

Project Level Complaint Management and Dispute Resolution Mechanisms: An Essential Element of Effective Governance

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Introduction and Summary

There is a considerable and growing view that project-level *complaint management* and *dispute resolution mechanisms* can contribute to successful management of major natural resource projects in developing countries. It is time to start testing that idea.

It is only to be expected that large, complex projects may generate a variety of disputes, ranging from challenges by competing parties to title to resources to impacts of truck traffic on local residents. A key element of effective governance is availability of systems by which parties with differing views can reach relatively speedy, efficient and impartial resolution of disputes in a way that is generally accepted as fair -- resolution with some sense of justice and finality.

Where this key element of governance is missing -- as it is in some rural areas of developing countries -- projects and the people affected by them, including their sponsors, are subject to increased risks of undesirable outcomes.

The existence of some forum in which problems can be solved with some finality is an important self-correcting mechanism that keeps projects from getting too far off track.

Several recent studies concur strongly in this view.¹ Assessment of local dispute resolution mechanisms and, where advisable, creating supplementary avenues of dispute resolution, is repeatedly being proposed as a way around some of the obstacles of developing commercially successful projects in a sustainable development framework.

The purpose of this paper are three:

¹ Creation of project level dispute resolution mechanisms is one of the most prominent recommendations coming out of the Mining Minerals and Sustainable Development Project. The final report of that project, *Breaking New Ground*, outlines the potential role of such mechanisms and proposes their creation. See pages 359, 368, and 400. Creation of such mechanisms is also the lead recommendation of the very recently completed *BEYOND COMPLIANCE? AN EXTERNAL REVIEW TEAM REPORT ON THE COMPLIANCE ADVISOR/OMBUDSMAN OFFICE OF IFC AND MIGA* (July 24, 2003), page v. The recently released final report of the report of the World Bank Extractive Industries Review, *STRIKING A BETTER BALANCE*, makes such a recommendation repeatedly and specifically urges the Bank to assure that there is an effective local complaints and dispute resolution system in place in affected communities where the World Bank Group is supporting an extractive project. www.eireview.org.

- To present some specifics about what such mechanisms are and how they might be put into practice;
- To identify key research and background work that must be done to answer outstanding questions and maximize the chances that any pilot efforts to establish such mechanisms will be successful; and
- To outline the steps that would have to be taken to establish one or more such pilot projects.

Conceptually a *complaints or grievance mechanism* is distinct from a *dispute resolution mechanism*. The former is internal to a company or other organization. It is simply a formalized way in which the organization assures that complaints of third parties about company activities reach the people inside the organization capable of responding to them, and that they are dealt with promptly, consistently, in a way that conforms to the organization's policies. The purpose is to respond to such complaints in a way that reduces rather than increases risk of future conflict.

Dispute resolution mechanisms by contrast are managed by a party external to the company, generally someone who is considered by most of those potentially involved as neutral and capable of impartial decisions. Examples might include judges in a well-functioning court system, mutually selected arbitrators, or some kinds of traditional authorities.

There is an almost infinite number of variations of dispute resolution mechanisms. And there is no reason to regard complaint management and creation of dispute resolution systems as alternative approaches. Indeed, they may well complement each other and function best when they coexist in a coordinated way.

Since a key objective is to strengthen rather than supplant the existing legal system or other dispute resolution mechanisms, a first step in establishing such mechanisms must be an *assessment* of the existing ways disputes can be resolved, evaluating them against a reasonable and objective set of criteria.

The second step may be to focus on the types of disputes that the existing systems may be unable to resolve efficiently and fairly, and identify the kinds of disputes any new mechanism should focus on resolving.

Once it is clear what kind of disputes are likely to arise for which there currently is no adequate forum, work in the community, almost certainly best done through some neutral facilitator, can bring the principal local parties together to seek some consensus on how the defined category of problems will be resolved during the project life.

This agreement can be embodied in a contractual agreement for arbitration or mediation, given recognition by local legal systems, or otherwise be formalized as appropriate.

It is time to examine the practicalities of establishing such mechanisms, and the benefits that might accrue to all parties if they can be implemented successfully.

1. The Need for Accepted, Fair Means of Dispute Resolution

Without effective governance, there is relatively little foreign direct investment in the natural resource industries. International finance institutions are simply not willing to risk large amounts of capital in fixed, immobile physical assets in regions where basic law and order are not present. Nor is there likely to be substantial foreign direct investment where assets are subject to nationalization, or arbitrary action by government authorities that deprives investors of the value of their investment. Should these things occur, it is vital to investors that they have some effective forum in which to bring complaints for redress.

In many areas of the world, investors do not believe that national court systems can effectively fill this role. Building adequate investor confidence requires something beyond national courts to turn to when there is a dispute with the host country.

Concerns with the local court systems range from lack of confidence in their impartiality, fears that they are subject to political influence or corruption, failure to follow procedures that meet internationally recognized standards of due process, lack of training of judges, or lack of written standards of procedure, to backlogs of cases that will prevent a case from being heard for many years, even decades.

Investors therefore have largely eschewed trusting their important interests to local court systems, and have insisted, as a condition of their investment, on the creation of independent arbitration mechanisms. The growing body of law and experience in arbitrating disputes between foreign investors and host governments has created a sense of confidence that has been an important element in increasing the flow of private investment to developing countries. See the Washington Convention and other similar agreements.

This investment, particularly in large natural resource projects in remote rural areas, is a powerful agent of change. It affects many people in dramatic ways. In some cases, it may result in damage to the economic or other interests of local people, failure to receive prompt and fair compensation for private property taken for project purposes, accidents resulting in personal injury, or the like.

Reports of conditions at project sites all too frequently indicate that local people have no idea to whom to take these problems for resolution. They often have local traditional dispute resolution mechanisms, but project developers generally may not even know these exist, and are rarely willing to subject themselves to their process or decisions. And to local people, the project developer may be no more than a blur of different faces. See the following table, from *Breaking New Ground*.

Table 6-1. The Face of the Company in the Community²		
Year	Phase	Principal Contact Person
1	Exploration	Junior company exploration manager
2	Development drilling	Foreman for drilling contractor
3	Feasibility studies	Transportation, water resources, environmental, social, and various other consultants
4	Permitting	Consulting firm in charge of permitting
5–6	Construction	Foremen of various construction contractors
6–20	Operation	Six different project managers who work for three different companies as the mine changes ownership
21	Closure	Environmental consultants

It is all too often true that most people in communities impacted by projects are not even clear who to take a problem to. And the anecdotal information is replete with stories of promises made by one manager but not kept by others, confusion as to who has the responsibility for what kinds of problems, traditions of deference to authority making people hesitant to raise problems, repeated assurances that things were being looked after with no decision ever forthcoming, or lower-level managers blocking information about complaints from reaching higher levels.

Local frustration over the inability to get clear company action to deal even with relatively minor and easy to fix problems can lead to an undesirable breakdown in the relationship with the local community that stand in the way of achieving the full development benefits of projects, and put the investment at risk. Avoiding these problems is the fundamental rationale for companies having *complaint management systems*, and for investors to ensure that they do. Even such very basic steps as clear identification to the community of where to take complaints,³ or internal mechanisms designed to ensure

² From *Breaking New Ground*, Chapter 6 at 127.

³ “Communities do not relate to the company as an institution nearly so much as they do to company representatives as individuals. Their relationship is a personal one, which does not automatically transfer to the next person in line. People in the corporate world are so used to the people they deal with being rotated in and out of positions that they often fail to appreciate the extent to which the rest of the world does not work this way.” *Breaking New Ground* Chapter 6 at 127.

that complaints are responded to in some finite period may be major steps forward in risk reduction.

But even the best complaint management system will not resolve all problems. There are times when getting a resolution that has some finality because the process that led to it is regarded as fair requires the presence of a neutral third party, either in some sort of mediator/conciliator role, or ultimately in the role of decisionmaker if the parties cannot agree.

At this stage, the forum local interests have to get a decision on their complaints may be precisely that forum that investors did not want to entrust their own interests to –local court systems. Local people may have reservations about these systems that are very similar to those that led investors to create private arbitration mechanisms: lack of confidence in their impartiality, fears that they are subject to political influence or corruption, failure to follow procedures that meet internationally recognized standards of due process, lack of training of judges, or lack of written standards of procedure, to backlogs of cases that will prevent a case from being heard for many years, even decades.

In essence, all that recent studies are recommending is that the same kinds of solutions that have helped to ensure fair resolution of the potential complaints of investors be employed to create fair vehicles for resolving the complaints of other parties to the development process at the local level. Where assessment shows that local court systems – or other traditional ways of solving problems – are not adequate, some kind of supplementary *dispute resolution system*, for use in at least some types of potential disputes, may be in everyone’s interest.

Research Focus 1. What does the law and experience in creating dispute management systems for resolution of investor disputes with host countries teach that is relevant to creation of dispute resolution mechanisms at the project level?

2. What are the studies recommending?

This is a synopsis of the key recommendations of three recent studies that pertain to local-level dispute resolution. The studies themselves present further background and rationale for these conclusions.

a. The Mining Minerals and Sustainable Development Project

The Mining Minerals and Sustainable Development Project was a 2 ½ year multistakeholder effort, sponsored by over 40 institutions including many of the world’s

leading minerals companies. It was managed by the International Institute for Environment and Development under contract to the World Business Council for Sustainable Development. It involved thousands of people from many countries in a process of participatory research, and generated a considerable number of publications, but its key findings and conclusions were set out in the project's final report, *Breaking New Ground*.

Recommendations for establishment of project level dispute resolution mechanisms surfaced in the MMSD process. A key regional recommendation was:

*"An effective suite of mechanisms for dispute resolution applicable at the project/operation level of the mining and minerals industry should be designed and implemented."*⁴

At the global level, the MMSD study concluded as follows:

*"When problems, disputes, and controversies arise, government should usually be turned to first. But where there is restricted access to justice, especially at the community level, or when existing mechanisms are inadequate or not trusted, it may be necessary to design dispute resolution mechanisms at the community level. The question of how to resolve disputes should be discussed and agreed at the earliest stage of negotiations; they should be part of the consultation process or the [Community Sustainable Development Plan]."*⁵

b. External Review Team of the Office of Compliance Advisor/Ombudsman

In April 2003 the Office of the Compliance Advisor/Ombudsman of the International Finance Corporation (IFC) and Multilateral Investment Guarantee Agency (MIGA) commissioned an independent three-person External Review Team to assess the effectiveness of the Office's functions and the their integration in a single office. The CAO's institutional framework and structure, its procedures, and the processes by which results are achieved were examined.

The Compliance Advisor/Ombudsman (CAO) Office of the International Finance Corporation (IFC) and the Multilateral Investment Guarantee Agency (MIGA) was created in 1999 in response to criticisms that these two institutions were not covered by the work of the World Bank's Inspection Panel. There was a widespread belief that all parts of the World Bank Group should have some sort of environmental and social accountability mechanism. The CAO was designed to work with those World Bank institutions financing and guaranteeing the private sector. The CAO was to be a more flexible, settlement-oriented, and problem-solving mechanism than the Inspection Panel.

The independent review of the CAO office has now been published.⁶ It makes a number of recommendations of which the first is:

⁴ *Breaking New Ground* at 368.

⁵ *Breaking New Ground* at 400.

⁶ It is available at <http://www.cao-ombudsman.org/ev.php>

*“Recommendation 1: The ERT recommends that the CAO support and encourage the provision of effective and credible conflict-resolution capacity, provided principally by others, in the design of IFC and MIGA projects where it is likely that conflicts will arise over the life of the project. We also believe that the CAO should carefully evaluate the willingness and ability to engage in productive problem solving of the senior management of any company where the CAO is involved in a problem-solving intervention.”*⁷

c. Extractive Industries Review

“The Extractive Industries Review was launched by the World Bank Group to discuss its future role in the extractive industries with concerned stakeholders. The aim of this independent review is to produce a set of recommendations that will guide involvement of the World Bank Group in the oil, gas and mining sectors. The discussion is taking place within the context of the World Bank Group's overall mission of poverty reduction and the promotion of sustainable development.”⁸

The Review will issue its final report by the end of 2003. In August it published a draft of its report on its website for comment. It currently has prepared an Advanced Draft that that is available on its website for comment through November 10.

Both of these drafts have strongly featured the importance of project-level dispute resolution mechanisms. The Advanced Draft calls for (1) development of a Safeguard Policy on availability of dispute resolution, (2) review of the availability of dispute resolution mechanisms in project assessment, and (3) “assuring that there is an effective local complaints and dispute resolution system in place in affected communities where the World Bank Group is supporting an extractive project.”⁹

The EIR particularly stresses the importance of local dispute resolution mechanisms in dealing with issues of compensation to local landowners and other affected parties:

*“No set of rules for compensation will ever be adequate if there is no fair, neutral, just and speedy forum for disputes to be resolved. The process of compensation will never be adequate without taking on board the need for access to impartial dispute resolution.”*¹⁰

3. Elements of a Complaints Mechanism

It seems very clearly in the interest of a company developing a natural resource project that it deal with complaints itself wherever possible, rather than have them in court systems, the international press, or a variety of other places they can be raised, where the

⁷ *BEYOND COMPLIANCE? AN EXTERNAL REVIEW TEAM REPORT ON THE COMPLIANCE ADVISOR/OMBUDSMAN OFFICE OF IFC AND MIGA* (July 24, 2003), page v.

⁸ <http://www.eireview.org/eir/eirhome.nsf/englishmainpage/about?Opendocument>

⁹ Advanced Draft Chapter 6 at 16.

¹⁰ *Id.* at 14.

risk level for the company is dramatically higher. Problems are often resolved much more easily, cheaply and efficiently when they are dealt with early and locally. Resolving complaints directly also means that outcomes can be consistent with project objectives and acceptable to the company as well as the complainant.

It would seem therefore that a company committed to good relations with the communities in which it operates would seek to have a complaints mechanism that was sufficiently attractive that very few people would have an incentive to seek to take problems elsewhere. Further, a good complaints system can serve as a barometer, to give management an early indication or brewing problems before the pressure builds to a level that engenders higher levels of risk.

Making definitive statements about best practice in company management of dispute resolution at the project level is premature. It would require literature review as well as making some effort to ‘ground truth’ the literature through study of the current practice of leading companies.

The World Bank Group, private lenders, insurers and others will likely be giving increasing scrutiny to whether there is some kind of formal complaints mechanism in place for projects they fund or insure. Elements of appropriate systems might include these:

- Identification of a readily accessible person at the local level to whom complaints or problems can be addressed, and publicizing that person’s role in the community;
- A requirement that the responsible manager log all complaints into a central register;
- Identification of the appropriate person in the company to whom each specific concern should be forwarded;
- A policy requiring a definitive response be made to complainants within a specified period of time and logged into the central complaints register; and
- Periodic review of complaints received and disposed of by a higher level of management.

It is unfortunately true that in a number of circumstances potential complainants are deterred by a fear that raising complaints will in some way lead to retribution, if not directly by multinational companies, then by their associates such as ‘local partners,’ contracted security forces, or company allies on government. In such cases the best way to make a complaints mechanism work may be to identify a trusted third party – a church, an aid organization or the like – and entrust it with the role of taking complaints to the company on behalf of local people with problems.

Research Focus 2. There should be a review of available information on company practice in managing complaints, and identification of examples of current best practice in leading companies.

4. Assessment of Available Local Dispute Resolution Mechanisms

Any functional society will have some form of accepted ways of resolving disputes. Providing some system of dispute resolution is a core governance function in any society.

There are perhaps three general categories of such systems:

- *Traditional* systems, based on clan, religious, or other cultural institutions,
- *Legal* systems, based on modern notions of public constitutional authority and law; and
- *Privately created* systems of dispute resolution, such as modern notions of mediation, arbitration, or conciliation.

In many places where natural resource developers operate, there may be elements of all three types of systems. Indeed, part of the problem of getting disputes resolved at the local level is that different parties may be focused on different types of dispute resolution. For example, local people may look primarily to traditional systems of dispute resolution, while multinational companies look to the legal system.

Companies generally assess the existing dispute resolution systems when they decide to make an investment. They do this to decide whether they need to create arbitration or other private systems to resolve any disputes with local partners and suppliers, the host government, or others. The investor is exposed to unnecessary and undefined risk where no one asks the question “*if anyone sues us, where would the suit be brought, and how does that system work?*”

What is being proposed is no more than some formalization of this process, somewhat greater articulation of the criteria to be used in the evaluation, and an orientation to seeing how such a system might work from the point of view of potential community level complainants.

- **Formalization** might consist simply of committing to paper an assessment of current and proposed mechanisms for solving disputes in the community. What are the *traditional* ways that community members resolve disputes *inter se*? Can any of these be adapted to solving some of the kinds of disputes that could arise during the project life? How well does the *legal system* function – not just in the national capital or big cities, but at the local level where the project is developed? Is this a plausible way that any disputes with local people could be resolved?

- **More explicit criteria.** A number of international organizations and aid agencies have developed criteria for assessing ‘rule of law’ or how well legal systems function. Many of these are oriented toward identifying key problems that can be addressed by increased attention to capacity building – training of judges, more adequate court budgets, more defined procedural rules, etc.¹¹ These criteria can and should be adapted for use in project assessment and evaluation.
- **Evaluation from multiple perspectives.** Companies are accustomed to evaluate some kinds of potential legal problems by assessing how and where any disputes would be brought for resolution. For example, considerable attention is typically given to the forum in which the host country would bring any complaints, or in which disputes between a multinational and its ‘local partner’ would be resolved. Essentially all that is needed is to ask these same questions from the perspective of the community: *‘if someone in the local community has a complaint against the company that cannot be resolved through the company complaints mechanism, where can that person go with the complaint to get a fair resolution?’*

If there is an obvious and positive answer, perhaps the assessment can simply end on this note. If the answer is that there is nowhere that the hypothetical frustrated complainant can go and get a ‘fair shake,’ the next question must be asked. *Is it possible to strengthen the existing legal or traditional systems, or create a private system, in some formal or informal agreement with the community, that will be accessible, and will provide fair results in which people have confidence.*

Research Focus 3. There needs to be a review of the criteria developed by international organizations, aid agencies and others for assessment of the quality of justice and access to justice. Simple criteria need to be elucidated for diagnosis of weaknesses.

This paper explicitly rejects the idea that companies are better off if the people who may be injured by their actions have nowhere to turn. It may be that in the past there have been situations in which local people who suffered economic or other losses as a result of company actions simply had no recourse. Some companies thus were successful in externalizing these costs of operations.

Today, most companies clearly do not think in those terms. Successful companies realize that trying to ‘put a lid’ on complaints is subject to a much different kind of risk calculus. It may still ‘succeed’ here or there in the short run. But what are sometimes relatively small savings to the company from such ‘successes’¹² have to be balanced against:

¹¹ One example is the CEELI Judicial Reform Index, <http://www.abanet.org/ceeli/publications/jri/home.html>

¹² There are anecdotal cases in which the issue has been as small (from the company’s perspective) as a lost sheep or goat, but has mushroomed into something much larger.

- The risk of enormous losses to company reputation and its status with lenders, investors, governments and others when the ‘lid’ blows off in international media coverage, NGO campaigns, actions in foreign courts, or other such outcomes; and
- The fact all company operations at the local level may henceforth be subject to a higher level of risk, since the company has lost the ‘benefit of the doubt’ or ‘reservoir of good will’ in the local community by being willing to confront arguably legitimate claims in a fair forum. No company wants a corps of aggrieved people looking for a chance to do it ill.

Research Focus 4. There must be an analysis of what is known about traditional dispute resolution mechanisms in rural areas of developing countries. The focus should be on techniques for identifying and understanding these systems, and any case studies where they have been useful in resolving disputes in the context of project development.

5. Filling the Void: Dispute Resolution Mechanisms That Are Trusted

Where there is not effective way to get a final resolution of a dispute in which the parties have confidence, there are alternatives. These include:

- Shareholder protests at annual meetings.
- Suits against companies in their home country courts.
- Pressure campaigns directed to international financial institutions or private lenders.
- Bring a complaint to the Compliance Advisor/Ombudsman of the International Finance Corporation/MIGA.
- Political campaigns designed to force restrictive legislation in local municipalities or provinces, or even national legislatures.
- Publicity campaigns designed to convince equity investors that their investment is subject to higher levels of risk.
- Product boycotts.

While these and similar tactics may sometimes be effective, they have a number of drawbacks.

One of these is that in the process, local people may lose ‘ownership’ of the dispute. In order to get the resources and contacts to make headway in international media, or the legal assistance to bring claims in distant fora, they must make alliances with other organizations that, however sympathetic, have somewhat different agendas. Local people may feel that in the process, the distant institutions that are now making some of the decisions do not understand or share all of their goals.

Another is lack of resources in the national and international NGOs that are key to the success of many of these kinds of tactics. Many of the NGOs that do this kind of necessary work are overwhelmed with complaints, and cannot deal effectively with all of the problems that are brought to them – even some of the ones that appear most meritorious.

A third problem is that it may marginalize the host country government – the action moves to decisions by distant banks, consumers, or international media. And the national government, to which the project may represent tax revenue, or opportunities for development, loses any effective way to have a say.

Companies may lack an effective forum in which to maintain their innocence. Campaigns are sometimes started more because companies appear vulnerable than because the problems complained of are truly serious or meritorious. Yet company attempts to ‘set the record straight’ seem often to have little effect. Campaigns go on, and the negative impression created in much of the public goes on even longer. There is nowhere to have some kind of ‘final’ hearing that resolves the matter.

Financial institutions in many cases do not have effective ways of coping with campaigns. They are unsure how to respond to them, what criteria to make decisions on, or when it is no longer in their interest to pursue a project.

Section 6 below presents some of the possible benefits to various actors from creating project-level dispute resolution mechanisms where assessment shows existing mechanisms to be lacking. The question is how to move forward to try to capture these benefits. At this stage all that should perhaps be suggested is some general principles as to how to proceed.

- **The first option should be to strengthen what is there.** Where assessment shows weaknesses in the existing legal system, there may be ways over time to repair these. It is also possible that existing traditional dispute resolution mechanisms can be adapted to deal with some kinds of problems.
- **The system does not have to reach every possible dispute.** For any number of reasons there may be benefits in creating a system that deals only with certain kinds of expectable disputes and does not extend to every possible problem. For example, it might deal only with compensation for land taken for the project, or only with crop and livestock losses. It is conceivable that experience with successful management of such a system would build the mutual confidence necessary to cope with resolving more complex and costly disputes should they at some point arise.
- **There are many options for such systems.** They can emphasize conciliation and mediation rather than adjudication. Or they may, like arbitration, be designed to reach binding results. They can be linked to the legal system, as with pre-

litigation mediation. They can be linked to traditional system by giving traditional authorities a major role in operating them.

- **Securing agreement to such a system at the outset** will in most circumstances require a number of things. These are likely to include using dispute resolution professional operating at some remove from the company to introduce the idea in the community and start a dialogue. A strong institutional reputation for neutrality and impartiality is likely another key element.

Research Focus 5. To what extent will home country courts faced with suits against multinational companies by members of communities in developing countries, give weight to (a) a pre-project assessment of the quality of dispute resolution mechanisms in the host country; and (b) the availability of private dispute resolution mechanisms designed to handle local complaints?

6. Benefits of Such a System

To recapitulate, the system that seems to be emerging has these basic elements:

- Companies that develop projects adopt somewhat more formalized *complaints mechanisms*, make clearer to outside parties how these work, and ensure that people in communities where the company works know how to use them.
- Project sponsors, on their own initiative or subject to guidance developed by lenders, conduct an *assessment of existing dispute resolution mechanisms* as part of the project assessment and approval process.
- Where the assessment shows a lack of effective ways for complaints brought by local people or institutions to be resolved, there should be some proposal for *supplementary dispute resolution mechanisms*, embodying some combination of adapting existing traditional systems, building capacity and strengthening the legal system, and/or creation of agreed private systems of mediation or arbitration.

Potential benefits to some of the principal actors of this kind of system might include these:

Party	Suggested Benefits
Local communities and people in them	Increased options for resolving disputes at the local level where local people can keep ‘ownership’ of the outcome
National and international nongovernmental organizations (NGOs)	Better avenues for redress of the people it is the mission of most NGOs to help. A reduction in the number of complaints that cannot be resolved locally, allowing NGOs to focus their resources on particularly intractable

	or precedent-setting problems
Host country governments	Keeping disputes local where values and priorities of the host country can be expressed more effectively; opportunities to get assistance in strengthening and improving legal systems
Companies	Orderly, fact-based resolutions that are more predictable and therefore allow more effective management of risks. An ability to bring problems to a more definitive conclusion with less potential damage to company reputation.
IFIs and other lending institutions	Reduced risk to the future of the project, and less likelihood that the lender will become the focus of campaigning

7. Developing One or More Pilot Projects

Perhaps the best way to evaluate the potential merits of improved systems for dispute resolution at the local level is to initiate one or more pilot projects to attempt to put these ideas into practice.

However, as this paper has shown, a number of key questions need to be answered before such a step is taken. Most of these questions seem to be answerable within a reasonably short time by a focused research effort.

The purpose of that effort should be twofold:

1. To answer in a practical way the specific research questions posed by this paper; and
2. To develop a model – most probably several alternative models – for pilot projects in sufficient detail that they can be presented to the institutions that are in a position to carry them forward.