

**UNCITRAL  
TECHNICAL  
NOTES ON  
ONLINE  
DISPUTE  
RESOLUTION**

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# UNCITRAL Recognizes ODR As Essential For Cross-Border E-Commerce Disputes



United Nations  
UNCITRAL

UNCITRAL's work on ODR follows sharp increase in online cross-border transactions and resulting increase in disputes.

UNCITRAL finalized Technical Notes on ODR in 2016 to provide technological procedural practices for ODR platforms.

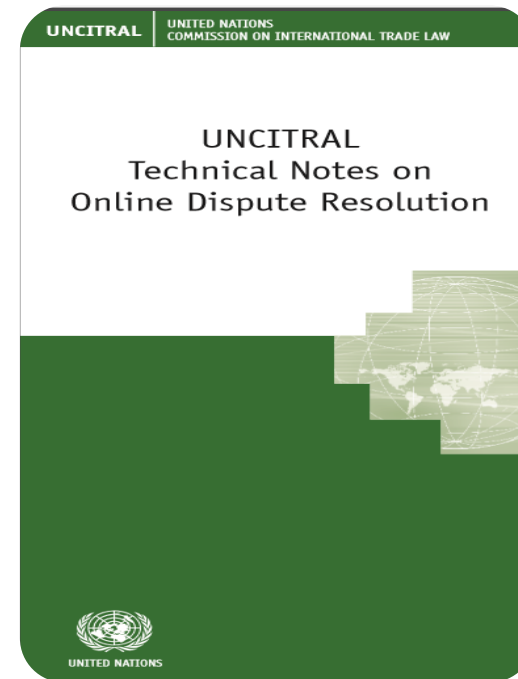
UNCITRAL ODR... help[s] buyers and sellers resolve disputes in a simple, fast, and flexible and secure manner, without the need for a physical presence at a hearing —UN General Assembly Resolution 71/138

# Purpose of Rules

## Establish Basic Procedural Practices

3. The purpose of the Technical notes is to foster the development of ODR and to assist ADR administrators, ODR platforms, neutral and parties to ODR proceedings.

4. The Technical Notes reflect approaches to ODR systems that embody principles of impartiality, independence, efficiency, effectiveness, due process, fairness, accountability and transparency.

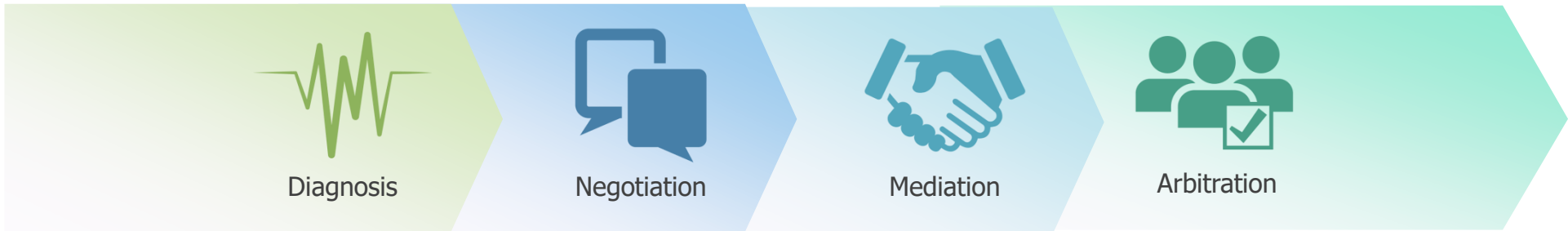


# Scope Of Rules

5. The Technical Notes are intended for use in disputes arising from cross-border low-value sales or service contracts concluded using electronic communications. ...

22. An ODR Process may apply to disputes arising out of both business-to-business and business-to-consumer transactions.

# ODR More Than ADR Online



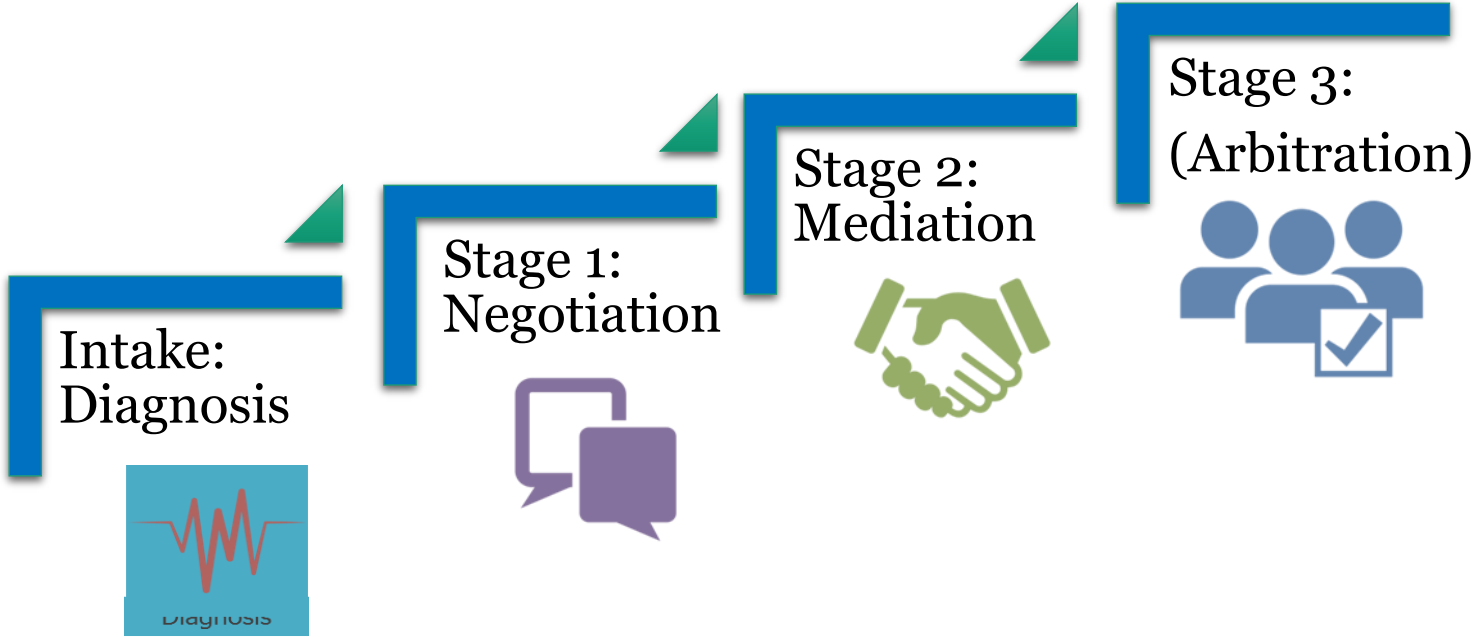
24, Online Dispute Resolution (ODR) is a mechanism for resolving disputes through the use of electronic communications and other information and communications technology.

# ODR Requires A Technological Platform



- 26. ODR requires a technology-based intermediary ... called an 'ODR Platform.'
- 30. All communications during ODR proceedings [should] take place via the ODR platform.
- The ODR platform should meet highest standards of data security, privacy, integrity, and preservation as well as fraud detection and prevention.

# UNCITRAL ODR Procedural Notes: Stages



# UNCITRAL ODR Notes

## **General Assembly Resolution 71/138, UNCITRAL Technical Notes on ODR:**

“reflect the principles of impartiality, independence, efficiency, effectiveness, due process, fairness, accountability and transparency.”

“are expected to contribute significantly to the development of systems to enable the settlement of disputes arising from cross-border low-value sales or service contracts concluded using electronic communications disputes arising from cross-border low-value sales or service contracts concluded using electronic communications.”

“will significantly assist all economies, in particular developing economies and members whose economies are in transition, online dispute resolution administrators, online dispute resolution platforms, neutrals and the parties to online dispute resolution proceedings in developing and using online dispute resolution systems.”



# UN General Assembly ODR Recommendations

“The General Assembly recommends that all States and other stakeholders use the Technical Notes in designing and implementing online dispute resolution systems for cross-border commercial transactions.”

GA Resolution 71/138.



Thank You

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