



**Asia-Pacific
Economic Cooperation**

2019/SOM1/EC/WKSP1/009

Experience Sharing - Online Dispute Resolution State-of-Art in the Russian Federation

Submitted by: Russia



**Stocktake Workshop on the Strengthening
Economic Legal Infrastructure Online Dispute
Resolution Work Plan
Santiago, Chile
2-3 March 2019**

APEC Stocktake Workshop on the SELI ODR Work Plan

ODR STATE-of-ART IN THE RUSSIAN FEDERATION

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2 – 3 March 2019, Santiago, Chile

Russian Federal State Program for Digital Economy 2017-2030



- Approved and accepted on 28.07.2017, No. 1632-r

FP Enforcement Plan: “Development of the draft federal law regarding the creation of an electronic system of alternative dispute resolution mechanisms”

Digital Economy

Digital Justice

ODR

ODR as Evolutionary Step of ADR

- ODR as evolutionary step of ADR or evolutionary step towards access to justice in Digital Era?
- Digitalization of Courts \neq Court ODR
- Court ODR – new tool, instrument for state courts of different levels and jurisdictions
- Out-of-court ODR – new kind of ADR

ODR as Technology Based Access to Justice in Digital World



- ODR as one of the ways to achieve justice out of court system, provides citizens with sufficient, accessible, trustworthy instruments to resolve dissatisfactions, disagreements, disputes arising out of interactions, commercial transactions off-and online
- ODR as part of continuum of processes representing appropriate dispute resolution methods enriching user's choice

Russian Internet Retail Market

- More than 1 trillion rubles / \$1,5 billion
- Anticipated growth is 20 % per year
- Complaints in E-Commerce

2012	3412
2013	6072
2014	7815
2015	8536
2016	8756

(State Statistical Data Report 2017)

Main Features of ODR

- Diminished or complete absence of face-to-face interaction
- Automatic recording of all dispute data
- Based on smart technology
- Reliance on the intelligence of the machine

ODR as Technology Based Process



- ODR is technology based multilevel process of dispute prevention and resolution which can include automatic decision making (only via machine interaction) along with mechanisms, where physical neutral (mediator or adjudicator) can be involved
- ODR as tool of procedural justice

ODR as “Fourth Party”

ODR technology as metaphorical “Fourth Party” has to provide:

- Trust
- Expertise
- Convenience
- Procedural justice (being satisfactory for all actors/parties involved)

Principles of ODR

- Neutrality / Independence
(at least providing consumers with access to the variety of ODR platforms which will guarantee unbiased DR)
- Transparency
- Convenient and inexpensive for all actors

Legislation



Legislation with main focus on consumer protection and interaction among all actors, including relations between Aggregators/Marketplaces and Product+Services Suppliers (business entities, mostly MSMEs)

ODR for Economy and Society

- General consumer protection
- Protection of consumers of financial sector
- IP
- Dispute prevention tool
- Instrument to uncover and improve weaknesses of models, algorithms in various fields, including systemic problems
- Building trust among all parties involved

Existing Infrastructure and Tools for MSMEs



1. [SME Business Navigator](#)
2. National Project “SMEs and Support for Individual Entrepreneurial Initiative”
3. “My Business” economy-wide network

What is Needed?

- Support from public sector, government, relevant agencies
- Involvement, participation and dialogue with all stakeholders
- Developing culture of so-called “ODR clauses”
- International cooperation
- Exchange of best practices
- Developing mutual internationally shared principles and standards
- Pilot projects

Center Activities

- Leading role in creating ODR agenda within Russian Federal State Digital Program
- Partnership with public sector agencies, business entities, civic society, institutions and with all interested in development of ODR as effective tool for procedural justice and access to justice in whole
- International cooperation (NCTDR - National Center for Technology in Dispute Resolutions, ICODR – International council of ODR etc.)

**Thank you
for your attention!**

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