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.
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
  Kasia 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