



保险

在我们看来, 与我们合作的公司不仅是各个项目的客户, 同时也是我们的商业伙伴, 我们力争在短期以至长期为它们创造价值。我们着眼就整体保险业的情况, 以及客户现时在行业的发展状况及未来目标, 为客户提供专业意见。

我们的保险和再保险法律事务部门是业内规模最大、实力最强的团队之一, 包括300多名律师, 服务全球保险业客户。

我们提供全面、专业的保险法律服务, 包括交易、监管、商业、承保范围、争议解决和理赔、竞争、重组及紧急回应。

我们代表新成立和成熟的跨国寿险和非寿险(再)保险公司、劳合社(Lloyd)旗下的实体、中介机构、银行、其它金融机构、资本提供者(包括对冲基金、私募股权基金和风投基金)、监管机构及保险行业的其他参与者。

我们深谙保险业务以及支撑保险业的法律事务。本所的很多律师都曾担任保险业的行政人员、内部法律顾问、银行专员和管理顾问。深厚法律和行业经验让我们能代表客户, 实施行之有效兼具成本效益的解决方案。凭借强大的国际律师网络, 我们能够齐心协力, 迅速掌握涉及各个业领域和司法管辖区的专业知识。

我们经常借调律师直接为客户服务, 我们也欢迎客户向我们借调律师, 因为这将使我们的律师加深对保险业的理解。我们相信, 通过加深对客户业务的理解, 我们能够为客户提供更理想的服务, 无论是构组、磋商和促成复杂交易、处理复杂承保范围和商业争议的诉讼, 还是应对监管合规问题, 都能应付得当。

- 诉讼: 我们曾经就多项跨司法管辖区的争议、诉讼、仲裁及重要的资本市场相关工作, 为世界第二大再保险公司瑞士再保险(Swiss Re)提供咨询服务。
- 仲裁: 我们的律师曾代表巴西国家再保险公司(IRB Brazil Re)处理数宗国际再保险仲裁(伦敦和纽约)及诉讼工作。
- 理赔: 泰国于2011年发生水灾后, 我们担任一些大型国际保险和再保险公司的首席法律顾问, 协助处理超过200亿美元指称的理赔、经济损害和相关索赔。
- 金融: 我们曾为世界各地的大型保险业客户, 就高度结构化的产品、保险挂钩证券、跨境资本市场对冲解决方案及跨境保险风险转移提供咨询服务。
- 并购: 我们曾代表跨国保险公司参加数宗价格敏感的重大并购交易。这些上市公司的并购交易涉及复杂的保险/再保险及迁册安排, 并在某些情况下牵涉到与第七部分资产组合转让相关的可行性分析或金融市场行为监管局控制权变更申请。

Sustainability and ESG

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- 诉讼、仲裁和调查
- 重组
- 税务
- Corporate Disputes

The global insurance sector is more affected than most sectors by Sustainability and Environmental, Social and Governance (ESG) risks such as climate change, social and political unrest and governance failures.

Conversely, however, the insurance sector is uniquely placed to support the world's transition to a sustainable, low-carbon economy. The sector has already taken a lead in integrating sustainability into the business of insurance through its own activities, investee companies and policyholders. The Principles for Responsible Investment has now developed a number of insurance-specific initiatives and commitments, such as the UNEP FI Principles for Sustainable Insurance and the InsuResilience Global Partnership. Insurers are also at the forefront of sustainability initiatives such as the Net-Zero Asset Owner Alliance.

A number of sustainability-related themes affect the insurance sector.

PRODUCTS

In designing insurance products, ESG risks play an important role. For example, a failure to address climate change means an increase in extreme weather events (floods, storms, heat waves and droughts), challenging insurers' risk assessment models and a reliance on historic data. Insuring businesses that have a negative climate impact can have reputational consequences and also impact insurers' long-term strategy. Innovations in technology also provide insurers with new, proactive ways to meet sustainability challenges - for example, in the context of parametric insurance.

We advise our insurance clients on all legal issues in the context of insurance products (including Insurtech) and place a specific focus on the integration of ESG factors in product design.

INVESTMENTS

Insurers and pension funds globally hold assets amounting to USD60 trillion, an incredible market power that can be used to address sustainability challenges. Maintaining and promoting sustainability-aligned investment processes contributes to mitigating the sectors' own ESG risks as well as securing stable long-term returns, increasing attractiveness for third-party asset management businesses, supporting existing and upcoming disclosure obligations and contributing to an overall sustainable reputation.

We advise our insurance clients on all aspects of sustainable investments, from the incorporation of ESG factors in investment processes and investment guidelines to the conception of individual green investment products (eg green bonds, green loans, green leases) and the integration of ESG criteria in investment due diligence processes.

GOVERNANCE

As asset owners and financial market participants, insurers are exposed to increasing governance requirements and sustainability-related disclosure obligations, both to the market and to regulators. Additional duties may arise in the retail insurance business and third-party asset management activities. A focus on sustainable governance and disclosure has led insurers to develop specialized departments and senior sustainability functions, integrate sustainability risks into risk management frameworks and develop new tools, processes and reporting lines.

Legal advice on governance aspects is one of the core competences of our global insurance team and we will support you in navigating and implementing the multitude of new sustainability-related governance requirements in your individual business organization.

CLAIMS

Claims in all lines of business have the potential to rise significantly in response to ESG risks. For example, more extreme weather events and natural catastrophes are expected to lead to increases in property damage, civil and political unrest and disruption to supply chains, leading to further claims exposure. Certain industries will receive more attention from governments, regulators and claimants as significant shifts in economies occur, the just transition to net-zero decarbonization places a greater focus on social impact and human rights and there is an increase in activism, disputes and litigation. Board members across all sectors are subject to ever increasing duties in connection with sustainability and ESG factors, meaning a greater risk of D&O liability and claims.

Our insurance litigation team of claims professionals works in all major insurance hubs, providing practical advice to insurers, reinsurers and intermediaries. We handle complex large-scale insurance and reinsurance disputes across a wide range of business lines and we are experienced in dealing with ESG activism and related claims.

To discuss the implications of these issues for your business, please contact our ESG leaders.