

ALTERNATIVE FORMS OF DISPUTE RESOLUTION

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ANNOTATION

Alternative dispute resolution is represented by a variety of mechanisms for resolving legal conflicts that are different in nature, and therefore it is difficult to give this concept an exact definition. In general, alternative dispute resolution is a set of mechanisms for resolving legal disputes "bypassing the state's established formal procedures for judicial or administrative dispute resolution."

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INTRODUCTION

Since time immemorial, whenever there is conflict in a family, tribe, or neighborhood, the elders or respected members of that tribe or neighborhood have tried to hold the parties to the conflict accountable, reconcile them, and resolve the conflict peacefully. , and this practice has survived to this day.

It is not difficult to see from this that mediation procedures are not a completely new concept for the people of our country. However, the task of creating a legal basis for the use of mediation in conflict resolution was not solved until recent years. On June 12, 2018, the Legislative Chamber of the Oliy Majlis of the Republic of Uzbekistan adopted the Law "On Mediation", and on June 28, 2018, the Senate approved it. This Law entered into force on January 1, 2019. The scope of mediation in the Republic of Uzbekistan is clearly defined by the Mediation Law. In accordance with Article 3 of the Law, mediation procedures apply to:

- Disputes arising from civil legal relations;
- Disputes arising in connection with the implementation of entrepreneurial activities;
- individual labor disputes;
- Disputes arising from family legal relations.

Mediation has several advantages over other dispute resolution methods such as litigation. Firstly, dispute resolution through mediation is much shorter than in court. The issue of lengthy proceedings is not unique to Uzbekistan. In Italy, for example, a lower court hearing takes an average of three years. In the event of an appeal against the court decision, this period is extended to 10 years. In the UK, 73% of claimants complain that the UK judicial system is outdated and inefficient. In the London courts, the hearing takes at least 161 weeks, and in the country courts - 195 weeks. Article 23 of the Law on Mediation establishes that mediators and parties are obliged to take all possible measures to complete the mediation procedure within a period not exceeding thirty days, and if necessary, the period of the mediation procedure can be extended by mutual agreement up to thirty days. . . . This article lists the longest periods of mediation. International experience shows that in most cases the duration of mediation is one working day, sometimes several hours. In particular, as of November 30, 2018, at the Singapore Mediation Center, more than 90% of cases completed with a mediation agreement between the parties were resolved within one business day.

Secondly, when mediation procedures are used, all information relevant to the case remains strictly confidential. Only the parties and their representatives, as well as the mediator, may be aware of the dispute and related facts, and they are required by law not to disclose this information. In particular, Article 6 of the Law of the Republic of Uzbekistan "On Mediation" states that mediation participants are not entitled to disclose information received during

mediation without the written consent of the mediation party, its successor or representative. that the mediator may not be questioned as a witness, nor may he or she be required to obtain information relating to the mediation Article 27 states that the mediator may not make public statements on the merits of the dispute without the consent of the parties. it is established that this information can be disclosed to the other party only with the consent of the party that provided it. The principle of confidentiality is particularly important in family disputes and disputes arising from business relationships. This is due to the fact that the identification of a conflict between an economic entity and another economic entity or a customer may adversely affect the business reputation of an economic entity, lead to a loss of confidence in potential customers and partners, and prevent them from entering into contractual relations. . Dispute settlement through mediation is a reliable protection against such negative consequences. Conflict situations cannot be avoided. Lots of people, lots of ideas. Sharing our thoughts, knowledge and experience, we are forced not only to think based on our own ideas, but often to oppose the opinion of the interlocutor. And when interests do not coincide, conflict arises. Conflict is not always fatal. Often this happens in a conflict situation where truth is born. The correct and rational solution to problems can be found after the resolution of the conflict situation. Constructive or destructive nature of the conflict is determined by how you resolve this conflict.

Pray with yourself...

Only in mold, in any case, can an internal conflict arise. In many cases, if our hopes do not really match what we already have, conflicts will arise in our inner consciousness, that is, within us, in our spirit and in our mind. Methods for resolving intrapersonal disputes are primarily based on the analysis of the situation and the identification of the causes of the disorder. The surest way to solve a problem is to state what is bothering you. After listing all the points and seeing what happened, you personally know your "enemy".

Let's look at the most effective ways in internal conflicts.

Accepting "What's next?" Look what you wrote. After reading each paragraph, mentally or aloud ask yourself the following question: "What next?". Answer this question, new questions and contradictions that arise at the beginning, the answers will not be long in coming. Your answer: "Nothing!" Continue this chain until then. Since "nothing", so should you worry about impurities? Everything solves this issue. Most of the time we exaggerated our problems, let's say they came out of an elephant's pocket.

Behavior change. If you can't change the situation, don't rush to whip yourself, try changing the perspective of the problem. Evaluate the situation in terms of positive aspects and, I believe, they will be found. As soon as you fix the problem, you will feel relief, and soon the problem will completely disappear.

LITERATURE

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