Online Dispute Resolution and Digital Inclusion: Challenging the Global Digital Divide

By
Mohamed Abdel Wahab*

"We are also fully aware that the benefits of the information technology revolution are today unevenly distributed between the developed and developing countries and within societies. We are fully committed to turning this digital divide into a digital opportunity for all, particularly for those who risk being left behind and being further marginalized."

Online dispute resolution (ODR) processes are largely technology dependent systems. Thus, the absence of simple, affordable, and appropriate access and to computers, internet connections, and other technological tools limit the possibilities of utilising ODR mechanisms.

As the development and investment in information and communication technologies (ICTs) have become global priorities,² the accelerated growth and advancement in ICTs certainly exert profound impact on the proliferation of ODR processes as well as social and economic development of states and nations in a manner that increase productivity and employment opportunities, enhance the quality of life, and support social welfare.

However, the rate and scope of economic and social transformation brought about by ICTs are not evenly distributed across the globe, as the diffusion and deployment of technology, the driving force of globalisation, is asymmetric with few countries reaping the benefits of the information society. This is due to the existence of a digital divide between States and nations, which is part of a larger development divide between developed and less developed countries (LDCs).

The digital divide reflects a gap in the possession and utilisation of ICTs between the technology ‘haves’ and ‘have-nots’. It is a global phenomenon and exists on both international and domestic levels. Nevertheless, as the link between ICTs and economic

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² ICTs could be defined as a “complex and heterogeneous set of goods, applications and services used for producing, distributing, processing and transforming information - - included in this set are the outputs of industries as diverse as telecommunications, television and radio broadcasting, computer hardware and software, computer services and electronic media” See Marcelle, G., “Gender, Justice and Information and Communication Technologies (ICTs)” (2000). Available at <http://www.un.org/womenwatch/daw/csw/marcelle.htm>.

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and social development became increasingly evident, many developing countries are preparing and implementing policies and strategies for the deployment of ICTs within their societies in an attempt to bridge the existing digital divide and transform it into digital opportunities.

The present paper seeks to address the status quo of the digital divide by analysing some of the determinant factors of ICT development with special reference to Egypt as a developing country. Furthermore, the paper will also address the prospects of ODR development in LDCs in light of the existing digital divide and the efforts to bridge it. In addressing these issues, the paper will provide examples from transition economies and developing states. On such a basis, the paper will be divided into two main parts: Digital Inclusion and ICT Development Factors, and ODR and Developing Countries.

**Digital Inclusion and ICT Development Factors: A Framework of Analysis**

Digital inclusion is an optimistic term for the digital divide. Whilst the latter is used to denote the existence of a gap between countries and groups with respect to access to and utilisation of ICTs in a manner that points to an existing technological exclusion, the former represents a new vision for the global information society, which is based on the principle of universal access to ICTs in an inclusionary manner that challenges the existing digital divide.

For many parts of the world, technology remains to a large extent an expensive commodity; a luxury that is available for and utilised by the few. Despite the indispensable applications of technology and its global impact, many parts of Africa, Asia, and Latin America are experiencing poverty and lack of essential needs.

As a demonstration of the existing digital divide, it is worth noting that according to the most recent Networked Readiness Index (NRI) Report,\(^3\) which measures the ICT competitiveness of nations, out of the top 25 rankings around 19 are well-developed industrialised countries and the last 23 countries with the lowest ICT penetration are African and Latin American LDCs. The NRI rankings are based on assessing three major components: Environment, Readiness, and Usage, which in turn consider the presence of appropriate human resources, political, and regulatory framework, ICT

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infrastructure, governmental, business, and social readiness, as well as the degree of usage of ICT by principal stakeholders in a manner that support a knowledge based society.

Figure 1 provides an insight on some of the important digital divide statistics in high income developed countries, LDCs, and regional groupings.

<table>
<thead>
<tr>
<th>Countries and Regions</th>
<th>Personal Computers (per 1000 people) 2002</th>
<th>Internet Users (per 1000 people) 2002</th>
<th>Internet Access Costs (based on 20 hours of use in $) 2003</th>
<th>Secure Servers 2003</th>
</tr>
</thead>
<tbody>
<tr>
<td>Low Income</td>
<td>7.5</td>
<td>10</td>
<td>57</td>
<td>435</td>
</tr>
<tr>
<td>Low and Middle Income</td>
<td>28.4</td>
<td>50</td>
<td>41</td>
<td>7,121</td>
</tr>
<tr>
<td>High Income</td>
<td>466.9</td>
<td>364</td>
<td>23</td>
<td>210,134</td>
</tr>
<tr>
<td>East Asia and Pacific</td>
<td>26.3</td>
<td>44</td>
<td>31</td>
<td>720</td>
</tr>
<tr>
<td>Latin America and Caribbean</td>
<td>67.4</td>
<td>92</td>
<td>33</td>
<td>3,309</td>
</tr>
<tr>
<td>Middle East and North Africa</td>
<td>38.2</td>
<td>37</td>
<td>31</td>
<td>103</td>
</tr>
<tr>
<td>Sub-Saharan Africa</td>
<td>11.9</td>
<td>16</td>
<td>64</td>
<td>726</td>
</tr>
</tbody>
</table>

Fig.1 (Digital Divide Statistics)4

Despite the existence of an ICT penetration gap between LDCs and well-developed States, some LDCs have pioneered in supporting ICT diffusion and penetration. For example, Estonia, Slovenia, Malaysia, South Africa, India, China, Tunisia, Jordan, Egypt, Morocco, and Costa Rica are steadily improving and supporting ICT development, and are increasingly demonstrating a high degree of ICT penetration. Accordingly, as much as the digital divide is a persisting reality in our global village, national and supranational initiatives and projects are being implemented as a global priority to bridge the digital divide and achieve digital inclusion.5

4 See World Bank; *World Development Indicators* (2004); Table 5.11 (The Information Age) p.296. Available at <http://www.worldbank.org/data/wdi2004/pdfs/Table5_11.pdf>.

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In the following pages, I shall analyse the indispensable ICT development factors and provide an overview of the global action plan endorsed by the World Summit on the Information Society (WSIS) before attempting to determine the prospects of ODR schemes as ICT based applications in developing countries and transition economies.

(A) ICT Development Factors:
It is submitted that there are four interconnected groups of ICT development factors: (i) Connectivity, (ii) Access and Capacity, (iii) Policy and Regulation, (iv) Socio-Cultural Environment.

(I) Connectivity:
Connectivity is a fundamental catalyst for ICT diffusion and digital inclusion. It requires the existence of a strong physical infrastructure involving the existence of an appropriate number of Internet hosts per capita, personal computers per capita, fixed telephone and mobile lines subscribers per capita, adequate bandwidth, and possible broad band connectivity that support a high degree of ICT penetration. Surely the necessary components of connectivity and ICT infrastructure pose a great challenge for LDCs compared to high income states, as the cost of developing such a strong infrastructure is too high for developing economies.

Nevertheless, LDCs could resort to technologies that allow leapfrogging in connectivity such as wireless access through mobile phones, personal digital assistants (PDAs), and other wireless tools that do not demand the existence of sufficient wire-line infrastructure. This is actually the case in many developing and transition economies where wireless is already used as a primary service in China, Colombia, Lebanon, Malaysia, the Philippines, Sri Lanka, South Africa, Thailand, and Venezuela.6

It is worth noting that most LDCs are taking huge steps in modernising their physical infrastructure to support new ICTs. For example, connectivity issues and basic infrastructure for ICT is considered a national priority in Egypt. By May 2004, the number of companies working in the ICT sector reached 1086, the number of PCs (per 1000 people) increased to over 26.6, Internet bandwidth reached 1106 Mbps, the

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number of Internet Service Providers (ISPs) reached over 200, the country benefits from
two fiber optic cables, mobile phone subscribers reached 6.23 million and General
Packet Radio Service (GPRS) technology is being introduced by service providers, and
fixed phone lines in operation exceed 8.6 million lines. Furthermore, the government is
implementing a national broadband initiative which has introduced an assortment of
new broadband services using technologies like Asymmetric Digital Subscriber Line
(ADSL), Wireless Local Loop (WLL) and Wireless Fidelity (WiFi) to citizens
throughout the country. Integrated Services Digital Network (ISDN) has also been made
readily available throughout the country at a small monthly fee.

(II) Access and Capacity:
The second set of ICT development factors involves access and capacity. Developing a
strong physical infrastructure and network connections is not sufficient unless this is
accompanied by adopting national and international policies that aim to sustain
universal, ubiquitous, and affordable access to ICT services.

Furthermore, governments should devise a national strategy for capacity building on
individual and institutional levels to promote ICT accessibility.

As the number of Internet users in a country reflects the degree of accessibility and
capacity, LDCs are faced with some constraints and obstacles in this context. The
relatively small number of users in LDCs is not only due to connectivity and
infrastructure related problems but also due to accessibility and capacity constraints
involving access costs, literacy, and knowledge and awareness.

Access costs pose a serious challenge to low and middle income countries, as the cost is
relatively high compared to high income countries. For example, in Sub-Saharan Africa
the cost of Internet access for 20 hours of use reached $64 in 2003. Access costs also vary between individual low and middle income countries. Whilst
Internet access costs for 20 hours may reach $121 in the Republic of Congo and $108 in
Azerbaijan, access costs are relatively low in some other developing countries such as
South Africa, Argentina, Malaysia, and New Zealand where costs for 20 hours are in the
range of $33, $13, $8, and $13 respectively. In the Arab world, Internet access costs are
relatively higher than East Asia and OECD countries where off-peak access costs are
close to $35 per month compared to less than $23 in the OECD and $13 in East Asia.

7 Information obtained from the Egyptian Ministry of Information and Communication Technology.
8 See Figure 1.
9 See World Bank; World Development Indicators (2004); op. cit. p.294-296.
10 Sala-i-Martin, X. and Artadi, V. E.; “Arab World Competitiveness Report” (2002-2003); (Switzerland,
Thus, in order to achieve affordable access in LDCs taking into consideration the low Gross Domestic Product (GDP) per capita, governmental intervention is necessary to ensure a competitive environment in ICT services which will contribute to lowering prices. Similarly, as dial up connection is the most widely used method for Internet access in LDCs, reducing the cost of calls, providing a proportion of free local calls, or introducing free off-peak hours of access by operators will reduce access costs and facilitate the diffusion of ICTs. Furthermore, the development of integrated multi-purpose community information centres, such as “Telecentres” will enable users to have access to ICTs at minimal cost.\(^\text{11}\) The concept of community information centres proves to be a popular practice in developing countries. The Costa Rican government’s ICT strategy resulted in the development of self-contained multi-purpose and multimedia mobile units that are called little intelligent communities (LINCOS) could be transported to any rural community and provide a variety of functions, including Internet access, training in ICT, and e-mail facilities.\(^\text{12}\) Similarly, in India the government is pursuing a policy of ICT diffusion with the aim of establishing information kiosks in every Indian village by 2007.

In Egypt, access costs are currently very low at around $5 for 20 hours access due to a national policy of offering free Internet access, establishing IT clubs, and providing low-cost PCs. The free Internet initiative offers subscription free Internet services to Internet users via dialup to special-prefix numbers. In September 2002, free Internet service was available nationwide, which resulted in overcoming the access costs barrier and resulted in a huge annual increase in accessibility and Internet users. The number of Internet users as of May 2004 stands at 3.3 million with over 60% increase from last year.

With respect to other accessibility and capacity constraints for developing countries, illiteracy, awareness, and knowledge are major obstacles to ICT development. As there is a lack of awareness and knowledge of ICT services and applications in LDCs, it is necessary to implement national policies and training programmes to raise awareness of ICT, train individuals on its applications, and its potential benefits for all sectors. Similarly, due to the absence of sufficient voice protocols, text-based protocols remain the most widely used Internet applications. And as the rate of illiteracy is high in LDCs and English content constitutes over 68% of the Internet, language and literacy remain


\(^{12}\) Ibid.

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great concerns for transition economies and least developed countries. Thus, national ICT development policies should try to eradicate illiteracy, encourage learning foreign languages especially English, and promote the usage of signs and symbols to cater for disadvantaged groups and people with special needs.

(III) Policy and Regulation:

In order to ensure the effective development and utilisation of ICTs, governments, especially in LDCs should prioritise ICT development and establish the necessary regulatory framework by implementing a myriad of legislative and regulatory initiatives to support ICT services and applications. Thus, governmental intervention is necessary to ensure and maintain fair competition in the ICT sector and prevent monopolies or collective dominance practices which certainly impact on accessibility.

On such a basis, legislative reforms should involve the enactment of laws relating to the telecommunications sector, consumer protection, e-commerce, e-signatures, intellectual property rights, and data protection.

In Egypt, the government has been actively fostering legislative and regulatory reform to support the liberalization of the telecommunications sector. As the number of ISPs represents an indicator of market liberalisation, the number of ISPs in Egypt increased from less than 40 in 1999 to more than 200 in 2004. Furthermore, the government has enacted several laws that aim at supporting ICT development and diffusion starting with Law No.82/2002 pertaining to the Protection of Intellectual Property Rights which unifies and supersedes existing intellectual property laws, and brings Egypt's legislation into compliance with the Trade-Related Aspects of Intellectual Property Rights (TRIPS) Agreement. In 2003, the new Telecommunications Law No.10/2003 aims at reorganising the communications sector. The new Law is based on some fundamental principles amongst which are universal access, free competition, protection of users, and encouraging investment in the ICT sector. It provides for the establishment of a national telecommunications authority named “National Agency for Reorganisation of Communications” (NARC), which is entrusted with the organisation of the communications utility in accordance with the above-mentioned fundamental principles. Most recently in April 2004, a new Law No.15/2004 Regulating Electronic Signatures and Establishing the Information Technology Industry Development Authority (ITIDA) was enacted. The new Law which was inspired the UN Model Law on Electronic Signatures is considered a legislative landmark that supports the digital revolution and allows Egypt to be part of a global information society. The Law aims to enhance e-banking, e-business activities and transactions in Egypt, and will provide the necessary
regulatory and legal framework for such activities.\footnote{Several banks in Egypt have already started mobile and Internet banking pilot projects.} Furthermore, electronic contracting, signatures, and documents are now given full legal effect as non-electronic documents and signatures.\footnote{The new Act is composed of thirty Articles and provides for the establishment of the ITIDA, which will be responsible for issuing and renewing electronic certificates, and will also be responsible for setting the technical and legal standards for electronic signatures.}

**(IV) Socio-Cultural Environment:**
National and international strategies for ICT development should not ignore the socio-cultural aspects of diverse societies. The Information Society should be founded on and stimulate respect for cultural identity, diversity, traditions and religions, and foster dialogue among cultures and civilisations.\footnote{World Summit on the Information Society; “Declaration of Principles” (2003) \textit{op. cit.} p.7.}

Preservation of cultural identity and promotion of local content is a crucial factor for positive reception of ICT services and awareness schemes. Taking into consideration social and cultural traditions whilst establishing ICT services will encourage participation of all stakeholders including indigenous people and those living in rural and remote areas, and will boost trust and confidence in ICTs. Thus, a successful ICT development policy will take into account not only tangible factors but intangible norms and elements prevailing in a society.

By and large, successful digital inclusion on both national and global levels requires implementation of policies, strategies, and programmes that enhance connectivity, access and capacity, regulatory, and cultural aspects. In a nutshell, ICT development initiatives should analyse the readiness of all stakeholders (people, businesses, and government), infrastructure, and state economy to develop ICT services and activities.


The importance of ICT development in bridging the digital divide has crystallised as a global priority and gained momentum with the WSIS. The Summit which is held by virtue of the UN General Assembly Resolution 56/183 on two phases aims to tackle and bridge the digital divide phenomenon and establish a knowledge-based global information society that utilise ICTs for realising the Millennium Development Goals (MDGs).

During the first phase of the WSIS in Geneva (10-12 December 2003), nearly 50 Heads of States and Vice-Presidents, 82 Ministers, and 26 Vice-Ministers and Heads of
delegation as well as high-level representatives from international organisations, private sector, and civil society contributed to the development of a guiding set of principles and endorsed a global action plan for ICT development.

The key aspects of the declaration of principles revolve around emphasising.\(^{16}\) (a) a strong commitment to bridge the digital divide through international cooperation among all stakeholders, (b) the fundamental nature of establishing universal, accessible, equitable and affordable ICT infrastructure and services for the benefit of all stakeholders including vulnerable and disadvantaged groups, (c) the importance of boosting trust and confidence in ICTs including information and network security, authentication, privacy and consumer protection, (d) the necessity of creating an enabling environment based a supportive, transparent, pro-competitive, technologically neutral and predictable policy and regulatory framework, (e) the need for respecting cultural and linguistic diversity as well as tradition and religion.

The set of guiding principles emphasised in the Declaration were translated into concrete action lines in the WSIS “Plan of Action”.

The Action Plan provides an outline for a number of target areas and sets specific goals that merit consideration and implementation in national strategies in order to be achieved by 2015.\(^{17}\)

Amongst the most important targets to be achieved are:

Firstly, national ICT penetration policies should aim for full-scale connectivity in all sectors including: the civil society sector, the education sector, health sector, governmental sector, scientific and cultural sector so that more than half of the world’s population would have access to ICTs by 2015.

Secondly, governments should support the necessary investment in ICT infrastructure, alleviate the challenges of illiteracy and develop affordable technologies and non-text based computer interfaces to facilitate accessibility, and encourage the use of wireless technology, especially in LDCs to overcome existing infrastructure constraints and provide access in remote areas.

Thirdly, both governments and private sector stakeholders should establish sustainable multi-purpose community public access points, providing affordable or free-of-charge Internet access.


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Fourthly, the WSIS stressed the need for international and regional cooperation in the field of capacity building, including country programmes developed by the United Nations and its Specialised Agencies, especially for LDCs.

Fifthly, governments and other stakeholders should cooperate on national and international levels to strengthen trust and security in the use of ICTs, especially by promoting user awareness about privacy and data protection issues, reforming national laws and regulations to encourage e-commerce and electronic means of authentication, and supporting the development of new technologies that allow secure and reliable access to ICT applications.

Sixthly, governments should support the development of a myriad of ICT applications in all public and private sectors including the implementation of e-government initiatives, e-business and e-commerce models, and encourage the development of effective dispute resolution systems.

Finally, governments should implement policies that preserve and promote cultural diversity and indigenous knowledge and traditions through the utilisation of different methods, including the digitisation of the educational, scientific and cultural heritage.

In conclusion, the WSIS has provided indispensable guidelines and lines of action that merit inclusion in all national, regional, and global ICT development policies and programmes in order to build a global information society that is based on principles of equality, justice, and welfare for the benefit of all humanity.

In the following section of the paper, I will attempt to determine the impact of ICT development and digital inclusion on the prospects of ODR for developing countries.

**ODR and Developing Countries: Are We Ready?**

Having addressed the contemporary challenges facing our global village with respect to ICT development, it is necessary to shed light on a specific techno-legal ICT-dependent application that is: ODR, which could resolve not only e-commerce disputes but could also be utilised against traditional offline disputes.\(^{18}\)

Although the majority of current disputes resolved by means of ODR processes are mainly e-commerce related, and most ODR providers are located in high income developed countries, the borderlessness of e-commerce and ODR services makes it possible to extend such services to individuals and businesses in LDCs. Nevertheless, the successful establishment of ODR systems or provision of ODR services in LDCs is

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conditional upon two main factors: (a) technological readiness and (b) social and legal structure and readiness.

(A) **Technological Readiness: A Prerequisite for ODR**

One of the major challenges for the establishment of ODR systems in LDCs is the existence of an adequate degree of ICT penetration, as technological readiness represents a fundamental prerequisite for the provision of ODR services. As ICT development became a global priority, the basic ICT infrastructure necessary for ODR will be available in many LDCs. However, the success of ODR is not only dependent on the availability of a supporting infrastructure, but the technology utilised must be secure as well. For example, the number of secure servers available in low and middle income countries represents around 3.3% of those available in high income developed countries.\(^{19}\)

On a different note, LDCs could benefit from the existence of ODR systems even as pilot projects whilst implementing national and international ICT development policies because with the progressive ICT development, access to the Internet and e-commerce related activities will increase, hence there will be crucial need for the existence of swift, just and appropriate dispute resolution mechanisms that match the requirement of the Internet and e-commerce. As the judicial system in many LDCs is overloaded with cases, and ADR expenses are relatively high, ODR could be the best option for many disputes.

In acknowledging the role of alternative dispute resolution (ADR) in our information society, the WSIS encouraged the ongoing work for the provision of effective dispute settlement systems, which should certainly include ODR mechanisms.\(^{20}\) On such account, governments should support the development of ODR systems and provide an enabling environment that promotes trust and confidence in new ICT-based applications, especially ODR.

By and large, there is a direct relationship between bridging the digital divide, achieving a high degree of ICT penetration, and the progressive development of e-commerce and ODR in LDCs.

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\(^{19}\) See Figure 1.


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(B) Social and Legal Structure: Glocalisation of ODR

Taking into consideration the socio-cultural and legal readiness of a society to provide successful dispute resolution services is crucial for the success of the process.

With respect to the necessary legal and regulatory framework for ODR, it should be noted that as an electronic form of dispute resolution that is conducted mainly online, security, authentication, confidentiality, validity and recognition of e-documents, privacy, accreditation standards for ODR providers, and data protection are amongst the greatest concerns for the parties to any ODR process. In this respect many LDCs are still lagging behind due to the lack of the necessary legislative instruments that cover all these aspects. Thus, there are many legal loopholes that merit further consideration by governments.

On a different note, the socio-cultural structure of the society where ODR services are offered should be carefully considered. Technology in general and ICT applications should be adapted to local conditions and culture. This is truly the essence of glocalisation, which could be very important concept for the development of ODR in LDCs as the diversity of cultural patterns and local conditions in diverse societies play a central role in the successful introduction of new services.\(^{21}\)

A high percentage of people in many countries and especially LDCs are sceptical about the online environment and ICT applications in general. This could be further complicated with ODR as a dispute resolution process that requires a higher level of trust. Thus, the challenges that face governments and stakeholders in LDCs are to provide ICT awareness, training programmes, and implement pilot projects that induce trust in online activities. E-government initiatives could be of particular importance in promoting ODR and inducing trust in the process.

Furthermore, the nature and types of disputes prevailing in a society certainly impacts on the prospects of ODR processes. Despite having a bigger role to play in business-to-consumer (B2C) than in business-to-business (B2B) e-commerce,\(^{22}\) ODR could play a more prominent role in B2B disputes in many LDCs as online connectivity and accessibility for consumers is relatively low in these countries. For example, in the Middle East B2B disputes are the dominant form of disputes submitted to ADR.

\(^{21}\) Glocalisation is a term coined to denote the interaction between the global and the local, which do not necessarily exist as polar concepts but co-exist as mutually interpenetrative principles that reflect the social interaction between globalisation and localisation trends. The slogan “think global act local” used especially by Multinational Corporations (MNCs) to account for local conditions and cultural patterns reflects the true essence of glocalisation.

Moreover, the existing dispute resolution culture in a society including the dominant means of ADR should be considered when establishing or extending ODR services to LDCs. For example, in Africa and the Middle East, arbitration represents the dominant form of out-of-court dispute resolution systems. Other forms of ADR such as mediation are not as established as arbitration but are exceedingly gaining momentum. Thus, establishing ODR services for this region and similar regions should take into account the existing dispute resolution culture. On such a basis, although online arbitration may not prove as successful as other ODR processes due to some legal constraints, especially in B2C disputes where the mandatory nature of an arbitration agreement or award could be challenged, promoting ODR services in some LDCs may require the provision of online arbitration services provided that the necessary legislative support is present to give effect to electronic agreements and awards.

Accordingly, the prevailing socio-cultural patterns in a society should be taken into account when establishing ODR systems or extending ODR services to certain countries and regions. In a nutshell, adapting technology and ODR to local conditions is a prerequisite for success.

**Conclusion:**

In order to overcome the existing digital divide and achieve global digital inclusion, the international community is under an obligation to assist developing countries and economies in transition to fully and beneficially integrate into the networked knowledge-based global economy through assistance in providing secure and reliable connectivity, universal accessibility to ICTs, and developing human and institutional capacities. Failure to promote and provide such assistance and cooperation projects negatively on the process of globalisation and interdependence, which will have far reaching implications and repercussions for our global village.\(^{23}\)

In so far as the digital divide is a reality, ICT development and associated applications is also a fact and an ongoing process that has become a national and global priority many LDCs.

As ODR is directly connected to ICT development and socio-legal readiness, the chances of implementing ODR in LDCs are not inexistent and are certainly variable from one country to another. Whilst in Sub-Saharan Africa it might be still early to introduce ODR for technical, financial, social, and legal constraints, other developing

countries and transition economies have excelled in this context and have actually implemented or are on the verge of implementing ODR pilot projects supported by the government. Peru, China, the Philippines, and South Africa are four important models in this context. In Peru ODR services are provided via Cybertribunal Peruano, which offers ODR and ADR services and acts as a Conciliation Centre of the Minister of Justice.24 In China, a Centre for Online Dispute Resolution (ChinaODR) was established in June 2004, in an attempt to building trust and confidence in e-commerce and online activities by offering ODR services and a trust mark seal programme.25 Similarly, the Philippines in April 2004 have enacted their Republic Act 9285 (the Alternative Dispute Resolution Act) which gives ODR and other web-based applications, concrete legal basis, and are on the verge of implementing an ODR pilot project through the Cyberspace Policy Centre for Asia Pacific (CPCAP) that is scheduled to commence in August 2004 and will be focusing on franchise-related disputes, consumer disputes and e-commerce disputes.26 In Africa, TrustEnforce.org which is based in South Africa has taken the lead by providing ODR services since 2002. Their online mediation and arbitration services take place entirely online, they offer a trust mark seal programme, and they offer both a domestic service for disputes within South Africa and an international service for disputes between people in different countries.27 Egypt is also good example of a developing country that may be ready to implement or establish pilot projects for ODR due to the progressive ICT development initiatives, legislative modernisation represented by the introduction of the new E-Signatures Law, and long standing tradition of dispute resolution with the existence of the Cairo Regional Centre for International Commercial Arbitration (CRCICA).

24 See <http://www.cibertribunalperuano.org/>
25 See <http://www.odr.com.cn/>. The Centre will offer a wide range of ODR services including online arbitration, mediation, and negotiation.
26 With these two Asian ODR projects, China and the Philippines will join Singapore which already has two ODR projects available: E@dr (an initiative by Singapore Subordinate Court that helps parties to resolve their e-commerce disputes online), and the Electronic Court Dispute Resolution International (ECDRI): a settlement conferences for complex disputes that is co-conducted by a Singapore judge-mediator and a judge from a foreign jurisdiction and helps parties to settle their cross-border disputes. See <http://www.e-adr.org.sg/>
27 See <http://www.trustenforce.org/>