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ECONOMIC COMMISSION FOR EUROPE

INLAND TRANSPORT COMMITTEE

Ad hoc Meeting on the Convention on
Civil Liability for Damage caused during
Carriage of Dangerous Goods by Road,
Rail and Inland Navigation Vessels (CRTD)
(Third session, 7-9 July 2003)

ARTICLE 16 OF THE CRTD

Transmitted by the Government of the Netherlands

Explanatory note

1. At its last session, the Ad hoc Meeting considered how the issue of the obligation of the carrier to have compulsory insurance cover as currently provided for in article 13 of the CRTD, could create difficulties for certain States with economies in transition.
2. In order to provide for some relief with regard to the economic consequences of introducing an amended version of the CRTD but without depriving possible victims from the benefit of the application of the CRTD in such countries, the delegations of the Netherlands, Poland and the Czech Republic agreed to prepare a draft amendment to article 16 of the CRTD in close collaboration with the secretariat.

Proposal:

Insert a new paragraph in article 16 (renumber the following paragraphs accordingly):

“4. A Contracting State may, with respect to carriage by road and by inland navigation vessel, provide that the carrier shall be dispensed from the obligation to cover his liability by insurance or other financial security for a maximum period of [6 years] after the Convention has entered into force for that State when depositing an instrument of ratification, acceptance or approval of the Convention.”]
