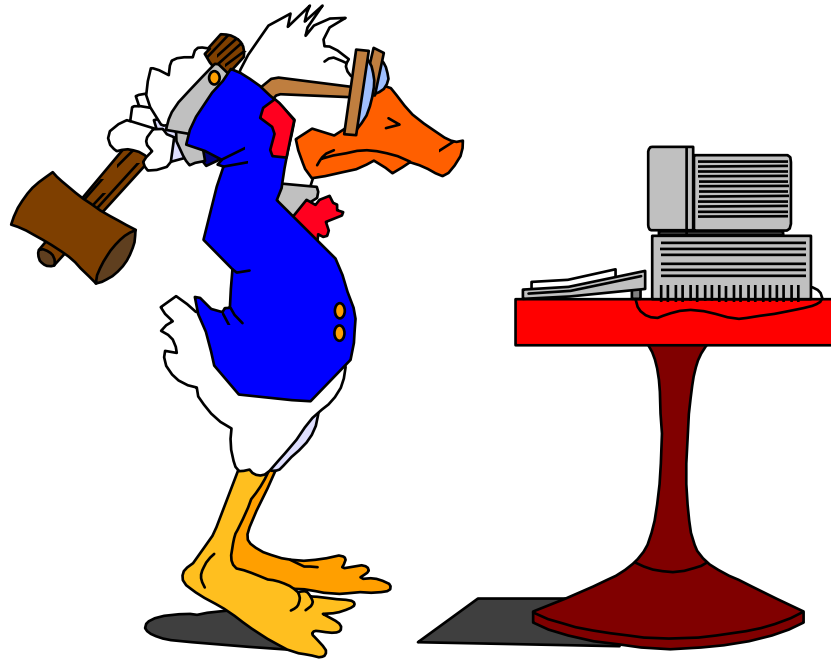


What is Civil Liability?



The Person who causes a damage shall compensate it !

Perequisites for Liability (Standard):

Person:

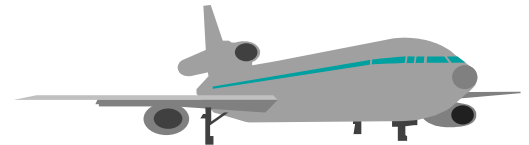
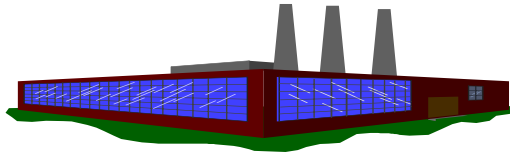
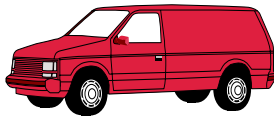
Damage:

Causation:

Fault:

(Fault based Liability)

Liability for dangerous activities



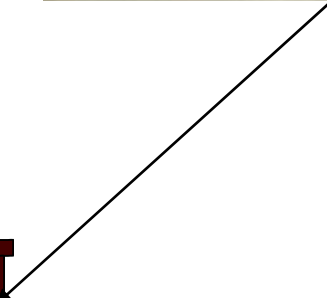
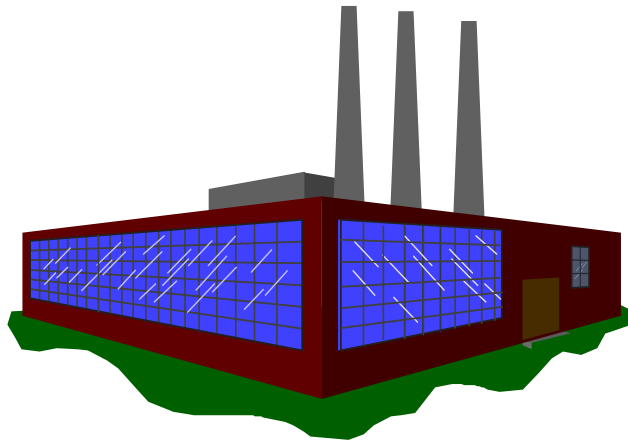
Person:

Damage: (strict liability)

Causation:

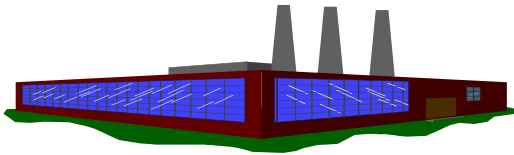
Dangerous activity

Evidence of fault ?



Federal Law relating to the Protection of the Environment:

Liability for activities dangerous to the environment



Scope:

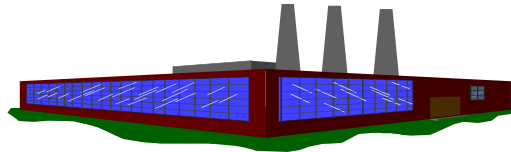
nature of the liability: strict liability:

time limits: 1/10

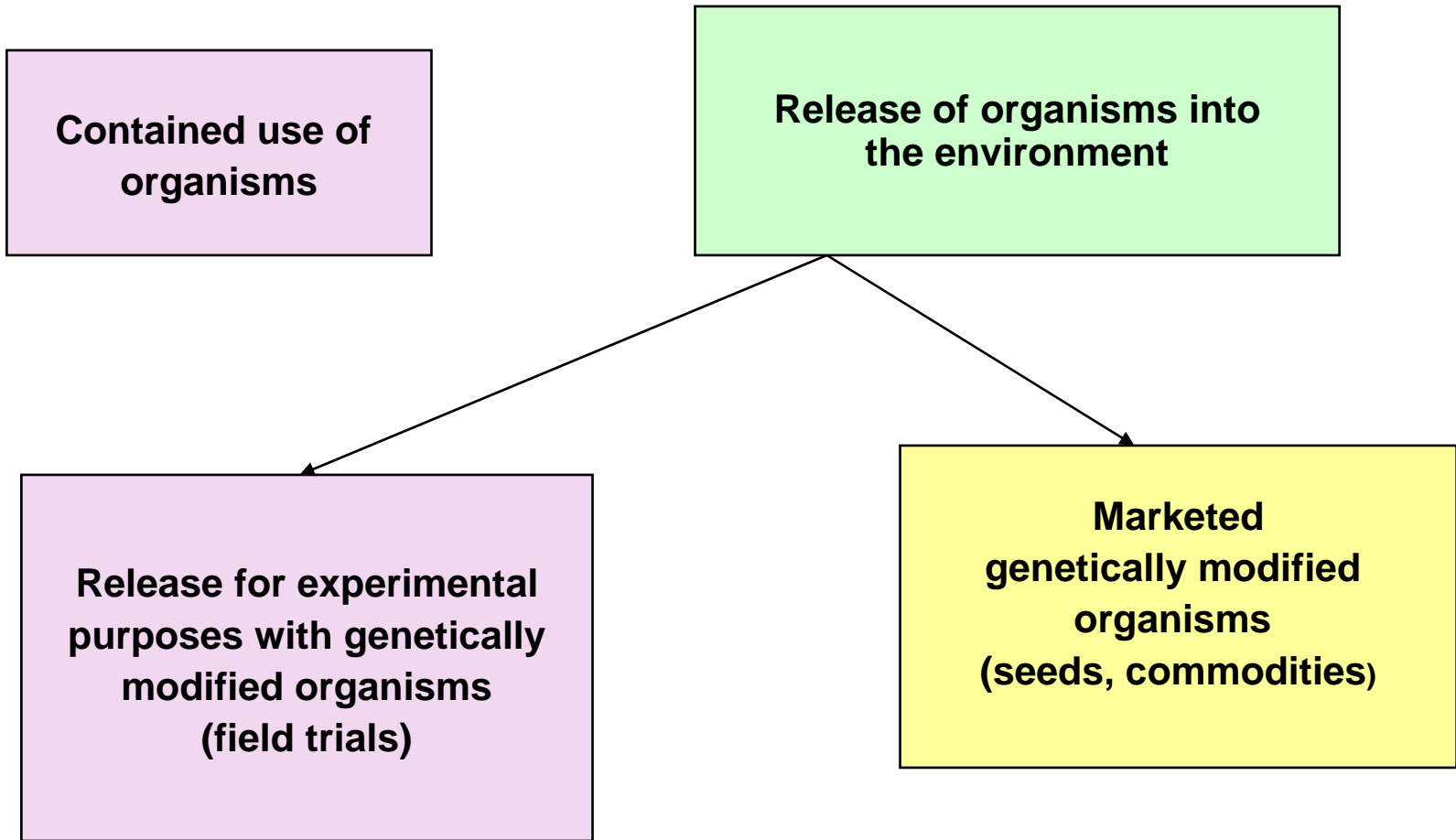
unlimited

Insurance and other financial guarantees

What is the purpose of a regulation on liability and compensation to the benefit of the environment ?



- Prevention
- Compensation
- involvement of the private sector
- (insurance industry, financial sector)
- using the marketforces; fixing the premium in relation to the risks



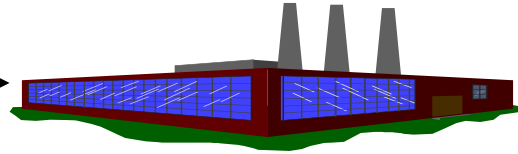
Contained use of organisms

Release of organisms into the environment

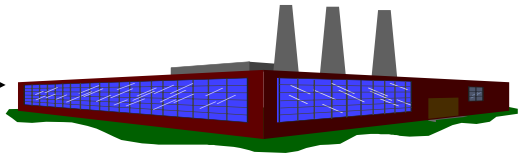
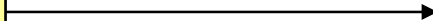
Release for experimental purposes with genetically modified organisms (field trials)

Marketed genetically modified organisms (seeds, commodities)

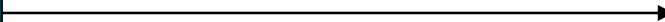
Contained use of organisms



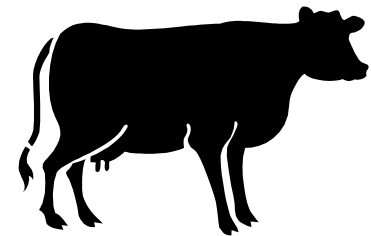
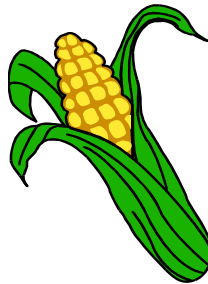
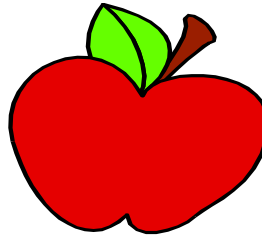
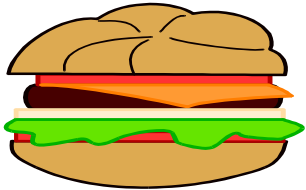
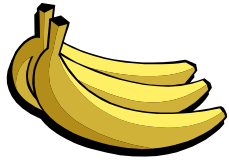
Release for experimental purposes with genetically modified organisms (field trials)

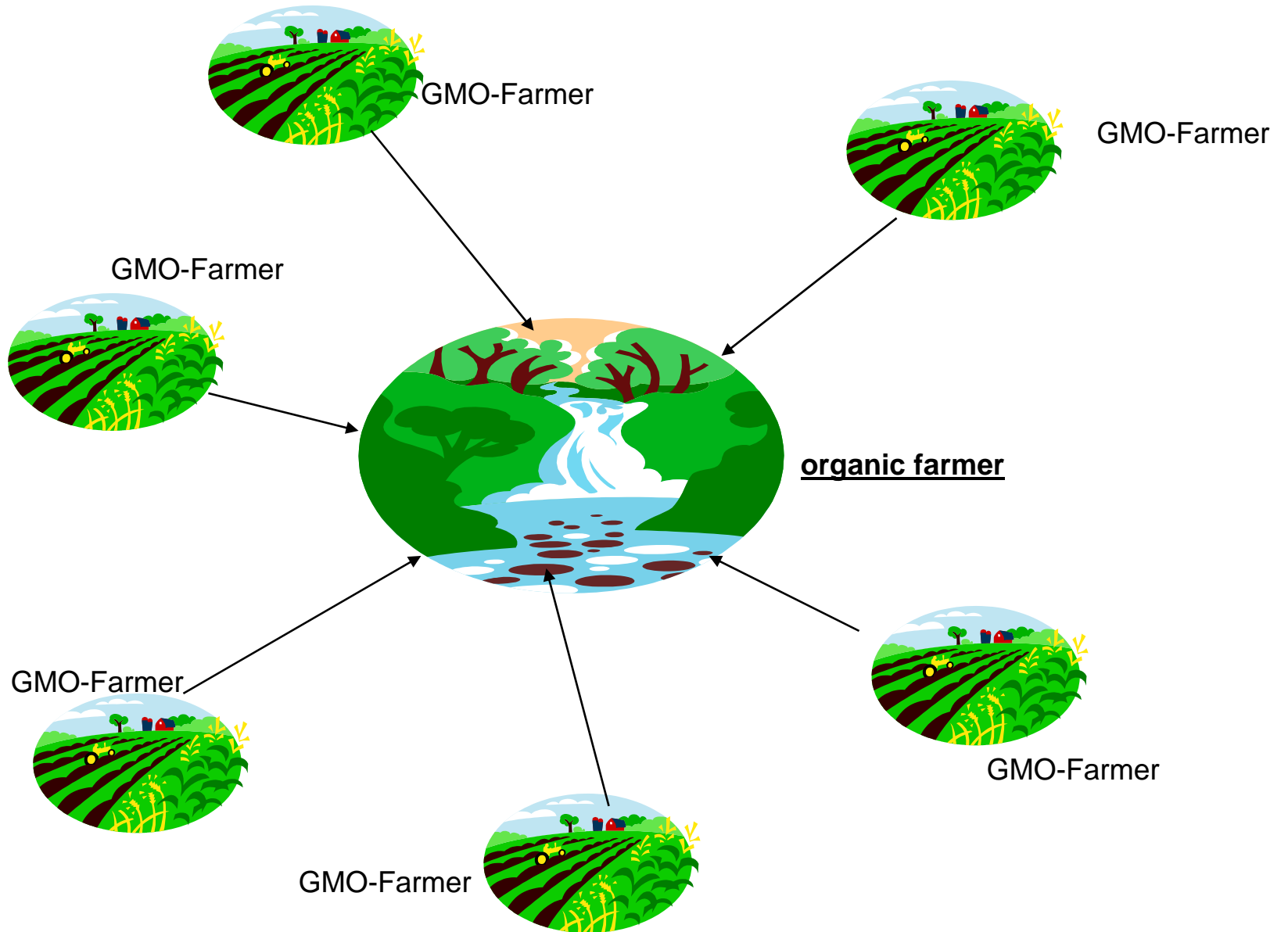


Marketed genetically modified organisms (seeds)

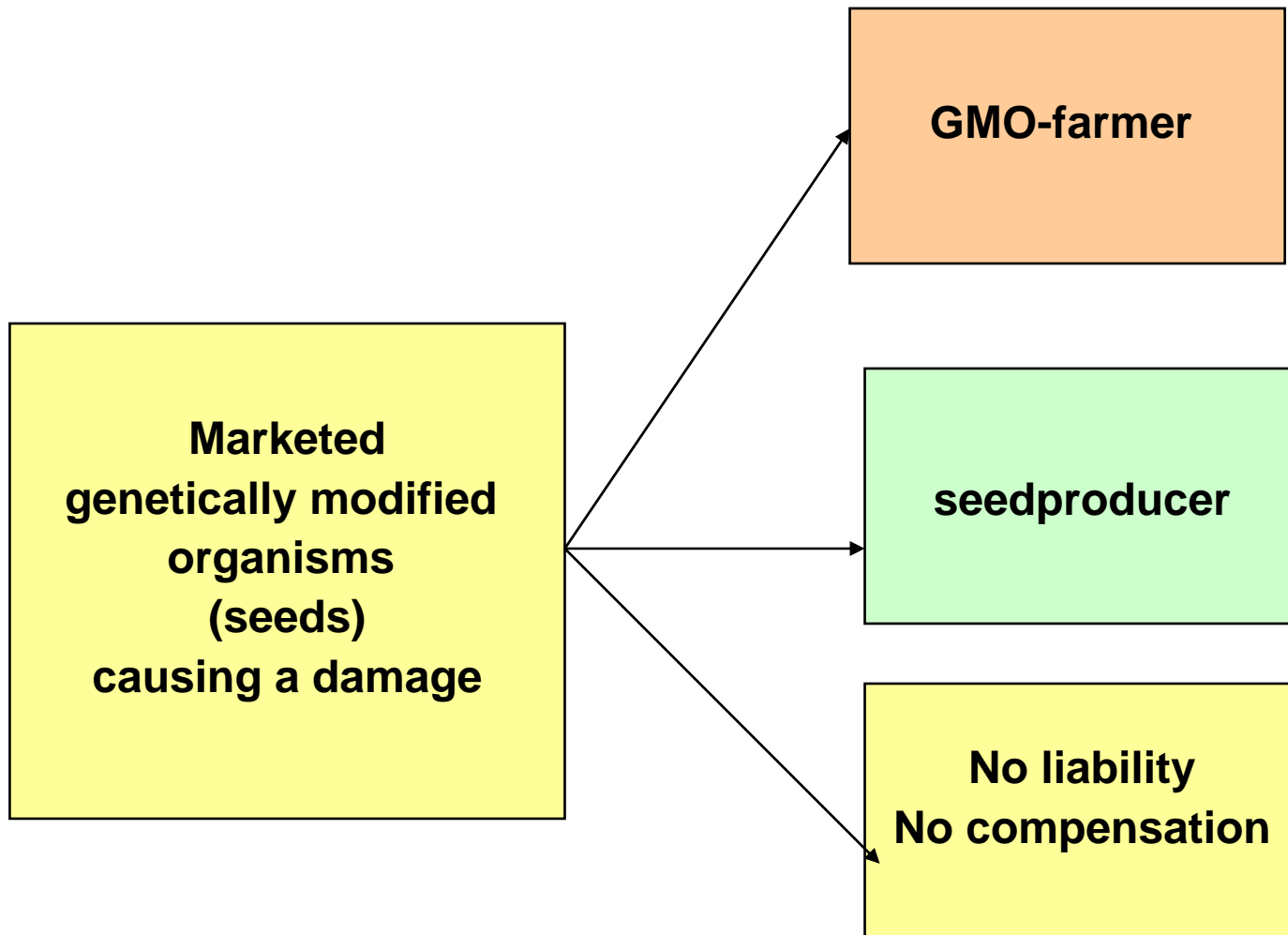


**Marketed
genetically modified
organisms**

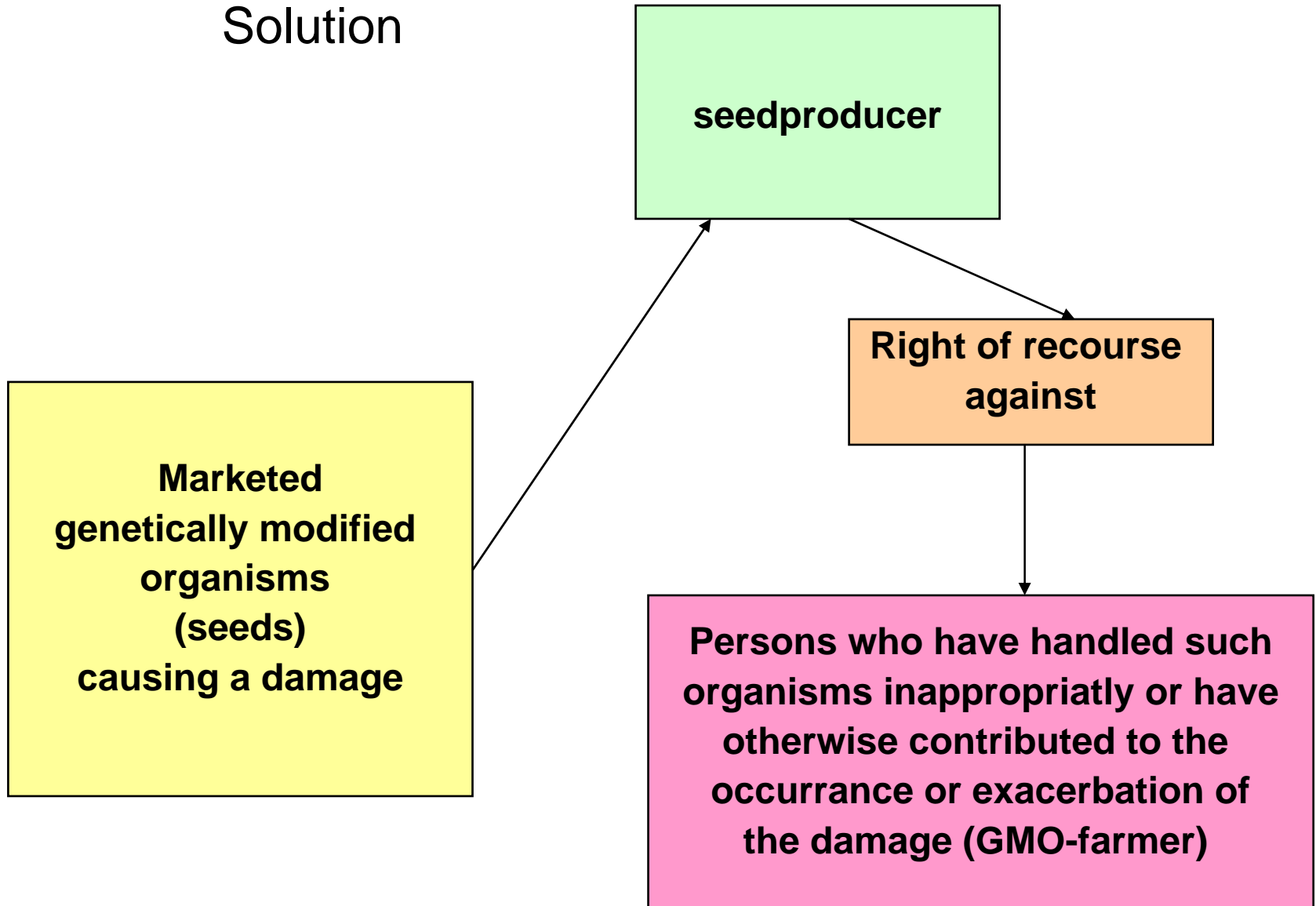


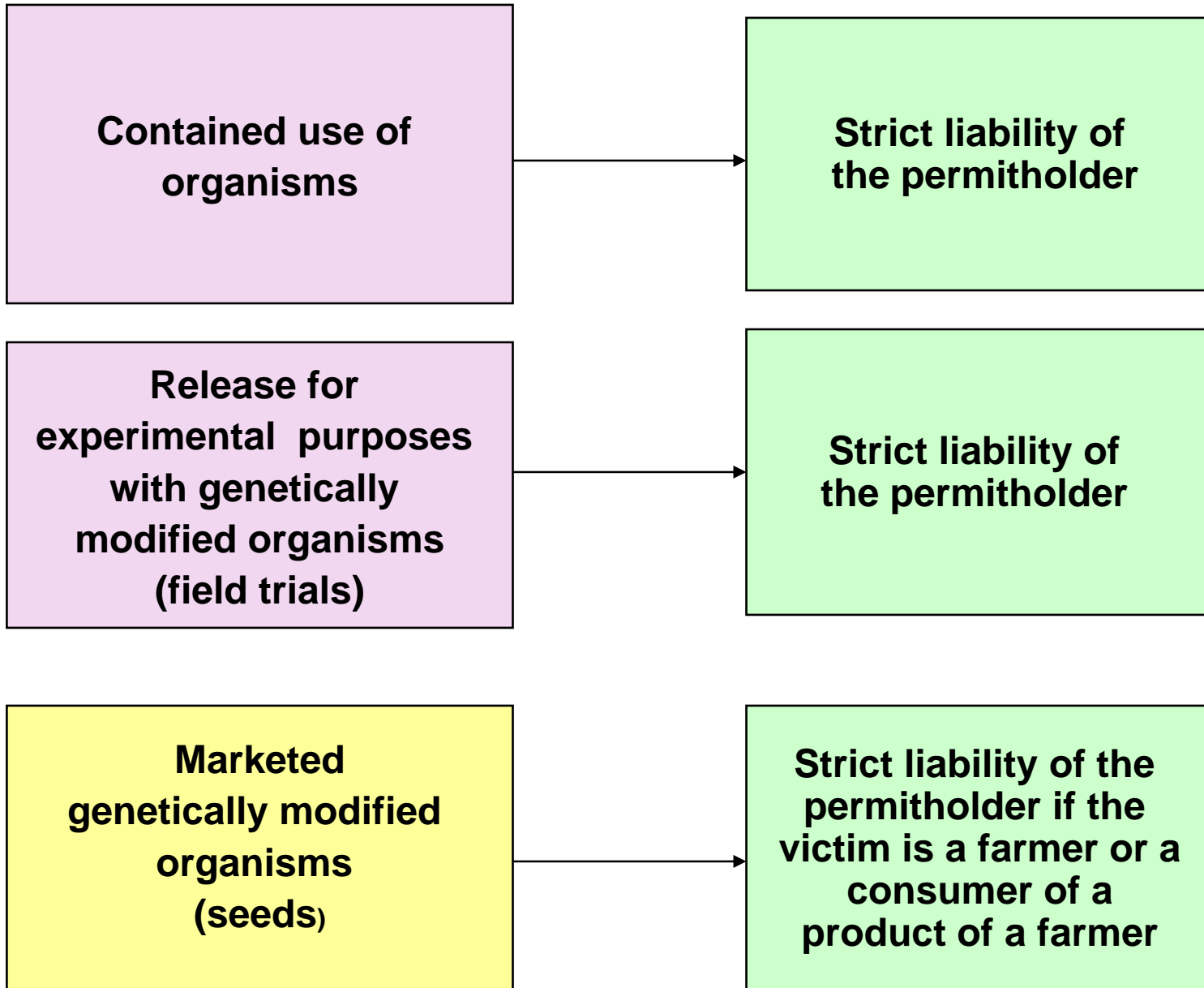


Channelling of the liability



Solution





**Marketed
genetically modified
organisms
(seeds)**

```
graph LR; A["Marketed genetically modified organisms (seeds)"] --> B["Strict liability of the permitholder if the victim is a farmer or a consumer of a product of a farmer"]; A --> C["Poduct liability in all other cases"]
```

**Strict liability of the
permitholder if the victim is
a farmer or a consumer of a
product of a farmer**

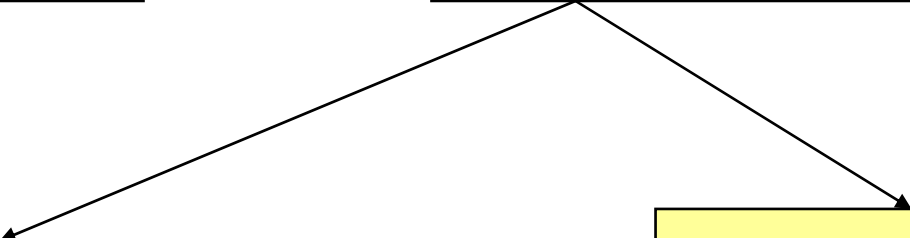
**Poduct liability in all
other cases**

Unlimited Liability

Time Limit

3 Years

30 Years



Important elements

Damage to the environment
must be compensated

Optional financial guarantees

Facilitation of the burden
of proof