



THE ROLE OF THE MEDIATION INSTITUTION IN RESOLVING BUSINESS DISPUTES IN UZBEKISTAN

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ABSTRACT

This article analyzes the role of the mediation institution in resolving business disputes in Uzbekistan, its legal foundations, and practical significance. It also highlights the advantages of mediation for business entities, its role in reducing the workload of courts, and its effectiveness in resolving economic disputes. The article further examines the place of mediation in economic proceedings and its practical application based on specific legal grounds and examples.

Introduction. In the context of a market economy, the number of disputes arising between business entities is steadily increasing. The expansion of economic relations, the growing complexity of contractual ties, and the development of entrepreneurial activity make the issue of prompt and effective dispute resolution highly relevant. Traditional court procedures often require significant time and may disrupt business relationships between individuals and legal entities. Therefore, there is a growing need for alternative dispute resolution methods, particularly mediation.

Main Part.

In Uzbekistan, mediation has been introduced as one of the alternative methods for resolving disputes outside the court system. The Law of the Republic of Uzbekistan "On Mediation" dated July 3, 2018, No. O'RQ-482, serves as the primary legal act regulating relations in this field. According to this Law, mediation is a method of resolving disputes through a mutually acceptable solution with the assistance of a mediator based on the voluntary consent of the parties.

The Law applies to disputes arising from civil legal relations, including those related to entrepreneurial activities, as well as relations between clients and banks (credit organizations), insurance contracts, and disputes arising from labor and family legal relations, unless otherwise provided by law.

Legal Framework and Advantages of Mediation.

In addition to the Law "On Mediation," the Economic Procedural Code and the Civil Procedural Code of the Republic of Uzbekistan also provide for the application of mediation. These codes establish the right of parties to resolve disputes through mediation either before trial or during court proceedings. This demonstrates that mediation is not only an alternative dispute resolution mechanism but also an important procedural legal institution.

Mediation offers several significant advantages for business entities. First, it saves time. While court proceedings may take a long time, mediation allows disputes to be resolved within a shorter period, ensuring the continuity of business activities. Second, mediation is based on the principle of confidentiality, which is crucial for protecting commercial secrets and business reputation. Third, mediation helps preserve cooperative relationships between parties, as it considers the interests of both sides. Fourth, mediation is economically beneficial, reducing state duties, legal fees, and other procedural costs, which is especially important for small businesses.

Role of Mediation in the Judicial System.

In recent years, the increasing number of cases submitted to economic courts has created a significant burden on the judicial system. Mediation serves as an effective tool to reduce this burden. Disputes resolved through mediation prior to trial decrease the number of court applications, while agreements reached during court proceedings help conclude cases more quickly.

Another important feature of mediation is that mediation agreements are based on the mutual consent of the parties, which leads to a higher rate of voluntary compliance compared to court decisions.

Practical Application of Mediation.

In practice, mediation is widely used in disputes related to debt recovery, supply contracts, lease relations, and corporate conflicts. For example, a dispute between two business entities regarding product delivery was resolved through mediation. The supplier claimed non-payment, while the buyer complained about product quality. Through negotiations with a mediator, the parties agreed to replace part of the goods and pay the debt in installments. As a result, there was no need to go to court, and business relations were preserved.

In conclusion, the mediation institution in Uzbekistan is becoming an important legal mechanism for resolving business disputes. It plays a significant role in reducing the workload of courts, ensuring faster and less costly dispute resolution, and maintaining cooperation between business entities

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