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Study of Insurance Economics

Études et Dossiers

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Annual Liability Regimes Conference

**How to better react to developments in
liability and insurance**

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Layout & Distribution: Valéria Kozakova

The Social Construction of Bodily Injury

Jan Pieter Six

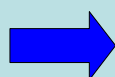
diseases	“old”	“new”
occupational	mesothelioma hearing loss posture/RSI OPS ----- ----- -----	stress/burnout cardiovasc, due to stress reproductive disorders auto-immune diseases sick building syndrom deep vein thrombosis ----
other	----- ----- ----- -----	obesitas EMF/electrosmog toxic mould nanotechnology -----

Compensation in case of illness/disability

- decreasing role of social security
- increasing responsibility of employers
- increasing importance of private insurance
- first party insurance (employers):
payout salary employees; health cost
- third party insurance (employers):
liability (=no fault!) -> full(!) compensation

Specific problems for liability insurers

- open-ended character of liability cover
- long-tail character of risks
- medical proof of illness
- scientific proof of causal link illness/exposure
- multiple causality – “all or nothing”
- abuse (e.g. “mortgage disease”)



liability (insurance) **no adequate instrument**
to finance **long-tail** (health) risks

(see CEA Position Paper on Insurability)