附件1

ODR Mechanism---an Inevitable Trend to Resolve Consumer Online Disputes in China

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Introduction

This paper makes a comprehensive analysis of China’s existing ODR Mechanism by combing China’s online consumption data, consumer online disputes and dispute resolution schemes in recent years.

The ODR Mechanism will be an inevitable trend to resolve consumer online disputes in China，but it is not difficult to find the following problems: 1. The lack of uniform standards for the establishment and management of ODR institutions in China makes it difficult for the parties to disputes to trust and select ODR institutions effectively. 2. The professional requirements of dispute resolution personnel are inconsistent which leads to questions about their impartiality and neutrality in dealing with specific cases. 3. Discordant levels of development between agencies in terms of information technology and equipment conditions may result in failure to meet the individual needs of the parties involved. 4. The unbalanced development of arbitration institutions and the establishment of Internet courts in only three economically developed regions make it impossible to effectively resolve consumer online disputes in other regions.

In this regard, I suggest that at the domestic level, on the one hand, we should improve the professional quality and access threshold of dispute resolution personnel, and attach importance to the mediation services of lawyers. On the other hand, break through the barriers between e-commerce ODR, third-party ODR, “Internet Plus Mediation and Arbitration” and Internet Court, and build a resource exchange and information sharing e-commerce dispute resolution network. At the international level, it is necessary to strength international cooperation and promote the further development of ODR mechanism, so that cross-border online consumers can benefit from it.