**ICLA Tokyo Conference 2019**

***“An Encouragement of Learning (Gakumon-no-Susume):***

***The Frontier of International Construction Law”***

**Date** ：**28 May 2019 (Tue) - 28 May 2019 (Wed)**

**Venue** ：**Conference Hall of North Building, Keio University**

**Fee** ：5,000 yen (for 2 days, including materials, lunch and reception tickets)

\* Any University Students may attend for free of charge (but without lunch and reception). Please keep your student ID card with you.

**Topic** ：Please refer to the program below and the conference website

(<http://conferencetokyo.icl-assoc.com>).

**Day 1: 28 May 2019**

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| **Time** | **Program** | **Moderators and Speakers** |
| 10:00- | **Registration** | ― |
| 10:30-10:40 | **Opening remarks** | Prof. Naoki Kanayama (Keio University)  Dr. Wolfgang Breyer (ICLA Chairman, Breyer Rechtsanwälte) |
| 10:40-11:00 | **Keynote speech** | Mr. Isomi Suzuki (Chair, Committee of Japan Federation of Bar Associations on International Trade and Investment Arbitration and Alternative Dispute Resolution) |
| **Topic 1** | **International Construction Projects in Asian Countries** | Moderator: Prof. Takashi Ogura (Doshisha University) and Ms. Elaine Wong (Partner, Herbert Smith Freehills) |
| 11:00-11:20 | International Construction Projects in Singapore and Other Asian Countries | Mr. Shintaro Uno (Partner, Nishimura & Asahi) |
| 11:20-11:40 | Comparison of Construction laws among Asian Countries | Mr. Hiroki Aoki (Partner, Nagashima Ohno & Tsunematsu) |
| 11:40-12:00 | One Belt, One Road | Mr. Dongfeng Zhao (Partner, JustFaith Law Firm) |
| 12:00-12:20 | Q&A | ― |
| 12:20-13:40 | Lunch + Coffee Service | ― |
| **Topic 2** | **"Completion" and "Acceptance" in Construction Contracts** | Moderator: Prof. Kenji Saigusa (Waseda University) |
| 13:40-14:00 | "Remedies after Taking Over" under FIDIC | Dr. Wolfgang Breyer (ICLA Chairman, Breyer Rechtsanwälte) |
| 14:00-14:20 | “Completion” and “Acceptance” under the Japanese Standard Forms of Construction Contracts | Ms. Kaori Sugimoto (Counsel, Nagashima Ohno & Tsunematsu) |
| 14:20-14:40 | “Completion” and “Acceptance” under the Brazilian Standard Forms of Construction Contracts | Mr. Alexandre Aroeira Salles (Founder, Aroeira Salles Advogados) |
| 14:40-15:00 | “Completion” and “Acceptance” from a common law perspective | Ms. Raeesa Rawal  (Associate, Debevoise & Plimpton, London) |
| 15:00-15:20 | Liquidated Damages Application in Common Law and Civil Law Systems | Mr. Thierry Linares (Senior Director, FTI Consulting) |
| 15:20-15:40 | Q&A | ― |
| 15:40-16:10 | Long Coffee Break | ― |
| **Topic 3** | **Indemnity and Defects Liability** | Moderator: Mr. Naoki Iguchi (Partner, Nagashima Ohno & Tsunematsu) |
| 16:10-16:30 | Defects Liability under the Revised Civil Code in Japan | Prof. Kenji Saigusa (Waseda University) |
| 16:30-16:50 | Japanese Case Laws regarding Defects Liability under Construction Contracts | Ms. Hiromi Ando (Associate, Nagashima Ohno & Tsunematsu) |
| 16:50-17:10 | Indemnity in the Civil Law System: How Does It Work in Russia? | Prof. Nikolay Scherbakov (Moscow State University, Faculty of Law) |
| 17:10-17:30 | Indemnity and Defects Liability from the US Law Perspective | Mr. Joseph Moore (Partner, Hanson Bridgett) |
| 17:30-17:50 | Q&A | ― |

**Day 2: 29 May 2019**

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| **Time** | **Program** | **Moderators and Speakers** |
| 09:00- | **Registration** | ― |
| **Topic 4** | **Project Management** | Moderator Mr. Joseph Moore (Partner, Hanson Bridgett) |
| 09:30-09:50 | Delay Analysis from Contractor's Point of View | Mr. Kazuto Otani (Senior staff, JGC Corporation) |
| 09:50-10:10 | Delay Analysis from Consultant's Point of View | Mr. Shingo Ohno (Managing Consultant, Systech International) |
| 10:10-10:30 | Delay Analysis from Lawyer's Point of View | Dr. Wolfgang Breyer (ICLA Chairman, Breyer Rechtsanwälte) |
| 10:30-10:50 | Dispute Adjudication Board under FIDIC Contracts | Prof. Toshihiko Omoto (Kyoto University) |
| 10:50-11:10 | Q&A | ― |
| 11:10-11:20 | Short Break | ― |
| **Topic 5** | **Force Majeure** | Moderator:​ Mr. Christophe Von Krause (Partner, White & Case LLP​) |
| 11:20-11:40 | Force Majeure from Japanese Law Perspective | Prof. Naoki Kanayama (Keio University) |
| 11:40-12:00 | Force Majeure from England Law Perspective | Mr. David Brown (Clyde & Co) |
| 12:00-12:20 | Force Majeure from Czech Law Perspective | Mr. Vaclav Rovensky (Partner/Shareholder, Kocián Šolc Balaštík (KSB) |
| 12:20-12:40 | Force Majeure and Gross Negligence from a dispute resolution perspective: high test, high stakes | ​Mr. Thierry Linares (Senior Director, FTI Consulting) |
| 12:40-13:00 | Q&A | ― |
| 13:00-14:20 | Lunch + Coffee Service | ― |
| **Topic 6** | **International Arbitration and ADRs** | Moderator: Prof. Naoki Kanayama (Keio University) |
| 14:20-14:40 | ADRs in Construction Projects in the U.S. (AAA, JAMS, etc.) | Mr. Phillip Bruner (JAMS) |
| 14:40-15:00 | Latest Developments in International Arbitration Practices | Mr. Aoi Inoue (Partner, [Anderson Mori & Tomotsune](https://www.amt-law.com/en/news/detail/news_0014257_en_001)) |
| 15:00-15:20 | Conflict of Interest of Arbitrators in International Arbitration | Prof. Takashi Ogura (Doshisha University) |
| 15:20-15:40 | The Role of the Expert Witness in International Construction Disputes | Mr. Chris Ennis​ (Time | Quantum Expert Forensics Ltd.) |
| 15:40-16:00 | ADR in a Civil Law Environment – Fresh Developments in Germany as a Role Model? | Prof. Stefan Leupertz (Former Judge of German Federal Court) |
| 16:00-16:20 | Tailor-made ADRs as an alternative to arbitration: case studies | Mr. Christophe von Krause (Partner, White & Case LLP) |
| 16:20-16:40 | Q&A | ― |
| 16:40-17:10 | **Closing Remarks** | Dr. Wolfgang Breyer (ICLA Chairman, Breyer Rechtsanwälte)  Prof. Naoki Kanayama (Keio University) |
| 17:10- | **Reception** | ― |