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**Annotation:** Today, in advanced countries with a developed legal system, the use of alternative methods of dispute resolution is widespread, and more than 80 percent of cases are resolved by use of mediation. This article highlights the introduction of mediation in the territory of Uzbekistan, its advantages and importance, which played an important role in the reform of the judicial system.

**Key words:** Mediation, alternative method, mediator, parties, discretion, dispute, mediation, professional and non-professional mediator, mediation agreement.

During our life, we face many conflicts in family, business and work. Both parties to the dispute want the dispute to be resolved in the least favorable way. In today's developing democratic society, the increase in the legal culture of the population leads to an increase in appeals to the courts. In this situation, the best solution to settle the dispute peacefully is mediation.

In short, mediation is an alternative method of dispute resolution with the help of a neutral (impartial) participant in reaching an acceptable solution for the parties.

Persons engaged by the parties in this activity are called mediators.

As a result of wide explanation of the mediation process and the essence of the Law "On Mediation" among the population through the mass media, it is possible to resolve disputes not only through the court process, but also through the use of mediation. The concept of "mediation" comes from the Latin word "mediate", which means "intervene". Mediation has several advantages over other types of dispute resolution.

Advantages of mediation

1. Voluntary mediation, that is, in which the dispute is resolved by mediation and the mediator is chosen by both parties, each of the parties can reject this agreement at any time. Also, the terms of the contract are determined only when both parties come to an agreement.

2. The resolution of the dispute is carried out in a short period of time and at low cost to the parties, while we know that the resolution of the dispute in court is a long-term and expensive process. By the way, in the court one of the parties loses and the other one wins, so that, the defeated party is usually dissatisfied with the court decision.

it can be seen that the dispute Mediation has the advantages of being short-term and cost-effective.

3. Another plus of the mediation process is confidentiality. Unlike the court, the information is not disclosed without the consent of the parties, and the mediator is obliged not to disclose the process. This fact strengthens the trust of the parties towards each other and the mediator.

A decision is made based on the interests of both parties;

5. It is possible to conclude a mediation agreement even at the stage when the case is being heard in court or enforcement proceedings are being conducted.

According to the Law, mediators are divided into professional and non-professional types. A professional mediator is a person who has completed a special a special training program for mediators approved by the Ministry of Justice and entered into the Register of Professional Mediators. This register will be posted on the official website of the Ministry of Justice.

A non-professional mediator is a person who has attained the age of 25 and has agreed to perform the duties of a mediator.

The role of the mediator is to reach a voluntary settlement of the written dispute between the parties.

At this point, it should be said that only a person who is not related to any state body can engage in the type of activity mentioned above.

Mediation is terminated due to the following circumstances:

- conclusion by the parties of a mediation agreement;
- the impossibility of reaching a mutually acceptable solution to the dispute;
- entering into an agreement of the parties to terminate mediation without reaching agreement on the differences (if there is a written agreement on the conduct of the mediation procedure);
- a statement by a party to refuse to continue mediation;
- expiration of the mediation procedure.

In the event that, based on the results of the mediation procedure, the parties reach a mutually acceptable decision regarding the arising dispute or the conditions and terms of performance of obligations, a written mediation agreement is concluded between the parties. This agreement is binding for the parties that have concluded it, and this agreement is executed voluntarily by the parties in the manner and terms stipulated in it. If the mediation agreement is not fulfilled, the parties have the right to apply to the court for the protection of their rights.

In general, methods of dispute resolution in the form of mediation have been used in Uzbekistan since ancient times. Local government officials - neighborhood activists, elders played an important role in disputes arising from such family relations. The notions of shame, modesty, and honor are so strong in the Uzbek mentality that family

disputes are never allowed to be tried in court. With this goal in mind, a new institution was introduced in our judicial system. A great many disputes in foreign countries, almost 80-90 percent of disputes, are resolved by using this method.

In connection with the implementation of the Law of the Republic of Uzbekistan "On Mediation", one of the necessary conditions for the full implementation of the legal basis of mediation in our national legal system is to make changes and additions to the Civil Procedure Code, Economic Procedure Code and other similar legal documents of the Republic of Uzbekistan.

#### **REFERENCES**

1. Law of the Republic of Uzbekistan "On Mediation" (National database of legal documents, 04.07.2018)
2. The Minister of Justice of the Republic of Uzbekistan dated November 29, 2018 Regulation on the procedure for formation and maintenance of the register of professional mediators based on the order No. 533.
3. <https://lex.uz>
4. <https://cyberleninka.ru/article/n/ponyatie-i-suschnost-mediatsii>