
ALTERNATIVE DISPUTES RESOLUTION FOR
CONSUMER DISPUTES IN THE EUROPEAN UNION

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Abstract

Consumers, as the weakest and most ignorant link in the producer-trader-consumer chain, often end up deceived or damaged in one of the deals in which they participate daily. It is noteworthy that the number of consumer deals in an era called the consumer society is enormous, and thus the number of disputes that arise between traders and consumers is growing in direct proportion. Due to the fact that consumer disputes are usually of lower value and are simpler than the complicated trade disputes that arise during the long-term trade cooperation between traders, they are particularly suitable for the application of alternative ways of resolving them. For that purpose, the European Union adopted Directive 2013/11/EU of the European Parliament and of the Council on alternative dispute resolution for consumer disputes. The possibility for alternative dispute resolution in the EU is upgraded with Regulation (EU) No 524/2013 of the European Parliament and of the Council on online dispute resolution for consumer disputes, which for the first time established the ODR platform.

The purpose of this paper is to analyze the advantages and disadvantages of alternative ways to resolve consumer disputes, the functioning of the ODR platform in the past period of its operationalization, as well as the possibilities for upgrading and wider application of alternative methods for resolving consumer disputes in the Republic of North Macedonia.

Key words: alternative dispute resolution, consumer disputes, ODR Platform, European Union.

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1. An Introduction to Alternative Dispute Resolution (ADR) for Consumer Disputes in Europe

"Justice is in crisis, the judicial system is in crisis" is a sentence that is often found both in academic circles and among ordinary citizens, both from the civil law system and from the common law system. "Slow justice is the greatest injustice" is the main motivation for resorting to and finding alternatives to the court that are more efficient and effective.

Alternative dispute resolution (ADR) refers to ways of resolving disputes between consumers and traders that don't involve going to court. ADR entities involve a neutral party, such as a mediator, ombudsman or complaints board that attempts to resolve the dispute through an ADR procedure (Knezevic & Pavic, 2013, p. 188). Depending on the form of ADR procedure that a given ADR entity operates, the neutral party can either: propose or impose a solution or bring the parties together to help them find a solution. Common forms of ADR are: mediation, settlement conferences, neutral evaluation, and arbitration. In legal theory, the phrase Alternative Dispute Resolution – ADR, is used to denote all extrajudicial (non-adjudicative) methods for resolving disputes (Zoroska Kamilovska, 2015, p.2).

Common to all types of ADR methods are their characteristics: autonomy of the parties, flexibility, neutrality, interest orientation, engagement of management skills, confidentiality and economy. One of the typical advantages of ADR is its adaptability to the concrete circumstances in which it is deployed.

Resolving consumer disputes with ADR methods is easier, faster, and less expensive than going to court. EU countries must ensure that all contractual disputes that arise from the sale of goods or provision of services — between consumers residing in the EU and traders established in the EU — can be submitted to an ADR entity. There are ADR bodies in every Member State of the EU.

2. Type of ADR systems for Consumer Disputes in the EU

The European Commission considers that improving consumer confidence in online cross-border shopping by taking appropriate policy action could provide a major boost to economic growth in Europe, because empowered and confident consumers can drive forward the European economy (Knudsen & Balina, 2013, p. 944). Therefore, the European Commission has established different means to ensure a high level of consumer protection all over the EU and ADR systems.

In Europe some of the ADR methods have been used already in ancient period. While in some European countries ADR schemes have a long and successful history of development, but in others they are novelty. The diverse levels of country development, culture and traditions, politics, the economy and other factors have determined that ADR schemes have evolved differently in each of the EU Member States. In 2009 it was concluded by the EC that there were 750 ADR schemes available in the EU for resolution of consumer complaints. For example: Romania has notified only one ADR entity that covers consumers

disputes in all retail sectors, but France has notified 99 sector-specific ADR entities (European Commission, 2019 p.6-7).

ADR has become a topical issue in contemporary European procedural private law (Maud, 2014 p., 269). Over the past fifteen years, European lawmakers have displayed particular interest in extra-judicial dispute resolution methods as part of a broader effort to promote better access to justice. The most common types of ADR for Consumers are: mediation, settlement conferences, neutral evaluation, arbitration and Complaint Commission for Consumers.

2.1. Mediation and conciliation

By means of mediation or conciliation the parties try to reach an amicable agreement with the participation of third party. The mediator's task is to make easier for the parties to find a solution satisfactory for them. The mediator himself doesn't impose any solution but takes care that the parties reach compromise independently.⁴

In conciliation system the third party, after listening to the arguments of both parties, tries to propose the best solution for them. This proposal doesn't need to bind the parties.

In mediation and conciliation, the parties are not limited by the provisions of substantive law and rules of procedure. Most often the amicable agreement concluded in such a proceeding additionally requires granting an enforcement clause by court.

2.2. Settlement conferences

A settlement conference is an informal, confidential meeting between the parties in the presence of a judicial officer (a judge or deputy judge). The judicial officer at your settlement conference will not be the judge at your trial.

Settlement conferences may be either mandatory or voluntary. In both types of settlement conferences, the parties and their attorneys meet with a judge or a neutral person called a "settlement officer" to discuss possible settlement of their dispute. The judge or settlement officer does not make a decision in the case but assists the parties in evaluating the strengths and weaknesses of the case and in negotiating a settlement. Settlement conferences are appropriate in any case where settlement is an option.

2.3. Neutral Evaluation

Neutral Evaluation is a process of assessing a dispute in which the evaluator seeks to identify and limit the issues of fact and law that are in dispute and, by that process, assist the parties to resolve the dispute (FindLaw, 2017). The

⁴ For the 7 different types of mediation (Facilitative Mediation, Court-Mandated Mediation, Evaluative Mediation, Transformative Mediation, Med-Arb, Arb-Med, E-mediation) see more in: Program on Negotiation at Harvard Law School. (2012). *Mediation Secrets for Better Business Negotiations: Top Techniques from Mediation Training Experts*. Harvard Law School.

Neutral Evaluation process is undertaken in confidence and without prejudice to the parties. Neutral evaluation may be most appropriate in cases in which there are technical issues that require special expertise to resolve or the only significant issue in the case is the amount of damage. Neutral evaluation may not be appropriate when there are significant personal or emotional barriers to resolving the dispute.

The evaluator does not resolve the dispute but focuses on the key factual and legal issues raised in the case and advises on how it could or should be resolved. The evaluator writes an evaluation in private that usually includes an assessment of the strengths and weaknesses of each case, an estimate of the likely outcome and any suggestions for resolution.

2.4. Arbitration

Arbitration is a method of out-of-court disputes settlement most similar to court procedures (Maud, 2014, pp. 272-273). Arbitration is a type of procedure according to which the parties select one or more neutral individuals to whom they present the case in order to obtain a final legally binding settlement.

It may be of single or institutionalised nature. In temporary arbitration each party of dispute selects its own arbitrator (or arbitrators) and then these appoint a super arbitrator. Selected in such a way composition settles a dispute on the basis of previously agreed rules. Institutional arbitration most often functions on the basis of professional organisation dealing with arbitration. In some models of arbitration there may be formed a necessity of conducting additional enforcement proceeding before a civil court.

2.5. Complaint Commission for Consumers

Consumer organisations, associations of entrepreneurs or commercial institutions may jointly or independently organise complaint commissions basing on provisions of common law or solutions based on soft-law. Complaint commissions are of collective nature with equal representation of consumers and entrepreneurs community. The commission's settlements mostly do not bind parties. Some complaint commissions may conduct consumer cases even without the entrepreneur's consent. Such a decision, although not binding, is significant for its reputation.

3. European Framework for ADR in consumer disputes - CADR

Consumer disputes are any disputes arising between a consumer and a business from an agreement for the sale of products or provision of services. According to the Law such disputes are resolved firstly between the business and the consumer and if this is not possible, they can then be resolved through an Alternative Dispute Resolution Entity.

Hodges rightfully points out that consumer ADR proceeds according to a quite distinct dynamic and occupies a different context than the traditional ADR

mechanisms. He even proposes to use a new acronym for Consumer ADR (Christopher, Hodges, et al. 2012).

The focus of the recent EU ADR initiatives lies with consumer disputes. Except for the Mediation Directive, which covers "civil and commercial disputes," relevant European instruments in this field all deal with consumer ADR.

The European Law Institute carefully advocates that there is a role to play for ADR in disputes relating to the Common European Sales Law in the business-to-business (B2B) context, as well as in the business-to-consumer (B2C) context. The goal of this legislation is to ensure the proper functioning of the EU's single market.

The main document for ADR in consumer disputes – CADR, is Directive 2013/11/EU of the European Parliament and of the Council of 21 May 2013 on alternative dispute resolution for consumer disputes and amending Regulation (EC) No 2006/2004 and Directive 2009/22/EC.

Related documents are Regulation (EU) No 524/2013 of the European Parliament and of the Council of 21 May 2013 on online dispute resolution for consumer disputes and amending Regulation (EC) No 2006/2004 and Directive 2009/22/EC (Regulation on consumer ODR).

EU policy-makers addressed consumer ADR at first through non-binding standards and sector-specific legislation requiring Member States to encourage or ensure access to out-of-court dispute resolution mechanisms.

With Directive 2013/11/EU on alternative dispute resolution (ADR Directive) and Regulation (EU) No 524/2013 on online dispute resolution (ODR Regulation) a horizontal legislative framework for consumer ADR and ODR was established.

3.1. Directive 2013/11/EU of the European Parliament and of the Council on alternative dispute resolution for consumer disputes

Directive 2013/11/EU has intended to promote high-quality consumer ADR schemes in the EU through the creation of approval processes and regular monitoring.⁵

Key point of Directive 2013/11/EU is that EU countries must ensure that all contractual disputes that arise from the sale of goods or provision of services - between consumers residing in the EU and traders established in the EU - can be submitted to an ADR entity (Biard, 2018. pp., 109-147).

It applies to both online and offline sales and services.

It has applied since 8 July 2013.

To obtain and keep certification, ADR bodies must continuously comply with several binding requirements set down in the Consumer ADR Directive testifying among other things of their impartiality, independence, expertise,

⁵ Directive 2013/11/EU of the European Parliament and of the Council of 21 May 2013 on alternative dispute resolution for consumer disputes and amending Regulation (EC) No 2006/2004 and Directive 2009/22/EC (Directive on consumer ADR), OJ L 165, 18.6.2013.

transparency, accessibility, as well as of the fairness, timeliness and effectiveness of their procedures.

The Directive builds on and further consolidates the architecture established by two Recommendations of the European Commission in 1998 and 2001, which set down minimum quality requirements for out-of-court procedures.

The underlying objective of this new framework was to trigger some long-term effects on the procedural design and functioning of ADR bodies, and to enhance their credibility and legitimacy vis-à-vis consumers and traders. As such, it aimed to respond to the criticisms sometimes expressed about the way ADR providers operate, in particular concerns regarding schemes' lack of independence, limited accountability and possible effects on due process.

The Directive has followed a minimum harmonization approach. It has sketched a framework that Member States were free to further complement to ensure a higher level of consumer protection. The Directive also gave Member States some leeway to create their own certification and monitoring processes reflecting and tailored to the peculiarities of their national ADR landscapes. As a consequence, ADR certification and monitoring tend to diverge significantly across the EU.

The aim of Directive 2013/11/EU on alternative resolutions for disputes between traders and consumers is a) it ensures that EU consumers can submit their contractual dispute with an EU trader over a product or service to an alternative dispute resolution (ADR) entity, a recognized body whose role is to resolve disputes by means of ADR procedures, i.e. without going to court, b) it sets out binding quality requirements for ADR entities and procedures to ensure aspects such as transparency, independence, fairness and effectiveness, and c) it obliges traders to inform consumers about ADR when the former have committed or are obliged to use ADR and when they cannot bilaterally resolve a dispute with the consumer.

3.2. Regulation No 524/2013 of the European Parliament and of the Council on online dispute resolution for consumer disputes

In spite of internet technology development and e-commerce appearance in every day transactions, it was necessary to be found new way of resolving disputes through the use of electronic communications and other information and communication technology. Online dispute resolution (ODR) is a branch of dispute resolution which uses technology to facilitate the resolution of disputes between parties.

Most forms of ODR are based on more traditional forms of Alternative Dispute Resolution (ADR).⁶

Regulation No 524/2013 shall apply to the out-of-court resolution of disputes concerning contractual obligations stemming from online sales or service contracts between a consumer resident in the Union and a trader established in the

⁶ Regulation (EU) No 524/2013 of the European Parliament and of the Council of 21 May 2013 on online dispute resolution for consumer disputes and amending Regulation (EC) No 2006/2004 and Directive 2009/22/EC (Regulation on consumer ODR).

Union through the intervention of an ADR entity (Mišćenić & Butorac Malnar, 2017. pp, 103 – 142).

The Regulation defines the ‘consumer’ as natural persons who are acting outside their trade, business, craft or profession. Even if the contract is concluded for purposes partly within and partly outside the person’s trade (dual purpose contracts) and the trade purpose is so limited as not to be predominant in the overall context of the supply, according to the Regulation that person should also be considered as a consumer. Online sales or service contract is defined as a sales or service contract where the trader, or the trader’s intermediary, has offered goods or services through a website or by other electronic means and the consumer has ordered those goods or services on that website or by other electronic means. Consequently, the Regulation should not apply to disputes between consumers and traders that arise from sales or service contracts concluded offline and to disputes between traders.

The Regulation (EU) No 524/2013 aims to create an ODR platform at Union level. According to the Regulation, the ODR platform should take the form of an interactive website offering a single point of entry to consumers and traders seeking to resolve disputes out-of-court which have arisen from online transactions.

The ODR platform provides general information regarding the out-of-court resolution of contractual disputes between traders and consumers arising from online sales and service contracts. Also allows consumers and traders to submit complaints by filling in an electronic complaint form available in all the official languages of the institutions of the Union and to attach relevant documents. After that the platform transmits complaints to an ADR entity competent to deal with the dispute concerned. The ODR platform contains a multilingual register of 468 quality Alternative Disputes Resolution (ADR) bodies active across the Union, Liechtenstein and Norway. (European Commission, 2021, p. 1). Prior, the consumer and the trader have a right to choose direct communication between them prior of sending the dispute to ADR entity. The direct talk is a new module introduced in mid-2019: the consumers are given an option to share a draft complaint with a trader before submitting it officially, to try to settle the dispute directly. Within the deadline of maximum 90 days, in manner of their direct communication, they can reach an agreement.

In order to increase the awareness of ODR platform, the traders established within the Union engaging in online sales or service contracts, and online marketplaces established within the Union, have an obligation to provide on their websites an electronic link to the ODR platform.

According to statistic data, between 2017 and 2018, the take-up of e-commerce by consumers continued the upward trend observed over the last decade. About 60% of consumers in the EU made purchases online compared to 30% in 2007. Also, in 2017, 19.5% of all companies (with at least 10 employees) were selling online and e-commerce accounted for 17.4% of the total turnover of companies (European Commission, 2019, p. 13). Consumers increasingly make purchases online and an increasing number of traders sell online. In due to this fact, it was more than necessary for EU to offer a simple, efficient, fast and low-cost out-of-court solution to disputes arising from online transactions. According

to Regulation (EU) No 524/2013 consumers are key players in the internal market and should therefore be at its heart. Consumers and traders should feel confident in carrying out transactions online so it is essential to dismantle existing barriers and to boost consumer confidence. The availability of reliable and efficient online dispute resolution (ODR) could greatly help achieve this goal.

According to Commission's yearly reports to the European Parliament and the Council on the functioning of the ODR platform, apparently the number of submitted complaints is increasing. As a comparison more than 24,000 complaints were submitted on the platform in its first year of operation (European Commission, 2017, p. 4). The trend of complaints submitted per month, which in total is more than 36,000 cases in the second year of operation, shows that the number of complaints has increased 50% more than in the first year (European Commission, 2018, p. 2). According to data from 2020 only small proportion of visitors submitted a finalised complaint (17 461), and 30 319 visitors submitted the request for direct talks (European Commission, 2018, p. 3). By analyzing the statistical data from the Commission reports divided in sections - countries where the consumer or trader origins, we can conclude that there is a large difference between the number of complaint by the country of the consumer or of the trader. For example consumers and traders from Germany and Italy, used the platform the most (European Commission, 2021, p. 4). Also, by the years it hasn't been changed the fact that the most complained retail sector was airlines. It is very important to stress out that 44% of the cases submitted on the European ODR platform are direct settled (European Commission, 2017, p. 7).

In direction to examine the progress in the integration of the EU retail market based on the level of business-to-consumer cross-border transactions and the development of e-commerce, we also made an analysis on the data published in The Consumer Conditions Scoreboard, published every two years, which is the main instrument for monitoring the consumer environment across Europe. It looks at three main dimensions: knowledge and trust; compliance and enforcement; complaints and dispute resolution. According to Consumer Conditions Scoreboard, 2019 edition, there is no bigger difference in retailer awareness of and willingness to use out-of-court resolution mechanisms, comparing 2016 and 2019, even it is noticed negative trend in retailer awareness and willingness to use some of ADR methods (European Commission, 2019, p. 52). With crossing the information from Consumer Conditions Scoreboard, 2017 edition, and Reports on the functioning of the European Online Dispute Resolution platform, we can notice the difference in time needed to resolve litigious civil and commercial cases, first instance/in days, and time complaints life cycle according to ODR Regulation. It is shown on chart in the Scoreboard the average time needed to resolve litigious civil and commercial cases (the area where consumer disputes belong) in first instance in days, for the period 2010-2015, depending the country it varies from 100 days to 900 days (Ibid, 69. figure 45). Also, there are information about time needed to resolve appeals relating to decisions of consumer protection authorities, for the period 2013-2015, and depending the country it varies from 100 days to 800 days. Effective and economical aspect of ADR methods uptake of ODR platform is shown in this numbers: in 2/3 of those

cases the final outcome was reached within the 90-day deadline (European Commission, 2017, p. 7).

4. Alternative resolution for consumer disputes in Republic of North Macedonia

Consumer disputes in the Republic of North Macedonia arise between traders and consumers in connection with (non)fulfillment and/or delay in fulfilling rights and obligations from a consumer relationship (sales contracts, tourist contracts, contracts for the provision of services, contracts for online trade).

A basic characteristic of consumer disputes in the Republic of North Macedonia is that these disputes are numerous and have a relatively low value.

The disputes that may arise between a consumer and a trader who sold him a product or a trader who provide him a certain service in North Macedonia can be resolved in spirit of the solutions stipulated by article 13 of the Law on Obligational Relations; which means that trader and the consumer shall resolve disputes by conciliation, mediation or other peaceful ADR methods.

Hence, ADR methods are ideal for resolving consumer disputes because they help the parties to reach an agreement in the most efficient way. This is because ADR methods open up the possibility of amicable resolution of consumer disputes directly by the trader himself or through mediation, with the mediation of civil society organizations, in a mediation procedure, before a special arbitration and the like.

The most popular ADR method for resolving consumer disputes in the Republic of North Macedonia is mediation.

According to the Strategy for reformation of judicial sector for 2017-2022 year and Action plan, Republic of North Macedonia has taken an obligation on further development of mediation and exceeding the critical points and problems in relation with mediator exams, promotion and popularization of mediation and other critical points according to implementation and use issues of mediation in Macedonia (Ministry of Justice, 2017, p. 17).

The next step was adoption of new Law on mediation (Official Gazette of RNM" no.294/21). The new law on Mediation, which is the third Law on mediation in the country, was enacted in 2021. According to the legislator, the text creates new and contemporary frame in which are incorporated the standards of Council of Europe, European experiences and also it is harmonized with EU law frame.

The Law on mediation inter alia applies on domestic and cross border consumer disputes. The consumer can participate in the resolution of the dispute through mediation on his own initiative as well as on the trader's request. If the consumer had submitted a lawsuit the competent court, the court can also refer the partis to mediation and will indicate that they can resolve the dispute before a mediator and if the agree. According to an article 203 (3), Law on Litigation procedure, the court proceedings will stay within 45 days in which consumer and trader should try to resolve the dispute in this way.

According to statistical data presented in Draft version of Law on mediation, we can conclude that the number of mediations in the period of 2017-2019 year, comparing with the period from 2006-2016 year has significant increased. Thus 1.364 cases have been recorded in the Register of mediation procedures recorded by the Ministry of justice in the period of 2017-2019 year and 79% of the cases are settled amicably. Just for comparison in the period of 2006 -2016 less than 100 cases were held before mediators in the country. In the statistical data is missing the information about the number of consumer cases.

However, according to the Law on the protection of consumer rights, the protection of rights, and thus the resolution of disputes, is the responsibility of the courts and state authorities. Despite this approach the law gives the right to the consumers to establish associations for the protection of their rights, which have the right to counseling consumers and traders of goods and service providers for the purpose of resolving disputes. The Consumers Organization of Macedonia has a significant impact in counseling consumers. According to Report of Consumers Organization of Macedonia during 2021 the Organization has made 2572 counseling on consumers, and most of them were held on telephone (31%), email (7%) and via Facebook page (3%) (Consumers Organization of Macedonia, 2021, p.7).

Due to the fact that very often the consumer disputes are small claim disputes, the use of the mediation for resolving them is very appropriate.⁷ In the Economic analyzes of costs and benefits of small claim disputes is shown that the plaintiff should pay more than a half average salary (55%) to start court small claim case before Basic court in Skopje. Also, in the same analyze the authors make a conclusion that Macedonian Budget on yearly bases will have a savings approximately about half million euros if it is widely speared the use of ADR methods in small claim disputes (Pepovski & Hodzic, 2019 p.54-55).

We can notice that the Republic of North Macedonia has established the basis of modern and contemporary law framework for mediation and consumer protection after the adoption of the new Law on mediation and after final adopting the new Law on consumer protection.⁸ We can agree that the Consumers Organization of Macedonia has a significant role in the protection of consumers, but unfortunately, we can say that the use of mediation willing by the both parties (consumer and trader) is not used very often. Also, according to the fact that during Covid-19 pandemic the number of sales made online and the disputes arising from these sales has a significantly increased, we can agree that Republic of North Macedonia has to do a lot in the sphere of online dispute resolution methods.

⁷ According to Law on Litigation procedure, small claim disputes are disputes correlated to claim which is less than 600.000,00 denars.

⁸ The procedure of adopting the new Law on Consumer Protection started in October 2021, and till august 2022 the Law is not adopted yet.

Conclusion

EU has done a lot in the sphere of protection of consumers in European single market. Alternative resolution of consumer disputes, as a court alternative, is increasingly promoted in EU law. This is because the quick resolution of consumer disputes is a prerequisite for the successful functioning of the European single market. Resolving the consumer disputes in easy and low-cost manner, as mediation does, can boost consumers' and traders' confidence in the digital European single market.

More than 10 years after adoption of Directive 2013/11/EU on alternative dispute resolution (ADR Directive), consumers and traders, still face barriers to finding out-of-court solutions in particular to their disputes arising from cross-border online transactions. While overall ADR awareness has increased among both consumers and traders, awareness levels are still insufficient in some regions and retail sectors in EU. Overall, ADR awareness is lower in SMEs than in large retailers. However, about six years after the launch of the ODR platform, the ADR/ODR framework has yet to reach its full potential.

Unlike the EU, the Republic of North Macedonia, still needs to work on the legal framework, first of all it is necessary to adopt the Draft Law on Consumer Protection. In parallel with that, more activities and measures are needed to increase the awareness of consumers and traders about the positive aspects of the application of mediation. With the increase in the number of online transactions made by Macedonian consumers especially in recent years, it is necessary to think in the direction of further establishment of an online platform where consumers and traders will be able to raise and effectively resolve their disputes following the example of Regulation No 524/2013 of the European Parliament and of the Council on online dispute resolution for consumer disputes.

References

- Biard, A. (2018). *Impact of Directive 2013/11/EU on Consumer ADR Quality: Evidence from France and the UK*. Springer, UK
- Card Christopher, J., Hodges, S., Benohr, I., Naomi Creutzfeldt, B. (2012). *Consumer ADR in Europe*. Oxford Univ. Press
- Complaints and conciliation: a guide for consumers, 2020
- Directive 2013/11/EU of the European Parliament and of the Council of 21 May 2013 on alternative dispute resolution for consumer disputes and amending Regulation (EC) No 2006/2004 and Directive 2009/22/EC (Directive on consumer ADR), OJ L 165, 18.6.2013
- European Commission. (2017). *Functioning of the European ODR Platform Statistics 1st year*, Brussels
- European Commission. (2017). Report from the Commission to the European Parliament and Council on the functioning of the European Online Dispute Resolution platform established under Regulation (EU) No 524/2013 on online dispute resolution for consumer disputes. Brussels
- European Commission. (2018). *Functioning of the European ODR Platform Statistics 2nd year*, Brussels

- European Commission. (2019). *Consumer Conditions Scoreboard Consumers at home in the Single Market*. Brussels
- European Commission. (2019). Report from the Commission to the European Parliament, the Council and European Economic and Social Committee on the application of Directive 2013/11/EU of the European Parliament and of the Council on alternative dispute resolution for consumer disputes and Regulation (EU) No 524/2013 of the European Parliament and of the Council on online dispute resolution for consumer disputes. Brussels
- European Commission. (2021). *Functioning of the European ODR Platform Statistical Report 2020*, Brussels
- FindLaw, (2017) Neutral Evaluation: An ADR Technique Whose Time Has Come
- Fogh Knudsen, L. Balina, S. (2013). Alternative Dispute Resolution Systems across the European Union, Iceland and Norway. *2nd World Conference On Business, Economics And Management WCBEM*, Riga
- Kimber, M. (2015). *Conciliation and mediation — a practical note Industrial Relations Commission of NSW and Queensland Industrial Relations Commission*
- Knezevic, G., Pavic, V. (2013). *Arbitraža i ADR*. Beograd: Pravni fakultet Univerziteta u Beogradu
- Law on Litigation procedure, "Official Gazette of the Republic of Macedonia", no. 79/2005, 110/2008, 83/2009, 116/2010 and 124/2015
- Law on Mediation, Official Gazette of the Republic of Macedonia, no.294 /21
- Law on Obligation Relations, Official Gazette of the Republic of Macedonia, no. 18/01
- Maud, P. (2014) *Europe's Role in Alternative Dispute Resolution: Off to a Good Start?* J. Disp. Resol.
- Mišćenić, E., Butorac Malnar, V. (2017). Online rješavanje potrošačkih sporova, *Godišnjak Akademije pravnih znanosti Hrvatske*, VIII, Rijeka
- Program on Negotiation at Harvard Law School. (2012). *Mediation Secrets for Better Business Negotiations: Top Techniques from Mediation Training Experts*. Harvard Law School
- Regulation (EU) No 524/2013 of the European Parliament and of the Council of 21 May 2013 on online dispute resolution for consumer disputes and amending Regulation (EC) No 2006/2004 and Directive 2009/22/EC (Regulation on consumer ODR)
- Зороска Камилловска, (2015). *Арбитражно право*. Скопје: Правен факултет „Јустинијан I“, Скопје.
- Министерство за правда. (2017). *Стратегија за реформа на правосудниот сектор за периодот 2017-2022 година со акциски план*.
- Организацијата на потрошувачите на Македонија. (2021). *Извештај за спроведени активности за 2021*.
- Пеповски. Хоџиќ. (2019). *Економска анализа на трошоците и придобивките во споровите од мала вредност*. Скопје. Центар за правни истражувања и анализи.