



DGP/23-IP/10  
11/10/11

## **DANGEROUS GOODS PANEL (DGP)**

### **TWENTY-THIRD MEETING**

**Montréal, 11 to 21 October 2011**

**Agenda Item 5: Resolution, where possible, of the non-recurrent work items identified by the Air Navigation Commission or the panel:**

**5.1: Review of provisions for the transport of lithium batteries**

### **UPU AND POSTAL SECURITY AND LITHIUM BATTERIES**

(Presented by Universal Postal Union)



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## UPU and its functions

### UPU:

- Inter-governmental organization and UN specialized agency for facilitating communication between people all over the world through lasting development of the postal service worldwide
- 192 member countries
- Single postal territory by inter-connection of postal networks of the members states, and by guaranteeing the free circulation of post items through freedom of transit

### Organisation:

- Congress; supreme body for plenipotentiary of the 192 member states; treaty amendment and postal strategy; every 4 years
- Council of Administration (CA); 41 members; corporate governance and continuation; once a year
- Postal Operations Council (POC); 40 members; operational, technical and commercial matters; once a year

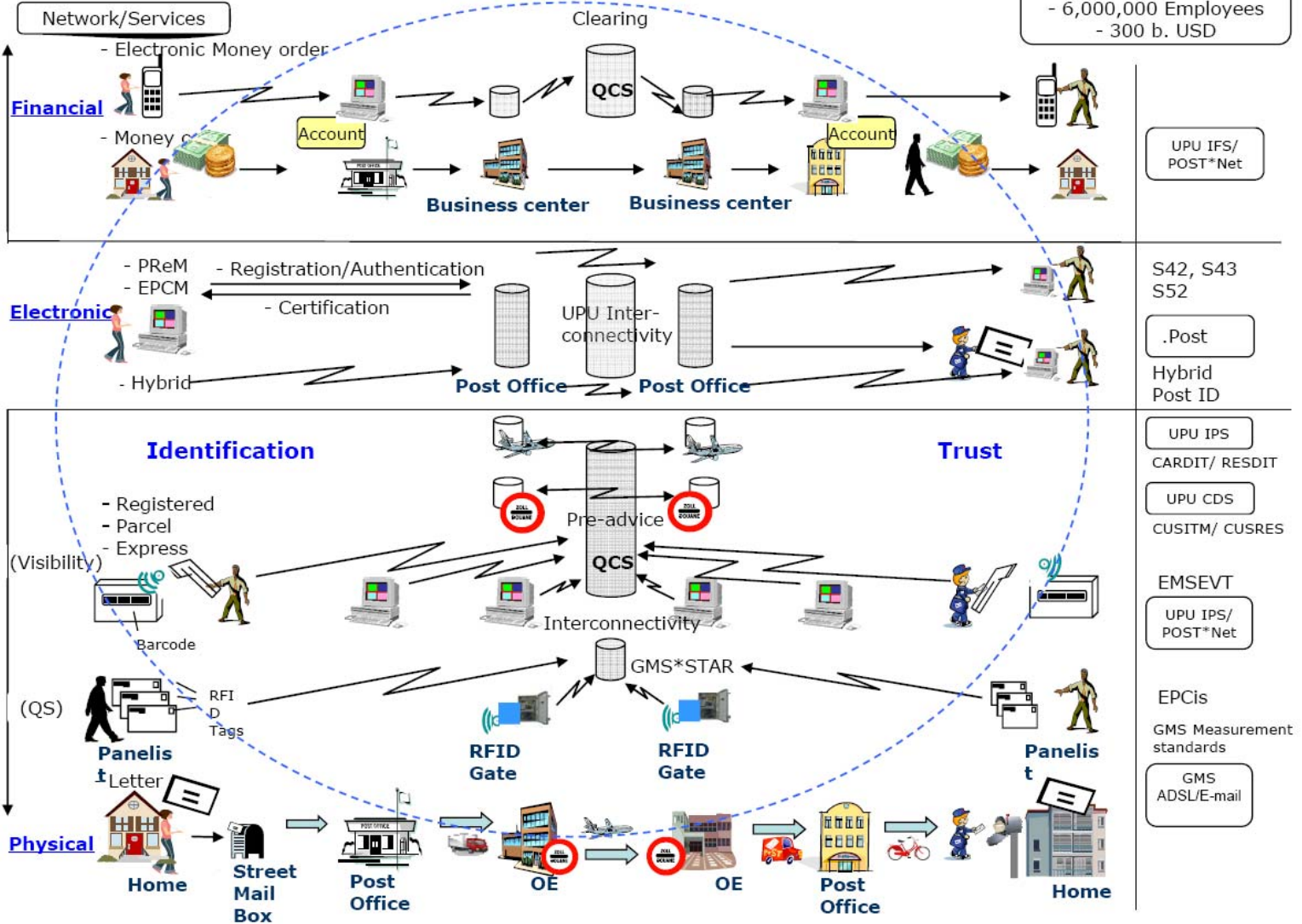
### Functions:

- Institutional treaties (Constitution and General Regulations)
- Operational convention (UPU Convention, Letter Post and Parcel Post Regulations)
- Operational convention (Postal Financial Services Agreement)
- Standards development (operational and technical)
- Provision of tools and technical assistance

### Networks:

- Three dimensional networks; physical, electronic and financial networks
- More than 650,000 post offices and 6,000,000 employees
- 450 b. domestic postal items and 7 b. international postal items

### Postal Network Development





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## Postal Network Development

### Physical:

- Regulations/standards including postal security standards
- Product features development
- Supply chain enhancement; transport facilitation, customs compliance and security compliance; full visibility (traceability) and tool provision
- QS improvement and Pay-for-performance
- Remuneration

### Electronic:

- Regulations/standards
- Platform development (.post) including governance/domain management
- Product/services development (PReM, EPCM, etc.)
- e-government support services, ...)
- e-commerce facilitation

### Financial:

- Regulations/standards
- Electronic money transfer corridor development/full visibility - network and tool provision
- QS system
- Clearing centre system
- Branding
- Remuneration

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### Common:

- Addressing (as prerequisite for identification: an address for everyone)
- e-publications



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## **Postal Security**

- Trust is a key component of the worldwide postal network
- Postal Security Group (PSG) within the POC is primarily the forum to address postal security matters
  - Dangerous Goods Project Group is addressing dangerous goods compliance matters
  - PSG has developed the Postal Security Standards as UPU standards
- Article 9 of the UPU Convention provides for the obligation to the member states to adopt and implement a proactive security strategy at all levels of postal operations
  - Designated Postal Operators (DPOs) have their own security plans and apply security measures at each stage of the postal supply chain



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### **Postal Security Activities (1)**

- Postal Export Guide (PEG): electronic publication of the List of Prohibited Articles, dangerous goods and conditionally admitted articles with WCO HS code
- Review of Postal Security Standards: protection of postal employees and assets and prevention of illegal use of postal network
- Awareness raising for health and safety campaign from counterfeit and pirated items and consumer fraud awareness



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### **Postal Security Activities (2)**

- Enhanced security compliance by DPOs through airport audit missions in various countries
- Vocational training for postal staff on postal security through regional approach programmes covering all regions in the world and through workshops on specific security subject such as protection revenue, money laundering, etc.
- Human resource development through UPU e-learning programmes which was created in 2006; currently covering 42 subjects relating to postal operations including postal security



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### **Postal Security Activities (3)**

- Creation of Inter-Committee Security Group (ICSG): a mixed group of leading countries both from CA and POC
- The aim is to update Postal Security Standards applicable to all on a mandatory basis
  - Commensurate with the new security requirements evolved and being evolved in various corners of the world, particularly after Yemen incident in October 2010
  - Commensurate with the new movements observed and being observed in the airline sector and border control sector
  - Working together with the relevant international, regional and national stakeholders (ICAO, IATA, WCO, WTO, EU commission, TSA, etc.)





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### **Dangerous Goods (1)**

- Dangerous goods are considered as a matter of principle as prohibited articles for mail items into the postal stream
- Dangerous goods are defined by United Nations recommendations on the Transport of Dangerous Goods (UN Orange Book)
- Dangerous goods defined by the UN are largely reflected in the ICAO Annex 18 to the Convention on International Civil Aviation: The Safe Transport of Dangerous Goods by Air and its Technical Instructions for the Safe Transport of Dangerous Goods by Air (and IMO IMDG Code for the maritime transportation)
- Those goods concerned to transportation by air are also reflected in the IATA Dangerous Goods Regulations
- Article 15 of the UPU Convention provides for the non-acceptance of dangerous goods by post



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## **Dangerous Goods (2)**

- Among the items classified as dangerous goods, there are some items which are admitted into the air transportation stream with the conditions of acceptance
- Articles 15 and 16 of the UPU Convention define the items classified as dangerous goods but exceptionally acceptable by mail with specific conditions
- The revision of these articles are made in the reflection of the evolution made in the UN Orange Book and ICAO Annex 18: The Safe Transport of Dangerous Goods by Air and its Technical Instructions
- The changes made in the UPU Convention articles are reflected as a mirror in the ICAO Technical Instructions (Part 1 General, Chapter 2 Limitation of Dangerous Goods on aircraft, Paragraph 2.3 Transport of Dangerous Goods by Post)



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## **Lithium Batteries (1)**

- UN Special Provisions SP 188: recommendations on Transport of Dangerous Goods; Model Regulations, presented new arrangements regarding lithium batteries as dangerous goods (Class 9 Dangerous Goods)
- It can be understood gross-au-mode that:
  - Layer A: the items containing small quantity of lithium batteries (no more than 4 cells or 2 batteries, with limited power) installed in equipment are allowed in the transport stream with packaging conditions but without labelling required
  - The definitions are equivalent to UN 3481 lithium iron batteries contained equipment and UN 3091 lithium metal batteries contained in equipment
  - Layer B: the items containing a larger quantity of lithium batteries (more than 5 cells or 3 batteries, with more power) installed in equipment are allowed in the transport stream with more strict packaging conditions and with labelling required, and additional conditions



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## **Lithium Batteries (2)**

- UPU community members, in view of the technology development and the changing demand from the customers, presented their wishes to accommodate these changes in the UPU convention
- This request from the UPU members was also based on the need that the postal community should stand on the equitable status comparing to the cargo operators regarding the transport of lithium batteries admitted by the International Instruments
- Based on the UPU POC decision, the Dangerous Goods Project Group presented a working paper to the ICAO DGP meeting held in Auckland in May 2009
- The ICAO DGP meeting conformed that an amendment of the UPU Convention would be necessary



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### **Lithium Batteries (3)**

- Taking into account the concerns expressed by the ICAO DGP, UPU PSG decided in its meeting in October 2009 to advance the work taking a commonsense approach with a two-phased approach:
  - Phase 1: to amend the article 15 and 16 of the UPU Convention as soon as possible to allow DPOs to accept mail items containing only a small quantity of lithium batteries installed in equipment (layer A, mentioned above)
  - Phase 2: to further review the articles concerned of the UPU Convention to allow DPOs to expand the range of mail items containing more quantity of lithium batteries installed in equipment (layer B, mentioned above)



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### **Lithium Batteries (4)**

- The POC Plenary in April 2010 took a decision on the proposals to amend articles 15 and 16 of the UPU Convention between the two Congresses
- Based on the article 125 of the UPU General Regulations, the process for adopting the proposals was initiated in August 2010 and the voting from the member states had been made from October to December 2010
- The proposals were approved by a large majority of the UPU member states
- The POC Plenary in May 2011, noting the approval made by the member states on the amendment of the UPU convention, examined the proposals to change Letter Post and Parcels Post Regulations (RL 131bis and RC 120bis) which specify the conditions of acceptance of mail items containing lithium cells and batteries installed in equipment
- Adopting these new regulations, the POC set the date of entry into force at 1 October 2011



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### **Lithium Batteries (5)**

- On 7 July 2011, the Director General of the International Bureau of the UPU sent a letter to the Secretary General of the ICAO informing this decision made by the UPU and requesting that ICAO would undertake all the necessary measures to support the changes made in the UPU Acts (Convention and Regulations)
- On 19 August 2011, the UPU received a response from the ICAO:
  - “Noting that the Technical Instructions are valid for operational use from 1 January to 31 December 2012 and the amendment to the UPU convention is due to come into force from 1 October 2011, I believe that member States of our organization may face a conflict with regards to the transport of lithium batteries in airmail. May I suggest that consideration be given by the UPU to notify its member States to delay implementation of the amendment with regards to air transport, on the understanding that the issue will be raised for discussion by the DGP”



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### **Lithium Batteries (6)**

- This created a difficulty for the UPU. In the past, when UPU adopted changes to articles 15 and 16 of the UPU Convention based on the changes to the UN Model Regulations, no conflicts were observed between the ICAO and UPU regulations
- Nonetheless, the UPU consulted with the Chairman of the POC to accept as an extraordinary case that the UPU postpone the implementation date of the newly adopted UPU Acts (Convention and Regulations) with regard to the transportation of mail by air until the further notice
- This decision was notified to UPU member states on 6 September 2011





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### **Lithium Batteries (7)**

- The UPU has long been undertaking educational programmes in the member countries, particularly the DPOs, on the need to strictly comply with the security requirements
- Regarding the acceptance of mail items containing small quantities of lithium batteries installed in equipment, training materials were disseminated to the member states, inviting high attention as the case is new to the postal community
- The UPU will continue to make efforts for the training of security staff in various countries both through its field support training and workshop programmes and its e-training course
- The UPU also understands that airline operators are sensible with the transportation of lithium batteries and they would like to be able to deal effectively with the postal items when the incidents or accidents occur



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## **Conclusions**

The ICAO DGP is requested:

- to examine the document DGP/23-WP/71 presented by the UPU
- to endorse the proposal for amendment of the ICAO Technical Instructions as presented
- to recommend to the appropriate body of the ICAO to approve the amendment of the ICAO Technical Instructions as quickly as possible so that the possible conflict between the legal instruments of the UPU and ICAO can be resolved



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## Conclusions

- Proposals to amend the ICAO Technical Instructions, "Annex 18 to the Convention on International Civil Aviation; The Safe Transport of Dangerous Goods by Air"
- To amend the ICAO Technical Instructions, Part 1 General, Chapter 2 Limitation of Dangerous Goods on Aircraft, Paragraph 2.3 Transport of Dangerous Goods by Post, as follows:
  - 1 To add the following to the sub-paragraph 2.3.2:  
[d\) lithium cells and lithium batteries installed in equipment to categories UN 3481 and 3091, when packed in accordance with the requirements of Packing Instructions 967, Section II and 970, Section II.](#)
  - 2 To add the following sub-paragraph 2.3.3:  
[2.3.3 In the implementation of 2.3.1 and 2.3.2 on transport of dangerous goods by post, Part 7 Operator's Responsibilities, Chapter 4 Provision of Information, Paragraph 4.4 Reporting of Dangerous Goods Accidents and Incidents, 4.5 Reporting of Undeclared or Misdeclared Dangerous Goods and Paragraph 4.6 Information by the Operator in case of an aircraft Accident or Incident are also applicable. In this case, the operator of the aircraft carrying dangerous goods as mail must provide the relevant information to the appropriate designated postal operator of the State of the Operator and the State in which the reporting event including accident or incident occurred.](#)
- Reasons:
  - Addition of d) to sub-paragraph 2.3.2:
    - To commensurate with the amendment made in the articles 15 and 16 of the Universal Postal Union (UPU) Convention
  - Addition of sub-paragraph 2.3.3:
    - To confirm explicitly the ability of airline operators to undertake all the necessary measures in the event of accidents and incidents occurred in the mail items containing dangerous goods in their custody



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**Thank you for your kind attention  
and cooperation**