

Universal Postal Union

Convention and final protocol signed at Paris 1 June 1878

Ratified and approved by the Postmaster General of the United States 13 August 1878.

Approved by the President of the United States 13 August 1878.

Entered into force 1 April 1879. Modified by additional act of 21 March 1885.

Terminated by Convention of 2 July 1891.

CONVENTION

The undersigned, plenipotentiaries of the Governments of the countries above enumerated, being assembled in Congress at Paris, by virtue of Article 18 of the Treaty constituting the General Postal Union, concluded at Berne on the 9th of October, 1874, have, by mutual agreement, and subject to ratification, revised the said Treaty, conformably to the following stipulations:

ARTICLE 1

The countries between which the present Convention is concluded; as well as those which may join it hereafter, form, under the title of *Universal Postal Union*, a single postal territory for the reciprocal exchange of correspondence between their post-offices.

ARTICLE 2

The stipulations of this Convention extend to letters, post-cards, printed matter of all kinds, commercial documents and samples of merchandise, originating in one of the countries of the Union and intended for another of those countries. They also apply, so far as regards conveyance within the Union, to the exchange by mail of the articles above mentioned between the countries of the Union and countries foreign to the Union, whenever that exchange makes use of the services of two of the contracting parties at least.

ARTICLE 3

The Postal Administrations of neighboring countries, or countries able to correspond directly with each other without using the intermediary of the services of a third Administration, determine, by mutual agreement, the conditions of the conveyance of their reciprocal mails across the frontier, or from one frontier to the other.

Unless there be a contrary arrangement, the direct sea conveyance per-formed between two countries by means of packets or vessels depending upon one of them, shall be considered as a third service; and such conveyance, as well as any performed between two offices of the same country, by the intermediary of maritime or territorial services maintained by another country, is regulated by the stipulations of the following Article.

ARTICLE 4

The right of transit is guaranteed throughout the entire territory of the Union. Consequently, the several Postal Administrations of the Union may send reciprocally through the intermediary of one or of several of them, as well closed mails as correspondence in open mails, according to the requirements of trade and the convenience of the postal service.

The correspondence exchanged, whether in open or in closed mails, be-tween two Administrations of the Union, by means of the services of one or of several of them as well Administrations of the Union, is subject to the following transit charges, to be paid to each of the countries traversed, or whose services participate in the conveyance, viz:

- 1st. For territorial conveyance, 2 francs per kilogramme of letters or post-cards, and 25 centimes per kilogramme of other articles;
- 2nd. for sea conveyance, 15 francs per kilogramme of letters or post-cards, and 1 franc per kilogramme of other articles;

It is, however, understood-

- 1st. That wherever the transit is already gratuitous at present, or subject to more advantageous conditions, such condition is maintained, except in the case provided for in paragraph 3, following;
- 2rd. That wherever the rate of sea-transit has hitherto been fixed at 6 francs 50 centimes per kilogramme of letters or post-cards, such rate is reduced to 5 francs;
- 3rd. That every sea conveyance not exceeding 300 nautical miles is gratuitous if the administration concerned is already entitled, on account of mails or correspondence benefiting by this conveyance, to the remuneration applicable to the territorial transit: in the contrary case, payment is made at the rate of 2 francs per kilogramme of letters or post-cards, and 25 centimes per kilogramme of other articles;
- 4th. That in the case of sea-conveyance effected by two or more Administrations, the expenses of the entire transportation cannot exceed 15 francs per kilogramme of letters

or post-cards, and 1 franc per kilogramme of other articles. These expenses are in such case shared between the Administrations *pro rata* for the distances traversed, without prejudice to other arrangements between the parties interested;

- 5th. That the rates specified in the present article do not apply either to conveyance by means of services depending upon Administrations foreign to the Union, or to conveyance within the Union by means of extraordinary services specially established or maintained by one Administration in the interest or at the request of one or several other Administrations. The conditions of these two categories of conveyance are regulated by mutual agreement between the Administrations interested.

The expenses of transit are borne by the Administration of the country of origin.

The general settlement of these expenses takes place on the basis of statements prepared every two years, during a month to be determined on in the Regulations of Execution 5 referred to in Article 14 hereafter.

The correspondence of the Postal Administrations with each other, articles reforwarded or missent, undeliverable articles, acknowledgments of delivery, post-office money-orders or advices of the issue of orders, and all other documents relative to the postal service, are exempt from all transit charges, whether territorial or maritime.

ARTICLE 5

The rates of postage for the conveyance of postal articles throughout the entire extent of the Union, including their delivery at the residence of the addressees in the countries of the Union where a delivery service is or shall be organized, are fixed as follows:

- 1st. For letters, 25 centimes in case of prepayment, and double that amount in the contrary case, for each letter and for every weight of 15 grammes or fraction of 15 grammes;
- 2d. For post-cards, 10 centimes per card;
- 3d. For printed matter of every kind, commercial papers, and samples of merchandise, 5 centimes for each article or packet bearing a particular address; and for every weight of 50 grammes or fraction of 50 grammes, provided that such article or packet does not contain any letter or manuscript note having the character of an actual and personal correspondence, and that it be made up in such a manner as to admit of its being easily examined.

The charge on commercial papers cannot be less than 25 centimes per packet, and the charge on samples cannot be less than 10 centimes per packet.

In addition to the rates and minima fixed by the preceding paragraphs, there may be levied:

- 1st. For every article subjected to the sea transit rates of 15 francs per kilogramme of letters or post-cards and 1 franc per kilogramme of other articles, an additional charge, which may not exceed 25 centimes per single rate for letters, 5 centimes per post-card, and 5 centimes per 50 grammes or fraction of 50 grammes for other articles. As a temporary arrangement, there may be levied an additional charge up to 10 centimes per single rate for the letters subjected to the transit rate of 5 francs per kilogramme.
- 2d. For every article conveyed by services maintained by Administrations foreign to the Union, or conveyed by extraordinary services in the Union giving rise to special expenses, an additional charge in proportion to these expenses.

In case of insufficient prepayment, articles of correspondence of all kinds are liable to a charge equal to double the amount of the deficiency, to be paid by the addressees.

Circulation shall not be given-

- 1st. To articles other than letters which are not prepaid at least partly, or which do not fulfill the conditions required above in order to enjoy the reduced rate;
- 2d. To articles of a nature likely to soil or injure the correspondence;
- 3d. To packets of samples of merchandise which have a salable value, or which exceed 250 grammes in weight, or measure more than 20 centimeters in length, 10 in breadth, and 5 in depth.
- 4th. Lastly, to packets of commercial papers and printed matter of all kinds, the weight of which exceeds 2 kilogrammes.

ARTICLE 6

The articles specified in Article 5 may be registered.

Every registered article is liable, at the charge of the sender-

- 1st. To the ordinary prepaid rate of postage upon the article, according to its nature;
- 2d. To a fixed registration fee of 25 centimes at the maximum in the European States, and of 50 centimes at the maximum in the other countries, including the issue to the sender of a bulletin of posting.

The sender of a registered article may obtain an acknowledgment of de-livery of such article by paying in advance a fixed fee of 25 centimes at the maximum.

In case of the loss of a registered article, and except in case of *force majeure*, there is to be paid an indemnity of 50 francs to the sender, or, at his request, to the addressee, by the Administration upon whose territory or in whose maritime service the loss has occurred; that is to say, where the trace of the article has ceased.

As a temporary measure, the Administrations of the countries beyond Europe, whose legislation is at present opposed to the principle of responsibility, are permitted to postpone the application of the preceding clause until the time when they shall have obtained from the legislative power authority to subscribe to it. Up to that time, the other Administrations of the Union are not bound to pay an indemnity for the loss, in their respective services, of registered articles addressed to or originating in the said countries.

If it is impossible to discover the service in which the loss has occurred, the indemnity is borne in equal proportions between the two corresponding offices.

Payment of this indemnity is made with the least possible delay, and, at the latest, within a year dating from the day of application.

Every claim for an indemnity is excluded if it has not been made within one year from the date on which the registered article was posted.

ARTICLE 7

Those countries of the Union which have not the franc for their monetary unit fix their postages at the equivalent in their respective currencies of the rates determined by Articles 5 and 6 preceding. Such countries have the option of rounding off the fractions in conformity with the table inserted in the Regulation of Execution mentioned in Article 14 of the present Convention.

ARTICLE 8

Prepayment of postage on every description of article can be effected only by means of postage-stamps valid in the country of origin for the correspondence of private individuals.

Official correspondence relative to the postal service, and exchanged be-tween the Postal Administrations, is alone exempt from this obligation and admitted free.

ARTICLE 9

Each Administration keeps the whole of the sums which it has collected in execution of the foregoing Articles 5, 6, 7, and 8. Consequently, there is no necessity on this head for any accounts between the several Administrations of the Union.

Neither the senders nor the addressees of letters and other postal articles are called upon to pay, either in the country of origin or in that of destination, any postage or any postal fee other than those contemplated by the Articles above-mentioned.

ARTICLE 10

No additional charge is levied for the reforwarding of postal matter within the interior of the Union.

ARTICLE 11

It is forbidden to the public to send by mail:

- 1st. Letters or packets containing gold or silver substances, piece of money, jewelry, or precious articles;
- 2d. Any packets whatever containing articles liable to customs duty.

In case a packet falling under one of these prohibitions' is delivered by one Administration of the Union to another Administration of the Union, the latter proceeds according to the manner and forms prescribed by its legislation or by its interior regulations.

There is, moreover, reserved to the Government of every country of the Union, the right to refuse to convey over its territory, or to deliver, as well articles liable to the reduced rate, in regard to which the laws, ordinances, or decrees which regulate the conditions of their publication or of their circulation in that country have not been complied with, as correspondence of every kind which evidently bears inscriptions forbidden by the legal enactments or regulations in force in the same country.

ARTICLE 12

The offices of the Union which have relations with countries beyond the Union admit all the other offices to take advantage of such relations for the exchange of correspondence with the said countries.

The correspondence exchanged *in open mails* between a country of the Union and a country foreign to the Union, through the intermediary of another country of the Union, is treated, as regards the conveyance beyond the limits of the Union, in conformity to the conventions, arrangements, or special provisions governing the postal relations between the latter country and the country foreign to the Union.

The rates chargeable on the correspondence in question consist of two distinct elements, viz:

- 1st. The Union rate fixed by Articles 5, 6, and 7 of the present Convention.
- 2d. A rate for the conveyance beyond the limits of the Union.

The first of these rates is assigned-

- a. For correspondence originating in the Union and addressed to foreign countries, to the dispatching office in case of prepayment, and to the office of exchange in case of non-prepayment.
- b. For correspondence originating in foreign countries and addressed to the Union, to the office of exchange in case of prepayment, and to the office of destination in case of non-prepayment.

The second of these rates is, in every case, assigned to the office of exchange.

With regard to the expenses of transit within the Union, the correspondence originating in or addressed to a foreign country is assimilated to that from or for the country of the Union which maintains relations with the country foreign to the Union, unless such relations imply obligatory and partial prepayment, in which case the said Union country has the right to the territorial transit rates fixed by Article 4 preceding.

The general settlement of the rates chargeable for the conveyance beyond Union limits takes place upon the basis of statements which are prepared at the same time as the statements drawn

up by virtue of Article 4 preceding for the calculation of the expenses of transit within the Union.

As regards the correspondence exchanged in *closed mails* between a country of the Union and a country foreign to the Union, through the intermediary of another country of the Union, the transit thereof is subject as follows:

- Within the limits of the Union, to the rates fixed by Article 4 of the present Convention.
- Beyond the limits of the Union, to the conditions arising from special arrangements concluded or to be concluded for that purpose between the Administrations interested.

ARTICLE 13

The exchange of letters of declared value and that of postal money-orders form the subject of special arrangements between the various countries or groups of countries of the Union.

ARTICLE 14

The Postal Administrations of the various countries composing the Union are competent to establish by mutual agreement, in a Regulation of Execution, all the measures of order and detail which are judged necessary.

The several Administrations may, moreover, make among themselves the necessary arrangements on the subject of questions which do not concern the Union generally, provided that these arrangements are not contrary to the present Convention.

The Administrations interested are, however, permitted to come to mutual arrangements for the adoption of lower rates of postage, within a radius of 30 kilometers, for the conditions of the delivery of letter by express, as well as for the exchange of post-cards with paid answer. In this latter case, the answer-cards, when sent back to the country of origin, are exempt from the transit charges stipulated by the last paragraph of Article 4 of the present Convention.

ARTICLE 15

The present Convention involves no alteration in the postal legislation of any country as regards anything which is not provided for by the stipulations contained in this Convention.

It does not restrict the right of the contracting parties to maintain and to conclude treaties, as well as to maintain and establish more restricted Unions, with a view to the improvement of postal relations.

ARTICLE 16

There is maintained, under the name of the *International Bureau of the Universal Postal Union*, a central office, which is conducted under the superintendence of the Swiss Postal Administration, and the expenses of which are borne by all the Administrations of the Union. This office continues to be charged with the duty of collecting, collating, publishing, and distributing information of every kind which concerns the international postal service; of giving, at the request of the parties concerned, an opinion upon questions in dispute; of making known proposals for modifying the acts of the Congress; of giving notice of the changes adopted, and, in general, of undertaking examinations and labors devolving upon it in the interest of the Postal Union.

ARTICLE 17

In case of disagreement between two or more members of the Union as to the interpretation of the present Convention, the question in dispute is decided by arbitration. To that end, each of the Administrations concerned chooses another member of the Union not directly interested in the matter.

The decision of the arbitrators is given by the absolute majority of votes. In case of an equality of votes, the arbitrators choose, in order to settle the difference, another Administration equally disinterested in the disputed question.

ARTICLE 18

Countries which have not taken part in the present convention are admitted to adhere thereto upon their demand. Notice is given of this adhesion, through the diplomatic channel, to the Government of the Swiss Confederation, and by that Government to all the countries of the Union.

It implies, as a right, accession to all the clauses and admission to all the advantages stipulated by the present Convention.

It devolves upon the Government of the Swiss Confederation to determine, by mutual agreement with the Government of the country interested, the share to be contributed by the Administration of this latter country toward the expenses of the International Bureau, and, if necessary, the rates to be levied by that Administration in conformity with Article 7 preceding.

ARTICLE 19

Congresses of plenipotentiaries of the contracting countries, or simple Administrative Conferences, according to the importance of the questions to be solved, are held when a demand for them is made or approved by two-thirds, at least, of the Governments or Administrations, as the case may be.

Nevertheless, a Congress must be held at least once every five years. Each country may be represented either by one or several delegates, or by the delegation of another country. But it is understood that the delegate or delegates of one country can be charged with the representation of two countries only, including the country which they represent.

In the deliberations each country has one vote only.

Each Congress fixes the place of meeting for the following Congress. For Conferences, the Administrations fix the places of meeting upon Proposal of the International Bureau.

ARTICLE 20

In the interval which elapses between the meetings, any Postal Administration of a country of the Union has the right to address to the other Administrations belonging to it, through the intermediary of the International Bureau, proposals concerning the regimen of the Union. But to become executive these propositions must obtain, as follows:

- 1st. Unanimity of votes, if they involve a modification of the stipulations of Articles 2,3,4, 5, 6, and 9 preceding.
- 2d. Two-thirds of the votes, if they involve a modification of the stipulations of the Convention other than those of Articles 2, 3,4,5, 6, and 9.
- 3d. A simple absolute majority, if they involve the interpretation of the stipulations of the Convention, except in the case of dispute contemplated in Article 17 preceding.

The binding decisions are sanctioned, in the first two cases, by a diplomatic declaration, which the Government of the Swiss Confederation is charged to prepare and transmit to all the Governments of the contracting countries, and, in the third case, by a simple notification from the International Bureau to all the Administrations of the Union.

ARTICLE 21

The following are considered as forming, for the application of Articles 16, 19, and 20 preceding, a single country, or a single Administration, as the case may be:

- 1st. The Empire of British India;
- 2d. The Dominion of Canada;
- 3d. The whole of the Danish Colonies;
- 4th. The whole of the Spanish Colonies;
- 5th. The whole of the French Colonies;
- 6th. The whole of the Netherland Colonies;
- 7th. The whole of the Portuguese Colonies.

ARTICLE 22

The present Convention shall be put into execution on the 1st of April, 1879, and shall remain in force during an indefinite period; but each contracting party has the right to withdraw from the Union by means of a notice given, one year in advance, by its Government to the Government of the Swiss Confederation.

ARTICLE 23

After the date on which the present Convention takes effect, all the stipulations of the treaties, conventions, arrangements, or other acts previously concluded between the various countries or administrations, in so far as those stipulations are not in accordance with the terms of the present Convention, are abrogated, without prejudice to the rights reserved by Article 15 above.

The present convention shall be ratified as soon as possible. The acts of ratification shall be exchanged at Paris.

In faith of which, the plenipotentiaries of the countries above enumerated have signed the present Convention at Paris, the first of June, one thousand eight hundred and seventy-eight.