



Recommendation 480 (1967)¹

Civil liability for motor accidents

Parliamentary Assembly

The Assembly,

1. Considering that paragraph 1 (c) of [Resolution No. 2](#), adopted at the 4th Conference of European Ministers of Justice, recommends that the Committee of Ministers instruct the European Committee on Legal Co-operation (CCJ) to take account of the views expressed at this Conference on the desirability of having a European Code on Liability for Motor Accidents and to give priority to the study of this question ;
2. Having noted that the CCJ has recommended setting up a committee of experts with a view to investigating harmonisation possibilities and proposing concrete measures in the field of civil liability of motorists ;
3. Regretting that the European Convention on Compulsory Insurance against Civil Liability in respect of Motor Vehicles is not yet in force, having been ratified by the Federal Republic of Germany, Greece and Norway only ;
4. Welcoming the fact that insurance against civil liability in respect of motor vehicles has nevertheless already been made compulsory in many Council of Europe member States, a measure which helps to ensure that victims of motor accidents are fairly compensated ;
5. Observing that under the laws of Council of Europe member States compensation due to victims of motor accidents generally has to be provided by the driver responsible or his insurer ;
6. Noting that the risks which have to be covered in those countries which have compulsory insurance differ considerably from one country to another, partly because the principle of "fault" has been modified by some member States in order to bring their legislation into line with present traffic requirements, but still subsists in other member States, and partly because the extent of the risks covered by compulsory motor insurance varies from country to country ;
7. Considering that the present situation in which legislation varies from one member State to another is no longer compatible with the flow of road traffic which is becoming more and more international,
8. Recommends the Committee of Ministers :
 - a. to invite those member States which have not yet done so to sign and ratify as soon as possible the European Convention on Compulsory Insurance against Civil Liability in respect of Motor Vehicles ;
 - b. to instruct the European Committee on Legal Co-operation (CCJ) to give priority to its work on the question of civil liability of motorists with a view to harmonising the risks being covered by compulsory motor insurance and paying particular attention to the possibility of abolishing the "fault" principle.

1. Assembly Debate on 26th January 1967 (23rd Sitting) (see [Doc. 2173](#), report of the Legal Committee). Text adopted by the Assembly on 26th January 1967 (23rd Sitting).

