CSLS Oxford, 28 October 2011

What should the ideal ODR system for e-commerce consumers look like? The Hidden World of Consumer ADR: Redress and Behaviour

What could a cross-border ODR system look like?

CONSUMER'S STATE

TRADER'S STATE

CENTRAL AGENCY
- **managing the ODR Platform**

ODR PLATFORM

- **sets minimum standards for ADR/ODR providers and only admits ADR/ODR providers complying with these ("CLEARING HOUSE FUNCTION")**

- **search engine to enable consumers to find competent ADR/ODR scheme in trader's state and tests whether dispute is in scope ("REFERRAL FUNCTION")**

- **gives consumer choice and info**
- **provides information about outcomes of other disputes ("TRANSPARENCY FUNCTION")**

- **allows consumer to file dispute (claim plus evidence)**
- **transfers dispute to competent ADR/ODR ("TRANSFER FUNCTION")**

- **maintaining record of ADR/ODR outcome**
- **records whether trade has complied or not**
- **compiles statistics ("ENFORCEMENT FUNCTION")**

CONSUMER
- **files dispute with ODR platform**

CONSUMER INEREST ORGANISATION
- **Consumer association, ECC etc**
- **advises consumer**
- **has access to platform**

CONSUMER PROTECTION ENFORCEMENT AGENCY/ REGULATORY AUTHORITY
- **has access to the platform**

TRADER
- **responds to claim**

ODR/ADR PROVIDER
- **provides information to ODR platform**
- **contacts trader**
- **processes and solves dispute**
- **complies with minimum standards**
- **transmits outcome of proceedings to platform**
- **transmits compliance record**
- **contacts enforcement in criminal cases**

CONSUMER PROTECTION ENFORCEMENT AGENCY/ REGULATORY AUTHORITY/POLICE
- **deals with fraud/criminal cases**

TRADE/BUSINESS ORGANISATION
- **monitors disputes**
- **has access to platform**

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