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Improvement of legal groundwork for the online dispute resolution system (Conference Paper)

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Краткое описание

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This paper deals with the study of main directions and conceptual approaches in the field of legal groundwork for the electronic dispute resolution system, aiming for ensuring the proper protection of rights of individuals and legal entities under current conditions of digitization of economic relations. Special attention is paid to the analysis of innovative approaches in the civil and criminal fields of dispute resolution, the degree of their adaptivity to the contemporary needs of digital society, including the trends of decentralization, digital neutrality and provision of cybersecurity. The authors carried out a comparative analysis of regulatory legal acts of states with a high level of economic development. The main conclusions that were drawn following the results of the presentation of materials in this paper can be presented in a

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structured fashion as follows: globally, primarily in a number of the largest economies of the world, particularly those that are part of the G7, not only in arbitration courts, but also in state courts, there are trends aimed at optimization of procedures for the resolution of disputes (legal conflicts), including by means of the implementation of legitimate judicial innovative Internet technologies by the parties, the progressive and steady development of which significantly affects the development of the practice of world and national tribunals, which are also based on the highly active use of alternative mechanisms in the form of remote electronic technologies that were called remote communication technologies; in many CIS member states, the engineering of a smart model of justice is gradually and nicely projected onto public law institutions, primarily criminal law, and has not yet touched on all types of legal proceedings by means of which justice is rendered, usually being adapted in the procedures of resolution of economic and civil disputes; as of today, Russia is at the stage of development of fundamental principles of the concept of online dispute resolution so that such form of dispute resolution became an everyday routine, both in Russian practice and in relationship between Russia and its foreign contracting parties, which intrinsically requires taking actions that were suggested by the authors and are aimed at improvement of legal groundwork for a legal dispute resolution mechanism considered in the paper so as to make such form accessible to interested parties beyond domestic practice in the soonest possible time. © Springer Nature Switzerland AG 2020.

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