

AIDA WORLD CONGRESS

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CLIMATE CHANGE

QUESTIONNAIRE

General reporter

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Foreword

1. Climate change has been chosen as one of the topics for the AIDA World Congress to be held in Paris in 2010. Thank you for accepting to prepare a national report.

2. This subject is obviously one of great importance, and very much has already been written on it. For an AIDA World Congress, the focus should naturally be on the impact on the insurance sector, and more precisely on the impact on insurance law – a domain in which AIDA can make a significant contribution. When preparing your report, please stress the legal aspects (legislation, regulation, policies, clauses, legal nature of new products, etc...) – even though describing the context will always be necessary.

3. National reports will be particularly useful for such a subject where perceptions of the phenomenon may vary, and mainly, where the feared consequences of climate change can be widely different in the different regions of the world. Please see that your report gives the necessary information about the local context in which it is written (see part A of the questionnaire below).

4. *The questionnaire is indicative. Try to cover all points you find relevant for your country, but do not hesitate to include additional information and comments in part C below.*

A. Your local context

In your country :

1. What is the degree of awareness of climate change and its consequences :

- in the general public
- in the business sector
- in the insurance industry
- in public authorities ?

2. Which are locally the main expected consequences of climate change (please specify : “not applicable”/”medium risk”/”high risk”) :

- floods (including flash floods)
- rise of sea level
- melting of ice, of snow, avalanches
- earthquakes
- storms, tornadoes
- heat waves, draught, fires
- spread of diseases
- other adverse effects
- any favourable consequences ?

3. Which economic sectors, critical for your country, could be particularly affected :

- agriculture
- fisheries

- forestry
- energy
- industry (which ?)
- tourism
- others ?

4. Have some concrete measures already been taken or envisaged (other than in insurance sector – see B below) :

- legislation, regulation
- initiatives of economic agents
- others ?

5. How much is your country involved in international efforts and initiatives related to climate change :

- Kyoto Protocol
- International Strategy for Disaster reduction, Hyogo Framework
- National Platforms
- Emission trading systems
- others ?

6. Please provide references to literature on climate change concerning your country.

B. Climate change and insurance (*please stress legal aspects*)

1. Which are the lines of insurance that could be affected ?

- Property
 - Agriculture (crops, forestry, livestock)
 - Buildings
 - Business interruption
 - Others (specify)
- Liability
- Transport, marine
- Life, health

2. How are the risks linked to climate change to be defined ?

- Problems of interference of human and natural causes
 - (e.g. building in an area prone to being flooded)
- Problems of causal links
 - (e.g. increase of losses often due to a combination of factors
 - natural, but also demographic and economic)

3. Insurers' measures of protection against excessive exposures

- Improvement of statistics
 - Cartography of risks
- Raising risk awareness (communication campaigns, lobbying, ...)
- Prevention
- Limits of indemnity
- Deductibles
- Exclusions
- Premium increases
- Cancellations
- Withdrawals from markets
- Adaptation of reinsurance agreements (or develop under point 4 below)
- Cover or climate risks on the financial market

(or develop under point 5 below)

- Others

3. Insurers' initiatives to develop « new products »

N.B. Climate change is seen as opening new opportunities by a growing number of insurers. Some examples are listed below, but they are far from exhaustive and new products keep appearing. Please investigate the situation in your country and provide as much information as possible (obtaining models of clauses and policies would be extremely valuable).

- New policies to cover the consequences of climate change

Coverage for producers of new energies (e.g. wind-mills)

Liability of architects

D & O environmental liability

Micro-insurance products for developing countries

- Climate risk management services, expertise

- New policies as incentives to reduce greenhouse gas emissions

“Pay as you drive” motor insurance

“Energy saving”, “Green-building” insurance

- Initiatives in the carbon market

Carbon credit insurance (covering failure to deliver emission rights)

Options to buy carbon credits to offset emissions (vehicles)

- Others

4. Reinsurance

In your country, what is the role of reinsurance companies with respect to the above problems ?

5. ART (Alternative Risk Transfer)

Have any of the following techniques developed in your country in connection with climate change :

- Derivatives
- Swaps
- Cat bonds
- Others ?

What is the legal nature of these different products ? Can they qualify as “insurance” ?

6. Cooperation or competition with public sector

What is the state of cooperation (or competition) between public authorities and the insurance sector in your country in issues related to climate change ?

Are there specific public schemes concerning some of the risks involved ?

C. Any additional information or comments

Prof. Marcel FONTAINE
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