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**ECONOMIC COMMISSION FOR EUROPE**

**INLAND TRANSPORT COMMITTEE**

**Working Party on the Transport  
of Dangerous Goods**  
**(Seventieth session, Geneva,  
7-11 May 2001)**

**FOLLOW-UP OF THE CONVENTION ON CIVIL LIABILITY FOR  
DAMAGE CAUSE DURING CARRIAGE OF DANGEROUS GOODS  
BY ROAD, RAIL AND INLAND NAVIGATION VESSELS (CRTD)**

**Note by the secretariat**

1. The Inland Transport Committee at its sixty-second session (15-17 February 2000) decided to Assign Priority 1 status to the follow-up of the implementation of the CRTD Convention (ECE/TRANS/133, para.100).
2. The CRTD Convention was prepared by the International Institute for the Unification of Private Law (UNIDROIT) and adopted by the Inland Transport Committee of the Economic Commission for Europe at its fifty-first session, held in Geneva, from 2 to 10 October 1989.
3. The CRTD was opened for signature on 1 February 1990.
4. Only Germany and Morocco have signed the Convention.
5. At the request of the Inland Transport Committee, the secretariat sent a questionnaire to all heads of delegations to the Committee (see annex) with a view to identifying what difficulties would prevent accession to the CRTD. Only four countries have replied.
6. At its last session (13-15 February 2001), the Committee urged all its members which had not yet replied to the questionnaire to do so without delay, and requested the Working Party on the Transport of Dangerous Goods to consider the results of the questionnaire at its next session (7-11 May 2001) and to set up, if it deemed appropriate, an ad hoc group of experts to consider how the CRTD could be modified to encourage accessions.
7. Delegations which have not yet replied to the questionnaire are requested to transmit their replies to the secretariat as rapidly as possible.

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\* Reissued for technical reasons.

DRAFT LETTER TO THE CHIEFS OF DELEGATIONS (ITC) (Countries)

RE: Convention on Civil Liability for Damage caused during Carriage of Dangerous Goods by Road, Rail and Inland Navigation Vessels (CRTD)

Dear Sir/Madam,

At its last session (15-17 February 2000), the Inland Transport Committee requested the secretariat to circulate a questionnaire aiming at evaluating the reasons why ECE member States had not yet become Contracting States to the CRTD (ECE/TRANS/133, paras. 100-101).

As you may recall, the Convention on Civil Liability for Damage caused during Carriage of Dangerous Goods by Road, Rail and Inland Navigation Vessels (CRTD), elaborated under the auspices of the Inland Transport Committee of UN/ECE, was adopted on 10 October 1989 and signed up to now by two countries: Germany and Morocco. However five ratifications are necessary for the entry into force.

In order to investigate whether there still is an opportunity for an entry into force of the Convention within a reasonable period of time and to obtain further clarity about the conditions for acceptance of the Convention, States are invited to give their opinion about the following issues:

- (1) What are the reasons that your country has not yet signed/ratified, approved, acceded to or accepted the Convention; what are considered to be the main obstacles for a possible decision to ratify, approve, accede or accept the Convention?
- (2) Are the limits of liability regarding the different modes of transport considered to be appropriate, too low or too high? Would ratification be facilitated by amending the present limits? If so, at what level should the limits be set in order to facilitate acceptance of the Convention by your country?
- (3) Can you provide (statistical) information on the average height of damage (in SDR's) for the different modes, in your country, caused by accidents during transport of dangerous goods?
- (4) Would the process of accession be facilitated by a lower level of compulsory insurance in comparison to the liability limits or event by complete abandonment of the compulsory insurance obligation? If so, what level should be appropriate?
- (5) Does the obligation to have a compulsory insurance certificate create difficulties for insurance institutions to (re-)insure the limits of liability provided for in the Convention?
- (6) Are there any other concerns about (the level of) the limitation of liability?

You will find enclosed copy of an Explanatory Report on the CRTD Convention.

Yours truly,

José CAPEL FERRER

Director  
Transport Division  
Economic Commission for Europe