The UNECE World Forum for Harmonization of Vehicle Regulations (WP.29)

Administrative procedure for the accession to the 1958 UN Agreement

Meeting UNECE – Indonesia
Accession to the 1958 Agreement

Edoardo Gianotti, Secretariat staff member of WP.29
TRANSPORT DIVISION

Jakarta, 4 November 2010
Becoming a Contracting Party (CP) to a UN Agreement

• Accession to the 1958 Agreement by depositing an instrument of accession with the UN Secretary-General

Who?
Any country member of the United Nations Regional economic integration organization of countries belonging to the UN

Why?
Participation in WP.29 and its subsidiary bodies Country has a vote in the decision making process Mutual recognition of the approvals granted
How to become CP to an Agreement

Requirements for a valid instrument of accession (1):

- **Identify the Agreement**
  In this case identify the 1958 Agreement by its complete official name (see the example)

- Declaration of undertaking. Expression of intent of the Government to be bound by the Agreement and to undertake faithfully to observe and implement its provisions (see the example)
How to become CP to an Agreement

Requirements for a valid instrument of accession (2):

➢ Issued and signed by:
  - Head of State or Government, or
  - Minister of Foreign Affairs (MFA), or
  - by a person exercising the power of one of these authorities *ad interim*, or
  - by a person with full powers to sing the Agreement

➢ Dated

➢ Addressed to the UN Secretary General in New York, normally the Office of Legal Affairs in NY
WHEREAS the [title of agreement] was concluded [adopted, etc.] at [place] on [date],

NOW THEREFORE I, [name and title of the head of State or Government or MFA], declare that the Government of [name of State], having considered the above mentioned [agreement], accedes to the same and undertakes faithfully to perform and carry out the stipulations therein contained.

IN WITNESS WHEREOF I have signed this instrument of accession at [place] on [date].

[Signature]
WHEREAS the Agreement concerning the adoption of uniform technical prescriptions for wheeled vehicles, equipment and parts which can be fitted and/or be used on wheeled vehicles and the conditions for reciprocal recognition of approvals granted on the basis of these prescriptions, (Including the amendments entered into force on 16 October 1995) (E/ECE/324/Rev.2 -E/ECE/TRANS/505/Rev.2)

Former title of the Agreement:: Agreement Concerning the Adoption of Uniform Conditions of Approval and Reciprocal Recognition of Approval for Motor Vehicle Equipment and Parts, done at Geneva on 20 March 1958
Model of an instrument of accession (3)

• NOW THEREFORE I, [name and title of the head of State or Government or MFA], declare that the Government of [Indonesia], having considered the above mentioned Agreement, accedes to the same and undertakes faithfully to perform and carry out the stipulations therein contained.

• IN WITNESS WHEREOF I have signed this instrument of accession at [Jakarta] on [date] and signature.
Don’t forget to include the declaration below

Indonesia declares that is not bound by Regulations Nos. ....

[Include the list of Regulations that Indonesia don’t want to apply when acceding to the Agreement, see Article 1, 5 of the 1958 Agreement]
Practical suggestions

- Check what is the Indonesian procedure to accede to an UN Agreement
- Contact the Ministry of Foreign Affairs MFA
- MFA to contact the Indonesian Mission in NY
- UN Office of Legal Affairs (OLA)
- **PLEASE DON’T FORGET THAT**
- The instrument of accession **MUST** be addressed to the UN Secretary-General
Practical suggestions

• Remember CPs are free to be bound by all, some or no Regulation

• Recommendation: When acceding declare to which Regulations your country is not bounded

• World Forum secretariat at the UNECE Transport Division:

• (juan.ramos.garcia@unece.org)