


PETER AEBERLI

MA, BA Dip Arch, Dip ICArb, RIBA, ARIAS, ACE, FCI Arb.
Barrister, Chartered Arbitrator, Adjudicator, Accredited CEDR Mediator

Nationality	Canadian of Swiss descent. Resident in the United Kingdom	
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Professional Qualifications	Chartered Architect (RIBA and RIAS) Barrister at law - Middle Temple Fellow of the Chartered Institute of Arbitrators and Chartered Arbitrator Registered CEDR Mediator Diploma in International Commercial Arbitration	

Work as counsel

Work as counsel includes advising on and appearing principally on construction and arbitration related matters in the Technology and Court Court (TCC) and the County Courts, has also appeared in the Court of Appeal (*TFW Printers Ltd v. Interserve Project Services* [2006] BLR 299). Receives instructions to draft contractual documentation including amendments to JCT contracts. Advises and represents parties in arbitration, adjudication and mediation proceedings.

Overseas work has included advising parties in Latvia, Vietnam and in South Africa on contractual (FIDIC) and arbitration matters.

Dispute Resolution Experience

Experienced arbitrator, adjudicator and mediator receiving appointments by party agreement and third parties from bodies such as the ICC, LCIA, FIDIC, Engineer's Ireland, the CI Arb, RICS and RIBA. Has been invited by ICDR (American Arbitration Association) to chair a tribunal, but had to decline, in that instance, for personal reasons.

Arbitrator on in excess of 50 construction disputes in both two party and multi-party matters: *"We would also like to convey our thanks to the Arbitrator ... We look forward to working again with the Arbitrator soon."* (London city solicitors).



Adjudicator on excess of 100 construction disputes: *"The adjudicator decided, in what both parties accepted was a thorough and well reasoned decision, that the defendant had to pay the claimant the sums for which I have given summary judgment."* Knight v. Urvasco [2008] EWHC 3956. *"I would like to express my appreciation of the proficient approach and treatment by the one member DAB ..."* (Eastern European State entity).

Mediator on in excess of 50 construction and other disputes involving both two and multi parties: *"Thank you very much indeed for your assistance yesterday. ... we could not have got there without your skill and persistence."* (London city solicitors).

Disputes on which Peter has acted, have involved:

- Legal issues.
- Development agreements.
- Technical issues, such as alleged paint, roofing, cladding, mechanical and electrical and structural defects.
- Environmental (including nuclear) issues.
- Professional negligence.
- Delay and programming issues and disruption and delay costs.
- Interim and final account valuation.
- Commercial agency agreements
- International commercial disputes, including ICC arbitration (sole and chairman) UNCITRAL Rules and FIDIC dispute board.

Peter has also mediated disputes outside the construction sector, including in regard to wills, landlord and tenant, sale of goods, and passing off and is identified in the Bar Council list of mediators under the most experienced category.

Panel Listings

LCIA, CIArb (including NHBC), Engineers' Ireland, Law Society, RIBA and CIOB panels of arbitrators.

CIArb, RIBA RICS, CIOB and Bar Council panels of mediators.

CIArb, RIBA, RICS, ICE, CEDR, Construction Confederation, Construction Industry Council, Association of Independent Construction Adjudicators and CIOB panels of adjudicators.

ICC Canadian National Committee Panel of International Commercial Arbitrators.

ICDR (American Arbitration Association) roster of international arbitrators

International Institute for Conflict Prevention & Resolution (CPR) Roster of arbitrators and mediators.

FIDIC President's List of Dispute Adjudicators.

Named or listed as an adjudicator in respect of a number of high value and prestigious contracts, including London Crossrail, the London 2012 Adjudication Panel and T5 (Heathrow Terminal 5).

Professional Memberships and official positions held

RIBA, RIAS, ACE, FCIArb, Barrister

Visiting senior lecturer at Kings College Centre of Construction Law and Management; course director for Module D of the MSc Course – Arbitration and dispute resolution module.

Joint Secretary of the Joint Contracts Tribunal (JCT): 1995 to 1998.

Cases editor on the Arbitration and Dispute Resolution Law Journal: 1994 to 2000



Member of the drafting committee for the Construction Industry Model Arbitration Rules (CIMAR).

Member of the ICC Task Force on Reducing Costs in Complex Arbitrations. Member of the ICC Commission on Arbitration.
Worshipful Company of Arbitrators (liveryman).

General Availability

Principally Europe, including former Warsaw pact countries.

Background and Career summary

Prior to reading law as a scholar at Hertford College, Oxford in the late 1980s, worked with a multi-disciplinary consultancy as a project architect on medium and large developments including hospitals, schools, housing, offices and structures for the Ministry of Defence.

Converted to reading Architecture at Edinburgh University after starting a degree in Sciences at St Andrew's University.

- 1978-1987: Architect, principally with Building Design Partnership, but for a period as a Lecturer in Architecture at Edinburgh University in design and building construction.
- 1987-1989: Hertford College, Oxford, Scholar, Gibbs Prize, *proxime assessit*. Also during this time and for a year or so after, a part time lecturer in building construction at Oxford Polytechnic, now Oxford Brooks University.
- 1989-1991: Bar school and pupillage, including at Atkin Chambers, London.
- Since 1991: In private practice as a barrister, arbitrator, mediator and adjudicator.

Notable projects

Projects on which Peter Aeberli has been appointed as tribunal or instructed as counsel have included port facilities in Ghana and in England; roads, sewers; remediation of nuclear contamination; hotels and office complexes, railway facilities, housing; the value of projects ranging in value up to about £100 million.

Language Capability

English (mother tongue)