

## Reinsurance Arbitrations

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Reinsurance arbitration disputes are typically confidential, but over the years, we have delivered outstanding results for our clients, including large recoveries for our cedents (in one case, confirming a judgment in excess of \$100M), "no-pay" rulings for our reinsurers, awards of interest, and attorney's fees in certain matters.

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Arbitration has traditionally been used in reinsurance, due in no small part to its effective, time- and cost-efficient nature. Hence, reinsurance contracts often include arbitration clauses requiring that any and all disputes arising under the contract be resolved by arbitration.

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Hence, reinsurance contracts often include arbitration clauses requiring that any and all disputes arising under the contract be resolved by arbitration. The current work provides an in-depth treatment of reinsurance arbitrations and the various issues they entail in the most representative jurisdictions for such arbitrations.

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AIDA Reinsurance & Arbitration Society The leading not for profit trade association for the insurance and reinsurance industry. ARIAS-U.S. promotes excellence, advancement, and education around (re)insurance alternative dispute resolutions.

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The prevalence of reinsurance arbitrations means that relatively few decisions on the construction of aggregation clauses come for decision before the courts. Aggregation remains a major issue in settlement of insurance and reinsurance claims and so judicial guidance on the meaning and application of common clauses is always welcome.

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Arbitration has traditionally been used in reinsurance, due in no small part to its effective, time- and cost-efficient nature. Hence, reinsurance contracts often include arbitration clauses requiring that any and all disputes arising under the contract be resolved by arbitration.

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Consolidation. When the contract contain a consolidation clause there won't be any doubt regarding consolidation. A consolidation clause in a reinsurance contract may appear as follows: "If more than one reinsurer is involved in an arbitration where there are common questions of law or fact and a possibility of conflicting awards or inconsistent results, all such reinsurers will constitute and act as one party for purpose of this clause".

~~Arbitration Clauses in Reinsurance Contracts~~  
Arbitration has traditionally been used in reinsurance, due in no small part to its effective, time- and cost-efficient nature. Hence, reinsurance contracts often include arbitration clauses requiring that any and all disputes arising under the contract be resolved by arbitration.

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Insurance & Reinsurance A large part of James' practice is international, and he is regularly instructed in arbitrations around the world, particularly London, Dubai, Hong Kong and Singapore. James is qualified to undertake Public Access work.

~~James Leabeater QC—Barrister—4 Pump Court~~  
Almost all insurance and reinsurance arbitrations take place under the 1993 Act, which implements the UNCITRAL Model Law on International Commercial Arbitration ("the Model Law"), and the remaining answers in this section deal only with the position under the 1993 Act.

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Reinsurance contracts are contracts of indemnity, so typically the ceding insurer first has to pay the underlying loss and then send the reinsurer a bill, which is essentially a request for indemnification of the loss that the ceding insurer has paid (subject to applicable limits and percentages of participation).

~~Statutes of Limitations in Reinsurance Disputes—Expert—~~  
Dr. Kyriaki Noussia is a Senior Lecturer (ESR). Prior to that (2010-2015) she has worked as a counsel in arbitrations and as an arbitrator. Outside arbitrations, she has regularly advised legally on various areas of law, most notably on maritime, energy, environmental, insurance and reinsurance law issues