

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



Medugorje, 16th May 2013

The Adriatic and Ionian International Court was established to provide players in the Adriatic-Ionian area with arbitration and mediation services, i.e. instruments with a very high added value in the trade between players from different countries.

Safe transactions and the certainty that contractual obligations are complied with play a fundamental role in the development and trends of international trade. International relations are not a mere bilateral exchange between two players, but they rather represent a very complex system of relations/interactions that last over time and integrate segments/parts of products and production processes. On the one hand, it therefore takes for international relations more time and money to be established and consolidated; on the other hand they tend to be weaker because they are more subject to the misunderstandings that physiologically develop in the business world.

From this viewpoint, Alternative Dispute Resolution tools, which are based on the principles of cooperation and active participation, are an efficient and effective alternative because they start from the assumption that disputes can be solved with methods that can be beneficial to both parties and bring about the development of economic resources and international trade.

Yet, the Adriatic and Ionian International Court is much more than this: during the meeting held on the occasion of this the 13<sup>th</sup> edition of the AIC Forum the Court decided to embrace new prospects to increasingly become an international reference point to provide assistance to crossborder business players and a qualified one to receive information and answers to doubts and questions.

The intention is to give the Court a new connotation, in order for it to become something more: not only a body able to provide tools to solve disputes, but a setting for concerted actions and the exchange of experiences on ADR in the area.

In particular, the objective to pursue in future months is for the court to become a round table for consultations and the exchange of experiences on the issue of ADR tools, a setting for the sharing of best practices, a privileged context to carry out research and study activities in the field of arbitration and mediation, both following the initiative of all those who might be interested in investigating the matter at various levels (arbitrators, mediators, professionals, business legal experts and lawyers, researchers and students) and on one's own initiative. From this viewpoint, the Adriatic and Ionian International Court wishes to become the ideal channel for the dissemination of scientifically qualified information on ADR tools, which is the result of a careful activity of examination of regulatory and doctrinal sources, law cases and the existing practice in Italy or other countries or institutions.

This way, enterprises, business players and professionals wishing to include clauses of various forms of ADR in their contracts will be able to benefit from qualified and documented assistance on the development and the state of mediation and arbitration organs in their area.



Yet the Adriatic and Ionian International Court also intends to serve as a centre for the coordination of training and information activities in the field of international ADR. From this viewpoint, the Court might propose contributions by renowned professors on the occasion of congresses/events/seminars organized within the Adriatic-Ionian organized within the Adriatic-Ionian Area for business players and professionals interested in an international/crossborder approach.

The Adriatic and Ionian International Court will finally serve as the best context to create community and international project proposals and establish special partnerships on topics related to international alternative dispute resolution for the participation in calls for proposals/tenders.

The Adriatic and Ionian International Court serves exactly these purposes, hence the establishment of this organ so as to have a reference point able to provide tangible answers to the needs of Adriatic and Ionian business players and above all to reassure those wishing to establish trade relations with players on the other shore of the Adriatic.

Activities aimed at the promotion of the work of the Court will of course continue, as well as those aimed at maintaining and widening bilateral relations with arbitration institutions, other chambers of commerce and other institutions that have an interest in developing the ADR culture in their respective countries.

After an initial four-year period, in which the Court was equipped with all the necessary tools (rules, code of ethics, forms) to start being operational, after a second four-year period where the focus was on training and three pathways were organized in Croatia, Albania and Greece for the presentation of the advantages offered by ADR tools to professionals in the area, the focus is now on the promotion of the activity of the Court and the dissemination of the organ's new development prospects:

- this can be achieved by stipulating arrangements and agreements with other institutions, so that the collaboration can generate a synergy able to provide actual support to the entrepreneurs of the area;
- Drawing up agreements with the relevant international associations aimed at introducing the Court clauses into the contract models used by their associates.

The engagement of all chambers of commerce member to the AIC Forum is however fundamental to achieve these goals: for this reason, we would like to ask you to disseminate the Court clauses and suggest that they are entered into the contracts and presented during the initiatives that will be organized during international transactions, thereby declaring ourselves available to participate to illustrate the advantages that can derive from their use.

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