

Online Dispute Resolution (ODR) within Developing Nations

Evaluating Transfer and Impact One Year After
the 2008 ODR Forum

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Online Dispute Resolution (ODR)

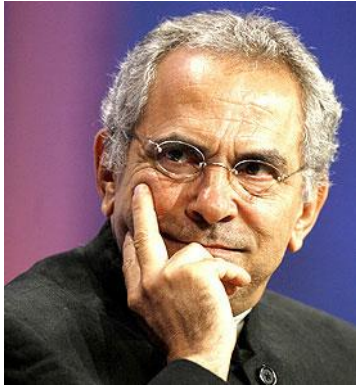
“The use of information and communications technology to help parties manage, transform and resolve their conflicts” (Rule, 2008).

- Anchored in technology assisted third party intervention efforts
- Applied to resolution, peace-building, and conflict management
- Acting as a “fourth party” (Katsh & Rifkin, 2001) or as a replacement of a third party neutral

The 2008 ODR Forum

- June 18-19, 2008 in Victoria, British Columbia
- 120 registered delegates and participants
- 16 Canadian International Development Agency (CIDA) fellows
- 10 National Centre for Technology and Dispute resolution (NCTDR) Fellows
- 4 learners from Royal Roads University (Victoria, British Columbia)
- 1 learner from Pepperdine University (Malibu, California)

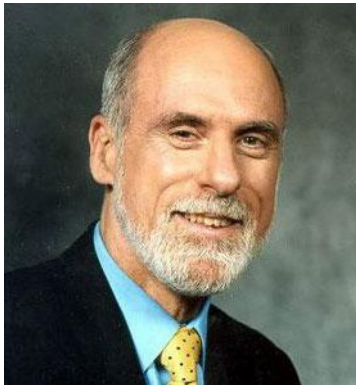
Honored guests



Nobel Peace Prize winner
José Ramos-Horta
(President of the Republic of East Timor)



Madame Patricia Durrant
(Jamaica's former Ambassador to the UN and retired Assistant Secretary General of the UN)



“Father of the Internet,” **Dr. Vinton Cerf**
(Vice-President and Chief Internet Evangelist at Google.com)



Ambassador Nelson Santos
(East Timor's Ambassador to the United Nations)

CIDA



Canadian International
Development Agency

Agence canadienne de
développement international

- \$50,000 CAD Grant from the Conference Fund
- Permitted attendance at the 2008 Forum by 19 fellows from 11 countries
 - Of these invitations, 16 were able to accept

CIDA fellows





Purpose of the Evaluation Project

- Meet CIDA Requirements for follow up.
- Examine intermediate outcomes one year out: the extent to which we brought in the right people and got the right results.
- Identify lessons for the future ODR Forum hosts and the National Center for Technology and Dispute Resolution (NCTDR).

Logic model

objectives	functions	activities	outputs	immediate outcomes
<p>Increasing knowledge of ODR and a) peace, b) technology, c) aboriginal peoples, d) legal systems, e) business, and f) the socio-cultural aspects of ODR (including gender issues).</p>	<p>a) pre-conference website, b) the conference itself, and c) post-conference communication between participants</p>	<p>a) two keynote addresses, b) sessions conducted by leading academics or practitioners in the field, and c) group panels and discussions</p>	<p>Understanding ODR as a means of a) increasing information-sharing across sectors, b) fostering ongoing dialogue between participants, and c) providing for mentoring between developed and least developed countries.</p>	<p>a) odrforum 2008.org, b) Program Handbook, c) establishment of the Horta-Cerf Bursary at Royal Roads University, d) Forum Communiqué, e) exit-evaluations completed by 120 registered participants from developed countries</p>

Post-conference exit evaluation

- Knowledge-building
- Social and professional
- Settings
- Possible applications

Participants

- All 16 CIDA fellows that attended the 2008 ODR Forum were invited to select an interview day and time between April & June 2009 indicating:
 - a start-time according to their local clock
 - their time zone
 - their Skype or telephone contact information
- 12 of the 16 fellows participated
- All were fluent in English as a second language, and had access to a telephone and/or Skype as a means of communication.

Semi-structured interview

1. Learning applied within homelands
2. ODR applications undertaken
3. Resources necessary to effectuate ODR
4. Ensuring those from developing states have access to the ODR Forum
5. Advice to the NCTDR regarding ODR issues among those from developing states
6. Mentoring offers and requests
7. Targeting issues of concern for participants from developing states
8. Impressions of Canada as host and funder

Conclusions

- ADR in its infancy in many areas of the world, and ODR even more so, therefore:
 - use education to develop awareness of ODR
 - leverage awareness as a means to forward ODRs acceptance
- ODR may be poised to supersede ADR as an efficient and effective means for resolving disputes
- It seems unlikely that ODR will be tethered to hardwired desktop computers, given the proliferation of wireless devices

Conclusions

- maintain and expand a professional network within ODR
- mentors are willing volunteer to assist newcomers to the field exists
- travel is difficult for participants from geographically and politically disparate locales
- develop means of communication outside of the Forum, as well as virtual participation within it

Suggestions for future research

- identification of barriers that hinder the implementation of ODR
- discovery of supports that may help ODR propagate
- larger and more representative sample
- SWOT Analysis of practitioners influence over and ability to impact matters which enhance or impede ODRs proliferation

Summary

- the "O" of ODR recognizes myriad stationary and mobile technologies
- possibilities range from two-party transactional models to those in which multiple alternatives among diverse stakeholders may be considered
- trust in responsible practice among ODR's practitioners, processes, and platforms, and security is necessary for its proliferation
- the ability to "read" online environments is an advantage for ODR's earliest adopters
- education is necessary regarding the sharing of best practices and the exploration of novel ones



Q&A / Discussion

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