



## **Additional Protocol to the European Convention for the Protection of Animals during International Transport\***

Strasbourg, 10.V.1979

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The member States of the Council of Europe, signatory to this Additional Protocol,

Having regard to the European Convention for the protection of animals during international transport, hereinafter called the "Convention", which was opened to signature in Paris on 13 December 1968 by the member States of the Council of Europe and includes common provisions designed to safeguard animals in transport from suffering;

Considering that in view of the competences it possesses in the matters covered by the said Convention, the European Economic Community should be able to be a Contracting Party to this instrument,

Have agreed as follows:

### **Article 1**

Article 48 of the Convention shall be supplemented by the following paragraph:

"4 The European Economic Community may become a Contracting Party to this Convention by signing it. The Convention shall enter into force in respect of the Community six months after the date of its signature."

### **Article 2**

In Article 52 of the Convention, the words "any State which has acceded to this Convention" shall be replaced by the words "any Contracting Party which is not a member of the Council".

### **Article 3**

Article 47, paragraph 2, of the Convention shall be supplemented by the following sub-paragraph:

"In the event of a dispute between two Contracting Parties one of which is a member State of the European Economic Community, the latter itself being a Contracting Party, the other Contracting Party shall address the request for arbitration both to the member State and to the Community, which jointly shall notify it, within three months of receipt of the request, whether the member State or the Community, or the member State and the Community jointly, shall be party to the dispute. In the absence of such notification within the said time limit, the member State and the Community shall be considered as being one and the same party to the dispute for the purposes of the application of the provisions governing the

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\* Since its entry into force on 7 November 1989, this Protocol forms an integrant part of the Convention (ETS No. 65).

constitution and procedure of the arbitration tribunal. The same shall apply when the member State and the Community jointly present themselves as party to the dispute."

#### **Article 4**

- 1 This Additional Protocol is open to signature by the member States of the Council of Europe which have signed the Convention, which may become Contracting Parties to this Additional Protocol by:
  - a signature without reservation in respect of ratification, acceptance or approval, or
  - b signature with reservation in respect of ratification, acceptance or approval, followed by ratification, acceptance or approval.
- 2 States which have acceded to the Convention may also accede to this Additional Protocol.
- 3 Instruments of ratification, acceptance, approval or accession shall be deposited with the Secretary General of the Council of Europe.

#### **Article 5**

This Additional Protocol shall enter into force as soon as all the Contracting Parties to the Convention have become Parties to this Additional Protocol in accordance with Article 4.

#### **Article 6**

From the date of its entry into force, this Additional Protocol shall form an integral part of the Convention. From that date, no member State may become a Contracting Party to the Convention without at the same time becoming a Contracting Party to this Additional Protocol.

#### **Article 7**

The Secretary General of the Council of Europe shall notify the member States of the Council of Europe, the other Parties to the Convention and the Commission of the European Economic Community of:

- a any signature without reservation in respect of ratification, acceptance or approval;
- b any signature with reservation in respect of ratification, acceptance or approval;
- c any deposit of an instrument of ratification, acceptance, approval or accession;
- d any date of entry into force of this Additional Protocol in accordance with Article 5 thereof.

In witness whereof the undersigned, being duly authorised thereto, have signed this Protocol.

Done at Strasbourg, this 10th day of May 1979, in English and in French, both texts being equally authoritative, in a single copy which shall remain deposited in the archives of the Council of Europe. The Secretary General of the Council of Europe shall transmit certified copies to each of the signatory and acceding States.