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## Economic Commission for Europe

### Inland Transport Committee

#### Working Party on the Transport of Perishable Foodstuffs

##### Sixty-seventh session

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Item 5 (b) of the provisional agenda

##### Proposals of amendments to the ATP: New proposals

### Proposal for a correction made in document ECE/TRANS/WP.11/2011/4<sup>1</sup>

#### Note by the secretariat

#### Introduction

1. The new revised Annex 1 of the ATP entered into force on 2 January 2011. When revising Annex 1, Appendix 1 and reordering the paragraphs, account was not taken of Article 2 of the ATP which states that "...Each Contracting Party shall recognize the validity of certificates of compliance issued in conformity with annex 1, appendix 1, paragraph 4 to this Agreement by the competent authority of another Contracting Party...".

2. As pointed out in the correction proposed by the Slovak Republic (ECE/TRANS/WP.11/2011/4), in the revised Annex 1, Appendix 1, it is paragraph 3 which deals with certificates of compliance and not paragraph 4. The secretariat did not notice this mistake at the time.

#### Proposal

3. The easiest way to correct this error would be to replace "paragraph 4" by "paragraph 3" in Article 2 as proposed by the Slovak Republic. However, amending the Agreement itself is more complicated for some Contracting Parties than amending the annexes. In some countries, amending the Agreement requires an act of parliament. For that reason, it might be preferable for some countries to leave Article 2 unchanged but to

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<sup>1</sup> Submitted in accordance with the programme of work of the Inland Transport Committee for 2010–2014 (ECE/TRANS/208, para. 106; ECE/TRANS/2010/8, programme activity 02.11).

make modifications to Annex 1, Appendix 1 so that it is once again paragraph 4 that deals with certificates of compliance.

4. Reordering the paragraphs in Annex 1, Appendix 1 is not without difficulty, however, not only because of the logic of the current numbering but because of the cross-references to the paragraph numbers which appear elsewhere in the ATP.

5. WP.11 may wish to discuss the different options for making this correction.

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