

The liberalization of ICT and dispute resolution

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Liberalization and unbundling

ICT

Dispute resolution

Styles of official intervention

Regulatory process

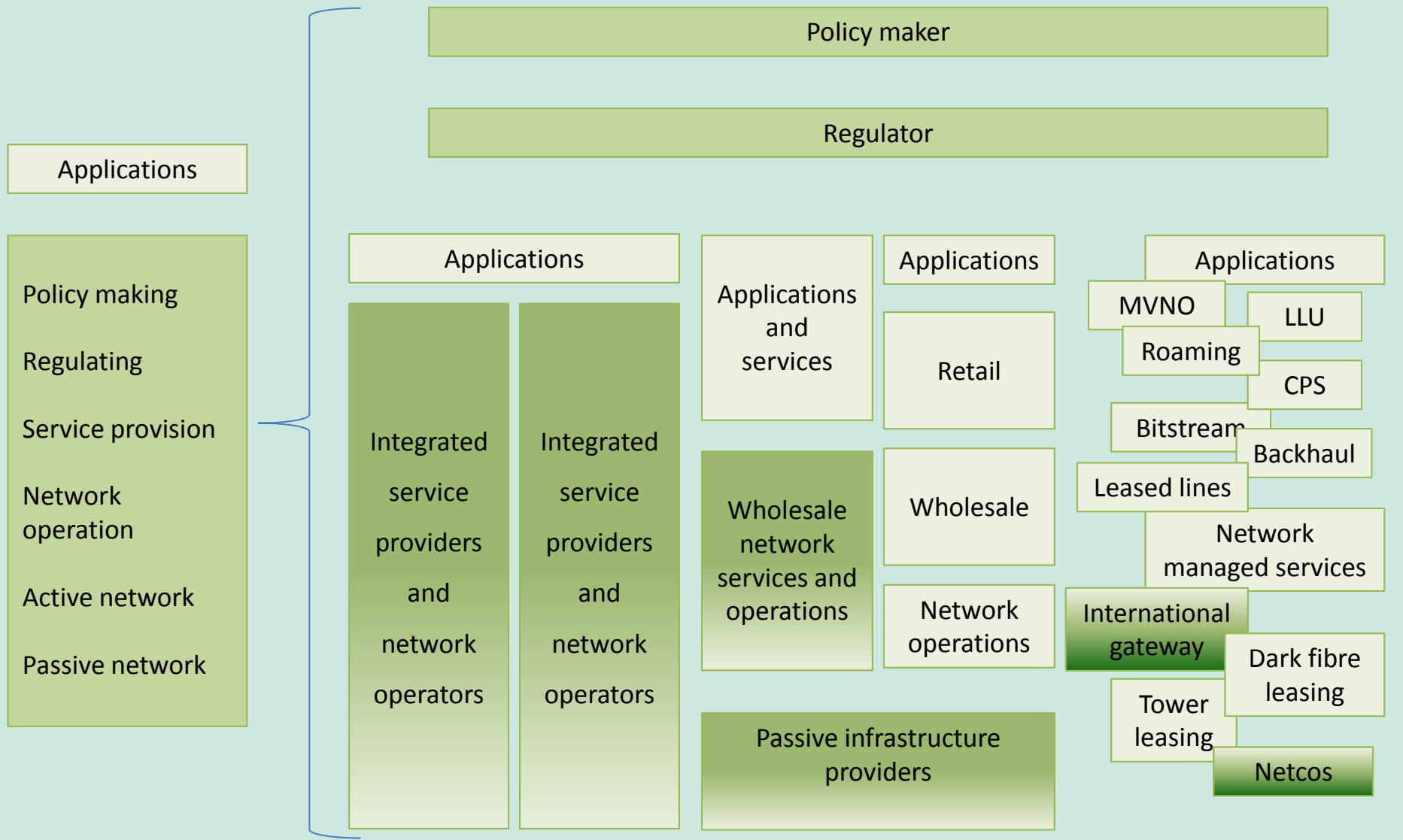
Mediation

Regulatory adjudication, arbitration and special tribunals

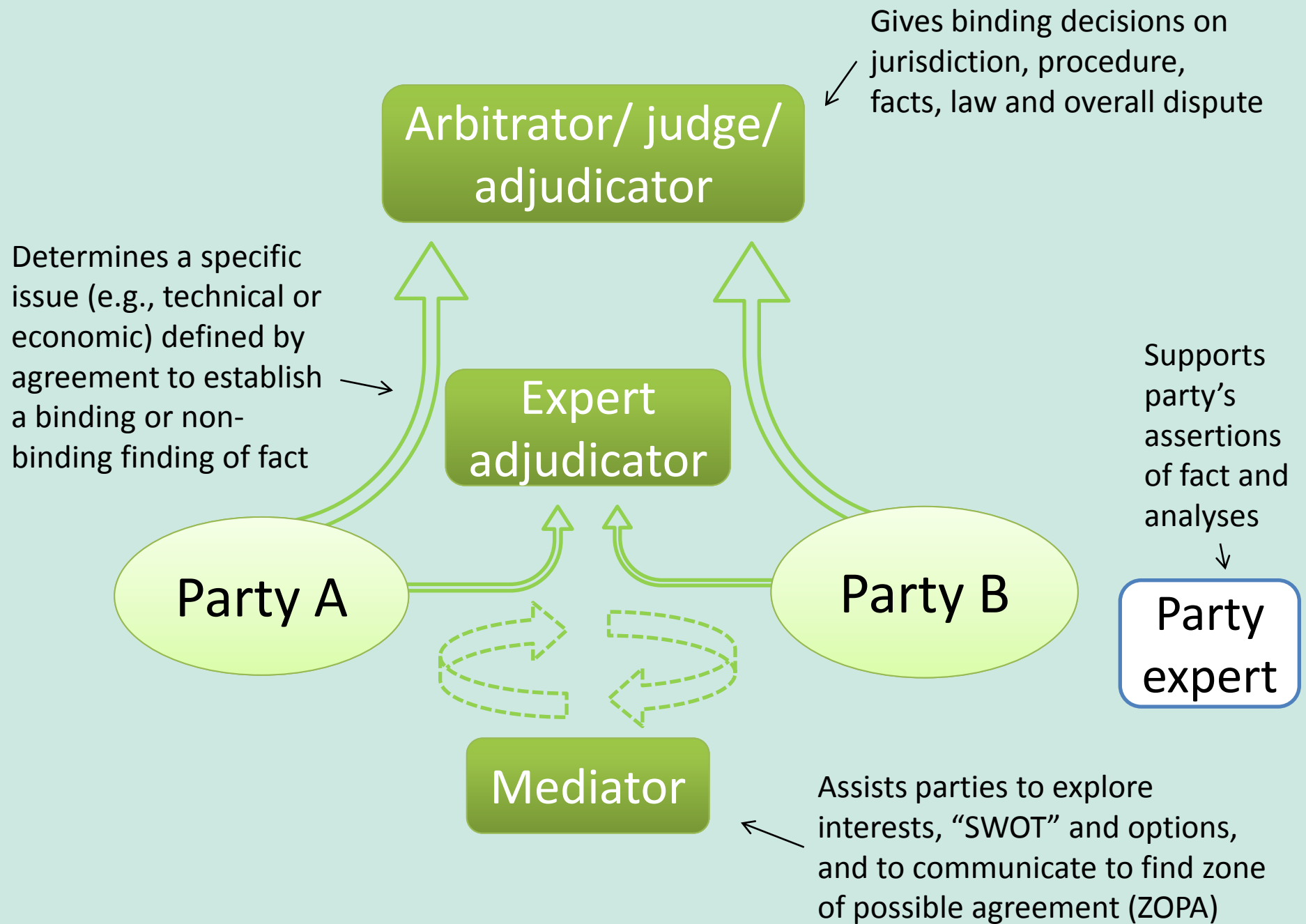
Coping with fundamental change and complexity

Liberalization and unbundling of ICT

- Official sector
- Private sector



Basic roles in dispute resolution



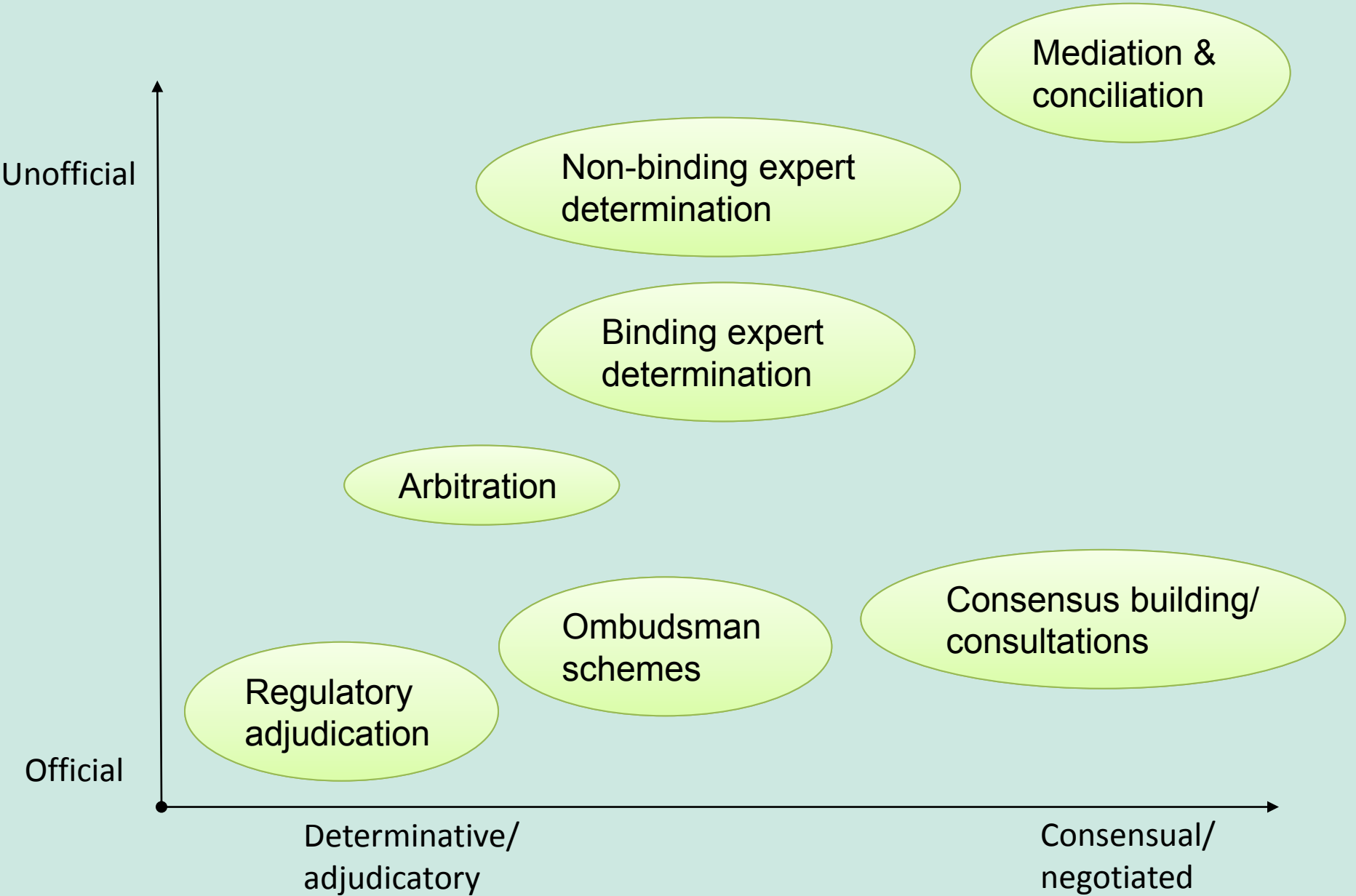
Liberalization and unbundling of dispute resolution

- Official sector
- Private sector

	Courts / regulatory adjudication	Arbitration	Binding expert determination	Non-binding determination	Mediation/ conciliation
Determines issue for resolution	Official	Arbitrator & Parties	Parties	Parties	Parties
Selects 3rd party neutral	Official	Parties / Official	Parties / Official	Parties (sometimes Official)	Parties (sometimes Official)
Controls process	Official	Arbitrator & Parties	Expert & Parties	Expert & Parties	Mediator & Parties
Makes finding of fact	Official	Arbitrator	Expert	Expert	None
Decides result	Official	Arbitrator	Expert	Parties	Parties
Reviews process/result	Official	Official	Official	Unusual	Probably none
Enforces	Official	Official	Official	Official (if agreement)	Official (if agreement)



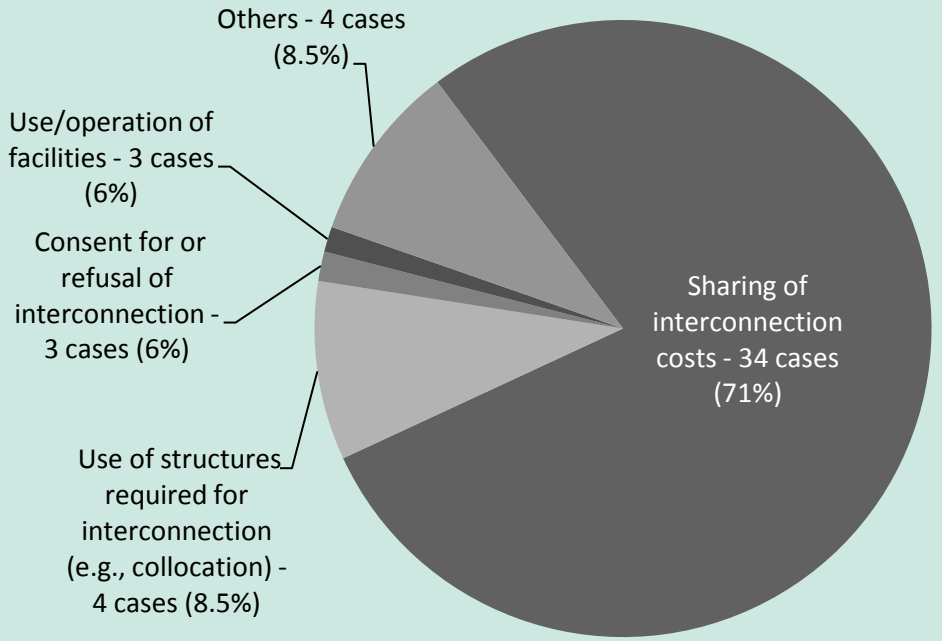
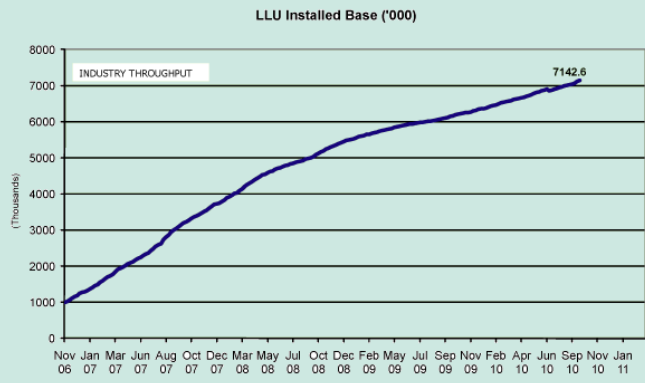
Styles of intervention



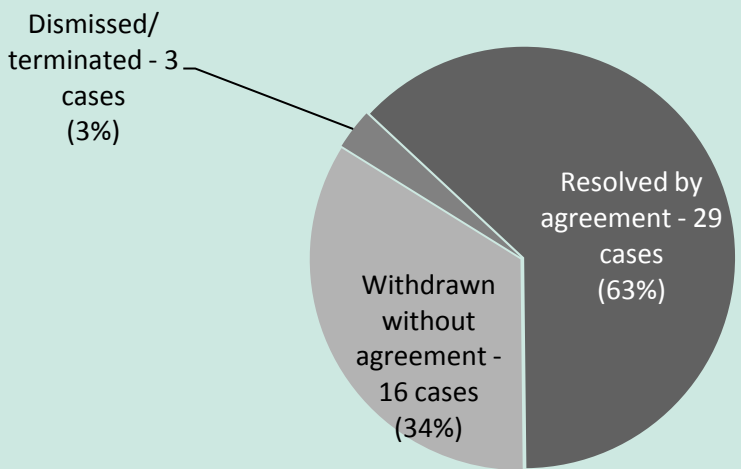
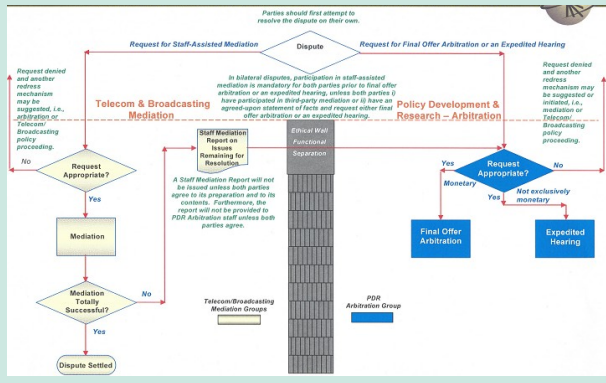
Mediation in regulatory process

Japan's Telecommunications Business Dispute Settlement Commission

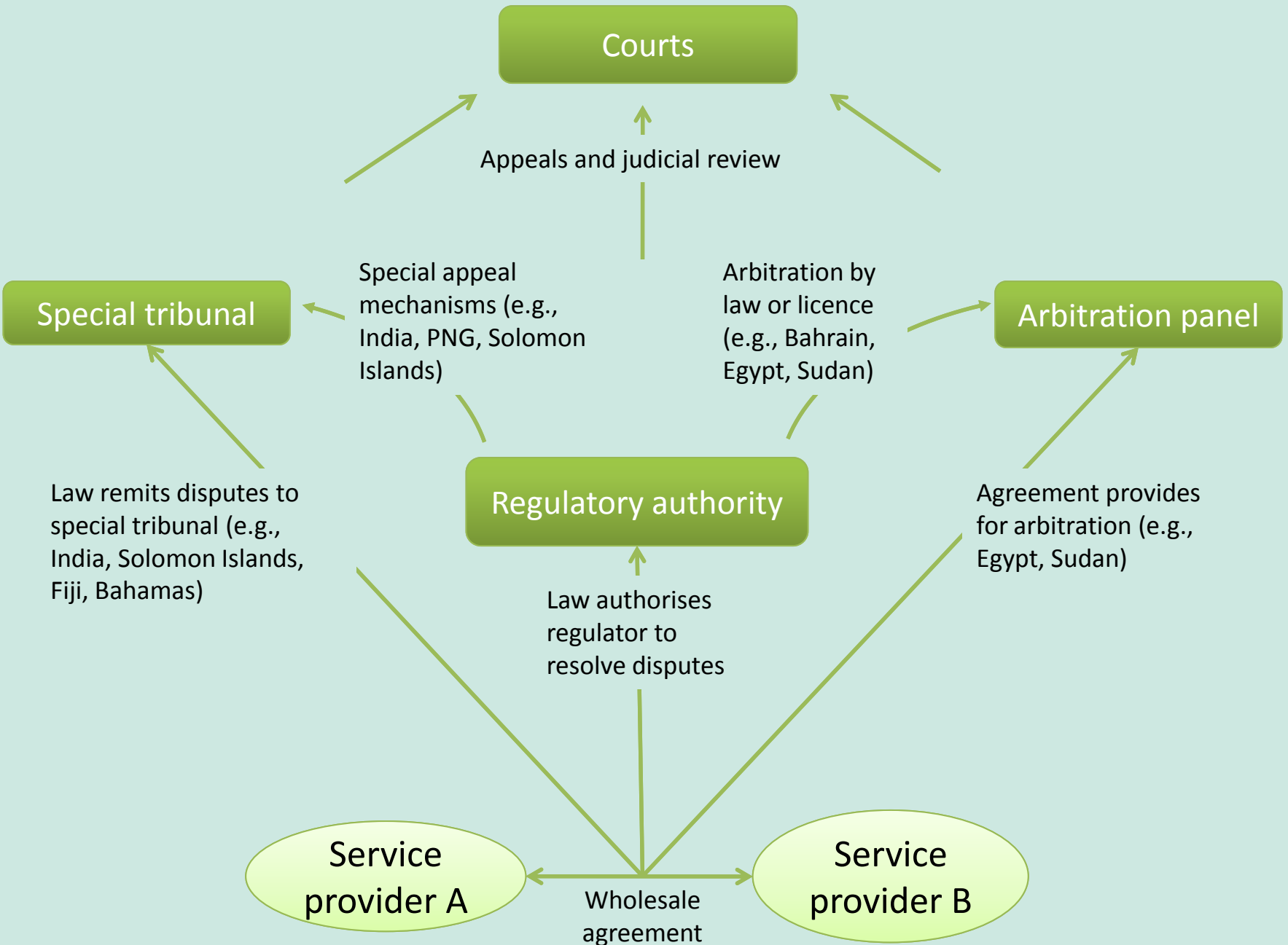
UK Office of Telecommunications Adjudicator (OTA2)



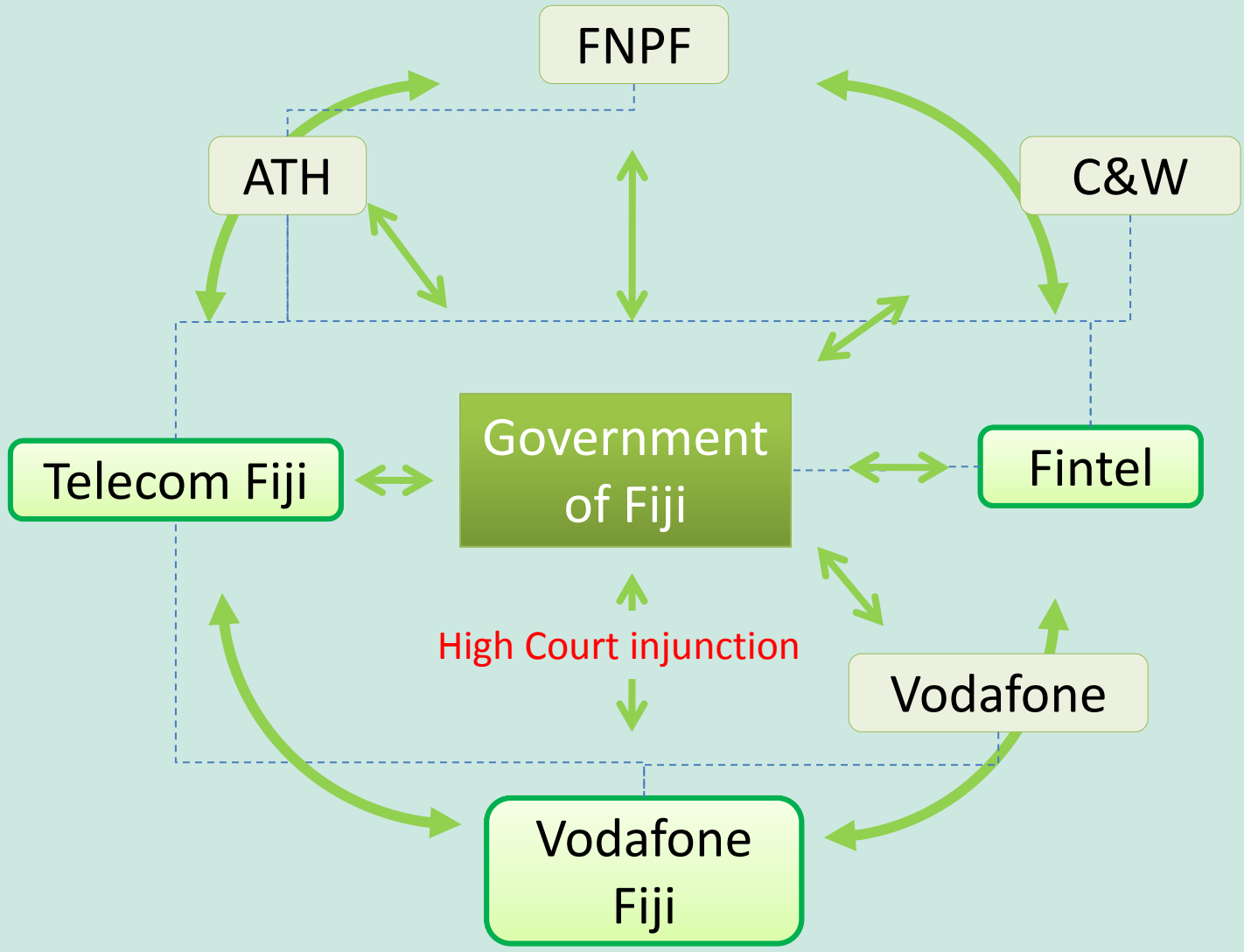
Canada's CRTC staff mediation, final offer arbitration and expedited hearings



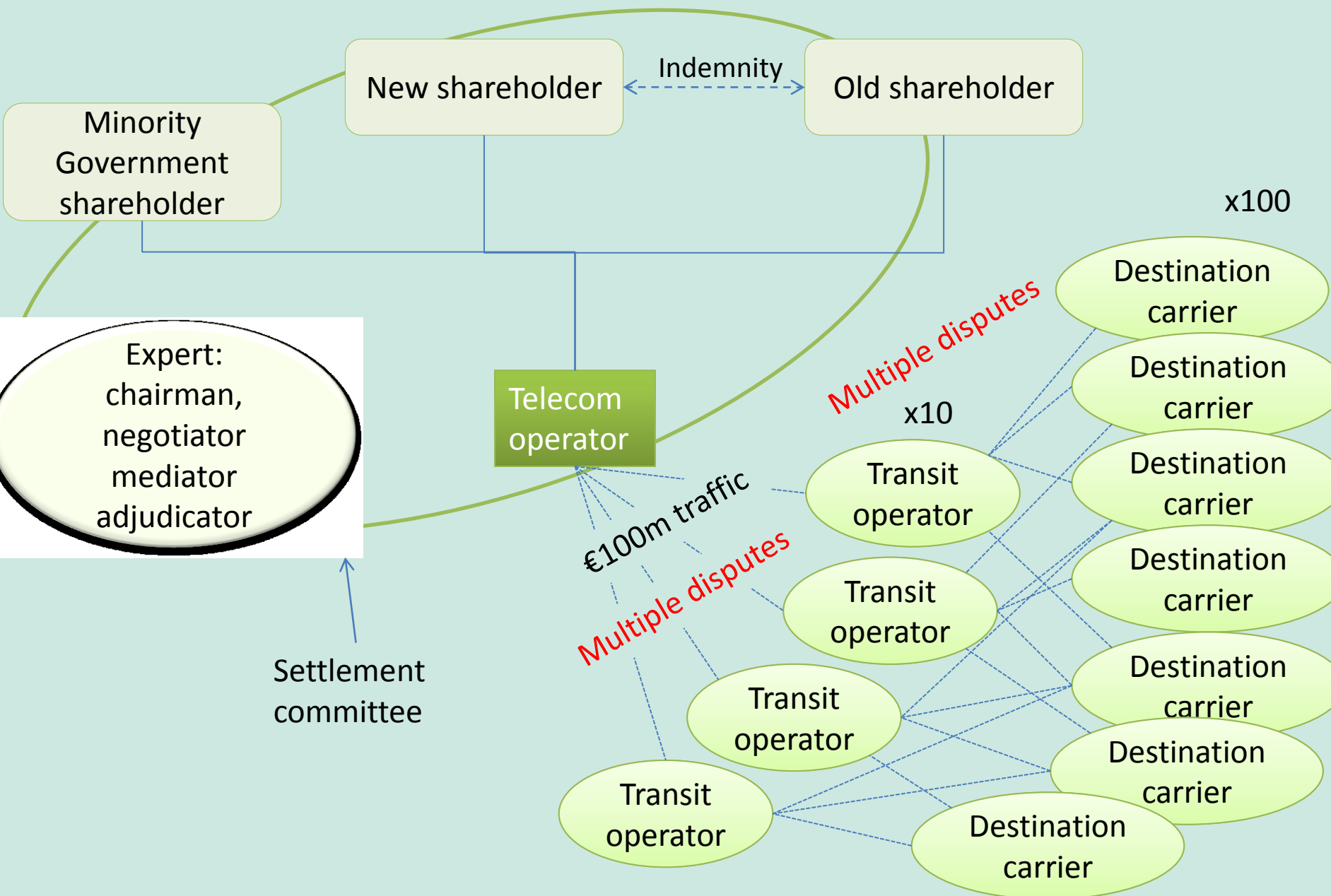
Regulatory adjudication, arbitration and special tribunals



Coping with fundamental reform



Handling complexity



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