

ALTERNATIVE METHODS TO RESOLVE CIVIL AND COMMERCIAL DISPUTES

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Abstract

Alternative systems resolving civil and commercial disputes are also known as “Alternative Dispute Resolution” (ADR). This is a term mainly used when there is talk about alternative methods to resolve disputes. ADR designates several non-litigious procedures of resolving civil and commercial disputes, without a court of justice. European Union member states’ experience proves that following the base rules of the ADR may result in multiple advantages for the parties, either natural or legal person. Within these systems, the procedure involves the intervention of a third party, which must be neutral, such as the arbiter, the mediator, the Ombudsman. The procedure to resolve the disputes outside the courts represents an alternative in many European countries. They may represent an additional procedure, developed before or in the same time with the legal ones. This paper aims at presenting these procedures, referring to the implications that these ADR have on resolving the civil or commercial disputes.

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