

**STATUTES**

**OF THE**

**ASSOCIATION OF EUROPEAN PUBLIC POSTAL OPERATORS**

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**International Non-profit Association**

*New Statutes as modified by the Plenary Assembly  
on 20 April 2016 in Yerevan (Armenia)*

In the year nineteen hundred and ninety-three, on the twelfth of January, the Statutes of the European Public Postal Operators Association were signed in London by the following persons:

- 1) General Directorate of Posts, Telegraphs and Telephones, Albania  
having its offices at Myslym Shyri Street 42, TIRANA  
having its legal representative, Mr N. KALAJA, Director, sign the document
- 2) Deutsche Bundespost POSTDIENST, Germany  
having its offices at Robert-Schuman-Platz, Bad Godesberg, D-5300 BONN 1  
having its legal representative, Mr U. DOERKEN, Head of the International Services and Postal Affairs Division, sign the document
- 3) General Directorate of Posts and Telegraphs, Austria  
having its offices at Postgasse 8, A-1011 VIENNA  
having its legal representative, Mr E. LAZNOVSKY, Ministerial Adviser, sign the document
- 4) La Poste, Belgium  
having its offices at Centre Monnaie, B-1000 BRUSSELS  
having its legal representative, Mr W. VAN KERCKHOVE, Managing Director, sign the document
- 5) Enterprise "Bulgarian Posts and Telecommunications"  
having its offices in 1000 SOFIA  
having its legal representative, Mr I. RADENKOV, President, sign the document
- 6) Department of Postal Services, Cyprus  
having its offices in NICOSIA  
having its legal representative, Mr G. CRASSIDES, International Relations Administrator, sign the document
- 7) Posts and Telecommunications, Croatia  
having its offices at Jurisiceva 13, 41000 ZAGREB  
having its legal representative, Mr B. SEVER, Deputy Director, sign the document
- 8) POSTVAESENENET, Denmark  
having its offices at Bernstorffsgade 36, COPENHAGUEN V  
having its legal representative, Mr A. NIELSEN, Deputy Director General, sign the document
- 9) Autonomous organisation "Correos y Telégrafos", Spain  
having its offices at Calle Aduana 29, E-28070 MADRID  
having its legal representative, Mr J. DE FRUTOS, Director of International Affairs, sign the document
- 10) Posts and Telecommunications, Finland  
having its offices in SF-00561 HELSINKI  
having its legal representative, Mr A. SAVIAHO, President of Posts, sign the document
- 11) La Poste, France  
having its offices at 20, Avenue de Ségur, F-75700 PARIS  
having its legal representative, Mr F. MIGONE, General Inspector, International Posts, sign the document
- 12) Enterprise of Hungarian Post  
having its offices in 1540 BUDAPEST  
having its legal representative, Mr B. DOROS, Director General, sign the document
- 13) An Post, Ireland  
having its offices at O'Connell Street, DUBLIN 1  
having its legal representative, Mr E. RYAN, General Manager, Letter Services, sign the document
- 14) Posts and Telecommunications, Iceland  
having its offices in IS-150 REYKJAVIK  
having its legal representative, Mr O. TOMASSON, Director General, sign the document
- 15) Administration of Posts and Telecommunications, Italy

- having its offices at Viale America 201, I-00144 ROME  
having its legal representative, Mr G. GALLI, Deputy Director General, Postal Services, sign the document
- 16) Government of the Principality of Liechtenstein  
having its offices in FL-9490 VADUZ  
having its legal representative, Mr H. HASSLER, Director of Postal Services, sign the document
- 17) Posts and Telecommunications, Luxembourg  
having its offices in L-2020 LUXEMBOURG  
having its legal representative, Mr P. KIHN, Director, sign the document
- 18) Postmaster General, Malta  
having its offices in VALLETTA  
having its legal representative, Mr E. FARRUGIA, acting Deputy Postmaster General, sign the document
- 19) Postal Enterprise, Norway  
having its offices in N-0107 OSLO 1  
having its legal representative, Mr A. RENOLEN, Director of Postal Services, sign the document
- 20) PTT Post BV, The Netherlands  
having its offices in NL-2500 THE HAGUE  
having its legal representative, Mr P. DOBBENBERG, Managing Director, sign the document
- 21) Polish Post  
having its offices at Pl. Malachowskiego 2, 00940 WARSZAWA  
having its legal representative, Mr B. BORKOWSKI, Director of the Foreign Cooperation Bureau, sign the document
- 22) CTT – Correios de Portugal  
having its offices at Rua Conde Redondo 79, P-1192 LISBOA CEDEX  
having its legal representative, Mr F.L. VIEGAS, Chairman of the Management Board, sign the document
- 23) « Posta Romana » State-owned company  
having its offices at 14, Bul. Libertatii, 70106 BURURESTI  
having its legal representative, Mr N. MAZGAREANU, Director General, sign the document
- 24) The Post Office, United Kingdom  
having its offices at Royal Mail House, 148 Old Street, GB-LONDON EC1V 9HO  
having its legal representative, Mr J. COTTON-BETTERIDGE, Director and General Manager, Royal Mail International, sign the document
- 25) Sweden Post  
having its offices in S-10500 STOCKHOLM  
having its legal representative, Mrs M. TIVEUS, Vice-President/Director, Sweden Posts International, sign the document
- 26) Swiss PTT Enterprise  
having its offices at Viktoriastrasse 21, CH-3030 BERNE  
having its legal representative, Mr F. ROETHLISBERGER, Head of the International Relations Section, sign the document.

## **Article 1      Name and duration**

In 1993, an international non-profit association with the name *Association of European Public Postal Operators (PostEurop)* has been formed.

This association is created for an indeterminate period.

In these Statutes, the term *Postal Operator* refers to Postal Operators officially designated by UPU member countries according to the UPU Convention.

## **Article 2      Headquarters**

The Association's Headquarters are currently located at 114 Boulevard Brand Whitlock, B -1200 BRUSSELS.

Headquarters can be moved to any other place in Belgium by a simple decision of the Management Board, published without delay in the Appendices of the *Moniteur belge*.

## **Article 3      Vision, Mission and Objectives**

The Association's vision is:  
PostEurop is the link to postal expertise.

As a member driven association, through interaction and cooperation, PostEurop supports its Members throughout the evolving market and promotes their interests to relevant stakeholders.

Its mission is:

PostEurop brings added value to its Members by functioning as a platform for cooperation, communication, innovation and providing solutions matching its tasks and priorities.

It provides Members with interconnectivity, common development initiatives, sharing of best practices as well as facilitation and customised support upon request, taking into account the ultimate customer's perspective and sustainable development aspects. PostEurop aims to be an effective platform of influence within the postal regulatory environment.

PostEurop is a Restricted Union of the UPU, and aims at being an influential voice by meeting the demands that are related to UPU matters.

PostEurop represents and supports its Members with external stakeholders where relevant and appropriate.

To implement the Vision and the Mission, the Association's is active mainly in the following areas and activities:

- EU regulatory environment;
- Relations with the Universal Postal Union and its Restricted Unions;
- Operations efficiency, quality of service, interconnectivity;
- Postal market developments;
- Corporate social responsibility.

## **Article 4      Relations with international institutions and other organisations**

To the extent required in order to reach its objectives, the Association shall maintain relations with other national or international associations and institutions of which it may also become a member after decision by the Management Board. The Plenary Assembly shall be informed.

The association may, with the consent of involved members, invite other organisations or experts to participate in specific activities.

The Association shall exercise its activities on the basis of these Statutes and the mandatory provisions of the regulations of the European Union (EU) and those of the Universal Postal Union (UPU) of which it is a *Restricted Union*.

## **Article 5      Form of Association**

The Association is an international non-profit association, governed by the Belgian Law of 27 June 1921 on non-profit associations, international non-profit associations and foundations, as amended, *inter alia*, by the Law of 2 May 2002.

## **Article 6      Representation of the Members of the Association**

The Association is authorised to present to third parties, on behalf of its Members, the common positions adopted on matters where the interests of Members are involved.

However, membership of the Association does not preclude Members from representing themselves with any organisation and in any area whatsoever. Members representing themselves are invited to inform the Management Board through the Headquarters and are invited to ensure that they do not weaken the official position(s) of the Association or hinder its action(s).

## **Article 7      Admission and registration of Members**

European Postal Operators of countries that fall within the definition of the European Territory (CEPT decision of Dresden 1993) and who provide universal service and have designation as postal operators to the UPU may become Members of this Association.

Applications for admission must be addressed to the Management Board that submits them to the Plenary Assembly for a decision.

An application for membership shall include information on the postal operator's corporate status and its business.

A Member is obliged to notify in the Latin alphabet its registered corporate name and any change thereto to Headquarters.

## **Article 8      Termination of membership**

A Member is entitled to resign from the Association at the end of a calendar year by informing the Management Board in writing, giving a six months notice.

Membership is automatically terminated when a Member legally ceases to exist.

On a proposal by the Management Board, the exclusion of a Member is decided by the Plenary Assembly in cases where this Member:

- 1) fails to meet its financial obligations to the Association (Art. 30);
- 2) is in liquidation or bankrupt;
- 3) no longer fulfils the conditions under Article 7 in order to enjoy membership or;
- 4) behaves in a manner which may seriously prejudice the achievement of the Association's objectives.

The Member concerned may defend its position at the Plenary Assembly (or in writing before it) in which the proposal for exclusion is considered. The Member concerned is not authorised to vote.

## **Article 9      Exclusion of a Member**

The exclusion of a Member is proposed by the Management Board. Such a proposal shall be submitted to a Plenary Assembly, after not less than a two months written notice has been given by the Management Board to the Member who is in default, pursuant to the Statutes.

The exclusion of a Member and the date on which it will take effect shall be decided by the Plenary Assembly.  
The Member in default shall be notified of the decision by registered letter with advice of delivery.

#### **Article 10 Financial liability of a former Member**

Should a Member cease to be a part of the Association, whatever the reason, it remains liable to pay to the Association any sum owed to it before membership ceased, including the contribution for the year during which membership ceases.

#### **Article 11 Bodies**

The bodies of the Association are the Plenary Assembly, which is the supreme body, the Management Board, Headquarters, Committees, Circles and Transversals.

#### **Article 12 Member participation and organisation of the Plenary Assembly**

All the Members are entitled to attend the Plenary Assembly.

A Member may be represented by another Member. A Member shall not hold proxies for more than two other Members. The Member to be represented by another Member shall inform Headquarters in writing before the official opening of the Plenary Assembly.

Each Plenary Assembly shall be convened jointly by the Chairman and the Secretary General in writing. The Assembly shall be chaired by a representative of the host Member unless otherwise agreed by the Management Board.

The date and place of the Plenary Assembly shall be set by the host Member in agreement with the Management Board.

An Ordinary Plenary Assembly is called once a year.

An Extraordinary Plenary Assembly is called without delay after a decision of the Management Board or at the written request of two thirds of the Members of the Association.

#### **Article 13 Invitation to the Plenary Assembly – Notices**

A notice of the Plenary Assembly shall be sent to the Members at least thirty days before the meeting. The notice shall indicate the date, time and place of the meeting and shall include an agenda.

A participation form for the meeting prepared by Headquarters shall be sent with the notice. The participation form shall be returned by all Members.

The documentation relating to the Plenary Assembly agenda shall be despatched to the membership with a minimum of delay and at least ten days prior to the meeting.

Any notice to be given to a Member pursuant to the Statutes shall be in writing.

The Association shall send all notices to a Member by mail, fax or electronic mail at its registered address or such other address as the Member may have notified to Headquarters for such a purpose.

A notice shall be deemed to be given upon the expiry of ninety-six hours after it was sent.

#### **Article 14 Powers of the Plenary Assembly**

The Plenary Assembly is competent to exercise any power and take any decision so as to achieve the objectives of the Association. As such the competences of the Plenary Assembly include but are not limited to:

- define the general policy of the Association;
- approve the Strategy and Business Plan;
- admit or exclude a Member;
- nominate and dismiss members of the Management Board;
- appoint the Member responsible for organising the next Plenary Assembly;
- amend and approve the Statutes and Internal Regulations of the Association;
- approve the annual accounts, the annual report and the budget and to set the Member specific units of contribution;
- give discharge to the members of the Management Board;
- appoint one or more auditors for the Association;
- wind-up the Association.

The Plenary Assembly may act as a forum for conferences or presentations by experts on subjects proposed by the Management Board or Members.

Members are entitled not to implement a plenary decision that is contrary to their national legislation. Where this is the case, the Member shall notify the Management Board. The decisions of the Plenary Assembly must comply with the European Union regulations.

#### **Article 15 Quorum for the Plenary Assembly**

The quorum required at the Plenary Assembly is two thirds of the Members of the Association authorised to vote, whether they are present or represented by a Member holding a duly granted proxy.

If there is no quorum within one hour from the time appointed for the meeting, another Plenary Assembly is called with the same agenda. At this Plenary Assembly, fifty percent of the membership must be present or represented. For the admission or the exclusion of a Member, the winding-up of the Association or the amendment of the Statutes, at least two thirds of the Members authorised to vote must be present or represented.

#### **Article 16 Voting and decision making at the Plenary Assembly**

A proposal submitted to consensus is adopted if no Member objects to it by raise of hand.

During the Plenary Assembly, voting takes place according to a weighted system, each Member having as many votes as the number of units of contribution allocated to it according to Article 17 of the Internal Regulations.

By derogation of the above, the voting for the election of the Management Board takes place according to a mixed system of weighted and un-weighted voting as specified in article 21.

An abstention, blank or spoilt ballot paper shall not invalidate the voting and shall not be counted.

Unless the Plenary Assembly decides otherwise, upon a proposal from the Management Board, a Member shall not have the right to vote or to issue a negative statement on a consensus matter at any Plenary Assembly, unless all accounts payable in respect of its financial contribution have been received by Headquarters within one month of the due date.

A vote shall be secret if at least two Members so wish. The exclusion of a Member or the election for renewing the Management Board shall always take place with a secret vote.

When secret voting is applied, the *Chairperson of the Management Board* nominates scrutineers and settles the voting conditions and procedures. The voting forms indicating the number of votes each Member is entitled to are then distributed to Members present at the meeting. After filling in the forms,

Members are invited by the Secretary General, in alphabetical order of the Member countries, to put their forms in the ballot box.

#### **Article 17 Voting by correspondence**

In exceptional and urgent cases the Management Board may decide to conduct a vote by correspondence or to make a decision by written procedure. In such cases the written notice shall include the full text of the proposal and desired decision.

The vote by correspondence shall be accompanied by an explanatory note sent to all Members.

A Member shall have one month from the date of despatch of the notice in which to notify the Management Board in writing whether or not it approves the text of the proposal. A vote or written statement received by Headquarters after such a period shall not be counted. The Management Board shall ensure the confidentiality of voting.

Headquarters shall inform all Members of the result without delay, but no later than 5 working days after the results are known.

The vote by correspondence shall be formally ratified by the Plenary Assembly during its meeting that follows the vote.

#### **Article 18 Minutes of Statutory Meetings**

The proceedings and decisions of the Plenary Assembly are recorded in the meeting minutes and shall include the date, time and place of the meeting, the names of the Members present or represented, the names of the individuals present, the agenda, relevant discussions, the proposals considered, and – as appropriate – results of the voting.

The proceedings of the Management Board meetings shall be recorded as action points and decisions, which shall include the date, time and place of the meeting, the names of the individuals present, details of any proposals considered, and – as appropriate – results of the voting.

For Plenary Assemblies and Management Board meetings the following applies:

- Voice recordings of meetings may be made to assist the work of Headquarters. Such recordings shall be kept confidential and shall be destroyed once the relevant minutes have been approved.
- Members who wish their statements to be recorded in the minutes shall provide a written statement to Headquarters. Headquarters shall include all such statements in a single annex appended to the minutes.
- The minutes shall be written by Headquarters within one month of the meeting. The minutes shall be provisionally endorsed by the Chairperson of the meeting and forwarded for distribution in English and French to all Members concerned within six weeks. Objections to the minutes and proposals for amendments must be made in writing within four weeks after the date of distribution of the minutes. If objections are made, the Management Board decides on the procedure for approval of the minutes.
- Headquarters shall ensure that all minutes – and any annexes thereto – are filed for reference. These minutes are available to Members without any time limit and are kept in a register at PostEurop Headquarters.

#### **Article 19 Amendment of the Statutes – Winding-up of the Association**

Any proposal aiming to amend the Statutes or wind up the Association must be approved by at least two thirds of the Members of the Association present or represented and two thirds of the votes of all the Association Members provided that at least two thirds of all the Association Members are present or represented.

The Management Board must ensure that the Members have at least one month to consider such a proposal, prior to its consideration by the Plenary Assembly.

Amendments to the Statutes will only be effective after the legal conditions on international non-profit associations have been satisfied.

When the Plenary Assembly decides to wind up the Association, it:

- determines the conditions for the winding-up;
- appoints the liquidator and defines his powers.

The legal entity to which the remaining net assets will be attributed after winding-up shall be non-profit-making and have an objective similar to the one of the Association.

## **Article 20 Organisation of the Management Board**

The Management Board is made up of eleven members, elected by the Plenary Assembly for a period of three years, starting at the beginning of the calendar year following the election. This mandate of three years is renewable.

The Board members must be experienced executives employed by Members of the Association.

The status of a Board member is a personal one. A Board member may be represented by any other Board member. However, a Board member may only represent one other Board member.

The quorum required in the Management Board meeting is six members present or represented. Voting shall take place in analogy with article 23.

The Management Board may assign specific roles to Board members according to the different strategic fields of activity of the Association.

Each Board member may resign at any time by notifying his resignation to the Management Board in writing.

A member of the Management Board can also be revoked at any time by the Plenary Assembly by a decision taken by a majority of two third of the Members present or represented and when at least two third of all the Members of the Association are present or represented.

If a member of the Management Board leaves the Association before the end of his term, either by resignation, or by revocation of the mandate, a new member, who meets the conditions referred to in the Statutes, shall immediately be elected by the Plenary Assembly for the rest of the term.

## **Article 21 Election of the Management Board**

The election shall take place in accordance with the Internal Regulations and according to the following distribution of seats, subject to the condition that it is not allowed to have two (or more) Board members employed by the same Member:

- Six seats are reserved for Members within the European Union (EU).
- Three seats are reserved for Members not within the European Union (EU).
- One seat is reserved for the Members in the 5 units and under contribution classes.
- Each of these ten Members is elected by the group of countries concerned.
- All candidates have to choose in which group they stand for election and all members that could fall in two contribution classes have to choose in which group they cast their vote. The latter step has to be done upon request of the Headquarters and to be finalised before launching the call for candidatures.
- The remaining Member is then elected by the whole Plenary Assembly.
- The Board members elect one of their number to the post of Chairperson and another to the post of Vice-Chairperson. The terms of office of the latter posts end with the renewal of the Management Board and can be renewed once for a further period of three years, and for a second time in extraordinary cases.

## **Article 22 Competence and responsibilities of the Management Board**

The Management Board:

- meets at least four times a year, preferably at the beginning of each quarter. A Management Board meeting shall be called by giving not less than fifteen days notice. Headquarters shall take all reasonable steps to ensure that a notice is received by each Board member.
- submits for approval to the Plenary Assembly the Strategy- and the Business Plan of the Association.
- proposes to the Plenary Assembly the admission of new Members or the exclusion of existing Members.
- proposes to the Plenary Assembly, if required, to wind up the Association.
- submits for approval to the Plenary Assembly amendments to the Statutes and Internal Regulations;
- specifies each year the number of votes for each Member, in accordance with Article 30;
- prepares the accounts, annual report, budget, and the unit of contribution with a view to submitting them to the Plenary Assembly;
- supervises the budgetary performance;
- monitors that the Strategy of the Association is followed;
- sets up Committees, Circles and Transversals as needed and defines their scope of activities, does follow-up of their results and takes appropriate decisions. To this purpose, the Management Board ensures that an expert nominated by any Member may be considered for appointment to any Committee. For Circles and Transversals the same applies in relation to Members having elected to participate. For both Circles and Transversals this shall be done by circulating the appropriate information amongst Members concerned;
- may constitute its Remuneration, Financial and Resources Committees during its first ordinary session;
- entrusts Headquarters with tasks and oversees its management;
- communicates decisions to Members;
- carries out other tasks which are assigned to it.

## **Article 23 Management Board Voting Procedure**

The voting procedure for the Management Board is as follows:

- the quorum required in the Management Board meeting is six members present or represented;
- the Management Board takes its decisions by simple majority, each member of the Board having one vote as the members are deemed to exercise their vote in a personal capacity;

- in case of equal vote of the members present or represented at the Management Board meeting, the Chairperson shall have the casting vote;
- In secret ballots, an abstention, blank or spoilt ballot paper shall not invalidate the voting and shall not be counted. In case of equal votes, a proposal lapses.

#### **Article 24 Management Board attendance**

A Board member prevented from attending a Management Board Meeting must notify the Board Chairman and the Secretary General before the meeting and must give a proxy to another Board member of own choice.

An alternate may be designated in case of absence by a Board member to represent him during the meeting. The alternate has not the right to vote.

When a Board member is prevented from completing his/her term of office, the Association Member concerned nominates a replacement person as successor. The successor shall have identical rights and obligations as an elected Management Board member. The successor must have the qualifications required in accordance with article 20 of the Statutes. Only in extraordinary cases, shall more than one nomination of a successor of the same operator within a current term of office be accepted by the Management Board.

#### **Article 25 Competence and responsibilities of the Chairperson of the Management Board**

The Chairperson leads and directs the work of the Management Board, takes legal actions on behalf of the Association and representation of the Association's interests. The tasks and responsibilities are listed in the Internal Regulations.

#### **Article 26 Headquarters**

Headquarters consists of a Secretary General, and managerial and administrative staff.

The Secretary General is recruited by and employed on terms and conditions set by the Management Board. The Secretary General shall preferably be an experienced executive from one of the Members of the Association.

The tasks and responsibilities of Headquarters are listed in the Internal Regulations.

#### **Article 27 Competence and responsibilities of the Secretary General**

Through the Chairperson, the Secretary General – who is responsible for the day-to-day running of the Association – acts under the control of the Management Board and ensures the proper administration of the Association in accordance with the statutes and the Internal Regulations.

The tasks and responsibilities of the Secretary General are listed in the Internal Regulations.

#### **Article 28 Committees, Circles and Transversals**

Committees, Circles and Transversals may be created by the Management Board at own initiative or upon suggestion by either a Member or Headquarters, as further explained in the Internal Regulations, to carry out tasks whose nature, terms of reference, objectives and deadlines are clearly laid down in the Internal Regulations.

#### **Article 29 Budget and accounts**

The financial year of the Association is the calendar year.

The Management Board is responsible for submitting the audited accounts for the previous financial year and the draft budget for the following financial year to the Plenary Assembly for approval.

All accounts shall be based on Euros.

#### **Article 30 Financial contribution**

The expenses of the Association are shared between the Members on the basis of a contribution system which is explained in the Internal Regulations.

Members pay their annual contribution in advance on the basis of the budget adopted by the Plenary Assembly. A Member joining the Association must pay the contribution for the whole year during which membership becomes effective.

Payment of the contribution more than one year late may result in loss of membership subject to a decision of the Plenary Assembly.

#### **Article 31 Interpretation of the text**

The Statutes are drawn up in French and in English.

The official version of the Statutes shall be the French version which shall be the legal basis for the purpose of interpretation.

#### **Article 32 Application of the Belgian law**

Anything not otherwise provided in these Statutes, shall be governed in accordance with the provisions of the Belgian Law of 27 June 1921 on non-profit associations, international non-profit associations and foundations, as amended, *inter alia*, by the Law of 2 May 2002.

The present Statutes constitute, in accordance with the aforementioned Belgian Act, the provisions governing the Association.

**POSTEUROP'S MANAGING ADMINISTRATION**

Boulevard Brand Whitlock 114, B-1200 Brussels

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**Mr Botond SZEBENY**, Secretary General, avenue Jules César 17, B-1150 Brussels, Belgium

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