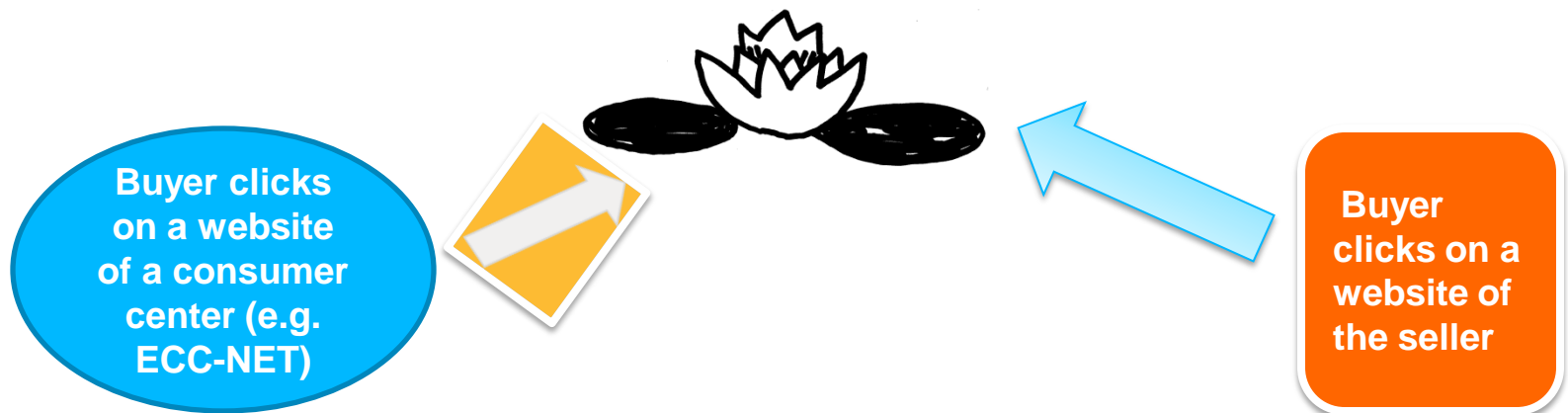


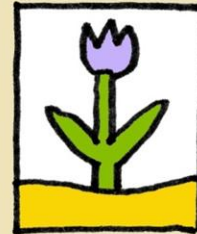
Cross-Border ODR Platforms



ODR should be nice and easy



START
NEW DISPUTE

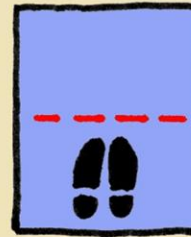


ACCESS
YOUR DISPUTE

CASE FILE



STEPS
ALREADY DONE

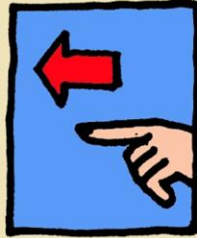


STEPS
TO BE DONE

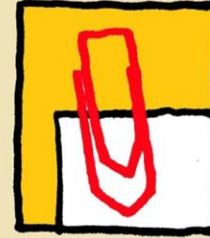
COMPLAINT



WHAT
IS YOUR
PROBLEM?



WHAT
DO YOU
REQUEST?



ATTACH
DOCUMENTS

CLAIMS



ITEM
NOT RECEIVED



ITEM NOT
AS DESCRIBED



LATE
DELIVERY



PAYMENT FOR
CANCELLED TRANSACTION



DUPLICATE
PROCESSING



INCORRECT
AMOUNT CHARGED



FRAUDULENT
TRANSACTION



SETTLEMENT
NOT FULFILLED

Goods or Services Not Received

Agreed delivery date was on ____ [DATE], nothing was received by that date.

- The seller must deliver the goods or services that are described in the contract.
- The buyer has a right to receive the goods or services that are described in the contract.

Item not received



Zboží nebo služby nebyly poskytnuté

Dohodnuté datum dodání bylo dne ____ [DATUM], a k tomuto dni nic nedošlo.

- Prodávající musí dodat zboží nebo služby, popsané ve smlouvě.
- Kupující má právo obdržet zboží nebo služby, popsané ve smlouvě.

Zboží nedošlo



E-Commerce Resolution Interchange (ECRI)

First working draft:

“... It also enables full unlimited participation into redress systems for persons who may have difficulty communicating effectively with textual communication. The use of ECRI will greatly facilitate participation through the reduction of barriers for certain populations.

- **ECRI License**

.....

- **Further development of ECRI**

...

- **ECRI**

- **Claims in a Complaint”**

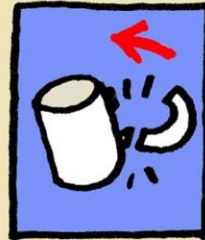
Item not as described



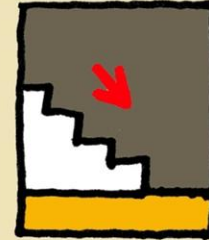
5 POSSIBLE REMEDIES



REFUND



REPLACEMENT
OR REPAIR



PRICE
REDUCTION



GET BACK
THE GOODS



GET PAID
AGREED PRICE

What do we need? Components of a global ODR

ODR programs participating in the cross-border ODR need to:

- (i) meet consistent criteria and operate under similar rules;
- (ii) either be accredited or reviewed by respective national regulator(s) prior to their participation;
- (iii) be assisted by interlinked consumer centers providing guidelines to consumers and outreach to domestic online sellers;
- (iv) incorporate common ODR procedural language/communication standard understandable to all ODR providers and consumer centers, in order to enable self-resolution as well as third-party mediation/arbitration; and
- (v) operate as an online platform, implementing the common ODR language and minimum common technology requirements.

Item shipped



Any future global cross-border ODR system must provide:

- Minimum common ODR rules and standards for ODR providers and neutrals, i.e. results of the work of UNCITRAL Working Group III;
- Cross-border ODR infrastructure interconnecting all ODR stakeholders; and
- A viable way to set up and implement the common ODR rules and cross-border ODR infrastructure while at the same time supporting the establishment of various ODR programs on a global or regional basis competing and complementing one another.



General Assembly

Distr.: Limited
27 September 2011

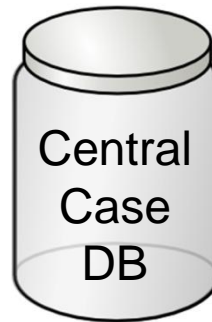
Original: English

**United Nations Commission
on International Trade Law**
Working Group III (Online Dispute Resolution)
Twenty-fourth session
Vienna, 14-18 November 2011

Online dispute resolution for cross-border electronic commerce transactions: draft procedural rules

Cross-border ODR Data Exchange Architecture

An ODR Data Exchange will be established to host a Central Case Database containing information on disputes between online buyers and sellers regionally/worldwide



Every case in the database will have its data structured in the same way, for instance:

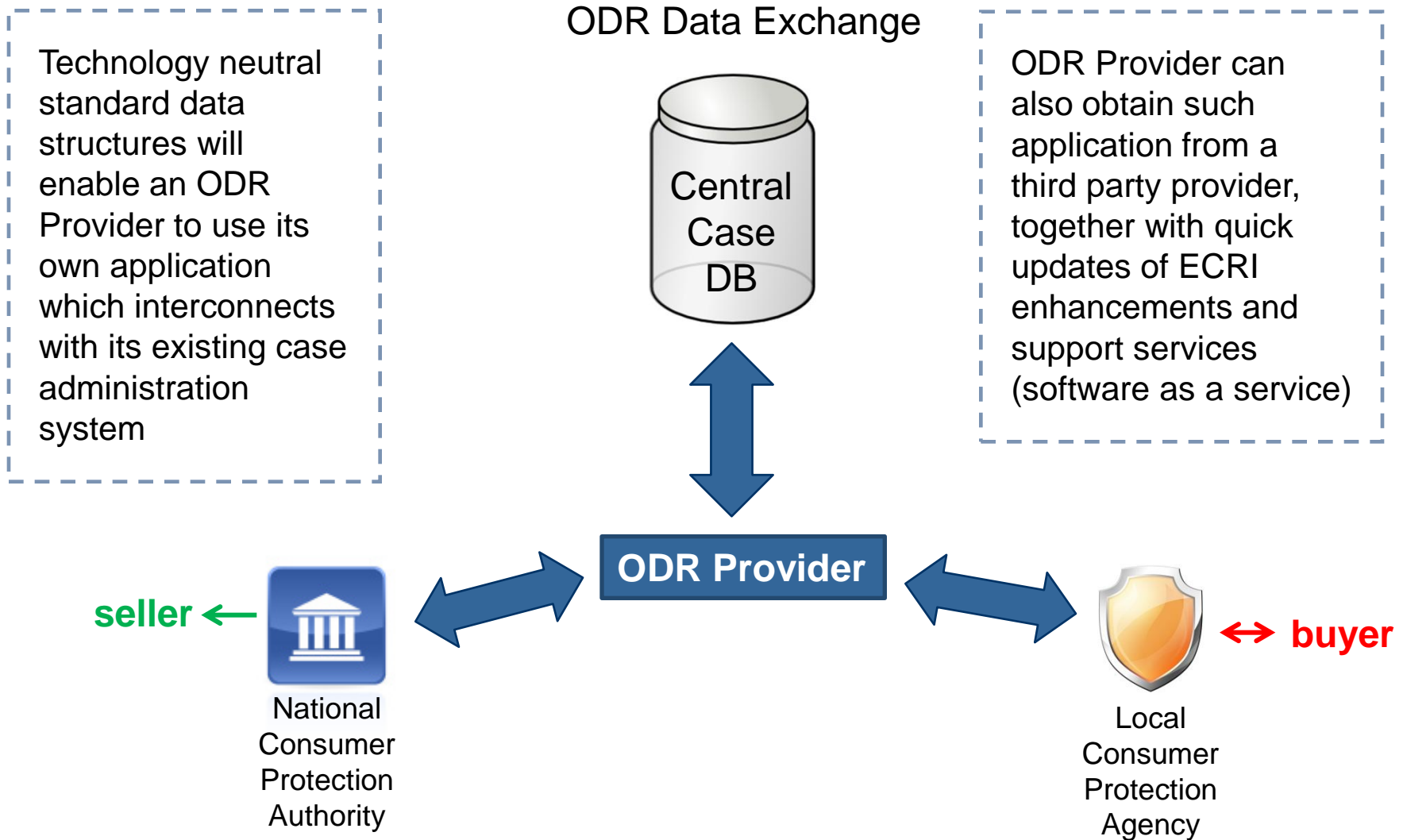
Case ID: (8 integers)
Complainant name: (60 characters)
Complainant email: (60 characters)
Respondent name: (60 characters)
Respondent email: (60 characters)
Transaction date: (date)
Complaint date: (date)
Website where complaint originated (URL)
...

Proposed
ECRI
Standard

Every case will also be classified with reason codes indicating the complaint type, the preferred resolution, the response and the offered resolution, making translation less of an issue

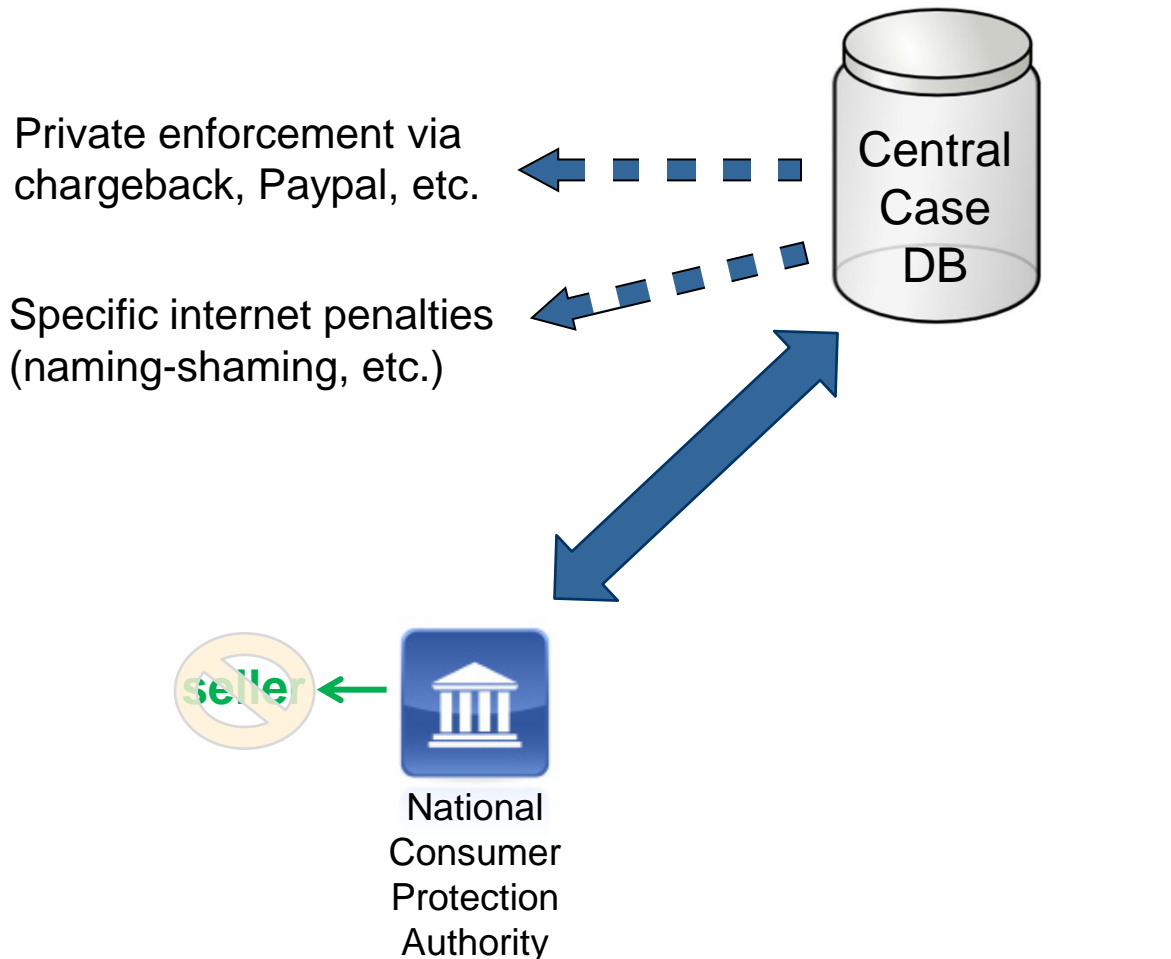
56: Item Not Received
58: Item Broken
66: Item Not Authentic
72: Item Not as Described
...

Cross-border ODR Data Exchange Architecture



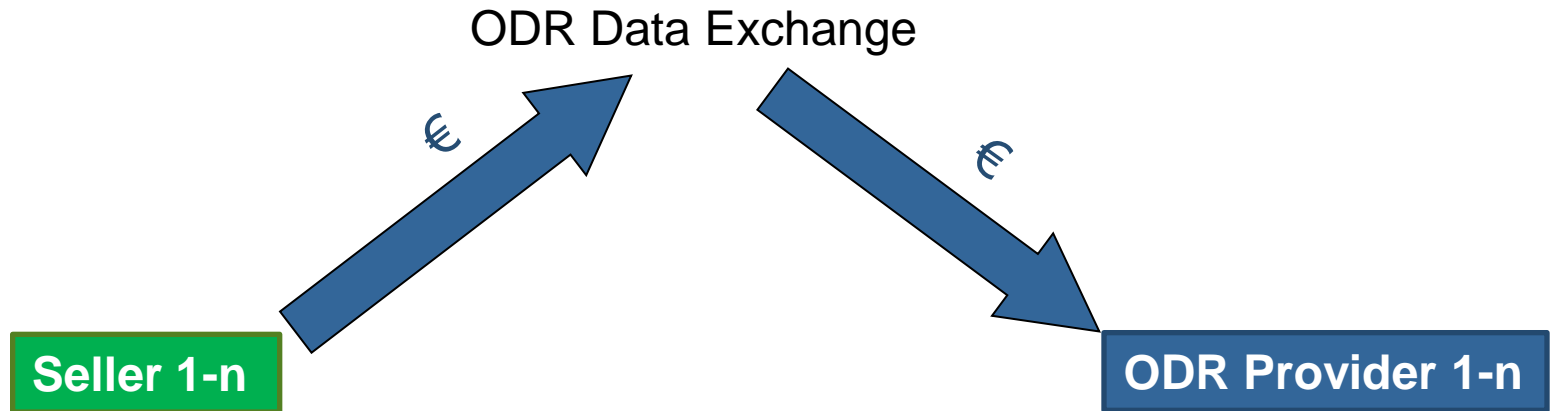
Cross-border ODR Data Exchange Architecture

ODR Data Exchange



If the seller does not implement issued ODR awards, the national consumer authority can take enforcement actions; the decision may be enforced via private enforcement intermediaries (e.g. payment channels) and the default of the merchant may also be published by the ODR Data Exchange

Cross-border ODR Data Exchange Architecture



ODR Data Exchange will not be handling any cases and will not market itself to consumers and/or online sellers. Users of ODR Data Exchange (accredited ODR providers and consumer centers) will market its services publicly.

Regional implementations of ODR Data Exchange can serve as a collection agent of regular small fees from online sellers for their use of the regional ODR logo (e.g. ECC-NET ODR), or an existing trustmark, or logo of an ODR provider (e.g. ADR.EU) to cover costs of case handling by regional or national ODR providers.

In addition, ODR Data Exchange will contain principal information for buyers and sellers online (links to consumer centers, commonly structured statistics etc.) and be connected with international public awareness campaigns.

Service Team

Service Team of ODR Data Exchange will provide the following:

- multi-lingual ODR application implemented in a cloud and provided as a white label service to accredited ADR/ODR providers and consumer centers;
- maintenance and operation of central databases of the cross-border ODR system (e.g. database of accredited ODR providers and neutrals or black list of sellers which do not implement issued decisions);
- providing consultations and implementation services to ODR programs; and
- maintenance of a global ODR communication standard and minimum technical requirements so that ODR providers are able to implement their own unique ODR solutions consistent with the published specification.



Item not authentic



Service Team

I. ODR providers/consumer centers will receive:

- ready to be used cross-border ODR solution;
- updated specifications;
- maintenance of central databases;
- consulting and implementation services

Not paid



II. ODR providers/consumer centers will:

- localize communication standard and ODR Rules;
- promote implementations of ODR Data Exchange to consumers and online sellers in their respective countries.

Proposal to Pilot ODR Data Exchange

We would like to pilot ODR Data Exchange starting from January 2012.

The pilot will be officially announced during the next UNCITRAL ODR WG meeting in Vienna in November 2011.

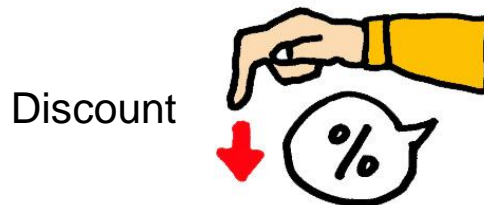
BBB and ADR.EU are the first interested participants. We are in discussions with organizations from several countries from Europe, Asia and South America. We expect other organizations will join after pilot is announced.

Proposal to Pilot ODR Data Exchange

First stage of the pilot will last from January to May 2012 and will include the following:

- Verification and testing of the proposed functions of ODR Data Exchange application;
- Clarification of costs involved for ODR providers with administering cross-border ODR disputes;
- Necessity/desireability of some kind of coordination structure of the ODR stakeholders using ODR Data Exchange;
- Contacts and discussions with payment channels; and
- Contacts and discussions with associations of online sellers and large online sellers.

EVERY PILOT PARTICIPANT WILL COVER ITS OWN COSTS



Proposal to Pilot ODR Data Exchange

Results of the first stage of the pilot will be announced during UNCITRAL meeting in May 2012.

During the second stage of the Pilot (till October 2012) the ODR Data Exchange will be finalized. We expect ODR Data Exchange to be put into live operation in the fall of 2012.



Cross-border ODR platforms

Thank you for your attention.

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