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Mediation in Administrative Law Proceeding: Comparative Legal Analysis of the Legislation of the Federal Republic of Germany and Ukraine

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Abstract
The article highlights the content of mediation as an alternative method of administrative law dispute resolution through the prism of analysis of the relevant legislation. The relevance of this topic is primarily associated with the problems of resolution of administrative law disputes by the means of litigation. Therefore, mediation appears as a way to find a compromise for both parties, which can be achieved with the help of a mediator whose purpose is to resolve a conflict situation and assist in making a decision which would satisfy the interests of both parties. The purpose of this article is to study mediation as a method of alternative dispute resolution in the administrative process in its broadest sense, i.e., including administrative procedure and administrative proceedings, based on the comparative legal analysis of Ukrainian and German legislation. To achieve this goal and solve the tasks stipulated by it, the following scientific methods were used: systematic, formal legal, comparative legal, analysis and synthesis, and generalisation methods. The article examines the legislation on mediation: domestic and German. It is established that in the legislation and practice of European countries, mediation has been used for a rather long period of time in the resolution of administrative law disputes. Such a widespread use of mediation in administrative law issues is associated with Recommendation (2001) 9 of the Committee of Ministers of the Council of Europe to member States on alternatives to litigation between administrative authorities and private parties, dated 5 September 2001, which emphasises that the use of alternative means of settling administrative disputes makes it possible to resolve these problems and bring the administrative authority closer to the public. The author substantiates the relevance of legal regulation of mediation as a means of resolving administrative law disputes in Ukraine.

Keywords: *mediation; mediator; administrative process; administrative law disputes.*

Медіація в адміністративному процесі: порівняльно-правовий аналіз законодавства Федеративної Республіки Німеччина та України

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Анотація
У статті розкрито зміст медіації як альтернативного способу врегулювання адміністративно-правових спорів крізь призму аналізу відповідного законодавства. Актуальність даної теми обумовлена насамперед проблемами, пов'язаними з вирішенням адміністративно-правових спорів у судовому порядку. Відтак, медіація постає як спосіб знайдення компромісу для обох сторін, який можна досягти за допомогою фахівця-медіатора, метою діяльності якого є врегулювання конфліктної ситуації та допомога у прийнятті рішення, що задовольняло б інтереси обох сторін. Мета статті полягає у дослідженні медіації як способу альтернативного вирішення спорів в адміністративному процесі в його широкому розумінні, тобто включаючи адміністративну процедуру та адміністративне судочинство, на основі порівняльно-правового аналізу законодавства України та Німеччини. Задля досягнення поставленої мети та вирішення обумовлених нею завдань було використано такі наукові методи: системний, формально-юридичний, порівняльно-правовий, аналізу та синтезу, а також узагальнення. Досліджено вітчизняне та німецьке законодавство про медіацію. Встановлено, що у правовому просторі європейських країн медіація саме при вирішенні адміністративно-правових спорів застосовується досить тривалий проміжок часу. Таке поширене застосування медіації в адміністративних правовідносинах пов'язують з Рекомендацією (2001) 9 Комітету Міністрів Ради Європи державам-членам щодо альтернатив судовому розгляду спорів між адміністративними органами та сторонами-особами від 5 вересня 2001 р., в якій наголошується на тому, що використання альтернативних засобів урегулювання адміністративних спорів надає можливість розв'язати ці проблеми та наблизити адміністративний орган до громадськості. Обґрунтовано актуальність правового унормування медіації як способу вирішення адміністративно-правових спорів в Україні.

Ключові слова: *медіація; медіатор; адміністративний процес; адміністративно-правові спори.*

Introduction

The protection of human rights and freedoms is a fundamental constitutional principle of the Ukrainian state policy. A key indicator of the implementation of this principle is the existence of an effective mechanism for the protection of human rights and freedoms in case of their violation. Given the current political context in Ukraine, there is a need to expand the instruments for resolving disputes that may arise between a person and the state.

According to the statistical reports, in 2022, local administrative courts received 382,527 statements of claim, applications for review of a court decision due to newly discovered or exceptional circumstances, applications for securing evidence, for the resumption of lost court proceedings, appeals, motions and other materials against 559,321 cases and materials received in 2021 [1, p. 3] It is worth noting that the average number of cases and materials received for consideration in 2022 per district administrative court judge was 717, compared to 1031 in 2021. On average, a judge of a district administrative court spent 112 days to consider one case, while in 2021 – 78 days [Ibid., pp. 4, 9].

However, in our opinion, given the ongoing martial law on the territory of Ukraine, it will also be more objective to analyse the judicial data of 2021 and 2020. Based on the analysis of the above indicators of the work of administrative courts before the outbreak of war, there is a tendency to increase the number of cases that come to court during the year. According to a comparative analysis of the annual performance indicators of district administrative courts for 2019 and 2020, most courts maintain a trend towards an increase in the number of cases coming to court. In some cases, this figure reaches 20-30%, or in absolute terms, the increase reaches 4000-5000 cases per year. In the situation of insufficient number of judges in Ukraine, this situation leads to overloading of judges and increase of time of court proceedings [2, p. 6]

The proclaimed European integration course of our state should not be overlooked, and the issue of which has become even more relevant in the context of martial law. In the legal space of European countries, mediation has been used to resolve administrative law disputes for a long time. Such widespread use of mediation in administrative legal relations is associated with Recommendation (2001) 9 of the Committee of Ministers of the Council of Europe to member states on alternatives to litigation between administrative authorities and private parties of 5 September 2001 (hereinafter – the Recommendation). In particular, this Recommendation emphasises that judicial procedures are not always suitable for the

settlement of administrative disputes in practice, and that the use of alternative means of administrative dispute resolution makes it possible to solve these problems and bring the administrative body closer to the public [Ibid., p. 4].

The statistics on court decision-making, court workload, duration of court proceedings, and European integration legal reforms of the judiciary show that the resolution of administrative law disputes through the judiciary should not remain the only one of their resolution. That is why addressing the issue of improving the comprehensive system of protection of human rights and freedoms through the use of mediation as an alternative way to resolve disputes or conflicts is a relevant and significant issue of our time. This article will focus on mediation as an alternative to the judicial resolution of administrative law disputes.

In light of the above, the purpose of this article is to study mediation as a method of alternative dispute resolution in the administrative process in its broad sense, i.e., including administrative procedure and administrative proceedings, based on a comparative legal analysis of mediation legislation in Germany and Ukraine.

Literature review

Mediation is one of the new forms of conciliation in the domestic practice of resolving administrative law disputes, which are faced by almost all participants in administrative law relations. This can be explained by the fact that a key feature of administrative law relations is that a mandatory party to such relations, along with a private person, is a public authority, whose competence, for example, includes resolving issues directly related to the activities of this private person. In Ukraine, the study of the use of alternative dispute resolution methods issues has been conducted in various aspects, but mostly only in the context of private law disputes. However, Ukrainian scholars have recently begun to explore the possibility of introducing mediation into the process of resolving public law disputes, but this issue remains insufficiently scientifically researched. In particular, mediation as a method of alternative dispute resolution has been studied by the following scientists: M. Blikhar [3], D. Davydenko [4], O. Katsyora [5], S. Korinnyi [6], K. Rostovska [7], A. Serhieieva, A. [2], A. Sobakar [8; 9], K. Tokarieva [10], T. Tsuvina et al. [11–13], L. Vasechko [14], I. Verba [15], O. Yaroshenko et al. [16].

According to M. Blikhar, mediation should become one of the main guarantors of compliance with the principles of the rule of law, and help the judiciary as a universal institution of legal protection of the rights and freedoms of citizens and legal entities. In particular, one hundred per

cent implementation of the decisions proposed by the mediator should be extremely important in the application of mediation, which, in turn, will increase the authority of legal mediators and legal mediation as an institution and procedure for resolving legal disputes [3, p. 78].

K. Tokarieva concludes that mediation as a dispute resolution procedure with the participation of a neutral mediator can be used in disputes where at least one of the parties is a subject of public authority. Given the specifics of disputes in public relations, the introduction of mediation has many advantages: reducing the workload of administrative courts, reducing the duration and increasing the efficiency of administrative proceedings, and so on. In addition, mediation, where both the citizen and the public authority have equal rights to protect their interests, promotes the establishment of trust and social harmony between the state and citizens [10, p. 131].

According to D. Davydenko, the list of problems for introducing mediation into administrative law were defined, which is suggested to be divided into three groups: general, administratively oriented, technical. Common problems are conditioned by conceptual problems of mediation introduction, administratively oriented: provide impossibility of the development of alternative ways for solving disputes in administrative law, and technical: gaps in legislation concerning procedural aspects of carrying out mediation [4, p. 260].

Materials and Methods

Based on the outlined subject matter – legislation on mediation in the administrative process – the main method of analysis is the formal legal method. The formal legal method was used to determine the content of legal provisions and to analyse the lawmakers' intent in writing such provisions. It allows to systematise the information obtained from legal acts, revealing the key aspects of mediation regulation in both countries.

The formal logical method was used to identify the basis for identifying shortcomings in national legal regulation and finding ways to overcome them.

By choosing the comparative method, we have the opportunity to identify common and distinctive features of the legislation of the Federal Republic of Germany and Ukraine. This allows the researcher to highlight good practices and innovations in both systems, as well as to identify opportunities for improvement in each state.

In order to update information and cover the latest legislative developments in both countries, we will conduct a systematic analysis of official documents, including draft laws, regulations and other sources.

The functional method was used to determine the areas of legal impact of mediation in administrative law relations, the subjects of administrative law regulation of mediation, and the importance of proper administrative law regulation.

The methods of analysis, synthesis, induction, deduction, and analogy were also used to formulate proposals and recommendations for improving the administrative law regulation of mediation in Ukraine, mainly based on the German experience.

This choice of above mentioned methods and approaches allows us to get a comprehensive undrstanding of mediation in the administrative process in both states.

As for the main stages of this article, they are aimed at conducting a comparative legal analysis of the legislation of the Federal Republic of Germany and Ukraine on mediation in administrative proceedings.

The first stage involves a clear definition of the object and subject of the study, as well as the formulation of the actual problem to be studied. In the context of this study, it is determined that the object is mediation in administrative proceedings in its broadest sense, and the subject matter is the legislation of the Federal Republic of Germany and Ukraine.

The second stage involves a systematic analysis of existing academic papers, monographs and legislation on the selected topic. Primary and secondary data are collected to provide a basic foundation for further analysis.

At the third stage, the choice of methods and approaches to be used for comparative legal analysis is justified. In particular, it is determined whether the legal or comparative method will be used, as well as the choice of criteria for assessing the legislation.

This stage involves conducting the analysis itself, taking into account the selected methods and approaches. The article examines the common and distinctive features of mediation in administrative proceedings in the Federal Republic of Germany and Ukraine. The conclusions are formulated on the basis of the findings.

At the final stage, the authors provide a justification for the choice of the methods, techniques and approaches used, and identifies possible prospects for further research in this area.

Results and Discussion

O. Melnychuk states that in the context of Ukraine's integration into the European legal community, it is important to develop an effective

administrative justice system, one of the tools to ensure which is an alternative out-of-court method of resolving legal disputes. The experience of European countries shows that mediation can increase the effectiveness of their settlement [17, p. 78].

As I. Verba concludes, improvement, optimisation and harmonisation of procedural legislation and the and the judicial system are aimed at achieving a balance in ensuring the public interests of society and private interests of an individual. Therefore, as in many rule-of-law countries countries of the world, today in Ukraine it is important to substantiate the ways of introducing the mediation into the structure of administrative procedures. Practice shows that the procedures and mediation procedures and methods developed in different countries may differ in content and effectiveness, but no approach has yet been implemented in the national legislation of Ukraine. any approach has been implemented in the national legislation of Ukraine [15, p. 186]

This section of the article will analyze the experience of legislative introduction of mediation in Germany, as a state which has already successfully passed the path of establishing mediation as a dispute settlement instrument, and Ukraine, as a state which is still on this path. A comparative legal analysis of certain provisions of the laws on mediation in Germany and Ukraine will also be carried out in order to identify similarities and differences, mainly for the reason of developing Ukrainian approaches both in theory and practice of mediation.

Historical background in Ukraine

Back in 2013, the Verkhovna Rada registered Draft Law No. 2425a-1 "On Mediation", but in 2014 the draft law was withdrawn.

In 2014. Ukraine signed the Association Agreement with the European Union. According to Article 1 of the Agreement, Ukraine and the EU should strengthen cooperation in the field of justice, freedom and security in order to ensure the rule of law and respect for human rights and fundamental freedoms. The EU countries agreed that ensuring the rule of law and better access to justice should include access to both judicial and non-judicial methods of dispute resolution.

Later, the Presidential Decree No. 276/2015 of May 20, 2015 approved the Strategy for Reforming the Judiciary, Judicial Proceedings and Related Legal Institutions for 2015–2020. According to clause 5.4 of the Strategy, it is envisaged to expand the methods of alternative dispute resolution.

On 15 December 2021, the Law of Ukraine "On Mediation" came into force [18]. This Law defined the legal basis and procedure for mediation as an

out-of-court conflict resolution procedure, the principles of mediation, the status of a mediator, requirements for mediators training and other issues related to this procedure. It may appear that Ukraine has a slowed

From a simple analysis of the dates of adoption of the laws, it may seem that Ukraine is delaying the introduction of mediation into the national dispute resolution system compared to Germany. Among the reasons for the slow introduction of mediation into the dispute resolution system of Ukraine, O. Katsyora [5] notes the following:

– low legal culture of the population;
– the novelty of this service for the country;
– the positions of the parties who were unwilling to agree to a compromise;
– the specifics of national justice;
– difficulty in selecting a mediator as a highly professional person;
– specifics of Ukraine's political and economic situation;
– low level of cooperation with international organisations;
– lack of adequate funding and insignificant state support;
– predominantly public principles of mediation development [5, p. 23].

The position of scholars Rostovska and Hryshyna is also worthy of attention, as they point out the following aspect as an obstacle to the introduction of mediation. The area of administrative disputes is the most difficult to apply the mediation procedure. This is due to the following peculiarities of such disputes:

– the parties to the dispute are unequal subjects – they have a power-subordination relationship;
– there are corruption risks due to agreements between an official and a private person;
– the public authority is guided by the public interest in its activities and does not have freedom in decision-making;
– the risk of accusing a public servant of exceeding his or her authority when entering into a mediation agreement [7, p. 185].

Partially agreeing with the opinions of the scholars mentioned above, we believe that these problematic aspects of the introduction of mediation into the Ukrainian dispute resolution system are not insurmountable obstacles, but rather national peculiarities and issues of time. Below, we will analyse the legislation of Germany and Ukraine and provide recommendations on how to make this path more effective for Ukraine.

Historical background in Germany

In July 2012, the German legislator implemented EU-Directive 2008/52/EWG ("EU Directive") [19]. The primary aim of the EU Directive is to ensure

the enforceability of an agreement reached via mediation, the confidentiality of the mediation, and the suspension of the statute of limitations for the duration of the mediation proceedings. Germany then adopted the "Act to Promote Mediation and Other Methods of Out-of-court Dispute Resolution" (in German, "Gesetz zur Förderung der Mediation und anderer Verfahren der außergerichtlichen Konfliktbeilegung", BGBl. 2012 I, 1577; hereinafter the "Act"). The core elements of the Act are the enactment of the Mediation Act (hereinafter the "German Mediation Act") and amendments to the procedural codes, in particular the German Code of Civil Procedure. The German Mediation Act is the first codification of mediation and related provisions in German law prescribing, inter alia, basic principles, procedural rules, and minimum duties of the mediator. While the EU Directive is applicable to cross-border disputes only, the German Mediation Act does not distinguish between cross-border and domestic mediation. The Act focuses on mediation as a method of alternative dispute resolution.

For comparison, on July 21, 2012, the German Mediation Act was adopted. It is quite concise, as it consists of only 9 paragraphs. The Law of Ukraine "On Mediation" (hereinafter the "Ukrainian Mediation Act") was adopted on 16.11.2021 and consists of 21 articles.

The concept of "mediation"

The German Mediation Act defines mediation as a confidential and structured proceeding in which the parties, voluntarily and on their own responsibility, seek an amicable settlement of their dispute with the assistance of a mediator (sec. 1 para. 1) [19].

In its turn, the Ukrainian Mediation Act establishes the following definition: mediation is an extrajudicial voluntary, confidential, structured procedure during which the parties, with the assistance of a mediator (mediators), try to prevent or resolve a conflict (dispute) through negotiations [18].

In general, these definitions contain quite similar characteristics of the use of mediation. Both Mediation Acts establishes the goal of mediation as to seek a future-oriented solution to the dispute, thus allowing the parties to move forward and continue their cooperation. However, in the Ukrainian Mediation Act it is mentioned that mediation is first of all an extrajudicial procedure. Therefore, while the German Mediation Act refers to three types of mediation or related proceedings: the standard out-of-court mediation, the out-of-court mediation upon proposal by the court, and mediation in judicial conciliatory proceedings, the Ukrainian Mediation Act is primarily oriented at out-of-court mediation. We consider this discrepancy in the definition of mediation is primarily due to the fact that Ukraine is only at the initial stage of actual implementation of mediation. That is why

currently Ukraine is ready to introduce mediation only as an out-of-court procedure. However, an interesting fact is that the German Mediation Act contained three types of mediation at once.

The concept of "mediator"

German Mediation Act: A mediator is an independent and neutral person without decision-making authority who accompanies the parties during the mediation procedure (sec. 2 para. 1) [2].

Ukrainian Mediation Act: Mediator is a specially trained neutral, independent, impartial individual who conducts mediation [18].

The key difference between these two definitions is that the German version specifically states that the mediator has no decision-making authority, which is not the case in the Ukrainian law. In my opinion, this is a good example of improving Ukrainian legislation, since given the rather high level of abuse of rights and obligations, for example, in court, it is necessary to minimise the risks of such abuse during the mediation procedure.

It is also interesting that the German Mediation Act defines the main principles of mediation through the concepts of mediation and mediator without specifying them separately. In contrast, the Ukrainian Mediation Act contains Art. 4, which separately defines the principles of mediation, which generally coincide with the relevant German principles.

The principle of confidentiality

A separate paragraph in the German Mediation Act states the principle of confidentiality as one of the fundamental principles of mediation. The rule of confidentiality applies not only to the mediator, but also to any persons involved in the procedure. At the same time, there are exceptions when this obligation of confidentiality does not apply, namely: disclosure of the content of the agreement reached during mediation is necessary for the implementation or execution of this agreement; disclosure is necessary for reasons of public order (ordre public), in particular in case of significant harm to the physical or mental health of a person or to prevent a threat to the welfare of a child; the case concerns facts that are generally known [19].

The Ukrainian Mediation Act describes the principle of confidentiality by establishing obligations for all parties to the mediation not to disclose confidential information, unless otherwise provided by law or unless all parties to the mediation agree otherwise in writing. With regard to exceptions to such disclosure, the mediator shall be released from the obligation to keep confidential information to the extent necessary to protect his or her rights and interests in case a party to the mediation claims against the mediator for non-fulfilment or improper fulfilment of

the terms of the mediation agreement. In this case, the court, other bodies or officials considering the claims of the party to the mediation to the mediator or who have become aware of such claims shall take measures to prevent unauthorised persons from accessing and disclosing confidential information [18].

In general, the provisions of German and Ukrainian legislation are again similar, which indicates a similar approach to the issue of confidentiality of the mediation process. However, the German version describes in more detail the cases of exceptions to disclosure, while the Ukrainian version refers generally to court proceedings in which certain details of the mediation may be disclosed.

German and Ukrainian approaches of mediators preparation and training

Section 5 of the German Mediation Act imposes an obligation on the mediator to undergo training and regular professional development. It is interesting that the German law imposed the obligation to ensure training and advanced training on the mediator. Thus, the legislator outlined the range of special knowledge and skills that a mediator must have, but did not set time limits for training and advanced training. This means that it is up to the mediator to resolve this issue. However, the Law contains a special reservation: it is mandatory to undergo proper training and regular professional development in order to competently support the parties in the mediation procedure [19].

An important aspect of mediator training in Germany is supervision, which is professional support, mentoring, and consultation of a mediator with a more experienced colleague-mediator on problematic issues and challenges that the mediator has encountered during the mediation procedure. It is an opportunity to evaluate oneself as a specialist from the outside, an opportunity to maintain internal balance and equilibrium for further performance of one's duties properly [Ibid.].

The description of mediator training in Ukraine is more concise. The basic training of mediators shall be carried out according to the programme of at least 90 hours of training, including at least 45 hours of practical training. The programme of basic training of mediators shall include theoretical training and practical skills training. Mediators shall be trained by educational entities. The training of mediators, in addition to the basic training, may include specialised training in accordance with the training programmes developed by the educational entities. Upon completion of basic and/or specialised training and confirmation of the acquired competencies, a relevant certificate shall be issued. The certificate

confirming the completion of basic and/or specialised training of a mediator may include other information determined by the educational entity that provided the training. The certificate confirming completion of the basic and/or specialised training of a mediator shall be accompanied by a list of components of the training programme and acquired competencies. Educational entities that provide training of mediators shall keep registers of their graduates, which shall contain the information provided for in part four of this Article [18].

Thus, the German provisions are interesting in that they mainly deal with self-education and self-organisation of mediators, which indicates that candidates are highly motivated to prepare for the status of mediator. Germany also has a unique supervision system, which is an important aspect of training aimed at acquiring practical skills and cooperation between "junior" and "senior" mediators. In Ukraine, as for now, mediation training seems to be more formalised and theoretically oriented. Therefore, the practical vector in the training of German mediators is extremely important for research and further implementation, especially considering the fact that Ukrainian mediation system is only at the initial stage of its formation and functioning.

Returning to the issue of obstacles to the introduction of mediation caused by the following factors: the existence of power-subordination relations between the parties to the dispute; a high degree of corruption risks in agreements between an official and a private person; limited or absence of freedom of decision-making by the subject of authority, who is guided by the public interest in his/her activities; the risk of accusing a public servant of exceeding his/her authority when concluding a mediation agreement, etc. [7, p. 185], it should be noted that this problem has no simple solution and requires a comprehensive approach.

Such an approach in general may consist of the following blocks:

1) determination of the range of public authorities which, in principle, may enter into mediation agreements;
2) determination of the list of legal relations in which mediation procedures are possible;
3) establishment of the limits of discretionary powers, which will include the possibility of determining the terms of a mediation agreement and its conclusion for a certain range of public authorities;
4) clear legislative consolidation of the criteria for the application of discretionary powers when concluding a mediation agreement.

The last of these points will have a dual purpose. On the one hand, it will contain requirements that must be met both by the decision made within

the scope of discretion and by the procedure for its adoption. On the other hand, it will act as a certain guarantee that will protect the authority from accusations of abuse of power.

Conclusions

The article makes a comparative legal analysis of the provisions of German and Ukrainian legislation on mediation. It is established that along with similar provisions of the laws on mediation in Germany and Ukraine, there are certain differences. Some differences were identified in the process of training mediators, as German training seems to be more practice-oriented than Ukrainian training.

As a general conclusion, it can be noted that mediation can serve as a rather effective way to resolve administrative and legal disputes, given the geopolitical situation in Ukraine, both during and after the war. Mediation is distinguished by its flexibility and more equal relations between the parties than in administrative and judicial proceedings. An important feature of mediation is that it is primarily aimed at reaching a compromise by establishing a dialogue between the parties.

The German experience analysed above is extremely useful for Ukraine, as Ukraine often relies on the experience of this country in the lawmaking process. Thus, taking into account Germany's experience in the field of mediation, foreign standards of mediator's activity and domestic practice will allow to formulate proper and effective legal regulation of mediation in Ukraine. In particular, this will help to improve the mediation training process by making it more practically oriented and creating a platform for interaction between mediators, for example, by introducing supervision.

Recommendations

Taking into account the context of comparative legal analysis of the legislation on mediation in administrative proceedings of the Federal Republic of Germany and Ukraine, a number of recommendations for the training of mediators in Ukraine are provided below:

1. It is recommended to actively implement the best international practices in the training of mediators, in particular the experience of Germany. Among the specific areas of improvement, it is worth mentioning supervision. As noted above, this is a kind of mentoring that allows both junior and senior mediators to assess themselves as a specialist who, on the one hand, is able to pass on their experience, and on the other hand, accumulate the knowledge gained. It is also an opportunity to maintain internal balance and equilibrium in order to continue to perform their duties properly.

And generally, the involvement of foreign experts, organisation of international seminars and trainings will facilitate the exchange of knowledge and improve training system.
2. In training mediators, it is important to focus on the development of psychological and socio-cultural competences. Knowledge of professional mediation techniques should be complemented by communication skills, understanding of interpersonal relationships and cultural sensitivity.
3. It is recommended that effective cooperation be established with industry organisations and the judiciary to tailor mediator training to the specific needs of the administrative justice system. This could include joint training, reciprocal programmes and exchange of experience.
4. In particular, it is important to ensure access to innovative knowledge in the field of mediation. The introduction of e-resources, virtual training and online platforms for information exchange will facilitate fast and effective learning.
5. It is recommended to actively conduct information campaigns and promote the idea of mediation in the administrative process. Involving the public in discussions, publishing articles and appearing in the media can create a favourable climate for the development of mediation practice.
6. Involvement of mediators in active participation in research and publications will contribute to the development of the theoretical framework and exchange of experience in the field of mediation.

These recommendations will help improve the system of training mediators in Ukraine and make it more efficient and relevant to the current challenges of the administrative process.

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