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gLAWcal
Comment #228

TORT LAW CAN BE USED TO MEASURE ADHERENCE TO ENVIRONMENTAL PROTECTION

Based on

Nadia Coggiola “Tort Liability for the Compensation of Damages Caused by Dangerous Substances in China”



gLAWcal
Global Law Initiatives for Sustainable Development



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A gLAWcal comment on Nadia Coggiola “Tort Liability for the Compensation of Damages Caused by Dangerous Substances in China” in Paolo Davide Farah and Elena Cima (Eds.) *China’s Influence on Non-Trade Concerns in International Economic Law*

ities. In a high-court case *Zhang Changjian et al v. Pingnan Rongping Chemical Plant*, the judiciary further clarified that it was the responsibility of the accused tortfeasor to demonstrate how they were not responsible for the act resulting in a tort. With further refinement of these judicial hurdles, the chapter acknowledges the existence of non-judicial circumstances which complicate the process of the tortfeasor paying the compensation to the injured party. This is a well distilled chapter that a reader with minimal understand of Tort law, much less specific to China, can understand to a full extent.”

“With the ascension of China from a developing to a developed nation, the laws governing environmental impacts related to the countries industries have improved significantly. However, as is noted by this chapter’s author Coggiola, there is much discrepancy between the written law and how the regulations are installed in practice. This is a unique perspective to take considering that there this perspective is unusual and novel when it comes to understanding the distance between where a society was and where it exists at modern times.

One section of the law that this author choose to highlight is the efficacy of tort lawsuits for environmental damages. Specifically, the chapter dives into a section of Tort Law of the People’s Republic of China, which enumerates that tortfeasors must compensate victims for medical costs, disabilities as a result of the injury, and the costs resulting from deaths by the actions of the tortuous party.

With relevant portions of statute cited, this chapter further identifies scenarios by which they are applied more specifically to environmental damages that result in tort liabil-

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The gLAWcal comments are insight and short analytical pieces written by the gLAWcal team. The gLAWcal comments are based on, and inspired by, the books and chapters published within one of the [gLAWcal book series](#) published by Routledge Publishing (New York/London).

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To collaborate with Government, Civil society and business community to balance the excess of globalization with Non Trade Concerns.

OUR GOALS

To influence policymakers, to raise awareness over Non Trade Concerns, to encourage stakeholder participation, and to disseminate gLAWcal’s publication results.



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