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REFERENCE C.N.78.1984.TREATIES-2 (Depositary Notification)

AGREEMENT ON THE INTERNATIONAL CARRIAGE OF PERISHABLE FOODSTUFFS
AND ON THE SPECIAL EQUIPMENT TO BE USED FOR SUCH CARRIAGE (ATP)
CONCLUDED AT GENEVA ON 1 SEPTEMBER 1970

OBJECTION BY THE FEDERAL REPUBLIC OF GERMANY AND MOROCCO
TO THE AMENDMENTS PROPOSED BY THE UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND TO ANNEXES 2 AND 3 OF THE AGREEMENT

NOTIFICATION BY FRANCE UNDER ARTICLE 18 (2) (b) OF THE AGREEMENT
WITH RESPECT TO THE SAID AMENDMENTS

COMMUNICATION BY THE NETHERLANDS

COMPLEMENTARY COMMUNICATION BY MOROCCO

The Secretary-General of the United Nations, acting in his capacity as depositary, and referring to depositary notification C.N.318.1983.TREATIES-4 of 20 October 1983, relating to certain amendments proposed by the Government of the United Kingdom to annexes 2 and 3 of the Agreement, communicates the following:

The Secretary-General received the following communications in regard to the above-mentioned proposal:

Objection by the Federal Republic of Germany (received on 12 April 1984)

(Translation) (Original: German)

The Government of the Federal Republic of Germany is of the opinion that the proposed amendments are not compatible with article 4 of the Agreement. In addition, it regards it as disadvantageous to alter the introductory sentences of annexes 2 and 3 at a time when discussion on new provisions for temperatures in these annexes has not yet been concluded. It also wishes to point out that no agreement has yet been reached by the ECE Groups of Experts "Carriage of Perishable Foodstuffs" concerning the proposed amendments.

Attention: Treaty Services of Ministries of Foreign Affairs and of international organizations concerned



- 2 -

Objection by Morocco (received on 17 April 1984)

(Translation) (Original: French)

The Government of the Kingdom of Morocco does not intend to accept the amendments proposed by the United Kingdom of Great Britain and Northern Ireland to annexes 2 and 3 of the said Agreement.

Notification by France under article 18 (2) (b) of the Agreement
(received on 20 April 1984)

(Translation) (Original: French)

Although it intends to accept the amendment, the Government of France declares that the conditions necessary for such acceptance are not yet fulfilled in respect of France.

Communication by the Netherlands (received on 21 May 1984)

(Original: English)

"The basic idea of the amendments proposed by the United Kingdom of Great Britain and Northern Ireland to annexes 2 and 3 of the Agreement is to facilitate the crossing of the frontiers of perishable foodstuffs listed in annexes 2 and 3 of the Agreement. The Government of the Netherlands is of the opinion that the significance of the temperatures in annexes 2 and 3 as a result of these amendments will not any longer be in accordance with the significance of the temperature mentioned in the main text of the Agreement and that the proposed wording could lead to a different interpretation of article 4.

Furthermore [it] should be taken into account that there is no agreement on the temperatures listed in annexes 2 and 3 and that for this reason the Group of Experts agreed to consult bodies outside and within the United Nations with competence in the field of temperature conditions for perishable foodstuffs.

Given the above-mentioned points, the Government of the Netherlands does not agree with these amendments or with the procedure to handle the issue of temperatures by amendments before a consensus has been reached".



Complementary communication by Morocco (received on 28 June 1984)

(Translation) (Original: French)

The reservations previously made by Morocco have to do with the amendments to annex 2 (two) in their entirety, as well as with the amendments to annex 3 (three) proposed in paragraph "A".

As for the proposal in paragraph "B" to amend annex 3 (three), by adding a definition of the term "fresh cheese" to the list of footnotes, the proposed definition does not in itself give rise to any objection.

Given the objections received by the Secretary-General as at 20 April 1984, that is to say, before the expiry of the six-month period provided for in article 18 (2), the proposed amendments are deemed not to have been accepted.

16 July 1984

A handwritten signature in black ink, consisting of a single, fluid, cursive stroke.

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