

A network of glowing blue nodes connected by thin lines, set against a dark background with a subtle grid pattern.

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Latest Survey Points to Preference for International Arbitration in International Construction Disputes

Reading Time: 1.5 minutes

The latest survey by Queen Mary University of London and Pinsent Masons indicates a worldwide preference for international arbitration in the construction sector.

A recent study published by the Queen Mary University of London and Pinsent Masons focused on international arbitration in the construction sector. The study provides valuable insight on the state of international arbitration in this sector based on significant input from various actors in the field – including our international arbitration team.

The following are some key findings of interest from the survey:

1. The study found that international arbitration is "*perceived as the best available process for resolving disputes arising in international construction projects*", and is often recognized to be the "*only viable or commercially acceptable*" form of conflict resolution.
2. Survey participants cited factors such as avoiding legal systems or national courts, the ability to select arbitrators, and confidentiality and privacy as some of the main reasons why they prefer international arbitration over litigation in national courts.
3. The most common causes of international arbitrations in the construction sector were identified as late performance, poor contract management, suspension or termination of the contract, and claims relating to defective materials.
4. International arbitrations in the construction sector are often characterized by their factual and technical complexity, large amounts of evidence, multiple claims and parties, and by the large amounts in dispute.

5. The most common institutions used for international construction arbitrations were the International Chamber of Commerce (“ICC”, used by 71% of survey participants) and the London Court of International Arbitration (“LCIA”, used by 32% of survey participants).¹
6. Since international construction projects consist of vast amounts of documentation, many survey participants cite the use of technology in organizing and disclosing evidence as an important method for managing and resolving disputes efficiently and cost-effectively.

We find these insights to be reflective of international arbitrations involving the Israeli construction sector, as well.

For your convenience, the published survey report may be downloaded as a PDF from [this link](#).

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¹ Participants were able to select multiple options for this question, and many have used both the ICC and LCIA.