

European Commission  
DG Communication Networks, Content &  
Technology  
Unit F1 - Digital Single Market  
Avenue de Beaulieu 25  
B-1049 Brussels

21/12/2015

**European Commission consultation on “Online platforms, cloud & data, liability of intermediaries, collaborative economy”**

Dear Ladies and Gentlemen,

The changes caused by digitalisation to our living environment and to economic processes, and especially the increasing interconnectedness and the digital data generated through this, affect the entire insurance value chain. The German insurance industry therefore welcomes that the European Commission has set ambitious goals to create the necessary and appropriate framework with its Digital Single Market Strategy for Europe.

The questions addressed by the consultation on “Online platforms, cloud & data, liability of intermediaries, collaborative economy” particularly affect future insurance protection, (new) insurance products as well as the distribution and purchase of insurance services. However, as it is difficult to lay out the specific perspective of the insurance industry in answering the questions of the consultation, we kindly ask you to instead accept this letter and the enclosed position paper of the German insurance industry on the DSM Strategy.

**Equal chances**

In the continuing non-legislative and legislative work on platforms, fair competition and sufficient transparency for consumers must be kept in mind. A level playing field should be ensured inter alia by applying the same rules for platforms active in the insurance business which are already followed by conventional insurance companies. This holds especially true for those which have a great reach in the online world.

Gesamtverband der Deutschen  
Versicherungswirtschaft e. V.

German Insurance Association

Wilhelmstraße 43 / 43 G, D-10117 Berlin  
Phone: +49 30 2020-5400  
Fax: +49 30 2020-6603  
E-Mail: a.wehling@gdv.de

Phone: +49 30 2020-5700  
Fax: +49 30 2020-6700  
E-Mail: t.ilka@gdv.de

51, rue Montoyer  
B - 1000 Brussels  
Phone: +32 2 28247-30  
Fax: +32 2 28247-39

ID-Number 6437280268-55

[www.gdv.de](http://www.gdv.de)



## **The consumer at the centre**

The security and protection of sensitive customer data is a priority of the German insurance industry. The trust of the insured in responsible handling of their data must not be undermined by platform providers or other internet services with large market shares analysing data procured from different sources and often with little transparency for the users concerned, thereby achieving unfair competitive advantages in the area of insurance services. Particularly with regard to data protection, the same rules must apply to everyone.

## **Access and security**

It is of further great importance that consumers are strengthened in their freedom of disposition regarding the data created by them or at their request. Notably, the internet of things raises urgent questions, e. g. who may access connected vehicles, smart homes or other connected devices.

The growing use of cloud computing also affects German insurers in different ways: on the one hand as a possible user of cloud services, on the other hand in relation to insurance products for cloud providers and users. With the Trusted German Insurance Cloud, the German insurance industry provides a system for high security processes certified according to the German Federal Office of Information Security's basic IT principles as well as the internationally recognised Common Criteria for Information Technology Security Evaluation. We will gladly share the experience gained in this respect in further discussions.

## **Liability in a connected world**

For future insurance protection it is also of significance how questions of liability will be organised in a connected world. German insurers are already working on this by clarifying responsibilities in claims events in the case of new or enhanced insurance products for instance regarding the duty to avert, minimise or mitigate loss. In addition, valid evaluation mechanisms for the determination of the extent of damages and responsibility are under development.

Finally, we would like to note that the changes of the economy brought about by the sharing economy lead to questions in relation to insurance. This is the case in the area of non-life insurance (as regards the product and its function) as well as in the area of liability insurance (as regards the liability for damages caused by a product).

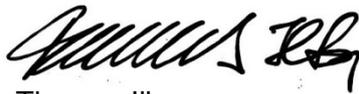
The distributed risk associated with the sharing economy as well as, respectively, new forms of usage for formerly solely privately used goods, vehicles or real estate, must be reflected in future insurance protection much like in any compulsory insurance currently required by law.

The German insurance industry would like to thank the European Commission for the opportunity to reply to the consultation and will continue to contribute to the ensuing debates on the realisation of the digital single market.

Yours sincerely,



Dr. Axel Wehling  
(Member of the Executive Board)



Thomas Ilka  
(Member of the Executive Board)

Encl.