

# The Principles of European Tort Law

Where are the gaps  
and how to fill them

Conference in honour of  
**Bénédict Winiger**

**Friday and Saturday**  
**23 & 24 September 2022**  
Uni Mail, room MS150

Free admission upon registration until 15 September 2022  
[PETL-2022@unige.ch](mailto:PETL-2022@unige.ch)

## THURSDAY, 22 SEPTEMBER

19.00 **Welcome dinner** for the speakers and presidents of panels

## FRIDAY, 23 SEPTEMBER

09.00 **Introduction**

*Rashid Bahar (Vice-Doyen), Thomas Kadner Graziano*

**FIRST PANEL**, chaired by *Christine Chappuis*

09.20 **The impact of the PETL on national legislation and case law – a survey**

*Miguel Martin Casals, Girona*

09.40 **Art. 10:101 PETL: The purposes of tort law considered & reconsidered**

*Thomas Kadner Graziano, Geneva*

10.00 **Art. 2:102 PETL: Protected Interests under the Principles of European Tort Law: Preserving the Past for Shaping the Future**

*Marta Infantino, Trieste*

10.20 **Comment** by *Helmut Koziol (Honorary President ECTL)* and **discussion**

10.50 **Coffee break**

**SECOND PANEL**, chaired by *Doris Forster*

11.10 **Art. 4:102 PETL: An objective or subjective standard of fault – does the difference really matter?**

*Monika Hinteregger, Graz*

11.30 **Arts 1:101, 4:101 ff PETL: Should wrongfulness be required or is fault enough?**

*Jonas Knetsch, Paris I University*

11.50 **Comment** by *Ernst Karner, Vienna (EGL)* and **discussion**

12.30 **Lunch break (caf  teria)**

**THIRD PANEL**, chaired by *Eugenia Dacoronia, Athens (EGL)*

14.00 **Arts 4:201 PETL: Revisiting the grey areas between fault-based and strict liability**

*Barbara Steininger, Graz*

14.20 **Arts 5:101 and 5:102 PETL: Strict Liability – the ‘black hole’ and ‘central building site’**

*Christoph Oertel, Hamburg*

14.50 **Comment** by *Ernst Karner, Vienna (EGL)* and **discussion**

15.20 **Coffee break**



## FRIDAY, 23 SEPTEMBER

### **FOURTH PANEL**, chaired by *Numa Graa*

**15.40 Drive (back) into lane 5:101? A few remarks on the future of road traffic liability within the PETL**

*Katarzyna Ludwiewska-Redo, Vienna*

**16.00 Product liability: a relic or the logical next step for PETL?**

*Piotr Machnikowski, Wrocław*

**16.20 Enterprise liability**

*Corinne Widmer Lüchinger, Basel*

**16.40 Discussion**

**17.00 Coffee & tea break**

**\*\*\* Accueil du grand public \*\*\***

**17.30 Laudatio** de la doyenne, *Audrey Leuba*

**17.45 **Bénédict Winiger: Un couteau suisse pour des décisions morales -  
A Swiss pocket knife for making moral decisions****

**18.15 Apéritif**

**19.00 Dinner**

## SATURDAY, 24 SEPTEMBER

### **FIFTH PANEL: GAP FILLING**, chaired by *Doris Forster*

**9.00 Adding limitation periods**

*Jens Kleinschmidt, Trier*

**9.20 Contractual limitations of liability and their impact on tort claims**

*Pascal Pichonnaz, Fribourg*

**9.40 Comment** by *Jean Sébastien Borghetti, Paris*, and **discussion**

**10.30 Coffee break**

### **SIXTH PANEL: FUTURE PERSPECTIVES**, chaired by *Thomas Kadner Graziano*

**10.45 A rule on liability for damage to the environment**

*Alex Geert Castermans, Leiden*

**11.15 Collective actions – Recent developments**

*Hannes Meyle, Zurich: 'Dieselgate' in Germany*

*Frederic Krauskopf, Berne: New collective redress in Switzerland - will Switzerland now become a haven for class actions?*

**12.15 Comment** by *Jaap Spier (Founder of EGTL)* and **discussion**

**12.45 Conclusions and acknowledgements**

**13.00 Déjeuner d'au revoir et fin de conférence**

