

PROSPECTS FOR IMPROVING DISPUTE RESOLUTION IN ARBITRATION COURTS

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Abstract: *Today, in addition to the competent courts, in the alternative resolution of disputes, arbitration courts also consider a number of civil and economic disputes. there are problems. In this regard, in this article Prospects for improving dispute resolution in arbitration courts are considered.*

Keywords: *conflict, arbitration the court civil, economic, law, law, online, arbitration .*

In the Republic of Uzbekistan, systematic work is being carried out in the field of ensuring the rule of law, improving the investment environment, effectively regulating foreign trade, developing alternative mechanisms for resolving economic and civil disputes, and guaranteeing the rights of subjects. At the same time, based on the 15th goal of the new Development Strategy put forward by the President of the Republic of Uzbekistan Sh.M. Mirziyoev, creating the necessary organizational and legal conditions for the wide use of alternative methods of conflict resolution, further expanding the scope of the institution of conciliation, establishing arbitration courts turning it into an effective alternative dispute resolution institution that will gain the trust of citizens and entrepreneurs, and further improving the practice of law enforcement in this direction is of urgent importance.

As a result of the adoption of the Law of the Republic of Uzbekistan "On Judicial Courts" in 2006 and its entry into force on January 1, 2007, a new phase of judicial reform along with the competent court It started very quickly. A new special non-state type of judicial activity recognized by more than 120 countries of the world that signed the 1958 New York Convention "On the Recognition and Enforcement of Foreign Arbitration Decisions", including our Republic, which joined in 1995 It's the same thing if we say that he started to show.

In many foreign countries, disputes are heard in several large arbitration centers. In particular, the largest arbitrations in Great Britain are: London Court of International Arbitration (LCIA), London Maritime Arbitrators Association (LMAA), International Grain and Feed Trade Association (GAFTA) and more than 40 professional organizations and chambers[1].

Three main arbitration centers can be distinguished in France. These include the International Court of Arbitration at the International Chamber of Commerce in Paris (founded in 1923), the Center for Arbitration and Mediation in Paris, and the French Arbitration Association.

In Singapore: Singapore International Arbitration Center (SIAC) and Singapore

Maritime Arbitration Chamber (SIAC). Other world-class dispute resolution institutions based in Singapore include Asia's first Permanent Court of Arbitration, the Singapore International Center for Dispute Resolution and the Dispute Resolution Services Center of the Singapore International Chamber of Commerce[3]. Arbitration in Japan is not very developed. The largest arbitration court is the Association of Arbitration Courts under the Japan Chamber of Commerce and Industry[3].

However, China has established more than 200 arbitration commissions, which is related to the population and the development of the country's economy. The largest is the China International Economic and Commercial Arbitration Commission (CIETAC) - in 2016, its divisions were established in 9 regions[5]. Also, more than 100 arbitration courts have been established in Brazil, and more than 35 in India.

It should be noted here that more than 130 arbitration courts were established in the Slovak Republic from 2002 to 2016. However, among these courts in the Slovak Republic, there has been an increase in "pocket" courts, their catchy names, low-quality decisions, violation of the rights of the parties, and other situations. As a result, there was a negative attitude among entrepreneurs and citizens towards arbitration courts in the Slovak Republic. Then the legal system introduced in this country was not adapted to the arbitration court. These cases have damaged the reputation of the arbitral tribunal due to legal deficiencies that should be corrected in the future. According to Article 12 of the Law of the Slovak Republic "On Arbitration Courts" in 2016, the Slovak Olympic Committee, the National Sports Association and the chamber established by law (for example, the Slovak Bar Association or the Slovak Chamber of Commerce) can establish permanent arbitration courts was established[4].

According to the January 2022 registry of the Ministry of Justice of the Republic of Uzbekistan, a total of more than 255 permanent arbitration courts are registered in Uzbekistan, including 160 under the Association of Arbitration Courts of Uzbekistan, more than 15 under the Chamber of Commerce and Industry of Uzbekistan and other names. More than 80 permanent arbitration courts and a total of about 1,200 arbitration court judges are registered. Based on foreign experiences, today there is a rush to reorganize existing arbitration courts in our country in order to prevent "pocket" courts, their catchy names, low-quality decisions, violations of the rights of the parties, criminal behavior and other situations. things are being done.

Today, as a result of the daily increase in the number of civil and economic disputes, the issue of enforcement of the decisions taken by the parties on the disputes considered in the arbitration courts by applying to the competent courts by paying an additional separate state duty or by applying to the competent court again has led to mistrust and confusion in the arbitration courts. it is not a secret to anyone that it is coming.

According to the statistics of the Supreme Court of the Republic of Uzbekistan from 2020 to the first half of 2022, 74 cases where decisions of arbitration courts were annulled by competent courts were returned, and the number of cases on

issuing writs of execution for compulsory execution of decisions of arbitration courts was returned. It was 2,715. It would not be an exaggeration to say that the reason for such a big difference is the sentence " must be executed immediately" in the second paragraph of Article 49 of the Law "On Arbitration Courts".

In this regard, currently, in order to eliminate these shortcomings and not to harm the rights and interests of citizens and entrepreneurs protected by law, Article 49 of the Law "On Arbitration Courts" states that " if the arbitration court's decision does not specify the execution period, it shall immediately the relevant organizations are working to replace the text "should be executed" with the text " the party to the arbitration proceedings or the interested parties can be directed to the execution after thirty days from the date of receipt of the decision of the arbitration court".

Based on the above-mentioned, it can be said that one of the main problems in the perspective of improving the work of arbitration courts in alternative dispute resolution is, of course, the issue of focusing the decisions of the arbitration court on execution. The most effective way to solve this problem is to entrust the issue of execution to the authority of the chairman of the permanent arbitration court.

This proposed proposal is to create the necessary organizational and legal conditions for the wide use of alternative methods of conflict resolution in the 15th goal of the new Development Strategy put forward by the President of the Republic of Uzbekistan Sh. will be the basis for turning it into an effective alternative dispute resolution institution that can be trusted. It also complies with the 1958 New York Convention on Recognition and Enforcement of Foreign Arbitration Court Decisions and the norms set forth in the legislation of foreign developed countries.

The first manifestations of dispute resolution on the Internet began in the 1970s in the United States. Disputes are still handled online at the Online Disputes Bureau at the Center for Information Technology and Dispute Resolution at the University of Massachusetts, USA[5].

In this regard, procedures regarding the use of technology in online arbitration should be agreed upon and determined by the parties. Basically, online arbitration in arbitration courts, unlike traditional arbitration, takes place on the basis of a virtual meeting, rather than a physical meeting of the parties and the arbitrator. Also, in online arbitration, the parties will not have complete information about each other , and a personal meeting of the parties may reduce the likelihood of dispute resolution . Online arbitration allows the parties to express their views on the dispute or to participate in all arbitration proceedings through a video conference or a specially created electronic platform until a decision is made.

Electronic data means one or a collection of electronic data, including text, sound, images, maps, designs, photographs, electronic data interchange (EDI), may be defined as electronic mail, telegram, telex, telecopy or the like, letters, symbols, numbers, access codes, symbols, or processed data that have meaning or can be understood by people who can understand them[6].

In the court platform, the courts should verify the evidence online, cross-

examine the parties in real time and the platform should be managed securely by the courts. The storage and use of information related to a civil court case in an online court session must be in accordance with the Law on Principles and Guarantees of Freedom of Information and other laws. To date, there are online courts in Beijing, Guangzhou and Huangzhou in the PRC (Beijing Internet Court <http://tpl.bjinternetcourt.gov.cn>), and online courts in Estonia through the e-estonia platform, and through the Indian platform <http://vcourts.gov.in> Virtual court hearings are being conducted in countries such as the Netherlands. In the preamble of the Beijing Internet Court's Special Instruction on Conducting Internet Court Proceedings on the Tianping Chain Platform, it is stipulated that the court hearings of the Beijing Internet Court will be conducted on the Tianping Chain platform based on blockchain technology.

In Uzbekistan, to prevent the interference of third parties in alternative dispute resolution, to reduce the workload of competent courts, and to form a single regulatory legal document base on arbitration court proceedings. Innovative efforts are being made to conduct collective arbitration proceedings. In particular, in March 2023, the Innovative Development Agency under the Ministry of Higher Education, Science and Innovation of the Republic of Uzbekistan will announce a competition on the topic " Development of the "Smart Referee" platform and mobile application aimed at establishing the basis for online arbitration processes in the alternative dispute resolution." It is no exaggeration to say that this is a clear example.

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