
Economic Commission for Europe**Inland Transport Committee****Working Party on the Transport of Perishable Foodstuffs****24 September 2014****Seventieth session**

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Item 7 of the provisional agenda**Scope of ATP**

Establishment of bilateral or multilateral agreements under ATP**Note by the secretariat****Introduction**

According to article 7 of ATP, Contracting Parties have the right to enter into bilateral or multilateral agreements to the effect that provisions applicable to special equipment and provisions applicable to the temperatures at which certain foodstuffs are required to be maintained during carriage may, more particularly by reason of special climatic conditions, be more stringent than those prescribed in this Agreement. Such provisions shall apply only to international carriage between Contracting Parties which have concluded bilateral or multilateral agreements as referred to in this article. Such agreements shall be transmitted to the Secretary-General of the United Nations, who shall communicate them to Contracting Parties to this Agreement which are not signatories of the said agreements.

As proposed by the United Nations Treaty Section, the UNECE secretariat shall assume the role of the Secretary-General in receiving and communicating multilateral agreements. Communication to ATP Contracting Parties shall be carried out via the UNECE website.

Proposal

The secretariat proposes that the following steps be followed for the communication of multilateral agreements concluded in accordance with article 7 of ATP in order to ensure a simple and transparent procedure:

1. The initiating country contacts the secretariat and informs it of its intention to initiate a multilateral agreement, the draft of which it transmits by e-mail. The secretariat assigns the agreement a number which it communicates to the initiating country.
2. The initiating country includes the number in the heading of the draft agreement (e.g. "ATP multilateral agreement 02") and then proposes it to other Contracting Parties to ATP by email.
3. As soon as the initiating country has reached agreement with the parties concerned on the final version of the clauses of the multilateral agreement, it transmits its signed copy to the secretariat and transmits unsigned copies to the other Contracting Parties to ATP.
4. Each signatory country returns its signed copy to the secretariat by email.

5. As soon as the secretariat receives the copy signed by a second signatory, the agreement is entered in the UNECE website and becomes applicable (to the countries that have signed).

6. Each Contracting Party which revokes an agreement shall immediately so inform the secretariat.

7. The final clause of a multilateral agreement shall be worded as follows:

(a) If there is a termination date:

"This agreement shall be valid until (date ...)^a for the carriage on the territories of those ATP Contracting Parties signatory to it. If it is revoked before then by one of the signatories, it shall remain valid until the above-mentioned date only for carriage on the territories of those ATP Contracting Parties signatory to this agreement which have not revoked it.

(date ...)^b

The competent authority for ATP of ... (Signature)" or

(b) If there is no termination date:

"This agreement shall be valid for the carriage on the territories of those ATP Contracting Parties signatory to it. If it is revoked by one of the signatories, it shall remain valid only for those ATP Contracting Parties signatory to this agreement which have not revoked it.

(date ...)^b

The competent authority for ATP of ... (Signature)".

8. Where a country signs a multilateral agreement with reservations regarding its application, these reservations shall be expressly mentioned in the copy which it transmits to the secretariat.

Notes

a Date of expiry of the multilateral agreement which must be indicated by the initiating country in the final version it transmits to the secretariat and to the other Contracting Parties.

b Date of signature for each country concerned.

This procedure is modelled on that used under the European Agreement concerning the International Carriage of Dangerous Goods by Road (ADR). Examples of multilateral agreements under ADR can be seen at the following website: http://www.unece.org/trans/danger/publi/adr/adr_e.html