



## REPORT ON THE ACTIVITIES OF THE INTERNATIONAL COURT OF THE ADRIATIC AND IONIAN AREA

### Talk by Željana Bevanda

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The [International Court of the Adriatic and Ionian area](#) was created in 2004 as an [arm of the Adriatic and Ionian Chambers of Commerce Forum](#), fully adhering to the spirit of collaboration and shared goals that mark the Forum's activities.

The court is a [trans-national institution](#) that [offers services of mediation, arbitration, arbitrage and contractual assessment, in the interests of reaching more rapid and less complicated resolutions to disputes between business operators from the various countries of the Adriatic-Ionian basin.](#)

As we see it, mediation and arbitration constitute valid alternatives to statutory law when it comes to resolving disputes that arise on account of the dynamic vigour of the economic activities and relations engaged in by our business operators. Such instruments, thanks to their flexibility and elasticity, are undoubtedly of great use and highly convenient, providing a valuable tool whose benefits should be made known in all sectors where there is an especially acute perception of the need for effective, rapid solutions that entail limited costs.

In the years since the Court's founding, our efforts have been directed at customising these services to meet the specific needs of the macro-region while ensuring that they are provided by the Chambers of Commerce in all the countries of the region, with the result that the Court's outlook and characteristics set it apart from all other institutions of international arbitration active in Europe. It should be remembered that the Court is neither a local nor a national body, but, right from its foundation, a [poly-national](#) institution, though it does have strong [territorial ties](#), being structured to provide an efficient response to the needs of the well defined geographic, cultural and commercial area that is the Adriatic.

Drawing on the professional skills and knowledge of its members, its arbitrators and its administrative department, the Court, operating under its own regulations, is today an [institution ready to play a major role](#) in a general [promotion of the area](#), facilitating the further development of commercial exchanges while augmenting the [competitive strength](#) and the [value added](#) of the entire business system.

We are currently working on a new phase, involving the [presentation of the Court and the promotion of its services, in order to establish it as a major authority and point of liaison for the entire area.](#)

This promotional effort shall make use of – and this is a key point – the [synergies](#) created under the project entitled "[Legal, Commercial, Conciliatory and Arbitration Assistance in the Adriatic](#)".

The initiative in question was presented by the [Chamber of Commerce of Ancona](#) as one of the projects proposed for financing under Law no. 84 of 21 March 2001, the measure that governs forms of Italian participation in the stabilisation, reconstruction and development of the countries of the Balkans, and it was judged to be [one of the 9 initiatives worth funding](#), demonstrating the importance of the above topics and the relevance of the tasks we are working on together.

The goal of the project is the activation of a network of information and operations on topics involving *Alternative Dispute Resolution*, so as to favour the internationalisation of small and medium-size enterprises, in collaboration with Italian and foreign chambers of commerce, optimising the use of the technical-scientific resources available in the Adriatic region to address political/institutional, economic and legal issues, with a focus on how these relate to tools of reconciliation and arbitration.



Performance of the project activities, which will be possible thanks to the combined strength of our efforts, as well as the working relationship established between the body promoting the undertaking and the Italian and foreign partners, shall contribute to the growth of a culture of arbitration and mediation within the Adriatic area, facilitating the promotion of the International Court of the Adriatic and Ionian area by generating occasions for discussion and analysis of ADR while creating the necessary preconditions for the inclusion of clauses of mediation and arbitration in international contracts drawn up in the region. The effort will also make it possible to establish a series of contacts and relations of noteworthy interest to both the Court and the Forum, increasing the level of participation in this event while bringing our efforts to the attention of an ever larger pool of operators potentially interested in the Court.

In accordance with the plans for the project, priority shall be placed on a specialised, in-depth study of each partner country, consisting of both a legal-regulatory and a political-institutional section, in order to identify the national measures governing ordinary legal systems, the specific rules and standards for arbitration, the most significant causes of conflicts and the sectors most frequently involved, all for the purpose of illustrating, in practical terms, how reconciliation and arbitration can serve as useful tools for business operators.

The heart of the project will be its training and promotional initiatives:

- ✓ We shall offer specialised **training procedures** designed to heighten the awareness of economic-commercial operators with regard to tools of reconciliation and arbitration, at the same time providing them with all the information needed to make trouble-free, knowledgeable use of such tools;
- ✓ We shall organise **communications campaigns and public initiatives** meant to illustrate the features of the Court while presenting its advantages and potential strengths to the business community and to consultants who work with small and medium-size enterprises. To this end, we have produced the promotional materials that have been distributed to you: on the brochure, the postcard and the cover of the regulations is the symbol of a **multi-coloured bridge joining the two shores of the Adriatic Sea: it is the Court's firm intention to serve as an instrument of union between operators in the region, promoting economic relations and exchanges while providing a venue for the resolution of any misunderstandings that accompany the dynamic course of commercial transactions.**

The goal is for the SMEs of the different countries of the Adriatic area to be able to move beyond problems tied to the presence of different languages, different administrative, legal and social systems or different cultural frameworks, providing them with qualified services of arbitration, mediation, arbitrage and contractual assessment, based on a set of jointly accepted rules. The level of trans-Adriatic exchanges will grow, thanks to the strengthening of the network of relations between the countries of the area, not to mention the organisation of occasions for dialogue and analysis involving business operators and their professional associations, so as to arrive at joint solutions to widely perceived problems. This is the philosophy of the Forum. It is our philosophy as well, and the underlying principle of this event.

**The bridge is meant to symbolise the importance of working together and the relevance of taking a cooperative approach to these topics for all our countries.**

I wish to thank all the **members** of the Court for their professional devotion and their efforts, during these months, to construct a solid, secure organisation.

Special thanks should also go to the **President of the Forum, Ms. Radovanić**, who, in supporting our every effort, has already served as a spokeswoman for the Court on numerous occasions. Finally, we express our gratitude to the **Administrative Office of the Chamber of Commerce of Ancona**, which has worked tirelessly in the years since the Court's founding - as it is doing right this very moment - to promote our efforts before the European Union.

We shall continue moving in this direction, reinforcing the role of the Court inside our different national territories, well aware that, by promoting this institution, we are favouring opportunities and occasions for growth on the part of all countries in the area.