

# TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

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JAARGANG 2011 Nr. 174

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A. TITEL

*Europese Overeenkomst betreffende het internationale vervoer van  
gevaarlijke goederen over de weg (ADR);  
(met Protocol van ondertekening en Bijlagen)  
Genève, 30 september 1957*

B. TEKST

De Franse tekst van de Overeenkomst, met Protocol en Bijlagen, is geplaatst in *Trb.* 1959, 81.

De Overeenkomst is gewijzigd door de in rubriek J van *Trb.* 2005, 305 genoemde Protocollen van 21 augustus 1975 en 28 oktober 1993.

Zie voor wijzigingen en correcties van de Bijlagen A en B laatstelijk rubriek B van *Trb.* 2008, 218.

Op 3 maart 2009 en 25 januari 2010 zijn correcties aangebracht in de tekst van Bijlage A. Op 1 april 2009 zijn wijzigingen van Bijlage A aangevraagd en op 1 oktober 2010 wijzigingen van de Bijlagen A en B.<sup>1)</sup>

Zie voor twee- of meerzijdige akkoorden die tot stand zijn gekomen op grond van artikel 4, derde lid, van de Overeenkomst <http://live.unece.org/trans/danger/multi/multi.html>.

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<sup>1)</sup> De teksten van de correcties van 3 maart 2009 en 25 januari 2010 en van de wijzigingen van 1 april 2009 en 1 oktober 2010 liggen ter inzage bij het Ministerie van Buitenlandse Zaken, afdeling Verdragen. Tevens is de Engelse, Franse en Russische tekst van de correcties (documenten ECE/TRANS/WP.15/199 en ECE/TRANS/WP.15/201) en wijzigingen (documenten ECE/TRANS/WP.15/199, annex I, ECE/TRANS/WP.15/204, ECE/TRANS/WP.15/204/Corr.1 en ECE/TRANS/WP.15/204/Add.1) te raadplegen op <http://www.unece.org/trans/main/dgdb/wp15/wp15rep.html>.

De geconsolideerde Engelse, Franse en Russische tekst van de Overeenkomst, met Protocol en Bijlagen, geldend op 1 januari 2011, is eveneens te raadplegen op <http://live.unece.org/trans/danger/publi/adr/adr2011/11contentse.html>.

De geconsolideerde Engelse tekst van de Overeenkomst, met Protocol, luidt als volgt:

**European Agreement concerning the International Carriage of Dangerous Goods by Road (ADR)**

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 semi-trailers, as defined in article 4 of the Convention on Road Traffic of 19 September 1949, 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, Annexes 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.

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 worldwide 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 Agree-

ment 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, on the expiry of a further period of three months, except in the following cases:

a) 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, the amendment shall enter into force 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 made or are likely to be made to such other agreements; such period shall not, however, be of less than one month's duration;

b) The Contracting Party submitting the proposed amendment may specify in its proposal, for the purpose of entry into force of the amendment, should it be accepted, a period of more than three months' 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) Intergovernmental 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.

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**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.

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C. VERTALING

Zie *Trb.* 1959, 171.

D. PARLEMENT

Zie *Trb.* 1968, 17, *Trb.* 1974, 67, *Trb.* 1976, 2 en 97, *Trb.* 1977, 17, *Trb.* 1979, 34, *Trb.* 1980, 57, *Trb.* 1981, 256, *Trb.* 1982, 161, *Trb.* 1983, 27 en 157, *Trb.* 1985, 61, *Trb.* 1987, 204, *Trb.* 1989, 172, *Trb.* 1992, 40, *Trb.* 1993, 41, *Trb.* 1994, 206, *Trb.* 1996, 342, *Trb.* 1997, 255 en 291, *Trb.* 1998, 291, *Trb.* 2005, 305, *Trb.* 2006, 267 en *Trb.* 2008, 218.

De in rubriek B genoemde wijzigingen van 1 april 2009 en 1 oktober 2010 van de Bijlagen A en B bij de Overeenkomst behoeften ingevolge artikel 7, onderdeel f, van de Rijkswet goedkeuring en bekendmaking verdragen niet de goedkeuring van de Staten-Generaal.

E. PARTIJGEGEVENS

Zie de rubrieken E en F van *Trb.* 1968, 17.

Partij	Onder- tekening	Ratificatie	Type*	In werking	Opzeg- ging	Buiten werking
Albanië		26-01-05	T	26-02-05		
Andorra		09-03-09	T	09-04-09		
Azerbeidzjan		28-09-00	T	28-10-00		
Belarus		05-04-93	T	05-05-93		
België	18-10-57	25-08-60	R	29-01-68		
Bosnië en Herzegovina		01-09-93	VG	06-03-92		
Bulgarije		12-05-95	T	12-06-95		
Cyprus		19-04-04	T	19-05-04		
Denemarken		01-07-81	T	01-08-81		
Duitsland	13-12-57	01-12-69	R	01-01-70		
Estland		25-06-96	T	25-07-96		
Finland		28-02-79	T	28-03-79		
Frankrijk	13-12-57	02-02-60	R	29-01-68		
Griekenland		27-05-88	T	27-06-88		
Hongarije		19-07-79	T	19-08-79		

Partij	Onder- tekening	Ratificatie	Type <sup>*</sup>	In werking	Opzeg- ging	Buiten werking
Ierland		12-10-06	T	12-11-06		
IJsland		24-02-11	T	24-03-11		
Italië	13-12-57	03-06-63	R	29-01-68		
Joegoslavië (< 25-06-1991)		28-05-71	T	28-06-71		
Kazachstan		26-07-01	T	26-08-01		
Kroatië		23-11-92	VG	08-10-91		
Letland		11-04-96	T	11-05-96		
Liechtenstein		12-12-94	T	12-01-95		
Litouwen		07-12-95	T	07-01-96		
Luxemburg	13-12-57	21-07-70	R	21-08-70		
Macedonië, de voormalige Joegoslavische Republiek		18-04-97	VG	17-11-91		
Malta		08-05-07	T	08-06-07		
Marokko		11-05-01	T	11-06-01		
Moldavië		14-07-98	T	14-08-98		
Montenegro		23-10-06	VG	03-06-06		
<b>Nederlanden, het Koninkrijk der</b> – Nederland: – in Europa – Bonaire – Sint Eustatius – Saba – Aruba – Curaçao – Sint Maarten	13-12-57	01-11-63 – – – – –	R	29-01-68 – – – – –		
Noorwegen		05-02-76	T	05-03-76		
Oekraïne		01-05-00	T	01-06-00		
Oostenrijk	13-12-57	20-09-73	R	20-10-73		
Polen		06-05-75	T	06-06-75		
Portugal		29-12-67	T	29-01-68		

Partij	Onder- tekening	Ratificatie	Type*	In werking	Opzeg- ging	Buiten werking
Roemenië		08-06-94	T	08-07-94		
Russische Federatie		28-04-94	T	28-05-94		
Servië		12-03-01	VG	27-04-92		
Slovenië		06-07-92	VG	25-06-91		
Slowakije		28-05-93	VG	01-01-93		
Spanje		22-11-72	T	22-12-72		
Tsjechië		02-06-93	VG	01-01-93		
Tsjechoslowakije (<01-01-1993)		17-07-86	T	17-08-86		
Tunesië		03-09-08	T	03-10-08		
Turkije		22-02-10	T	22-03-10		
Verenigd Koninkrijk, het	01-10-57	29-06-68	R	29-07-68		
Zweden		01-03-74	T	01-04-74		
Zwitserland	06-11-57	20-06-72	R	20-07-72		
* O=Ondertekening zonder voorbehoud of vereiste van ratificatie, R=Bekrachtiging, aanvaarding, goedkeuring of kennisgeving, T=Toetreding, VG=Voortgezette gebondenheid, NB=Niet bekend						

### Verklaringen, voorbehouden en bezwaren

Hongarije, 19 juli 1979

The Hungarian People's Republic does not consider itself bound by the provisions of article 11 of the Agreement concerning compulsory arbitration.

Slowakije, 28 mei 1993

Slovakia declares that within the meaning of article 12, para. 1, of the Agreement it does not feel bound by the provisions of article 11, paras. 2 and 3, of the Agreement.

The provision of article 10 of the Agreement contravenes the Declaration on the Granting of Independence to Colonial Countries and Peoples that was adopted at the XVth Session of the General Assembly of the United Nations in 1960 and Slovakia therefore regards the said provision as superseded.

Tsjechië, 2 juni 1993

The Czech Republic declares that within the meaning of article 12, para. 1, of the Agreement it does not feel bound by the provisions of article 11, paras. 2 and 3, of the Agreement.

The provision of article 10 of the Agreement contravenes the Declaration on the Granting of Independence to Colonial Countries and Peoples that was adopted at the XVth Session of the General Assembly of the United Nations in 1960 and the Czech Republic therefore regards the said provision as superseded.

#### G. INWERKINGTREDING

Zie *Trb.* 1968, 17, *Trb.* 1969, 23, *Trb.* 2006, 267 en *Trb.* 2008, 218.

De in rubriek B genoemde wijzigingen van Bijlage A van 1 april 2009 zijn ingevolge artikel 14, derde lid, van de Overeenkomst voor het Koninkrijk der Nederlanden op 1 juli 2009 in werking getreden en de wijzigingen van Bijlagen A en B van 1 oktober 2010 zijn ingevolge hetzelfde artikel voor het Koninkrijk der Nederlanden op 1 januari 2011 in werking getreden.

Wat betreft het Koninkrijk der Nederlanden, gelden de wijzigingen, evenals de Overeenkomst, alleen voor Nederland (het Europese deel).

#### J. VERWIJZINGEN

Zie voor verwijzingen en andere verdragsgegevens, laatstelijk, *Trb.* 2005, 305.

Uitgegeven de *derde* oktober 2011.

*De Minister van Buitenlandse Zaken,*

U. ROSENTHAL