

MEMORANDUM OF UNDERSTANDING

Made by and between the

UNIVERSAL POSTAL UNION, a specialised agency of the United Nations duly represented by the Director General of its International Bureau, having its headquarters at Weltpoststrasse 4, 3000 Berne 15, Switzerland (hereinafter the "UPU");

and the

INTERNATIONAL AIR TRANSPORT ASSOCIATION, an association incorporated by special Act of the Canadian Parliament, having its registered office at 800 Place Victoria, P.O. Box 113, Montreal, Quebec, Canada, H4Z 1M1 (hereinafter "IATA").

The UPU and IATA may also be individually referred to as "Party", or collectively as "Parties".

PREAMBLE

WHEREAS the Mission, Scope and Objectives of the UPU are specified in the UPU Constitution;

WHEREAS the aim of the UPU shall be, among others, to secure the organization and improvement of postal services and promote in this sphere the development of international collaboration and technical cooperation;

WHEREAS the UPU provides the framework for global postal policy and the guidelines for postal development to all its members, in conformity with its Acts and Regulations;

WHEREAS the aim of IATA shall be, among others, to provide means for collaboration among the air transport enterprises engaged in international air transport service, and to co-operate with other international organizations;

WHEREAS the Parties recognise that there is a growing need among the national civil aviation authorities to ensure that there is no unlawful interference with the operation of an aircraft due to explosive or incendiary devices being inserted into mail;

WHEREAS the Parties recognise that there is a growing need among the national civil aviation authorities to ensure that the safety of an aircraft is not jeopardized due to the insertion of prohibited items in the mail;

WHEREAS the Parties recognise their common interest in the safe and secure movement of mail within the boundaries of air transportation;

WHEREAS the Parties recognise that there is a growing need among the national civil aviation authorities for advance electronic information with regard to mail for risk assessment purposes;

WHEREAS the Parties recognise their common interest in the facilitation of the movement of mail across international borders;

WHEREAS the Parties recognise their common interest in the rapid and reliable movement of mail, as well as in the consistent and accurate reporting of mail movement status;

WHEREAS the Parties recognise their mutual interest in facilitating efficient, reliable and accurate settlement procedures related to mail transport;

WHEREAS the Parties recognise that there is a growing level of automation within the airline and postal communities and that the automated processing of electronic data relating to mail transport

enables a paperless trading environment with potentially significant benefits for both UPU members and airlines;

WHEREAS the Parties recognise that mutual simplification and harmonisation of standardised procedures and data exchange might make such aforementioned goals attainable;

WHEREAS the Parties recognise their common interest and desire in developing, maintaining and implementing guidelines for the standard handling and status reporting procedures for the movement of mail;

WHEREAS said guidelines and interface standards may be published in a manner to be later agreed upon and formalised between the Parties;

CONSIDERING that close cooperation is desirable for achieving efficient automated solutions;

The Parties agree that such objectives will be pursued through the following cooperation activities indicated in this Memorandum of Understanding (hereinafter the "MoU"), as follows:

ARTICLE I – COOPERATION

1.1. The UPU and IATA agree to strengthen mutual cooperation and endeavour to develop and adopt mutually relevant guidelines of standard handling and status reporting of mail.

1.2. The Parties shall strive to endorse agreed upon standardised security and safety procedures related to mail transport, in a format to be defined by the Parties and in accordance with ICAO regulations and the UPU Acts.

1.3. The Parties shall strive to endorse agreed upon standardised procedures on automated processing of electronic data related to mail transport, including the provision of advance electronic information to the authorities when required, in a format to be defined by the Parties.

1.4. The Parties shall endeavour to formalise, maintain and update such agreed upon standards in line with current or future procedures to be defined by the Parties.

1.5. The Parties shall also strive to promote, to the extent possible, the implementation and widespread use of the agreed upon standards and procedures.

1.6. The Parties shall equally strive to strengthen mutual cooperation in the development of relevant training programs for the standard acceptance and handling of mail within the boundaries of air transportation.

ARTICLE II – MUTUAL CONSULTATION AND ADMINISTRATIVE MATTERS

2.1. The Parties may consult each other, as needed, on matters of common interest for the purpose of achieving the aims set forth in this MoU.

2.2. In particular, the Parties may decide to exchange information in fields and projects of mutual interest, in accordance with the aims and provisions of this MoU.

2.3. The Parties agree to coordinate all information exchanges and actions relating to the implementation of this MoU through a UPU-IATA Contact Committee, without prejudice to the representative function of the Director General of each organization. The terms of reference of the Contact Committee will be mutually agreed upon by the Parties.

2.4. The Parties agree that, in order to safeguard confidentiality of any information to be mutually disclosed, the signature of a preliminary confidentiality agreement may be required.

2.5. The Parties further agree that all administrative matters linked to the execution or operational feasibility of this MoU shall be decided and formalised in documents to be agreed upon later by the Parties, as the case may be.

2.6. The secretariats of both Parties shall be respectively charged with overseeing the proper execution and implementation of this MoU.

ARTICLE III – ENTRY INTO EFFECT AND TERMINATION

3.1. This MoU shall come into effect upon the last date of signature as indicated below by the Parties and shall remain valid until 31 December 2016.

3.2. This MoU may be terminated by either Party, provided that a written termination notice with confirmation of receipt is given to the other Party at least 60 (sixty) days before such termination takes effect.

3.3. This MoU may only be amended if such amendments are made in writing and signed by both Parties.

3.4. The Parties hereby agree that this MoU shall fully replace and supersede the Memorandum of Understanding previously signed by the Parties on 7 March 2007, as well as any extensions or amendments thereto.

3.5. The terms of this MoU are entirely voluntary and serve only as a record of the Parties' intentions and does not constitute or create, and is not intended to constitute or create, obligations under domestic or international law; in this regard, this MoU shall not give rise to any legal process nor shall it be deemed to constitute or create any legally binding or enforceable obligations, express or implied.

3.6. No Party will be responsible to the other Party for any claim for loss or damage, including third party loss or damage, or for loss of revenue, interest, consequential, incidental or special damages or additional cost which arises out of, or in connection with, this MoU.

3.7. Nothing in or relating to the activities described herein shall constitute a waiver, explicit or implied, of any of the privileges and immunities of the UPU.

In witness whereof, the Parties have concluded the present MoU in 2 (two) originals in the English language and appended their signatures thereto.

FOR THE UNIVERSAL POSTAL UNION

**FOR THE INTERNATIONAL AIR
TRANSPORT ASSOCIATION**

Bern, Switzerland, 3 November 2014

Bern, Switzerland, 3 November 2014



Bishar A. Hussein
Director General



Tony Tyler
Director General