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MEDIATION AS A PROGRESSIVE WAY OF RESOLVING ECONOMIC DISPUTES

The relevance of the research topic is that the domestic judicial system does not cope with a significant load on it, which makes it impossible to quickly and effectively resolve business disputes between business entities. Mediation, in turn, is a progressive method of alternative dispute resolution that can be used by business entities.

The purpose of this exploration is a legal analysis of the mediation process and the peculiarities of its application in the domestic legal system.

The study was carried out using the following methods: analysis and synthesis, generalization, historical, logical, comparative and others.

This research reveals the concept of «mediation» in legal doctrine and domestic law. A legal analysis of the peculiarities of the use of mediation in resolving commercial disputes, including the subject composition of this process, the stages of application of mediation and its advantages over other methods of resolving commercial disputes.

Summarizing the results of the research, the authors concluded that in the domestic legal system there is no proper legal regulation of the process of mediation, although this tool is a progressive way to resolve commercial disputes. And the consolidation of this method and methods of its application at the legislative level

will reduce the burden on the judicial system and provide enterprises with a tool for prompt and effective resolution of commercial disputes.

Keywords: commercial dispute, settlement of commercial disputes, alternative ways of resolving commercial disputes, mediation as an alternative way of resolving disputes, signs and features of mediation application, international experience of mediation application.

REFERENCES

1. *Karmaza O.* Instytut mediatsii: osnovni kontseptsii rozvytku. "Institute of mediation: basic concepts of development". URL: <http://pgpjourn.kiev.ua/archive/2017/2/6.pdf> (date of application: 27.01.2020) [in Ukrainian].

2. Pro mediatsiu. "On mediation: draft Law of Ukraine of 28.12.2019 No. 2706". URL: http://search.ligazakon.ua/l_doc2.nsf/link1/JI01110A.html (date of application: 16.02.2020) [in Ukrainian].

3. *Krestovska N., Romanadze L.* (2019). Mediatsiia u profesiinii diialnosti yurysta. "Mediation in the professional activity of a lawyer". Odessa: Ecology. 462 p. [in Ukrainian].

4. *Prykhodko V.Yu.* Mediatsiia yak alternatyvnyi metod vyrishennia konfliktiv ta yii perspektyvy v Ukraini. "Mediation as an alternative method of conflict resolution and its prospects in Ukraine". URL: [http://www.irbisnbuv.gov.ua/cgi-bin/irbis_nbuv/cgiirbis_64.exe?C21COM=2&I21DBN=UJRN&P21DBN=UJRN&IMAGE_FILE_DOWNLOAD=1&Image_file_name=PDF/molv_2018_4\(2\)__92.pdf](http://www.irbisnbuv.gov.ua/cgi-bin/irbis_nbuv/cgiirbis_64.exe?C21COM=2&I21DBN=UJRN&P21DBN=UJRN&IMAGE_FILE_DOWNLOAD=1&Image_file_name=PDF/molv_2018_4(2)__92.pdf) (date of application: 16.02.2020) [in Ukrainian].

5. *Klessens Stiin* (2003). Korporatyvne upravlinnia ta rozvytok. "Corporate governance and development". Washington, USA: World Bank. 641 p. [in Ukrainian].