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MEDIATION FOR THE RESOLUTION OF INTERNATIONAL ECONOMIC CONFLICTS. EFFECTIVE APPROACHES AND PERSPECTIVES

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Zhomartkyzy M. Mediation for the resolution of international economic conflicts. effective approaches and perspectives.

The purpose of this study was to examine mediation as a mechanism for resolving international economic conflicts and to identify effective approaches for their resolution. International economic conflicts are an integral part of today's globalized economy, contributing significantly to the complication of international relations and threatening sustainable development. This article examines the effectiveness and potential of mediation as a tool for resolving international economic conflicts. In particular, the article analyzes the advantages of using mediation, stages of its application, successful practices, as well as challenges and prospects for the development of this method of dispute resolution.

In the modern world, international economic conflicts are becoming more and more relevant and complex. These conflicts can have serious consequences for states, corporations and international relations in general. This article explores the role and importance of mediation as an effective tool for resolving international economic disputes.

The purpose of this article is to analyze the use of mediation in resolving international economic conflicts, to identify the advantages of this method, to review its stages and challenges, and to present the prospects for the development of this approach, to understand the essence of mediation and its basic principles. An overview of the advantages of this method, such as preserving business relationships and taking into account the interests of the parties is presented, analyzing the sequence of stages of the mediation process and their role in achieving a settlement. Successful mediation cases are examined in detail, emphasizing the importance of the mediator's role and the advantages of mediation over other dispute resolution methods.

The limitations of mediation are also discussed and ways to overcome them are suggested. The article concludes by presenting possible directions for the development of mediation, such as integration into international law and the use of modern technologies.

As a result of the study, it can be concluded about the importance of mediation in resolving international economic conflicts. Its flexibility, focus on the interests of the parties and ability to preserve long-term relationships make mediation an indispensable tool in modern international practice.

Key words: Mediation, mediator, economic relations, settlement, diplomacy, alternative.

Жомарткизи М. Медіація у вирішенні міжнародних економічних конфліктів. ефективні підходи та перспективи.

Метою цього дослідження було вивчення медіації як механізму врегулювання міжнародних економічних конфліктів та визначення ефективних підходів до їх вирішення. Міжнародні економічні конфлікти є невід'ємною частиною сучасної глобалізованої економіки, суттєво ускладнюючи міжнародні відносини та загрожуючи сталому розвитку. У цій статті досліджується ефективність та потенціал медіації як інструменту врегулювання міжнародних економічних конфліктів. Зокрема, проаналізовано переваги використання медіації, етапи її застосування, успішні практики, а також виклики та перспективи розвитку цього методу вирішення спорів.

У сучасному світі міжнародні економічні конфлікти стають все більш актуальними та складними. Ці конфлікти можуть мати серйозні наслідки для держав, корпорацій та міжнародних відносин в цілому. У цій статті досліджується роль і значення медіації як ефективного інструменту вирішення міжнародних економічних спорів.

Засадами цієї статті є аналіз використання медіації у вирішенні міжнародних економічних конфліктів, визначення переваг цього методу,

огляд його етапів та викликів, а також представлення перспектив розвитку цього підходу, розуміння сутності медіації та її основних принципів. Представлено огляд переваг цього методу, таких як збереження ділових відносин та врахування інтересів сторін, проаналізовано послідовність етапів процесу медіації та їх роль у досягненні врегулювання спору. Детально розглядаються успішні кейси медіації, підкреслюється важливість ролі медіатора та переваги медіації над іншими методами вирішення спорів. Також обговорюються обмеження медіації та пропонуються шляхи їх подолання. Наприкінці статті представлені можливі напрямки розвитку медіації, такі як інтеграція в міжнародне право та використання сучасних технологій.

В результаті дослідження можна зробити висновок про важливість медіації у вирішенні міжнародних економічних конфліктів. Її гнучкість, орієнтованість на інтереси сторін та здатність зберігати довгострокові відносини роблять медіацію незамінним інструментом у сучасній міжнародній практиці.

Ключові слова. Медіація, медіатор, економічні відносини, врегулювання, дипломатія, альтернатива.

Introduction. The modern globalized world is characterized by a high degree of economic interdependence between states, corporations and other participants of the world economic community. However, inevitably arising international economic conflicts can become a constraint for sustainable economic development and cooperation. In this context, the methods and mechanisms of resolving such conflicts play an important role, and one of the most effective and promising approaches is mediation.

Mediation as a dispute resolution process is increasingly recognized on the world stage, especially in the field of international economic relations. It is a structured and strategic approach to conflict resolution based on the active participation of an independent mediator. The use of mediation to resolve international economic disputes allows the parties to a conflict to preserve working relationships, avoid lengthy and costly litigation, and achieve mutually beneficial and sustainable solutions.

The purpose of this article is to analyze effective approaches and prospects of using mediation to resolve international economic conflicts. The study will review the basic principles and stages of mediation and analyze the experience of using mediation in various international economic disputes. Special attention will be paid to the role of the mediator, his skills and qualities that contribute to successful conflict resolution.

In addition, the article will identify the challenges and limitations faced by mediators and parties to a conflict in mediating international economic disputes. Opportunities for further development and improvement of mediation in this area will be discussed, including the role of technology and international organizations in supporting and facilitating.

As the world community develops, international interaction in various spheres of social life becomes more and more intensive. This is most actively manifested in the economic sphere, where the implementation of the principles of international division of labour has created conditions for a qualitative increase in economic processes. International economic conflicts can develop on this basis. In order to prevent or minimise them, aspects of economic conflicts should be studied in depth and effective methods and steps should be outlined in the form of recommendations. This is the main direction of this study.

Exploring effective mediation approaches to resolve international economic conflicts is essential to promote sustainable development of the world economy, strengthen international relations and cooperation, and ensure fairer and more favorable solutions for all participants.

The purpose of this study is to examine the peculiarities of the law enforcement practice of mediation in the context of international relations in economic conflicts.

The research objectives of mediation in international economic conflict resolution with a focus on effective approaches of this article are:

- ✓ Analyzing the essence of mediation in the context of international economic conflicts
- ✓ Identifying effective mediation techniques in resolving international economic conflicts
- ✓ Providing recommendations for practical application.

Materials and methods. The study used databases, such as Sabinet, Sage Publishers, ResearchGate, JSTOR and Scopus, to search for the literature. The study adopted the conceptual approach and heavily relied on secondary data. Secondary data, used in the study, was gathered from relevant books, journals, conference proceedings, published articles. The sources used were books researching mediation practices and possible solutions for successful mediation. Also used were a number of journals devoted to research on mediation practice and mechanisms for its successful implementation.

Research Results. How is the place of mediation defined in the context of international law? First of all, international mediation is a method of interstate settlement involving the interaction of external parties.

The paradox is that only by helping the parties to a dispute to reach an agreement through the use of various mediation techniques, such as paraphrasing, listening attentively and respectfully, will the number of such techniques be reduced and a settlement possible through diplomatic efforts between all parties in support of this mutually demanding process. Therefore, mediation is considered an ideal practical solution that can be used if the parties cannot reach an agreement on their own, resorting to it until a consensus is reached [13].

The modern world economic order is characterized by the dynamic development of international relations, intensive exchange of goods, services and investments between states, corporations and other participants of the world economic community. However, in this process, conflicts inevitably arise due to differences in interests, values, political positions and resources. International economic conflicts can have serious implications for sustainable development, leading to trade barriers, sanctions, loss of investment and even affecting inter-State relations.

In this context, the relevance of the study of the role of mediation in resolving international economic conflicts remains undeniable [3]. Mediation is an alternative and effective dispute resolution mechanism that helps to reduce tensions, improve mutual understanding and achieve long-term mutually beneficial solutions. This approach involves an independent third party, the mediator, who is able to effectively manage communication between the parties, facilitate the process of identifying common interests and resolve the conflict by agreement [2].

There are a number of strong arguments that support the relevance and significance of research into the role of mediation in international economic conflict resolution [5]:

International economic conflicts often involve the intersection of multiple interests of different actors [1]. States, international organizations and private companies may have divergent goals and strategies, which creates a complex hierarchy of interests and can make it difficult to find a common solution.

Economic conflicts can arise from differences in economic systems, trade policies, standards and regulation. These differences can lead to misunderstandings and contradictions that make it difficult to reach agreement. International economic conflicts also often involve trade and investment disputes such as anti-dumping measures, sanctions, intellectual property infringement and others [14]. These disputes can have a negative impact on trade and investment between countries.

Conflicts can arise over access to natural resources such as oil, gas, water, etc. Disputes over exploitation rights and distribution of resource revenues can be particularly acute. International economic conflicts often have a political context, including geopolitical interests and positions. Political aspects can intensify conflict and make it more difficult to resolve [16]. Differences in culture, values and legal traditions can influence perceptions of conflict and approaches to conflict resolution. Misunderstandings and stereotypes can hinder dialogue and harmony.

International economic conflicts often require the analysis of multiple factors and economic data. This can complicate the process of identifying the causes of conflict and developing effective solutions [4].

Understanding these characteristics of international economic conflicts is an important step in developing effective approaches to resolving them. Mediation, as one of the tools to help resolve such conflicts, should take these characteristics into ac-

Item No.	Argument	Description
1	Economic efficiency	Mediation facilitates faster and more cost-effective resolution of disputes than lengthy litigation, which is especially important for businesses and corporations seeking to minimize time and costs.
2	Maintaining long-term relationships	Mediation helps to preserve working relationships between parties, which is important for business, international trade and investment.
3	Flexibility and adaptability	Mediation allows finding individualized and flexible solutions, taking into account the peculiarities of each conflict and the interests of the parties.
4	International cooperation	The use of mediation helps to build trust and cooperation between States and international organizations, facilitating the peaceful settlement of disputes.
5	Positive experience	The accumulated experience of successful use of mediation in resolving international economic conflicts, for example, within the World Trade Organization (WTO) and other forums, testifies to the potential of this approach.

International economic conflicts are a complex interaction of interests and positions of different states, corporations and other economic actors. They arise as

a result of the collision of various factors, such as economic interests, political ambitions, resource disputes, regulatory disagreements and many others [10].

count and employ adaptive strategies to achieve sustainable and mutually beneficial solutions [8].

International economic conflicts arising from differences in the interests and policies of different states and economic actors require effective resolution mechanisms to maintain sustainable international relations and the level of economic integration. In this context, mediation stands out as a powerful tool to help harmonize interests and achieve mutually beneficial solutions in international economic conflicts.

Mediation is a process of conflict resolution with the help of an independent and neutral third party, the mediator. The basis of this method is to stimulate a dialog between the parties, allowing them to identify common interests and find constructive solutions [18]. The mediator does not make decisions for the parties, but rather facilitates the exchange of information, creates an atmosphere of mutual understanding and cooperation, helping them to find a way out of the conflict situation [9] highlights the following advantages in resolving international economic conflicts:

Item No.	Advantages	Description
1	Preserving relationships	Mediation helps to preserve the working relationship between the parties to a conflict. This is particularly important in international economic relations, where long-term partnerships and cooperation can be essential for economic development.
2	Cost-effectiveness	The mediation process is usually more cost-effective than lengthy court proceedings. It saves the parties time and financial resources and allows them to focus on more constructive aspects.
3	Flexibility and adaptability	Mediation provides parties with the flexibility to find solutions, taking into account their unique interests and circumstances. This allows for more individualized and sustainable solutions.
4	Confidentiality	The mediation process is usually confidential, which can facilitate a more frank discussion between the parties.
5	Productive interaction	Mediation facilitates the effective exchange of information and arguments between the parties, encouraging productive interaction and reducing the risks of further escalation.

In addition to the above-mentioned advantages, mediation also has its challenges. The lack of formal legal force of agreements reached through mediation, as well as the unpredictability of decisions, preclude the possibility of guaranteed implementation. In addition, the successful use of mediation requires the mutual will of the parties and highly qualified mediators with an understanding of international economic issues [7]. The proper use of mediation can enrich the international arena of dialogue, facilitate the peaceful resolution of dis-

putes and contribute to a more equitable and sustainable future.

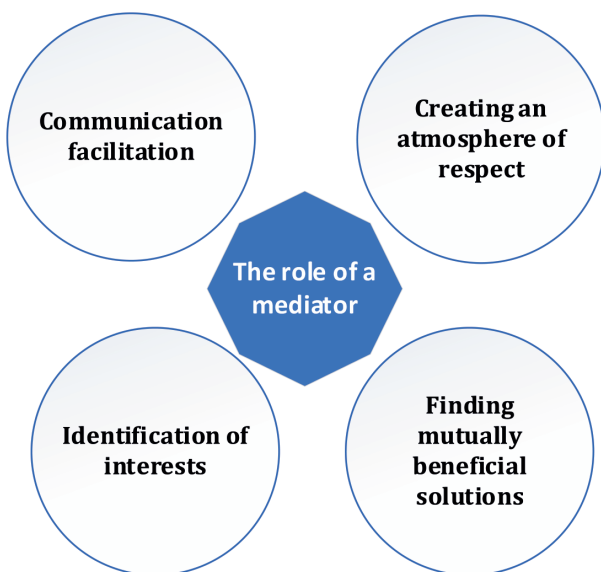
Since mediation is a structured conflict resolution process based on the active participation of a neutral mediator, its goal is to help the parties reach a mutually beneficial and sustainable agreement [19]. In contrast to litigation, where the judge decides, in mediation the participants themselves define their interests and, by mutual agreement, find a solution that best reflects their needs and expectations.

Item No.	Key principles of mediation	Description
1	Voluntariness	Participation in mediation is based on a voluntary basis. No party may be forced to participate in the mediation process against its will.
2	Neutrality and independence of the mediator	The mediator is a neutral and independent party with no personal interests in the conflict. He or she has competence in dispute resolution and helps the parties to find common understanding.
3	Confidentiality	The mediation process is usually confidential, which encourages more frank discussion of disputed issues. Information disclosed during mediation cannot be used in future legal proceedings.
4	Respect and mutual understanding	Mediation fosters an atmosphere of mutual understanding and respect between the parties. The mediator encourages constructive dialog and helps to resolve misunderstandings.
5	Cooperation and search for common interests	The mediator helps the parties to identify common interests, which facilitates the search for mutually beneficial solutions. Cooperation between the parties and the creation of a "win-win" situation are key aspects of mediation.
6	Active participation of the parties	In a mediation process, the parties take an active part in reaching a solution. They themselves propose solutions and make the final decision.
7	Flexibility and individualized approach	The mediation process is flexible and adaptable to the specific circumstances of the conflict. The mediator is able to apply a variety of methods and techniques appropriate to each situation.

In general, the principles of mediation focus on active interaction between the parties, finding constructive solutions and preserving working relationships, which makes mediation an effective tool for resolving international economic conflicts [6]. Understanding and applying these principles helps to enrich international dispute resolution practices and create a sustainable basis for cooperation and development.

Mediation, as an effective tool for resolving international economic conflicts, depends to a large extent on the skills and competencies of the mediator [10]. The role of the mediator in economic disputes is critical, as it is the mediator who plays a mediating role between the conflicting parties and ensures the successful achievement of mutually beneficial agreements.

Let us consider the **role of a mediator in economic disputes**. A mediator in international economic conflicts performs a number of important role functions aimed at ensuring constructive dialog, assisting in finding common solutions and creating an atmosphere of mutual understanding.



In order to effectively fulfill their role in international economic conflict resolution, a mediator must also possess certain *competencies*:

➤ **Understanding of economics:** The mediator should have a deep understanding of economic processes, including trade, investment, finance and regulation. This enables him or her to more accurately analyze contentious issues and propose solutions.

➤ **Communication skills:** A mediator must have high communication skills in order to communicate effectively with the parties to a conflict. He or she must be able to listen and ask questions, as well as express ideas in a clear and accessible manner.

➤ **Neutrality and independence:** The mediator should maintain a neutral position and have no interest in the outcome of the conflict. His/her independence contributes to the trust of the parties and to the success of the mediation.

➤ **Psychological skills:** Understanding the psychological aspects of conflict and the ability to work with the emotions of the parties allows the mediator to create a cooperative atmosphere and facilitate discussion of difficult issues.

➤ **Creativity and adaptability:** The mediator must be flexible and creative in finding solutions, taking into account the unique circumstances of each conflict and party.

To summarize, it can be concluded that the role and competencies of the mediator in international economic conflict resolution are critical for the successful achievement of agreements between the parties. His or her competence in economic issues, communication skills and skills in creating a positive atmosphere of mutual understanding are key elements that ensure the effectiveness of mediation in this field.

In addition to the above, mediation, as a modern and effective tool for resolving international economic conflicts, offers a number of unique advantages over traditional methods such as litigation or arbitration mediation [20].

One of the main advantages of mediation is its ability to preserve a working relationship between the parties to a conflict. Unlike litigation, which can lead to deterioration of relationships and loss of trust, mediation facilitates cooperation and the search for mutually beneficial solutions [15]. Preserving positive relationships is particularly important in the international economic sphere, where long-term partnerships and cooperation are of strategic importance.

The mediation process is usually quicker and more economical than lengthy litigation or arbitration. It saves time and financial resources of the parties, as well as reduces the costs of legal services and expertise. Faster and budget-efficient dispute resolution helps to accelerate the restoration of normal economic relations and the continuation of business activities.

Mediation provides parties with the flexibility to develop solutions, taking into account their unique interests and circumstances. Unlike formal court processes, the mediator is able to adapt methods and approaches according to the specific situation [11]. This allows for more individualized and sustainable solutions that are tailored to the specifics of the conflict.

The mediation process is usually characterized by a high degree of confidentiality. This means that information disclosed during mediation cannot be used in future litigation. Confidentiality encourages more frank discussion of disputed issues and re-

duces the parties' fear of negative consequences of disclosure.

Mediation fosters an atmosphere of cooperation and the search for "win-win" solutions for the conflicting Parties. The mediator helps the parties identify common interests and seek ways to complement each other, resulting in a sustainable agreement that satisfies both parties [12].

In mediation, the parties are actively involved in the process of reaching a solution. This allows them to retain control over the outcome of the dispute and to express their interests and needs more fully. The participation of the parties contributes to a higher degree of satisfaction and decision-making.

Summarizing the above, we conclude that mediation offers significant advantages over traditional methods of resolving international economic conflicts. Its flexibility, economic efficiency, ability to preserve relationships and active participation of the parties make it an attractive tool for resolving complex and multifaceted disputes in today's global economy.

International economic conflicts are a complex and multifaceted category of disputes arising between states, international organizations and economic actors in the areas of world trade, investment, finance and other economic relations. These conflicts are usually generated by disagreements over trade policies, exchange rates, breach of investment agreements, nationalization of assets, infringement of intellectual property, and other important economic issues.

International economic conflicts are often driven by several factors, including economic, political, legal and socio-cultural aspects. This creates a complex picture of the interrelated interests and positions of the parties, and can escalate the conflict at different levels. In such a context, the mediator has to analyze many variables and take into account their impact on the resolution process.

International economic conflicts are often geopolitical in nature and are related to differences in political views, values and interests of states. In addition, intercultural differences can have a significant impact on the perception and understanding of contentious issues. The mediator should take these aspects into account and help to create an atmosphere of mutual understanding and trust between the parties.

International economic conflicts can have a significant impact on the economies of the parties and even on the world economy as a whole. Trade blockades, sanctions, tariffs and non-tariff measures can have a negative impact on trade and investment. In such an environment, mediation becomes important as a means of preventing economic losses and restoring normal economic relations.

Business entities play a significant role in many international economic conflicts, as the economic interests of the private sector are closely linked to the actions of states and international organizations. Mediation can provide a platform for business representatives to participate in the dispute resolution process and have their interests taken into account.

International economic conflicts often have a long-term impact and require sustainable solutions. In this context, mediation can facilitate the development of comprehensive agreements that take into account the long-term interests of the parties and promote long-term dispute resolution.

Thus, international economic conflicts have a number of unique characteristics that necessitate the use of specialized resolution methods such as mediation. Taking into account the different geopolitical and cultural dimensions, the impact on the economy and the need for long-term solutions make mediation an important tool for reaching effective and sustainable agreements in this area.

International economic conflicts between states and companies represent a complex field of interaction where economic, political and legal interests are intertwined and disagreements can arise over various aspects of economic activity.

One of the typical types of economic conflicts between states and companies is related to trade disputes and the imposition of tariff barriers. An example is the trade war between the US and China that started in 2018. Controversies arose due to trade imbalances and accusations of unfair trade practices. As a result, both sides imposed a series of tariffs and countermeasures, which led to the complication of economic relations between the countries.

Conflicts between states and companies can arise from expropriation and nationalization of foreign assets. An example is the nationalization of oil companies in Venezuela in the early 21st century. In 2007, Venezuelan President Hugo Chavez announced the nationalization of oil projects, which resulted in foreign oil companies losing control of their assets.

States and companies may also face conflicts related to breach of investment agreements. One example is the dispute between Russia and Yukos. In 2003, Russia seized the company's assets and accused it of tax fraud. As a result, a lawsuit was filed in international arbitration, which recognized the violation of the company's rights and ordered Russia to pay compensation.

Disputes between states and companies can arise over intellectual property infringement. For example, the US and the EU have had long-running trade conflicts with China over intellectual

property infringement and unauthorized copying of goods.

States and companies may also face conflicts over disagreements over the use of natural resources and environmental issues. An example is the dispute between Nigeria and the oil company Shell over pollution and violation of local communities' rights.

Trade disputes, asset expropriation, breach of investment agreements, intellectual property, and environmental issues represent just a few of the types of historical conflicts, and their dissection provides a better understanding of the complexity and multifaceted interactions between states and companies in the global economy.

International economic conflicts are the result of a complex interplay between the economic interests of states and companies, as well as geopolitical factors that influence the formation and resolution of disputes. An important role that directly affects economic interests and geopolitical aspects in the formation and escalation of international economic conflicts are prepared negotiations.

The economic interests of states and companies can be a source of international conflicts in various areas. Conflicts may arise due to unfair distribution of economic benefits, violation of agreements on trade, investment or technological cooperation. For example, the dispute between Russia and Ukraine over gas supplies and transit through Ukrainian territory resulted from differences in economic conditions and energy prices.

Geopolitical aspects such as strategic position, resource base, and influence in the region also play a significant role in shaping and resolving international economic conflicts. Control over resources, territorial disputes and attempts to consolidate influence can lead to intense competition and tensions between countries. For example, the conflict between Russia and Georgia in 2008 had a geopolitical dimension due to control over the region of South Ossetia and Abkhazia.

International economic conflicts can also be used as an instrument of political pressure. The imposition of economic sanctions, trade restrictions or forcing companies to cease operations in the territory of another state may be aimed at achieving certain political goals. For example, EU and US sanctions against Russia in response to the annexation of Crimea and support for the conflict in eastern Ukraine.

International economic conflicts often present parties with the difficult task of balancing economic interests and political goals. States may use economic sanctions as a mechanism to protect their interests while simultaneously seeking political change. Companies, in turn, are forced to

adapt their strategies and actions in response to geopolitical factors.

Example: Sanctions against Iran

An example of the role of economic interests and geopolitical factors is the imposition of international sanctions against Iran. Geopolitical concerns about Iran's nuclear program led to the imposition of sanctions by the United States and other countries. These sanctions have had a severe impact on Iran's economy and have become a tool to achieve political goals to curb Iran's nuclear ambitions.

Example: Trade war between the US and the EU

Another example is the trade war between the US and the EU, which arose due to differences in trade relations and geopolitical interests. The US imposed tariffs on steel and aluminum imports, which led to retaliatory measures by the EU. This conflict reflects the interplay of economic interests and attempts to protect national resources.

The interconnection between the economic strategies of states and companies, as well as political ambitions and geopolitical aspects, determines the complexity and multifaceted nature of such disputes, which require complex analysis and attention in finding effective solutions.

International economic conflicts are inseparable from the relationship between economic and political aspects. The economic decisions and actions of states and companies are closely intertwined with political goals and strategies. This section examines the important influence that political factors have on the development and resolution of international economic conflicts, with detailed case studies from history.

Economic sanctions are a prime example of the relationship between economic and political aspects. States can use sanctions to achieve political goals by putting pressure on the economy of another country. An example is the sanctions campaign against South Africa during the apartheid period. Many countries imposed economic sanctions that had a significant impact on the economy and led to changes in the political regime.

Political decisions of states can directly affect national economic interests and thus contribute to conflicts. For example, a state's decision to nationalize a certain sector of the economy may lead to conflict with foreign companies that own assets in that sector. An example is the nationalization of oil companies in Venezuela in 2007, which caused sharp conflicts with foreign investors.

Political efforts and the desire to improve diplomatic relations can also have an impact on economic conflicts. Economic integration and the creation of international organizations can help reduce tensions and resolve economic disputes. For example, the European Union was

created, in part, to resolve economic and political differences among European countries after World War II.

Geopolitical strategies of states can lead to the formation of economic conflicts, especially in regions with high geopolitical tensions. For example, the conflict in Ukraine in 2014 led to the disruption of economic ties between Ukraine and Russia, as political developments in the region had a direct impact on economic decisions.

States' trade policies can be highly dependent on political arrangements and strategies. Free trade agreements, customs unions and international trade treaties often include political components, making them part of international political relations. For example, the North American Free Trade Agreement (NAFTA) was significantly influenced by the political decisions and strategies of the participating states.

The conclusions from these examples emphasize the importance of understanding the relationship between economic and political dimensions in the context of international economic conflicts. Political decisions and strategies can have a significant impact on economic interests, and economic actions can have profound political consequences. Understanding this interplay is key to analyzing and resolving international economic conflicts with effective and sustainable results.

Considering mediation in international economic disputes as a process, the mediation block can be defined as one of the key tools for resolving international economic conflicts, providing the parties with an opportunity to effectively discuss their differences and reach an agreement with the presence of a neutral mediator. The mediation process includes several stages, each of which is aimed at creating a constructive environment and finding mutually acceptable solutions.

The mediation process begins when the parties initiate a request for mediation or invite a neutral mediator. The parties choose a mediator who has not only professional skills but also knowledge of specific economic issues. It is important that the mediator be independent and neutral towards the parties to the conflict.

At this stage, the mediator ensures that the parties discuss the substance of the conflict, identify key issues and mediation goals. The parties also begin to build trust with the mediator and with each other. This stage helps to create an atmosphere in which the parties are ready to discuss their differences openly and constructively.

The mediator facilitates the collection and analysis of necessary information about the conflict, including economic, legal and political aspects. This helps the parties to better understand the situation and develop reasoned positions. The

mediator may also use expert opinion and advice to support the parties in the decision-making process.

At this stage, the mediator conducts joint sessions at which the parties actively discuss various options for resolving the conflict. The mediator participates in moderating the discussion, helps identify common interests and finds points of convergence. An important part of this stage is to stimulate constructive dialog and reasoned exchange of views.

As the parties approach an agreement, the mediator supports them in developing specific points of agreement. This includes defining responsibilities, deadlines, financial terms and implementation mechanisms. The final agreement is formalized in writing and may be legally binding.

Once an agreement has been reached, the mediator may continue to be involved in the process of monitoring its implementation. This allows the mediator to ensure that the parties fulfill their obligations and resolve any disputes that arise. The mediator can also provide recommendations on how to resolve potential problems.

Example: Mediation between Apple and Samsung

One example of successful mediation in international economic disputes is the conflict between Apple and Samsung. The dispute concerned patent and trademark infringement in mobile technology. In 2014, the parties reached an agreement to end all litigation outside the US. Mediation allowed the parties to avoid lengthy and costly litigation and reach a mutually beneficial solution.

Example: Mediation of a dispute between China and the Philippines

Another example of successful mediation is the dispute between China and the Philippines over territorial claims in the South China Sea. In 2016, an international arbitration ruled in favor of the Philippines, finding that China had violated the law of the sea. The ruling boosted diplomatic efforts and mediation, which helped to ease tensions and seek compromise solutions.

The mediation process in international economic disputes is therefore a powerful tool for conflict resolution. Its stages include initiation, defining the subject matter of the dispute, gathering information, searching for solution options, developing an agreement and monitoring implementation. Examples of successful mediation processes emphasize the importance of this method in achieving effective and sustainable solutions to international economic conflicts.

The mediation process in international economic disputes involves a number of well-structured stages, each of which has its own unique role in ensuring a constructive resolution of the conflict.

Stages of mediation:

From preliminary contacts to the conclusion of an agreement

Stage	Purpose of the stage	Work in progress	Example
1	Preliminary contacts and preparation	At this stage, the mediator establishes contact with the parties and organizes preliminary meetings. Here, conditions are created for understanding the situation, establishing a common understanding of the mediation process and agreeing on its main aspects.	<i>An example of careful preparation for this stage that led to a positive outcome: Mediation in Angola (1991)</i> In mediating the Angolan civil war, mediators from the United States and Portugal held preliminary meetings with government and rebel representatives. These contacts helped set the stage for future negotiations and agree on the terms of the mediation.
2	Identification of key issues and interests	At this stage, the mediator helps the parties to clearly articulate the key issues and interests that need to be resolved. The parties identify their needs, goals and expectations from the mediation.	<i>An example of careful preparation for this stage that led to a positive outcome: Mediation in Israel and Palestine (1993)</i> In the Oslo mediation between Israel and Palestine, the key issues were borders, the status of Jerusalem and refugee rights. Mediators assisted the parties in identifying and articulating their interests, which facilitated the development of an agreement.
3	Building trust and an atmosphere of cooperation	At this stage, the mediator works to create a positive and constructive atmosphere conducive to an open exchange of views and cooperation between the parties.	<i>An example of careful preparation for this stage that led to a positive outcome: Mediation in Bosnia and Herzegovina (1995)</i> In mediating the conflict in Bosnia and Herzegovina, mediator Richard Holbrooke focused on building trust between the warring parties by organizing their meetings and discussions in an informal setting.
4	Exchange of information and positions	At this stage, the parties provide each other with information about their positions, arguments and reasoning. This stage facilitates a deeper understanding of the parties' positions and the identification of common points of convergence.	<i>An example of careful preparation for this stage that led to a positive outcome: Mediation in Cambodia (1991)</i> In conflict mediation in Cambodia, the parties exchanged information about their demands and interests, which allowed them to identify common goals and develop a plan for a peaceful resolution.
5	search for solution options and their discussion	At this stage, the parties actively discuss and analyze different solution options. The mediator stimulates creative exchange and search for compromises.	<i>Example of careful preparation for this stage that led to a positive outcome: Mediation in Nicaragua (1990)</i> In the Nicaragua conflict mediation, mediators facilitated discussions on different options for demilitarization and elections, resulting in a peaceful transition to democracy.
6	Reaching an agreement and formalizing it	At this stage, the parties agree on specific solutions and formalize them in a document. This agreement may include measures to resolve the dispute and cooperate in the future.	<i>An example of careful preparation for this stage that led to a positive outcome: Mediation in Libya (2015)</i> In mediation on the political conflict in Libya, the parties reached an agreement to establish a national unity government and a plan to restore peace.
7	Implementation and monitoring of the agreement	Once the agreement is concluded, the mediator can follow up on its implementation and resolve disputes that may arise in the process of fulfilling the obligations.	<i>An example of careful preparation for this stage that led to a positive outcome: Mediation in Somalia (2000)</i> In conflict mediation in Somalia, mediators remained involved in the process of implementing the agreement, enforcing it and resolving disputes.

Each of these steps plays a key role in the mediation of international economic disputes, providing a systematic and structured approach to conflict resolution that takes into account the interests of the parties and the circumstances. The case studies demonstrate the successful application of these steps and their importance in achieving effective and sustainable outcomes.

At the same time, the key role of the mediator and his or her approaches to ensuring a constructive dialog should be taken into account. The

mediator plays a central and indispensable role in the mediation process of international economic disputes. His/her task is not only to manage the process, but also to create an atmosphere of trust, cooperation and constructive dialog between the parties. The mediator acts as a neutral mediator, oriented towards finding common solutions and settling disagreements, and is obliged to find and propose to the Parties a mutually beneficial solution.

THE PROCESS OF CREATING WIN-WIN SOLUTIONS

1). Identification of alternatives

The mediator facilitates the identification of alternative solutions that would satisfy the interests of all parties. This may involve exploring different scenarios and identifying possible trade-offs.

2). Generating options

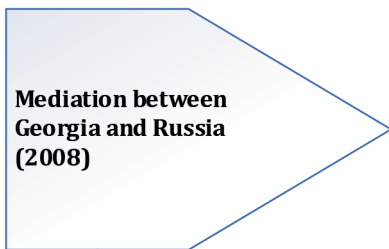
The parties, working together under the guidance of the mediator, can generate different options for a solution, taking into account their interests and needs.

This stage stimulates creative thinking and helps to find innovative ways of resolving the conflict.

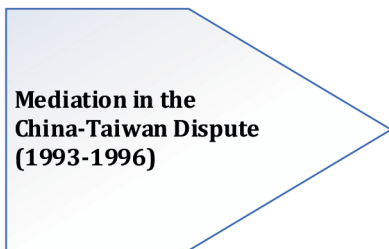
3). Evaluation and selection

Joint evaluation and discussion of the proposed options allows the parties to choose the most appropriate and mutually beneficial solution. It is important to keep in mind that the choice is based on compromise and consideration of the interests of all participants.

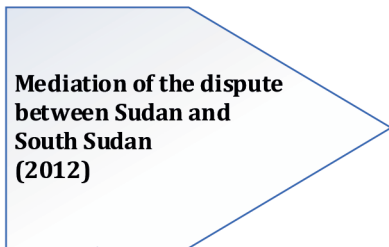
Having analyzed the history of successful mediation practices in international economic disputes, the following striking examples can be highlighted:



After the armed conflict between Georgia and Russia in 2008, mediators from the European Union were actively involved in resolving the situation. Mediation contributed to the establishment of border control mechanisms and security in the region. Thanks to the mediators' efforts, a temporary ceasefire agreement was reached, which reduced tensions and mitigated the conflict.



In the mid-1990s, China and Taiwan began mediated talks on economic ties and cooperation. Mediation helped to reduce tensions and establish practical mechanisms for cooperation. The result was the Three-Note Agreement, which granted economic autonomy to Taiwan and promoted economic relations between the two sides.



Following the partition of Sudan and the formation of South Sudan in 2011, disputes have arisen, including the sharing of oil revenues and economic infrastructure. Mediators from the African Union and other regional organizations helped the parties reach agreement on a number of issues, including customs and oil. This has helped to stabilize the region and enable economic development.

Mediation in the dispute between Ecuador and Peru (1995)

A long-standing conflict between Ecuador and Peru over a border area on the Amazon plateau was successfully resolved through mediation organized by the United States and Brazil. Mediators helped the parties agree to demilitarize the area and establish mechanisms to resolve disputes. This example shows how mediation can help find compromises even in complex and long-standing conflicts.

Mediation on the border dispute between Croatia and Slovenia (2017)

A dispute between Croatia and Slovenia over boundaries and access to the sea was resolved through mediation based on a decision of the Law of the Sea Tribunal. Mediators helped the parties to define the boundaries and establish practical mechanisms for the management of the disputed territories. This example highlights the importance of mediation in resolving complex boundary disputes.

These examples of successful mediation practices in international economic disputes demonstrate the importance of the mediator's role in reaching settlements and creating mutually beneficial solutions for all parties. Mediation contributes to reducing tensions, finding compromises and promoting sustainable regional development.

Conclusions and Implications. International economic conflicts play a significant role in the modern world, affecting economic, political and social processes. In this article we have considered the role and significance of mediation as an effective tool for resolving such conflicts. Mediation, as a process of constructive dialog under the guidance of a neutral third party – mediator, has proven its ability to successfully resolve international economic disputes.

It is important to emphasize that mediation has a number of significant advantages over traditional resolution methods such as litigation or arbitration. Mediation allows the parties to actively participate in the process of finding a solution, while maintaining control over the outcome and maintaining a working relationship. The flexibility and adaptability of mediation allows the specificity of each conflict to be taken into account, which helps to create more satisfactory solutions for all parties.

The main characteristics of international economic conflicts have been discussed in this article with a focus on their complexity, multidimensionality and the influence of geopolitical and economic factors. Mediation, as an approach to their resolution, makes it possible to take into account these features and contribute to the creation of balanced solutions.

The mediation process was examined in detail, describing the stages from preliminary contacts to the conclusion of an agreement. The role of the mediator and his approaches to ensuring a constructive dialog were highlighted as key factors for successful mediation.

The examples of successful mediation practices in international economic disputes cited in this article demonstrate a wide range of situations in which mediation played a crucial role. By analyzing the key factors that contributed to reaching an agreement, lessons that can be applied to future conflicts can be identified.

However, despite its many advantages, mediation also faces limitations and challenges related to the unequal economic status of the parties, the need to enforce mediation agreements and the influence of national legislation and international agreements.

In general, the development of mediation in resolving international economic conflicts continues

to expand and deepen. Technological progress, active support of international organizations and governments, as well as increasing professionalism of mediators contribute to the creation of favorable conditions for the successful application of mediation on the world stage.

Trends in the development of mediation point to the importance of further research and application of this tool in resolving international economic conflicts. The prospects for further development of mediation represent an important topic for future research and practice in this field.

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