



**FORMATION AND DEVELOPMENT PROSPECTS OF THE “MEDIATION”  
INSTITUTION IN THE REPUBLIC OF UZBEKISTAN**

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ABSTRACT	KEYWORDS
<p>This article examines the formation and development of the mediation institution in the Republic of Uzbekistan and its future prospects. It analyzes the legal, institutional, and social foundations of mediation as an alternative dispute resolution mechanism in the country. The study highlights the importance of mediation in reducing the burden on judicial systems, improving access to justice, and promoting a culture of peaceful conflict resolution. It also explores the challenges facing the development of mediation practice in Uzbekistan, including limited public awareness, insufficient professional mediators, and the need for further legal improvement. The research concludes that strengthening mediation institutions will contribute to social stability, legal efficiency, and the development of civil society in Uzbekistan.</p>	<p>Mediation, Uzbekistan, dispute resolution, alternative dispute resolution (ADR), legal system, civil society, justice, conflict resolution, institutional development, legal reform.</p>

**Introduction**

The formation and development of the “Mediation” institution in the Republic of Uzbekistan is considered an integral part of the country’s modern legal system and the process of social modernization. The legal foundations of the mediation institution in Uzbekistan were established by the Law “On Mediation” adopted on July 3, 2018. This law formalized the mediation process and defined its role in society and within the judicial system. According to the law, mediation is used as a key mechanism for resolving disputes at the pre-trial stage.

“Currently, dispute resolution around the world has entered a new stage. Professionals involved in dispute resolution—mainly lawyers—are increasingly seeking alternative methods of settlement. In world jurisprudence, there are various forms of alternative dispute resolution, among which arbitration, mediation, negotiation, and expert opinions are proving more effective compared to other methods. Therefore, disputing parties, their representatives, and lawyers are increasingly using these alternative dispute resolution methods.”

**MATERIAL AND METHODS**

In Uzbekistan, the use of mediation is important for reducing the workload of courts. In particular, resolving family disputes, labor disputes, and small commercial disputes through mediation allows for

reducing court caseloads and offering more convenient solutions to the public. In this process, mediators act as independent and neutral persons, taking into account the interests of both parties.

In Uzbekistan, mediation can play an important role not only in reducing court cases but also in peacefully resolving various social issues. Through mediation, personal and family disputes, including divorce cases, inheritance disputes, and property issues, can be effectively resolved. This contributes to maintaining and strengthening social harmony in society.

“In our country, mediation models are still underdeveloped; therefore, disputes are generally resolved using traditional or mixed mediation methods. However, in countries that have implemented mediation systems earlier—such as Australia, the USA, and Singapore—the rights and obligations of mediation participants are defined according to the type of mediation used. For example, in med-arb (mediation-arbitration), if parties fail to voluntarily comply with the agreement, they agree in advance to the mandatory enforcement of the final decision, which becomes their obligation.”

The development of the mediation institution also depends on the training and professional development of mediators. In Uzbekistan, legislation and practice in this area are still in the formation stage, and special training courses and certification systems for mediators are being developed. In the future, training and professional development programs for mediators should be expanded, as their professional competence determines the success of the mediation process.

The mediation process can also be beneficial for the economy of Uzbekistan, as it improves the business environment by resolving disputes quickly and effectively. Resolving disputes between entrepreneurs through mediation before court proceedings ensures business stability, improves the commercial environment, and reduces costs.

The development prospects of the mediation institution in Uzbekistan can be supported in several key directions:

- Further improvement of legislation to recognize mediation as a more effective legal mechanism.
- Increasing public awareness about mediation and its advantages to build trust in its application.
- Developing training programs for mediators in line with international standards.
- Expanding the use of mediation not only in family and labor disputes but also in commercial and environmental disputes.

## **DISCUSSION AND RESULTS**

In Uzbekistan, the mediation institution is one of the emerging areas, and its development prospects are significant. It helps promote peaceful dispute resolution, reduce court workload, and ensure economic and social stability. The future success of mediation largely depends on the development of legal frameworks by the state and increasing public understanding of its advantages.

From a scientific and political perspective, analyzing the formation and development prospects of the mediation institution in Uzbekistan requires taking into account both legal and social factors influencing its development, as well as its role as an effective mechanism for resolving conflicts. The Law of the Republic of Uzbekistan “On Mediation” establishes and regulates its legal foundations, emphasizing voluntariness and confidentiality. Importantly, mediation can be applied in civil-law relations, including economic, labor, and family disputes, expanding its scope across various social relations. The legal structure of mediation in Uzbekistan includes methods and techniques used by mediators to assist parties in resolving disputes.

The emergence of mediation in Uzbekistan is taking place against the background of important socio-political changes. Political will to strengthen the rule of law and support alternative dispute resolution methods such as mediation plays an important role in the institutionalization of this mechanism. It should be noted that one of the goals of state policy is to reduce the burden on the judicial system, which makes mediation an important tool in this regard.

“Currently, scholars in legal and social sciences around the world have developed various doctrines for classifying mediation into different types. Some of these classifications are theoretical, while others have proven effective in practice. In the mediation process, a lawyer engaged in advocacy may act either as a representative protecting the rights and interests of one party, as in court proceedings, or as a mediator. These two different functions are reflected in the lawyer’s rights and duties. For example, when a lawyer signs a contract to provide legal services to one party in a dispute, they represent only that party’s interests. However, when acting as a mediator, the lawyer’s function changes, and they must consider the interests of both parties in resolving the dispute; otherwise, the principle of neutrality in mediation will be violated.”

Mediation technology in Uzbekistan requires a high level of professional competence from mediators. They must have knowledge in legal communication, analysis, and conflict management, which requires comprehensive training of specialists. The creation of educational programs and courses for mediators and the introduction of certification standards will be an important step in the development of this institution. Based on established practice, mediation is gradually being introduced into civil and economic relations in recent years. State programs may include measures to support entrepreneurs and individuals who use mediation in order to reduce litigation costs and improve access to mediation procedures in economic disputes.

The integration of mediation as a mandatory pre-trial stage in certain cases reduces the workload of courts and accelerates settlement processes. Taking into account Uzbekistan’s legal and cultural traditions, mediation can also be considered a means of maintaining social harmony. An important aspect in this regard is the use of mediation practices that help reduce social tensions in families and local communities and prevent the escalation of conflicts.

Political support for mediation should be based on scientific research analyzing the effectiveness of mediation procedures in various areas of public relations. In Uzbekistan, deeper studies and statistical data on mediation effectiveness are necessary to justify its expansion as one of the key institutions for dispute resolution in the national legal system. Thus, the mediation institution in Uzbekistan has significant development potential, but it requires additional efforts in institutionalization, legal regulation, and public awareness.

The analysis of the formation and development prospects of the mediation institution in the Republic of Uzbekistan from a scientific and political perspective is of great importance. Mediation is an alternative method of resolving disputes based on voluntary consent and can play a decisive role in the socio-political life of the country. The legal basis for mediation in Uzbekistan was established by the Law “On Mediation” adopted in 2018. This law enables the resolution of civil, economic, and family disputes with the assistance of a mediator. It defines procedures and establishes the rights and duties of mediators.

A mediation agreement can be concluded as part of a contract or as a separate agreement. These provisions strengthen the formal-legal basis of mediation and ensure its effectiveness.

From a social perspective, recognizing mediation as an alternative method of dispute resolution contributes to the effective settlement of various social problems. Mediation improves interpersonal relations in society and helps resolve conflicts more quickly and effectively. In the mediation process, parties freely express their views and seek mutually acceptable solutions. This process not only reduces the burden on the judicial system but also increases legal awareness among citizens.

In Uzbekistan, the system for training mediators has already been established. Mediators are trained at the Center for Advanced Training of Lawyers under the Ministry of Justice, where they complete special courses and receive professional certification. This training process plays an important role in the development of the mediation institution, as professional mediators must be highly qualified specialists. In the near future, the use of mediation is expected to expand and become more integrated with legal processes. In particular, the popularization of mediation in resolving economic and commercial disputes may speed up procedures and reduce the growing workload of the court system. To further develop mediation institutions, measures aimed at improving legal culture in the country are necessary. This can be achieved through educational programs aimed at increasing legal literacy and through mass media. In addition, state policy should expand opportunities for the use of mediation in order to promote its application. The mediation institution may occupy a strong position in the future of the Republic of Uzbekistan, serving as an important tool for resolving social problems, ensuring social stability, and improving legal culture.

The scientific and political analysis of the formation and development prospects of the mediation institute in the Republic of Uzbekistan is of significant importance. Mediation is a method of resolving disputes between two or more parties with the assistance of a mediator, based on the principles of voluntariness, equality, and confidentiality. In Uzbekistan, the mediation institute was formally established on a legal basis in 2019 and was introduced as a complementary mechanism to the judicial system.

The development prospects of the mediation institute in Uzbekistan can be analyzed in the following key directions:

The legal regulation of mediation activities in Uzbekistan began with the adoption of the relevant law in 2019. Currently, it is important to further improve legislation to expand the legal framework of mediation and increase its effectiveness. These laws are essential for strengthening issues such as the rights and responsibilities of mediators and ensuring transparency in mediation procedures.

The system of training professional mediators, educating them through specialized courses, and improving their qualifications should be further developed. In this process, ensuring the independence, impartiality, and high competence of mediators should be one of the main goals. In this regard, improving the registry of professional mediators is also of great importance.

It is also important to raise public awareness about the significance of mediation and to widely promote its advantages. In this process, the role of state bodies, non-governmental organizations, and mass media is significant. Engaging the public in mediation processes ensures its effective functioning as a complementary tool to the judicial system.

The development of mediation in Uzbekistan is also based on the spiritual and moral values of the Uzbek people. For example, values such as justice, mutual cooperation, and reconciliation support the mediation process. The ideas of the Jadid movement and its representatives—such as Abdurauf Fitrat and Abdulla Avloni—are also highly significant in this regard, as they promoted enlightenment and peaceful resolution of issues through mutual agreement.

Strengthening cooperation between state bodies and non-governmental organizations is essential for the effective development of the mediation institute. Such cooperation helps to ensure the wide application of mediation in society and enhances its role in effectively resolving disputes.

The formation and development of the mediation institute remain an important tool in improving justice and the legal system in Uzbekistan. Through its legal foundations, mediator training system, public awareness, and reliance on moral values, mediation can play a significant role in ensuring social stability and justice in the country.

A scientific and political analysis of the formation and development prospects of the mediation institute in the Republic of Uzbekistan shows that this institution has developed as a response to changes in national and international legal practices. The mediation tradition in Uzbekistan is based on ancient culture and customs, which have been preserved in the legal consciousness of the population for centuries.

The adoption of the Law “On Mediation” in 2018 marked an important step in the national legal system. This law established the legal framework of mediation and enabled its recognition as an alternative dispute resolution mechanism. Although mediation based on traditional customs is not new to society, its legal expansion and formal institutionalization were implemented in recent years.

The main advantages of mediation include:

While court proceedings require a long time, mediation allows disputes to be resolved more quickly. For example, in international practice, many mediation cases are completed within a single working day.

Confidentiality of all information related to the case is maintained during mediation, which is especially important for business and family disputes.

Mediation ensures voluntary agreement between the parties, reducing the complexity compared to court proceedings.

The development prospects of mediation are closely linked to expanding mediation institutions, improving the qualifications of mediators, and aligning their training with international standards. Uzbekistan’s steps in this direction are consistent with global experience. Countries such as Singapore, the United Kingdom, and India have successfully reduced court workload and resolved disputes more efficiently through mediation centers. Therefore, the future of mediation in Uzbekistan appears promising, and it may serve as an important tool not only for domestic disputes but also for international conflict resolution.

The development of the mediation institute in the Republic of Uzbekistan, from a scientific and political perspective, is considered an important element of the country’s modern legal and social reforms. In recent years, under the leadership of Shavkat Mirziyoyev, Uzbekistan has set a strategic direction toward establishing a stable and balanced system for dispute resolution, determined not only by internal socio-economic needs but also by international obligations.

In the context of strengthening market reforms, Uzbekistan faces the necessity of creating effective mechanisms capable of resolving disputes both at the level of economic entities and at the socio-political level. The market and private entrepreneurship are gradually becoming central elements of the national economy, which requires the development of legal instruments ensuring fair and efficient dispute resolution without excessive costs. Mediation, as both a process and an institution, reduces the burden on the judicial system and helps prevent lengthy court proceedings, which is especially important in the context of ongoing economic restructuring and liberalization. Moreover, socio-

political reforms aimed at strengthening civil society further increase the need for alternative dispute resolution mechanisms. The development of mediation is closely linked with strengthening the rule of law, increasing trust in the legal system, and fostering a culture of constructive conflict resolution.

The establishment of the mediation institute in Uzbekistan is directly connected to government reforms aimed at strengthening the rule of law and modernizing the judicial system. A key milestone was the adoption of the Law “On Mediation,” which provides the legal foundation for mediation technologies in Uzbekistan. This law creates conditions for developing a culture of peaceful dispute resolution and forms part of a broader strategy to build a more democratic and legal state.

From a political perspective, the development of mediation is also linked to Uzbekistan’s international obligations. The country’s membership in various international organizations such as the United Nations and the World Trade Organization, as well as its growing cooperation with other states, requires the existence of modern dispute resolution mechanisms that comply with international standards. In this regard, mediation serves as a flexible and effective tool for dispute resolution, which is emphasized within Uzbekistan’s foreign policy focused on peaceful conflict resolution and strengthening international stability.

The mediation institute in Uzbekistan is currently in an active stage of development. Its main prospects include several key directions:

The improvement of the legal framework is essential to expand the use of mediation in various spheres of life. In the future, the scope of disputes eligible for mediation may be broadened, and its application in mass media and public communication may be enhanced.

An important task is the training of specialists who possess not only legal knowledge but also conflict resolution skills. The state is already implementing educational programs and certification systems for mediators.

With the development of market relations, mediation may become an essential tool for resolving commercial disputes, including corporate governance, competition, and bankruptcy issues.

Mediation can also play a significant role in preventing and resolving social conflicts, which is especially important in the context of Uzbekistan’s multiethnic society.

Thus, the mediation institute is an important element of modernizing Uzbekistan’s legal and political system. It contributes not only to resolving economic and social disputes but also to strengthening the rule of law, the judicial system, and public trust in democratic institutions. In the future, the development of mediation may play a key role in both economic reforms and political stability, making it an important instrument of both domestic and foreign policy.

The formation and development prospects of the mediation institute in the Republic of Uzbekistan should be examined through the prism of social transformations, conflict-generating processes, and the transformation of political institutions. In the context of globalization and increasing information threats, mediation is becoming a key tool for managing social conflicts and enhancing societal stability. The intensification of social conflicts inevitably accompanies periods of active social transformation. Uzbekistan, having undergone the transition from the Soviet system to independence and subsequent reforms, has found itself at the intersection of traditional and modernization processes. These changes have affected all spheres of life, leading to an inevitable increase in conflicts both within society and between various state and private structures. In particular, the transition to a market economy, administrative reforms, and gradual democratization have created conditions for revising social norms

and institutional relations. New challenges have emerged that require innovative approaches such as mediation.

The introduction of the mediation institute in Uzbekistan has become part of a broader strategy for modernizing the legal system and reforming the judiciary. Mediation is recognized in national legislation as a method of dispute resolution and is being actively implemented in various areas such as the economy, labor relations, family law, and potentially even political disputes.

Several key factors contribute to the development of mediation in Uzbekistan:

In recent years, legal acts regulating mediation procedures have been adopted. Mediation is based on the principles of voluntariness, equality of parties, confidentiality, and mediator impartiality. It is officially recognized as an extrajudicial dispute resolution mechanism.

President Shavkat Mirziyoyev has repeatedly emphasized the importance of mediation as a tool for ensuring stability and preventing conflicts. Educational programs for training mediators are being implemented, contributing to the professional development of this field.

Economic transformation, urbanization, and migration processes in Uzbekistan are contributing to an increase in conflicts among different social groups. In this context, mediation serves as an alternative to court proceedings and helps reduce social tension.

## CONCLUSION

Mediation in Uzbekistan is on a path of active development, and its further progress is associated with increasing legal culture, state support, and the creation of conditions for professional mediator training. In the future, mediation may become a key component of the dispute resolution system, ensuring social peace, legal order, and stability.

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