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EUROPEAN AGREEMENT ON MAIN INTERNATIONAL RAILWAY LINES  
(AGC)

GENEVA, 31 MAY 1985

PROPOSAL OF AMENDMENTS BY GERMANY TO ANNEX I OF THE AGREEMENT

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

At its fifty-eighth session held in Geneva from 27 to 29 October 2004, the Working Party on Rail Transport of the Inland Transport Committee of the United Nations Economic Commission for Europe (UNECE), adopted in accordance with article 11, paragraph 3 of the above Agreement, amendments to annex I to the Agreement proposed by the above State as indicated in the report of the Working Party on Rail Transport (doc. TRANS/SC.2/202 para.23).

In accordance with article 11, paragraph 3 of the Agreement, the proposed amendments were adopted by the majority of representatives present and voting and this majority included the majority of Contracting Parties present and voting.

The Secretary-General wishes to draw attention to paragraphs 1 to 5 of article 11 of the above Agreement, which read as follows:

- "1. Annex I to this Agreement may be amended by the procedure specified in this article.
2. At the request of a Contracting Party, any amendment proposed by it to annex I to this Agreement shall be considered by the Working Party on Rail 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 the Contracting Parties directly concerned. The following shall be considered Contracting Parties directly concerned:
  - (a) In the case of inclusion of a new main line or modification of an existing main line, any Contracting Party whose territory is crossed by that line;

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(b) In the case of inclusion of a new supplementary line or modification of an existing supplementary line, any Contracting Party contiguous to the requesting country, whose territory is crossed by the principal international line or lines with

which the supplementary line, whether new or to be modified, is connected. Two Contracting Parties having in their respective territories the terminal points of a proposed ferry service on the principal line or lines specified above shall also be considered contiguous for the purposes of this paragraph.

4. Any proposed amendment communicated in accordance with paragraph 3 of this article shall be accepted if, within a period of six months following the date of its communication, none of the competent administrations of the Contracting Parties directly concerned notifies the Secretary-General of its objection to the amendment. If the administration of a Contracting Party states that its national law obliges it to subordinate its agreement to the grant of a specific authorization or to the approval of a legislative body, the competent administration shall not be considered as having consented to the amendment to annex I to this Agreement, and the proposed amendment shall not be accepted until such time as the said competent administration notifies the Secretary-General that it has obtained the required authorization or approval. If such notification is not made within a period of 18 months following the date on which the proposed amendment was communicated to the said competent administration or if, within the period of six months specified above, the competent administration of a Contracting Party directly concerned expresses an objection to the proposed amendment, that amendment shall be deemed not accepted.
5. Any amendment accepted shall be communicated by the Secretary-General to all the Contracting Parties and shall enter into force for all the Contracting Parties three months after the date of its notification."

The texts of the proposed amendments are contained in the report of the session (TRANS/SC.2/202 and paragraph 23), which can be accessed on the website for the Transport Division of the UNECE at the following address:  
<http://www.unece.org/trans/main/sc2/sc2rep.html>.

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In accordance with the paragraph 4 of article 11, the proposed amendments shall be considered as having been accepted if, within a period of six months following the date of this notification, no objection has been received by the Secretary-General from a competent administration of a Contracting Party directly concerned. The amendments, if accepted, would enter into force, in accordance with paragraph 5 of article 11, for all the Contracting Parties three months after the date of their notification to all the Contracting Parties.

28 February 2005

A handwritten signature in black ink, consisting of a stylized 'A' followed by a vertical line and a small flourish at the bottom.