



DIGEST EUROPEAN TORT LAW VOL. 2 DETL (Digest of European Tort Law)

Bénédict Winiger

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With an emerging *ius commune* in the field of tort law, the extensive range of experiences derived from national court practice on the basis of prior laws will in certain respects be of comparatively less importance. A major lacuna is thus apparent: While publications of court decisions and databases exist, none provide access to a comparative selection of recurring issues in the various European legal systems. Along the lines of the previous Digest project on Causation, this study covers another key element of tort law damage. The publication contains a systematic selection of cases from 27 countries across Europe in addition to ECJ case-law, with each case benefiting from an analysis and commentary from a national and, where appropriate, a comparative perspective. Further, the impact of these rulings on a future European law of torts is highlighted. Finally, the publication also looks into how key cases would be resolved under unified European tort law drafts. The object of the study is thus to bridge domestic case-law with the new body of uniform tort law thus facilitating the continuity of legal development in Europe.

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