



Second Study Commission
Civil law and procedure

Meeting in Yerevan, 7 - 11 September 2008

Conclusions

DAMAGES FOR PERSONAL INJURY

1. There is no common understanding of the notion of non-patrimonial damage. There is no need to define its scope as to do so might impede the development of the law.
2. While it is noted that in some jurisdictions punitive damages may be awarded, the aim of awarding damages in personal injury cases should be that of compensation.
3. a) Where the legislature has established a scale of compensation for personal injury, there should be left to the judge sufficient flexibility to be able to award in each case compensation which is just and equitable.
b) In doing so, the judge should be able to have regard to the particular circumstances of the individual case.