

Notiser

Report from the Nordic Conference on Construction Law “Regulating Disruptions in Nordic Construction Contracts”

On January 30 and 31, 2025, a Nordic conference on construction law was held at the Faculty of Law in Lund. The conference was organized by Lund University Centre for Business Law (Swedish abbreviation ACLU) in collaboration with researchers from the law faculties at Stockholm University, University of Copenhagen, University of Helsinki, University of Iceland and University of Oslo. The conference was partially funded by generous contributions from Birger Ekebergs fond, Rune och Lena Lavins stiftelse för rättsvetenskaplig forskning vid den Juridiska fakulteten i Lund and Stiftelsen för stöd till verksamhet vid ACLU.

Overview of the Conference

Despite differences in the regulation of construction contracts across the Nordic countries, there are also many similarities. A common feature is the absence of statutory regulations on the rights and obligations of the parties in construction contracts (where the client is not a consumer). Instead, construction contracts are regulated by standard contracts. Each Nordic country has its own standard contracts.

The conference aimed to connect Nordic legal scholars and practicing lawyers with an interest in the field of construction law and to academically explore the potential for deeper Nordic cooperation within the field. The conference was based on the assumption that closer collaboration between academics and practitioners can enrich and develop construction law in the Nordic countries. Enhanced Nordic cooperation may also form the basis for interaction with a wider international construction law environment.

The conference attracted nearly 140 registered participants, including legal scholars, attorneys and other practitioners from all five Nordic countries. To eliminate language barriers, the conference was conducted in English. The program began on the morning of January 30 and concluded at lunchtime on January 31.

The conference’s theme focused on the regulation of disruptions in the dominant Nordic standard contracts and what is constituted as a claim under the standard contracts. However, some other aspects were also addressed, such as “global claims”.

Lectures and panel debates were conducted under the following headings:

- How are disruptions regulated in Nordic standard forms?
- What can we learn from comparing Nordic standard form regulations?
- Grounds for disruption claims: Ground conditions
- Grounds for disruption claims: Force majeure
- Grounds for disruption claims: Cooperation deficiency
- Structuring disruption claims: “Global claims”

A total of 25 lawyers participated in the program. The speakers, panellists and moderators were (in participating order): attorney Rasmus Holm Hansen, professor Olli Norros, attorney Fjölfnir Ólafsson, attorney Jan Einar Barbo, attorney Kristin Eickhoff, associate professor Jakob Heidbrink, professor Ole Hansen, professor Víðir Smári Petersen, associate senior lecturer Marcus Utterström, attorney Jóhannes Karl Sveinsson, attorney Anders Ingvarson, doctoral student Andrea Algård, doctoral student Andreas Heian Slettevold, associate Malin Atran, legal counsel Hannes Josephson, senior lecturer David Dryselius, senior lecturer Stina Bratt, professor Jori Munukka, attorney Kjersti Lerkerød, attorney Antti Järvinen, attorney Kasper Mortensen, attorney Vivi Klink Larsen, attorney Niels Schiersing, attorney Mikal Brøndmo and attorney Oskar Gentele.

The Future of Nordic Cooperation in Construction Law

The conference provided several valuable insights. The Nordic perspective proved to be very rewarding. Although there are differences between the various countries and their standard contracts, there is also much that unites them. The partially shared legal history and legal culture creates a basis for a common understanding and deep exchange. The differences provide inspiration for new ideas and arguments. Of particular interest is how discussions on various construction law issues often referred to general principles, which are largely common to all five countries. These common principles and what they mean for construction law and further Nordic cooperation could be examined more closely.

The combination of legal scholars and practitioners contributed to a positive dynamic at the conference. The academic and practical perspectives expressed in lectures, panel discussions and informal conversations enriched each other.

Many participants expressed a desire for another Nordic conference in 2–3 years. It seems likely at the time of writing that this will indeed be the case. There are also ideas for further Nordic academic cooperation in the field of construction law, for example on joint research projects and teaching.

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