



**EUROPEAN COMMISSION**

**PRESS RELEASE**

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## **Have a safe trip: Commission consults on how to help victims of road accidents abroad**

Around 130 million Europeans have planned a holiday in another European Union country this year. Around three-quarters of them will use a car or motorbike at least once to reach their destination. Inevitably, some holidaymakers will get caught up in road traffic accidents, either on the way or during their break. But how can they claim compensation if they are a victim of an accident in a country other than their own? Where can they file their claim? And what is the deadline for a compensation claim?

The European Commission has today launched a public consultation to help victims of cross-border traffic accidents, who may currently face difficulties because of varying time limits for claiming compensation for damage in case of an accident abroad in the EU (see Annex). The consultation will run until 19 November.

Vice-President Viviane Reding, the EU's Justice Commissioner said: *"There are around 1 million road traffic accidents in the EU every year and some of these inevitably involve visitors from other EU countries. A road accident is a stressful experience for anyone, but it can get even worse if the victim is denied compensation due to complicated rules on bringing a claim. The European Commission wants to find out more so that we can offer effective solutions and make sure all victims have proper access to justice. European Citizens should feel at ease when using their car to go on holiday in another EU country."*

Today, different national rules lead to a confusing situation for victims, who may miss the sometimes short deadlines and end up receiving no compensation at all. The aim of the consultation is to get a better idea of the scale of the problem and to assess potential solutions. The initiative overlaps with the Commission's broader efforts to help victims of crime in the EU ([IP/11/585](#)) and follows recent endorsements by the European Parliament and the Council of the Commission's proposal on minimum rights for crime victims ([MEMO/12/541](#)).

Possible solutions that are addressed in the public consultation range from improving information to victims of cross-border road accidents, to harmonising limitation and prescription periods (the time limits for bringing legal action for damages following an accident). The consultation is aimed at road traffic accident victims, all those who travel abroad with their car, legal practitioners, insurers and any other interested individual or organisation.

## Background

Estimates of the amount of people involved in cross-border traffic accidents vary, as no centralised statistics are available. However, it is likely that at least 2% of road accidents in the EU involve visitors from another EU country. These may be holidaymakers, cross-border workers (such as lorry drivers) or people who commute across borders to their workplace.

European travellers who are a victim of a car accident in another EU country are likely to claim compensation for damages that they suffer in the accident. Each EU country has different procedural rules for claiming compensation with widely varying national rules on time limits for making a claim which can range from 1 to 10 years (see Annex). Visitors from other Member States are less likely to be familiar with these rules, creating problems for victims in accessing justice.

In some cases, victims may even run the risk of receiving no compensation for harm suffered due to particularly short limitation or prescription periods applicable in the EU country where the accident occurred. Travellers may also lack knowledge regarding the commencement of or the possibilities of suspending these limitation and prescription periods.

Today's consultation forms part of the European Commission's continuous effort to improve the rights of EU citizens. Since 9 May, the Commission has launched the biggest ever EU public consultation on citizens' rights to identify possible obstacles citizens still face when travelling in Europe or when shopping online for example ([IP/12/461](#)). The consultation will be open until 9 September and the input received will feed directly into the 2013 EU Citizenship Report to be presented next May.

### For more information:

Public consultation: Limitation periods for compensation claims by victims of cross-border road traffic accidents in the EU:

[http://ec.europa.eu/justice/newsroom/civil/opinion/121031\\_en.htm](http://ec.europa.eu/justice/newsroom/civil/opinion/121031_en.htm)

Homepage of Vice-President Viviane Reding, EU Justice Commissioner:

<http://ec.europa.eu/reding>

European Commission – Civil justice: limitation periods for traffic accidents:

[http://ec.europa.eu/justice/civil/commercial/car-accident/index\\_en.htm](http://ec.europa.eu/justice/civil/commercial/car-accident/index_en.htm)

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## **Annex: Basic limitation periods for compensation claims by victims of road traffic accidents**

Member State	Period of limitation in years for claims against liable third party (e.g. car driver)	Period of limitation in years for claims against liable third party insurer
AT	3	3
BE	3	3
BG	5	5
CY	2	2
CZ	3-2	3-2
DE	3	3
DK	5	5
EE	3	3
EL	5	2-5
ES	1	1
FI	3	3
FR	10	1-3-5
HU	5-3	5-3
IE	6-2-1	6-2
IT	2	2
LT	3	1-3
LU	30	5
LV	10	10-3-1
MT	2	2
NL	1-3-5-10	3
PL	3	3
PT	3	3
RO	3	3
SE	3	3
SI	3	3
SK	2-3-10	2-3-10
UK	6-3	6-3

The data presented in this table comes from a study entitled "Compensation of victims of cross-border road Traffic accidents in the EU: comparison of national practices, analysis of problems and evaluation of options for improving the Position of cross-border victims" available at [http://ec.europa.eu/internal\\_market/insurance/consumer/motor/index\\_en.htm](http://ec.europa.eu/internal_market/insurance/consumer/motor/index_en.htm)

The table represents differences in length of basic limitation periods applicable to compensation claims originating from road traffic accidents. More than one number in the table signifies that the periods of limitation differ in the Member State concerned, depending on different factors, e.g. whether a claim concerns property damage or personal injury.