



Rule of Law



Regional Conference on theme “Arbitration and Mediation in the Central Asia: New Challenges and Solutions” was held in Bishkek on September 30, 2022. The event was aimed at sharing experiences, strengthening international and regional cooperation on arbitration and mediation.

The conference was organized with the support of the European Union Rule of Law Program in the Kyrgyz Republic - Phase 2.

The conference was attended by 70 participants and 20 speakers from 15 countries of the world

Welcome speech opened by Radost Toftisova-Materon - Expert of the European Union Project “Rule of Law in the Kyrgyz Republic - Phase 2”, Imanova Saltanat Sultanovna - Chairman of the Supervisory Board of the International Court of Arbitration in affiliation with the Chamber of Commerce of the Kyrgyz Republic, Alexander Y. Beloglavek - Professor, Vice President of the International Court of Arbitration at the Czech-Moravian Commodity Exchange, Zykin Ivan Semenovitch - Deputy Chairman of the International Commercial Arbitration Court in affiliation with the Chamber of Commerce and Industry of the Russian Federation, Zhakupov Zhandilda Azhigalievich - Director of Kazakhstan Mediators Association, Head of Mediation Center of the Republican Public Association “International Human Rights Center”, mediation coach. In their welcome speech they noted the relevance and importance of the raised issues.

At the panel session “Arbitration in the Central Asia: New Trends” held in partnership with the Bishkek International Arbitration Court on Subsoil and Commerce the speakers were: Turdushov Kurmanbek Konoshovich, Chairman of the Bishkek International Arbitration Court on Subsoil and Commerce; Vitalija Baranoviene, President of the Vilnius Court of Commercial Arbitration; Masadikov Sherzodbek Mahmudovich, Ph.D., Associate Professor, Head of the Department of the University of World Economy and Diplomacy. Inomov Abubakr Bobokhonovich, Chairman of the International Commercial Arbitration Court in affiliation with the Chamber of Commerce and Industry of the Republic of Tajikistan. Moderator - Maichiev Shamara Yusupovich, K.K. Turdushov mentioned the necessity of cooperation between arbitral tribunals and, to this end, the necessity of establishing the Association of Arbitral Courts in the Central Asia. All unanimously agreed with the proposal.

The second panel session “Abuse of Law in Arbitration: Practice and New Solutions” addressed the following speakers: Aleš Galič, Professor at the University of Ljubljana, President of the Ljubljana Arbitration Court, Slovenia; Alexander J. Beloglavek, Professor, Vice President of the International Court of Arbitration at the Czech and Moravian Commodity Exchange; Zykin Ivan, Deputy Chairman of the International Commercial Arbitration Court in affiliation with the Chamber of Commerce and Industry of the Russian Federation. Moderator - Satarkulova Indira Sabatbekovna. Aleš Galič pointed out many forms of abuse of right in arbitration courts, talked about preventive measures against the possibility of abuse of right.

The third panel session “At the Crossroads of Arbitration and Mediation: Mixed Forms of Dispute Resolution, and Investment Mediation” was moderated by Alieva Fidana and was also a speaker. James Claxton (Japan) - mediator, arbitrator, lawyer, associate professor of law at the Waseda University delivered a presentation “Introduction to Investment Mediation” online. Francisco Abriani (Washington, USA) - Counsel of the International Centre for Settlement of Investment Disputes (ICSID) made a presentation online entitled “Settlement of investment disputes under the ICSID Mediation Rules”. James Claxton from Japan had a very interesting presentation on the use of mixed forms of mediation, such as arb-med and med-arb.

The fourth panel session “Mediation in the Central Asia at the turn of Transformation, which was held jointly with the Institute of Business Ombudsman of the Kyrgyz Republic, was moderated by Nosinova Anara Marsovna. The speakers were Ponomarev Sergey Vasilievich - Deputy Business Ombudsman of the Kyrgyz Republic, Zhakupov Zhandilda Azhigalievich - Director of Kazakhstan Mediators Association, Head of Mediation Center of the Republican Public Association “International Human Rights Center”, mediation coach with the report "11 years of Kazakhstan mediation: realities and trends. “Ratification of the Singapore Convention as a new stage in the development of business mediation”, Murzakhmatova Gulchehra - mediator, representative of the Institute for Strategic Management with the report “Mediation experience and vision for development in Kyrgyzstan”, Seitkazieva Gulmira - Head of the Mediation and Law Center Mediator, trainer, national expert in commercial mediation, Solomeina Elizaveta - Director of Mediation Center at the Yakovlev Ural State Law University, mediator, senior lecturer of the Civil Department. In their speeches, the speakers shared extensive statistics about mediation procedures in their countries and talked about various methods and techniques of mediation.

All participants of the Conference, after discussions and exchange of opinions, agreed on the need to establish the Association of Arbitration Courts in the Central Asia to jointly promote arbitration courts in the market of China and other Asian countries, including Europe. Conference participants also agreed on the widespread use of mediation techniques in the work of lawyers, arbitrators, and business representatives.