EFFICACY OF INTERNATIONAL ORGANISATIONS IN ONLINE DISPUTE RESOLUTION MECHANISM

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ABSTRACT

As the world is moving rapidly towards digitalization changes are happening within a blink of an eye. Things has become accessible to the extent of one click of our mobile phones or laptops etc. Cross boarder boundaries are not a hurdle anymore with a speedy evolution of tech on earth. So why courts and arbitrary institutes should remain any distant from the technology.

When COVID-19, had affected the working system globally, the national and international courts opted for a pragramatic solution of 'ONLINE DISPUTE RESOUTION MECHANISM" (ODR) although it was prevalent earlier among the international organisations, it gained popularity when the globe was battleling with pandemic. So what exactly is ODR mechanism and how international organisations are making use of it to approach amicable dispute resolutions.

International organisations like UNCITRAL have already stepped their feet into this form of dispute resolution for a while now. There are many parts on the globe which are beyond the reach of these organizations, therefore to remove this lacuna, UNCITRAL has shown a progressive step in this direction.

This dissertation will elaborate on the matter of ODR mechanism by the international organisations , what are the shortcomings faced by the organisations during ODR and how far have they been able to successfully implement it in providing quick redressal in cross border disputes. The research paper will have five long chapters explaining about the facets of these organisations and a conclusion and suggestions regarding what changes can be made by international organisations to make their approach more pragmatic[3].

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[3]PERMANENT COURT OF ARBITRATION https://pca-cpa.org/en/cases/ (17th APR.2023),CASES;

The ODR by different international bodies who have have achieved these standards so far but in this present era where do they lack in their approach the bodies have to perform on their own to function these rights the organisations function independently as their own right that should be done because of that it should not be done by these organisations.

The rule of law and institutions that are supported by it, all international organizations place a high priority on the legal and efficient resolution of disputes. As a result, the Laws of effective convention and reconciliation that enable multilateral institutions to exist and function is directly related to their effectiveness. This crucial aspect came to the forefront during the discussions that took place at the Asian Infrastructure Investment Bank (AIIB) Legal Conference in 2018. The officer of senior level variety of the international organizations, their presidents, The V.P, and The general secretaries of renowned arbitration organisations, eminent academic lawyers, and associates of top international law firms were among the distinguished international lawyers whose diverse experiences and expertise were used in the conference.

INTODUCTION

The ICDR (International dispute resolution procedures)[4] has incorporated the definition of an international arbitration from the laws in UNCITRAL to determine whether it is an international case. If the parties to an arbitration agreement meet the following criteria, if the arbitration is regarded to be international, the ICDR may handle its administration:

- Their international locations of business;
- Here, a sizable portion of the obligations of their commercial connection that must be fulfilled are planned outside of either party's country; the location outside of the country of any party
- The location with which the subject matter of the dispute is most intimately related is the location outside of the country of any party.
- One party is set up outside of any party's country with multiple business environments (including a guardian or prospective auxiliary).

The State of Qatar v. The United Arab Emirates ,I.C.J Report,2021
Ukraine v. the Russian Federation, I.C.J Report,2019
[4]ONLINE DISPUTE RESOLUTION (will be hereinafter referred to as "ONLINE DISPUTE RESOLUTION".)
International dispute resolution procedures (will hereinafter be referred to as "ICDR".)

When the International Mediation Rules or the International Arbitration Rules use singular terms like "party," "claimant," or "arbitrator," they must also include the plural if there are multiple of those entities. Whenever any party isn't partaking, references to the "parties" will mean taking parties or gatherings.

An arbitral tribunal can hear a dispute and make a decision that is final and binding. In ICDR arbitration, each party has the chance to submit their case in accordance with these Rules and the tribunal's procedures.

The ICDR include the following:

- formalise the practise of the ICDR to appoint the Council Of International Administrative review, which is composed of current and past ICDR executives, to resolve administrative issues and arbitration challenges.;
- Provide the arbitral council the authority to decide on issues of arbitral and scope without first referring them to a court.
- Give that the gatherings and court will talk about in the procedural hearing issues connected with network safety, security, and information assurance;
- Create a presumption that the parties will serve as mediators throughout the arbitration, with each party having the opportunity to decline this role.[5]
- Allow parties to ask for approval to submit an early disposition application for matters that have a possibility of success, will be resolved or narrowed, or would result in financial savings.
- Approve admittance to an exceptional crisis mediator for dire proportions of security inside three (3) work long stretches of recording with a measures for the documenting party to present thinking why help is probably going to be found and what injury will be endured on the off chance that alleviation isn't conceded;
- Provide the tribunal authority over the range of paper and electronic document requests as well as how to handle, restrict, or forego American litigation-style discovery procedures;;
- It should be allowed by Tribunals that non-parties and third-party funders be disclosed;
- Contain express arrangements considering "video, sound or other electronic signifies" during the procedures;

[5] International_Dispute_Resolution_Survey_2020_Final_Report
https://www.researchgate.net/publication/348514386 (14 APR.2023)

- Unless the law, administrator, or party agreement specifies otherwise, make it possible to issue orders and awards that are signed electronically.
- Enable a party to ask the tribunal for a different award for any advance fees paid on another party's behalf.

1.1 Online commercial dispute resolution

A service that is "customer centric" and "paid for" is commercial dispute resolution. Provide a "forum of choice," differentiated customer service, and user flexibility while developing efficient commercial dispute resolution mechanisms should be the primary focuses. There is a rising dependence on present day advances to lay out public and worldwide network in the goal of debates. Disputed parties can communicate with one another in the same time and place through virtual courtrooms made possible by remote access technology.[6]

1.2 Arbitration procedures

Institutional standards that are adaptable enough to manage a variety of issues should control arbitration procedures. It is after every one of the judges who assume a vital part on the quality and direct of arbitral procedures. As a result, users are increasingly turning to iais for assistance in selecting arbitrators. It follows that variety of judges stays central question as it adds to the autonomy, unbiasedness and greatness of the arbitral cycle.

1. The trend of more Chinese parties participating in international arbitrations as well as the rise in conflicts resulting from the Belt and Road Program were also discussed. According to the panellists, as more Chinese companies and organizations emerge, the power to bargain in favour of their preferred dispute resolution venues, which include China and other well-known Asian locales, is typically greater for larger Chinese corporations...
2. It is in everyone's better interests for international arbitral tribunals to encourage arbitration court as the preferable means for settling international disputes because frequent criticisms of arbitration, including the idea that it is expensive, lengthy, lacks clarity, is prone to prejudice, and fails to successfully enforce awards and judgements, including the risk of court interference. The future viability of international arbitration institutions depends on the promotion of modern variety in the arbitration profession

[6]Ukraine v. the Russian Federation, I.C.J Report,2020
https://pca-cpa.org/en/cases/

3. The debate included international arbitration in Singapore and Hong Kong as well as normative legal consequences of China's bri in relation to dispute settlement. A recent example of procedural creativity in dispute settlement was the amendment procedure that involves the International Centre for the Settlement of Disputes Regarding Investments (icsid).
4. Institutional norms have established clauses for things like expedited legal processes, emergency arbitrators, and summary dismissals, to name a few. Even though there is still room for by providing an upgrade, these developments have kept arbitration useful and efficient. Competition among different arbitral institutions has also helped to motivate such institutions to perform better. This dynamic benefits both the parties who use arbitration court for dispute resolution and global trade in general. [7]

   Since there are currently more arbitral institutions than ever before, global commercial arbitration norms are being advanced thanks in large part to their contributions:-

   - The arbitral institutions of today are actively altering the arbitral process rather than just providing administrative and logistical support.
   - Essentially, arbitral institutions have taken the effort to change their services to accommodate their consumers' needs.

The quality of arbitration practise is improved. Innovative ideas that arbitral institutions have used to address consumer expectations for a quicker, less expensive arbitration procedure that nonetheless results in high-quality, enforceable rulings. It is noted how rivalry among institutions of arbitrations has promoted such innovative and continuous improvement, producing a dynamic that is advantageous to system users.

1.3 Efficacy of organisations in promoting dispute resolutions

International organizations contribute to promoting the validity and efficiency of Alternative Dispute Resolution systems. Legitimacy is defined as the rightful authority to govern, allowing parties to accept and comply with dispute resolution rulings. The chapter makes the case that, at first, international institutions lack both "source validity" and "constitutive legitimacy," and that they are occasionally thought to lack "process validity" or "result legitimacy." By utilising the structure of international organisations can

[7] UN.org https://uncitral.un.org/en/texts/onlinedispute (13th APR. 2023i
I.C.J.org https://www.justice.gc.ca/eng/rp-pr/csj-sjc/dprs-sprd/res/drrg-mrrc/10.html?wbdisable=true (13th APR.2023)

intentionally strengthen the origin and procedure legitimacy of alternative conflict resolution mechanisms, hence boosting their efficacy. They can accomplish this by incorporating and endorsing key values such as procedural justice, neutrality, and independence in their work. The chapter also proposes that international organizations can significantly strengthen the legitimacy of alternative dispute resolution systems by utilizing avenues created through their institutional work and knowledge.

According to the viewpoint of the Permanent Court of Arbitration (PCA) regarding the topic. The PCA was the first intergovernmental organization established in 1899 to address international disputes involving states through methods such as arbitration, mediation, conciliation, and fact-finding. These types of disputes are specifically related to states.

As a preliminary definitional matter, it is helpful to look into the question of what is meant by the term 'legitimacy'. Although the term has been used in various ways, it generally refers to the right to rule, where ruling includes promulgating rules (and in the dispute resolution context, issuing decisions and awards), and attempting to secure compliance with them by attaching costs to noncompliance or benefits to compliance.5 To elaborate, legitimacy and the right to rule may be understood as the support for or acceptance of authority that is independent of the relevant constituency's support for any specific decision or policy that the institution produces. In the literature, this has been called 'content-independent support' or 'diffuse support'. To translate this into the dispute resolution context, legitimacy allows parties to accept and comply with the rulings of dispute resolution regimes, regardless of whether the outcome is favourable or adverse to their interests, and not because they are forced to, or because the particular ruling appeals to them rationally[8]. The literature on this subject generally distinguishes between normative legitimacy, namely whether the institution should have the right to rule, and sociological legitimacy, namely whether the institution is believed to have the right to rule. These two meanings of legitimacy are closely interconnected but distinct.

Overall the process of this entire research is to make sure that the institutions are doing pretty well for their own assertions which are given under organisations like different understanding that will be done under various norms that has to be represented under all

[8] Indus Waters Treaty Arbitration (Pakistan v. India), I.C.J Report, 2017.

the documents that needs to be presented under all the sum of documents that will be done be done all of international organisations.

CONCLUSION

Overall as we move towards the end the purpose of ODR gets clearer, innovations are crucial to arbitral institutions maintaining their key role as effective platforms for international arbitration. The competition between arbitral institutions to garner and protect their market share incentivizes them to find creative solutions to the concerns of disputants. These innovative solutions go toward expediting the arbitral process, reducing costs and ensuring that the arbitral award that results is of high quality and enforceable, all this for the benefit of the users of international arbitration.

Yes, increased competition among arbitral institutions can have positive effects on the industry, such as encouraging innovation and improving efficiency. This competition can drive institutions to improve their services, offer new or improved features, and enhance their reputation and credibility. Additionally, competition can lead to a wider range of options for parties to choose from, which can provide more tailored solutions to their needs. However, it is also important to ensure that competition does not compromise the quality or integrity of the arbitration process, such as by lowering standards or engaging in unethical practices. Ultimately, a healthy balance between competition and cooperation is needed to ensure the continued success and legitimacy of the arbitration industry.[9]

It is clear from the above that innovation is crucial for the continued success of arbitral institutions in serving as effective platforms for international arbitration. The competition between institutions encourages them to find creative solutions that address the concerns of disputants, leading to faster, more cost-efficient, and enforceable awards. These innovations ultimately benefit the users of international arbitration.

INNOVATIONS IN ODR:

Looking ahead, it is likely that the pace of innovation in the field of international arbitration will continue to accelerate. As the demand for international arbitration grows, institutions will be driven to find new ways to meet the needs of disputants and to remain competitive.

[9] Europe.EU.Org http://europa.eu.int/comm/consumers/policy/developments/acce_just/acce_just04_nl_ccb1_en.html (12th APR. 2023)

Disruptive technologies, such as artificial intelligence and blockchain, may also play a role in shaping the future of international arbitration. Whatever form it takes, the continued emphasis on innovation and competition in the field will undoubtedly drive further improvements in the arbitral process, benefiting all those who rely on it.

The expedited procedure is another innovative feature that improves the speed and efficiency of the arbitration process. It is particularly useful for smaller or less complex cases where the sum in dispute does not exceed a certain amount. The siac Rules introduced the expedited procedure in 2010, and it allows for an arbitration to be completed within six months from the date the tribunal is constituted. The tribunal is also given the discretion to decide whether to conduct the arbitration on the basis of documentary evidence alone or to hold a hearing. The 2016 siac Rules have improved upon the 2013 siac Rules by allowing a hearing to be dispensed with in cases where the respondent does not participate in the arbitration.

Despite the emphasis on efficiency, the quality of awards in expedited cases has not been compromised. Tribunals in expedited cases often do not take advantage of the opportunity to submit an award with summary reasons. The expedited procedure is just one example of how innovative features in arbitral institutions can benefit the users of the arbitration process.[10]

ODR (ODR) refers to a variety of alternate dispute resolution processes that utilize internet technology to resolve disputes. ODR services range from online arbitration to fully automated online negotiation services and chat-based mediation programs. ODR processes can be used for Business Dispute Resolution, and Consumer to Consume disputes resolution. ODR is voluntary, informal, confidential, and assisted by an impartial third party, typically only if the ODR process includes a mediation or arbitration component. The objective of ODR is to allow parties to resolve their disputes in a cost-efficient and convenient manner. ODR works best for disputes that involve only a few issues and a few parties. In particular, if the issue is global, the ODR Provider's policies and jurisdiction may determine whether or not the settlement agreement is binding. Online dispute resolution “refers to a wide class of alternate dispute resolution processes that take advantage of the availability and increasing development of internet technology.” It is a collection of alternative dispute resolution, procedures that enables the resolution of disputes through online platforms like the Internet or another type of

[10]Cyber settle.in http://www.cybersettle.com/ (12TH APR.2023)

technology that enables virtual communication without having the parties to be present in the same room.

There is a wide range of ODR services available, from online arbitrators to completely automated online "blind bidding" negotiating services, and chat-based mediation programmes, even though practically all ODR segment is anticipated to simply allow for paper submissions

Within the ODR framework, there are three primary categories for conflict classifications:

1. **Commercial Dispute Resolution**

Commercial entities that are trying to settle a disagreement over a particular transaction are the centre of most business disputes. Businesses typically involve skilled users who are less concerned about party vulnerability and more focused on the efficiency and skill of the operation. Arbitration is frequently used in business conflicts since ODR in some form is used to resolve many of them...

Commercial disagreements are getting more frequent, especially as e-commerce grows. Business conflicts frequently feature asymmetrical negotiating power between the business and the consumer and are low-cost but high-volume. An ODR procedure might satisfy consumers' desire for legal action against companies and offer the required defence of due process rights...

Consumer Dispute

Agreements between two consumers are the subject of consumer disputes. Websites like Craigslist and eBay are being used in these kinds of online sales as middlemen between two parties even if they aren't actually involved in the dispute**.**

ODR and the courts

“Cyber-court” processes are slowly being adopted by court systems all over the world. For example, in the United Kingdom, since 2001, parties have been able to issue a Money Claim Online, and since 2006, have been able to make a Possession Claim Online. Australia’s Federal Court also includes an e-Court system which allows, amongst other things, for the parties to testify via videoconference. However, few of the systems adopted by courts or tribunals involve ODR at the negotiation or mediation stage of the process, but rather allow parties to participate electronically in the adjudication process.

In Canada, most courts and tribunals have not yet adopted ODR technology as part of their case management system either as part of the negotiation, mediation, or adjudicative process. An exception is in British Columbia where part of the case management system of the newly created Civil Resolution Tribunal includes it at the negotiation phase of the case management process.[11]

Other tribunals may consider similar approaches. Courts are also being encouraged to investigate ODR by proponents of access to justice.

CLASSIFICATION OF ODR

ODR is father classified into various categories by the process of redressed:-

Consensual: Most ODR processes allow the parties to elect to participate in them, or pursue their claim in another forum. Most also allow the parties to withdraw from the process at any given time.

Informal*:* The proceedings are generally more relaxed and informal than in-person proceedings such as mediation, litigation or arbitration. Depending on the ODR Provider and the rules in place, the process may be conducted in an asynchronous manner and allow the parties time to reflect on their positions before coming to any agreement.

Classified information: Unless the parties specifically agree differently, online dispute resolution is often a confidential process. The Access to Information Act and the Privacy Act must be assessed to see how far they limit publication and withholding of information where the federal govt is a party, regardless of any confidentiality clauses or agreements. Please see the section in this Standard Guideline titled "Nondisclosure: Access to Data Act and Privacy Act" for further details on how these Acts are applied.

Facilitated: The job of the online dispute resolution Neutral is that of an objective third party who assists the parties in reaching a settlement that is agreeable to both of them, remember that an ODR neutral is typically only employed if the online dispute resolution process includes a mediated or arbitration component.

Are the difficulties we face really only facing a select few?

[11] C.I. Underhill, S.J. Cole and A. Cohen, CBBB and BBC Online, Alternative Dispute Resolution for Consumer Transactions in the Borderless Society, Arlington,

ODR functions best when there aren't many parties involved...

Can the legal or factual issues be explained eloquently?

ODR functions best in situations where the problems can be communicated clearly because the majority of it involves electronic communication, frequently in writing.

Are the factual questions impacted by the parties' conflicting opinions or level of credibility?

Online dispute resolution works better in situations where the veracity of the facts is unimportant.

Is witness testimony required to resolve the conflict?

Witness testimony may be difficult to get in some ODR processes, especially if the ODR procedure concentrates on the negotiating or mediation stage of a dispute.

The Online dispute resolution Procedure

Dispute resolution through the internet the ODR Provider's guidelines will have a significant role in how much of the online dispute resolution element occurs even during negotiation, mediation, or arbitration phases... Attempting to contact some other party to settle the issue, whether personally or using ODR Neutral, is typically how the ODR process starts. Like other conflict settlement mechanisms, the parties should take the following into account:-

- In addition to their positions, what are the parties' interests? Exists a resolution that will benefit both parties equally or produce a win-win situation?
- It's crucial to communicate well. Consider the language you choose and the tone of any submissions carefully because most, though not certainly all, of the contact between the parties will be done so in writing. Search for deeper motivations rather than only positions.[12]
- Be aware that communication challenges may occur due to language, especially if you are interacting with a person who is not proficient in writing or whose native tongue is not the vocabulary of the ODR process. When there are apparent

[12] United Nations Convention on the Law of the Sea. https://www.itlos.org/en/main/cases/list-of-cases/ (13TH APR.2023)

communication problems, call the ODR Provider's or ODR Neutral's attention to them.

- Find out what to do next to resolve the dispute if this stage of the ODR procedure is unsuccessful.

THE ODR'S NEUTRAL PURPOSE

Depending on the ODR procedures, the Neutral may: Let the parties to submit their arguments without or with counsel, as appropriate; aiding and directing parties to look for mutual understanding and limit the dispute's extent; Identify the relative merits and shortcomings of the parties' arguments, giving reasons for the evaluation, and, if possible, estimate the likelihood of responsibility and the range of penalties that will be awarded;

Encourage and assist the parties in their efforts to settle disputes**.**

THE LEGAL COUNSEL'S PURPOSE

Professionals may or may not be involved in an ODR approach based on the kind of disagreement and the issues involved... If the matter is going through a more official ODR procedure that includes an adjudication step and involves complicated legal issues, having attorneys present may be advised.

MERITS OF ONLINE DISPUTE RESOLUTION:-

1. Online dispute resolution is typically an informal, adaptable, and creative dispute resolution method that is not constrained by rigid norms of procedure or proof. This could give the parties the opportunity to create or take part in a process that can be tailored to their requirements and promotes a cooperative rather than combative approach.
2. Online dispute resolution may lower the cost of litigation, which is important for both corporate parties looking to control costs and for parties that might not otherwise be able to pay the litigation fees. All parties typically share in the costs of the procedure or the money paid to the neutral evaluator, giving them an equal stake in the result and a sense of ownership.
3. Because it frequently enables a rapid, cost-effective, and efficient resolution to issues when the sums in dispute may not be sufficiently substantial to justify the expense of a meeting-based mediation, ODR may be the ultimate solution,

especially for low-cost, high-volume transactions (e.g. consumer disputes).

4. Online dispute resolution also makes it possible for disputes to be settled more affordably when the parties are geographically separated and the value of the issue may not justify the expense of travel.
5. Where there are sensitivity issues between the parties that could be made worse by being in the same room, ODR may be suitable (e.g. matrimonial disputes).ODR may allow for the participation of parties who could not otherwise attend an in-person meeting due to a severe disability.
6. Online dispute resolution is subject to the administration of the Freedom to Information Request as well as the Privacy Act whenever the federal parties is a participant and is confidential (unless the parties agree otherwise). The procedure is appropriate when the parties feel that confidentiality is important or necessary, which is frequently the case. Parties who use DR mechanisms typically do so on the understanding that they can freely discuss issues in the assumption that they won't be disclosed, either publicly or to a court.

DEMERITS OF ONLINE DISPUTE RESOLUTION:-

1. To engage in an online dispute resolution process, all participants would need to have the necessary technologies. Parties without sufficient technology could be hindered or unable to engage fully.
2. Because the participants are not present within the same room and frequently have all of their discussions in writing, online dispute resolution is a less intimate type of conflict resolution.
3. In an Online dispute resolution process, parties that have language barriers or trouble writing clearly might be at a disadvantage.
4. Online dispute resolution cannot establish legal precedents because it is a quasi-process (i.e., only a portion of the negotiation or mediation phase). Notwithstanding, a legal precedent could be established if the ODR Process' last stage leads to adjudication.[13]

SUGGESTIONS

ODR has shown to be effective in resolving disputes not only among private-sector suppliers

[13] https://susanexon.com/2020/08/11/recommendations-for-successful-Online dispute resolution.

but also for businesses that have built internal ODR platforms. The confederation of Indian Industrial have advocated bolstering ADR and digitising the courts to improve India's business climate in response to complaints about the ease of doing business. These instances show how closely private sector development and business lobbying in ODR adoption are related. The necessity for a conflict resolution system that's beneficial to all parties and the opportunity to build such an ecosystem are what are driving the move towards ODR.

Yet there are some standards where ODR's futuristic strategy still has to be improved in the following ways:-

- First, whether we like it or not, today's virtual arbitrators, mediators, and attorneys who represent clients in ODR must be technically proficient.
  Therefore, it is essential to work with an ADR expert who is knowledgeable about a desired online platform to instruct both attorney advocates and parties.
  The potential for arbitral institutions to improve the practise of international arbitration is a rare one. It would be shirking their responsibility if they chose not to engage in this opportunity. Few people believed that arbitral tribunals might influence the future of arbitration court just two decades ago, as according Singapore's Chief Judge Sundranch Menon, who delivered the keynote presentation at the 2018 SIAC Congress. An arbitral institution, however, is no longer just a piece of administrative machinery; rather, it now plays a crucial part at every stage of the arbitration process and occupies a prominent place in thought leadership.
  A party may promptly request interim relief thanks to the emergency arbitrator clause. An emergency arbitrator will be appointed as soon as possible when the SIAC (Special massive immigration appellate panel) Chairman approves a request for urgent interim relief. The 2013 SIAC Regulations required the meeting to be made inside one business day; this is an improvement. The interim arbitrator must then, within two days of being appointed, set up a timetable for reviewing the application. The hearing may be conducted live or over the phone, through a video conference, or with written submissions.
- Second, getting an extensive degree of credibility is not something that happens frequently. Several international and intergovernmental organisations, including alternative conflict resolution systems, frequently struggle with a lack of legitimacy. These institutions lack initial "legitimation capital" for a variety of reasons, according to extant literature, which is described. First, because international institutions are

generally regarded through the prism of State consent, which ignores the uneven distribution of geopolitical power across States, they have "origin legitimacy" or "constitutive legitimacy." This prompts questions regarding whether lesser or weaker States deliberately provided their consent. Second, these organisations, including alternative conflict resolution systems, are occasionally thought to lack "process legitimacy."

- Third, it is significant to remember that international institutions, like the PCA, play a critical role in strengthening the legitimacy and efficacy of the ADR mechanisms. They can strengthen the foundational and procedural legitimacy of these regimes by upholding fundamental principles like perceived fairness, neutrality, and independence. This improves the system's democratic authority and objectivity as well as its sociological credibility, which comes from being linked to long-standing and reputable regimes... Existing arbitration courts in this situation.
- Fourth, it is important to note that although the usage of urgent arbitrator provisions has increased, there are still some reservations about the validity of their temporary remedies. To ensure enforceability, institutional measures have been put in place in various jurisdictions. To enable the implementation of emergency arbitrator awards, Singapore, for instance, modified its arbitration legislation... Emergency arbitrator provisions have also been added to the rules of other arbitral institutions, including the International Chamber of Commerce (ICC) and the Arbitration Institute of the Stockholm Chamber of Commerce and Industry (SCC).
- Fifth, instead of the substantive uniformity of international law, the process consistency and framework that support the dispute resolution system. The chapter makes note of the involvement and assistance of other international organisations by international organisations engaged in dispute settlement, such as the PCA...
- Sixth, it’s crucial to remember that the mentioned procedure only applies to complaints made by Dutch consumers. Generally speaking, it is advised for customers to first make an effort to settle any disputes informally with the source or provider before taking legal action. This could entail making a formal complaint or visiting the company's customer care division. The consumer may be able to take their complaint to an impartial complaints panel or ombudsman programme if they are dissatisfied with the direct negotiation's outcome. These programmes could be sector-specific or more general, and their judgements might have legal consequences for the parties involved. It might also

be possible in some circumstances to file a lawsuit through the legal system. Yet this might be changed.

- Seventh, the recommendation urges EU nations to embrace and support fast, effective, fair, and periodically reviewed for resolving consumer disputes. Additionally, it calls for the creation of national directories of approved organisations that offer consumer dispute resolution alternatives including mediation and arbitration and for guaranteeing that these organisations meet strict standards of excellence. In order to expedite the resolution of issues between customers and companies doing business abroad, the proposal also aims to encourage cross-border collaboration among public governments and customer dispute resolution institutions in various Member States. The recommendation's ultimate objective is to increase consumers' access to justice and to encourage consumer trust in cross-border transactions inside the EU.[14]

[14] Square Trade.in http://www.squaretrade.com/ Online Dispute Resolution Organisations, (17th APR. 2023) U.S ONLINE http://www.onlinemediators.com/ US online mediation initiative. (17TH APR.2023)