

Journal of Law & Social Studies (JLSS)

Volume 6, Issue 2, pp 116-126

www.advancelrf.org

Exploring the Efficacy of Online Dispute Resolution Mechanisms: A Case Study of Pakistan

Khurram Baig

PhD Scholar Gillani Law College, Bahauddin Zakariya University, Multan

<https://orcid.org/0009-0005-4262-4983>

Email: mkb5729@gmail.com

Saifullah Hassan

(Corresponding Author)

Lecturer in Law, The University of Sargodha.

Email: saifullah.hassan@uos.edu.pk

Waheed Uz Zaman

Lecturer, College of Law, University of Sargodha.

Email: waheed.zaman@uos.edu.pk

Abstract

This research explores the feasibility and efficiency of online practices in managing and resolving conflict in Pakistan. The idea of this research is to evaluate the likely application of Online Dispute Resolution (ODR) platforms to reform and extend the Pakistan's legal system and to enhance access to justice. The study utilizes a doctrinal legal research method to explore global practices, legal frameworks, and ODR literature. The objective of the paper is to try and bring out some talking points and conclusions that are pertinent to Pakistan. Finally, the study, which contributes to a nascent field of research knowledge, is a perfectly synthesized document that fully defines the key learning points and best Practices re ODR in Pakistan. Adopting international best practices, evolving enabling legislation, and investing in technical enabling platforms offers Pakistan a window of opportunity to deliver justice to its citizen's right in their homes through online dispute resolution (ODR).

Keywords: *Online Dispute Resolution, Workable Technology, Legal Research, Access To Justice, Pakistan.*

1. Introduction

Our daily routines have, in many aspects, become nearly unrecognizable since mobile devices and online platforms have sprawled into every aspect of our lives thanks to the growing trend of moving physical interactions to virtual spaces. From socializing with friends, to working from home, both routine and shopping, all are listed. In the second part of the 21st century, the transition from face-to-face to virtual interactions has been skyrocketed (Kemp, 2019). The digital age has dramatically destabilized the supranational systems of power, necessary for the governance of the capitalist world economy. The objective of e-governance is to improve administrative efficiency, transparency, and public participation in public administration by integrating information and communication technology (Gronlund, 2010). The e-governance has been modernized in the era of the twenty first century with the incorporation of increased levels of regulatory compliance as well as collective decision making (Sharif, Ali, & Baloch, 2022).

The ODR use digital platforms to resolve conflicts, significantly reducing the need for in-person sessions and it is derived from the notion of merging the advantageous aspects of digital efficiency with the principles of ADR (Katsh & Rabinovich 2017) It provides a versatile, clear, and often less challenging approach to resolving conflicts. Online dispute resolution (ODR) is an innovative method for resolving legal disputes that considers the intricate structure of worldwide business networks and cross-border challenges, which include several legal systems. The fundamental aspect of e-governance is the ability to provide a dependable mechanism for managing complaints and fostering trust among users of digital platforms (Schmitz & Wing, 2021).

Undoubtedly, technology is transforming the application of laws and the resolution of conflicts, reflecting wider societal shifts. This emphasizes the need to enhance both comfort and efficiency and presents a significant opportunity to enhance the availability of justice (Russell, 2013). One may ethically remove barriers to justice by using technology to reduce costs associated with time, travel, and the need for assistance from legal and ADR professionals. Practitioners' time in traditional, in-person ADR may be significant, but ODR can significantly reduce these costs. When considering ways to improve access to justice, it is essential to keep these variables in mind. However, when our reliance on technology increases, there are ethical concerns that arise, such as the potential for reduced transparency and accountability (Bilal, M et al., 2023).

The worldwide landscape of conflict resolution is now experiencing a significant and essential change in the contemporary era, and Pakistan is also going through this revolution. As digital solutions ODR become more widespread and plays significant role towards conducting legal and judicial system (Kaya & Khan, 2022). This study investigated the ODR enforcement and examines the feasibility and efficacy of using technology to facilitate the resolution of legal disputes in Pakistan. Pakistan's legal system has challenges such as a significant backlog of cases and lengthy trial dates so that these issues caused to delayed justice for citizens. The focus of the conventional dispute resolution process on face-to-face interactions exacerbates the challenges, necessitating innovative resolutions. Given this, the advancement of ODR is a feasible approach to improving conflict settlement efficiency, availability, and fairness (Qaiser et al., 2020).

The ODR has the potential to revolutionize conflict resolution in Pakistan by application of digital platforms and advancements in ICT, the objective of this study is to analyze the current ODR processes in the country, assess their effectiveness, and identify areas that need improvement (Bilal, M et al., 2023). This study seeks to enhance access to justice in the digital time by providing insights into the feasibility of using modern technological solutions for resolving conflicts in Pakistan through a comprehensive analysis on the way of online platform.

The Pakistan's courts is serving as primary forum for resolving disputes by the staggering number of outstanding cases (over 2 million) and in reasonable time it takes to deliver a final verdict. However, the lengthy legal proceedings and continuous delays in the dispensation of justice have led to the adoption of ADR and ODR approach. These issues are not limited to Pakistan alone; instead, they are widespread worldwide, prompting the quest for solutions. The current processes, including specialty courts like consumer courts, have been ineffective in dealing with the high number of cases, despite procedural changes aimed at enhancing the dispute resolution system. As a result, it is critical to improve consumers' ability to seek justice in Pakistan by utilizing modern, efficient, informal, and cost-effective methods facilitated by information and communication technology (Kaya & Khan, 2022).

Currently, there is no specific international or national legislation governing online dispute resolution in Pakistan. Nevertheless, with the emergence of new technologies, Pakistan is more inclined to advocate for online dispute resolution as a means to facilitate and expedite the expansion of e-

commerce within the country. This study investigated the progress of online dispute resolution in Pakistan's legal system, analyzing several ODR approaches.

The implementation of the ODR approach is considering fundamental legal principles in Pakistan. This study examined the legal and regulatory obstacles for the implementation of ODR particularly in terms of its potential effectiveness in resolving complaints. However, the ODR provides litigants with a possible chance to overcome obstacles that hinder them from achieving justice and there will be problems throughout the process (Oseni & Omoola, 2015). A major challenge of ODR in countries such as Pakistan is the lack of extensive literature or robust legislation in this field. Although there is a vast body of literature from other countries, there is a notable scarcity of works specifically focused on Pakistan. Ensuring the privacy of financial information during online transactions, addressing problems with the underlying technological framework, promoting computer proficiency, and instilling trust in the online dispute resolution system are all responsibilities included by these tasks.

2. Literature Review

Kaya (2020) explored the process of modernizing ADR which began in 1996 with the creation of an ODR pilot project called "Virtual Magistrate" at Villanova University. The objective was to provide a more expedient, economical, user-centric, and effective process for resolving conflicts. This modern time accepted an ODR approach as a viable method for resolving conflicts and ODR has emerged as an effective mechanism for addressing conflicts that arise due to the increasing prevalence of online transactions. The prevalence of online commerce in Pakistan is rapidly increasing, necessitating the implementation of state-level legislation to resolve conflicts arising from such transactions through the ODR (Qaiser, K. et al., 2020).

Pakistan is still in an embryonic stage as opposed to the countries of the European Union and North America and even the United States that have rather long and legally grounded traditions of regulating international law principles for online trade. Thus, currently ODR in Pakistan does not have sufficient legal backing. Nevertheless, local rivals like Alibaba and Amazon of Pakistan have managed their way into the market and offered ODR procedures before to establish effectiveness that is separate from the legal systems. These vendors are employing the ODR to reduce the time and formalities involved in the commercial disputes and solve all problems as soon as possible avoiding hurdles of civil laws and judicial processes (Cortes, 2013).

As a form of dispute management, ODR is the current technique where conflicts are addressed online and can facilitate the speedy settlement of disputes in between two parties in particular (Wang, 2018). According to the United Nations Conference on Trade and Development (UNCTAD), ODR is a communication technology involving the regulation of ADR through computerized communication that takes part in an environment in the World Wide Web (UNCTAD, 2003).

ODR utilize intervention techniques similar to those of negotiations, mediation, and arbitration. ODR stands for an online dispute resolution became a substitute for other ADR processes which are considered to be more effective and convenient. A relevant benefit associated with this is the ability to adopt modern technologies that include artificial intelligence (AI) within the legal sector. There is a possibility that through embracing of this particular technology it could assist to decrease the caseload pressures that are experienced in conventional courts. Some of the most typical internet-oriented organizations, like PayPal, eBay, or Amazon, serve as examples of organizations that have implemented ODR systems to manage different disputes to the buyers and sellers. Today, courts in numerous countries have adopted ODR technology as practice support for different types of cases, especially in small claims, consumer debt, simple divorce, and noncriminal traffic offender cases (Katsh & Rule, 2016).

Traditional litigation, in contrast to ADR and Online Dispute Resolution (ODR), provides the advantage of accommodating various types of trials, ranging from simple to complex multi-party cases that may span many years in civil courts. Cases involving multiple jurisdictions, extensive documentation, and numerous parties can become more intricate or protracted until litigants become comfortable with the ADR system. As ADR continues to evolve, it is imperative to provide a rapid succession of facilities to lawyers, government departments, and traders on e-commerce platforms involved in multi-jurisdiction disputes that prefer ODR over traditional litigation. These services may include simple complaint and response exchanges, as well as advanced features such as artificial intelligence and blind bidding systems, virtual trials capable of handling bulk documentation, parties located remotely, and sophisticated graphical presentations (Iqbal, 2021).

Modern technology enables courts to enhance the administration of justice, resulting in significant time and cost savings while meeting the expectations of today's court participants. There are numerous solutions available to cater to each court's unique needs, with resources and funds available for implementation. Competent IT experts in Pakistan can efficiently develop software and an e-portal to achieve the aforementioned goals within a few weeks. Framing Supreme Court and High Court Rules to accommodate this technology is imperative, as is establishing IT committees to oversee and administer this system at all court levels. Additionally, judicial academies, law schools, bar councils, and associations must provide comprehensive training programs to lawyers, judges, prosecutors, court administrators, staff, and investigating agencies, thereby promoting continuing legal education.

Modern and efficient use of communication technology in judicial system resulting in a smooth flow of judicial processes all over the country further protects and guarantees the fundamental rights of equal protection, liberty and freedom, fair trial and no arbitrary arrest or detainment as provided under articles 25, 10 and 10A of the Constitution of the People's Republic of Bangladesh. AI should be advanced further to be applied in the following areas, for example, to properly sentence criminals, and when conducting trial clearances, in cases, use of software. Furthermore, paper and print, as well as the new law and judiciary along with electronic legal information (ELI) can present legal difficulties. Civil procedure: There are tremendous opportunities for the application of ELI in civil procedure by means of adopting technological improvements in procedural systems. In future processing, there will be the need to transform all legal texts to a linguistic form that will be intelligible to computers. Thus the ODR techniques have increased the ease for the applicable technologies that can be adopted and applied to the online procedure, but it is important to have trusted operating solutions particularly for the extreme commercial sensitive disputes.

The increase of virtual courtrooms has greatly enhanced ODR to a level that has made its consumers and litigants to have confidence with the new form of dispute solving. It is about the time that global networks and the ODR community strengthen this trust by allowing the use of other sophisticated trends to help in the resolution of other complicated disputes online. Thus, despite the fact that the ODR is not widely integrated in the legal system of Pakistan now, it can be stated that its role is gradually growing and it is regarded as one of the effective ways of solving the disputes in modern society as a supplement to the traditional methods. However, as of now, Pakistan has no specific law on ODR though it is increasingly receiving attention as to how this new innovation could be effectively used to handle the problems that conventional court system faces in the country that has recently joined the bandwagon of that has embraced the new change. Efforts have been made to seek a possible means and ways through which the principles of ODR can be incorporated into the existing legal systems in order to promote access to justice as well as to simplify many of the structural procedures relating to dispute resolution.

The ODR, in this regard, has several advantages for legal jurisdiction of Pakistan. First of all, it contributes to access to justice by allowing people, in general, and those who live in remote areas in particular, to take part in resolving disputes without physically attending the courts. Besides is

speaking to this need, it also speaking to the need to increase the degree of inclusiveness by removing geographical barriers. Second, they argued that through ODR, the dispute can be resolved in a cheaper and faster way than in court systems that are saturated with cases. Thirdly, it is cost effective as it eliminates some of the expenses incurred in face to face negotiation or trial such for example local/international travel, accommodation, among others.

Thus, the decision to introduce ODR in Pakistan has its drawbacks as well: Thus, the decision to introduce ODR in Pakistan has its drawbacks as well. However, one has to overcome the challenges that come with it such as the need for adequate technological framework and the digital competence of the users. This is because the applications rate of ODR initiatives hugely depends on stable internet connectivity and easy-to-use platforms that may not be available in some parts of the country. Thirdly, to ensure faith in ODR mechanisms more work will have to be done to ease beliefs on the public nature as well as the security of ODR proceedings. Cultural and institutional barriers may also exist that can negatively impact the willingness or readiness of courts to adopt practices related to ODR, which may require some sort of intervention aimed at creating this awareness and building capacities.

Since the implementation of ODR for existing and new Pakistan legal orders, a multi-faceted strategy needs to address the factors as follows. Firstly, we should enhance legislation, which is dedicated to the specified area, including the legislation on ODR since such legislation responds to the necessity of creating clear legislation for the operation of this field. Secondly, it became rather important and urgent to implement capacity-building measures that would help legal professionals, judges, and other stakeholders to receive the further training on ODR. Thirdly, technological advancement is important, which may be in the form of an enhanced ODR system, and appropriated measures towards securing online systems against potential hacks. Another factor is also that public awareness campaigns should be conducted to create a perception towards ODR among the public in order to increase the usage of this technology as an effective method of solving disputes in preference to traditional methodologies. Lastly, in order to assess the comprehensiveness of ODR, one can establish pilot studies for the test of new ways in particular categories of images.

3. Materials and Methods

In doing so, this research uses the doctrinal legal analysis method to determine the following research question: “What the law states about Online Dispute Resolution in Pakistan” This method intends to analyze the law exhaustively on various aspects of ODR inherent to Pakistan across different perspectives, issues, features and recent trends. We also could not identify any specific statutes of Pakistani or international laws addressing the operation of ODR system. This research endeavor aims to uncover this gap by reviewing the existing laws and legal principles concerning ODR in the Pakistani environment.

4. Online Dispute Resolution: International Trends and Practices

The ADR’s international outlook has received global acclaim where approaches such as the United Nations conventions on international settlement agreements arising out of arbitration as well as mediation are referred to. Pursuant to the NYCA, this convention was adopted in December 2018 and opened for signatures in August 2019. Although many countries has been invited to be part of the Singapore Convention on Mediation, Pakistan missing in action during the countries signing the Singapore convention such as Saudi Arabia, China, Malaysia, Iran and Turkey (Rule, 2020).

Contractual disagreements are normal found in organizations hence its management for various causes are essential. In such roles ratification of international instruments and conventions are deemed an essential back up tool. However, the lack of signing and acceptance of such conventions in case of Pakistan is lamentable due to such potential massive means and ways of handling disputes. These

negative things can occur and the evidence is seen in increased enforcement of protectionist trade policies, the failure to recognize and uphold international ADR, and negligence in adopting new forms of ADR.

During the 49th meeting of the United Nations Commission on International Trade Law (UNCITRAL) 2017, the Technical Notes on Online Dispute Resolution was passed (UNCITRAL, 2017) to offer a solution for the resolution of low value International Business to Consumer (IB2C) disputes. An ODR platform executes this model, which involves three stages: The main processes include negotiation, which involves claims being made, settlement, and the final award that is arrived at by an impartial third party, the arbitrator. Another model of ODR was initiated by the European Union through the debut of Regulation (EU) No 524/2013. Furthermore, the Association of Southeast Asian Nations, through its Framework Agreement on the ASEAN Economic Community binding member countries to set up an online dispute system with the objective of fast-tracking the resolution of e-commerce related disputes among member countries of ASEAN (Asean 2016).

ODR was pioneered in the early 1990s to enable an amicable settlement of disputes emanating from electronic commerce (Yenisey & Aractingi, 2009) but the methodology has since been broadened to cover other categories of cases except those classified under electronic commerce (Lodder & Zeleznikow, 2010). This has in the recent past paved way for ODR to be recognized as an inherent part of the traditional legal system where many jurisdictions have adopted it to tackle specific form of offline cases. According to the latest statistics provided by the National Centre for Technology and Dispute Resolution (NCTDR), currently 32 courts have incorporated ODR into their working process (NCTDR, 2022).

Interesting, we have found a tendency of incorporating ODR into the officially recognized system of a country in the global levels (Hornle, 2009). The United States of America has adopted ODR and made it part of the regular court in some of its states (CRT, 2015) among them being California and Britain has also incorporated ODR in its related system in Canada (CRT, 2015). Today proposed mechanism of ODR in UK (CJC's, 2015) also has received appreciation across the world. This increased utilization of ODR demonstrates how ODR has proven valuable for fairly resolving disputes within a more efficient and convenient manner while extending to both online and offline cases. As more and more the concept ODR gains popularity in various countries, it is expected that it will be a great tool in today's legal culture in the global level.

The researchers took into consideration a global approach for the ODR mechanisms from the moment that was conceived to handle the jurisdictional issues common to such solutions. ODR is one of the software-based solutions that help to solve a problem as a service provider regardless of the location of the client quickly and fairly. Bearing this in mind, governments and organizations across the globe have invested lots of effort in the trying to seek for solutions on how to overcome the challenges of the cross-jurisdictional claims. Successive changes suggest that ODR holds the key to the future prospects of such issues. The United Nations Commission of International Trade Law (UNCITRAL) working group, which was charge with the process of bringing laws up to international standards, required that ODR be employed in the European Union for cross-border consumer and e-commerce cases by 2015. Efforts of such nature assist in the promotion of ODR, the development of confidence among ecommerce entrepreneurship and, therefore, the support of online commerce.

Different cultures determine strategies of countries toward e-transactions, as follow-up of trust is inevitably culture-related. Nevertheless, the technological development of the world has changed the speeds of the dispute resolution practices. Most online disputants no longer have, therefore, the time to go through the routine of diagnosing, bargaining, mediating, and arbitrating but prefer a process within communication and assessment that takes only a few hours. This inclination towards efficiency

has seen the emergence of specially devised online forums for the resolution of disputes suited to the parties in' dispute.

While ODR of the Pakistan nature is accessible, societal attitudes in the countries present a few factors that need adaptation before the selected mechanisms can be implemented. The critics of ODR state that there is social awkwardness with technology that can prolong conflicts and defeat the purpose of justice delivery by keeping power imbalances in play. But there are numerous examples from around the globe that offer insightful guidance for Pakistan's legal structures how ODR could be integrated into the existing system to overcome such difficulties and provide the people with a greater means of access to justice.

5. Obstacles to Online Dispute Resolution (ODR) Adoption in Pakistan

In its operation, ODR is faced with a number of serious challenges in Pakistan, which makes the implementation process to be a challenge. There are numerous challenges that hinder the ODR adoption in the nation which includes technological, cultural, legal, and regulatory hurdling.

Firstly, Technological Challenges: These factors remain an essential technological challenge that an ODR in Pakistan still struggles to address. However, internet availability has remained scarce in rural areas even as Internet Infrastructure increases in urban settings. Because of this, they lack appropriate connections hence leading to what is referred to as the digital divide that limits various people's interaction with ODR processes. For instance, there are damaging beliefs that impede the use of new technologies, specifically conservative attitudes. Some people, especially those who lack knowledge or experience in computers or the use of the internet as a communication media may have qualms about entering into an online forum for dispute resolution fearing that their computers may get hacked or technically handicapped. At the same time, basic literacy, computer literacy and even cell phone usage is still low among a sizable part of the population in Pakistan and thus many potential beneficiaries of ODR forums (Khan, Zubair, & Malik, 2019).

Secondly, Cultural Challenges: In Pakistan people have cultural inclination to establish physical contact thereby their shopping needs for food, clothes, electronics and other products as well as services are provided in shopping malls and markets rather than through online operations. This preference is due to the belief that most transactions should have physical substantiate to them, literally. Dissemination of information regarding ODR is also a problem as people do not know much about the utility of the same. Furthermore, the fragmentation of languages is a problem across the online platforms that are predominantly in the English language (Ali & Aziz-ur-Rehman, 2021). This situation is worst seen in the lower courts where proceedings are in local languages.

Thirdly, Legal and Regulatory Challenges: There are no current national or even international laws that regulate ODR in Pakistan, and that makes its application a juncture in diverse areas like e-commerce. Legal professionals, trained in traditional practices, may lack expertise in ODR procedures, further impeding its adoption. Without adequate training in ODR, lawyers may favor litigation over alternative dispute resolution methods. Addressing these legal and regulatory gaps is crucial for facilitating the adoption of ODR and improving access to justice for all. Pakistan shares these challenges with many other developing countries exploring ODR as a solution to alleviate pressure on traditional court systems. Strategically addressing these obstacles can pave the way for improved access to justice and the effective use of ODR mechanisms (Ali & Aziz-ur Rehman, 2021)

6. Online Dispute Resolution is A Tool to Solve E-Commerce Disputes

The ODR provides a practical and effective solution for resolving disputes that arise in the realm of e-commerce and refers to the use of digital technology and internet-based platforms to assist parties

involved in online transactions in resolving their problems (Ebner & Zeleznikow, 2015). The ODR simplifies the settlement process and enhances affordability and accessibility compared to traditional dispute resolution methods by using digital communication channels, which sometimes need physical presence and lengthy legal procedures (Katsh & Rabinovich-Einy, 2017).

The rise of digital platforms for commercial transactions has led to an increase in online purchasing, payment, and delivery issues so that Pakistan has seen benefits and risks as a result of the fast expansion of e-commerce. However, the conventional legal system may have difficulties in effectively responding to the distinct intricacies of disputes arising in internet commerce. Various obstacles, including technical, cultural, legal, and regulatory issues, hinder the broad use of ODR in Pakistan. Technological restrictions include several factors such as restricted internet availability in remote regions, concerns over data breaches, and a general deficiency in computer skills (Khan, Kaya, & Habib, 2018). The ODR systems originate from cultural inclinations towards interpersonal relationships rather than digital communication (Khan, Zubair, & Malik, 2019). Furthermore, the lack of comprehensive legal frameworks and regulations in Pakistan presents substantial barriers to the wider implementation of ODR (Ullah, 2021).

7. The Advanced Judicial System is Implementing Online Dispute Resolution

Information and Communication Technology (ICT) is transforming and strengthening judicial systems worldwide by offering affordable and expedient means of guaranteeing proper administration of justice. Pakistan is advancing more quickly to integrate ICT into its legal system so that more people may get justice and procedures go more easily. All believe that Online Dispute Resolution (ODR) is a major advancement and a crucial component of modernising Pakistan's judicial system (Ali & Geng, 2019).

New online case management tools available from the Islamabad High Court (IHC) and the Lahore High Court (LHC) enable users to undertake e-filing and e-registration. This approach has greatly enhanced the efficacy and clarity of judicial processes. The IHC's system is highly advanced and includes a mobile application for viewing daily case listings, showing a strong commitment to modernization (Bilal, M., Rafiq & Junaid, 2023).

Secondly as conventional paper-based procedures give way to online filing systems, petitions and documents may be submitted easily. Courts that embrace digital filings save paper, encourage environmental sustainability, and handle cases more quickly. Thirdly, by planning the appearance of parties and solicitors, ICT-enabled queue management systems enhances courtroom procedures. By use of online registration and prioritization according to predetermined standards, courts guarantee prompt and equitable hearings, therefore reducing delays and optimizing output (Bilal, Rafiq & Junaid, 2023).

Fourthly, video conferences show to be an essential tool for distant hearings, allowing parties, lawyers, and witnesses to take part in the proceedings from any location. In delicate situations in particular, this not only speeds up case settlement but also lowers travel expenses and enhances security. Fifth, accurate records for reference are produced by electronic recording and transcribing systems, which also expedite court session documentation. Legal practitioners and litigants alike gain from this as it guarantees accountability and openness and makes it easier to get case-related material (Bilal, Rafiq, & Junaid, 2023).

Sixthly is creating lines of contact between the public, advocates, and courts increases accessibility and openness. Stakeholders are able to remain knowledgeable and involved in the legal process by receiving case information and frequent updates via portals and SMS services. Pakistan's court aims to improve and modernize the provision of justice by using ICT-driven solutions to guarantees broad

access to effective and fair legal services and the nation's court is keep developing and improving these systems despite the notable advancements (Bilal, M., Rafiq, & Junaid,2023).

8. Final Remarks

Finally, the investigation of feasible technology for dispute settlement in Pakistan highlights the revolutionary potential of internet processes in updating the judicial system of the nation. ODR and ADR together provide a potential path for quick and effective conflict settlement, even as conventional litigation provides familiarity and flexibility to different case complexity.

People are realizing more and more the benefits of ADR and ODR—accessibility, cost, and flexibility in handling multi-jurisdictional disputes—despite resistance from certain quarters. Quick technical advancements will be necessary to fully exploit the possibilities of these systems. Part of this to satisfy the different needs of litigants and legal experts is creating sophisticated online platforms with features like artificial intelligence, blind bidding systems, and virtual trials.

Pakistan may also gain much by incorporating and adapting international ADR and ODR trends and practices to its local environment. Despite challenges such as cultural preferences, gaps in the law and regulations, and technological limitations, strategic initiatives could overcome them and provide the way for effective implementation. For Pakistan to fully benefit from contemporary technology for conflict resolution, large online portals, appropriate regulatory frameworks, and stakeholder training programs would need to be developed. All people will benefit from Pakistan's legal system if it embraces innovation and uses technology to provide access to justice, promote transparency, and expedite dispute settlement. Ultimately, Pakistan's advanced legal system is much improved and modernised by the integration of information and communication technology (ICT). As with other ICT-driven initiatives, online dispute resolution (ODR) procedures show a commitment to efficiency, transparency, and fairness in judicial proceedings. Using online case management systems, the Lahore High Court (LHC) and Islamabad High Court (IHC) have proactively simplified processes and improved transparency. These options, which include e-filing and e-registration, boost output and reduce the need for traditional paper-based processes, therefore promoting environmental sustainability.

Technology for electronic recording and transcription increase accountability and transparency even more when there are exact recordings for reference. When there are channels of communication between courts, attorneys, and the general public, stakeholders are also more able to stay informed and engaged in the legal process. However, challenges from technological to cultural to legal to regulatory abound in Pakistani ODR implementation. Increasing everyone's access to justice will ultimately rely on carefully overcoming these challenges before ODR processes are extensively adopted and used.

References

- Ali, B., & Aziz-ur-Rehman, H. (2021). Protection of fundamental rights in Pakistan: A study of the development of public interest litigation. *Al-Qamar*, 4(1), 19-30.
- Ali, M., & Geng, L. L. (2019). Alternative dispute resolution (Adr) in Pakistan: The role of lawyers in mediation procedure. *International Journal of Research*, 6(4), 421-430.
- Asghar, M. S., Naz, H., Mukhtar, H., & Saqib, K. M. (2023). ONLINE DISPUTE RESOLUTION (ODR) IN PAKISTAN. *Russian Law Journal*, 11(4), 787-793.
- Bilal, M., Rafiq, W., & Junaid, U. (2023). Necessity of Online Dispute Resolution (ODR) in Family Matters and Legal Implementation of Online Court System. *Pakistan Journal of Humanities and Social Sciences*, 11(2), 2540-2551.

- Bilal, M., Rafiq, W., & Junaid, U. (2023). Necessity of Online Dispute Resolution (ODR) in Family Matters and Legal Implementation of Online Court System. *Pakistan Journal of Humanities and Social Sciences*, 11(2), 2540-2551.
- Cortes, P. (2011). 'Online Dispute Resolution for consumers in the Pakistan
- Cortes, P. (2013). "A Comparative Review of Offers to Settle – Would an Emerging Settlement Culture Pave the Way for their Adoption in Continental Pakistan? 32(1) C. J. Q. 42-67.
- Ebner, N., & Zeleznikow, J. (2015). Fairness, trust and security in online dispute resolution. *Hamline J. Pub. L. & Pol'y*, 36, vi.
- Esteban de la, F. (2013). "Building a Global Redress System for Low-Value Cross-Border Disputes", 62(2) Intl. C. L. Q. 407-440. from TNW | Contributors.
- Grönlund, Å. (2010). Electronic government: Design, applications, and management. *IGI Global*
- Hornle. (2009). Cross-border Internet Dispute Resolution
- Katsh, E., & Rule, C. (2016). What we know and need to know about Online Dispute Resolution.
- Katsh, E.; Rabinovich-Einy, O. (2017), „Online Dispute Resolution and Prevention: A Historical Overview," book chapter in *Digital Justice: Technology and the Internet of Disputes*.
- Katsh, M. E., & Rabinovich-Einy, O. (2017). Digital justice: technology and the internet of
- Kaya, S. (2019). Access to justice for Turkish consumers in the digital age: The need for enhancing consumer dispute resolution through online dispute resolution. (Unpublished doctoral dissertation). Brunel University London.
- Kaya, S. (2020). Consumer dispute resolution in the digital age: Online dipute resolution. On iki Levha.
- Kaya, S., & Khan, M. D. (2022). Online dispute resolution in Pakistan: Challenges and opportunities. *Journal of Nusantara Studies (JONUS)*, 7(2), 103-119.
- Kemp, S. (2019). Digital trends 2019: Every single stat you need to know about the internet. .
- Khan, M. A., Zubair, S. S., & Malik, M. (2019). An assessment of e-service quality, e- satisfaction and e-loyalty: Case of online shopping in Pakistan. *South Asian Journal of Business Studies*, 8(3), 283-302.
- Khan, M., Kaya, S., & Habib, I. (2018). Global trends of online dispute resolution (ODR) with reference to online trade in Pakistan. *Review of Economics and Development Studies*, 4(2), 303-311.
- Khan, T., Zakir, M. H., & Iqbal, M. Z. (2023). Comparative Analysis of Consumer Laws in Pakistan and India. *Journal of Social Sciences Review*, 3(2), 1162-1175.
- Iqbal Kalanauri, Z. (2021). Electronic Filing System, Virtual Courts & Online Dispute Resolution- Need of the Hour for Pakistan Legal System. *International Journal for Electronic Crime Investigation*, 5(1), 17-30.
- Martinez, J. K. (2020). Designing online dispute resolution. *J. Disp. Resol.*, 135.
- Oseni, U. A., & Omoola, S. O. (2015). Banking on ICT: The relevance of online dispute resolution in the Islamic banking industry in Malaysia. *Information & Communications Technology Law*, 24(2), 205-223.
- Qaiser, K., Qaiser, Z., & Hameed, U. (2020). The Workable Modalities of Online Dispute Resolution in review, 59(2), 250-267. doi:<https://doi.org/10.1111/fcre.12572>
- Routledge.). Criminal Proceedings against Lindqvist (C-101/01) [2003] E.C.R. I-12971; [2004] 1 C.M.L.R. 20.
- Rule, C. (2020). Online dispute resolution and the future of justice. *Annual Review of Law and*
- Russell, H. (2013). R SUSSKIND. *Tomorrow's lawyers: An Introduction to Your Future* (2013) Oxford: Oxford University Press. ISBN: 9780199668069.£ 9.99. *Legal Information Management*, 13(4), 287-288. doi:<https://doi.org/10.1017/S1472669613000625>
- Schmitz, A. J. (2019). Measuring" Access to Justice" in the Rush to Digitize. *Fordham L. Rev.*,
- Schmitz, A. J., & Wing, L. (2021). Beneficial and ethical ODR for family issues. *Family court Social Science*, 16, 277-292 *South Carolina Law Review*, 67(2), 10

- Tanveer, S., Azim, A., Mukhtar, S., & Saeed, A. (2023). Digital Mediation: Redefining E-Governance Supremacy Through Online Dispute Resolution In Pakistan. *International Journal of Contemporary Issues in Social Sciences*.. ISSN (E) 2959-2461 (P) 2959-3808, 2(4), 296-306.
- Ullah, I. (2021). Arbitration Law of Pakistan. Wolters Kluwer.
- Verma, D., Banwari, A., & Pande, N. (2018). Online dispute resolution. *Digital communication management*, (9), 121.
- Wang, F. (2018). Online arbitration. Informa Law from Routledge.
- Wang, F. F. (2009). Online Dispute Resolution: Technology, management and legal practice from an international perspective, Chandos Publishing (Oxford)