

# TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

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JAARGANG 1986 Nr. 19

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A. TITEL

*Verdrag betreffende de overeenkomst tot internationaal vervoer van goederen over de weg (CMR), met Protocol van ondertekening; Genève, 19 mei 1956*

B. TEKST

De tekst van Verdrag en Protocol is geplaatst in *Trb.* 1957, 84.  
Artikel 23 van het Verdrag is gewijzigd bij het in rubriek J hieronder genoemde Protocol van 5 juli 1978.

C. VERTALING

Zie *Trb.* 1957, 84.

D. PARLEMENT

Zie *Trb.* 1961, 48.

E. BEKRACHTIGING

Zie *Trb.* 1961, 48 en *Trb.* 1969, 205.  
Behalve de aldaar genoemde Staten heeft nog de volgende Staat in overeenstemming met artikel 42, vierde en vijfde lid, van het Verdrag een akte van bekrachtiging bij de Secretaris-Generaal van de Verenigde Naties nedergelegd:

Zwitserland . . . . . 27 februari 1970

F. TOETREDING

Zie *Trb.* 1969, 205.

Behalve de aldaar genoemde hebben nog de volgende Staten in overeenstemming met artikel 42, eerste en vijfde lid, van het Verdrag een akte van toetreding bij de Secretaris-Generaal van de Verenigde Naties nedergelegd:

Hongarije <sup>1)</sup> . . . . .	29 april 1970
Roemenië <sup>2)</sup> . . . . .	23 januari 1973
Finland . . . . .	27 juni 1973
de Duitse Democratische Republiek <sup>3)</sup> . . . . .	27 december 1973
Spanje <sup>4)</sup> . . . . .	12 februari 1974
Tsjechoslowakije <sup>5)</sup> . . . . .	4 september 1974
Griekenland . . . . .	24 mei 1977
Bulgarije <sup>6)</sup> . . . . .	20 oktober 1977
de Sowjet-Unie <sup>7)</sup> . . . . .	2 september 1983

1) Onder het voorbehoud dat Hongarije zich niet gebonden acht aan artikel 47 van het Verdrag en onder de volgende verklaring:

"1. The Hungarian People's Republic deems it necessary to call attention to the discriminative character of article 42 of the Convention by which a number of States are debarred from accession to the Convention. The matters regulated by the Convention concern the interests of all States, and therefore, in conformity with the principle of the sovereign equality of States, no State should be prevented from becoming a Party to such a Convention.

"2. The Hungarian People's Republic points out that the provisions of article 46 of the Convention are contrary to the principle of international law recording the selfdetermination of peoples as well as to United Nations General Assembly resolution 1514/XV of 14 December 1960 on the Granting of Independence to Colonial Countries and Peoples."

2) Onder het volgende voorbehoud:

The Socialist Republic of Romania declares, pursuant to article 48 of the Convention on the Contract for the International Carriage of Goods by Road (CMR), done at Geneva on 19 May 1956, that it does not consider itself as bound by article 47 of the Convention, under which any dispute between two or more Contracting Parties relating to the interpretation or application of the Convention which is not settled by negotiation or other means may, at the request of any one of the Contracting Parties concerned, be referred to the International Court of Justice.

The Socialist Republic of Romania considers that such disputes may be referred to the International Court of Justice only with the consent of all parties to the dispute in each individual case. (*VN-vertaling*)

en onder de volgende verklaring:

The Council of State of the Socialist Republic of Romania declares that the provisions of article 42, paragraphs 1 and 2 of the Convention are not in keeping with the principle that multilateral international treaties must be open for participation by all States for which the aim and purpose of such treaties are of concern.

The Council of State of the Socialist Republic of Romania declares that the maintenance of the dependent status of certain territories to which reference is

made in article 46 of the Convention is not in conformity with the Charter of the United Nations and the documents adopted by the United Nations concerning the granting of independence to colonial countries and peoples, including the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations, unanimously adopted in 1970 by the General Assembly in its resolution 2625 (XXV), which solemnly proclaims the duty of States to promote realization of the principle of equal rights and self-determination of peoples in order to bring a speedy end to colonialism. (*VN-vertaling*)

<sup>3)</sup> Onder het voorbehoud dat de Duitse Democratische Republiek zich niet gebonden acht aan artikel 47 van het Verdrag en met de volgende verklaring:

In respect of the application of the Convention on the Contract for the International Carriage of Goods by Road (CMR) to Berlin (West), the German Democratic Republic notes that, in accordance with the Quadripartite Agreement of 3 September 1971 between the Governments of the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, the United States of America and the French Republic, Berlin (West) is not a part of the Federal Republic of Germany and may not be governed by it. Consequently, the Declaration by the Federal Republic of Germany that this Convention also applies to "Land Berlin" contravenes the Quadripartite Agreement and can have no legal force.

<sup>4)</sup> Met de volgende verklaring:

"... Spain ... declares that it does not consider itself bound ... by the United Kingdom communication received by the depositary (on 31 October 1968,) since it will not apply the Convention to Gibraltar by reason of the fact that article 10 of the Treaty of Utrecht, signed on 13 July 1713, does not grant Gibraltar communication by land with Spain." (*VN-vertaling*)

Zie voor de verklaring van het Verenigd Koninkrijk van Groot-Brittannië en Noord-Ierland Tractatenblad 1969, 205, bladzijde 2.

"With regard to this part of the declaration, I have the honour to confirm to you that the intention of the Government of Spain was not to formulate a reservation that might be covered by article 48, paragraph 3, of the Convention but to place on record the fact that Spain does not consider itself bound by the communication from the Government of the United Kingdom concerning the application of the Convention to Gibraltar, a communication which has no legal force whatever, inasmuch as it is contrary to article 10 of the Treaty of Utrecht between Spain and (the Kingdom of Great Britain) expressly excluding communication by land between Gibraltar and the country round about." (*VN-vertaling*)

<sup>5)</sup> Onder het voorbehoud dat Tsjechoslowakije zich niet gebonden acht aan artikel 47 van het Verdrag.

<sup>6)</sup> Onder het voorbehoud dat Bulgarije zich niet gebonden acht aan artikel 47 van het Verdrag.

<sup>7)</sup> Met de volgende verklaring:

The Union of Soviet Socialist Republics declares that the provisions of article 46 of the Convention on the Contract for the International Carriage of Goods by Road, 1956, to the effect that Contracting Parties may extend the Convention to

territories for the international relations of which they are responsible, are outmoded and at variance with Declaration on the Granting of Independence to Colonial Countries and Peoples adopted by the United Nations General Assembly (resolution 1514 (XV) of 14 December 1960). (VN-vertaling)

en onder het volgende voorbehoud:

"The Union of Soviet Socialist Republics does not consider itself bound by the provisions of article 47 of the Convention on the Contract for the International Carriage of Goods by Road, 1956, to the effect that disputes relating to the interpretation or application of the Convention may be referred to the International Court of Justice at the request of any one of the parties to the dispute, and states that the referral of such a dispute to the International Court of Justice must be subject to the agreement of all the parties to the dispute in each specific case." (VN-vertaling)

Op 26 juli 1984 heeft de Secretaris-Generaal der Verenigde Naties van de Regeringen van Frankrijk, het Verenigd Koninkrijk en de Verenigde Staten van Amerika de volgende mededeling ontvangen:

"When authorizing the extension of the Convention on the Contract for the International Carriage of Goods by Roads (CMR) of 19 May 1956 to the western sectors of Berlin, the authorities of the three powers took such steps as were necessary to ensure that matters of security and status were not affected. Accordingly, the Berlin declaration made by the Federal Republic of Germany in accordance with established procedures is valid and the Convention applies to the western sectors of Berlin with full force and effect.

The established procedures referred to above were endorsed in the Quadripartite Agreement. They are designed *inter alia* to afford the authorities of the three powers the opportunity to ensure that international agreements and arrangements entered into by the Federal Republic of Germany which are to be extended to the western sectors of Berlin are extended in such a way that matters of status and security are not affected.

The three [powers] would further point out that, in a communication to the Government of the Union of Soviet Socialist Republics, which is an integral part (annex IV A) of the Quadripartite Agreement of 3 September 1971, the Governments of France, the United Kingdom and the United States, without prejudice to the maintenance of their rights and responsibilities relating to the representation abroad of the interests of the western sectors of Berlin, confirmed that, provided that matters of status and security are not affected and provided that the extension is specified in each case, international agreements and arrangements entered into by the Federal Republic of Germany may be extended to the western sectors of Berlin in accordance with established procedures. For its part, the Government of the Union of Soviet Socialist Republics, in a communication to the Government of the three powers, which is similarly an integral part (annex IV B) of the Quadripartite Agreement, affirmed that it would raise no objections to such extension."

en op 27 augustus 1984 van de Bondsrepubliek Duitsland de volgende mededeling:

"The Government of the Federal Republic of Germany, on the basis of the legal situation set out in the communication by the Governments of France, the United Kingdom of Great Britain and Northern Ireland and the United States of America, disseminated as circular note no. C.N.175.1984.TREATIES-1 of 2 August 1984, wishes to confirm that the application to Berlin (West) of the Convention of 19 May 1956 on the Contract for the International Carriage of Goods by Road (CMR) extended by it under the established procedures continues in full force and effect."

#### G. INWERKINGTREDING

Zie *Trb.* 1961, 48 en *Trb.* 1969, 205.

Het Verdrag is in overeenstemming met artikel 46, eerste lid, op 10 februari 1970 voor het eiland Man en op 1 juni 1972 voor het Baljuwschap Guernsey in werking getreden.

#### H. TOEPASSELIJKVERKLARING

Zie *Trb.* 1969, 205.

In overeenstemming met artikel 46, eerste lid, van het Verdrag heeft de Regering van het Verenigd Koninkrijk van Groot-Brittannië en Noord-Ierland de bepalingen van het Verdrag voorts nog van toepassing verklaard op:

het eiland Man . . . . .	12 november 1969
het baljuwschap Guernsey . . . . .	3 maart 1972

#### J. GEGEVENS

Zie *Trb.* 1957, 84, *Trb.* 1961, 48 en *Trb.* 1969, 205.

Voor het op 19 september 1949 te Genève tot stand gekomen Verdrag nopens het wegverkeer zie ook *Trb.* 1973, 128.

Voor het op 26 juni 1945 te San Francisco tot stand gekomen Statuut van het Internationale Gerechtshof zie ook, laatstelijk, *Trb.* 1979, 36.

Op 5 juli 1978 is te Genève tot stand gekomen een Protocol bij het onderhavige Verdrag. Tekst en vertaling van dat Protocol zijn geplaatst in *Trb.* 1980, 155; zie ook *Trb.* 1986, 20.

Uitgegeven de *eenendertigste* januari 1986.

*De Minister van Buitenlandse Zaken,*

H. VAN DEN BROEK