

No. 8940

MULTILATERAL

European Agreement concerning the International Carriage of Dangerous Goods by Road (ADR) (with annexes and Protocol of Signature). Done at Geneva, on 30 September 1957

Official texts of the Agreement and Protocol of Signature: French and English.

Official text of the annexes: French.

Registered ex officio on 29 January 1968.

MULTILATÉRAL

Accord européen relatif au transport international des marchandises dangereuses par route (ADR) [avec annexes et Protocole de signature]. Fait à Genève, le 30 septembre 1957

Textes officiels de l'Accord et du Protocole de signature: français et anglais.

Texte officiel des annexes: français.

Enregistré d'office le 29 janvier 1968.

No. 8940. EUROPEAN AGREEMENT¹ CONCERNING THE INTERNATIONAL CARRIAGE OF DANGEROUS GOODS BY ROAD (ADR). DONE AT GENEVA, ON 30 SEPTEMBER 1957

The Contracting Parties,

Desiring to increase the safety of international transport by road,

Have agreed as follows :

Article 1

For the purpose of this Agreement,

(a) The term " vehicle " shall mean motor vehicles, articulated vehicles, trailers and semitrailers, as defined in article 4 of the Convention on Road Traffic of 19 September 1949,² other than vehicles belonging to or under the orders of the armed forces of a Contracting Party;

(b) The term " dangerous goods " shall mean those substances and articles the international carriage by road of which is prohibited by, or authorized only on certain conditions by, annex A and B,

(c) The term " international transport " shall mean any transport operation performed on the territory of at least two Contracting Parties by vehicles defined in (a) above.

¹ In accordance with paragraph 1 of article 7, the Agreement entered into force on 29 January 1968, i.e., one month after the deposit of the fifth instrument of ratification or accession, in respect of the following States on behalf of which the instruments of ratification or accession (a) were deposited on the dates indicated :

France	2 February 1960
Belgium	25 August 1960
Italy	3 June 1963
Netherlands*	1 November 1963
Portugal	29 December 1967 (a)

* The signature was affixed for the Kingdom in Europe.

The same paragraph provides that the annexes to the Agreement (annexes A and B) shall not apply until six months after the entry into force of the Agreement itself. However, on the date of the entry into force of the Agreement, the Government of France proposed certain amendments to both annexes and these amendments, in accordance with paragraph 3 of article 14 of the Agreement, entered into force on 29 July 1968, the date which coincided with the date on which the annexes as originally drawn up were to become applicable. Therefore, the original text of the annexes is not printed herein. Their authentic French text, incorporating the amendments which were registered on 29 July 1968, will be published in the *Treaty Series* volume covering the registration material corresponding to that date (volume 641); the authoritative translation of the annexes, as amended, which is being prepared, will appear in Volumes 731.

² United Nations, *Treaty Series*, Vol. 125, p. 3.

Article 2

1. Subject to the provisions of article 4, paragraph 3, dangerous goods barred from carriage by annex A shall not be accepted for international transport.

2. International transport of other dangerous goods shall be authorized subject to compliance with :

- (a) The conditions laid down in annex A for the goods in question, in particular as regards their packaging and labelling, and
- (b) The conditions laid down in annex B, in particular as regards the construction, equipment and operation of the vehicle carrying the goods in question, subject to the provisions of article 4, paragraph 2.

Article 3

The annexes to this Agreement shall form an integral part thereof.

Article 4

1. Each Contracting Party shall retain the right to regulate or prohibit, for reasons other than safety during carriage, the entry of dangerous goods into its territory.

2. Vehicles in service on the territory of a Contracting Party at the time of entry into force of this Agreement or brought into service on such territory within two months after its entry into force shall be allowed, for a period of three years from such entry into force, to perform the international transport of dangerous goods even if their construction and equipment do not entirely conform to the requirements laid down in annex B for the transport operation in question. Under special clauses of annex B, however, this period may be reduced.

3. The Contracting Parties shall retain the right to arrange, by special bilateral or multilateral agreements, that certain of the dangerous goods which under this Agreement are barred from all international transport may, subject to certain conditions, be accepted for international transport on their territories, or that dangerous goods which under this Agreement are acceptable for international transport only on specified conditions may be accepted for international transport on their territories under conditions less stringent than those laid down in the annexes to this Agreement. The special bilateral or multilateral agreements referred to in this paragraph shall be communicated to the Secretary-General of the United Nations, who shall communicate them to the Contracting Parties which are not signatories to the said agreements.

Article 5

The transport operations to which this Agreement applies shall remain subject to national or international regulations applicable in general to road traffic, international road transport and international trade.

Article 6

1. Countries members of the Economic Commission for Europe and countries admitted to the Commission in a consultative capacity under paragraph 8 of the Commission's terms of reference may become Contracting Parties to this Agreement :

- (a) By signing it;
- (b) By ratifying it after signing it subject to ratification;
- (c) By acceding to it.

2. Such countries as may participate in certain activities of the Economic Commission for Europe in accordance with paragraph 11 of the Commission's terms of reference may become Contracting Parties to this Agreement by acceding to it after its entry into force.

3. The Agreement shall be open for signature until 15 December 1957. Thereafter, it shall be open for accession.

4. Ratification or accession shall be effected by the depositing of an instrument with the Secretary-General of the United Nations.

Article 7

1. This Agreement shall enter into force one month after the date on which the number of countries mentioned in article 6, paragraph 1, which have signed it without reservation of ratification or have deposited their instruments of ratification or accession has reached a total of five. However, the annexes thereto shall not apply until six months after the entry into force of the Agreement itself.

2. For any country ratifying or acceding to this Agreement after five of the countries referred to in article 6, paragraph 1, have signed it without reservation of ratification or have deposited their instruments of ratification or accession, this Agreement shall enter into force one month after the said country has deposited its instrument of ratification or accession and the annexes thereto shall apply for the said country either on the same date, if they are already in force by that date, or, if they are not in force by that date, on the date on which they apply under the provisions of paragraph 1 of this article.

Article 8

1. Any Contracting Party may denounce this Agreement by so notifying the Secretary-General of the United Nations.

2. Denunciation shall take effect twelve months after the date of receipt by the Secretary-General of the notification of denunciation.

Article 9

1. This Agreement shall cease to have effect if, after its entry into force, the number of Contracting Parties is less than five during twelve consecutive months.

2. In the event of the conclusion of a world-wide agreement for the regulation of the transport of dangerous goods, any provision of this Agreement which is contrary to any provision of the said worldwide agreement shall, from the date on which the latter enters into force, automatically cease to apply to relations between the Parties to this Agreement which become parties to the worldwide agreement, and shall automatically be replaced by the relevant provision of the said worldwide agreement.

Article 10

1. Any country may, at the time of signing this Agreement without reservation of ratification or of depositing its instrument of ratification or accession or at any time thereafter, declare by notification addressed to the Secretary-General of the United Nations that this Agreement shall extend to all or any of the territories for the international relations of which it is responsible. The Agreement and the annexes thereto shall extend to the territory or territories named in the notification one month after it is received by the Secretary-General.

2. Any country which has made a declaration under paragraph 1 of this article extending this Agreement to any territory for whose international relations it is responsible may denounce the Agreement separately in respect of the said territory in accordance with the provisions of article 8.

Article 11

1. Any dispute between two or more Contracting Parties concerning the interpretation or application of this Agreement shall so far as possible be settled by negotiation between them.

2. Any dispute which is not settled by negotiation shall be submitted to arbitration if any one of the Contracting Parties in dispute so requests and shall be referred accordingly to one or more arbitrators selected by agreement between the Parties in dispute. If within three months from the date of the request for