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ECONOMIC COMMISSION FOR EUROPE

INLAND TRANSPORT COMMITTEE

Working Party on the Transport of Perishable Foodstuffs

Sixty-third session
Geneva, 12-15 November 2007
Item 5 (c) of the provisional agenda

PROPOSALS OF AMENDMENTS TO THE ATP

New proposals

Article 18

Transmitted by the Government of Portugal

Note by the secretariat

The Programme of Work for 2006-2010 of the Inland Transport Committee adopted at its 68th session in 2006 (ECE/TRANS/166/Add.1, Item 2.11 (a)) requires the Working Party on the Transport of Perishable Foodstuffs (WP.11) to ensure the Harmonization of regulations and standards relating to the international transport of perishable foodstuffs and facilitation of its operations, *inter alia*, by the Consideration of amendment proposals to ATP to ensure it is updated as necessary. The present document is submitted in conformity with that mandate.

Justification

More than 30 years have passed since the ATP entered into force on 21 November 1976. Many countries have joined WP.11, and more will join in the future. The public demand for high quality products and health protection is a constant that we cannot ignore and must take seriously into account. Technological evolution has increased at an exponential rate, producing everyday new materials, new equipment, and new control methods.

Among the many legal instruments under the responsibility of the Inland Transport Committee, the ATP is the only agreement that still maintains the unanimity rule.

Due to this unanimity rule, only minor corrections to the ATP have been possible. No real updates to meet the new technological improvements or public demands have been made, leaving us with an outdated ATP.

Taking in account the amendment proposal made by Italy in 2002, Portugal proposes an amendment to put an end to this unanimity rule. All Contracting Parties are asked to think very carefully about the consequences of trying to keep it.

Proposed amendment

Article 18, paragraphs 4 and 5, amend to read:

"4. If an objection to the proposed amendment **to the Articles to this Agreement** is stated **or at least three objections are stated to the proposed amendment to the Annexes to this Agreement** 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 **to the Articles to this Agreement** has been stated **or less than three objections have been stated to the proposed amendment to the Annexes to this Agreement** in accordance with paragraphs 2 and 3 of this article, the amendment shall be deemed to have been accepted on the date specified below:"
