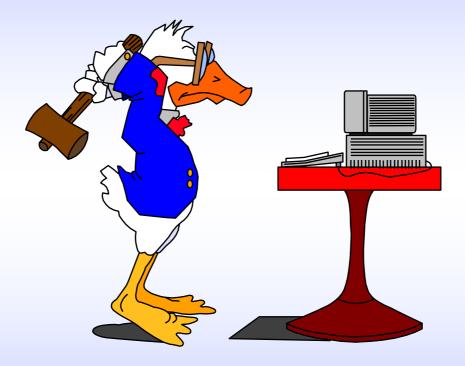
What is Civil Liability?



The Person who causes a damage shall compensate it!

Perequisites for Liability (Standard):

Person:

Damage:

Causation:

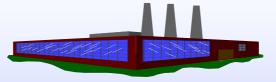
Fault:

(Fault based Liability)

Liability for dangerous activities









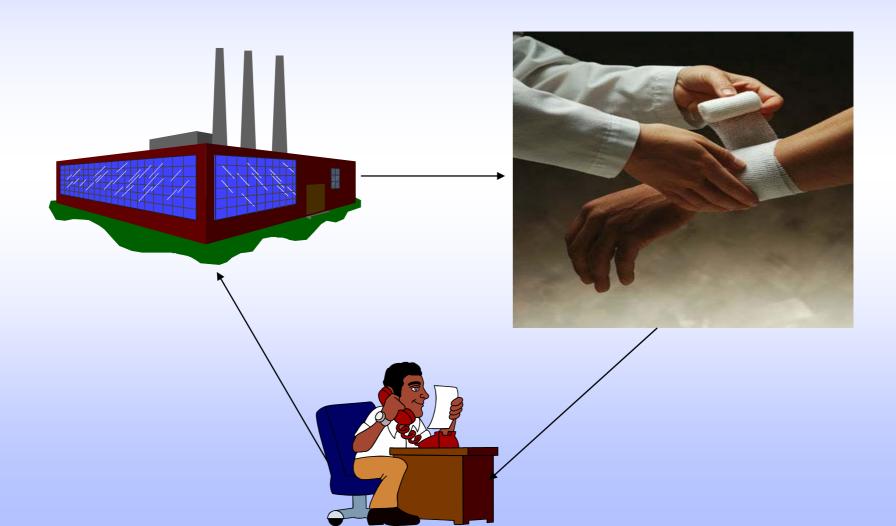
Person:

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:

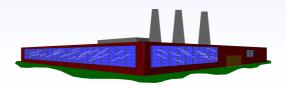
nature of the liability: strict liability:

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 market forcesfixing the premium in relation to the risks

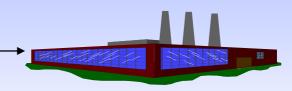
Contained use of organisms

Release of organisms into the environment

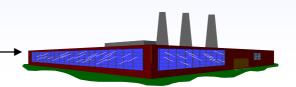
Release for experimental purposes with genetically modified organisms (field trials)

Marketed genetically modified organisms (seeds, commodities)

Contained use of organisms



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

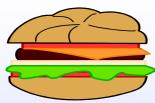


Marketed
genetically modified
organisms
(seeds)



Marketed genetically modified organisms





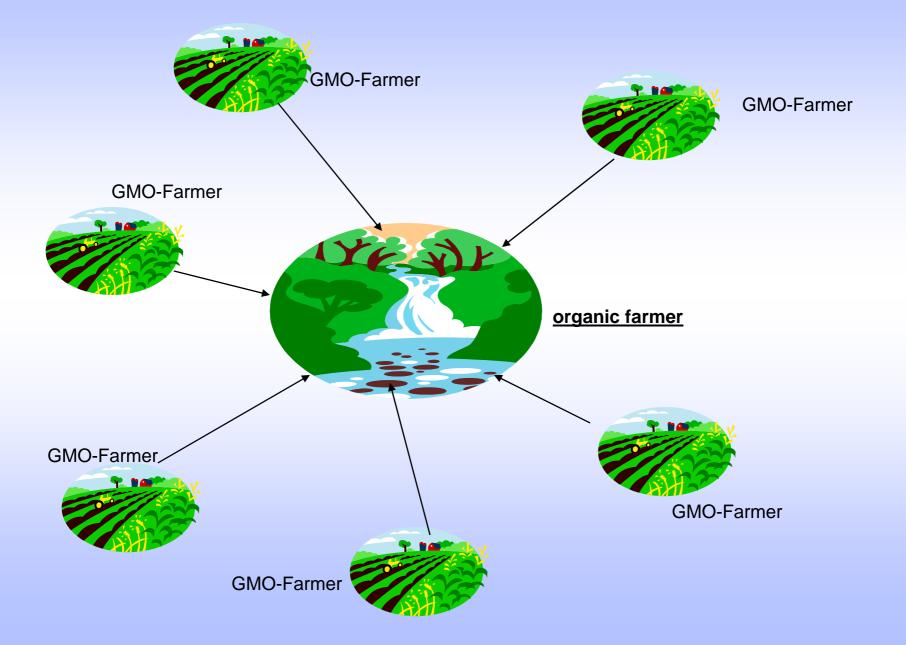




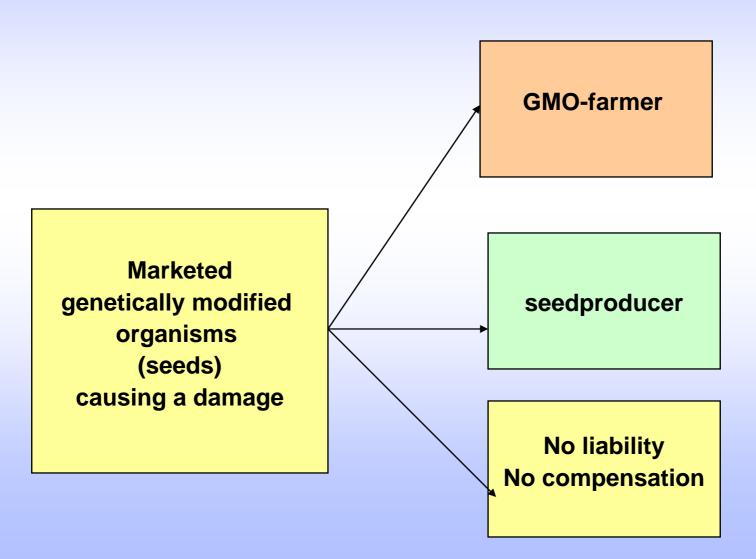








Chanelling of the liability

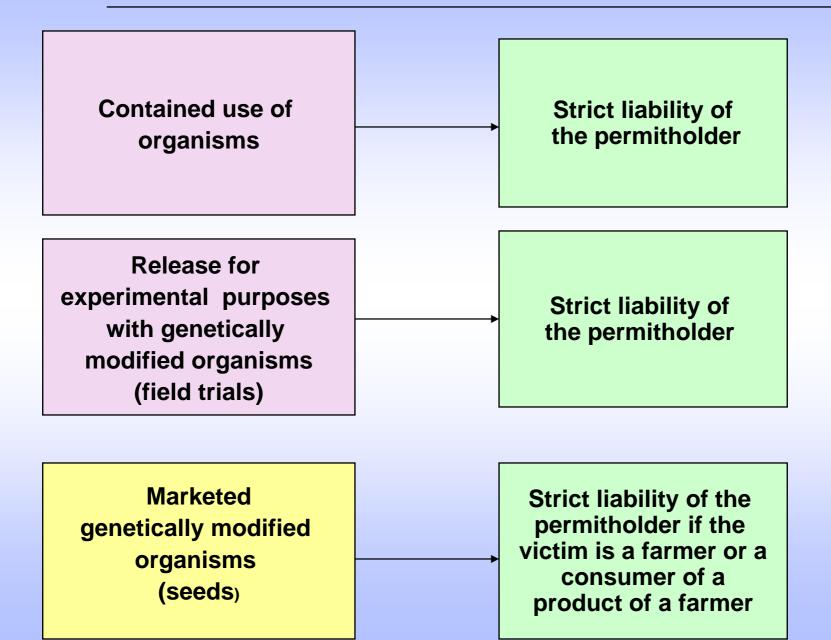




Marketed
genetically modified
organisms
(seeds)
causing a damage

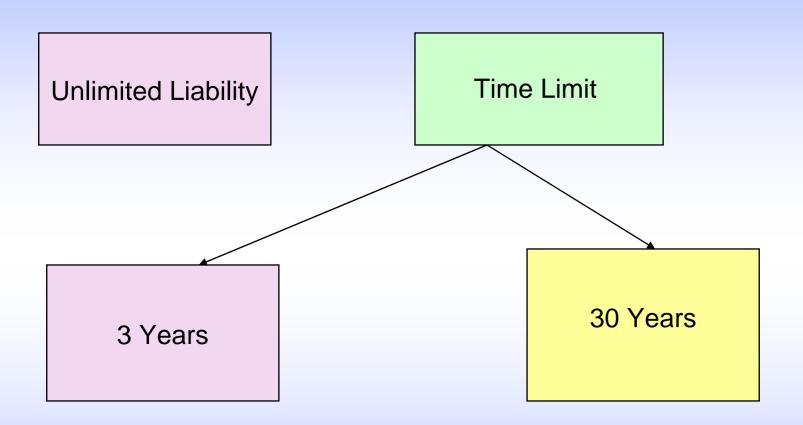
seedproducer **Right of recourse** against

Persons who have handled such organisms inappropriatly or have otherwise contributed to the occurrance or exacerbation of the damage (GMO-farmer)



Marketed genetically modified organisms (seeds) 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



Important elements

Damage to the environment must be compensated

Facilitation of the burden of proof

Optional financial guarantees