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Reference: C.N.673.2006.TREATIES-2 (Depositary Notification)

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

GERMANY: OBJECTION TO THE PROPOSAL OF AMENDMENTS TO ARTICLE 2
AND ANNEXES 1 AND 2 TO THE ATP AGREEMENT¹

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

The above action was effected on 14 August 2006.

(Original: English)

“The Federal Republic of Germany objects to the proposal (amendments to Article 2 and Annexes 1 and 2 to the ATP) transmitted by C.N.261.2006.TREATIES-1 Reissued of 5 April 2006.

First of all the Federal Republic of Germany objects to the proposed deletion of Article 2, third sentence of the ATP. According to this sentence each Contracting Party can recognize the validity of certificates stating the compliance with the standards of the ATP and issued by the competent authorities of Non-Contracting Party in conformity with the requirements of annex 1, appendices 1 and 2 to this Agreement. There is no apparent reason why this form of recognition should no longer apply.

The Federal Republic of Germany also objects to the amendments of the text of annexes 1 and 2 of the ATP which consist for the most part in a mere rectification. Only in a few cases do they contain significant changes such as the regulations on the Kit bodies. It is not immediately clear which amendments imply real innovations and which simply include editorial rewording. The Federal Republic of Germany therefore requests a revised version of the text of the annexes 1 and 2 to the ATP, i.e. a consolidated text without modification instructions. A new version will be needed in any case in order to make the ATP easier for users to read.

¹ Refer to depositary notification C.N.261.2006.TREATIES-1 of 29 March 2006 (**Reissued on 5 April 2006**) (Proposal of amendments to Article 2 and Annexes 1 and 2 to the ATP Agreement)

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The Federal Republic of Germany therefore suggests the following modification procedure consisting of two logical steps:

1. First of all annexes 1 and 2 to the ATP would be modified to only take account of the actual technical innovations adopted by the Working Party during the 60th and 61st sessions.
2. Subsequently, the text of annexes 1 and 2 to the ATP would be completely rectified with the objective of producing a consolidated version of annexes 1 and 2.”

In accordance with the provisions of paragraph 2 and 4 of article 18 of the Agreement, the proposal of amendments to Article 2 and Annexes 1 and 2 of the ATP is deemed not to have been accepted and is of no effect, the objection by the Government of Germany having been received by the Secretary-General before the expiry of the six-month period provided for in article 18 (2), i.e. before 29 September 2006.

29 August 2006



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