

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 2015 Nr. 117

A. TITEL

*Overeenkomst inzake het internationale vervoer van aan bederf onderhevige levensmiddelen en het gebruik van speciale vervoermiddelen bij dit vervoer (ATP);
(met Bijlagen)
Genève, 1 september 1970*

B. TEKST

De Engelse en de Franse tekst van de Overeenkomst, met Bijlagen, zijn geplaatst in *Trb.* 1972, 112.

Voor wijzigingen van de Overeenkomst, zie rubriek J van *Trb.* 1998, 71, *Trb.* 2000, 114 en rubriek B van *Trb.* 2014, 191.

Voor correcties in de Engelse en de Franse tekst van de Overeenkomst, zie *Trb.* 2012, 144.

In *Trb.* 1972, 112 dienen in de Engelse tekst opnieuw correcties te worden aangebracht.

Op blz. 2, in artikel 2, laatste regel, dient het woord „country” te worden vervangen door „State”.

Op blz. 8, in artikel 7, eind zevende regel, dient het woord „States” te worden vervangen door „Parties” en in artikel 8, tweede regel, dient de zinsnede „the existence of the validity” te worden vervangen door „the existence or the validity”.

Op blz. 12, in artikel 14, tweede lid, laatste regel, dient het woord „thereof” te worden vervangen door „hereof” en in artikel 15, eerste lid, dient de zinsnede „interpretation of application” te worden vervangen door „interpretation or application”.

In rubriek J van *Trb.* 1998, 71 dienen in de Engelse en de Franse tekst de volgende correcties te worden aangebracht.

Op blz. 3, in artikel 10, eerste lid, eerste regel, dient de stippellijn te worden vervangen door respectievelijk „30 April 1999” in de Engelse tekst en „30 avril 1999” in de Franse tekst en dienen de voetnoten te worden geschrapt.

Voor wijzigingen in Bijlage 1, zie rubriek J van *Trb.* 1981, 47, *Trb.* 1983, 22, *Trb.* 1983, 141, *Trb.* 1985, 83, *Trb.* 1986, 25, *Trb.* 1986, 64, *Trb.* 1987, 188, *Trb.* 1988, 31, *Trb.* 1989, 88, *Trb.* 1990, 113, *Trb.* 1991, 3, *Trb.* 1991, 52, *Trb.* 1992, 25, *Trb.* 1993, 114, *Trb.* 1994, 188, *Trb.* 1996, 52, *Trb.* 1997, 229, *Trb.* 2000, 114 en rubriek B van *Trb.* 2005, 87, *Trb.* 2009, 112, *Trb.* 2010, 325, *Trb.* 2012, 144, *Trb.* 2013, 71 en *Trb.* 2014, 191.

Voor correcties in de Engelse en de Franse tekst van Bijlage 1, zie *Trb.* 2010, 325, *Trb.* 2012, 144, *Trb.* 2013, 71 en *Trb.* 2014, 191.

Voor wijzigingen in Bijlage 2, zie rubriek J van *Trb.* 1991, 52, *Trb.* 1996, 52, *Trb.* 1996, 219 en rubriek B van *Trb.* 2009, 112, *Trb.* 2012, 144 en *Trb.* 2014, 191.

In *Trb.* 1996, 219 dient in de Engelse tekst de volgende correctie te worden aangebracht.

Op blz. 10, in paragraaf D, onder 14, onderdeel (iii), laatste regel, dient de zinsnede „– 20°C + 30°C” te worden vervangen door „– 20°C to + 30°C”.

Voor wijzigingen in Bijlage 3, zie rubriek J van *Trb.* 1981, 47, *Trb.* 1985, 83, *Trb.* 1996, 219, *Trb.* 2000, 114 en rubriek B van *Trb.* 2005, 87 en *Trb.* 2012, 144.

Bijlage 1 is nogmaals gewijzigd. De Engelse tekst¹⁾ van de op 11 oktober 2013 aangenomen en op 31 december 2013 ter kennis gebrachte wijziging luidt als volgt:

1.

Annex 1, paragraph 4

In the first sentence of paragraph 4, add the following text:

“-30° C in the case of class C heated equipment;

-40° C in the case of class D heated equipment.”

Amend the last sentence of paragraph 4 to read as follows:

“The K coefficient of equipment of classes B, C and D shall in every case be equal to or less than 0.40 W/m².K.”

2.

Annex 1, appendix 1, paragraph 3 (b)

Amend the last sentence to read as follows:

“This certificate will be treated as a provisional certificate if necessary with a maximum validity of six months”.

3.

Annex 1, appendix 1, paragraph 6 (c) (i)

Add the following text and footnote at the end:

- “minor and limited modifications of added or exchanged interior and exterior fittings may be permitted:*
- if the equivalent volume of accumulated insulation material of all such modifications is less than 1/100th of the total volume of the insulating material in the insulated unit;
- if the K coefficient of the tested reference equipment, corrected by a calculation of the added thermal losses, is less than or equal to the K coefficient limit of the category of the equipment; and
- if such modifications of interior fittings are carried out using the same technique, particularly as concerns glued fittings.

All modifications shall be done by or be approved by the manufacturer of the insulated equipment.

* The present provisions regarding minor and limited modifications apply to equipment manufactured after the date of their entry into force (date to be included).”

4.

Annex 1, appendix 2

In paragraph 6.3, amend the text in brackets to read as follows:

“(a difference of 22 K in the case of class A, 32 K in the case of class B, 42 K in the case of class C and 52 K in the case of class D)”

5.

Annex 1, appendix 2

Reverse the order of sections 7 and 8 and renumber them accordingly.

¹⁾ De Franse en de Russische tekst zijn niet opgenomen.

6.

Annex 1, appendix 3A

In item 3 of the model certificate, replace “Insulated box serial number” by “Insulated box MARK, MODEL, SERIAL NUMBER, MONTH AND YEAR OF MANUFACTURE”

Add the following sentence at the beginning of footnote 15:

“Write the mark, model, serial number of the manufacturer and month and year of manufacture of the insulated body.”

Add a transitional provision to read as follows:

“Certificates of compliance issued before the date of entry into force of the modification to item 3 of the model certificate (date to be included) shall remain valid until their original date of expiry.”

7.

Annex 1, appendix 3A

In footnote 4 to the model certificate of compliance, replace the first sentence by the following text: “The test procedure for new multi-temperature equipment appears in section 7 of annex 1, appendix 2. A test procedure for in-service multi-temperature equipment has not yet been determined.”

8.

Annex 1, appendices 3B and 4

In the model certification plate and distinguishing mark, replace “02-2011” by “02-2020”.

9.

Annex 1, appendix 4

Add the following text at the end of the table:

Equipment	Distinguishing mark
“Class C heated equipment with heavy insulation Class D heated equipment with heavy insulation	“CRC CRD”

C. VERTALING

Zie *Trb.* 1972, 112, voor een correctie *Trb.* 2013, 71 en *Trb.* 2014, 191.

In rubriek J van *Trb.* 1998, 71 dienen in de vertaling de volgende correcties te worden aangebracht.

Op blz. 4, in artikel 10, eerste lid, eerste regel, dient de stippellijn te worden vervangen door „30 april 1999” en dient de voetnoot te worden geschrapt.

D. PARLEMENT

Zie *Trb.* 1979, 103, *Trb.* 1991, 3, *Trb.* 1991, 52, *Trb.* 1992, 25, *Trb.* 1993, 114, *Trb.* 1994, 188, *Trb.* 1996, 52, *Trb.* 1996, 219 en *Trb.* 1997, 229, rubriek J van *Trb.* 2000, 114 en rubriek D van *Trb.* 2005, 87, *Trb.* 2009, 112, *Trb.* 2010, 325, *Trb.* 2012, 144, *Trb.* 2013, 71 en *Trb.* 2014, 191.

De wijziging van 31 december 2013 van de bijlagen bij de Overeenkomst behoeft ingevolge artikel 7, onderdeel f, van de Rijkswet goedkeuring en bekendmaking verdragen niet de goedkeuring van de Staten-Generaal.

E. PARTIJGEGEVENS

Zie *Trb.* 1979, 103 en rubriek F van *Trb.* 1972, 112.

Partij	Ondertekening	Voorlopige toepassing	Ratificatie	Type*	In werking	Opzegging	Buiten werking
Albanië			26-01-2005	T	26-01-2006		
Andorra			14-07-2008	T	14-07-2009		
Azerbeidzjan			08-05-2000	T	08-05-2001		
Belarus			03-08-2001	T	03-08-2002		
België			01-10-1979	T	01-10-1980		
Bosnië en Herzegovina			12-01-1994	VG	06-03-1992		
Bulgarije			26-01-1978	T	26-01-1979		
Denemarken			22-11-1976	T	22-11-1977		
Duitsland	04-02-1971		08-10-1974	R	21-11-1976		
Estland			06-02-1998	T	06-02-1999		
Finland			15-05-1980	T	15-05-1981		
Frankrijk			20-01-1971	O	21-11-1976		
Georgië			30-11-1998	T	30-11-1999		
Griekenland			01-04-1992	T	01-04-1993		
Hongarije			04-12-1987	T	04-12-1988		
Ierland			22-03-1988	T	22-03-1989		
Italië	28-05-1971		30-09-1977	R	30-09-1978		
Joegoslavië (< 25-06-1991)			21-11-1975	T	21-11-1976		
Kazachstan			17-07-1995	T	17-07-1996		
Kirgistan			22-10-2012	T	22-10-2013		
Kroatië			03-08-1992	VG	08-10-1991		
Letland			06-02-2003	T	06-02-2004		
Litouwen			28-04-2000	T	28-04-2001		
Luxemburg	25-05-1971		09-05-1978	R	09-05-1979		
Macedonië, de voormalige Joegoslavische Republiek			20-12-1999	VG	17-11-1991		
Marokko			05-03-1981	T	05-03-1982		
Moldavië			11-09-2007	T	11-09-2008		
Monaco			24-10-2001	T	24-10-2002		
Montenegro			23-10-2006	VG	03-06-2006		
Nederlanden, het Koninkrijk der	28-05-1971		30-11-1978	R	30-11-1979		
Noorwegen			14-07-1979	T	14-07-1980		
Oekraïne			25-07-2007	T	25-07-2008		
Oezbekistan			11-01-1999	T	11-01-2000		
Oostenrijk	28-05-1971		01-03-1977	R	01-03-1978		
Polen			05-05-1983	T	05-05-1984		
Portugal	28-05-1971		15-08-1988	R	15-08-1989		
Roemenië			22-04-1999	T	22-04-2000		
Russische Federatie			10-09-1971	T	21-11-1976		
Saudi-Arabië			13-01-2015	T	13-01-2016		

Partij	Ondertekening	Voorlopige toepassing	Ratificatie	Type*	In werking	Opzegging	Buiten werking
Servië			12-03-2001	VG	27-04-1992		
Slovenië			06-08-1993	VG	25-06-1991		
Slowakije			28-05-1993	VG	01-01-1993		
Spanje			24-04-1972	T	21-11-1976		
Tadzjikistan			28-12-2011	T	28-12-2012		
Tsjechië			02-06-1993	VG	01-01-1993		
Tsjechoslowakije (<01-01-1993)			13-04-1982	T	13-04-1983		
Tunesië			03-04-2007	T	03-04-2008		
Turkije			21-12-2012	T	21-12-2013		
Verenigd Koninkrijk			05-10-1979	T	05-10-1980		
Verenigde Staten van Amerika			20-01-1983	T	20-01-1984		
Zweden			13-12-1978	T	13-12-1979		
Zwitserland	28-05-1971						

* 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

Bulgarije, 26 januari 1978

The People's Republic of Bulgaria declares that article 9, which entitles only States members of the Economic Commission for Europe to become Parties to the Agreement, is discriminatory. The People's Republic of Bulgaria also declares that article 14, pursuant to which a State may declare that the Agreement will also be applicable to territories for the international relations of which that State is responsible, is contrary to the General Assembly's Declaration on the Granting of Independence to Colonial Countries and Peoples of 14 December 1960.

Hongarije, 4 december 1987

[The Government of the Hungarian People's Republic] does not consider itself bound by article 15, paragraphs 2 and 3, of the Agreement.

Russische Federatie, 10 september 1971

The Union of Soviet Socialist Republics does not consider itself bound by the provisions of article 15, paragraphs 2 and 3, of the Agreement relating to the mandatory submission to arbitration, at the request of one of the Parties, of any dispute concerning the interpretation or application of the Agreement.

The Union of Soviet Socialist Republics deems it necessary to state that the provisions of article 9 of the Agreement, which limit the circle of possible participants to this Agreement, are of a discriminatory character, and states that, in accordance with the principles of sovereign equality among States, the Agreement should be opened for participation by all European States without any discrimination or restriction;

The provisions of article 14 of the Agreement under which Contracting Parties may extend its applicability to territories for the international relations of which they are responsible, are outmoded and contrary to the Declaration of the United Nations General Assembly on the Granting of Independence to Colonial Countries and Peoples (resolution 1514 (XV) of 14 December 1960).

Slowakije, 28 mei 1993

Slovakia declares, in conformity with article 16, paragraph 1, of the Agreement, that it does not consider itself bound by article 15, paragraphs 2 and 3, of the Agreement.

Slovakia declares that its position with regard to the provision of article 14 of the Agreement, as far as the application of the Agreement to colonial and other dependent territories is concerned, is governed by the provisions of the United Nations Declaration on the Granting of Independence to Colonial Countries and Peoples (Res. No. 1514 (XV) of 14 December 1960) proclaiming the necessity of bringing to a speedy and unconditional end colonialism in all its forms and manifestations.

Tsjechië, 2 juni 1993

The Czech Republic declares, in conformity with article 16, paragraph 1, of the Agreement, that it does not consider itself bound by article 15, paragraphs 2 and 3, of the Agreement.

The Czech Republic declares that its position with regard to the provision of article 14 of the Agreement, as far as the application of the Agreement to colonial and other dependent territories is concerned, is governed

by the provisions of the United Nations Declaration on the Granting of Independence to Colonial Countries and Peoples (Res. No. 1514 (XV) of 14 December 1960) proclaiming the necessity of bringing to a speedy and unconditional end colonialism in all its forms and manifestations.

Tsjechoslowakije (<01-01-1993), 13 april 1982

Acceding to this Agreement, the Czechoslovak Socialist Republic declares, in conformity with article 16, paragraph 1, of the Agreement, that it does not consider itself bound by article 15, paragraphs 2 and 3, of the Agreement.

The Czechoslovak Socialist Republic declares that its position with regard to the provision of article 14 of the Agreement, as far as the application of the Agreement to colonial and other dependent territories is concerned, is governed by the provisions of the United Nations Declaration on the Granting of Independence to Colonial Countries and Peoples (Res. No. 1514 (XV) of 14 December 1960) proclaiming the necessity of bringing to a speedy and unconditional end colonialism in all its forms and manifestations.

Verenigde Staten van Amerika, 20 januari 1983

The Agreement does not apply to carriage in the United States of America and its territories.

Bezwaar door Frankrijk, 13 januari 1984

[The French Government] considers that only European States can formulate the declaration provided for in article 10 with respect to carriage performed in territories situated outside Europe.

It therefore raises an objection to the declaration by the Government of the United States of America and, consequently, declares that it will not be bound by the ATP Agreement in its relations with the United States of America.

Bezwaar door Italië, 19 januari 1984

[Italy] considers that only European States can formulate the declaration provided for in article 10 with respect to carriage performed in territories situated outside Europe.

It therefore raises an objection to the declaration by the Government of the United States of America and, consequently, declares that it will not be bound by the ATP Agreement in its relations with the United States of America.

Verenigde Staten van Amerika, 21 september 1984

The United States considers that under the clear language of article 10 [of the Agreement], as confirmed by the negotiating history, any State party to the Agreement may file a declaration under that article. The United States therefore considers that the objections of Italy and France and the declarations that those nations will not be bound by the Agreement in their relations with the United States are unwarranted and regrettable. The United States reserves its rights with regard to this matter and proposes that the parties continue to attempt cooperatively to resolve the issue.

G. INWERKINGTREDING

Zie *Trb.* 1979, 103, rubriek J van *Trb.* 1981, 47, *Trb.* 1983, 22, *Trb.* 1983, 141, *Trb.* 1985, 83, *Trb.* 1986, 25, *Trb.* 1986, 64, *Trb.* 1987, 188, *Trb.* 1988, 31, *Trb.* 1989, 88, *Trb.* 1990, 113, *Trb.* 1991, 3, *Trb.* 1991, 52, *Trb.* 1992, 25, *Trb.* 1993, 114, *Trb.* 1994, 188, *Trb.* 1996, 52, *Trb.* 1996, 219, *Trb.* 1997, 229 en *Trb.* 2000, 114 en rubriek G van *Trb.* 2005, 87, *Trb.* 2009, 112, *Trb.* 2010, 325, *Trb.* 2012, 144, *Trb.* 2013, 71 en *Trb.* 2014, 191.

De wijziging van 31 december 2013 zal ingevolge artikel 18, zesde lid, van de Overeenkomst op 30 september 2015 voor alle partijen, waaronder het Koninkrijk der Nederlanden, in werking treden.

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

Koninkrijk der Nederlanden

Land	Voorlopige toepassing	In werking	Terugwerkende kracht	Buiten werking
Nederland (in Europa)		30-11-1979		
Nederland (Bonaire)				
Nederland (Sint Eustatius)				
Nederland (Saba)				
Aruba				
Curaçao				
Sint Maarten				

J. VERWIJZINGEN

Voor verwijzingen en overige verdragsgegevens, zie *Trb.* 1972, 112, *Trb.* 1979, 103, *Trb.* 1981, 47, *Trb.* 1983, 22, *Trb.* 1983, 141, *Trb.* 1985, 83, *Trb.* 1986, 25, *Trb.* 1986, 64, *Trb.* 1987, 188, *Trb.* 1988, 31, *Trb.* 1989, 88, *Trb.* 1990, 113, *Trb.* 1991, 3, *Trb.* 1991, 52, *Trb.* 1992, 25, *Trb.* 1993, 114, *Trb.* 1994, 188, *Trb.* 1996, 52, *Trb.* 1996, 219, *Trb.* 1997, 229, *Trb.* 1998, 71, *Trb.* 2000, 114, *Trb.* 2005, 87, *Trb.* 2009, 112, *Trb.* 2010, 325, *Trb.* 2012, 144, *Trb.* 2013, 71 en *Trb.* 2014, 191.

Uitgegeven de *negenentwintigste* juli 2015.

De Minister van Buitenlandse Zaken,

A.G. KOENDERS