



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 9 July 2004

11082/04

**TELECOM 129
MI 205**

"I/A" ITEM NOTE

from: General Secretariat
to : Permanent Representatives Committee (Part 1)/Council
No. prev. doc. : 11030/04 TELECOM 128 MI 202
No. Cion prop. : 10180/04 TELECOM 118 MI 183

Subject : Council Resolution on the preparation of the Universal Postal Union Congress
2004

1. On 4 June 2004, the Commission submitted to the Council a Communication on the Universal Postal Union Congress 2004¹. The 23rd UPU Congress will take place from 15 September to 5 October 2004 in Bucharest, Romania.
2. In its Communication, the Commission highlighted the importance of this Congress in promoting the development of international collaboration in the field of international postal services by revising the Acts of the UPU. Moreover, the Commission identified the main issues for negotiation, some of which fall within the scope of Community legislation.

¹ COM(2004) 398 final.

3. At the Working Party on Postal Services meeting on 14 June 2004, the Commission presented its Communication. Subsequently, the Working Party had an initial exchange of views on the Communication. At its meeting on 1 July 2004, the Working Party on Postal Services examined the proposal, submitted by the Presidency, for a draft Council Resolution on the preparation of the Universal Postal Union Congress 2004, and reached an agreement on the annexed text.
4. UK maintains a parliamentary scrutiny reservation on the text, whilst ES and FR have entered linguistic reservations.
5. BE noted that, in particular, Chapter 4 of the Commission Communication² (Common EU Position in view of the Coming negotiations) reflects the position of the Commission, and is not to be strictly followed by the Member States in the preparatory process of the UPU Congress.
6. In light of the foregoing, and on condition that UK delegation on hand and ES and FR delegations on the other are in position to lift their respective reservations, it is suggested that the Permanent Representatives Committee:
 - a) Recommends that the Council decide unanimously and as an exceptional measure to act in 11 official languages of the European Union, taking into account the urgency for adoption of the annexed Council Resolution in view of the forthcoming UPU Congress and the fact that the versions in the languages of the new Member States are not yet available;
 - b) Recommends that the Council adopt unanimously the annexed Council Resolution.

² COM(2004) 398 final.

COUNCIL RESOLUTION OF [...] 2004
On the preparation of the Universal Postal Union Congress 2004

THE COUNCIL OF THE EUROPEAN UNION,

1. NOTING that the Universal Postal Union Congress will take place from September 15 to October 5, 2004 in Bucharest, Romania;
2. ACKNOWLEDGING the importance of Community and international postal services, as essential instruments of communication and trade, and for economic and social cohesion ;
3. RECALLING the applicability of the EC Treaty to postal services and in particular of the rules and general principles contained in Directive 97/67/EC, as amended;
4. NOTES the Commission Communication of 27 May 2004 on the Universal Postal Union Congress 2004³;
5. UNDERLINES that an effective revision of the Acts of the Universal Postal Union, such as the Universal Postal Union Constitution, the Universal Postal Union Convention and its General Regulations, in the coming Congress will reinforce international co-operation in the field of international postal services and could be an occasion for the modernisation of that co-operation framework, and therefore, INVITES Member States to take part in the negotiations by playing an active and leading role in the revision process;
6. EMPHASISES that Member States should, in association with the Commission, coordinate among themselves in preparing the preliminary technical drafts and in agreeing the negotiating procedure of the Congress;
7. UNDERLINES that Member States should ensure, in association with the Commission, that they do not undertake commitments which would not be compliant with the Community acquis and that they will apply the Acts adopted by the Congress in accordance with their obligations pursuant to the Treaty establishing the European Union, and specifically their obligations arising from trade agreements or from existing Community legislation on the free provision of postal services and on competition;

³ COM(2004) 398 final.

8. WELCOMES the on-going coordination process launched by the European Committee for Postal Regulation (CERP) and the Association of European Public Postal Operators (Posteurop), in order to take into consideration the positions of Member States, Candidate and EEA countries and their public operators in view of the coming negotiations;
 9. INVITES the Member States and the Commission to work with Candidate and EEA countries to develop a consistent approach in the negotiating process.
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