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Item 6 of the provisional agenda

Facilitation of international road transport

International Motor Insurance System (Green Card)

Proposal for a Consolidated Resolution on the International Motor Insurance System

Submitted by the Council of Bureaux

1. The main change of the Recommendations hereunder is the possibility for an International Motor Insurance Certificate to be (1) printed black on white or black on green or (2) presented in a Portable Document Format (PDF) in an electronic form independent of the software, hardware or operating system that it is displayed on. This change is different, even though subtly from the possibility to “abolish the requirement to print the International Motor Insurance Certificates (known as “Green Cards”) in green colour and to issue them in PDFs in black on white colour”, granted by SC.1 during its meeting held in Geneva on 16-18 October 2018 (para 37, ECE/TRANS/SC.1/410).

2. The recommendations have been taken from Annex 1 of ECE/TRANS/SC.1/2002/4/Rev.4 with additions in bold, and deletions in strikethrough.

~~Annex 1~~

Proposal for a Consolidated Resolution on ~~The~~ International Motor Insurance ~~Card~~ System - (known as the “Green Card System”)

I. Preamble

The Working Party on Road Transport (SC.1) of the Inland Transport Committee of the United Nations Economic Commission for Europe;

1. Recalling that in 1949 SC.1 sent to member States a recommendation inviting them to ask insurers covering third party liability risks in respect of the use of vehicles to conclude agreements for the establishment of uniform and practical provisions to enable motorists to be satisfactorily insured when entering countries where insurance against such risks is compulsory;

2. Recalling that the above mentioned recommendation concluded that the introduction of a uniform insurance document would be the best way to achieve that end and set out the basic principles of agreements to be concluded between insurers in the different countries;

3. Noting that the above mentioned recommendation became Recommendation no. 5 which was adopted on 25 January 1949 by SC.1 which subsequently became the basis for Annex 1 of the Revised Consolidated Resolution on the Facilitation of Road Transport (R.E.4) on the International Motor Insurance System – (known as the “Green Card System”) which was adopted by the Inland Transport Committee at its 66th session held from 17 to 19 February 2004;

4. Noting that:

(a) the purpose of the International Motor Insurance System is to facilitate the international circulation of motor vehicles by enabling insurance of third party liability risks in respect of their use to fulfil the criteria imposed by the visited country and, in the case of accidents, to guarantee compensation of injured parties in accordance with the national law and regulations of that country;

(b) the International Motor Insurance Certificate, also known as the “Green Card”, which is officially recognised by the government authorities of the States adopting the United Nations Recommendation, is proof in each visited country of compulsory civil liability insurance in respect of the use of the motor vehicle described therein;

(c) in each participating State a National Bureau has been created and officially approved in order to provide a dual guarantee to:

(i) its government that the foreign insurer will abide by the law applicable in that country and compensate injured parties within its limits;

(ii) the bureau of the visited country of the commitment of the member insurer covering third party liability in respect of the use of the vehicle involved in the accident;

(d) as a consequence of this non-profit-making dual mandate, each bureau is required to have its own independent financial structure based on the joint commitment of insurers authorised to transact compulsory civil liability insurance in respect of the use of motor vehicles operating in its national market which enables it to meet obligations arising out of agreements between it and other bureaux.

5. Noting that the text that was in Annex 1 of RE.4 is contained in the Recommendations below together with a change in paragraph 4 approved by SC.1 at its 113th session held on 16 to 18 October 2018 to abolish the requirement to print the

International Motor Insurance Certificates in green colour and to issue them in Portable Document Formats (PDFs) in black on white colour;

6. Aiming at having Annex 1 of RE.4 as a self-contained Consolidated Resolution on the International Motor Insurance System to facilitate the making of any necessary future amendments;

has prepared and adopted this Resolution on [date].

II. Recommendations

~~1~~ 2. In each country, the Government officially recognizes a single organization established by authorized insurers as its national insurers' bureau (**hereinafter "Bureau"**). Only insurers authorized for the transaction of third party motor liability insurance can be members of the Bureau of that country and thereby be authorized to issue certificates, mentioned in ~~article~~ **paragraph 3 4** below. All such insurers shall join the ~~B~~**Bureau** and all shall share in its financing, so that the ~~B~~**Bureau** is in a position to meet its financial obligations.

~~2~~ 3. The Bureaux, set up in accordance with paragraph ~~1~~ 2 above, shall join and support the international body, known as the "Council of Bureaux". The Council of Bureaux is the managing organization of the International Motor Insurance ~~Card~~ System, (**known as the "Green Card System"**), under the aegis of the Working Party on Road Transport of the Economic Commission for Europe. The Council **of Bureaux** provides facilities for the administration of the agreements between Bureaux and for the consideration of matters of mutual interest for participating Bureaux.

~~3~~ 4. The Bureau shall provide its member insurers with certificates of insurance, the "International Motor Insurance ~~Certificate Card~~" (**also known as the "Green Card"**), valid for one or more countries, or authorize its member insurers to ~~print~~ **provide their International Motor Insurance own Certificates to their insureds for issue by them to their insurers** in respect of any motor vehicles insured by them against third party risks. In either case these shall conform to one of the models referred to in Appendices 1 to ~~2-4~~ to this ~~annex~~ **Recommendation. An International Motor Insurance Certificate may be (1) printed black on white or black on green or (2) presented in a Portable Document Format (PDF) in an electronic form independent of the software, hardware or operating system that it is displayed on.**

~~4~~ 5. **An International Motor Insurance Certificate ~~Green-Card~~** valid for the country or countries visited certifies the existence of insurance cover in respect of third-party liabilities, arising from road accidents caused by a visiting motorist, for which insurance is compulsory.

~~5~~ 6. The acceptance of **an International Motor Insurance Certificate ~~Green-Card~~** by the insured authorizes the Bureau, under the authority of which it was provided and the Bureaux of any countries to which such power is delegated to accept service of legal proceedings in respect of any relevant claim.

~~6~~ 7. When a claim is made against a person holding **an International Motor Insurance Certificate ~~Green-Card~~**, the Bureau of the country in which the accident occurred, acting under the authority referred to in paragraph ~~5~~ 6 above, shall accept service of proceedings against that person. That Bureau shall handle and if necessary, settle the claim on behalf of the Bureau which **either provided the ~~Green-Card~~ International Motor Insurance Certificate or authorised its member insurer to do so.**

~~7~~ 8. However, insofar as the law permits, agreements shall be concluded by the Bureaux to permit an insurer authorized to carry out its activities in the country in which the accident occurred to handle claims against its own policyholders.

~~8~~ 9. The Bureau of the country in which the accident occurred shall have regard, on request, to the conditions and limitations contained in the Policy of Insurance insofar as these are permitted under the law on compulsory third party motor insurance of that country.

~~9~~**10.** Agreements between Bureaux shall provide for reimbursement in full of claims paid and for payment of any charges and fees that may be agreed.

~~10~~**11.** Wherever possible, participating Governments shall aim at eliminating the inspection of ~~Green Cards~~ **International Motor Insurance Certificates** at their frontiers by the conclusion by their respective Bureaux of specific agreements for that purpose. The Multilateral Guarantee Agreement, or a successor agreement drawn up by the Council of Bureaux, or similar agreements concluded bilaterally between Bureaux are examples of such agreements.

~~11~~**12.** In each country the Government of which has adopted this Recommendation, ~~Green Cards established in conformity with any of the models referred to in paragraph 3 above~~ **International Motor Insurance Certificates** shall be accepted, without any formality or cost, as evidence of insurance complying with the compulsory third party motor insurance law of that country as regards vehicles in respect of which such ~~Green Cards~~ **International Motor Insurance Certificates** have been issued.

~~12~~**13.** Persons arriving with a motor vehicle, but without a valid ~~Green Card~~ **International Motor Insurance Certificate** of the approved type, in a country where insurance is compulsory or in a country the Bureau of which is not a Signatory of the Multilateral Guarantee Agreement (or a successor agreement drawn up by the Council of Bureaux or of a similar Agreement concluded between that Bureau and the Bureau of the “sending” country), may be required to:

- take out a frontier insurance or, insofar as the law of the visited country permits,
- take out a regular motor insurance policy for that country, or
- contribute to a guarantee scheme for the victims of accidents.

~~13~~**14.** In countries where insurance is not compulsory in respect of the category of the vehicle of the visiting motorist, production of evidence of insurance shall not be required.

~~14~~**15.** The ~~Green Card~~ **International Motor Insurance Certificate** shall conform in colour, content and layout to the models referred to in paragraph 3 4 above. The dimensions of the ~~Green Card~~ **International Motor Insurance Certificate** may be varied, provided that the format is not changed, but the overall size of the document shall not be larger than A4. The ~~Green Card~~ **International Motor Insurance Certificate** shall be made out in the language of the Bureau of issue and its title shall also be given in English and French. All data on the **Green Card International Motor Insurance Certificate** shall be recorded in the Latin alphabet with the option, if desired, to additionally record the same data in other alphabets.

~~15~~**16.** Governments of other countries in which compulsory third party motor insurance law is in force and who intend to adopt this Recommendation shall notify the Secretariat of the Working Party that:

- the authorized motor insurers have established, or intend to establish, a ~~Green Card~~ Bureau with the authority to issue ~~Green Cards~~ **International Motor Insurance Certificates** to their insureds travelling abroad.
- the ~~Green Card~~ Bureau is, or will be, equipped to handle third party claims covered by the ~~Green Cards~~ **International Motor Insurance Certificates** of visiting motorists.
- the ~~Green Card~~ Bureau has the means to fulfil its financial obligations.
- they will accept ~~Green Cards~~ **International Motor Insurance Certificates** as evidence that visiting motorists are insured to the extent required by the compulsory third party motor insurance law in that country.

~~16~~**17.** Adoption of this Recommendation implies that Governments shall place no obstacle in the way of the export of currency to meet the international obligations incurred under the Agreements of the “Green Card System”. Governments shall provide the Economic Commission for Europe with a written undertaking in this respect.

17 18. The secretariat shall inform the Governments of all countries concerned and the Council of Bureaux at the earliest possible moment of the notifications received in accordance with paragraphs 156 and 167 above.

18-19. Any change to the "Green Card System" or to the format of the ~~Green Card~~ **International Motor Insurance Certificate**, which may be considered by a participating Government or by the Council of Bureaux to be necessary in the light of experience, shall be brought to the notice of the secretariat. The secretariat shall refer the proposed change to the Working Party for a decision.

APPENDICES 1 TO 2 4

Models of the International Motor Insurance ~~Card~~ **Certificate** (Green Card)

(English and French only)

Appendices

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To obtain copies more information on the models of the Green Card International Motor Insurance Certificate please refer consult the website of the to Council of Bureaux¹ or send an enquiry at secretariat@cobx.org.

¹ www.cobx.org