



**Ius Commune Conference Leuven,
28 and 29 November 2019**

**Call for Abstracts
Workshop Liability and
Insurance**

***Cyber Risk Liability and
Insurance
Risks in the Information
Society - Liability and
Insurance Options***

Workshop Liability and Insurance 2019

In conjunction with the 24th Ius Commune conference, which will take place on 28 and 29 November 2019 in Leuven, Belgium, a Workshop on Liability and Insurance will again be organised on Friday, November 29. Subject of this Workshop:

Cyber Risk Liability and Insurance

Risks in the Information Society – Liability and Insurance options

The workshop provides an opportunity to discuss specific risks connected with the use of information technology, liability issues that could arise from those risks and the possible role of insurance to mitigate these.

The last decade has seen a rapidly increasing amount of cyber-attacks, threatening individuals, companies and governmental organizations alike. Examples are DDoS attacks, the dissemination of 'ransomware' and data breaches exposing (sometimes very) private data. Although legal instruments to thwart these activities are available in most jurisdictions, technology moves swiftly and new possibilities to cause damage by abusing the ever more important digital infrastructure emerge on an almost daily basis. Apart from that, new technological developments often bring their own new risks that need to be addressed; examples are (semi) autonomous vehicles appearing in our already busy streets and 3D printing technology simplifying the home-based manufacturing of undesired and dangerous hardware such as handguns.

These new emerging systemic cyber risks give rise to questions related to liability and risk shifting to third parties: cyber insurance. One of the main societal advantages of insurance is the facilitation of the diffusion of information via a feedback loop between the insurer and the group of insured. In theory, the insurer will accumulate relevant cyber (claim) data and this information will circle back to the insured in the form of advices on how to perform better on dealing with cyber risks. But, unfortunately, the development of the cyber insurance market is hindered by the information deficit it aims to reduce. First, insurers currently insufficiently focus their coverage on low impact high likelihood risk. Secondly, it is hard to make a well-informed choice regarding which insurance to take. A possible explanation is that there is insufficient information on what risk reduction measures should entail. Also with respect to liability, it is unclear which entity in the cyber value chain is ultimately liable for cyber risks and to what extent it should be liable. Quite naturally, when this will become clearer, the construction of sensible cyber security policies will also be facilitated.

Hence, in theory, smart liability and cyber insurance could contribute to an intelligent cyber security strategy. But, the concepts of liability and insurance related to cyber risk need to be developed further, by studying the various aspects of this tenacious societal issue further and deeper. Subject areas relating to this are for example:

- Standards for cyber security;
- Methods for risk determination and assessment;
- Strategies for the prevention or minimization of damage from cyber-attacks;

- Legal instruments necessary for dealing with risks of autonomous vehicles;
- Liability, cyber insurance and the Internet of Things;
- Risks associated with new technological developments such as 3D printing: what party should be liable for defects in final products?
- responsibility allocation in chains and networks.

Call for Papers

Scholars from various fields of law, as well as from (law and) economics, legal sociology and psychology are invited to contribute to this workshop. In order to do so, please submit an abstract (up to 2 pages / 1000 words) for a paper by sending it to vannoortwijk@law.eur.nl, no later than May 31, 2019. Notification of acceptance will be sent to you within three weeks. Final papers are due on September 15, 2019. For high quality papers, possibilities for publication in a journal or dedicated bundle will be regarded.

For any questions you can contact Kees van Noortwijk (vannoortwijk@law.eur.nl) or Bernold Nieuwesteeg (nieuwesteeg@law.eur.nl), Centre for the Law and Economics of Cyber Security (CLECS), Erasmus School of Law.