



Association Internationale de Droit des Assurances Europe / International Insurance Law Association Europe

# 7<sup>th</sup> AIDA EUROPE CONFERENCE

Sofitel Warsaw Victoria Hotel, 11 Krolewska Street, 00-065 Warsaw, Poland



## “De-Mystifying InsurTech: a Legal and Regulatory View”

The Conference is organized by AIDA Europe in cooperation with Kozminski University and the AIDA Polish Chapter affiliated at Kozminski University.

The Conference will be mainly dedicated to InsurTech and the manifold legal and regulatory implications technology will have on the insurance sector. The Conference aims at sketching-out a stress test for traditional legal and regulatory concepts. What will be new for the industry, its stakeholders, particularly also for In-house Counsel, private practice lawyers, regulators and academia? The conference offers a range of plenary and breakout sessions with expert speakers and panellists, which you should not miss.

In addition to the core theme the Conference offers, as at past AIDA Europe Conferences, sessions dedicated to Hot Topics & Key Developments in the insurance field, as well as the traditional meetings of the AIDA Working Parties, covering topical subjects, which should gain your interest.

The Scientific Committee of AIDA Europe has conducted a Call for Papers on InsurTech - related legal papers through a number of academic channels and journals. This Call has trig-

**12 - 13 April 2018**  
Warsaw, Poland

gered a high level of interest in the academic field. We have received around 35 abstracts of InsurTech - related articles, which shall be edited in an AIDA Europe Research Series book following the Conference, with a total number of 20 papers being eligible for the prize winning competition of young authors.

The Registration Fee for the Conference is € 395 (Early Bird expiring 14 February 2018) and € 495 (Regular) and € 200 for students (providing evidence of current University student status). The Conference provides excellent value at a highly competitive price!

In order to register please visit [www.aida.org.uk](http://www.aida.org.uk)

With best regards,  
**AIDA Europe**

**Christian Felderer**  
Chairman, AIDA Europe

**Anna Tarasiuk**  
Member of the Organizing Committee &  
Chairperson of AIDA Polish Chapter

Thursday 12 April 2018

**08:00 Conference Registration opens**

Location: Foyer, Sofitel Victoria Warsaw Hotel

**08:30 Conference Opening – Christian Felderer, Chairman AIDA Europe****08:45 – 10:00 Key Note Presentations**

Key Note Presentations addressing the impact of technology and assessment of how it affects the insurance market place

Key Note 1: **Stephen T. O’Hearn**, Leader of the PwC Global Insurance Practice: „Addressing Transformational Change: The Agenda of the Global Insurance CEO”

Key Note 2: **Lennart Wulff**, SituatiVe GmbH, Düsseldorf / Germany. A Founder’s Perspective: How I came to peace with Insurance Lawyers

10:00 Break

**10:30 – 12:00 Plenary Session – How New Technologies are Re-shaping the Insurance Field**

Moderation: **Rolf Staub**, General Counsel Group Reinsurance, Zurich Insurance Company, Zurich / Switzerland  
Panel Members:

- **Courtney Bowman**, Palantir Technologies, Inc., Palo Alto / USA
- **Dr Patrick Eugster**, DEXTRA Insurance Ltd AG, Zurich / Switzerland
- **Dr Maya Bundt**, Swiss Re, Zurich / Switzerland
- **Dr. Caroline Bell**, Aon Risk Solutions, Global Broking Centre, London / UK

Topics:

- New business models in the insurance industry: What are the advantages and (legal, regulatory) challenges of the use of new technologies, algorithms and artificial intelligence?
- „A start-ups view” & „Legal sense check”
- Cyber risks: How can companies assess and insure these new risks? How can reinsurers control the accumulation risk?

**12:00 – 12:30 InsurTech and Young Academics & Professionals (valuation of papers / prizes)**

Moderation: **Prof. Pierpaolo Marano**, Associate Professor, Università Cattolica del Sacro Cuore, Milan / Italy. Chairman of the AIDA Europe Scientific Committee / **Dr. Kyriaki Noussia**, Senior Lecturer in Law University of Exeter, Law School, CSSIS, Exeter / UK

Topics:

Overview of topics covered by the 35 academic papers filed and their valuation. Short introduction of winners’ contributions and their findings and outlook to editing papers in AIDA Europe Law Series.

Please note that, where indicated, the programme will be up-dated as further information is available

12:45 Lunch - Foyer

**(14:00 – 18:30 Breakout Sessions dedicated to conference topic)****14:00 – 16:00 BREAKOUT SESSION I – Technology and Industry Cooperation: Looking Ahead – AB Room**

Moderation: **Rupert Nebauer**, Head Contracts Europe 2, Director, Swiss Re Europe S.A., Munich / Germany

Speakers:

- **Eva-Maria Barbosa**, Partner, Norton Rose Fulbright / Germany
- **Ken Marke**, Chief Marketing Officer, Marketing and Communications, B3i / Switzerland
- **Thomas Blanz-Gilbert**, Group Risk Management, Zurich Insurance / Switzerland
- **Stefan Gössel**, Partner, Reply / Germany

Presentation Topics:

- Blockchain technology – What are the legal and regulatory implications?
- B3i Blockchain Consortium – What are the benefits for the Insurance Industry?
- Data Analytics: Where are the possible use fields?
- Semantic intelligence: The way forward for the Insurance Industry?

Moderation: **Pirmin Stalder**, Senior Legal Counsel, LGT ILS Partners Ltd. / Switzerland

**Panel Discussion: „Technology and Insurance Industry Collaboration – How will it look like in 2025?”**

- [tbc]
- **Eva-Maria Barbosa**, Partner, Norton Rose Fulbright / Germany
- **Ken Marke**, B3i / Switzerland
- **Thomas Blanz-Gilbert**, Group Risk Management, Zurich Insurance / Switzerland
- **Stefan Gössel**, Partner, Reply / Germany
- **Angelo Borselli**, Postdoctoral Researcher, Department of Law, Bocconi University, Milan / Italy

**BREAKOUT SESSION 2 – Assessing New Liabilities – C Room**

Moderation: **Prof. Sara Landini**, University of Florence / Italy **Professor Robert Koch**, University of Hamburg / Germany

Panel Members:

- **Prof. Sara Landini**, University of Florence – “Liability in case of automated choice”
- Automated choice meaning and cases
- Choice and Actors
- Causality nexus in case of automated Choice

**Ilan Kaner**, Advocate, Kaner – Bastaker, Law Firm, Ramat-Gan / Israel - „Aspects concerning bodily injuries and compensation to Smart Car accidents victims in a no-fault system”.

- Compensation for bodily injuries to car accident victims
- „Driving” a smart car: who will be considered as the driver and who will be a passenger?
- Distinction between full autonomic vehicles and partly autonomic ones?
- Accidents caused by an intervention in the smart car programs

**Marco Visser**, LL.M., Casualty Guidance - Head of Principles, Products & Legal, HDI Global SE, Hannover / Germany

- How to handle “old” liability regimes in the context of new technologies and how to handle new liability regimes?
- Existing liability cover versus need for new liability cover

**Dr. Eberhard Witthoff**, Head of Claims Management, Munich RE, Munich / Germany

- Third party liability in the Gig Economy.

**Dr. Katarzyna Malinowska** Legal counsel (coowner of the law office BMSP) and Assist. Prof. Kozminski University / Poland

- Liability in space and space-related activity

**Massimo F. Dotto**, CMS Adonnino Ascoli & Cavasola Scamon ; Rome / Italy

- New Media: Liabilities and Insurance Coverage

16:00 - 16:30 Break

**16:30 - 18:30 BREAKOUT SESSION 3** - Calibrating the Regulatory Approach on New Technologies - AB Room

Moderation: **Prof. Pierpaolo Marano**, Associate Professor, Università Cattolica del Sacro Cuore, Milan / Italy / **Dr. Gunne W. Bähr**, LL.M., Attorney at Law, Partner, DLA Piper, Cologne / Germany

Panel Members:

- **Dr. Monica Mächler**, Member of the Board of Directors of Zurich, former vice-chair of the board of directors of Swiss Financial Market Supervisory Authority (FINMA), Zurich / Switzerland
- **Miroslav Singer**, Director for Institutional Affairs and Chief Economist of Generali CEE Holding, former Governor of Czech National Bank (CNB), Prague / Czech Republic
- **Nic De Maesschalck**, Director of the European Federation of Insurance Intermediaries (BIPAR), and Director of the World Federation of Insurance Intermediaries (WFI), Brussels / Belgium

- **Fausto Parente**, Executive Director of the European Insurance and Occupational Pensions Authority (EIOPA), Frankfurt / Germany

Topics:

- Impact of sharing economy & technology on the principle regulatory focus (protection of insured)
- Mapping of regulatory landscape in new technologies
- Need for harmonization / common approach
- Distribution of Insurance Products

**BREAKOUT SESSION 4** - Introducing Principles of Reinsurance Contract Law (PRICL) - C Room

Moderation: **Prof. Helmut Heiss**, University of Zurich, Zurich / Switzerland, **Prof. Rob Merkin** of University of Exeter / UK

Panel Members:

- **Jorge Angell**, LC Rodrigo Abogados, Madrid / Spain, Chairman of the AIDA Reinsurance Working Party
- **Lari Kuitunen**, Reinsurance Manager, If P&C Insurance Company / Finland
- **Dr. Eberhard Witthoff**, Head of Claims Management, Munich RE, Munich / Germany
- **Christian Lang**, Attorney at Law, Claims Key Case Advisor, Swiss Re, Zurich / Switzerland

Topics:

- Structure of the PRICL legal and the PRICL work
- PRICL as soft law and their application according to Art. 28 (4) UNCITRAL Model Law on International Commercial Arbitration
- PRICL as transnational commercial contract law, relationship to the Principles of International Commercial Contracts (PICC)
- Advantages of standardising reinsurance contract law (uniform interpretation; consistent wordings; fit for blockchain)
- PRICL as a foundation for future underwriting

**19:00 - 20:30 Cocktail Reception takes place at Concept 13 Restaurant, Warsaw, DH Vitka, Bracka 9 Street: <http://likusrestauracje.pl/restauracje/restauracja-concept-13/> – incl. Key Note Speaker: **Mr Łukasz Zoń**, President of the Polish Brokers Association, broker from 1995, attorney at law from 1998. Author of various publications on insurance law.**

Friday 13 April 2018

**07:45 Conference Registration opens**

Location: Foyer, Sofitel Victoria Warsaw Hotel

**08:15 - 08:45 AIDA Europe Assembly**

**09:00 - Introduction**

**09:15 - 10:00 Conclusions from Breakout Sessions**

Moderation: **Christian Felderer**, Chairman AIDA Europe

- Breakout Session 1: **Pirmin Stalder**
- Breakout Session 2: **Prof. Sara Landini / Prof. Robert Koch**
- Breakout Session 3: **Dr. Gunne Bähr/Prof. Pierpaolo Marano**
- Breakout Session 4: **Prof. Helmut Heiss / Prof. Robert Merkin**

### 10:00 - 10:45 How does InsurTech/Technology change the Lawyers' Professional Lives? Impact on In-house-Counsel, Private Practice and the Academia

Moderation: **Tina Walton** - Global Head of Wordings (Chartered Insurer, Solicitor) XL Catlin, London / UK

Panel Members:

- **Kiran Soar**, Partner, Ince & Co LLP, London / UK
- **Dr. Bruno Mascello** – University of St. Gallen, Executive School of Management, Technology and Law (ES-HSG) | Law & Management University of St. Gallen (HSG - St.Gallen / Switzerland)
- **Dr. Kai Goretzky** – Community Life Dr. Kai-Michael Goretzky, LL.M. - Syndikusrechtsanwalt - Leiter Recht, Steuern, Bereichsentwicklung, Community Life GmbH, Kelkheim / Germany
- **Pawel Stykowski**, Head of Legal and Compliance Officer, InterRisk TU SA Vienna Insurance Group / Poland.

10:45 - 11:15 Break

### 11:15 - 12:45 Hot Topics / Key Developments

Moderation: **Peggy Sharon**, Adv. Levitan, Sharon & Co., Tel Aviv / Israel

Panel Members:

- **Viktoria Chatzara**, Senior Associate, Rokas Law Firm, Athens / Greece: GDPR – General Data Protection Regulation
- **Charlotte Hasseriis Iversen**, Plesner Law Firm, Copenhagen / Denmark: I.D.D. – Insurance Distribution Directive, in general terms and from a Danish perspective
- **Anna Tarasiuk**, Filipka Tarasiuk Law Office, Chairman of the Polish AIDA Chapter, Warsaw / Poland: I.D.D. – Insurance Distribution Directive from a Polish perspective
- **Steven McEwan**, Hogan Lovells, London / UK – Brexit, latest developments
- **Prof. Jérôme Kullmann**, University of Paris - Dauphine (Private Law), President of AIDA World / France: Overview on Recent Judgments & Leading Cases

### 12:45 - 13:00 Summary of Debates and Outlook - Christian Felderer, Chairman AIDA Europe

13:00 - 14:00 Lunch - Foyer

### 14:00 - 17:15 AIDA Working Party Sessions I - 5

#### Session I - 14:00 - 15:30 - C Room

#### Reinsurance Working Party & Climate & Catastrophic Events Working Party (Joint Meeting)

Topic: The role and requirements of reinsurance in addressing potentially greater future catastrophe losses

- Where and how reinsurance can/does best help provide effective protection against the risk of ever-greater losses being suffered worldwide from natural and man-made catastrophes
- Essential features and requirements, both contractual, regulatory and otherwise
- Limitations of, and challenges to, traditional reinsurance products and catastrophe risk modelling
- Illustrations in both developed and emerging markets of techniques, innovations and applications necessary to realise essential goals of: capacity/availability/affordability of cover; contract and regulatory certainty/limitation of risk/cashflow; interface with State support/finance/relief; and contribution to risk management and Climate Change mitigation and adaptation efforts. (Cat modelling; cat bonds; recent event/aggregation/loss coverage scenarios, lessons and responses; examples of State scheme interfaces; microinsurance; contrasting levels worldwide of insured/uninsured ratios and proposed responses.)

Moderation: **Jorge Angell**, LC Rodrigo Abogados, Madrid / Spain, Chairman of the AIDA Reinsurance Working Party / **Tim Hardy**, Chairman of the Climate & Catastrophic Events Working Party/UK

Speakers: **Francisco Javier Zabala**/ Spain – Challenges for reinsurers and governments in risk-sharing catastrophe perils / **Rich Traub**/US - Impact of technology on international flood loss coverage and pricing by re/insurers / **Shivaun Moreno**/Germany – Reinsurers' role in tackling Climate Change and cat perils / **Prof. Dorota Maśniak** / Poland / A Polish perspective upon State support in the agricultural insurance market and the role of prevention.

#### Session 2 - 14:00 - 15:30 - D Room

##### • In-house Counsel Committee

Topic: Short presentation of recent activities, followed by an interactive discussion on In-house counsel legal best practices and legal agenda.

Topic: Provision of legal services in the future – Trends, digitalization, procurement and customer orientation

Synopsis: The talk puts the topic of digitalization into a broader context and addresses the interdependencies with other relevant trends in the legal market. The presentation will further elaborate on changes in the future production and purchase of legal services, the relevance for outside and in-house lawyers to stay adaptive and innovative without forgetting to keep permanently the focus on the customer's needs.

Moderation: **Rupert Nebauer**, **Pirmin Stalder**, **Diego Manzetti**, **Harmender Kalirai**, Members of the In-house Counsel Committee at AIDA Europe  
Speaker: **Dr. Bruno Mascello**, Executive School of Management, Technology and Law, University of St.

Gallen (HSG) / Switzerland

### Session 3 - 14:00 - 15:30 - AB Room

- **Distribution of Insurance Products Working Party & General Principles of Insurance Law Working Party (Joint Meeting)**

Part I - Topic: Issues arising from the implementation of the IDD

Moderation: **Prof. Pierpaolo Marano / Dr. Kyriaki No-  
ussia**

Speakers: **Nic de Maesschalck**, Secretary General of BI-  
PAR (European Federation of Insurance Intermediaries) /  
**Arthur Hilliard**, Policy Advisor Conduct of Business, In-  
surance Europe / **Leo P. Martinez**, Albert Abramson Pro-  
fessor of Law, University of California Hastings College of  
Law / US.

15:30 - 15:45 Break

### Session 4 – 15:45 - 17:15 - AB Room

- **Distribution of Insurance Products Working Party & General Principles of Insurance Law Working Party (Joint Meeting)**

Part II - Topic: Challenges to the IDD from new technologies

Conference is held in English only, no translation is provided.

## About AIDA Europe

AIDA Europe was established in 2007 as a non-profit organization with the aim of promoting, either directly or through its members, the development of insurance and related law. It attempts to achieve this, mainly through:

- furtherance of the study and knowledge of international and national insurance law and of related matters as well as proposition of measures aiming at the harmonization of insurance law or the means for resolution of insurance disputes.
- facilitation of exchange of academic knowhow between its Members or any other European organization dealing with insurance - related matters, similar to those of AIDA Europe
- support of academic work in the field of insurance, e.g. through cooperation with universities or the sponsoring of academic research and papers.

AIDA Europe organizes conferences geared to the European - related jurisdictions, offering to all interested stakeholders a platform for an open and solution, minded scientific and practice - related dialogue on key developments in the area of insurance, reinsurance and related law also supporting its members in their respective endeavours. Conferences are open to all stakeholders ,attracting representatives from all areas such as the insurance sector, academia, private practice, regulatory authorities or the law-making agencies. AIDA Europe also maintains a keen focus on supporting the development of young academic talents by sponsoring academic work and by inviting young academics to its conferences.

AIDA Europe is a non-profit organization, pursuing altruistic goals and has its seat in Zurich / Switzerland.

### Contact Information

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#### AIDA Europe Secretariat

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Moderation: **Prof. Pierpaolo Marano / Dr. Kyriaki No-  
ussia**

Speakers: **Mr Bruno Caeiro** - Pre-Contractual Duties of Information in light of the IDD / **Ms Ines Oliveira Martins** - Personal Data, any other data and the insurance contract and the connection with the IDD / **Prof. Dr Margarida Lima Rego** / Portugal. Insurance in today's sharing economy: a contract law analysis -the IDD impact / Prof. Kuan-Chun Johnny Chang - Privacy Issues Associated with Telematics and Usage-Based Insurance and Compliance Issues under IDD and Data Protection Directive

### Session 5 – 15:45 - 17:15 - C Room

- **Motor Liability Working Party & Dispute Resolution Working Party (Joint Meeting)**  
**Topic: “After Dieselgate”** (Impact from litigation and ADR on claims brought against VW by individuals or regulators)

Moderation: **Prof. Sara Landini** / Italy, **Chris Rodd** / Australia

Speakers: **Chris Rodd** / Australia - „After Dieselgate - An Australian Perspective,, / **Richard Traub** / US – „Weiselgate- and Post Apocalyptic US” / **Ilaria Garaci, Roberta Montinaro, Giacomo Pongelli** / Italy - „After Dieselgate - The situation in Italy,, and / **Ronit Warshai** / Israel - „After Dieselgate - the situation in Israel”