



# Enforcing Mediation Agreements in Economic Courts: A Practical Guide

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In our recent [publication](#), we reviewed the amendments introduced by the Law of the Republic of Uzbekistan "On Introducing Amendments and Additions to Certain Legislative Acts of the Republic of Uzbekistan Aimed at Improving the Institution of Mediation in the Alternative Settlement of Disputes" [No. ZRU-1089](#), which came into force on October 20, 2025.

Among other things, those amendments introduced a mechanism for the compulsory enforcement of mediation agreements.

Building on that discussion, we have prepared this practical guide to help parties navigate the procedure for obtaining a writ of execution for compulsory enforcement of a mediation agreement in the economic courts.

### STEP 1. IDENTIFY NON-PERFORMANCE OF THE MEDIATION AGREEMENT

Non-performance of the mediation agreement by one of the parties triggers the possibility for the interested party to apply to the economic court for issuance of a writ of execution for compulsory enforcement.

### STEP 2. DETERMINE THE CORRECT COURT FOR FILING THE APPLICATION

The application for the issuance of a writ of execution for the compulsory enforcement of a mediation agreement (the "**Application**") shall be filed with the economic court:

- at the place of state registration or location of the party that failed to voluntarily perform the mediation agreement; or
- if the place of registration or location is unknown, at the location of that party's property.

### STEP 3. CHECK THE FILING DEADLINE

The Application must be filed within six months of the date the voluntary performance period expires. If this deadline is missed, the party should submit a separate application requesting reinstatement of the missed period. The court may reinstate the deadline if the reason for missing it is deemed valid.

### STEP 4. CHECK THE PRESENCE OF GROUNDS FOR REFUSAL

Before filing the Application, the applicant should assess in advance whether any statutory grounds for refusal are present. The court will refuse to issue a writ of execution if:

- if the mediation agreement is contrary to the legislation;
- if the terms of the mediation agreement, the enforcement of which is requested, have been amended or cancelled;
- if the obligations provided for in the mediation agreement have been fully fulfilled;
- if the application is filed more than six months after the expiry of the period for voluntary fulfillment of the mediation agreement, except in cases where the court has recognised the reason for missing the deadline as valid and has restored the deadline.

If any of these grounds for refusal are identified, the dispute may instead be resolved through a regular lawsuit.

#### STEP 5. PREPARE THE APPLICATION

The Application shall be submitted in writing and shall be signed by the applicant who has concluded the mediation agreement or by his representative.

The Application must include:

- the name of the economic court to which it is submitted;
- the names (full names) of the parties to the mediation agreement, and their postal addresses or residences;
- a request for the issuance of a writ of execution for compulsory enforcement of the mediation agreement.

#### STEP 6. ASSEMBLE THE REQUIRED ATTACHMENTS

The Application shall attach the following documents:

1. the original or a notarised copy of the mediation agreement;
2. documents confirming payment of state duty and postal expenses in the required manner and amount (as of the publication date: state duty – 2 BCU (~USD 70); postal expenses – 10% BCU (~USD 3));
3. proof that a copy of the Application was sent to the other party to the mediation agreement (delivery notice or another confirming document).
4. a power of attorney or another document confirming the representative's authority to sign the Application (if the Application is signed by a representative).

#### STEP 7. SUBMIT THE APPLICATION WITH ATTACHMENTS

The Application, together with all required attachments, must be filed with the economic court having proper territorial jurisdiction, as determined in Step 2.

Once the Application is received, a judge will, within five days, decide whether to:

- accept the Application for consideration;
- refuse to accept it;
- return it; or
- transfer it to another court based on subject matter jurisdiction.

If the judge refuses to reinstate the missed period, the court will issue a decision declining to accept the Application for consideration. This decision may be appealed in accordance with procedural rules.

If the Application is filed in violation of Step 2 (territorial jurisdiction requirements), Step 5 (mandatory content), Step 6 (required attachments), or if the period has expired and no request for reinstatement has been submitted, the court will issue a decision returning the Application to the applicant. This decision may also be appealed.

The return of the Application does not prevent parties from resubmitting it to the court once the identified deficiencies have been remedied.

If an application is filed in violation of the subject matter jurisdictional rules, the economic court will issue a decision transferring the application to a civil court. This decision may also be appealed.

If the Application is accepted, the economic court notifies the parties of the time and place of the court hearing.

#### STEP 8. PARTICIPATE IN THE COURT HEARING

The Application will be considered within one month from the date it is accepted for proceedings, except in exceptional circumstances.

Failure of duly notified parties to appear does not prevent the court from hearing the matter.

At the hearing, the economic court:

- establishes the presence or absence of grounds for refusal to issue a writ (see Step 4);
- examines the fact of full or partial fulfilment of the stated requests and obligations established in the mediation agreement;

When considering the Application, the economic court has no right to consider the merits of the dispute that gave rise to the mediation agreement.

#### STEP 9. OBTAIN THE COURT DECISION

After reviewing the case, the economic court issues a decision either to issue the writ of execution for compulsory enforcement of a mediation agreement or to refuse to issue it.

If the court grants the Application, it issues (1) a decision on the issuance of a writ of execution for the compulsory enforcement of the mediation agreement, which takes effect immediately, and (2) a writ of execution.

#### STEP 10. EXERCISE APPEAL OPTIONS

The court's decision may be appealed from the date of issuance within 1 month to the appeal instance and within 6 months to the cassation instance.

#### STEP 11. OBSERVE THE TIME LIMITS FOR ENFORCEMENT

While writs of execution issued based on judicial acts may be presented for compulsory enforcement within three years, writs issued for compulsory enforcement of mediation agreements may be presented only within six months.

In conclusion, we hope this guide will help parties navigate the new procedure for obtaining a writ of execution to enforce mediation agreements in economic courts. We trust that this procedure will further strengthen mediation as an effective tool for resolving commercial disputes in Uzbekistan.

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