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## JURISDICTION IN MATTERS OF NON-CONTRACTUAL LIABILITY FOR DAMAGES DUE TO THE INFRINGEMENT OF PERSONALITY RIGHTS BY MEANS OF THE INTERNET – OVERVIEW OF THE SETTLED CASE-LAW OF THE COURT OF JUSTICE OF THE EUROPEAN UNION

**Summary:** *According to Art. 7(2) of Regulation No. 1215/2012 (Art. 5(3) of Regulation No. 44/2001; Art. 5(3) Brussels Convention), a person domiciled in a Member State may be sued in another Member State in matters relating to torts or quasi-torts before the court of the place where the harmful event occurred or may occur. In deciding on the infringement of personality rights that occurred by publishing a newspaper article in several Member States, the Court considered that the victim of a label may claim damages for all the harm caused by defamation either before the courts of the Member State of the place where the publisher of the defamatory publication is established, or before the courts of each Member State in which the publication was distributed and where the victim claims to have suffered injury to his reputation, which have jurisdiction to rule solely in respect of the harm caused in the State of the court seized.*

*In cases of non-contractual liability for damages due to the infringement of personality rights by means of the internet, the Court considered that the distribution criterion needs to be supplemented (but not replaced), so that the most appropriate courts for deciding on compensation for damages due to the infringement of personality rights are the courts of the Member State where the centre of interests of the victim (natural or legal person) is based. According to the settled case-law these courts, along with the courts of the Member State in which the author of the harmful content is established, have jurisdiction to decide on the action for liability, in respect of all the damage sustained, as well as on the action for rectification of incorrect information and removal of harmful content. The courts of the Member State where the content published on the internet is accessible or was accessible are competent to decide only on the damage that occurred in their territory.*

**Key words:** *Regulation No. 1215/2012, Regulation No. 44/2001, Brussels Convention, international jurisdiction, infringement of personality rights by means of the internet, place where the damage occurred, centre of interests of a person whose personality rights have been infringed*