

Interim solution – Crimea

1. Preamble

- The political evolutions that have taken place in Crimea in 2014 have given rise to a number of questions regarding the application of the Green Card System to the territory of Crimea, both in terms of incoming traffic on the territory of Crimea as outgoing traffic leaving the territory of Crimea;
- The Council of Bureaux (CoB) does not participate in the political discussion and maintains a standpoint of complete neutrality in this regard;
- As an organisation responsible for the continuity of the Green Card System, the CoB needed however to work out a practical interim solution in order to safeguard the application of the Green Card System to the territory of the Russian Federation (RUS), Ukraine (UA) and Crimea. This solution takes into consideration the political reality as it stands upon the adoption of this decision;
- The interim solution has been drafted after negotiations between the Bureaux concerned (the Bureau of RUS and the Bureau of UA) with the presence of the CoB; points upon which no agreement could be found between the parties have been decided by the Management Committee;
- The interim solution constitutes a decision of the CoB, after consultation of the parties involved;
- This interim solution shall be valid as long as the sanctions taken by the European Union (EU), and the United Nations (UN) allow money transfer from and to RUS and/or from and to the Russian Motor Insurers' Bureau;

2. Incoming Traffic

2.1. Access

At the Crimean borders, vehicles are currently allowed to enter the Crimean territory with Green Cards valid either for UA or for RUS.

In order to be in line with the rules of the Green Card System and to avoid problems of cover to be given by foreign insurers, entry into Crimea should be conditional upon the presentation of a Green Card which is valid for both RUS and UA.

The following decision has been taken:

The Council of Bureaux calls upon the Member Bureaux to accept that a Green Card, valid for Ukraine, would also be valid for the territory of Crimea. This message shall be transferred to the Member insurers of all Bureaux.

For all vehicles not registered in Ukraine or Russia, entry to the territory of Crimea is conditional upon the presence of a Green Card, valid for the territory of both Russia and Ukraine. The Russian Bureau shall inform the border authorities about this decision in order to ensure that vehicles are only allowed access to the territory of Crimea upon the presentation of a Green Card, valid for the territory of both Russia and Ukraine.

No Green Card is necessary for vehicles registered in Ukraine or Russia in order to enter the territory of Crimea.

2.2. Guarantee

With respect to vehicles with UA registration plates, accidents occurring in Crimea are considered as domestic claims, and therefore such claims are not considered as Green Card claims (not within the scope of the Internal Regulations).

With respect to vehicles with RUS registration plates, accidents occurring in Crimea are considered as domestic claims, and therefore such claims are not considered as Green Card claims (not within the scope of the Internal Regulations).

2.3. Claims handling

The UA Bureau is in the practical impossibility to organise any claims handling activity for accidents occurred on the Crimean territory. From a practical point of view, the RUS Bureau would be in the best position to handle such claims. But having regard to the UA law on Crimea, the UA Bureau cannot sign any agreement allowing such a practical solution.

For these reasons the following decision has been taken:

The Council of Bureaux calls upon the Member Bureaux to recognise that the Russian Bureau operates as a temporary claims handler for the territory of Crimea. Such recognition does not entail recognition of the Russian Bureau operating on Russian territory. This message shall be transferred to the Member insurers of all Bureaux

3. Outgoing traffic

In case of accidents outside Russia and outside Ukraine, caused by vehicles originating from Crimea, the normal claims handling process can be followed as for any Green Card case: the victim of a road traffic accident caused by a vehicle originating from Crimea can address a claim to either the insurer, the correspondent of the foreign insurer, or the Green Card Bureau of the country of accident.

Greet Floré
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