



# Non-Contractual Liability Arising out of Damage Caused to Another (Principles of European Law)

*Christian van Bar*

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In European law, "non-contractual liability arising out of damage caused to another" is one of the three main non-contractual obligations dealt with in the Draft of a Common Frame of Reference. The law of non-contractual liability arising out of damage caused to another - in the common law known as tort law or the law of torts, but in most other jurisdictions referred to as the law of delict - is the area of law which determines whether one who has suffered a damage, can on that account demand reparation - in money or in kind - from another with whom there may be no other legal connection than the causation of damage itself. Besides determining the scope and extent of responsibility for dangers of one's own or another's creation, this field of law serves to protect fundamental rights in the private law domain, that is to say horizontally between citizens inter se. Based on pan-European comparative research which annotates the work, this book presents model rules on liability. Explanatory comments and illustrations amplify the policy decisions involved. During the drafting process, comparative material from over 25 different EU jurisdictions has been taken into account. The work therefore is not only a presentation of a future model for European rules to come, but also provides a fairly detailed indication of the present legal situation in the Member States.

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