

FAULT-BASED AND STRICT LIABILITY

The fourth project in the cooperation between ETL, ECTIL and Yantai University (China) addresses the topic 'Fault-based and Strict Liability'. While it seems safe to say that all European legal systems, as well as the Chinese Tort Liability Law, endorse liability based on fault, they differ in their attitude towards liability in the absence of that foundation. A thorough examination of the relatively cautious use of strict liability found in the Chinese Tort Liability Law and the common law on the one hand, and the prominent support for it in influential Continental European jurisdictions on the other may lead to valuable new perspectives on the viability of commonly-used bases for strict liabilities. The project pays special attention to the use of rules reversing the burden of proving fault in Chinese and European statutes, which are sometimes considered to fall into a grey area between fault-based and strict liability.

At this public conference, contributors will present their most significant findings. The results will be published in English by Jan Sramek Verlag (Vienna) under the title 'Fault-based and Strict Liability. Chinese and European Perspectives'.

Please register with Lisa Zeiler (zeiler@ectil.org), preferably before September 30. The conference is free of charge.

FURTHER INFORMATION AND REGISTRATION:

European Centre of Tort and Insurance Law (ECTIL)	Institute for European Tort Law (ETL)
Reichsratsstrasse 17/2, A-1010 Vienna, Austria	Reichsratsstrasse 17/2, A-1010 Vienna, Austria
Tel. +43 1 4277 29650; Fax +43 1 4277 29670	Tel. +43 1 4277 29651; Fax +43 1 4277 29670
E-mail: ectil@ectil.org	E-mail: etl@oeaw.ac.at
http://www.ectil.org	http://www.etl.oeaw.ac.at



FAULT-BASED AND STRICT LIABILITY

CHINESE AND EUROPEAN PERSPECTIVES

FRIDAY, 18 OCTOBER 2019

MINISTRY OF JUSTICE
(PALAIS TRAUTSON),
MUSEUMSSTRASSE 7,
1010 VIENNA

ÖAW
AUSTRIAN
ACADEMY OF
SCIENCES



CONFERENCE PROGRAMME

FRIDAY, 18 OCTOBER 2019 (MINISTRY OF JUSTICE, PALAIS TRAUTSON)

MORNING SESSION

- 09:00** **Welcome Address**
- 09:05** **Introductory Remarks**
Chair: SONG Hongsong, Yantai University
- GENG Lin, Tsinghua University
Ernst KARNER, Institute for European Tort Law and Centre of European Tort and Insurance Law
- 09:35** **Differences Between Fault-Based and Strict liability and Reasons for Them**
Chair: Monika HINTEREGGER, University of Graz
- GUAN Tao, Yantai University
Corinne WIDMER-LÜCHINGER, University of Basel
Andrew BELL, Institute for European Tort Law
- 10:35** **Discussion**
- 11:00** COFFEE BREAK
- 11:30** **The Structure of Strict Liability and an Intermediate Area of Liability**
Chair: MAN Hongjie, Shandong University
- SHI Jiayou, Renmin University
Johannes FLUME, Freie Universität Berlin
Matthew DYSON, University of Oxford
- 12:30** **Discussion**
- 13:00** LUNCH BREAK

AFTERNOON SESSION

- 14:30** **Case A**
Chair: Walter DORALT, University of Graz
- YANG Yinhong, Fujian Normal University
Katarzyna LUDWICHOWSKA-REDO, Institute for European Tort Law
- 14:50** **Discussion**
- 15:05** **Case B**
Chair: Christiane WENDEHORST, University of Vienna
- CAO Xianfeng, Jilin University
Lukas SCHELLERER, University of Vienna
- 15:25** **Discussion**
- 15:40** COFFEE BREAK
- 16:10** **Case C**
Chair: GENG Lin, Tsinghua University
- MAN Hongjie, Shandong University
David MESSNER, Institute for European Tort Law
- 16:30** **Discussion**
- 16:45** **Closing Remarks/Conclusion**
- Ernst KARNER, Institute for European Tort Law and Centre of European Tort and Insurance Law