between international organizations not part of the UN system and specialized agencies

The interrelationship between specialized agencies and international organizations not part of the UN system is not regulated by general rules. Nevertheless, such as the not regulated cooperation between specialized agencies, the cooperation between both organizations has not been a problem.

A list of examples of agreements concluded between the ILO, a specialized agency, and international organizations not part of the UN-system is given below:

Cooperation agreement between the IOC and the ILO⁸⁶

Collaboration between the ILO and the Intergovernmental Committee for European Migration⁸⁷

⁸¹ Art. 103 UN Charter.

⁸² E.g. the Andean Community, see UNGA Res. A/Res/52/6, 22 October 1997.

⁸³ E.g. Agreement between the United Nations and the Latin American Economic System, 29 September 1991, 1651 *U.N.T.S.* 1061.

⁸⁴ E.g. for the Organization of the Islamic Conference, see UNGA Res. A/Res/37/4, 22 October 1982.

⁸⁵ P.C. Szasz, “The Complexification of the United Nations System”, *Max Planck Yearbook of United Nations Law*, vol. 3, 1999, pp. 35-36.

⁸⁶ Cooperation agreement between the IOC and the ILO, signed at Lausanne 19 January 1998, <http://www.ilo.org/public/english/bureau/leg/agreements/ioc.htm>.

⁸⁷ Collaboration between the ILO and the Intergovernmental Committee for European Migration, <http://www.ilo.org/public/english/bureau/leg/agreements/iom.htm>.

Cooperation agreement between the ILO and the Inter-Parliamentary Union⁸⁸

Agreement between the Organisation internationale de la francophonie (OIF) and the International Labour Organization⁸⁹

Moreover, the ILO has concluded a number of agreements with different regional organizations.⁹⁰

4. Statute of the personnel, privileges and immunities

Personnel. The International Civil Service Commission and the UN Joint Staff Pension Fund are 'umbrella' organizations coordinating conditions for the personnel of all organizations part of the UN common system.

⁸⁸ Cooperation agreement between the ILO and the Inter-Parliamentary Union, signed 27 May 1999, <http://www.ilo.org/public/english/bureau/leg/agreements/ipu.htm>.

⁸⁹ Agreement between the Organisation internationale de la francophonie (OIF) and the International Labour Organization, signed on 13 February 2002, <http://www.ilo.org/public/english/bureau/leg/agreements/oif.htm>

⁹⁰ For a complete list see http://www.ilo.org/public/english/bureau/leg/rel_org.htm

II. THE RELATIONSHIP BETWEEN THE UNITED NATIONS AND THE UNIVERSAL POSTAL UNION

A. General

Becoming a specialized agency was not a straightforward decision to make. Two tendencies were present among the Union's member states. A first group wished to safeguard the independence of the UPU, in light of its long tradition, the failure of the League of Nations, whose system the Union had never joined, and strong "centralizing" tendencies within the UN.⁹¹ This sentiment resounded in the words of the Doyen of the Union 1947 Paris Congress:

"the Universal Postal Union must preserve its present structure and character, because its future would be singularly weakened if it did not rest on the firm foundations of the noble traditions which had constituted its strength for almost 75 years."⁹²

The second group had a more favourable attitude regarding the UN. They felt that the UPU could not remain isolated and needed to follow new trends in world events:

"that is the duty of the countries of the world, both strong and weak, to strengthen the United Nations in order to prevent a Third World War. It is a duty which is incumbent upon all international unions of which the Universal Postal Union is one."⁹³

The end result is a cautious UN-UPU Agreement. Despite initial reluctance, the UN and the UPU enjoy flourishing co-operating spanning decades.⁹⁴ The UPU has become involved in new and diverse areas, ranging from health and economic development to the poverty reduction and humanitarian aid.⁹⁵ The legal underpinnings of this relationship will be discussed below.

⁹¹ Chaubert, *o.c.*, 70; Maouzou, *The Universal Postal Union – Past, Present and Future*, Maisonneuve & Larose, Paris, 2004, pp. 75 and 77.

⁹² Mazou, *o.c.*, p. 75.

⁹³ Documents of the 1947 Paris Congress, Committee 1 report, vol. II, p. 87.

⁹⁴ D. Precup, "UPU-UN: Sixty Years of Cooperation", *Union Postale*, nr. 2, 2008, p. 20.

⁹⁵ *Id.*, 22-23.

B. Forms of co-operation

i. Recommendations

The legal grounds with respect to the UPU can be found in article IV.2 of the UN-UPU Agreement, which declares:

“The Union agrees to enter into consultation with the United Nations upon request with respect to such recommendations, and in due course to report to the United Nations on the action taken by the Union or by its members to give effect to such recommendations, or on the other results of their consideration.”

Moreover, despite not being mandatory, recommendations can have considerably influence. For instance, since 1964 UPU Congresses have issued various resolutions in application of UN recommendations.⁹⁶

As an example, even though not legally compelled to do so, the UPU has followed up on the UN Millennium Declaration. The Millennium Declaration, with the adoption of the eight development goals, provides a fresh impetus for the UN system and for the entire international community. It also places a great responsibility on the governments and major international institutions involved in this joint project.

The UPU, as a specialized agency within the UN system, has a role to play in this global effort to promote development for the benefit of all. Beyond the commitments and declarations, the UPU is helping to implement the Millennium Development Goals through concrete actions. The objectives most relevant to its actions and those of its member countries, are: Objective 1 – "Eradicate poverty": (the UPU assists with postal reforms in developing countries aimed at Providing all citizens with access to communication and financial services); Objective 2 – "Achieve universal education": (In many UPU member countries, newspapers, periodicals and books are forwarded and delivered via the postal network, which, by virtue of its size, is able to reach even the most isolated readers); Objective 7 – "Ensure environmental sustainability" (the UPU works to make its members aware of the impact of postal activities on the environment, and on society at large. Many postal operators pursue proactive policies on clean transport or recycling); and Objective 8 – "Develop a global partnership for development (through numerous projects such as the reduction of the

⁹⁶ Such as the Millennium Declaration. See UPU Council of Administration, “The Universal Postal Union’s contribution to implementation of the United Nations Millennium Declaration”, 2001–Doc 6a. Annexe 1, 11 October 2001, pp. 1-6.

digital divide through greater access to new technologies, the UPU has demonstrated its constant openness towards other institutional and non-institutional players).⁹⁷

ii. Financial and budgetary matters

Article X of the UN-UPU Agreement determines that the annual budget of the UPU shall be transmitted to the UN, and that the General Assembly may make recommendations thereon to the Congress of the UPU. However, following changes in the UN system, reporting now occurs on a biennial basis and is more broad in scope.⁹⁸ Thus, read in conjunction with article 17.3 UN Charter, the General Assembly does not have the power to approve or disapprove the UPU budget. Since its inception, the General Assembly has relied upon the Advisory Committee on Administrative and Budgetary Questions (ACABQ)⁹⁹ to carry out the examinations of the agency budgets. Its reports are confined to general comments and tables regarding the main budgetary estimates, established posts, member State contributions and working capital funds.¹⁰⁰

With respect to the UPU, article XI of the UN-UPU Agreement could conceivably be interpreted as a “financial and budgetary arrangement”. This provision stipulates that in the event of the UPU being faced with the necessity of incurring substantial extra expense, consultation shall take place with a view to determining the most equitable manner in which such expense shall be borne. Therefore, if consultations result in the UN having to pay for extra expenses, the General Assembly shall have to take a decision in conformity with article 17.3 UN Charter.

The role of the Joint Inspection Unit should be noted. By its resolution 31/192 of 22 December 1976, the UN General Assembly decided to establish the Joint Inspection Unit (JIU) as a standing subsidiary organ and approved the Statute of the Unit. Under Art. 1(2) of the Statute, JIU is responsible to the General Assembly and similarly to the competent legislative organs of those specialized agencies and other international organizations within the UN system which have accepted its Statute, such as the UPU.

⁹⁷ UPU, Council of Administration, CA 2005-Doc 8b, CPSC Wi/Pro 22.9.2005, Annex 1 ‘Universal Postal Union Contribution to implementation of the Millennium Development Goals, pp. 2-7.

⁹⁸ A/53/7; A/53/647 and Corr. 1; A/53/713.

⁹⁹ The ACABQ, a subsidiary organ of the General Assembly, is regulated by Res. 14 (I) (13 February 1946), Res. 32/103 (14 December 1977) and UNGA Rules of Procedure 155-157.

¹⁰⁰ Simma, *o.c.*, p. 352.

The inspectors of the JIU have broad powers to examine all matters relating to the efficiency of services and the proper use of funds within UN system organizations. The JIU has the authority to conduct on-the-spot investigations and inspections. Its basic mission is to help UN organizations improve their management and working methods and to achieve greater inter-organization coordination. The JIU goals are to ensure that the activities undertaken by organizations are carried out in the most economical manner and that optimum use is made of resources available for carrying out these activities.¹⁰¹

iii. Reciprocal representation and information

The position of the UPU is further elaborated in article II of the UN-UPU Agreement. This provision expands the scope of article 70 of the UN Charter. With respect to the UN, the first paragraph gives the right to representatives of the UN *sensu latu* (as opposed to ECOSOC specifically) to attend the meetings of the UPU's Congresses, Administrative Conferences¹⁰² and Commissions. UPU representatives can attend the meetings of ECOSOC and its commissions and committees (paragraph 2). Furthermore, they shall be invited to attend General Assembly meetings during which questions within the competence of the Union are under discussion for purposes of consultation and to participate, without vote, in the deliberations of the main Committees of the General Assembly with respect to items in which the Union may be concerned (paragraph 3). Thus, it follows from these three paragraphs that the reciprocity is not total, in that the right for UN representatives to participate in UPU meetings applies irrespective of the subject discussed, whereas the right for UPU representative to participate in UN meetings is qualified. However, this is merely a theoretical concern. Practice has developed such that specialized agencies can attend General Assembly meetings even when the topic under discussion does not fall within their area of competence.¹⁰³

¹⁰¹ Joint Inspection Union, "About JIU", www.unjiu.org/en/about.htm; UPU, Council of administration, Activities of the Joint Inspection Unit (JIU), CA 2005-Doc 8c, CPSC Lo 5.10.2005

¹⁰² This stipulation is outdated in light of the decision adopted during the UPU's 1984 Hamburg Congress to abolish the possibility of holding Administrative Conferences.

¹⁰³ Cot, Pellet & Forteau, *o.c.*, p. 1723.

Article V UN-UPU Agreement regulates the **exchange of information and documents** which is to occur to the “fullest and promptest” extent. However, this requirement can be limited for reasons of safeguarding confidential material.

iv. Assistance

With respect to the relationship between the UN and the UPU, this concern has been crystallized in article VI.1 which stipulates that “[t]he Union agrees to cooperate with and to give assistance to the United Nations, its principal and subsidiary organs, so far as is consistent with the provisions of the Universal Postal Convention.”

This commitment is very vague and potentially wide in scope. In practice however, this collaboration has mainly occurred in the following areas:

- (i) Administrative problems of coordination with respect to management, finance, staff
- (ii) Technical assistance
- (iii) Exchange of information and documents of various kind concerning the activities of both organisations and certain statistical information.

v. Staff

Art. VII of in the UN-UPU Agreement, which regulates personnel, is far more limited than its counterparts found in other liaison agreements. It fails to mention the International Civil Service Commission and describes co-operation in personnel matters merely in broad terms:

“The United Nations and the Union agree to cooperate as necessary to ensure as much uniformity as possible in the conditions of employment of personnel and to avoid competition in the recruitment of personnel.”

The same minimalist approach can be observed in Art. VIII of the UN-ITU Agreement¹⁰⁴, however it is more far-reaching in that the ITU agrees to co-operate with the UN “to the fullest extent possible” and it additionally aspires to “facilitate any mutually desirable interchange of personnel in order to obtain the maximum benefit from their services.”

¹⁰⁴ Agreement between the United Nations and the International Telecommunications Union, 15 November 1947, UNGA Res 124 (III) GAOR 2nd Session Resolutions 28 and UN ECOSOC Res 90 (V) (16 August 1947) ESCOR 5th Session Resolutions 61.

vi. International Court of Justice

The UPU holds a unique position with respect to other specialized agencies in that the relationship agreement with the UN does not enable the Union to request an advisory opinion of the ICJ.

B. The relationship between the UPU and other international organizations

General. Initially, the UPU did not feel the need to co-operate intensively with other institutions in light of the highly technical nature of its work. Over the years however, one can observe that an evolution has taken place. Currently, the Union co-operates with a wide variety of institutions, both UN specialized agencies and other international organizations. The UPU has kept active links with most bodies either within the framework of activities organized and coordinated by the UN system or through direct bilateral contacts.

Below a chart has been drawn up compiling information from UPU practice. It should be noted that this chart provides a non-exhaustive list of ties between the UPU and other international organizations.¹⁰⁵

¹⁰⁵ This chart has been drawn up based on a compilation of the following documents: UPU, Council of Administration, CA 2009.1-Doc 7, “Relations with organizations in the United Nations system and other international organizations”; UPU, Council of Administration, CA 2007-Doc 6a, “Relations with organizations in the United Nations system and other international organizations”; UPU, Council of Administration, CA 2005- Doc 8b, “Relations with organizations in the United Nations system and other international organizations”.

Party	Date of Signature	Scope of the cooperation.
ITU (International Telecommunication Union)	08/06/2007	<p>The UPU and ITU signed a memorandum of understanding in June 2007. Several joint projects for computerizing and interconnecting post offices- in particular in Asia and Africa- are under way or have been successfully completed. As part of this partnership, The ITU and UPU will be working together on the preparation of a book on the contribution that information and communication technologies can make to postal enterprises, especially in rural areas.</p>
World Bank	20/04/2001	<p>In recent years, collaboration has intensified between the UPU and the World Bank Global Information and Communication Technologies Group (CIGT); they jointly developed a course on postal and universal postal service.</p> <p>Both parties agreed to develop their collaboration in the following fields: (i) postal reform (raising awareness among member countries, financing, IPDP's, regulation, etc.); (ii) provision of effective financial services as a major tool in the global effort to combat poverty and a response adapted to the needs of migrants; (iii) the economic analysis of the postal sector.</p>

UNDP (United Nations Development Programme)	29/08/2005	<p>The UPU uses the services of the UNDP when implementing projects (multi-year integrated projects, QSF). The UNDP offices provide a number of services: purchase of equipment locally and certain aspects of administrative and financial management of UPU consultants and Fellows.</p>
UNEP (United Nations Environment Programme)	29/04/2008	<p>In 2008 both parties agreed to cooperate in terms of providing assistance, exchange of information, and technical support in the area of environmental protection. Examples of this cooperation are: the UNEP checked the questionnaires on the postal sector's greenhouse gas emissions, provided free training in green procurement to the International Bureau's purchasing managers, and provided expert support for the calculation of the International Bureau's carbon footprint. The joint publication of a philately book with the World Meteorological Organization, on the occasion of the world conference in September 2009 should also be noted.</p>
WTO (World Trade Organization)		<p>Cooperation with the WTO took on a new dimension in 2005-2006. Constructive dialogue has led to the UPU obtaining the status of ad hoc observer, officially confirmed by an exchange of letters between the two organizations. Other aspects of cooperation between the two parties are contained in the document prepared for the WTO working group and in the report on the work of CA Committee 2.</p> <p>Within the framework of this relation with the WTO, the UPU presented the results of its research on the</p>

		<p>experience of ‘Exporta Facil’ in Brazil during the second Aid for Trade Global Review in July 2009. With the help from the WTO, but also from regional partners the UPU plans to develop in the Lao People’s Democratic Republic and Thailand, two new projects on trade facilitation through the postal network based on ‘Exporta Facil’.</p>
<p>IOM (International Organization for Migration)</p>	<p>12/06/2006</p>	<p>The UPU has had observer status at the IOM since 2006. Within the framework of the partnership strategy for the implementation of the worldwide electronic fund transfer network, the two organizations collaborate through regular exchanges of information and participate in each other’s work on the transfer of migrants’ funds.</p>
<p>WCO (World Custom Organization)</p>	<p>05/07/2007</p>	<p>Relations with the WCO have taken a new turn in 2007 when the two organizations signed a cooperation agreement which focuses on concrete actions such as modernization of customs procedures, the transfer of electronic messages, the inter-operability of EDI systems using common standards, facilitating exports by post, security standards and procedures, and training and e-learning.</p> <p>It was also suggested to the WCO that a joint WCO-UPU working group could be formed to address the issues surrounding transmission of postal items containing counterfeit and pirated articles.</p>

<p>ILO (International Labour Organization)</p>		<p>The UPU works closely with the ILO, particularly on the implementation of the Guide for Mainstreaming Employment and Decent Work which was adopted in April 2007 by the United Chief Executives Board for Coordination (CEB). The guide is based on a ministerial declaration in 2006 following the high-level ECOSOC debate. The guide and its tools should lead to: (i) self-evaluation by each organization in the UN joint system so as to measure the impact of its policies, programmes or activities in favour of the employee and decent work; (ii) sharing of practices and approaches implemented by different organizations, aimed at optimizing the efforts put in place; (iii) greater coherence among policies by international organizations based on priorities fixed at a worldwide level. At the request of the ILO, the International Bureau has agreed to act as a reference model for other member institutions of the CEB.</p>
<p>WHO (World Health Organization)</p>		<p>Following the action plan adopted by the 2007 Postal Operations Council stemming from the work of its Sustainable Development Action Group, contacts were made with the WHO with a view to developing programmes to make postal staff more aware of contagious illnesses, AIDS in particular.</p> <p>In 2009 the WHO and UPU launched a joint project to raise awareness of the importance of addressing in Malawi. One of the objectives of this initiative was to improve the planning of health services and the delivery of vaccines and treatments through a national addressing project/ This operation not only enabled the WHO to precisely locate the health establishments in the country and identify the population covered by them, but also helped to improve the quality of postal services in Malawi.</p>

<p>IFAD (International Fund for Agricultural Development)</p>	<p>18/09/2008</p>	<p>An Agreement has been signed between both parties of the extension of International Remittances to rural areas of French Speaking countries in West Africa through Domestic Postal Payment Services Network.</p>
<p>UNIDCP (United Nations International Drug Control Programme)</p>	<p>12/10/1995</p>	<p>Cooperation is anticipated in the area of combating the trafficking of narcotics and money laundering through the post.</p>
<p>ICAO (International Civil Aviation Organization)</p>	<p>30/07/2009</p>	<p>The UPU and the ICAO signed a memorandum of understanding in 2009. The two organizations decided to work together and coordinate their efforts to tackle areas of common interest, in line with their respective missions. Under this agreement, the UPU and ICAO agreed to review together the current formula for calculating the basic airmail conveyance rate defined in the Universal Postal Convention and Letter Post Regulation. The two parties agreed to consider stepping up their mutual cooperation and extending it to other areas, such as environmental, security, liability, postal air waybills, and the development of potential in their respective areas of</p>

		responsibility.
IATA (International Air Transport Association)		<p>A cooperation agreement was signed with the UPU in 2007 with an action plan covering issues relating to standardization, exchanges of EDI messages and security.</p> <p>In recent years, cooperation between IATA and UPU has been stepped up. The UPU and IATA are making great progress in their efforts to develop a 'paperless culture'. The IATA-UPU Contact Committee thus authorized the use of a new postal air waybill number combined with a specific product code used by airlines for mail. These enables identification of postal dispatches and application of processes that are specific to airlines, and facilitate the use of airlines' computerized freight handling systems for mail.</p>

IAEA (International Atomic Energy Agency)	2002	Collaboration is anticipated in the area of protecting postal exchanges by detecting dangerous substances, including radioactive materials.
INTERPOL (International Criminal Police Organization)		Collaboration is anticipated in the area of drug trafficking, money laundering and biological weapons.
ISO (International Organization for Standardization)		Collaboration between the UPU and ISO is increasing, and there are regular contacts between the two secretariats. The draft of a cooperation agreement has been agreed by the two secretariats, and will be signed shortly. Among other things, this agreement envisages the establishment of an ISO-UPU Contact Committee.

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