

Reference: C.N.30.2023.TREATIES-XI.B.22 (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

PROPOSAL OF AMENDMENTS TO THE ATP AND ITS ANNEXES

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

On 3 February 2023, the Working Party on the Transport of Perishable Foodstuffs of the United Nations Economic Commission for Europe (UNECE) transmitted to the Secretary-General, in accordance with article 18 (1) of the above Agreement, proposed amendments to the ATP which were adopted at its seventy-seventh, seventy-eighth and seventy-ninth sessions held in Geneva on 26-29 October 2021, 3-6 May 2022 and 25-28 October 2022 respectively.

The Secretary-General wishes to refer to paragraphs 1 to 7 of article 18 which provide that:

“1. Any Contracting Party may propose one or more amendments to this Agreement. The text of any proposed amendment shall be communicated to the Secretary-General of the United Nations, who shall communicate it to all Contracting Parties and bring it to the notice of all other States referred to in article 9, paragraph 1, of this Agreement.

The Secretary-General may also propose amendments to this Agreement or to its Annexes which have been transmitted to him by the Working Party on the Transport of Perishable Foodstuffs of the Inland Transport Committee of the Economic Commission for Europe.

2. Within a period of six months following the date on which the proposed amendment is communicated by the Secretary-General, any Contracting Party may inform the Secretary-General

- (a) that it has an objection to the amendments proposed, or
- (b) that, although it intends to accept the proposal, the conditions necessary for such acceptance are not yet fulfilled in its country.

3. If a Contracting Party sends the Secretary-General a communication as provided for in paragraph 2 (b) of this article, it may, so long as it has not notified the Secretary-General of its acceptance, submit an objection to the proposed amendment within a period of nine months following the expiry of the period of six months prescribed in respect of the initial communication.

4. If an objection to the proposed amendment is stated in accordance with the terms of paragraphs 2 and 3 of this article, the amendment shall be deemed not to have been accepted and shall be of no effect.

5. If no objection to the proposed amendment has been stated in accordance with paragraphs 2 and 3 of this article, the amendment shall be deemed to have been accepted on the date specified below:

- (a) if no Contracting Party has sent a communication to the Secretary-General in accordance with paragraph 2 (b) of this article, on the expiry of the period of six months referred to in paragraph 2 of this article;
- (b) if at least one Contracting Party has sent a communication to the Secretary-General in accordance with paragraph 2 (b) of this article, on the earlier of the following two dates:
  - the date by which the Contracting Parties which sent such communications have notified the Secretary-General of their acceptance of the proposed amendment, subject however to the proviso that if all the acceptances were notified before the expiry of the period of six months referred to in paragraph 2 of this article the date shall be the date of expiry of that period;
  - the date of expiry of the period of nine months referred to in paragraph 3 of this article.

6. Any amendment deemed to be accepted shall enter into force six months after the date on which it was deemed to be accepted.

7. The Secretary-General shall as soon as possible inform all Contracting Parties whether an objection to the proposed amendment has been stated in accordance with paragraph 2 (a) of this article and whether one or more Contracting Parties have sent him a communication in accordance with paragraph 2 (b) of this article. If one or more Contracting Parties have sent him such a communication, he shall subsequently inform all the Contracting Parties whether the Contracting Party or Parties which have sent such a communication raise an objection to the proposed amendment or accept it.”

The text of the proposed amendments appears in the Annex to the report ECE/TRANS/WP.11/245, Annex II to the report ECE/TRANS/WP.11/247 and Annex II to the report ECE/TRANS/WP.11/249. These documents can be accessed on the website of the UNECE Sustainable Transport Division at the following addresses:

<https://unece.org/info/Transport/Transport-of-Perishable-Foodstuffs/events/357984>,  
<https://unece.org/info/Transport/Transport-of-Perishable-Foodstuffs/events/364288> and  
<https://unece.org/info/Transport/Transport-of-Perishable-Foodstuffs/events/368962>.

3 February 2023

