

**17th Annual Advanced Mediation  
Technique Workshop**

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 **HOLISTIC SOLUTIONS** Nashville, Tennessee  
11 October 2019

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**Why We Should Adopt a  
Standards Development  
Approach to ODR Platforms  
and Practice**

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**Where Are We Now?**

**It is difficult to extract any clear standards  
of processes for mediation when two  
parties come from different jurisdictions,  
especially when the expectations, styles  
and approaches to mediation vary greatly  
from country to country.**

Manon Shonewille & Jeremy Lack

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**Where Are We Now?**

**The conciliator may conduct the conciliation proceedings in such a manner as he [or she] considers appropriate . . .**

UNCITRAL Conciliation Rules, Article 7 (3)

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**Where Are We Now With ODR?**

**In even worse shape than with ADR/Mediation**

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**Where Are We Now With ODR?**

**Who is thinking about ODR standards?**

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## Standards v. Rules

 <b>Many Voices</b>	 <b>Single Venue</b>
<b>Born to Change</b>	<b>Hard to Change</b>
<b>Accepted Because They Work</b>	<b>Accepted Because of Sanctions</b>

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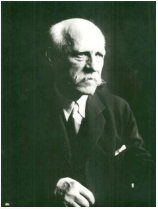
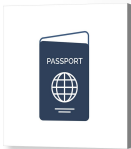
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## Standards Work - Examples

 <b>Fridtjof Nansen</b>	<b>Nansen Passport</b>  <b>Post - WWI</b>	
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## Standards Work - Examples

 <b>ISO</b>	International Organization for Standardization	
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**ISO Standards For  
Manufacturing & Worker Safety**

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**Where Do We Go From Here?**

**Singapore Convention on International Mediation**

**Recommendation for standards related to disclosure of process.**

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**Where Do We Go From Here?**

**For ODR Practice:**

**As painful as it might be, I recommend that we convene a group of ODR practitioner groups to engage in a true standards-setting process, across “borders.”**

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