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Reference: C.N.170.2009.TREATIES-1 (Depositary Notification)

EUROPEAN AGREEMENT CONCERNING THE WORK OF CREWS OF
VEHICLES ENGAGED IN INTERNATIONAL ROAD TRANSPORT (AETR)

GENEVA, 1 JULY 1970

PROPOSED AMENDMENTS BY THE GOVERNMENT OF THE NETHERLANDS TO THE BODY,
ANNEX AND APPENDICES TO THE ANNEX OF THE AETR

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

On 12 March 2009, the Government of the Netherlands, in accordance with paragraph 1 of article 21 of the above Agreement, has transmitted to the Secretary-General the texts of the proposed amendments to the body, Annex and Appendices to the Annex of the AETR, which were adopted by the Working Party on Road Transport of the United Nations Economic Commission for Europe (UNECE) at its one-hundred-and-third session (ECE/TRANS/SC.1/386, paragraph 15) held in Geneva from 29 to 31 October 2008.

The texts of the proposed amendments (accompanied by an explanatory memorandum), in the English, French and Russian languages, can be found in document ECE/TRANS/SC.1/2008/386/Add.1 on the UNECE Transport Division website at the following address:

<http://www.unece.org/trans/main/sc1/sc1rep.html>

With regard to the amendments proposed to the body and to the Annex of the AETR, the Secretary-General wishes to refer to article 21, paragraphs 1 to 6 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 inform thereof all the other States referred to in article 14, paragraph 1, of this Agreement.

2. Within a period of six months from 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 amendment proposed; or

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(b) that, although it intends to accept the proposal, the conditions necessary for such acceptance are not yet fulfilled in its State.

3. If a Contracting Party sends to the Secretary-General a communication such as is provided for in paragraph 2 (b) of this article, it may, so long as it has not notified the Secretary-General of its acceptance of the proposed amendment, submit an objection to the proposed amendment within a period of nine months following the expiry of the six-month period provided for its 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 under paragraphs 2 and 3 of this article, then the amendment shall be deemed to have been accepted as from the date specified below:

(a) if no Contracting Party has sent a communication to the Secretary-General under 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 any Contracting Party has sent a communication to the Secretary-General under paragraph 2 (b) of this article: on the earlier of the following two dates:

n the date by which all the Contracting Parties which sent such communications have notified the Secretary-General of their acceptance of the proposal, subject to the [provisions] that, if all the acceptances were notified before the expiry of the period of six months referred to in paragraph 2 of this article, this date shall be taken to be the date of expiry of the said six-month period;

n the date of expiry of the period of nine months referred to in paragraph 3 of this article.

5 bis In the case of a country which becomes a Contracting Party to this Agreement between the moment of notification of a draft amendment and the moment when it is considered accepted, the secretariat of the Working Party on Road Transport of the Economic Commission for Europe shall notify the new State Party of the draft amendment as soon as possible. The latter may inform the Secretary-General of any objection before the end of the six-month period from the date of transmission of the original amendment to all Contracting Parties.

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

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With regard to the amendments proposed to the Appendices to the Annex to the Agreement, the Secretary-General wishes to refer to article 22 which provides that:

- “1. Appendices 1 and 2 to the annex to this Agreement may be amended by the procedure specified in this article.
2. At the request of a Contracting Party, any amendments proposed to appendices 1 and 2 to the annex to this Agreement shall be considered by the Principal Working Party on Road Transport of the Economic Commission for Europe.
3. If it is adopted by the majority of the members present and voting, and if this 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 the Contracting Parties for acceptance.
4. The amendment shall be accepted if, within a period of six months following 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.
- 4 *bis*. In the case of a country which becomes a Party to this Agreement between the moment of notification of a draft amendment and the moment when it is considered accepted, the secretariat of the Working Party on Road Transport of the Economic Commission for Europe shall notify the new State Party of the draft amendment as soon as possible. The latter may inform the Secretary-General of any objection before the end of the six-month period from the date of transmission of the original amendment to all Contracting Parties.
5. Any amendment accepted shall be communicated by the Secretary-General to all the Contracting Parties and shall come into force three months after the date of its notification.”

20 March 2009



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