

No. 8940

MULTILATERAL

European Agreement concerning the International Carriage of Dangerous Goods by Road (ADR) (with annexes and Protocol of Signature). Done at Geneva, on 30 September 1957

Official texts of the Agreement and Protocol of Signature: French and English.

Official text of the annexes: French.

Registered ex officio on 29 January 1968.

MULTILATÉRAL

Accord européen relatif au transport international des marchandises dangereuses par route (ADR) [avec annexes et Protocole de signature]. Fait à Genève, le 30 septembre 1957

Textes officiels de l'Accord et du Protocole de signature: français et anglais.

Texte officiel des annexes: français.

Enregistré d'office le 29 janvier 1968.

No. 8940. EUROPEAN AGREEMENT¹ CONCERNING THE INTERNATIONAL CARRIAGE OF DANGEROUS GOODS BY ROAD (ADR). DONE AT GENEVA, ON 30 SEPTEMBER 1957

The Contracting Parties,

Desiring to increase the safety of international transport by road,

Have agreed as follows :

Article 1

For the purpose of this Agreement,

(a) The term " vehicle " shall mean motor vehicles, articulated vehicles, trailers and semitrailers, as defined in article 4 of the Convention on Road Traffic of 19 September 1949,² other than vehicles belonging to or under the orders of the armed forces of a Contracting Party;

(b) The term " dangerous goods " shall mean those substances and articles the international carriage by road of which is prohibited by, or authorized only on certain conditions by, annex A and B,

(c) The term " international transport " shall mean any transport operation performed on the territory of at least two Contracting Parties by vehicles defined in (a) above.

¹ In accordance with paragraph 1 of article 7, the Agreement entered into force on 29 January 1968, i.e., one month after the deposit of the fifth instrument of ratification or accession, in respect of the following States on behalf of which the instruments of ratification or accession (a) were deposited on the dates indicated :

France	2 February 1960
Belgium	25 August 1960
Italy	3 June 1963
Netherlands*	1 November 1963
Portugal	29 December 1967 (a)

* The signature was affixed for the Kingdom in Europe.

The same paragraph provides that the annexes to the Agreement (annexes A and B) shall not apply until six months after the entry into force of the Agreement itself. However, on the date of the entry into force of the Agreement, the Government of France proposed certain amendments to both annexes and these amendments, in accordance with paragraph 3 of article 14 of the Agreement, entered into force on 29 July 1968, the date which coincided with the date on which the annexes as originally drawn up were to become applicable. Therefore, the original text of the annexes is not printed herein. Their authentic French text, incorporating the amendments which were registered on 29 July 1968, will be published in the *Treaty Series* volume covering the registration material corresponding to that date (volume 641); the authoritative translation of the annexes, as amended, which is being prepared, will appear in Volumes 731.

² United Nations, *Treaty Series*, Vol. 125, p. 3.

Article 2

1. Subject to the provisions of article 4, paragraph 3, dangerous goods barred from carriage by annex A shall not be accepted for international transport.

2. International transport of other dangerous goods shall be authorized subject to compliance with :

- (a) The conditions laid down in annex A for the goods in question, in particular as regards their packaging and labelling, and
- (b) The conditions laid down in annex B, in particular as regards the construction, equipment and operation of the vehicle carrying the goods in question, subject to the provisions of article 4, paragraph 2.

Article 3

The annexes to this Agreement shall form an integral part thereof.

Article 4

1. Each Contracting Party shall retain the right to regulate or prohibit, for reasons other than safety during carriage, the entry of dangerous goods into its territory.

2. Vehicles in service on the territory of a Contracting Party at the time of entry into force of this Agreement or brought into service on such territory within two months after its entry into force shall be allowed, for a period of three years from such entry into force, to perform the international transport of dangerous goods even if their construction and equipment do not entirely conform to the requirements laid down in annex B for the transport operation in question. Under special clauses of annex B, however, this period may be reduced.

3. The Contracting Parties shall retain the right to arrange, by special bilateral or multilateral agreements, that certain of the dangerous goods which under this Agreement are barred from all international transport may, subject to certain conditions, be accepted for international transport on their territories, or that dangerous goods which under this Agreement are acceptable for international transport only on specified conditions may be accepted for international transport on their territories under conditions less stringent than those laid down in the annexes to this Agreement. The special bilateral or multilateral agreements referred to in this paragraph shall be communicated to the Secretary-General of the United Nations, who shall communicate them to the Contracting Parties which are not signatories to the said agreements.

Article 5

The transport operations to which this Agreement applies shall remain subject to national or international regulations applicable in general to road traffic, international road transport and international trade.

Article 6

1. Countries members of the Economic Commission for Europe and countries admitted to the Commission in a consultative capacity under paragraph 8 of the Commission's terms of reference may become Contracting Parties to this Agreement :

- (a) By signing it;
- (b) By ratifying it after signing it subject to ratification;
- (c) By acceding to it.

2. Such countries as may participate in certain activities of the Economic Commission for Europe in accordance with paragraph 11 of the Commission's terms of reference may become Contracting Parties to this Agreement by acceding to it after its entry into force.

3. The Agreement shall be open for signature until 15 December 1957. Thereafter, it shall be open for accession.

4. Ratification or accession shall be effected by the depositing of an instrument with the Secretary-General of the United Nations.

Article 7

1. This Agreement shall enter into force one month after the date on which the number of countries mentioned in article 6, paragraph 1, which have signed it without reservation of ratification or have deposited their instruments of ratification or accession has reached a total of five. However, the annexes thereto shall not apply until six months after the entry into force of the Agreement itself.

2. For any country ratifying or acceding to this Agreement after five of the countries referred to in article 6, paragraph 1, have signed it without reservation of ratification or have deposited their instruments of ratification or accession, this Agreement shall enter into force one month after the said country has deposited its instrument of ratification or accession and the annexes thereto shall apply for the said country either on the same date, if they are already in force by that date, or, if they are not in force by that date, on the date on which they apply under the provisions of paragraph 1 of this article.

Article 8

1. Any Contracting Party may denounce this Agreement by so notifying the Secretary-General of the United Nations.

2. Denunciation shall take effect twelve months after the date of receipt by the Secretary-General of the notification of denunciation.

Article 9

1. This Agreement shall cease to have effect if, after its entry into force, the number of Contracting Parties is less than five during twelve consecutive months.

2. In the event of the conclusion of a world-wide agreement for the regulation of the transport of dangerous goods, any provision of this Agreement which is contrary to any provision of the said worldwide agreement shall, from the date on which the latter enters into force, automatically cease to apply to relations between the Parties to this Agreement which become parties to the worldwide agreement, and shall automatically be replaced by the relevant provision of the said worldwide agreement.

Article 10

1. Any country may, at the time of signing this Agreement without reservation of ratification or of depositing its instrument of ratification or accession or at any time thereafter, declare by notification addressed to the Secretary-General of the United Nations that this Agreement shall extend to all or any of the territories for the international relations of which it is responsible. The Agreement and the annexes thereto shall extend to the territory or territories named in the notification one month after it is received by the Secretary-General.

2. Any country which has made a declaration under paragraph 1 of this article extending this Agreement to any territory for whose international relations it is responsible may denounce the Agreement separately in respect of the said territory in accordance with the provisions of article 8.

Article 11

1. Any dispute between two or more Contracting Parties concerning the interpretation or application of this Agreement shall so far as possible be settled by negotiation between them.

2. Any dispute which is not settled by negotiation shall be submitted to arbitration if any one of the Contracting Parties in dispute so requests and shall be referred accordingly to one or more arbitrators selected by agreement between the Parties in dispute. If within three months from the date of the request for

arbitration the Parties in dispute are unable to agree on the selection of an arbitrator or arbitrators, any of those Parties may request the Secretary-General of the United Nations to nominate a single arbitrator to whom the dispute shall be referred for decision.

3. The decision of the arbitrator or arbitrators appointed under paragraph 2 of this article shall be binding on the Contracting Parties in dispute.

Article 12

1. Each Contracting Party may, at the time of signing, ratifying, or acceding to, this Agreement, declare that it does not consider itself bound by article 11. Other Contracting Parties shall not be bound by article 11 in respect of any Contracting Party which has entered such a reservation.

2. Any Contracting Party having entered a reservation as provided for in paragraph 1 of this article may at any time withdraw such reservation by notifying the Secretary-General of the United Nations.

Article 13

1. After this Agreement has been in force for three years, any Contracting Party may, by notification to the Secretary-General of the United Nations, request that a conference be convened for the purpose of reviewing the text of the Agreement. The Secretary-General shall notify all Contracting Parties of the request and a review conference shall be convened by the Secretary-General if, within a period of four months following the date of notification by the Secretary-General, not less than one-fourth of the Contracting Parties notify him of their concurrence with the request.

2. If a conference is convened in accordance with paragraph 1 of this article, the Secretary-General shall notify all the Contracting Parties and invite them to submit within a period of three months such proposals as they may wish the Conference to consider. The Secretary-General shall circulate to all Contracting Parties the provisional agenda for the conference, together with the texts of such proposals at least three months before the date on which the conference is to meet.

3. The Secretary-General shall invite to any conference convened in accordance with this article all countries referred to in article 6, paragraph 1, and countries which have become Contracting Parties under article 6, paragraph 2.

Article 14

1. Independently of the revision procedure provided for in article 13, any Contracting Party may propose one or more amendments to the annexes to this

Agreement. To that end it shall transmit the text thereof to the Secretary-General of the United Nations. The Secretary-General may also propose amendments to the annexes to this Agreement for the purpose of ensuring concordance between those annexes and other international agreements concerning the carriage of dangerous goods.

2. The Secretary-General shall transmit any proposal made under paragraph 1 of this article to all Contracting Parties and inform thereof the other countries referred to in article 6, paragraph 1.

3. Any proposed amendment to the annexes 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, either on the expiry of a further period of three months or, in cases where similar amendments have been or are likely to be made to the other international agreements referred to in paragraph 1 of this article, on the expiry of a period the duration of which shall be determined by the Secretary-General in such a way as to allow, wherever possible, the simultaneous entry into force of the amendment and those that have been or are likely to be made to such other agreements; such period shall not, however, be of less than one month's duration.

4. The Secretary-General shall, as soon as possible, notify all Contracting Parties and all the countries referred to in article 6, paragraph 1, of any objection which may be received from the Contracting Parties to a proposed amendment.

5. If the proposed amendment to the annexes is not deemed to be accepted, but if at least one Contracting Party other than the Contracting Party which proposed the amendment has given the Secretary-General written notification of its agreement to the proposal, a meeting of all the Contracting Parties and all the countries referred to in article 6, paragraph 1, shall be convened by the Secretary-General within three months after the expiry of the period of three months within which, under paragraph 3 of this article, notification must be given of objection to the amendment. The Secretary-General may also invite to such meeting representatives of :

- (a) Inter-governmental organizations which are concerned with transport matters;
- (b) International non-governmental organizations whose activities are directly related to the transport of dangerous goods in the territories of the Contracting Parties.

6. Any amendment adopted by more than half the total number of Contracting Parties at a meeting convened in accordance with paragraph 5 of this article

shall enter into force for all Contracting Parties in accordance with the procedure agreed at such meeting by the majority of the Contracting Parties attending it.

Article 15

In addition to the notifications provided for in articles 13 and 14, the Secretary-General of the United Nations shall notify the countries referred to in article 6, paragraph 1, and the countries which have become Contracting Parties under article 6, paragraph 2, of :

- (a) Signatures, ratifications and accessions in accordance with article 6;
- (b) The dates on which this Agreement and the annexes thereto enter into force in accordance with article 7;
- (c) Denunciations in accordance with article 8;
- (d) The termination of the Agreement in accordance with article 9;
- (e) Notifications and denunciations received in accordance with article 10;
- (f) Declarations and notifications received in accordance with article 12, paragraphs 1 and 2;
- (g) The acceptance and date of entry into force of amendments in accordance with article 14, paragraphs 3 and 6.

Article 16

1. The Protocol of Signature of this Agreement shall have the same force, effect and duration as the Agreement itself, of which it shall be considered to be an integral part.

2. No reservation to this Agreement, other than those entered in the Protocol of Signature and those made in accordance with article 12, shall be permitted.

Article 17

After 15 December 1957, the original of this Agreement shall be deposited with the Secretary-General of the United Nations, who shall transmit certified true copies thereof to each of the countries referred to in article 6, paragraph 1.

IN WITNESS WHEREOF the undersigned, being duly authorized thereto, have signed this Agreement.

DONE at Geneva, this thirtieth day of September one thousand nine hundred and fifty-seven, in a single copy, in the English and French languages for the text of the Agreement proper, and in the French language for the annexes, each text being equally authentic for the Agreement proper.

The Secretary-General of the United Nations is requested to prepare an authoritative translation of the annexes in the English language and attach it to the certified true copies referred to in article 17.

Pour l'Albanie :

For Albania :

Pour l'Autriche :

For Austria :

Sous réserve de ratification¹

A. BUZZI-QUATTRINI

13 décembre 1957

Pour la Belgique :

For Belgium :

Sous réserve de ratification¹

J. ÉTIENNE

18 octobre 1957

Pour la République socialiste
soviétique de Biélorussie :

For the Byelorussian Soviet
Socialist Republic :

Pour la Bulgarie :

For Bulgaria :

Pour le Danemark :

For Denmark :

Pour l'Espagne :

For Spain :

Pour les États-Unis d'Amérique :

For the United States of America :

¹ Subject to ratification.

Pour la Finlande :

For Finland :

Pour la France :

For France :

Sous réserve de ratification¹

DE CURTON

13 décembre 1957

Pour la Grèce :

For Greece :

Pour la Hongrie :

For Hungary :

Pour l'Irlande :

For Ireland :

Pour l'Islande :

For Iceland :

Pour l'Italie :

For Italy :

Sous réserve de ratification¹

M. DEL DRAGO

13 décembre 1957

Pour le Luxembourg :

For Luxembourg :

Sous réserve de ratification¹

R. LOGELIN

13 décembre 1957

¹ Subject to ratification.

Pour la Norvège :

For Norway :

Pour les Pays-Bas :

For the Netherlands :

Sous réserve de ratification¹
Pour le Royaume en Europe²
K. VONK
13 décembre 1957

Pour la Pologne :

For Poland :

Pour le Portugal :

For Portugal :

Pour la République fédérale
d'Allemagne :

For the Federal Republic of
Germany :

Sous réserve de ratification¹
R. THIERFELDER W. WETZLER
13 décembre 1957

Pour la Roumanie :

For Romania :

Pour le Royaume-Uni de Grande-
Bretagne et d'Irlande du Nord :

For the United Kingdom of Great
Britain and Northern Ireland :

Subject to ratification³
James C. WARDROP
1 October 1957

¹ Subject to ratification.

² For the Realm in Europe.

³ Sous réserve de ratification.

Pour la Suède :

For Sweden :

Pour la Suisse :

For Switzerland :

Sous réserve de ratification¹

MARTIN

6 novembre 1957

Pour la Tchécoslovaquie :

For Czechoslovakia :

Pour la Turquie :

For Turkey :

Pour la République socialiste
soviétique d'Ukraine :

For the Ukrainian Soviet
Socialist Republic :

Pour l'Union des Républiques
socialistes soviétiques :

For the Union of Soviet Socialist
Republics :

Pour la Yougoslavie :

For Yugoslavia :

¹ Subject to ratification.

ANNEXES

[Not published in this volume; see footnote 1, page 79]

PROTOCOL OF SIGNATURE TO THE EUROPEAN AGREEMENT ON
THE INTERNATIONAL CARRIAGE OF DANGEROUS GOODS
BY ROAD (ADR)

On proceeding to sign the European Agreement on the International Carriage of Dangerous Goods by Road (ADR) the undersigned, duly authorized,

1. Considering that the conditions governing the carriage of dangerous goods by sea to or from the United Kingdom differ basically from those set forth in annex A to ADR and that it is impossible to modify them so as to conform to the latter in the near future,

Having regard to the undertaking given by the United Kingdom to submit as an amendment to the said annex A a special appendix containing special provisions for road-sea carriage of dangerous goods between the Continent and the United Kingdom,

Have agreed that, until the entry into force of such special appendix, dangerous goods carried under ADR to or from the United Kingdom shall comply with the provisions of annex A to ADR and also with the United Kingdom conditions for the carriage of dangerous goods by sea;

2. Take note of a declaration by the representative of France to the effect that the Government of the French Republic reserves the right, notwithstanding the provisions of article 4, paragraph 2, to refuse to allow vehicles in service on the territory of another Contracting Party, whatever the date on which they were put into service, to be used for the carriage of dangerous goods on French territory unless such vehicles comply either with the conditions laid down for such carriage in annex B or with the conditions laid down for the carriage of the goods in question in the French regulations governing the carriage of dangerous goods by road;

3. Recommend that, before submission in accordance with article 14, paragraph 1, or article 13, paragraph 2, proposed amendments to this Agreement or its annexes shall as far as possible first be discussed at meetings of experts of the Contracting Parties and, if necessary, of the other countries mentioned in article 6, paragraph 1, of the Agreement and of the international organizations mentioned in article 14, paragraph 5, of the Agreement.

[The signature pages of the original copy of this Protocol are not published herein as they are identical to those of the European Agreement on the International Carriage of Dangerous Goods by Road (ADR), reproduced on pp. 92 to 95 of this volume.]