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Title of the dissertation: “Creating a Particular Danger to the Environment as a Ground for Tort Liability”.

The dissertation concerns creating a particular danger to the environment (surroundings) as a ground for tort liability.

Many European legal systems incorporate general clauses introducing strict liability associated with an extraordinarily dangerous cause of damage. The regulations currently effective in Poland do not contain such a provision. However, many provisions have been formulated by the lawgiver in such a way that both literature and the judiciary almost unanimously claim that it is the increased risk of causing damage that constitutes the motive (*ratio legis*) of these regulations.

The most illustrative example of such a provision is art. 435 of the Polish Civil Code. Unfortunately, today this provision seems archaic. Which is a part of a broader problem related to the fact that the contemporary system of liability law in Poland was established in general at the turn of the 19th and 20th centuries. The content of the civil codifications of Western European countries established at the time had a strong impact on the development of the Polish Code of Obligations of 27 October 1933 and through it on the form of volume III of the currently effective Civil Code of 23 April 1964. The legislative amendments made over years were aimed mainly at adaptation of regulations to the changing social and economic model of the state. They recognised technological progress on a small scale, because technological revolutions, which completely transformed social life (such as e.g. popularization of steam or electricity) occurred on average once every century. However, the recent years have brought a considerable spike in the pace of technological development and we are currently witnessing an incessant technological revolution. Compared to the times of the authors of the Code of Obligations and the Civil Code of 1964, the numbers of technological innovations have risen considerably and the time between successive technological and scientific breakthroughs as well as the time required to implement the effects of these accomplishments into mass production has been greatly reduced.

The above-mentioned factors have led to formulation of the research hypotheses, which can be briefly presented as follows:

- (H1)** The provisions currently effective in Poland regulating tortious liability for damages do not correspond to the current economic and technological reality.
- (H2)** A general clause introducing strict liability associated with an extraordinarily dangerous cause of damage seems to be the most appropriate solution for the current rapid technological progress and appear to be coherent with system of values attributed to a rational lawgiver.

The conducted research can be divided into five main segments:

- 1) Analysis of the rules of tort liability allowing to establishment of their axiological justification.

- 2) Analysis of the effective national regulations concerning compensation liability associated with introduction of escalated danger to the surroundings, i.e. art. 435 of the Civil Code and the solutions presented in specific laws (concerning liability for nuclear damage, mining damage and environmental damage).
- 3) Comparative part covering the analysis of corresponding solutions established in other European countries (i.e. in the German, French and Czech systems) and the so-called reference law (i.e. in the *Principles of European Tort Law* and in the *Draft Common Frame of Reference*).
- 4) Analysis of hazards associated with development of new technologies and problems generated by them in the field of tort law (with particular emphasis on artificial intelligence systems and proposals in EU law in this regard).
- 5) Synthesis of the research results and presentation of recommendations for changing effective standards (*de lege ferenda* postulates).

The study used primarily the legal dogmatic method. The legal texts are interpreted mainly in scope of the derivative concept of the interpretation of M. Zieliński in the form developed by O. Bogucki. The analysis of common court rulings (mainly those of the Supreme Court and Courts of Appeals) also plays an important role in this thesis. In addition, the research used comparative method and took into account, as far as possible, the achievements of the economic analysis of law. The historical method, the elements of formal logic and the sociological method were also used to a limited extent.

The application of the above-mentioned methods led to the confirmation of the initially formulated research hypotheses.