

OUT now: Multistate Torts in European Private International Law

The following announcement has kindly been provided by Silvia Marino

The new extensive Volume Multistate Torts in European Private International Law was just published by Edward Elgar Publishing. This book is the outcome of the second edition of the EAPIL Winter School in Private International Law. The contributions are based on the lectures given during the course, which took place at the Department of Law, Economics and Cultures, University of Insubria, Como, Italy, from 10 to 15 February 2025. It is edited by Silvia Marino (University of Insubria, Como), Anna Wysocka-Bar (Jagiellonian University, Kraków) and Javier Carrascosa González (University of Murcia).

The chapters discuss the current and future challenges related to the resolution of complex cases of cross-border torts and related damages. Globalisation and digitalisation are particularly crucial in these areas, where the lack of a truly common regulatory fragmentation could leave victims in a situation of helplessness. New challenges, such as distance delicts and the rise of modern social sensibilities, risk affecting the traditional goals of private international law, such as predictability and legal certainty, but especially substantive targets, as the protection of the victim and the enhancement of human rights. The Chapters of this book address these newest challenges with particular regard.

Silvia Marino sets the scenario, analysing the causes that lead to a potential multiplicity of courts granted with jurisdiction multiplicity of applicable law. The immediate reaction is the transnational treatment of *lis pendens* and related actions (Bartosz Trocha). In the EU, one of the torts that gave rise to the most heated debates is the violation of personality rights, especially online. Javier Carrascosa González deals with the delicate issue of jurisdiction and, after an analysis of the general rule of Article 4 of the Rome II Regulation, examines the consequences of libel tourism. The specific problems derived from the SLAPPs are specifically analysed in the light of the new EU Directive (Caterina D'Ossualdo). In a vertical approach, climate change litigation, private enforcement of EU

competition law, AI-related harm are separately examined, signaling characterisation difficulties and the potential globality of losses (Magdalena Ličková, Silvia Marino, Olivera Boskovic, Benedetta Cappiello). The clear risk of rendering potentially conflicting judgments by different courts makes it essential to deal with the cross-border recognition and enforcement of judgments (Francisco José Garcimartín Alférez, Sara Sánchez Fernández) also in the framework of the human rights protected by the ECHR (Satu Heikkilä). Anna Wysocka-Bar stresses in the last chapter how coordination problem can arise in other subject matters, such as cross-border succession.

The blurb reads as follows:

This book provides theoretical and practical insights into emerging problems concerning multistate torts in private international law. Prominent authors analyse the issue of multistate torts in the context of the core of the European legal system and its classic coordination tools.

The book highlights how cross-border torts can cause difficulties of localisation, including the complexities associated with the involvement of a high number of national courts with full or partial jurisdiction. It examines how this can lead to simultaneously pending proceedings, conflicting judgments and a multiplicity of applicable laws for the same claim. Chapters evaluate the main areas in which tort cases can arise, including cases of online defamation with a focus on Strategic Lawsuits Against Public Participation (SLAPP), the violation of competition law, climate change litigation, AI-related harm and product liability and succession matters. The book will also address the problem of inconsistent judgments that limit the circulation of enforcement proceedings in human rights cases.

Multistate Torts in European Private International Law is an essential reference for students and scholars of private international law and comparative law. With an in-depth analysis of contemporary issues, it is also relevant to legal practitioners facing related cases.

The table of contents can be accessed [here](#). The book may be purchased or accessed online [here](#).

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