

SUMMARY

In the context of the increasing complexity of commercial disputes and the limitations of the traditional judicial procedure - high costs, excessive duration and low accessibility -, this PhD thesis entitled: **COMMERCIAL DISPUTE RESOLUTION THROUGH ALTERNATIVE METHODS - A TOOL FOR IMPROVING BUSINESS EFFICIENCY** investigates the role of alternative dispute resolution (ADR) and online dispute resolution (ODR) as business efficiency tools. The general objective is to determine to what extent - and by which factors - alternative dispute resolution (ADR) and online dispute resolution (ODR) are more cost and time efficient than traditional litigation, and the specific objectives are to: compare the efficiency of direct negotiation versus litigation; assess the benefits of mediation and arbitration; analyze the economic implications of hybrid dispute resolution.

The methodology combines theoretical economic analysis (neoclassical and neo-institutional models) with descriptive-quantitative empirical research. In chapters 1-3, the SAL (negotiation, mediation, arbitration) and SOL (online negotiation, mediation and arbitration) techniques were defined and characterized, a comparative analysis of the international and European framework (Directive 2008/52/EC, Regulation 524/2013) was carried out, as well as an assessment of the dynamics of the use of these methods in the EEA area, based on statistical series. The empirical methodology (chapter 4) consisted of an online questionnaire administered between April and June 2024, with 328 valid responses from consumers and traders, analyzed by descriptive statistics, significance tests and regression models.

The main research findings are:

- *Cost and time efficiencies*: both consumers and traders rate the costs and time of ADR/SOL resolution significantly lower than court litigation.

- *Perception of success*: The perceived success rate of alternative methods is positively correlated with the level of awareness and the reduction of bureaucracy, which supports the introduction of mandatory mediation in certain types of disputes.

- *Degree of use*: analysis of the statistical series shows that, although ADR/SOL is on an upward trend at EU level, in Romania judicial proceedings remain dominant, due to lack of information and insufficient promotion of alternative methods.

In the conclusion section, the thesis reaffirms that ADR/SOL are viable tools for making business more efficient, generating savings in terms of money and time, reducing transaction

costs and having a positive impact on the parties' behavior (prevention, cooperation). On a practical level, it is recommended to strengthen the national regulatory framework by implementing mechanisms to inform and promote ADR/SOL, as well as to progressively make mediation compulsory in small and medium-sized commercial disputes.

This research makes a theoretical contribution to the economic analysis of law and a practical one through concrete proposals for public policies aimed at modernizing and streamlining the commercial dispute resolution system in Romania.