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Nota di contenuto	Zlatan Meški, Challenges of Arbitration in the Western Balkans -- Mareike Fröhlich, The Nexus of the Rule of Law and Alternative Dispute Resolution: Who Boosts or Sets Back Whom? -- Greg Lourie, Capacity Building in and through International Arbitration -- Zinka Grbo & Sevleta Halilović, Some Peculiarities of the Legal Framework on Commercial Arbitration in Bosnia and Herzegovina -- Ljuben Kocev, Challenges in the Process of Recognition and Enforcement of Foreign Arbitral Awards in the Republic of North Macedonia -- Flutura Kola Tafaj & Silvana Cinari, Annulment of Arbitral Awards Rendered in

Albania: Trends and Challenges -- Vlatko Tokarev, Promotion of the Rule of Law in the Western Balkans: The Impact of Investment Arbitration -- Bianca Böhme, Decentral Implementation of EU Investment Protection Policy and its Implications for Countries in the Western Balkans -- Ilija Mitrev Penushliski, The Illegality Defence: Lessons from Investment Arbitrations involving the Western Balkans and Croatia -- Catharine Titi, Mediation of Investment Disputes under the ICSID Mediation Rules: An Overview -- Fahira Brodlija, Expanding the Dispute Resolution Toolbox for Investment Disputes: Opportunities for Dispute Prevention and Mediation in the Western Balkans -- Tatjana Zoroska Kamiloska & Milka Rakocevi, Mandatory Initial Mediation Session: Evaluating the Effects of Compulsion in Dispute Resolution – The Case of North Macedonia -- Jadranka Dabovikji Anastasovska & Marjana Staninova, The Binding Nature of Mediation Settlements in North Macedonia: Aspects of Validity and Enforcement -- Dušan V. Popovi, Mediation Mechanisms in Serbian Intellectual Property Law: A Steady Progression -- Juraj Brozovi, Exploring the New Croatian Mediation Framework: A Leap Forward or a Setback? -- Neda Zdraveva, The ADR for Consumer Disputes in the Consumer Protection Legislation of North Macedonia -- Ivana Kunda, Tech-Driven Justice: Navigating Schemes for the Resolution of Content-Moderation Disputes with Online Platforms -- Gordana Lažeti & Boban Misoski, Plea Bargaining and Guilty Plea as Negotiated Justice Instruments in Macedonian Criminal Trials.

Sommario/riassunto

Alternative Dispute Resolution (ADR) is increasingly recognized as an attractive alternative to national court proceedings, especially in international business relations. This open access book focuses on ADR mechanisms in one specific geographical region: the Western Balkans. This region comprises Albania, Bosnia and Herzegovina, Croatia, North Macedonia, Montenegro, Kosovo, and Serbia. Although these countries generally have legal frameworks for ADR mechanisms in place, they remain largely underutilised in practice. Promoting ADR mechanisms in the countries of the Western Balkans could make them more attractive to foreign investors, thereby fostering economic growth. Additionally, the effective implementation of ADR mechanisms could have spill-over effects on national judiciaries, thereby increasing domestic rule of law standards. This would be highly beneficial for the Western Balkan countries, most of which are still aspiring to become Member States of the European Union (EU). To achieve this, they are required to promote the use of ADR mechanisms and align their legal frameworks with EU standards. Against this background, this book aims to explore the trends and challenges of ADR in the Western Balkans. The different chapters primarily focus on international commercial arbitration, investment treaty arbitration, and mediation. Some chapters address systemic challenges, such as capacity building and dispute prevention, which extend to the entire region. Others offer country-specific analyses of particular national framework. While some chapters adopt the perspective of international or EU law, others remain at the national level. Collectively, the wide diversity in topics and perspectives provides a comprehensive overview of the trends and challenges of ADR mechanisms in the Western Balkan.
