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REFERENCE C.N.9.1995.TREATIES-1 (Depositary Notification)

EUROPEAN AGREEMENT ON MAIN INTERNATIONAL TRAFFIC ARTERIES (AGR)  
 CONCLUDED AT GENEVA ON 15 NOVEMBER 1975

AMENDMENTS PROPOSED TO ANNEXES I AND II

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

At its eighty-eighth session held in Geneva from 26 to 28 October 1994, the Principal Working Party on Road Transport of the Inland Transport Committee of the Economic Commission for Europe, considered in accordance with paragraph 2 of articles 8 and 9 of the above-mentioned Agreement, amendments to annexes I and II to the Agreement which had been proposed by several Contracting Parties.

The proposed amendments were unanimously adopted by those present and voting, which included a majority of the Contracting Parties as reflected in the report of the Principal Working Party on Road Transport (doc. TRANS/SC1/355 of 11 November 1994).

In this connection, the Secretary-General wishes to draw attention to paragraphs 1 to 5 of articles 8 and 9, which read as follows:

Article 8

"1. Annex I to this Agreement may be amended by the procedure specified in this article.

2. Upon the request of a Contracting Party, any amendment proposed by it to annex I to this Agreement shall be considered in the Working Party on Road Transport of the Economic Commission for Europe (ECE).

3. If adopted by a majority of those present and voting and if such majority includes the majority of the Contracting Parties present and voting, the amendment shall be communicated by the Secretary-General to the competent administrations of the Contracting Parties directly concerned. The following shall be considered Contracting Parties directly concerned:

(a) in the case of a new, or the modification of an existing class-A international road, any Contracting Party whose territory is crossed by that road;

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(b) in the case of a new, or the modification of an existing class-B international road, any Contracting Party contiguous to the requesting country, whose territory is crossed by the class-A international road or roads with which the class-B international road, whether new or to be modified, is connected. Two Contracting Parties having in their respective territories the terminal points of a sea link on the class-A international road or roads specified above shall also be considered contiguous for the purposes of this paragraph.

4. Any proposed amendments communicated in accordance with paragraph 3 of this article shall be accepted if within a period of six months following the date of its communication none of the competent administrations of the Contracting Parties directly concerned notify the Secretary-General of their objection to the amendment. If the administration of a Contracting Party states that its national law obliges it to subordinate its agreement to the grant of a specific authorization or to the approval of a legislative body, the competent administration shall not be considered as having consented to the amendment to annex I to this Agreement, and the proposed amendment shall not be accepted, until such time as the said competent administration notifies the Secretary-General that it has obtained the required authorization or approval. If such notification is not made within a period of eighteen months following the date on which the proposed amendment was communicated to the said competent administration or if, within the period of six months specified above, the competent administration of a Contracting Party directly concerned expresses an objection to the proposed amendment, that amendment shall not be accepted.

5. Any amendment accepted shall be communicated by the Secretary-General to all the Contracting Parties and shall come into force for all the Contracting Parties three months after the date of its communication."

#### Article 9

"1. Annexes II and III to this Agreement may be amended by the procedure specified in this article.

2. Upon the request of a Contracting Party, any amendment proposed by it to annexes II and III to this Agreement shall be considered in the Working Party on Road Transport of the Economic Commission for Europe (ECE).

3. If adopted by the majority of those present and voting, and if such majority includes the majority of the Contracting Parties present and voting, the amendment shall be communicated by the Secretary-General to the competent administrations of all Contracting Parties for acceptance.

4. Such amendment shall be accepted if during a period of six months from the date of notification, less than one-third of the competent administrations of the Contracting Parties notify the Secretary-General of their objection to the amendment.



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5. Any amendment accepted shall be communicated by the Secretary-General to all Contracting Parties and shall come into force three months after the date of its communication."

..... Transmitted herewith, in accordance with the above-mentioned paragraph 3 of articles 8 and 9, are copies of the English, French and Russian texts of the proposed amendments (doc. TRANS/SC.1/355) for communication to the competent administrations.

In this connection, reference is made to paragraph 12 of document TRANS/SC1/324 concerning the procedure under article 8 (3) of the Agreement, which paragraph reads as follows:

"12. Regarding such procedure, the Working Party agreed that in order to make it more simple the draft amendments adopted should be communicated to all Contracting Parties and not only to the 'Contracting Parties directly concerned' as envisaged under the Agreement, it being understood that for their acceptance the provision of article 8, paragraph 4 would apply fully."

In accordance with the above-quoted paragraph 4 of article 8, the proposed amendments shall be considered as having been accepted if, within a period of six months following the date of the present notification, no objection has been received from a competent administration or a Contracting Party directly concerned.

In accordance with the above-quoted article 9(4), the proposed amendments shall be considered as having been accepted if, within a period of six months following the date of the present notification, no objection has been received from less than one-third of the competent administrations of the Contracting Parties.

14 March 1995

A handwritten signature in dark ink, consisting of a stylized, cursive name.

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