

The Future of Nuclear Law: Addressing Societal, Environmental and Business Expectations



22nd Nuclear Inter Jura Congress 2016

7-11 November 2016

The Imperial Hotel, New Delhi

Organised by

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ACADEMIC PARTNER



The Future of Nuclear Law: Addressing Societal, Environmental and Business Expectations

1. Day 1: Monday 7 November, 2016	
Time / Themes	Speakers
8.30am – 9am: 1 hour	Registration / Welcome Coffee
9am-10.20am: 80 mints	Session 1: Inaugural session
9am - 9.10am: 10 mints	Word of Welcome & introduction Speakers
9.10 – 9.20am:10 mints	1. Address: Shri S.A. Bhardwaj Chairman, Atomic Energy Regulatory Board (AERB)
9.20am - 9.30am: 10 mints	2. Address by the Chief Guest: Chairman, Atomic Energy Commission (tbc)
9.30am – 9.40am: 10 mints	3. Address by the Guest of Honour: Additional Solicitor General of India, Hon’ble Atmaram Nadkarni
9.40am – 9.50am: 10 mints	4. Special Address: Joint Secretary, Ministry External Affairs, Government of India, Shri Amandeep Gill
9.50am – 10.00am: 10 mints	5. Special Address: Ms. Peri Lynne Johnson, Legal Adviser and Director, IAEA Office of Legal Affairs
10.00am– 10.10am: 10 mints	6. Special Address: Hon’ble Steve Burns, Chairman, United States Nuclear Regulatory Commission
10.10am – 10.25am: 15 mints	7. Award distribution & Vote of Thanks: NLA Prize Distribution <ul style="list-style-type: none"> - NLA President’s SN Bose Prize - NLA, India Prize for Best Paper - NLA, India’s Global South Award
10.25am – 10.50am: 25 mints	Coffee break
10.50am – 12pm:70 mints	Session 2: India’s nuclear energy program & other peaceful applications <ul style="list-style-type: none"> - Chairperson: Dr. Grover - Secretary: Riju Raj, Advocate, Supreme Court of India
10.50am – 11am: 10 mints (comments & intro Speakers)	- Chairperson: Dr. Grover, Homi Bhabha Chair, Department of Atomic Energy (confirmed)
11am – 11.15am: 15 mints	1. Director, BARC (by invitation)

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11.15am – 11.30am: 15 mints	2. Chairman & MD, NPCIL: Shri S.K. Sharma (by invitation)
11.30am – 11.45am: 15 mints	3. Director, IGCAR (by invitation)
11.45am – 11.50am: 5 mints (paper summary by secretary)	- Riju Raj: summary of other session-related papers / part of conference proceedings
11.50am – 12pm: 10 mints	Q&A session
12pm – 1pm: 1 hour	Lunch break
1pm – 2.50pm: 110 mints	Session 3: Updates on domestic laws and treaties relating to civil liability for nuclear damage - Chairperson: Dr. Kumar, DAE, Legal - Secretary: Sunitha P.N., Faculty, Government Law College, Kerala
1pm – 1.10pm: 10 mints	- Chairperson: Dr. Kumar, DAE, Legal; INLEX
1.10pm – 1.25pm: 15 mints	1. Mrs Ximena Vásquez-Maignan, Head, Office of Legal Counsel, Nuclear Energy Agency (NEA): status of all international treaties on civil liability for nuclear damage
1.25pm – 1.40pm: 15 mints	2. Dr. Grover, Homi Bhabha Chair, Department of Atomic Energy: The CLND Act from a nuclear engineering perspective
1.40pm – 1.55pm: 15 mints	3. Mr. Ramulu, MD, GIC Re (by invitation): The modalities of the newly launched India Nuclear Insurance Pool (INIP)
1.55pm – 2.10pm: 15 mints	4. Ben McRae, Assistant General Counsel for Civilian Nuclear Programs, Dept. of Energy, US: Implementation of the CSC in the United States
2.10pm – 2.25pm: 15 mints	5. Stanley Berger, Partner, Fogler, Rubinoff LLP (Canada): Canada's new liability regime
2.25pm – 2.35pm: 10 mints (paper summary by secretary)	- Sunitha P.N.: summary of other session-related papers / part of conference proceedings
2.35pm – 2.50pm: 15 mints	Q&A session
2.50pm – 3.20pm: 30 mints	Coffee break
3.20pm – 5pm: 100 mints	Session 4: Updates on domestic laws and treaties relating to civil liability for nuclear damage (cont'd) & what's in store for fusion? - Chairperson: Bill Horin, Partner, Winston & Strawn (US); co-Chairperson Working Group 2, INLA, on liability & insurance

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	- Secretary: Ms. Aakanksha Joshi, Economics Law Practice, Advocates, Mumbai
3.20pm – 3.30pm: 10 mints	- Chairperson: Bill Horin, Winston & Strawn (Washington DC)
3.30pm – 3.45pm: 15 mints	1. Marc Beyens & Godelieve Vandeputte: The new Belgian law on nuclear third party liability: anticipation of the entry into force of the revised Paris Convention and the need for a <i>State Guarantee</i> of nuclear operator’s liability
3.45pm – 4pm: 15 mints	2. Mr. Julius Weitzdorfer, University of Cambridge: Liability for mental distress in Fukushima
4pm – 4.15pm: 15 mints	3. Neil Donoghue & Tania Arora, Baker & McKenzie LLP, London: Mitigating exposure to liability – case studies
4.15pm – 4.30pm: 15 mints (paper summary by secretary)	4. Ms. Aakanksha Joshi: summary of other session-related papers / part of conference proceedings
4.30pm – 5pm: 30mints	Q&A session
5pm – 5.05pm: 5 mints	General announcement regarding week’s program
7pm – 10pm: dinner	Welcome Dinner @ The Imperial
Day 2: Tuesday 8 November, 2016	
Time / Themes	Speakers
9am – 10.30am: 90 mints	Session 5: Climate change policies& impact on the nuclear energy sector: reflections on current developments & future implications
9am – 9.10am: 10 mints (comments & intro Speakers)	- Chairperson: Ambassador Chandrashekhar Dasgupta, former Ambassador to EU and China; current Member of the Prime Minister’s Council on Climate Change; Distinguished Fellow, TERI
9.10am – 9.25am: 15 mints	1. Dr. Shiju M.V., Associate Professor, Department of Policy Studies, TERI University, New Delhi
9.25am – 9.40am: 15 mints	2. Tyson Smith, Partner, Winston & Strawn LLP (US): EPA’s Clean Power Plan; nuclear power plants & related litigation
9.40am – 9.55am: 15 mints	3. Caroline Verwijs van Fraassen, Manager Legal, Regulatory & Compliance , N.V. EPZ: the Urgenda case – holding the Dutch Government liable for not meeting CO2 reduction targets

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9.55am – 10.10am: 15 mints	4. Henri Paillère, NEA (OECD): The Role of Nuclear Energy in Combating Climate Change
10.10am – 10.30am: 20 mints	Q&A session
10.30am – 11am: 30 mints	<i>Coffee break</i>
11am – 12.30pm: 90 mints	<p>Session 6: panel discussion: Nuclear finance – challenges & approaches</p> <ul style="list-style-type: none"> - Chairperson: Ahab Abdel-Aziz, Global Director of Nuclear Power Generation, Gowling WLG (Canada) & WG 3 co-Chairperson - Secretary: Magdalena Hanebach, Associate, Gowling WLG
11am– 11.10am: 10 mints (comments & intro Speakers)	- Chairperson: Ahab Abdel-Aziz (Canada)
11.10am – 11.25am: 15 mints	1. Keynote address: Preman Dinaraj, NPCIL, Director, Finance
11.25am – 11.40am: 15 mints	2. Stephen Tromans QC, London: State support for Nuclear New Build
11.40am – 11.55am: 15 mints	3. Jason Crowell, Managing Partner, Peace / Crowell LLP (US): Project Finance Structures for NPPs
11.55am – 12.10pm: 15 mints	4. Paul Murphy, Managing Director, Gowling WLG
12.10 – 12.20: 10 mints (wrap-up observations)	- Magdalena Hanebach, Associate, Gowling WLG: summary of other session-related papers / part of conference proceedings
12.20pm – 12.30pm: 10mints	Q&A session
12.30pm – 1.30pm: 1 hour	<i>Lunch break</i>
1.30pm – 3pm: 90 mints	<p>Session 7: Addressing Business Expectations: Engaging industry in nuclear new build</p> <ul style="list-style-type: none"> - Chairperson and Panel Co-Moderator: Jacques Lavoie, General Counsel, Emirates Nuclear Energy Corporation (ENEC), UAE - Panel Co-Moderator: Dipankar Bandyopadhyay, Partner, Verus
1.30pm – 1.40pm: 10 mints	- Chairperson: Jacques Lavoie, ENEC (UAE) – opening comments
1.40pm – 2.15pm: 35 mints Panel Co-Moderator: Dipankar Bandyopadhyay, Partner, Verus (India)	<p>I. Panel on Traditional New Build: Engaging industry through JVs</p> <ul style="list-style-type: none"> a. Yash Thomas Mannully: Nuclear New Build in India – Opportunities & Risks with JVs

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	<p>b. Shekhar Sumit, Herbert Smith Freehills, London: JVs in the nuclear energy industry</p> <p>c. Graham Alty, Pinsent Masons LLP (UK): Different JV models & contractual liability allocations</p>
<p>2.15pm - 2.50pm: 35 mints</p> <p>Panel Co-Moderator: Jacques Lavoie, ENEC, (UAE)</p>	<p>II. Panel on SMR New Build: From R&D to deployment</p> <p>a. Noel Harris, Lawyer, Urenco (UK): From Big to Small: the Path to Micro Reactors</p> <p>b. Vanessa Jakovich, Counsel, Freshfields (UK): Models for industry deployment of SMRs</p> <p>c. Elina Teplinsky, Partner, Pillsbury Winthrop Shaw Pittman (US): industry views on licensing of SMRs</p>
2.50pm – 3pm: 10 mints	Q&A session
3pm – 3.30pm: 30 mints	Coffee break
3.30pm – 5pm: 90 mints	<p>Session 8: panel discussion: Energy at a regional level (ASEAN / Gulf / BRICS / EU Energy Union / Global South view) – its scope?</p> <ul style="list-style-type: none"> - Chairperson: Dr. R Rajesh Babu. Associate Professor, IIM Calcutta - Secretary: Dr. Ram Mohan, TERI University; President, NLA
3.30pm – 3.40pm: 10 mints	- Chairperson: Dr. R Rajesh Babu. Associate Professor, IIM Calcutta
3.40pm – 3.50pm: 10 mints	1. Kirill K. Kozhevnikov, PhD, Moscow State Law University: BRICS: A Russian View
3.50pm – 4pm: 10 mints	2. Ms. Anne Wilson, Director, Comline Wilson Attorneys, South Africa: Future of Nuclear Energy in Africa
4pm – 4.10pm: 10 mints	3. Abide Gülel, Gülel Attorneys at Law (Turkey): perspectives from Turkey
4.10pm – 4.20pm: 10 mints	4. Dr. Nanda Kumar, Assistant Professor, Energy Studies, JNU (New Delhi): Nuclear Sociology - Risk Perception of Nuclear Power in Global South
4.20pm – 4.30pm: 10 mints	5. Alak Chakraborty , Principal Adm. Officer, Legal Cell, Bangladesh Atomic Energy Commission
4.30pm – 4.40pm: 10 mints	6. Dr. Noriko Endo, The University of Tokyo, Japan

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4.40pm – 4.50pm: 10 mints	Dr. Ram Mohan, TERI University; President, NLA: wrap-up comments
4.50pm – 5pm: 10 mints	Q&A session
Evening	Free dinner plans (option for WGs & others to schedule dinners)
Day 3: Wednesday 9 November, 2016 (followed by social outing)	
Time / Themes	Speakers
9am – 10.30am: 90 mints	Session 9: Transport nuclear material – case studies & key developments - Chairperson: Khalil Bukhari, Head of Legal, International Nuclear Services (UK) - Secretary: Vivek Nemane, PhD Candidate, UNE School of Law, Australia
9am – 9.10am: 10 mints	- Chairperson: Khalil Bukhari, Chairperson, INLA WG7
9.10am – 9.25am: 15 mints	1. Keynote Address: AERB - transport specialist (by invitation)
9.25am – 9.40am: 15 mints	2. Mark Tetley, Power, Utilities & Nuclear, Price Forbes (UK): Transport liability & insurance
9.40am – 9.55am: 15 mints	3. Joanne Sinar, Head Legal, UK NDA, and Kirsty Snape, UK NDA Insurance Manager – The Contents of the Emergency Folder for Transports involving nuclear material
9.55am – 10.10am: 15 mints	4. Ben Whittard, Head of Security and Resilience, INS, UK – Practical Perspective of Compliance with the Convention for the Physical Protection of Nuclear Materials in Transport
10.10am – 10.20am: 10 mints	5. WNTI – status of activities (tbc)
10.20am – 10.30am: 10 mints	Q&A session
10.30am – 11am: 30 mints	Coffee Break
11am – 12.30pm: 90 mints	Session 10: Nuclear Security: stocktaking of main events, including: Analysis 9th NPT RevConf/ NSS 2016 /CPPNM amendment / Update Marshall Island case
11am– 11.10am: 10 mints	- Chairperson: Carlton Stoiber, Chairperson INLA WG6 - Secretary: Ms. Anukriti Dixit, PhD candidate, IIM-Ahmedabad

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11.10am – 11.25am: 15 mints	1. Prof. Kawasaki (Japan) – Actio Popularis & Obligations Erga Omnes before the International Court of Justice: from the West Africa Cases to the Marshall Island Cases
11.25am – 11.40am: 15 mints	2. Vinod Kumar, Associate Fellow, Institute for Defence Studies and Analyses (New Delhi): Analysis 9 th NPT RevConf
11.40am – 11.55am: 15 mints	3. Wolfram Tonhauser, Section Head, Nuclear Treaty Law Section, Office of Legal Affairs, IAEA: CPPNM amendment and update International Nuclear Security Conference
11.55am – 12.10pm: 15 mints	4. Anthony Wetherall, Centre for International Law (CIL) & the Energy Studies Institute (ESI), National University of Singapore: Regulation of Transportable NPPs
12.10pm – 12.30pm: 20 mints	Q&A session
12.30pm – 1.30pm: 1 hour	Lunch & drinks
1.30pm – 4pm:	Networking & Social activities
4pm – 5pm:	Coffee & snacks
5pm: departure	Return to the Imperial Hotel - participants could be dropped by bus @ e.g. Khan Market / or other options <i>en route</i>
Evening	Free dinner plans (option for WGs & others to schedule dinners)
Day 4: Thursday 10 November, 2016	
Time / Themes	Speakers
9am – 10.45am: 105 mints	Session 11: Radioactive Waste Management – policies & ongoing challenges in various jurisdictions - Chairperson: Patrick Reyners, Secretary General INLA, former Head of Legal Affairs at OECD/NEA - Secretary: Mr. Keith Varghese, Enviro Legal Defense Firm
9am – 9.10am: 10 mints (comments & intro Speakers)	- Chairperson: Patrick Reyners, Secretary General INLA
9.10am – 9.25am: 15 mints	1. Keynote address: Shri PK Wattal, Raja Ramanna Fellow, BARC: nuclear waste management in India & related R&D (tbc)
9.25am – 9.40am: 15 mints	2. Cristina Alejandra Domínguez, Autoridad Regulatoria Nuclear, Buenos Aires Argentina: The Int'l Harmonized Guidance for Implementing the Recommendations of the Code of Conduct on the Safety and Security of Radioactive Sources in Relation to the Management of Disused Radioactive Sources

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9.40am – 9.55am: 15 mints	3. Andrey Popov, Legal & Corporate Affairs Department, Rosatom: Growing demand for spent nuclear fuel reprocessing and radioactive waste management and its legal regulation in Russia
9.55am-10.10am: 15 mints	4. Mr. Mark Callis Sanders, Sanders Engineering (USA): The Path towards a Legitimate Radioactive Waste Management Program: A comparative analysis of the legislative and regulatory approaches to the management of radioactive waste in the USA and China
10.10am – 10.25am: 15 mints	5. Alexandra van Kalleveen, European Commission, Joint Research Centre (Karlsruhe, Germany): findings comparative Report prepared by INLA WG5 based on Questionnaire
10.25am – 10.40am: 15 mints (paper summary by secretary)	6. Mr. Keith Varghese: summary of other session-related papers / part of conference proceedings
10.40am – 10.50am: 10 mints	Q&A session
10.50am – 11.15am: 25 mints	Coffee Break
11.15am – 12.45pm: 90 mints	Session 12: Panel discussion: Involvement of civil society in nuclear energy projects& related litigation
11.15am– 11.25am: 10 mints	- Chairperson: Ajish P. Joy, Chief Subeditor, The Week magazine
11.25am – 11.40am: 15 mints	1. Shibani Ghosh, , Fellow, Centre for Policy Research, New Delhi (handled public interest litigations on nuclear)
11.40am– 11.55am: 15 mints	2. Prof., Dr. Gunther Kühne, Emeritus Prof., Technical University of Clausthal, Hon. Prof., University of Göttingen, Germany: Nuclear Phase-out Legislation and Nuclear Waste Management in Germany
11.55am – 12.10pm: 15 mints	3. Helen Cook, Counsel, Shearman & Sterling LL.P., Washington DC: Public Participation in the nuclear sector (tbc)
12.10pm – 12.25pm: 15 mints	4. Mariano R. Páez, lawyer, Head of Judicial Affairs, CNEA, Argentina: The Regulation of the Nuclear Industry with help of litigation: a case law related to Uranium mining. Implications and possibilities
12.25pm – 12.45pm: 20 mints	Q&A session
12.45pm – 1.45pm: 1 hour	Lunch break

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1.45pm – 3.15pm: 90 mints	Session 13: Panel discussion: Iran Nuclear Deal - sharing negotiating experiences & assessing implications for business
1.45pm – 1.55pm: 10 mints	- Chairperson: Ambassador Sood (by invitation)
1.55pm – 2.05pm: 15 mints	1. Joint Secretary, Ministry External Affairs, Mr. Gill (by invitation)
2.15pm – 2.25pm: 15 mints	2. Ambassador of Iran to India (by invitation)
2.25pm – 2.35pm: 10 mints	3. Representative P5 + 1 (negotiating experience & expectations)
2.35pm – 2.45pm: 10 mints	4. Ajay Kuntamukkala, Hogan Lovells LLP, Washington DC: Iran Nuclear Deal & its impact on industry
2.45pm-2.55pm: 10 mints	5. Artem Lazarev, PhD student, Barcelona (Spain): Monitoring and verification measures in the Joint Comprehensive Plan of Action regarding Iran's nuclear program(tbc)
2.55pm – 3.15pm: 20 mints	Q&A session
3.15pm – 3.45pm: 30 mints	Coffee break
3.45pm – 5.15pm: 90 mints	General Assembly
	Note: General Assembly (including vote by INLA members), during which the host of the XXIII Congress will be announced
7pm – 11.30pm: dinner	Gala Dinner @ The Imperial
Day 5: Friday 11 November, 2016	
Time / Themes	Speakers
9am-10.30am: 90 mints	Session 14: Nuclear Safety & ongoing efforts in various jurisdictions - Chairperson: Mr. S. Harikumar, AERB (confirmed) - Secretary: Mr. Akshay Shandilya, LL.B. (India)
9am – 9.10am: 10 mints	- Chairperson: S. Harikumar, Secretary, AERB
9.10am – 9.25am: 15 mints	1. Keynote address: Chairman, AERB
9.25am – 9.35am: 10 mints	2. Ms. Rishika Singh, PhD Candidate, TERI University: Critical Analysis of the IRRS Mission to India on AERB
9.35am – 9.45am: 10 mints	3. Emma Durand-Poudret - questioning the “soft” global governance of nuclear safety (tbc)

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9.45am – 9.55am: 10 mints	4. Kimberly S. Nick, Lawyer, Office of Legal Counsel, NEA: Nuclear safety culture
9.55am – 10.05am: 10 mints	5. Ana Stanić, Solicitor, E&A Law & Visiting Lecturer University of Dundee, Lessons from Fukushima: Actions Taken at EU and International Level
10.05am – 10.15am: 10 mints (paper summary by secretary)	Akshay Shandilya: summary of other session-related papers / part of conference proceedings
10.15am – 10.30am: 15mints	Q&A session
10.30am – 11am: 30 mints	Coffee break
11am – 12.30pm: 90 mints	Session 15: comparative discussions & Report WG1 on Safety & Regulation - Chairperson: Ian Salter, WG1, Chairperson - Secretary: Łukasz Młynarkiewicz, Legal Counsel (Poland), PhD Candidate; Secretary INLA WG1 on nuclear safety
11am– 11.10am: 10 mints (comments & intro Speakers)	- Chairperson: Ian Salter, WG1, Chairperson
11.10am – 11.25am: 15 mints	1. Tammy de Wright, Australian Safeguards & Non-Proliferation Office, Department of Foreign Affairs & Trade, Australia: Strengthening global nuclear safety regime through bilateral nuclear cooperation agreements (NCAs)
11.25am-11.40am: 15 mints	2. Marc Beyens, General Counsel Energy Belux& Ors.: Long-Term-Operation projects &international environmental “soft law”
11.40am – 11.55am: 15 mints	3. Karoly Tamas Olajos, Legal Officer, ITER: International Regulation of Nuclear Fusion
11.55am – 12.10pm: 15 mints	4. Alexander Matveev (Russian Federation): Intellectual Property Challenges to Nuclear Energy
12.10pm – 12.20pm: 10 mints	- Łukasz Młynarkiewicz& Ian Truman, Burges Salmon (UK): summary of key findings Report – Questionnaire WG1
12.20pm – 12.30pm: 10 mints	Q&A session
12.30pm – 1.30pm: 1 hour	Lunch break
1.30pm – 3pm: 90 mints	Session 16: Radiation Protection: reflections on future developments

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	<ul style="list-style-type: none"> - Chairperson: Dr. Jankowitsch-Prevor, independent expert nuclear and international law; former IAEA lawyer. - Secretary: Rasa Ptasekaite, Ministry of Environment & Energy, Sweden
1.30pm – 1.40pm: 10 mints	- Chairperson: Dr. Jankowitsch-Prevor, independent expert nuclear and international law; former IAEA lawyer.
1.40pm – 2pm: 20 mints	1. Keynote address: Prof. Kesavan, Distinguished Fellow, MS Swaminathan Research Foundation, India
2pm – 2.15pm: 15 mints	2. Ms. Olvido Guzman, NEA-OECD: (topic to be confirmed)
2.15pm – 2.25pm: 10 mints	3. Sebastiaan Reitsma: An International Liability Regime for Compensation of Nuclear Damage due to Radioactive Sources (study findings to be presented by Mark Tetley)
2.25pm – 2.35pm: 10 mints	4. Dr. Sara Maciel Sánchez, Martinez & Maciel, Mexico: International Convention on Radiation & Nuclear Security?
2.35pm – 2.45pm: 10 mints (wrap-up comments)	Rasa Ptasekaite: summary of other session-related papers / part of conference proceedings
2.45pm – 3pm: 15 mints	Q&A session
3pm – 3.30pm: 30 mints	Coffee break
3.30pm – 4.50pm: 80 mints. (can be 90 mints up to 5pm)	Session 17: Panel discussion on the protection of patients against ionizing radiation
3.30pm – 3.40pm: 10 mints	<ul style="list-style-type: none"> - Chairperson: Ulrike Feldman, Legal Advisor, German Association of the Nuclear Fuel Cycle Industry and Nuclear Technology - Secretary: Rasa Ptasekaite, Ministry of Environment & Energy, Sweden
3.40pm – 3.50pm: 10 mints	1. Mr. S. Harikumar, Secretary, AERB (focus on: role of the regulator in this context)
3.50pm – 4pm: 10 mints	2. Prof. Toyohiro Nomura, Gakushuin University, Japan
4pm – 4.10pm: 10 mints	3. Dr. Sara Maciel Sánchez, Martinez & Maciel, Mexico
4.10pm – 4.20pm: 10 mints	4. Sidonie Royer-Maucotel, Legal Department, CEA, France
4.30pm – 4.45pm: 15 mints	Q&A session

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4.45pm – 5pm: 15 mints	Closure - Prize Distribution & Vote of Thanks Prize Distribution: <ul style="list-style-type: none">- Mukesh Arora Memorial NLA Prize for Best Presenter- Oxford University Press NLA Scholar Award
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