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Reports on freedom of information, for the period
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1074 C (XXXIX)

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Universal Postal Union

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UNIVERSAL POSTAL UNION

[30 March 1976]

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1. As our Bureau has already pointed out in a previous report, although there is a clear connexion between the aims of the Universal Postal Union and the principle of freedom of information, the work of the Union is mainly of a technical nature and is therefore only indirectly concerned with the subject of the periodic report on freedom of information.

2. It would seem useful, however, to recall that article 1 of the Constitution of the Universal Postal Union guarantees freedom of transit throughout the entire territory of the Union for the reciprocal exchange of letter post items. This principle does not mean that countries are bound to open their frontiers to the services organized by another member country of the Union, nor does it conflict with national postal monopolies; what it does mean is that postal administrations through which mail passes in transit are required to use their own services to convey correspondence of every kind, including books, printed matter and newspapers, entrusted to them by another postal administration of the Union.

3. Reference should also be made to resolution C 23 of the 1964 Congress of Vienna (text appended) which states that the Congress considers freedom of transit to be one of the essential and fundamental principles of the Universal Postal Union, and appeals to the good faith and solidarity of all the member countries of the Union to ensure, in all circumstances, strict respect for the application of this principle.

4. The principle of freedom of transit involves, in the transit country, the inviolability of correspondence, which must not be subject to control or seizure (with a few exceptions, such as dangerous substances and items of an obscene nature). There is a certain connexion between this provision and the principle of the inviolability of correspondence to be found in article 12 of the Universal Declaration of Human Rights. Here correspondence is to be interpreted in the broadest sense of the word as a means of information which includes not only sealed letters and postcards but also books, newspapers and periodicals. It follows that the post, in its own sphere of competence, can be an effective instrument for ensuring a free flow of accurate and undistorted information among all the member countries of the Union.

5. One of the main purposes of the postal services is to convey mail rapidly and in conditions of maximum security. The postal services have therefore taken an active part in disseminating information and furthering education. The Union has always striven to surmount or reduce any obstacle that might stand in the way of the free flow of information, in the form either of stringent customs or health provisions or any other unduly cumbersome formality with which the public has to comply. Similarly, the postal administrations are constantly trying to increase the facilities available to users for the dispatch, conveyance and distribution of postal items of every kind.

6. Following on the recommendation made by the 1957 Ottawa Congress to encourage postal exchanges and hence to the development of international co-operation, "International Letter-Writing Week" is enjoying increasing success. This campaign is organized every year in a number of countries, and is drawing attention to the value of letter-writing, if only for the furthering of human contacts.

7. As part of the measures taken by the Union in the last few years with a view to promoting information, it has followed up UNESCO General Conference resolution 4.121 proclaiming 1972 to be International Book Year. Convinced that books and periodicals play an essential role in social life and perform an important function in maintaining peace, promoting human rights and combating racism and colonialism, the International Bureau of the Union informed postal administrations of the resolution adopted by the UNESCO General Conference, suggested that special postage stamps should be issued on the occasion of International Book Year and sent them a copy of a design created for that purpose.

8. In the event of dispute, conflict or war, it is extremely important to maintain postal exchanges as far as possible. On the basis of a study carried out by the Executive Council of the Union, the 1974 Universal Postal Congress of Lausanne adopted resolution C 37 (text appended), which also bears on freedom of information. The resolution appeals urgently to the Governments of member countries, as far as possible and unless the United Nations General Assembly or Security Council has decided otherwise, not to interrupt or hinder postal traffic (especially the exchange of correspondence containing messages of a personal nature) in the event of dispute, conflict or war.

9. During the period under consideration, postal traffic has, it is true, been impeded at times in various countries by strikes or international disputes, but in general the postal administrations have done everything in their power to get mail to its destination as quickly as possible.

10. In conclusion, mention should be made of the steady progress of the postal services throughout the world. Within the Union, the many studies entrusted to the Executive Council and the Consultative Council for Postal Studies are also helping postal development. Moreover, the technical co-operation of various kinds given to the developing countries in postal matters is making an important contribution to the improvement of postal services. As a result of all these efforts, there has been a considerable increase in the amount of correspondence and hence in the amount of information exchanged through the post.

Resolution C 37/Lausanne 1974

Legal and technical possibilities of maintaining postal relations in cases of disputes, conflict or war

Congress,

Considering the peaceful and humanitarian role played by the Universal Postal Union in helping to bring peoples and individuals together,

Convinced of the need to maintain postal exchanges, as far as possible, with or between regions afflicted by disputes, disturbances, conflicts or wars, and

In view of the initiatives taken and the experience of certain Governments or humanitarian organizations in this field,

Appeals urgently to the Governments of member countries, as far as possible and unless the United Nations General Assembly or Security Council has decided otherwise (in accordance with article 41 of the United Nations Charter), not to interrupt or hinder postal traffic - especially the exchange of correspondence containing messages of a personal nature in the event of dispute, conflict or war, the efforts made in this direction being applicable even to the countries directly concerned, and

Authorizes the Director-General of the International Bureau of the UPU:

1. to take what initiatives he considers advisable to facilitate, while respecting national sovereignties, the maintenance or re-establishment of postal exchanges with or between the parties to a dispute, conflict or war;
2. to offer his "good offices" to find a solution to postal problems which may arise in the event of a dispute, conflict or war.

(Proposal O011, Committee 4, 15th meeting; Congress - Doc. 138/Add.1, 19th plenary meeting)

Resolution C 23/Vienna 1964

Freedom of transit ^{1/}

Congress, considering that freedom of transit is one of the essential and fundamental principles of the Universal Postal Union, appeals to the good faith and solidarity of all the member countries of the Union to ensure, in all circumstances, strict respect for the application of this principle, without which the Universal Postal Union cannot completely fulfil its mission and thus contribute as much as could be wished to the strengthening of the bonds of international friendship.

(French Documents of the 1964 Vienna Congress - volume II: pages 703, 874, 1322; volume III: page 296)

^{1/} Conv. (Tokyo 1969), Art. 1.