

Online Dispute Resolution for Cross-Border E-Commerce in Pakistan: Designing a Digital Consumer Justice Framework

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ABSTRACT

Cross-border e-commerce transforms what would ordinarily be a routine consumer complaint into a compound problem of private international law and access to justice, insofar as the buyer, seller, platform, payment intermediary, and relevant data may each be situated in a different jurisdiction, while the quantum of the claim is typically insufficient to justify recourse to conventional litigation or international arbitration. This article develops a Pakistan-specific framework for Online Dispute Resolution (ODR) by reworking existing scholarship on alternative dispute resolution, enforcement, and e-commerce, and by situating that scholarship within legal and policy developments through September 2026. Employing doctrinal and comparative methods, the article evaluates Pakistan's fragmented regulatory architecture across electronic-transactions law, cyber regulation, provincial consumer protection, alternative dispute resolution, foreign-award enforcement, and emerging digital-governance policy, before drawing comparative design lessons from the frameworks of ASEAN, India, China, the European Union, and relevant UNCITRAL instruments. On this basis, the article proposes a Digital Consumer Justice Framework, structured around a national ODR gateway, mandatory platform participation for qualifying consumer claims, a staged process of negotiation, mediation, and determination, interoperable digital-identity and evidence protocols, enforceable outcomes, human oversight of automated processes, multilingual assisted access, and reciprocal cross-border cooperation. The article's central argument is that Pakistan ought not merely to digitize its existing apparatus of alternative dispute resolution, but should instead regulate Online Dispute Resolution as a form of justice infrastructure, integrating legal validity, procedure, technology, enforcement, and consumer protection within a single, accountable system.



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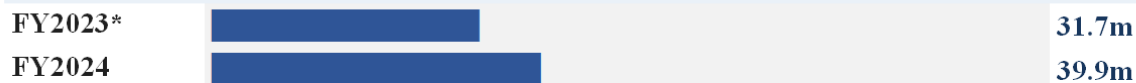
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1. Introduction

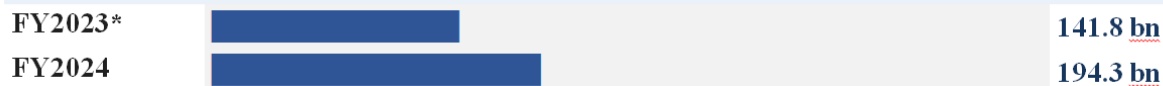
The economics of disputes are modified in e-commerce. A buyer can purchase a good via a system integrated in another country, use a Pakistani bank or wallet to make a payment, chat with a seller in a third jurisdiction, and get the products shipped to them along a logistics chain crossing a multitude of borders. In case of non-delivery, a counterfeited product, or any material disparity between the description of the product and its actual objectives, or a recurrent digital fee is challenged, the substantive right of the consumer is as beneficial as the form of remedy that can be achieved at a reasonable cost. Claims made across borders thus reveal a continued incongruity, in that digital transactions are real time and geographically dispersing, and jurisdiction of courts, services, evidence and enforcement are territorially structured. It is this property that makes ODR desirable in the first place since the gap between a digital transaction and a viable remedy can be narrowed using it (Rule, 2020; Sampani, 2021; UNCTAD, 2021; Patel et al., 2026).

This issue that was identified by the underlying LLCM thesis as a part of the broader ADR discourse in Pakistan. It observed that the jurisdictional, enforcement, technological and expertise constraints of e-commerce hinder disputes; that consumers and small businesses often do not have access to dispute in a different jurisdiction; and that an online procedure would render low-value disputes more available in case it ensured fairness, security, neutrality, transparency and effectiveness. The thesis also did not consider ODR as a mandatory alternative to courts, but considered the alternative as complementary (along with litigation, arbitration, mediation and negotiation). This paper refines and develops that thesis statement by pursuing a less diffuse regulatory query: what comes to require institutional and legal structure to transform ODR into a plausible structure of cross-border consumer-justice in Pakistan as opposed to a communication channel?

The inquiry has gained more significance with the increasing digital payment ecosystem in Pakistan. According to the State Bank of Pakistan report, the number of e-commerce card transactions had increased 26 per cent in the previous year to reach 39.9 million and their values had increased 37 per cent to PKR 194.3 billion in FY2024 (State Bank of Pakistan [SBP], 2024). The E-Commerce Policy 2019-24 of the Ministry of Commerce already projected obligatory customers some support and a schemes of disputes resolution to online companies, independent ADR centers and e-courts. However, the revised National E-Commerce Policy 2.0 (2025-2030) was still shown as being still in process during the Pakistan Economic Survey 2025-26, reflecting the need to continue the lack of connection between policy acknowledgement and an operating national redress policy (Ministry of Commerce, 2019, 2025; Finance Division, 2026). In this article, there is the application of doctrinal-comparative research. It examines the e-commerce, the ADR, the consumer, the enforcement and the digital-governance tool of Pakistan; the demonstrated scholarship of the scholarship published in 2019-September 2026 and the official comparative resources of the UNCITRAL, the ASEAN, India and the European Union. Current Pakistani law is foundational and the law prior to the seven-year literature window is only taken into account where it is indispensable to legal analysis. The article has a design-oriented contribution: The article does not posit that a whole system needs to be transplanted to a foreign system. Rather, it derives practical lessons and creates a stratified Digital Consumer Justice Framework that can fit the federal framework of Pakistan, the current institutions of ADR (as well as its cross-border trade goals) (Kaya & Khan, 2022; Rabinovich-Einy, 2021).

Figure 1. Growth in Pakistan's SBP-recorded e-commerce card transactions, FY2023–FY2024**A. Number of e-commerce card transactions***Editable chart — labels, bars and values can be modified directly in Word*

Source: SBP (2024). FY2023 values are derived from the reported FY2024 level and year-on-year growth rate; FY2024 transactions = 39.9 million (+26%).

B. Value of e-commerce card transactions*Editable chart — labels, bars and values can be modified directly in Word*

Source: SBP (2024). FY2024 value = PKR 194.3 billion (+37%); FY2023 is back-calculated for visual comparison. This chart is editable in Word.

2. ODR as a Digital Justice Institution, Not Merely “ADR Online”

The modern concept of ODR is wider than the initially online marketplace disputes did, although these were the origin of the concept. It consists of technology-based negotiation, mediation, arbitration, adjudication, triage, case management, document exchange and decision support. The latter is the hallmark that is not all interactions are done online, but the technology is an element of a design and working model of the dispute system. This is important as merely relocating an existing hearing to video makes no solution to the information, cost and procedural challenges that require small-value digital claims to be irrational to pursue. Contemporary ODR is capable of organizing intake with centralization, categorizing disputes, automatically receiving transaction records, asynchronous communication, suggest range of settlements and route unresolved claims to a human neutral instead (Rule, 2020; Rabinovich-Einy, 2021; Zeleznikow, 2021).

There should be a regulatory framework that differentiates three functions. To start with, the ODR is a redress mechanism: it should provide intelligible and realistic redress. Second, it is a digital public-service interface: authentication, cybersecurity, privacy, accessibility and record integrity do not just exist as technical characteristics, but are procedural justice. Information security, privacy and authentication are the basics of ODR security standards that Abedi, Zeleznikow and Brien (2019) distinguish. Third, ODR is a governance mechanism for platforms. In online trading, markets have the data about payments made, they also control access to sellers, the payment flows are either stored or controlled and they can easily also execute refunds than the court can process. An authoritative framework should hence assign responsibilities of platforms instead of perceiving them as an impartial spot to place notices (Zhao and Chen, 2024; Rayon Ballesteros and Gonzalez Aviada, 2024).

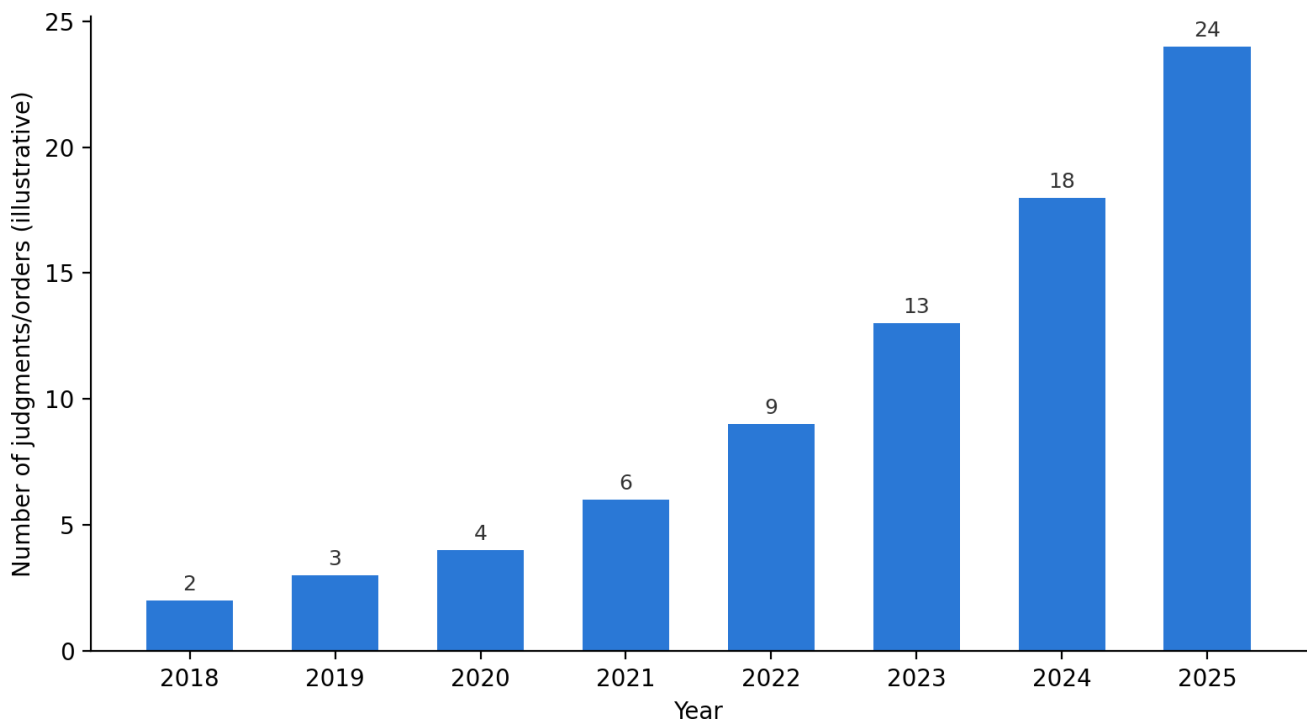
The boundaries of automation are also explained by this institutional perspective. Triage, translation, legal-information prompts, settlement suggestions and drafting: AI can assist in bypassing triage, translation, and proposing settlement suggestions and drafting, although full-scale automated determination brings forth explain ability, bias, and data quality concerns along with the right to be heard. All of them, Alessa (2022), Zeleznikow (2021), Riepin (2024), Vilalta Nicuesa and Gili Saldaña (2025) lead, although in the three perspectives of regulation, to a human-centered approach where automation is balanced to risk and accountability is not eliminated. In the case of Pakistan, where Internet access and legal literacy is an area of unequal distribution, it should target a digital first and not a digital only solution: asynchronous low-bandwidth applications may be used, but telephone and assisted filing and in-person facilitation points must still be an option (Denvir and Selvarajah, 2022; Mentovich, Prescott, and

Rabinovich-Einy, 2023).

2.1 Consumer Trust, Procedural Justice and the Regulatory Objective

The speed and cost of ODR is often viewed as an economic argument, although the regulative deeper purpose is the production of trust. In the context of transacting in an e-commerce across the border consumers are not able to examine the seller or even make the right judgments on the legality system that transcends the transaction nor makes the right prediction on the cost of redress in the case of transaction failure. Such reluctance may discourage buying or encourage consumers to go towards the biggest platforms. UNCTAD (2021) relates effective consumer dispute resolution to trust, loyalty and repurchasing intentions, whereas Brogan (2020) considers ODR as an access-to-justice system that is custom-made and aligned to the actualities of e-commerce. The Pakistani literature of recent years says the same on the national level: more rigorous consumer-protection rules on the Internet could lead to higher confidence, though the issues in applying such rules are little legal fragmentation and the inability to influence people (Bashir, Khan, and Khan, 2023; Warraich et al., 2024). ODR must then be evaluated not just based on the number of disputes that come to a close but by whether digital markets can become plausibly contested by average users.

Hypothetical trend: reported Pakistani judgments touching e-commerce consumer disputes



Procedural legitimacy plays a crucial role, too. A defeated consumer might still consider the system as legitimate in the event that the process was easy to comprehend but it was not biased and permitted a worthwhile involvement, while a fast settlement may invalidate the conviction of a legitimate system should interface distort the facts or threaten the location of assent. Access-to-justice and procedural-justice perceptions have been demonstrated by Mentovich et al. (2023) to contribute positively to the legitimacy, and accessibility is relevant with the access-to-justice perception to lower-income users. Ahmed (2023) further pours in that digitized justice should strike a balance between more accessibility and openness versus the dangers of privacy. To Pakistan, these results justify a wider regulatory goal than that of the online settlement: the structure must establish a responsible service where the consumer can comprehend

the procedure, who is adjudicating on their case, what content is being used, save sensitive information and get counsel where there are significant process flaws.

Another implication is that ODR must not be based on a dispute crystallizing after a dispute, but must be designed around the life cycle of a digital transaction. When the identity of the seller is visible, cancellation, and returns are clear, timestamps are reliable, communications maintained, payments can be tracked, and there were common categories of complaints can help to avoid conflict or mitigate conflict with ease. Zhao and Chen (2024) explain that such an expansion of the dispute resolution to the prevention of the dispute is a digital governance. The latter method is especially appropriate in the case of Pakistan, where the focus on the regulatory capacity should be made on the architecture of transactions and significant platforms instead of ensuring that all consumers should individually re-create evidence once there was a problem. In this respect, the most effective ODR system would, in part, be preventative: it alters the behavior of the marketplace, by making responsibility and remedy foreseeable.

3. Pakistan's Current Legal and Policy Architecture

There are already some legal building blocks in Pakistan, which have been adopted to address various issues, but they are yet to combine in a consistent ODR regime. Electronic Transactions Ordinance 2002 provides legal backing of basic electronic records and transactions. The regulation of the Payment Systems and Electronic Fund Transfers Act 2007 and the State Bank addresses the key areas of the digital payments. Cyber offences and enforcement are handled by the Prevention of Electronic Crimes Act 2016, as revised in 2025, but criminal regulation of cybercrimes is not a generic set of redressing actions concerning the reasons behind a civil concept of consumer. At the provincial and Islamabad Capital Territory levels, producer and consumer rights are subject to regulation, which causes a geographical disunity in the standards, fora and procedure. The provincial ADR reform and the Alternative Dispute Resolution Act 2017 establish a domestic policy framework of non-court processes and the Recognition and Enforcement (Arbitration Agreements and Foreign Arbitral Awards) Act 2011 supplements foreign arbitral awards. All of these tools, individually, do not provide the end-to-end life cycle of a small cross border e-commerce complaint (Kaya and Khan, 2022; Kausar, Bukhari and Raafay, 2025).

The 2019 E-Commerce Policy is particularly notable due to the fact that it specifically recognized consumer redress as the digital trade infrastructure. It demanded changes to consumer-protection law to address e-commerce, online business requires customer-support and dispute-resolution processes that are mandatory, independent ADR mechanisms and on-line courts (Ministry of Commerce, 2019). It is a much more substantial policy base than is sometimes given credit. The issue is operationalization: a single channel of national intake, the unified procedure, the standard of interoperability, the enforceability rule or the-cross-border cooperation protocol devoted to digital consumer claims has yet to be established. Contemporary Pakistani discourse thus identifies ODR as either jurisprudentially or institutionally unsophisticated (Kaya and Khan, 2022; Baig, Hassan and Uz Zaman, 2024; Kausar et al., 2025; Jabeen et al., 2026) instead of technologically infeasible.

There is a change in the policy environment however. In the Digital Nations Pakistan Act 2025, this is introduced with a broader statutory foundation of digital-state transformation, and this has the potential to enable interoperable identity, government data exchange and online public services. The United Nations Convention on International Settlement Agreements Resulting from Mediation (Singapore Convention) aimed at Pakistan as well, which signed on 23 May 2025, although it did not ratify the Convention as of September 2026. Signature is important because cross-border mediated settlements will be far more beneficial should domestic implementation and eventual ratification of the settlements be able to provide a predictable means of enforcement regarding qualifying commercial settlements (National Assembly of Pakistan, 2025; UNCITRAL, 2025).

Two gaps are of importance. The first reason is that, Pakistan does not have an enacted federal statute on personal-data protection: to this day, the Ministry of IT and Telecommunication still records the Personal Data Protection Bill 2023 as a draft. Identity documents and payment information, communications, evidence and perhaps sensitive personal information would be processed through ODR platforms; privacy-by-design, therefore, cannot be shifted to generic terms on websites (Ministry of Information Technology and Telecommunication [MoITT], 2023). Second, in 2026, the National E-Commerce Policy was 2.0 that was still in process. This offers an opportune change of legislative opportunity: ODR must become part of the following policy cycle as legally enforceable consumer-justice infrastructure, not an aspirational change in customer-service (Finance Division, 2026).

Table 1. Pakistan's legal and policy building blocks for cross-border e-commerce ODR

Instrument / institution	Current contribution	ODR / cross-border gap
Electronic Transactions Ordinance 2002	Legal recognition of electronic records and transactions.	Does not create an end-to-end consumer ODR procedure or platform-duty regime.
Payment Systems & Electronic Fund Transfers Act 2007 / SBP regulation	Regulates important payment-system actors and electronic fund transfers.	Consumer redress is not integrated with a national e-commerce ODR workflow.
PECA 2016, as amended 2025	Addresses cyber offences and digital enforcement.	Criminal/cyber enforcement is not a general civil refund or consumer-compensation mechanism.
Federal/provincial consumer protection regimes	Provide substantive consumer rights and consumer fora.	Fragmented territorial coverage; no unified cross-border digital intake, evidence or enforcement standard.
ADR Act 2017 and provincial ADR reforms	Policy/legal basis for mediation and other non-court processes.	No comprehensive national rules for online mediation/adjudication, platform participation or ODR interoperability.
E-Commerce Policy 2019-24	Calls for online-business dispute mechanisms, independent ADR and e-courts.	Policy commitments require binding implementation, technical standards and institutional ownership.
Digital Nation Pakistan Act 2025	Supports wider digital-state transformation.	Needs explicit linkage to consumer justice, identity and secure inter-agency ODR data exchange.
Singapore Convention on Mediation	Pakistan signed 23 May 2025.	Not ratified as of Sept. 2026; domestic implementation pathway remains to be completed.
Draft National E-Commerce Policy 2.0 (2025-30)	Updated framework under development.	As of Pakistan Economic Survey 2025-26, policy remains under process; ODR can be operationalised within this cycle.

Draft Personal Data Protection Bill 2023	Proposes national data-protection rules.	Still listed as draft by MoITT; ODR therefore needs interim statutory privacy/security safeguards.
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Sources: Ministry of Commerce (2019, 2025); MoITT (2023); National Assembly of Pakistan (2025); Finance Division (2026); UNCITRAL (2025); Kaya & Khan (2022). Foundational statutes are included because they remain legally operative even though they predate the article’s seven-year secondary-source window.

4. The Core Cross-Border Barriers

4.1 Jurisdiction, Applicable Law and Forum Selection

The initial obstacle is the uncertainty in jurisdiction. A Pakistani consumer can enter into a contract under typical terms with an option of foreign law, foreign court or involving customized arbitration. Party autonomy is a significant principle in business-to-business business; in the case of consumer transactions, low-value remedy can become economically irrelevant by a non-negotiable foreign forum. Digital justice across borders needs a compulsory floor on consumer protections as a result. Where the B2C transactions that are directed towards Pakistan qualify, then the consumer must be in a position to commence ODR in Pakistan notwithstanding the presence of a pre-dispute clause that would entail an inaccessible foreign tribunal, leaving the potential presence of a truly voluntary post-dispute agreement intact. The suggested rule would not eliminate any conflict-of-laws question, and would merely decouple availability of a redress process and the ultimate substantive-law analysis. It is Sampani (2021) that could be helpful in this regard in particular: ODR cannot be automatable because a borderless nature of technology has abolished legal pluralism or power asymmetry.

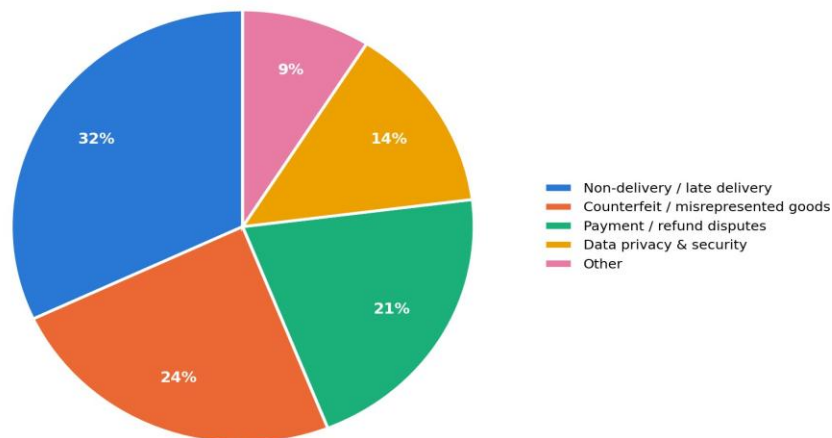
The rules of jurisdiction ought to be clear at the time of transactions. Before payment, platforms catering to Pakistani consumers ought to show the regulating merchant identity, geo location, dispute channel and required mandatory rights as a consumer. Data on transactions should enable a national ODR gateway to decide initial eligibility, rather than compel consumers to plead the private international law. In cases where both parties are businesses, party autonomy can be augmented; in cases where one party is a consumer fair play should be given to effective redress and proportionality. This coincides with the broader move towards a deformalized provision of rights towards a more practical remedial accessibility emphasized in recent ODR literature dealing specifically with Pakistan (Jabeen et al., 2026; Shahid, Zahra, and Shahzad, 2026).

4.2 Evidence, Identity and Transaction Integrity

The second obstacle is an evidential one. Online arguments rely on logs of orders, click-wrap agreements, conversation history, scan data of deliveries, confirmation of payments, platform date stamps and occasionally automated decision logs. When the platform itself is capable of changing, deleting or giving selective disclosure to these records then procedural equality will be undermined. ODR laws must thus provide minimum retention and disclosure obligations on forcefully covered platforms and acknowledge machine-generated accounts of transactions that are liable to reliability security. The UNCITRAL Model Law on the Use and Cross-border Recognition of Identity Management and Trust Services (2022) provides a convenient international model that can be adopted to apply as functional equivalence, reliable digital identity, timestamp, electronic registered delivery and cross-border trust services. The UNCITRAL Model Law on Automated Contracting (2024) also offers a more recent point of view of the current legal adoption of automated contracting and the AIs-aided performance of contracts (UNCITRAL, 2022, 2024). Pakistan cannot demand advanced blockchain proofs to claim ordinary. The Chinese experience with internet-courts shows the potential and the risks that due-process of technology-intensive evidence

systems has (Sung, 2020; Wang, 2024). It would be possible to admit ordinary electronic records under presumptions based on platform recordkeeping, and retention of challenge rights under a proportionate model. High-value or -identity sensitive cases could be high-assurance trust services. Auditability is the main design principle: parties and neutrals should have the ability to understand sources of the evidence and whether it was modified and how it was used by an automated process.

Hypothetical distribution of cross-border e-commerce complaint types in Pakistan



4.3 Enforcement and the Low-Value Claim Paradox

The third impediment is enforcement. Cross-border consumers might be victorious in theory, but lose in reality were a separate foreign action necessary to enforce. The high cost of traditional international arbitration makes most claims by consumers too costly, whereas the ordinary court judgment lacks any truly effective global enforcement convention to the kind of global rule New York Convention provides. ODR framework must consequently give preference to remedies which can take place at platform layer or at payment layer: refund, reversal of held funds, release of escrow, replacement, cancellation, correction of an account or sanctions on the seller. Zhao and Chen (2024) demonstrate the reasons behind why the interest in dispute prevention and so-called self-enforcement mechanisms should be considered in online commerce. The platform that is already established between the buyer and the seller can oftentimes execute a remedy with a much greater impact compared to the subsequent work that a cross-border execution proceeding might carry out.

To enforce settlements which cannot be implemented via a platform, Pakistan ought to come up with enforceability channels. Domiciliation may eventually have a positive impact on mediated commercial settlements when it comes to the implementation and ratification of the Singapore Convention locally. Low value consumer cases may have binding determinations made domestically under a streamlined process of issuing certificates, and mutual agreements established between countries via bilateral or regional accords. Arbitration must not be substituted in place of all consumer complaints but should only be adopted in the case of proper commercial disputes. The proportionality principle is straightforward, the cost/complexity of dispute-resolution is not supposed to supersede the importance of the transaction (UNCTAD, 2021; Patel et al., 2026, Mushtaq, and Mushtaq, 2026).

4.4 Cybersecurity, Data Protection and Algorithmic Accountability

The fourth obstacle is connected with the trust of the ODR system. Any platform that requests identity

documents upload by the user, contract and bank records becomes a valuable data target. Security design should consequently encompass encryption during transit and at rest, access controls, robust authentication, tamper-evident logs, response to incident, retention constraints and verifiable deletion. Abedi et al. (2019) adequately address the security, privacy and authentication as regulatory measures and not technical preferences by choice. The lack of an overarching in-country enacted statutory protection of personal-data law means that the ODR-specific statutory protection attains even greater significance in the short-term, in Pakistan.

The statute must take an extra step to differentiate between a determination and assistance in case AI is utilized. A small number of functions, such as translation, duplicate detection, classification of cases and plain-language guidance, are susceptible to automation provided they are quality-tested. Outcome recommending systems, credibility testing or test of legal rights must be disclosed, validated, testing of bias and right to have human review. Contested consumer claims should not be allowed to be determined by fully automated means unless expressly agreed to post-dispute, and with substantive protections. The risk-based approach aligns with the new body of research on AI-based dispute resolution and does not make the fallacy of reducing efficiency as a sole indicator of justice (Alessa, 2022; Riepin, 2024; Vilalta Nicuesa and Gili Saldaña, 2025).

4.5 Accessibility, Language and Power Asymmetry

The fifth obstacle is disproportional ability to utilize digital justice. ODR has the potential to strip off the costs of travel and of scheduling, but it may also imply the exclusion of users who have low connectivity, low literacy level, disability, language barrier or have less access to devices. Studies of online courts have indicated that both procedural fairness and access are necessary to supervise online proceedings, as well as that procedural accessibility might be of special interests to lower-income users (Denvir and Selvarajah, 2022; Mentovich et al., 2023). In the case of Pakistan, it means multilingual design, mobile interfaces, the low bandwidth-enabled operations, asynchronous messaging, voice-assisted features, the availability of forms and ease of filing by the use of consumer facilitation centers or e-khidmat-like service points.

As well is power imbalance. Marketplace or repeat seller is more informed about the marketplace, has more legal experience and has superior bargaining power compared to an individual consumer. The ODR system must thus offer issue-prompts that are systematized, a common menu of remedies, automatic retrieval of the evidence of transactions that is stored on the platform and neutral selection rule. Interfaces should not in any way force users into settling down. The user should know when an algorithm has generated a proposal, whether or not accepting the proposal will waive the rights and what are the alternatives of escalation. Accessibility and procedural justice are inseparable in this regard: a court system that pressurizes weaker side under a systematic way in which opaque settlements are forced cannot be considered a justice system.

Table 2. Cross-border e-commerce ODR challenge–response matrix

Problem	Justice risk	Proposed regulatory response
Foreign forum / choice-of-law clauses	Low-value rights become practically unenforceable.	Non-waivable access to Pakistani ODR for qualifying B2C claims; post-dispute choice preserved.
Platform-controlled evidence	Information asymmetry and selective disclosure.	Record-retention duties, structured disclosure, audit logs and challenge rights.

Foreign enforcement cost	A successful claim may still yield no remedy.	Platform/payment implementation, simplified certification and reciprocal arrangements.
Privacy and cyber risk	Identity/payment data may be exposed or misused.	Data minimisation, encryption, access control, incident response, retention limits and security audits.
AI opacity / bias	Automated tools can distort settlement or determination.	Risk-tiering, disclosure, testing, explainability and mandatory human review for rights-affecting outputs.
Digital divide / language	Remote procedure can exclude low-income, rural, disabled or low-literacy users.	Mobile-first, low-bandwidth, multilingual, accessible and assisted-channel design.
Merchant non-participation	Portal becomes a dead-end referral layer.	Mandatory response deadlines, default escalation, marketplace enforcement and compliance reporting.

5. Comparative Lessons for Pakistan

A comparative analysis can be employed provided that a lesson is functional but not imitative. The 2022 ODR Guidelines of ASEAN are pertinent in particular as they were created to address various legal systems of the developing countries and the middle class and are dedicated to national ODR systems in consumer e-commerce. They deal with system design, interoperability, data security and privacy, legal procedure and regional cooperation. The ASEAN paradigm has been arguing in favor of a two-tiered approach to Pakistan, to create a credible domestic ODR node initially, but construct its information and procedural infrastructure in such a manner that it eventually will be able to interface with foreign consumer-redress institutions (ASEAN Secretariat, 2022).

The NITI Aayog ODR Policy Plan of India brings about an ecosystem perspective. It considers ODR as being a relationship between courts, regulators, personal service providers, technology standards, law services and computer education. This is significant to Pakistan since a monolith entirely constructed by the state might not be fast to ascent or a pure monolith of all private might cause conflict of interests and disproportionate quality. A more realistic institutional compromise is an governed public gateway that is linked to approved public and private ODR providers (NITI Aayog, 2021). The recent Indian cross-border consumer ODR is a similar treatment focusing on low-cost processes, dedicated platform and international harmonization (Patel et al., 2026).

The internet courts in China show how integrated digital filing, digital evidence and the handling of cases can be useful but this also indicates why digital justice must remain parties-oriented. When it comes to fairness and access issues and efficiency benefits, both Sung (2020) and Wang (2024) list them. Pakistan is thus advised not to implement the definition of success in terms of case throughput only. Measures should cover user understanding, voluntariness of settlement, compliance with outcome, access, reversal rates and income, gender, geography, and disability distributional effects.

The lessons to be learned are especially negative with the European Union. In 2025, its main ODR platform was shut down. The EU regulation 2024/3228 documented that, although there are two to three million visitors every year, a small number of them complained (only a minority); complained responses only a short 2 per cent, showed an immediate trader response to the complaint, allowing a referral to an

ADR entity; and that only around 200 cases were referred each year. The moral of the story is not that ODR is dead. A portal which lacks a proper trader involvement and built-in resolution ability may end up being a referral layer that has a weak conversion ability. Pakistan ought to consider both requiring participation by covered-platforms and enforcing a deadline by which they must respond and should not depend on voluntary trader consent during the gateway phase, but instead by tying the outcomes of such participation to both platform enforcement and default escalation (European Union, 2024; Riepin, 2024). Lastly, international instruments ought to be employed sparingly. Notified enforcement of qualifying (mediated) settlements can be enhanced by the Singapore Convention since Pakistan is a signatory to it and has adopted it. The laws of the digital-identity model and automated-contracting model provided by UNCITRAL are capable of guiding the model of authentication and evidence. The publication by UNCTAD highlights the connection between the redress and consumer confidence. These sources combine in favor of one that is internationally interoperable, without compromising domestic consumer-protection policy (UNCTAD, 2021; UNCITRAL, 2022, 2024, 2025).

Table 3: Comparative ODR design lessons relevant to Pakistan

Model	Transferable lesson	Caution for Pakistan
ASEAN ODR Guidelines (2022)	National consumer ODR linked to interoperability, privacy/security and regional cooperation.	Build national capacity first, but adopt common data standards from the outset.
India – NITI Aayog ODR Policy Plan (2021)	Ecosystem approach: state, private providers, standards, institutions and digital literacy.	Avoid either a state monopoly or an unregulated private-provider market.
China – internet / online courts	Integrated digital filing, evidence and online case processing can reduce transaction costs.	Efficiency must not override due process, accessibility or meaningful participation.
EU ODR platform – discontinued 2025	A single entry point can raise visibility across borders.	Voluntary trader engagement created very low case conversion; portal design alone is insufficient.
Singapore Convention on Mediation	Cross-border enforceability can strengthen mediated settlements.	Requires domestic implementation and ratification; does not replace consumer-specific procedural safeguards.
UNCITRAL MLIT 2022 / MLAC 2024	Technology-neutral models for digital identity, trust services and automated contracting.	Adopt functional principles without overengineering ordinary low-value claims.

6. Proposed Digital Consumer Justice Framework for Pakistan

6.1 Legislative Foundation and Scope

Pakistan ought to implement an independent chapter of Digital Consumer Dispute Resolution in either a consolidated e-commerce law or e-commerce in a separate ODR Act that is aligned with the federal and provincial consumer laws. The legislation must specify covered e-commerce transactions, consumers, merchants, online marketplace, payment intermediaries, online dispute resolution providers and intercountry claims. The latter must create minimum non-waivable protections over consumers and make

sure that an attempt at establishing a pre-dispute foreign-forum or arbitration arrangement does not leave a Pakistani consumer unable to access the national ODR process through qualifying low- and medium-value claims. Business-to-business conflicts might dig more remains autonomy-based.

Due to the institutional decentralization of consumer protection, federal laws are supposed to be crafted via cooperative federalism as opposed to trying to supplant provincial consumer regimes. An intake, cross-border coordination and platform regulation can be done by a federal digital-commerce gateway and the claims can be determined by provincial consumer accredited bodies or specialist neutrals under the harmonized procedural standards. Policy would be spearheaded by the Ministry of Commerce; the integration of procedures would be facilitated by the Ministry of Law and Justice; consumer fora would be connected by the relevant provincial departments; SBP would provide governance of payment-remedy interfaces; and the national digital-governance architecture as set forth by the Digital Nation Pakistan Act should support identity and interoperability.

6.2 A National ODR Gateway with Tiered Resolution

It should be a core made of a National Digital Consumer Justice Gateway. It is not itself to decide all the disputes. Rather, it ought to furnish one front door, auto check-verify of merchant and transaction data, seize the remedy requested, access platform records with user approval and take the case, in a typical process. Stage 1: internal resolution: the merchant / platform is given a formulated complaint and a limited deadline. Facilitation of stage 2 must be by proposed stage negotiation, which is reinforced by the customary proposing and algorithmic communication. Human online mediation should be on stage 3. Stage 4 ought to be a binding or subject to review specialist determination of eligible claims. Stage 5 is to couple the outcome with platform/payment application or simplified court certification.

Figure 2. Proposed end-to-end ODR workflow for qualifying digital consumer claims

1 COMPLAINT INTAKE

Single mobile/web gateway; identity and transaction verification; plain-language issue classification.



2 MERCHANT / PLATFORM REDRESS

Structured notice; short response deadline; automatic retrieval of relevant order, payment and delivery records.



3 FACILITATED NEGOTIATION

Asynchronous communication; standard remedy options; transparent settlement support.



4 HUMAN ONLINE MEDIATION

Accredited neutral; multilingual/video or text channels; confidentiality and informed consent safeguards.



5 SPECIALIST DETERMINATION

For eligible unresolved claims: reasoned, reviewable determination with due-process protections.



6 REMEDY IMPLEMENTATION

Refund / replacement / account correction / escrow release / platform sanction / payment action where legally authorised.

7 REVIEW OR COURT ESCALATION

Narrow legal review; urgent or complex matters routed to courts or appropriate specialist forum.

Design principle: digital first, not digital only. The workflow should support assisted filing and offline/telephone help for users who cannot complete an end-to-end digital process.

This structure has integrated user-friendly modularity, which has been promoted in ODR scholarship. According to Zeleznikow (2021), case management, triage, advice, communication, decision support and drafting are distinct elements that are part of intelligent ODR. They can be phased out in Pakistan. The system ought to start with using human neutrals, and where data prove accuracy and fairness add automation. Time limits, cost, consequences and escalation rights to be shown in clear Urdu and English should be shown in every stage; the major regional languages should have the capacity.

6.3 Mandatory Platform Duties and Remedy-by-Design

Marketplaces should also be controlled by the framework since it is the only means that it can stop and eliminate conflicts. The covered platforms are to check the identity of the seller in proportion, to reveal the person the contracting party, maintain records of the transaction, have an open complaint mechanism, respond to the notice of the gateway and provide appropriate records, and suspend repeat offenders of fraud and to apply final refunds or other methods that can be controlled by the platform. These requirements would turn the aspiration to provide customer-support in the 2019 E-Commerce Policy into legal requirements. Other current Pakistani legal analyses of e-commerce also find a lack of platform liability, digital consumer remedies and ODR (Warraich et al., 2024; Khan and Lehri, 2025; Shahid et al., 2026).

Part of the enforcement problem can be resolved, in the case of the cross-border sellers, by participation in the platform enabling conditional market access. A foreign platform that is proactive in supplying goods or services to Pakistani consumers must have a digital service contact, and must accept gateway notices. In cases where the platform is in charge of funding a settlement, an escrow or temporary freeze system can store the value of a controversial deal temporarily, under a robust protection against malicious complaints. This is better than compelling the consumers to go to foreign enforcement and the seller gets the money already.

6.4 Procedural Fairness, Independence and Review

There should be a limit to speed by due process. Parties are supposed to be notified, provided with an effective opportunity of response, accessibility to the evidence under consideration, rationale of binding outcomes and transparent procedure of neutral selection. Mediators and adjudicators have to qualify as accredited and comply with competence and conflict-of-interest requirements. When claims are of low value, the mechanism may be mostly asynchronous and document-based though either one may demand live interaction when either party finds it credible or complex. The decisions made must be differentiated to either settlement, expert determination, arbitral award and administrative/consumer determination in order to have a clear route of enforcement.

The review ought to be restricted to maintain proportionality but at the same time genuine to safeguard legality. A party may request the review of parties who lack jurisdiction or who did not get a fair chance to be heard, defrauds, gross procedural irregularities, blatant conflict of interest or incongruity with mandatory law/public policy. Anonymous aggregate decisions should be published by the system as well or summaries posted on recurrent issues. ODR is not supposed to be the black box which does not allow developing consumer norms.

6.5 Data Governance and Responsible Automation

The legislation ought to incorporate its own interim data-protection timeframe until extensive national data-protection law comes into effect. It must give purpose that is lawful, minimization of data, retention terms, access, notification of breaches, cross-border transfer, entitlement of access/correction by the user and secure deletion. ODR providers are required to be audited in independence by security and platform-to-gateway interfaces are only required to transfer only needed data to use a case. These measures translate the security principles that Abedi et al. (2019) outline into practice and align with the need of ASEAN to consider privacy and information-security issues (ASEAN Secretariat, 2022).

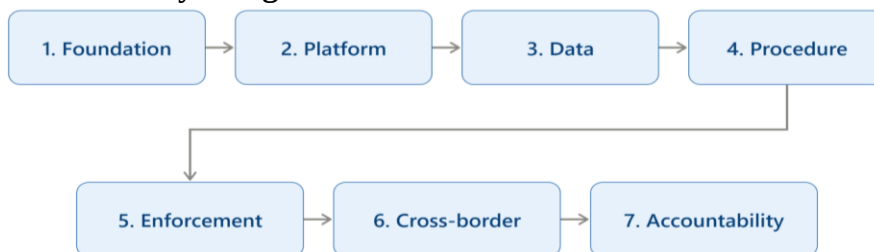
The use of AI governance must be risk-based. algorithms Automated intake, translation and scheduling could be running automatically provided that performance is tracked. Settlement proposals ought to be well marked as well as avoiding exploitation of the user vulnerability and behavioural information that has not been disclosed. Any computer program that can prove materially to a binding result must be recorded, audit-able and must be reviewed by human. This should not require providers to reveal any trade secrets which are unrelated to accountability by publishing model-purpose statements, error metrics and bias-testing summaries. Algorithms should not rule legal rights where they are unable to give a contestable reason.

6.6 Inclusion, Assistance and Cross-Border Interoperability

Digital inclusion is to be considered as service imperative. They should have the gateway to support low-cost smartphones and slow connections; be able to compress documents and to write offline; have voice prompts; meet disability-accessibility standards; and provide assisted filing by using specified facilitation centers. The fact that you cannot upload a big PDF or engage in a during-the-whole-hearing-video-conference should not deny the users their claim. It is this channel plurality that has been supported by online-court research and is especially relevant in a country where there is material urban-rural and income-based connectivity variations (Denvir and Selvarajah, 2022).

To achieve cross-border interoperability, the adoption of standard case-data fields by Pakistan, secure APIs and common status codes, need to be compatible with the emerging regional ODR practice. The cooperation agreements might start with the leading commercial partners and platforms instead of postponing to harmonize all sides. The gateway also must accommodate digital service of notices wherein the foreign merchant has agreed by participating in the platform. In the long run, mutual acceptance of the mediated settlements and low-valued determinations can be negotiated. The signature of the 2025 signature of the Singapore Convention would provide a policy signal to Pakistan in favor of cross-border mediated settlement, which should be implemented with a review on the implementation followed by ratification to align domestic procedure, reservations and enforcement (UNCITRAL, 2025; Mushtaq & Mushtaq, 2026).

Figure 3. Seven-layer Digital Consumer Justice Framework for Pakistan



Authors self-generated flow chart

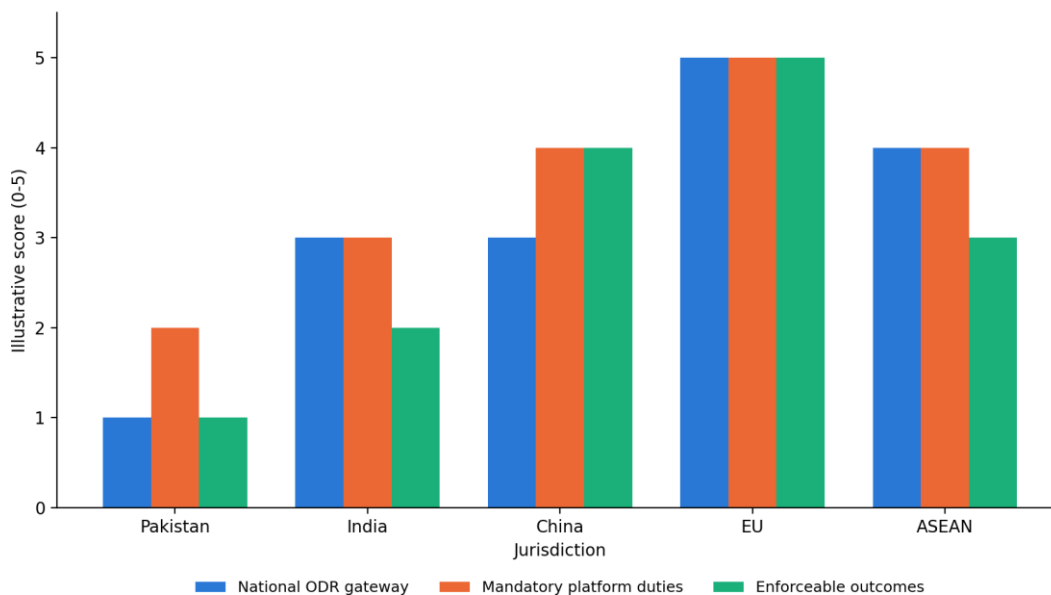
6.7 Governance, Accreditation and Institutional Independence

The software is not as significant as the institutional question. There should be an open national gateway with a publicly answerable body though the state should not utilize all the mediators, adjudicators or technical service providers. Pakistan: should establish an ODR Governance Board including members of the Ministry of Commerce, the Ministry of Law and Justice, provincial consumer bodies, SBP, the digital-governance agencies, certified neutrals, or consumer agencies, disability/accessibility skills and the e-commerce industry. Procedure-making, accreditation of providers, technical standards, audit requirement, complaining with ODR providers, and publishing performance data should be included in its functions. Nonetheless, the decision-making of operational cases should not be dependent on ministries and commercial platforms.

It should be functional accreditation as opposed to symbolic. Providers are expected to show systems are secure, neutrals are competent, conflict checks are performed, there is continuity in service, service providers have public access to their interfaces, fees are transparent, records kept and the case can be exported to review or be enforced on. The same audit trail and incident-reporting requirements should apply to technology vendors that offer tools assisted by AI to perform triage or settlement where their systems have a material impact on the outcomes of disputes. Rayón Ballesteros and Gonzáz Avila (2024) highlight the integration of both legal and technical design to ODR platforms, and Vilalta Nicuesa and Gili Saldaña (2025) demonstrate why AI-assisted dispute resolution needs variscites governance based on the risk and autonomy. Accreditation should thus look into professional ethics as well as system architecture.

Independence, too, must be safeguarded in terms of funding. Filing basic consumer should be free or nominal. One possible implementation of a sustainable model would be to fund the gateway and inclusion services publicly, and to set platform fees or case fees based upon the volume of transactions, but not to allow the paying platform to choose which platform to engage in a single dispute. Public should be fee schedules it uses and procurement contracts. The regulator is to post the overall information on the performance of the providers and terminate the providers which infractions of time limits, security demands or conflict regulations are repeatedly observed. This framework provides Pakistan with a scaling capacity by privately regulated expertise devoid of transforming the customer justice into the platform-oriented customer care.

Illustrative comparative scoring of ODR framework components (0-5 scale)



Lastly, institutional learning should be in place in the system. Anonymized complaint taxonomy and result data can expose the number of times a misleading listing, failure to deliver, unauthorized charges and unfair terms were done. Such patterns must be subjected back to consumer regulators, competition, SBP and platforms. ODR would then realize a market-governance role, as well as a case-resolution role: personal grievances would be a warning of systemic prevention of the case, and the privacy protection would ensure that the dataset does not turn into a surveillance tool.

7. Implementation Roadmap and Evaluation

The process should be rolled out over time. Within a year twelve, government ought to have gotten in place its legal taskforce, issued ODR procedural regulations and information requirements, certified first time providers, and set up a pilot on domestic marketplace disputes and chosen cross-border claims. The second stage ought to incorporate significant online stores and payment systems, promote the automation of the transmission of data on transactions, and increase assisted-access points. A third step should contribute the mutual arrangements with foreign consumer bodies and have the enforcement mechanism in place in the case of mediated settlements following any Singapore Convention ratification. Staged approach helps to minimize the risk of developing a technically ambitious platform, when legal duties and institutional motivation are resolved.

Testing must be objective and on-going. Indicators to consider are: percent resolved at stage; median time to resolve, costs per case, merchant response rate, compliance with results, repeat-seller misconduct, user understanding, accessibility completion rates, security events, human-review rates on automated results, and distributional results. Merchant engagement is a key important measure which is reflected in the EU experience: and the number of visitors is not a measurement of justice served. Publication of system performance should also be anonymous and there ought to be a statutory review after three years and every year an audit should be conducted (European Union, 2024).

The structure must also maintain an access to courts. ODR makes sense when it needs to be able to expand the choice and effective remedies, not when it is formed to be a digital barrier of judiciary defense. Maybe under court will be urgent injunctions, complicated fraud, representative litigation, high-level legal issues and disagreements that need to be settled by authoritative precedents. The gateway must thus also act as a triage institution which can further refer a case outside the jurisdiction borders of the institution.

Table 4. Phased implementation roadmap and performance indicators

Phase	Priority actions	Indicative KPIs
Phase I: 0–12 months	Enact/issue ODR rules; establish governance board; build gateway MVP; accredit neutrals/providers; pilot with major domestic platforms.	Merchant response rate; median resolution time; Stage-1 settlement rate; assisted-access completion; system uptime.
Phase II: 12–24 months	Integrate payment providers and platform APIs; expand provincial nodes; introduce structured mediation and specialist determinations; security certification.	Outcome compliance; mediation conversion; cost per case; data/security incidents; user comprehension and satisfaction.
Phase III: 24–36 months	Cross-border cooperation protocols; reciprocal links; Singapore Convention implementation after ratification; publish anonymised decision summaries.	Cross-border resolution rate; foreign-merchant response; enforceability/compliance; reversal/review rate; repeat-misconduct reduction.

Continuous	Annual independent audit; algorithmic impact reviews; accessibility testing; public dashboard; three-year statutory review.	Equity by region/income/gender/disability; human-review rates; complaint recurrence; audit findings closed on time.
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Authors self-gathered data

8. Conclusion

The issue of cross-border e-commerce in Pakistan is not that there is no legal rule in some area, it is rather lack of a recognition remedial architecture that transforms the rules in timely and cost-efficient results. If the current system, spreads pertinent functions among electronic-transactions law, cybercrime law, and regulation of payment, provincial consumer protection, ADR, and enforcement of arbitration and emergent digital-governance activities. It is particularly harmful as such breakup of cross-border, low-value claims since consumers are unable to traverse among various institutions and pursue lawsuits in overseas jurisdictions to assert their habitual claims.

A plausible answer is thus formal as opposed to nominal. To establish an effective Digital Consumer Justice Framework, Pakistan can establish in which a national ODR gateway serves as a single point of entry; the platforms along with the payment intermediaries have specific participation and evidence responsibilities; complaints proceed through structured negotiation, mediation and specialist determination; results related to the practical enforcement and cybersecurity, privacy, human oversight and assisted access are structural design considerations. There exists promise as well as failure modes of ODR as can be seen through comparative experience. The notion of interoperability and national consumer ODR is demonstrated by ASEAN; the idea of ecosystem design is promoted by India, yet the due-process risks involved with a voluntary referral portal are demonstrated by China; the lack of proper trader interaction prevents the EU ODR platform to do its job well, although it is well-known.

The greatest policy change is conceptual: ODR could and must be viewed as digital justice infrastructure, rather than ADR through video conferencing. Provided that Pakistan entwines remedy-by-design into e-commerce regulation, embodies technology importunately, and connects digital procedure to enforceable results, ODR can enhance consumer trust and boost SMEs and cross-border commerce, as well as close the divide between official legal rights and applicable justice.

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