

Reference: C.N.607.2016.TREATIES-XI.D.6 (Depositary Notification)

EUROPEAN AGREEMENT CONCERNING THE INTERNATIONAL CARRIAGE
OF DANGEROUS GOODS BY INLAND WATERWAYS (ADN)

GENEVA, 26 MAY 2000

PROPOSAL OF AMENDMENTS TO THE REGULATIONS ANNEXED TO THE ADN

The Secretary-General of the United Nations, acting in his capacity as depositary, communicates the following:

At its seventeenth session (Geneva, 26 August 2016), the ADN Administrative Committee adopted amendments additional to those previously adopted for entry into force on 1 January 2017¹ for the purpose of bringing the Regulations annexed to the ADN in line with the European Agreement concerning the International Carriage of Dangerous Goods by Road (ADR) and the Regulations for the International Carriage of Dangerous Goods by Rail (RID) in their amended versions that should become applicable as of 1 January 2017. The secretariat was requested to publish them as an addendum to document ECE/ADN/36 (ECE/ADN/36/Add.1) and to communicate them to Contracting Parties no later than 1 September 2016 in accordance with the procedure outlined in article 20, paragraph 5 (a) of the ADN, so that they may enter into force on 1 January 2017, i.e. one month after acceptance by Contracting Parties.

The procedure for the amendment of the regulations annexed to the Agreement is set forth in its article 20, in particular, in paragraphs 4 and 5, which read as follows:

“4. Decisions on proposed amendments and proposed draft amendments submitted to the Administrative Committee in accordance with paragraphs 2 and 3 shall be made by a majority of the members present and voting. However, a draft amendment shall not be deemed adopted if, immediately after the vote, five members present declare their objection to it. Adopted draft amendments shall be communicated by the Secretary-General of the United Nations to the Contracting Parties for acceptance.

5. Any draft amendment to the annexed Regulations communicated for acceptance in accordance with paragraph 4 shall be deemed to be accepted unless, within three months from the date on which the Secretary-General circulates it, at least one-third of the Contracting Parties, or five of them if one-third exceeds that figure, have given the Secretary-General written notification of their objection to the proposed amendment. If the amendment is deemed to be accepted, it shall enter into force for all the Contracting Parties, on the expiry of a further period of three months, except in the following cases:

¹ Refer to depositary notification C.N.444.2016.TREATIES-XI.D.6 of 1 July 2016 (Proposal of amendments to the Regulations annexed to the ADN).

(a) In cases where similar amendments to other international agreements governing the carriage of dangerous goods have already entered into force, or will enter into force at a different date, the Secretary-General may decide, upon written request by the Executive Secretary of the Economic Commission for Europe, that the amendment shall enter into force on the expiry of a different period so as to allow the simultaneous entry into force of these amendments with those to be made to such other agreements or, if not possible, the quickest entry into force of this amendment after the entry into force of such amendments to other agreements; such period shall not, however, be of less than one month's duration.

(b) The Administrative Committee may specify, when adopting a draft amendment, for the purpose of entry into force of the amendment, should it be accepted, a period of more than three months' duration."

Consequently, unless the proposed amendments to the annexed Regulations are deemed rejected pursuant to article 20, paragraph 5, within three months from the date of the notification, i.e., on 1 December 2016, the Secretary-General proposes that the amendments in question enter into force on 1 January 2017.

The texts of the proposed amendments are contained in document ECE/ADN/36/Add.1 which can be accessed on the website of the UNECE Transport Division at the following address:
http://www.unece.org/trans/main/dgdb/adn/adn_rep.html

1 September 2016

A handwritten signature in black ink, consisting of stylized initials and a surname, positioned above a horizontal line.

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