

Mediation as an alternative way of resolving disputes

Abstract

This work deals with the increasingly frequent type of dispute resolution, to be concrete it focuses on mediation. In the introduction, the author deals with the essence of conflict. The author also discusses the types of alternative dispute resolution. After this theoretical introductory part, the work focuses exclusively on mediation. It describes the history of this institute, the division of types of mediation, analyses the legal regulations and presents a general overview of the mediation procedure and the specifics associated with it. The work mainly deals with the principles of mediation such as confidentiality, voluntariness, with regard to the assumptions and performance of mediation by a registered mediator.

The author analyses all the mentioned topics in connection with national legislation and compares it with European legislation so that the reader can understand the development of mediation and its possible pitfalls.

The author also provides her suggestions for further cultivation of the mediation environment based on his experience as a registered mediator and a study of foreign mediation practice.

Key words: mediation, code of ethics, alternative dispute resolution, ADR