

Cross-Regional Court Performance Assessment – Country Report

📍 Uzbekistan



European Bank
for Reconstruction and Development

大成 DENTONS



Key findings

Macro Data

Central Asia¹

EBRD region of operation

34,915,100 (2021)²

Population size

440,650.0³

Land area (sq.km.)

1,983.1 (2021)⁴

GDP per capita in USD

Uzbekistan has higher than average scores for Dimension 1. Policies and Infrastructure for E-justice and Dimension 2. Commercial Dispute Resolution. The country performs lower than the average in Dimension 3. Uncontested Procedures for Enforcing a Claim and Dimension 4. Small Claims Procedures.

With the exception of stakeholder engagement, Uzbekistan ranks above average in terms of **Policies and Infrastructure for E-justice**. The level of broadband internet access is low, while the level of internet penetration is 70%. Uzbekistan performs particularly well in terms of the overall level of development of justice system digitalisation. The court system operates using a fully integrated CMS. The digitization of court processes is also at a high level; however, e-filing and e-service are available but not frequently used. Uzbekistan has low scores for the indicator on stakeholder engagement.

Uzbekistan has higher than average scores in **Commercial Dispute Resolution**, mainly due to the extent of specialisation in this area. Specialised commercial courts are available in Uzbekistan on all territorial levels. There are meaningful modifications to the general procedural rules in commercial cases. Unfortunately, there is no publicly available information on the content and availability of commercial law training in Uzbekistan; therefore, the country was not assessed in terms of these sub-indicators. Uzbekistan achieves lower than average scores for the use of mediation/ADR tools.



While there is legislation governing mediation in civil/commercial disputes, no court-annexed mediation is available. Mediation settlement agreements of commercial disputes are not directly enforceable in Uzbekistan and there are no online solutions for out-of-court settlement. Uzbekistan does not have disaggregated statistics on the effectiveness and efficiency of commercial litigation.

Uzbekistan has lower than average scores in **Uncontested Procedures for Enforcing a Claim**. Even though the 10-day timeline for issuing a court order is not always complied with, this procedure is still quick and takes up to a month. However, there is an important drawback to the procedure in Uzbekistan that severely reduces its utility for creditors.

¹ See <https://www.ebrd.com/where-we-are.html>.

² See <https://data.worldbank.org/country/uzbekistan?view=chart>.

³ See <https://data.worldbank.org/indicator/AG.LND.TOTL.K2?locations=UZ>.

⁴ See <https://data.worldbank.org/country/uzbekistan?view=chart>.

In Uzbekistan the creditor must deliver a copy of the application for a court order to the debtor, certifying that with the personal signature of the individual or the stamp of the legal entity and present to the court a proof thereof. It is quite easy for debtors to avoid such delivery thus leaving the creditor with no other option but to resort to litigation. The challenges to validly serve to a debtor in the framework of the court order procedure in Uzbekistan may be one reason why this procedure is becoming less and less popular. In 2021, only 0.6% of all cases were heard in this procedure.

Compared to other assessed EBRD CoOs, Uzbekistan achieves lower than average scores for **Small Claims Procedures**. E-filing is available, but it is rarely used. There are few meaningful procedural simplifications of the small claims procedure.

Overall, Uzbekistan has an average level of readiness for the introduction of ODR. Since the legal framework and the IT infrastructure are in place, the most important immediate task would be to mobilize and engage stakeholders in the use of e-justice solutions and tools. Furthermore, it would be advisable to reform the court order procedure in order to turn it into a meaningful alternative to litigation. Currently, the subject matter area that appears most suitable for ODR initiatives is commercial dispute resolution.



Questionnaire

No.	Indicator Component	Score	Justification for the scoring and sources
Dimension 1. Policies and Infrastructure for E-Justice			
	<p>Link to the strategy that covers e-justice (if any) and time-period of the strategy.</p>		<p>One of the recent documents is Resolution of the President of the Republic of Uzbekistan “On measures to digitalize the work of the judiciary” No. PP-4818 dated 03.09.2020.⁵</p> <p>This document provides the Program “On digitalization of the judiciary in 2020 - 2023” (hereafter referred to as the “Program”).</p> <p>Furthermore, in May 2022, the of Uzbekistan approved the document “On measures for the widespread introduction of modern information and communication technologies in the activities of the advocacy” No. PP-263 dated 30.05.2022. Briefly, the document prescribes the following:</p> <ul style="list-style-type: none"> • introduces electronic data exchange among the advocacy, the court, law enforcement agencies and other government organizations. • advocates will be able to improve their skills, as well as provide assistance to legal entities and individuals online. • it will be possible to attract a lawyer at the expense of the state by random electronic selection with the exception of the human factor. • the collection of statistical information from advocates structures in the traditional form is canceled with the introduction of automatic generalization of this information. • from 1 February 2023, the practice of issuing “Electronic warrant of advocates” with a special QR-code for a particular case has been implemented by advocacy structures; • from 1 January 2023, the “Legal Assistance” information system, which introduces for the digitalization of the processes of providing legal assistance to citizens, the integration of the legal profession with the activities of courts, law enforcement agencies and other government agencies. <p>In terms of preparatory actions, the documents prescribes the following:</p> <ul style="list-style-type: none"> • prior 1 January 2023, it is necessary to ensure the approval of the draft regulatory act on the procedure for the operation of the information system “Legal Assistance”, as well as the launch and creation of a special mobile application for this system. • by 1 November 2022 the Ministry of Justice, together with the Chamber of Advocates, should take measures on improving the digital literacy and qualifications of advocates and conduct trainings on information technology and information security. • within 3 months, the Ministry of Justice, together with interested ministries and departments, should submit proposals to the Cabinet of Ministers on amendments and additions to legislative acts arising from PP-263 dated 30.05.2022. • within 3 months, the Ministry of Justice together with the Ministry for the Development of Information Technologies and Communications should take measures on implementation of necessary organizational and technical activities. <p>The full text is available via https://lex.uz/en/pdfs/6039339 in Russian.</p>

⁵ <https://lex.uz/docs/4979899>

No.	Indicator Component	Score	Justification for the scoring and sources
	Which body is responsible for digitization of the judiciary?		<p>The Program provides the range of responsible organizations for digitalization of the Judiciary of Uzbekistan. In particular, the following organizations are mainly involved:</p> <ul style="list-style-type: none"> • the Supreme Court of the Republic of Uzbekistan; • the Ministry of Justice of the Republic of Uzbekistan; <p>The Ministry for Information & Communications Technology Development of the Republic of Uzbekistan.</p>
	Which body is responsible for digitization in public administration?		Ministry for Information & Communications Technology Development of the Republic of Uzbekistan;
	Is there a formal coordination mechanism for digitization projects in the judiciary and public administration? What is it?	N/A	
	Does the Case Management System of the courts allow for auto-generation of parts of the judicial acts?	No.	
	Can judges work remotely by accessing the Case Management System of the courts from a distance?	No.	

No.	Indicator Component	Score	Justification for the scoring and sources
Indicator 1.1. Level of Development of E-governance and E-infrastructure			
1.1.1.	Level of internet penetration	2	70%
1.1.2.	Level of development of electronic signatures	3	<p>Under Uzbek law, there is the Law of the Republic of Uzbekistan “On electronic digital signature” No. 562-II dated 11.12.2003.⁶ In addition there is the special e-signatures website – https://e-imzo.uz/?lang=ru#eds_control – where individuals can find guidance on e-signatures.</p> <p>In general, the e-signature is well-developed in Uzbekistan and most of the public services can be obtained via using of e-signatures. But it should be noted that not all government agencies provide online services or provide them in beta mode.</p> <p>In 2018, the Ministry of Information Technology and Communications Development reported 2 946.938 amount of the registered e-signatures.⁷</p>
1.1.3.	Level of development of electronic documents	3	<p>Uzbek law provides regulations and rules for the electronic documents (e.g. Law of the Republic of Uzbekistan “On electronic document management”⁸).</p> <p>Today, the electronic document management system is widely used in the activities of public institutions. This includes the Ministry of Justice, courts of general jurisdiction and other public authorities.⁹ Most of ministries receive documents for their services via https://my.gov.uz/ru platform, where individuals can obtain services in related to transportation, housing and public utilities, health care, taxation, investment and trade and others. Unfortunately, this website is available only in Uzbek and Russian, not English version yet.</p> <p>In addition, there are ministries that provide their own platforms for their services, for example:</p> <ul style="list-style-type: none"> • e-court – https://my.sud.uz/; • e-taxation – https://my.soliq.uz/main/; • e-licensing – https://license.gov.uz/; <p>These websites allow ministries and individuals to exchange electronic documents among each other.</p>

⁶ <https://www.lex.uz/docs/4410899>

⁷ <https://mitc.uz/ru/stat/9>

⁸ No. 611-II dated 29.04.2004, <https://lex.uz/docs/165074>

⁹ https://www.minjust.uz/ru/library/own_publications/71327/?print=Y

No.	Indicator Component	Score	Justification for the scoring and sources
1.1.4.	Level of development of national electronic identification	2	<p>Uzbek law transferred the policy of personal identification from TIN (ИИН) to PIN (ПНФЛ), thus the identification procedure became easier and faster.</p> <p>The microprocessor embedded in the e-ID card contains the cardholder's digital information such as demographics, facial image and biometrics. Nowadays it can only be used for State Motor Vehicle Inspectorate. For other online service, individuals should use their electronic signatures.</p> <p>See also newest developments on the subject: https://www.norma.uz/novoe_v_zakonodatelstve/s_1_avgusta_2022_goda_vnedryat_sistemu_mobile-id</p>
1.1.5.	Level of online access to administrative services	3	<p>Most of ministries receive documents for their services via https://my.gov.uz/ru platform, where individuals can obtain services in related to transportation, housing and public utilities, health care, taxation, investment and trade and others. Unfortunately, this website is available only in Uzbek and Russian.</p>
1.1.6.	Level of broadband internet access	1	40,87 Mbps

No.	Indicator Component	Score	Justification for the scoring and sources
Indicator 1.2. Overall level of development of justice system digitalisation			
1.2.1.	Status of e-Justice strategy	3	<p>The Resolution of President No. PP-4818 dated 03.09.2020 provides that within the framework of the Program “On the introduction of modern information and communication technologies in the work of the courts in 2017 – 2020” prescribed by the Presidential Decree No. PP-3250 of dated 30.08.2017, the court system has experienced the digitalization improvements, in particular the following became available:</p> <ul style="list-style-type: none"> • remote access to courts; • participation in court hearings using video conferencing; • automatic distribution of cases among judge; • publication of court decisions on the Internet; • sending enforcement documents for enforcement in electronic form. <p>The Program for the Digitalization of the Justice system in the period 2020 – 2023 (https://lex.uz/docs/4979899#4980722) provides for the following main activities:</p> <ul style="list-style-type: none"> • from January 1, 2021, recording of court hearings in all courts by means of audio recording based on the petition of the parties to the case and with the consent of the presiding judge, as well as the formation of minutes of court hearings using this system; • from July 1, 2021, automatic distribution of cases between judges in the courts of appeal and cassation; • from October 1, 2021, notification of all participants of the time and place of the court session by sending SMS messages free of charge; • from January 1, 2022, the submission of court decisions to the parties in the case online, at their request - in paper form; • until July 1, 2022, the organization of the provision of about 10 interactive services in order to create convenience in the activities of the judiciary, including citizens and business entities to achieve justice; • from January 1, 2023, the submission and acceptance of court cases to the state archive in electronic form; <p>There is also a Roadmap for the implementation of the program: https://lex.uz/docs/4979899#4980912</p> <p>The status of the above activities is as follows:</p> <ul style="list-style-type: none"> - regarding audio and video recordings: at the initiative of the court or at the request of parties in economic proceedings, an audio or video recording of the court session may be made; - Regarding automatic distribution of cases: It is an internal system, which is not publicly available. But there is a law No. ZRU-607 dated 10.03.2020 (available in Russian via – https://lex.uz/ru/docs/4759750#:~:text=%D0%97%D0%A0%D0%A3%2D607%2D%D1%81%D0%BE%D0%BD%2010.03.,%D0%BF%D0%BE%D1%80%D1%8F%D0%B4%D0%BA%D0%B0%20%D0%B2%D0%B5%D0%B4%D0%B5%D0%BD%D0%B8%D1%8F%20%D0%B4%D0%B5%D0%BB%20%D0%B2%20%D1%81%D1%83%D0%B4%D0%B0%D1%85) that states “The composition of the court for the consideration of a particular case is formed taking into account the workload and specialization of judges in a manner that excludes the influence of persons interested in the outcome of the trial on its formation, using an automated information system”

No.	Indicator Component	Score	Justification for the scoring and sources
1.2.1			<ul style="list-style-type: none"> - Regarding sms notifications, so far the reporters have received one such notification for a civil case and none for commercial cases. - Regarding online submission of court judgments: it has been implemented <p>Additionally, the President approved the strategy for the development of New Uzbekistan for 2022 – 2026 No. УП-60 dated 28.01.2022 (https://lex.uz/ru/docs/5841077), which prescribes the following goals:</p> <p>Goal 9. Development of an “e-government” system, bringing the share of electronic government services to 100 percent and eliminating bureaucracy.</p> <ul style="list-style-type: none"> - expanding the provision of public services through mobile applications. - the introduction of mobile id-identification of a person in the provision of public services. - reducing bureaucratic processes by establishing data exchange between government agencies and private commercial organizations through the interagency integration platform of the “e-government” system. - introduction of permits system and notifications that ensures the protection of personal data. - establishing the practice of issuing and exchanging urgent, fact-certifying documents to citizens, as well as offering them composite public services without waiting for their application. - simplification of rendering state services to the elderly and persons with disabilities, creation of necessary conveniences for them. - optimization of administrative procedures and automation of management processes through the digitalization of paperwork in the state bodies within the framework of the project “digital body”. - abolishing the practice of demanding documents from the population, certifying certain facts, through the implementation of the project “digital passport of citizens. - expanding the practice of providing public services to citizens of Uzbekistan abroad. - digitalization of public services and the transfer of 20 percent of them to the private sector. <p>Goal 19. Cardinaly improve the capacity of the Bar in the protection of rights, freedoms and legitimate interests of people, as well as fully meet the needs of the population and business entities in qualified legal services.</p> <ul style="list-style-type: none"> • [...] • Eliminating excessive bureaucracy and paperwork through the introduction of modern information technology in advocacy, the establishment of electronic document management with the courts, law enforcement and other government agencies.

No.	Indicator Component	Score	Justification for the scoring and sources
1.2.2.	Case management system (CMS) deployment rate	3	Uzbekistan court system is based on online system where court cases can be registered and tracked. The deployment rate is 100%.
1.2.3.	Level of integration of the Case Management System	3	The CMS is unified.
1.2.4.	Official information about the justice system available over the internet	3	<p>The Supreme Court of the Republic of Uzbekistan has created the followings online portals where the basic information (e.g. <i>contacts</i>¹⁰, <i>schedules of hearings</i>¹¹) can be found:</p> <ul style="list-style-type: none"> • https://my.sud.uz/#/. • https://sud.uz/ru/. <p>E-templates can also be found.</p>
1.2.5.	Publication of court judgments and free online access to them	3	<p>The Economic Procedure Code of the Republic of Uzbekistan dated 25.01.2018¹² and Civil Procedure Code of the Republic of Uzbekistan dated 23.01.2018¹³ provide that judicial acts that have entered into legal force shall be published on the official website of the court upon the consent of the parties or with anonymization, with the exception of judicial acts adopted in a closed court session.</p> <p>The court decisions can be found via https://public.sud.uz/#!/sign/view.</p>

¹⁰<https://sud.uz/ru/%d0%ba%d0%be%d0%bd%d1%82%d0%b0%d0%ba%d1%82%d1%8b-%d1%80%d0%b0%d0%b9%d0%be%d0%bd%d0%bd%d1%8b%d1%85-%d0%b3%d0%be%d1%80%d0%be%d0%b4%d1%81%d0%ba%d0%b8%d1%85-%d1%81%d1%83%d0%b4%d0%be%d0%b2-%d0%bf%d0%be-3/>.

¹¹<https://my.sud.uz/#/>.

¹²Article 11, <https://lex.uz/docs/5535151>.

¹³Article 12, <https://lex.uz/docs/5535095>.

No.	Indicator Component	Score	Justification for the scoring and sources
Indicator 1.3. Digitisation of court processes			
1.3.1.	Availability and use of e-filing	2	<p>Uzbek law provides the online website for e-filing – https://my.sud.uz/#/#online_service ¹⁴.</p> <p>However, its use is still limited and often paper documents are requested from parties as a follow up.</p> <p>For submission of e filing, people should use their e-signature and as it was mentioned above, e signature may not always work properly and some online platforms works on a beta mode.</p>
1.3.2.	Availability and use of electronic service of process (e-service)	2	<p>“My.sud.uz” provides range of e-services in terms of court procedure, but some of them are working in a beta mode.</p> <p>If the user wants to submit online claim, he or she has to have a personal account,</p> <p>At the same time, the online system allows to receive online notification via personal account of the user or to the email of the user (but the email option is not mandatory).</p>
1.3.3.	Possibility to check case files and track case progress remotely	2	<p>Via “My.sud.uz” people may easily track their case status, schedule, location, judge information etc.</p>
1.3.4.	Possibility to hold online / videoconference hearings (for any type of case)	3	<p>Economic Procedural Code provides that public hearings can be held via videoconferencing.¹⁵</p> <p>As per Criminal Procedural Code, at the initiative of the court or at the request of participants in criminal proceedings, public hearings of criminal cases can be held using audio and video recordings and videoconferencing.¹⁶</p> <p>In practice, people from different regions can participate in court proceeding via online video calls, but due to the lack of accessibility to the internet/electricity, sometimes it does not work properly.</p>
1.3.5.	Court fees	3	<p>“My.sud.uz” system provides online calculator, and the fee can be paid online.</p> <p>Moreover, under Uzbek law, there is a list of fees’ amount for each court cases.¹⁷</p>
1.3.6.	Ability to initiate enforcement based on electronic enforceable titles	3	<p>There is legislation governing electronic enforceable titles and enforcement can be initiated based on an electronic enforceable title.</p>

¹⁴ https://my.sud.uz/#/#online_service.

¹⁵ Article 165, Economic Procedural Court of the Republic of Uzbekistan dated 24.01.2018, <https://lex.uz/docs/3523895>.

¹⁶ Article 19, Criminal Procedural Court of the Republic of Uzbekistan dated 22.09.1994, <https://lex.uz/docs/111463>.

¹⁷ As of this report 1 BCU equals to 270 000 UZS.

No.	Indicator Component	Score	Justification for the scoring and sources
Indicator 1.4. Stakeholder engagement			
1.4.1.	Existence of an obligation for professional court users to interact with the court only electronically	1	Under Uzbek law, there is no any legal document obliging professional court users to interact with the court only electronically. But professional courts users have a right to interact electronically, it is just not commonly practiced.
1.4.2.	Availability of monetary incentives for conducting certain court actions electronically	1	Under Uzbek law, there are no monetary incentives for conducting certain court actions electronically
1.4.3.	Availability of user guides, help desk and guidance in the e-filing system	3	"My.sud.uz" provides clear guidance and templates for e-filing.
1.4.4.	Whether court user surveys are conducted by the courts/ the judicial system on a regular basis	1	Such surveys are not conducted.

No.	Indicator Component	Score	Justification for the scoring and sources
Dimension 2. Commercial Dispute Resolution			
	What is the definition of commercial case for the purposes of determining the jurisdiction of the commercial courts/divisions/chambers (if available in the country)?		<p>The Economic Procedure Code of the Republic of Uzbekistan (hereinafter – “EPC”) does not directly define the term “economic (commercial) dispute”. At the same time, for the purposes of defining disputes under the jurisdiction of economic courts, the definition of this term can be derived from Article 25 of EPC.</p> <p>Thus, within the meaning of Article 25 of EPC in correlation with Article 2 of EPC, an economic (commercial) dispute is a conflict (disagreement) of an economic nature arising from a violation of the rights of legal entities and individuals in the economic sphere.</p>
	Have significant reforms of commercial dispute resolution been introduced in the previous three years in the country (e.g., changes to the practice and procedure of commercial litigation and/or related alternative dispute resolution (ADR))? Briefly describe the nature and impact of the reforms.		<p>The following reforms were undertaken within the economic procedural law:</p> <p>(a) improvement of the judicial system through implementation of the principle “one court – one instance” whereby a three-tier judicial system has been created:</p> <ul style="list-style-type: none"> • the first instance is the district (city) courts and for certain categories of complex cases the regional courts, • the appellate instance – the regional level courts, • the cassation instance – the Supreme Court; <p>(b) introduction of a separate category of economic disputes – investment disputes;¹⁸</p> <p>(c) the abolition of the institute of supervisory review of court cases, the abolition of the right of the President of the Supreme Court, the Prosecutor General and their deputies to lodge supervisory protests against court decisions, sentences, rulings and decisions;¹⁹</p> <p>(d) The establishment of a judicial division for the examination of investment disputes and competition cases within the Supreme Court of the Republic of Uzbekistan ;²⁰</p> <p>(e) introduction of the institution of simplified proceedings²¹.</p>

¹⁸ Law No. LRU-663 dated 12.01.2021.

¹⁹ Presidential Decree No. DP-6034 dated 24.07.2020.

²⁰ Presidential Decree No. DP-6034 dated 24.07.2020.

²¹ Law No. LRU-531dated 20.03.2019.

No.	Indicator Component	Score	Justification for the scoring and sources
	What has been the impact of the COVID-19 pandemic on commercial litigation in the country, e.g. introducing more electronic interactions?		In our view, the coronavirus pandemic has intensified the use of electronic recourses, such as claims in electronic form and videoconference.
	Number of female/male judges in the country.	(a) Female – 50 (24%) (b) Male – 168 (76%) Based on the report “Gender composition of the judicial community in Uzbekistan 2021”. ²²	
	Number of female/male first-instance commercial judges in the country.	(a) Female – 16 (11%) (b) Male – 128 (89%) Based on the report “Gender composition of the judicial community in Uzbekistan 2021”. ²³	

²² (please see attached file)

²³ (please see attached file)

No.	Indicator Component	Score	Justification for the scoring and sources
Indicator 2.1. Level of specialisation of commercial dispute resolution			
2.1.1.	Availability of a specialised commercial court or specialised commercial divisions in courts	3	<p>Uzbekistan's judicial system is based on the principle of a three-tier model, which provides for the establishment of courts at the:</p> <ul style="list-style-type: none"> (i) district (city); (ii) regional, Tashkent city; and (iii) republic levels. <p>At each of abovementioned levels there is a court with economic disputes jurisdiction – the economic court. In particular,</p> <ul style="list-style-type: none"> (i) at the district level there are inter-district (district, city) economic courts; (ii) at the level of the region and Tashkent city - judicial board on economic cases of the court of the Republic of Karakalpakstan, regional and Tashkent city courts; and (iii) at the level of the republic - Judicial Board for Economic Affairs of the Supreme Court of the Republic of Uzbekistan. <p>In addition, pursuant to the Presidential Decree No. DP-6034 dated 24.07.2020, the Supreme Court of the Republic of Uzbekistan has established the Judicial Division for the Settlement of Investment Disputes and Competition Cases with the authority to settle investment disputes arising between natural or legal persons who have made investments of not less than the equivalent of twenty (20) million US dollars and state bodies, as well as cases on competition.²⁴</p>

²⁴ Article 2, 19, 32 and 39 of the Law “On courts” No. ZRU-703 dated 28.07.2021; Paragraph 3 of the Presidential Decree No. DP-6034 dated 24.07.2020.

No.	Indicator Component	Score	Justification for the scoring and sources
2.1.2.	Modifications of the general procedural rules in respect of commercial cases as compared to general civil cases	3	<p>The following changes and additions have been made to the EPC in terms of improvement of the general rules on procedural law:</p> <p>(a) the parties to a corporate dispute have the right to request from each other or from witnesses all documents relevant to the dispute²⁵;</p> <p>(b) the prosecutor's procedural involvement in the case has been limited. In particular, the prosecutor on his or her own initiative may not participate in proceedings initiated on the application of other persons. The prosecutor may only participate in proceedings regarding (i) cases where the law provides so and (ii) cases instituted on the basis of his or her statement of claim²⁶;</p> <p>(c) introduction of mediation, the possibility of settling a dispute and, consequently, of ending judicial proceedings also through a mediation agreement has been provided for²⁷;</p> <p>(d) Introduction of the institution of pretrial proceedings²⁸;</p> <p>(e) introduction of the institution of simplified proceedings²⁹.</p> <p>The score of 3 has been assigned because of the special rules on evidence and special rules on pre-trial proceedings.</p>
2.1.3.	Inception training in commercial law for commercial judges	N/A	<p>From 1 September 2020, only persons who have successfully completed the training courses for judicial candidates shall be appointed to judicial positions.</p> <p>The training courses take place at the Supreme School of Judges under the Supreme Judicial Council of the Republic of Uzbekistan.³⁰</p> <p>However, training syllabus courses or judicial candidates are not publicly available. Accordingly, we cannot provide an answer to the question.</p> <p><i>Note: Recommended to ask relevant information from the representative of the Supreme School of Judges.</i></p>
2.1.4.	Continuous (regular) commercial law training for commercial judges	N/A	<p><i>Note: Such information is not publicly available, it is recommended to ask relevant information from the representative of the Supreme School of Judges.</i></p>
2.1.5.	Capacity building for commercial judges' judicial assistants or for other types of specialised judicial clerks engaged in commercial justice (e.g., rechtspflegers)	N/A	<p><i>Note: Such information is not publicly available, it is recommended to ask relevant information from the representative of the Supreme School of Judges.</i></p>

²⁵ Article 42 of EPC.

²⁶ Article 49 of EPC.

²⁷ Article 107 of EPC.

²⁸ Article 163¹ of EPC.

²⁹ Article 23¹ of EPC.

³⁰ Paragraph 4 of Presidential Resolution No. PR-4096 dated 06.01.2019.

No.	Indicator Component	Score	Justification for the scoring and sources
Indicator 2.2. Use of mediation/ADR tools			
2.2.1.	Availability of mediation in civil/commercial disputes	2	<p>The basic regulatory act in the field of mediation is the Law of the Republic of Uzbekistan “On Mediation” No. LRU-482 dated 03.07.2018 (hereinafter – Law “On mediation”).</p> <p>In addition, the institute of mediation is implemented in procedural laws. For example, the court is obliged to suspend proceedings in case the parties conclude an agreement on mediation; A claim shall be left without consideration in case of non-compliance with the mediation procedure, where it is stipulated by law or agreement, etc.</p> <p>Moreover, Resolution of the Plenum of the Supreme Court of the Republic of Uzbekistan “On Certain Issues of Application of the Rules of Economic Procedure by the Court of First Instance” No. 13 dated 24.05.2019 clarifies that, depending on the nature of the dispute, the courts must facilitate the conclusion of the case by concluding a settlement agreement or a mediation agreement.³¹</p> <p>No court-annexed mediation programmes are available though.</p>
2.2.2.	Availability of an official register of mediators accessible online	3	<p>By virtue of Law “On mediation”, mediators may act on a professional or non-professional basis³². It provides that there are two types of mediators:</p> <ul style="list-style-type: none"> a) professional mediators; and b) non-professional mediators. <p>As per the law, the Ministry of Justice should set a registry of professional mediators.</p> <p>The registry of professional mediators can be found via: https://minjust.uz/uz/interactive/mediatory/</p>
2.2.3.	Availability of incentives for mediation	2	<p>There are two significant incentives for the use of mediation:</p> <ul style="list-style-type: none"> a) if a mediation agreement is concluded in the course of a judicial examination of a dispute, the state fee paid is refundable, unless the mediation agreement is concluded in the course of the execution of judicial acts or acts of other bodies, and b) the statute of limitation is suspended in the mediation procedure.³³ <p>A score of 2 is given because only one of the incentives listed in the Set of Indicators is available.</p>

³¹ Articles 101, 107 of EPC; Article 116, 122 of CPC; Paragraph 32 of Resolution of the Plenum of the Supreme Court of the Republic of Uzbekistan No. 13 dated 24.05.2019.

³² Article 12(1).

³³ Article 17 (part 6) and Article 21 of Law “On mediation”.

No.	Indicator Component	Score	Justification for the scoring and sources
2.2.4.	Enforceability of mediation settlement agreements	1	<p>The institution of mediation is based on the principle of voluntariness, which implies not only the voluntary will of the parties in concluding a mediation agreement, but also the observance (performance) of its terms.</p> <p>In particular, the Law stipulates that a mediation agreement shall be binding on the parties that entered into it and shall be executed by them voluntarily in the manner and within the timeframe stipulated therein.</p> <p>In case of failure to execute the mediation agreement, the parties shall be entitled to apply to court for protection of their rights.</p> <p>Accordingly, there is no mechanism to enforce the terms of the mediation agreement.³⁴</p>
2.2.5.	Availability and use of online solutions for out-of-court settlement	1	<p>The legislation does not clearly provide the form of out-of-court dispute resolution. However, this circumstance is not an obstacle for parties to use electronic platforms such as Zoom.</p> <p>There are nevertheless no online solutions for out-of-court settlement.</p>

³⁴ Article 29 of Law “On mediation”.

No.	Indicator Component	Score	Justification for the scoring and sources
Indicator 2.3. Efficiency and effectiveness of commercial litigation (to be assessed only if statistical disaggregation of commercial cases is available)			
2.3.1.	Clearance rate of first-instance commercial cases for the latest year for which statistics is available	N/A	The publicly available statistics do not provide information on incoming or pending cases. An information request has been sent.
2.3.2.	Disposition time of 1st instance commercial cases as compared to CoE median for first-instance civil/commercial cases	N/A	<i>Note: Such information is not publicly available, thus it is recommended to request relevant information from the Supreme Court.</i>
2.3.3.	Disposition time of commercial cases as compared to the disposition time of general 1st instance civil cases in the latest year for which statistics is available	N/A	<i>Note: Such information is not publicly available, thus it is recommended to request relevant information from the Supreme Court.</i>
2.3.4.	Dynamic of commercial cases disposition time over a 3-year period (the latest 3 years for which data is available)	N/A	<i>Note: Such information is not publicly available, thus it is recommended to request relevant information from the Supreme Court.</i>

No.	Indicator Component	Score	Justification for the scoring and sources
Dimension 3. Uncontested Procedures for Enforcing a Claim			
	What is the name of the procedure (e.g., order for payment, issuance of a writ of execution based on document, other)? If there are several such procedures, please, describe each of them.		<p>The current economic procedural law provides for a procedure such as a Court Order or Judicial warrant³⁵.</p> <p>We consider it necessary to note that recently the “Judicial warrant” procedure is becoming less and less popular. Thus, according to statistics, in 2018 15,216 cases (3.8% of the total number of cases) were heard in “Judicial warrant” proceedings, in 2019 - 10,037 (5.1%), in 2020. - 1,340 (1.3%) and in 2021 - 1,080 (0.6%).³⁶</p>
	Which authority is entrusted with examining claims that may be uncontested by the debtor?		<p>In addition to the procedure for the undisputed collection of debts through the courts, Uzbek legislation provides for the institution of an enforcement order by notaries, which is equivalent to a writ of execution.</p> <p>For example, when recovering sums of money or property from a debtor through an incontestable procedure, a notary makes an executive inscription on the documents establishing the debt.</p> <p>According to article 78 of Law “On Notary”, executive inscription is made</p> <ul style="list-style-type: none"> I. if the submitted documents confirm the indisputability of the debtor or other liability of the debtor to the collector; II. if no more than three years have passed from the date of the right to claim. <p>Resolution of the Cabinet of Ministers of the Republic of Uzbekistan No. 26 dated 18.01.2002 provides the list of documents based on which debts are recovered by an incontestable procedure on the basis of enforcement inscriptions executed by notaries.³⁷</p>

³⁵ Chapter 17 “Judicial warrant”.

³⁶ Statistics for 2018-2021 available on the Supreme Court’s website.

³⁷ Articles 76-80 of Law “On Notary”.

No.	Indicator Component	Score	Justification for the scoring and sources
	If the courts are competent to examine such claims, do the general rules of territorial jurisdiction apply to them or is the process centralized?		When an application for a court order is submitted, the general rules of jurisdiction apply. ³⁸
	What claims is the procedure applicable to (i.e., only claims based on certain trustworthy documents such as checks, bills of exchange, notary deeds, utility claims, or also all types of civil and commercial monetary claims)?		<p>EPC sets out a closed list (numerus clausus) of claims for which a court order is issued. Particularly, a court order shall be issued by a single judge, if:</p> <ul style="list-style-type: none"> (1) a demand has been stated on the collection of payable taxes on the property of legal persons and citizens; (2) a demand has been stated on the collection of debts for utility and communication services bills based on supporting documents; (3) a demand has been stated on the collection of debit indebtedness, based on its documented acknowledgment; (4) a demand is based on the protest of a bill for non-payment, non-acceptance and failure to date acceptance by a notary; (5) a demand has been stated on the recovery proceedings against movable property that is a performance security of the debtor, in the presence of a written transaction.³⁹
	Is there a monetary threshold for applying the uncontested claims procedure?		The current procedural law does not provide any threshold as to the amount of debts that may be recovered through enforcement proceedings.

³⁸ Article 136 (part 1) of EPC.

³⁹ Article 135 of EPC.

No.	Indicator Component	Score	Justification for the scoring and sources
Indicator 3.1. Ease of filing			
3.1.1.	Effective self-representation	2	The procedural laws allow for the participation of the person concerned in the proceedings. However, based on judicial practice, we can state that, as a rule, the persons concerned prefer to use the services of lawyers (attorneys) to represent them in court. ⁴⁰
3.1.2.	Availability and use of forms for filing the claim	1	It is not clear from the EPC how exactly an application for a court order should look. The EPC only enshrines the requirements regarding the form and content of such application. ⁴¹
3.1.3.	Availability and use of online filing	2	EPC prescribes that the application for the issuance of a court order must be made in writing. However, the guidelines of the Plenum of the Supreme Economic Court of the Republic of Uzbekistan allow for the submission of an application in electronic form through an information system. ⁴²
3.1.4.	Level of court fees for filing a claim	3	When filing an application for a court order, a state duty of fifty percent (50%) of the rate calculated on the basis of the disputed amount shall be paid as compared to when filing an action in court according to the general procedure. ⁴³
3.1.5.	Simplified rules on attachment of evidence to the claim	2	The EPC stipulates the need to submit documents, including those confirming the existence of debts. Moreover, the guiding explanations of the Plenum of the Supreme Economic Court of the Republic of Uzbekistan prescribe the attachment of relevant documents depending on the requirement. ⁴⁴ Electronic attachment is possible.

⁴⁰ Article 61 of EPC.

⁴¹ Article 136 of EPC.

⁴² Article 136 of EPC; Paragraph 4 of Resolution of the Plenum of the Supreme Economic Court of the Republic of Uzbekistan No. 254 dated 05.12.2013.

⁴³ Article 139 (part 1) of EPC.

⁴⁴ Article 138 of EPC; Paragraphs 7.1-7.3 of Resolution of the Plenum of the Supreme Economic Court of the Republic of Uzbekistan No. 254 dated 05.12.2013.

No.	Indicator Component	Score	Justification for the scoring and sources
Indicator 3.2. Efficient processing			
3.2.1.	Predictability of the timelines for pronouncement	2	According to EPC, a court order shall be issued upon the expiration of ten (10) days from the day of serving the debtor with a copy of the statement. ⁴⁵ In practice the time period is somewhat longer.
3.2.2.	Length of timelines for pronouncement	3	In practice, it can take an average of 15 to 20 days to obtain a court order.
3.2.3	Availability of options for service to the debtor without proof of receipt	1	<p>EPC categorically stipulates that the creditor must deliver a copy of the application for a court order to the debtor and must present to the court proof thereof.</p> <p>Moreover, the guiding explanation of the Plenum of the Supreme Economic Court of the Republic of Uzbekistan states that the proof of service of an application copy for a court order to the debtor –</p> <ul style="list-style-type: none"> • a legal entity is the signature of its head or employee, certified by a seal (if any) or a stamp; • a citizen - his (her) personal signature. <p>In case of non-compliance with this procedure – lack of signature and (or) stamp of the debtor on a copy of the application – the application for a court order shall be returned to the applicant (creditor) on the basis of article 141 of EPC.⁴⁶</p>
3.2.4.	Ease of debtor's objection	2	<p>In answering this question, the following should be noted.</p> <p>According to article 142 (part 1) of EPC, the debtor is entitled to [...] submit to the court his objections against the demand of the creditor with attachment of the confirming documents.</p> <p>Alongside with that, article 144 (part 1) of EPC refers to grounds for refusing to issue a court order if the debtor has filed an objection to the claimed claim. In other words, it does not appear from this provision that in order to refuse to issue a court order it is necessary to submit supporting documents to the court in addition to the objection.</p> <p>Nevertheless, we consider that only the submission of an objection to the court is sufficient to refuse to issue a court order. This argument is based on the guiding explanation given in paragraph 15.1. of Resolution of the Plenum of the Supreme Economic Court No. 254 dated 05.12.2013.</p> <p>Thus, according to the guiding explanation, "[...] <u>if the debtor does not agree with the claim</u>, it appears that there is a dispute about the right, which cannot be resolved on the basis of the submitted documents, the judge shall refuse to issue a court order".⁴⁷</p>

⁴⁵ Article 143 (part 2) of EPC.

⁴⁶ Article 137 of EPC; Paragraph 9 of Resolution of the Plenum of the Supreme Economic Court of the Republic of Uzbekistan No. 254 dated 05.12.2013.

⁴⁷ Articles 142, 144 of EPC; Paragraph 15.1. of Resolution of the Plenum of the Supreme Economic Court of the Republic of Uzbekistan No. 254 dated 05.12.2013.

No.	Indicator Component	Score	Justification for the scoring and sources
Indicator 3.3. Effective linkages between the uncontested procedure and the procedure following a statement of opposition			
3.3.1.	Consequence of debtor's lack of objection	3	In the absence of an objection from the debtor, the debtor's acknowledgement of the creditor's claims is presumed, which, in turn, indicates the absence of a dispute of law. Consequently, the creditor's compliance with the procedural requirements when applying for a court order and the debtor's failure to submit an objection as well as the debtor's agreement with the claim is grounds for issuing a court order. ⁴⁸
3.3.2.	Launching the litigious stage of the procedure	1	The existence of an objection by the debtor indicates that there is a law dispute between the debtor and the creditor, which cannot be resolved by means of an judicial warrant. Thus, if the debtor does not agree with the claimed requirements, the judge refuses to issue a judicial warrant and issues a ruling explaining the right to sue for the same claim under the general procedure. ⁴⁹
3.3.3.	Link between the fees due in the uncontested claims procedure and in the litigious procedure	3	If a judicial warrant is refused, the state fee paid by the creditor is set off against the due fee when the creditor brings an action against the debtor under the general procedure. ⁵⁰
3.3.4.	Management of statements of opposition	1	No statistics are available.

⁴⁸ Article 142 (part 2) of EPC.

⁴⁹ Paragraph 15.1. of Resolution of the Plenum of the Supreme Economic Court of the Republic of Uzbekistan No. 254 dated 05.12.2013.

⁵⁰ Paragraph 10.4. of Resolution of the Plenum of the Supreme Economic Court of the Republic of Uzbekistan No. 254 dated 05.12.2013.

No.	Indicator Component	Score	Justification for the scoring and sources
Dimension 4. Small Claims Procedures (this dimension is to be evaluated only in case a small claims procedure is available)			
	What is the name of the procedure (e.g., small claims procedure, simplified procedure, written procedure, fast-track procedure, other)? If there are several such procedures, please, describe each of them.		The procedure for dealing with “simple” disputes is referred to as “ Simplified proceedings ”. ⁵¹
	Is there a special small claims court or a special court division examining small claims?		There is no separate court for simplified proceedings.
	What is the monetary threshold for the applicability of the procedure?		<p>Cases may be considered in simplified proceedings if the value of the claim in respect of:</p> <ul style="list-style-type: none"> • legal entities does not exceed twenty (20) and • individual entrepreneurs does not exceed five (5) base calculated value. <p>Currently, 1 basic calculated unit equals 270 000 UZS.</p> <p>It should be noted that EPC allows for simplified proceedings in other cases as well, unless there are circumstances preventing such proceedings. In other words, the court may examine the case in simplified proceedings also in cases where the value of the claim exceeds the established amounts.⁵²</p>

⁵¹ Chapter 23¹ EPC.

⁵² Article 203² of EPC.

No.	Indicator Component	Score	Justification for the scoring and sources
	What claims is the procedure applicable to?		<p>EPC does not set out the types (kinds) of cases that can be heard in simplified proceedings.</p> <p>The EPC is limited to citing cases (disputes) not subject to simplified proceedings and the circumstances preventing the application of simplified proceedings, inter alia:</p> <p>(i) <i>cases (disputes) not subject to simplified proceedings:</i></p> <ul style="list-style-type: none"> - corporate disputes; - cases on the application of enforcement action. <p>(ii) <i>circumstances precluding the application of simplified proceedings:</i></p> <ul style="list-style-type: none"> - consideration of the case under simplified proceedings procedure may lead to the disclosure of state secrets, commercial or other secrets protected by law; - it is necessary to find out additional circumstances or examine additional evidence, as well as conduct an inspection and examination of evidence at the place of its location, appoint an expert examination or hear witness testimonies; <p>the stated demand is related to other demands, including the demands to third parties, or to the judicial act adopted on this case or the rights and legally protected interests of third parties may be violated.⁵³</p>

⁵³ Article 203² of EPC.

No.	Indicator Component	Score	Justification for the scoring and sources
Indicator 4.1. Ease of filing			
4.1.1.	Effective self-representation	2	<p>The procedural law to defend one's rights and legitimate interests in court independently or through a representative is explicitly stipulated in the procedural laws.</p> <p>In practice, in most cases the parties in court proceedings resort to legal assistance.⁵⁴</p>
4.1.2.	Existence of forms for filing the claim	1	<p>It is not clear from the procedural laws exactly what the statement of claim must look like. The procedural codes only stipulate requirements regarding the form and content of the statement of claim.⁵⁵</p>
4.1.3.	Availability and use of online filing	2	<p>General procedural rules apply to simplified proceedings, including the form of the statement of claim. Accordingly, it is allowed to submit a statement of claim as an electronic document for simplified proceedings.</p> <p>Similar rules are laid down in CPC.⁵⁶</p>
4.1.4.	Guidance to self-represented litigants	1	<p>Unfortunately, there are no tools to assist in representing and defending their rights in court. In turn, it is not entitled to provide any assistance to one party or another, as procedural law is not based on the principle of equality. The court may, however, request certain documents from a party, but this is a right of the court, not an obligation.⁵⁷</p>

⁵⁴ Article 61 of EPC; Article 65 of CPC.

⁵⁵ Article 203¹ of EPC; Article 279¹ of CPC.

⁵⁶ Articles 203¹, 203³ of EPC; Article 279¹, 279³ of CPC.

⁵⁷ Article 9 of EPC; Article 10 of CPC.

No.	Indicator Component	Score	Justification for the scoring and sources
Indicator 4.2. Availability of meaningful procedural simplifications of the small claims procedure			
4.2.1.	Statutory timelines in the small claims procedure	3	<p>The case considered under simplified proceedings procedure shall be considered by a single judge within a period not exceeding twenty (20) days from the date of the ruling on the acceptance of the statement of claim to proceedings and initiation of the case, after the expiration of the period established for the submission of a response to the statement of claim, evidence and other documents. The time limit for considering a case under simplified proceedings procedure shall not be subject to extension.</p> <p>Similar rules are laid down in CPC.⁵⁸</p>
4.2.2.	Simplified evidentiary rules	1	The procedural laws do not provide simplified procedure for the submission of evidence. Accordingly, the general rules of evidence are to be applied in simplified proceedings as well.
4.2.3.	Simplified rules on hearings	2	The simplified proceedings shall be considered without a hearing. ⁵⁹
4.2.4.	Special rules on encouraging conciliation or mediation	1	The procedural laws do not contain specific rules aimed at concluding a settlement or mediation agreement in a simplified proceeding.
4.2.5.	Simplified content of the judgment	1	The procedural laws do not contain specific rules on the content of the judgment in simplified proceedings.
4.2.6.	Modifications to the rules on appealing the judgment in the small claims procedure	1	<p>The only difference between the simplified proceedings and the general proceedings in terms of appealing the decision is the shortened deadline for lodging an appeal: an appeal against a decision in a case heard under the simplified proceedings may be lodged within ten (10) days.</p> <p>By comparison, under the general rule, an appeal can be lodged within one month of the court's decision.⁶⁰</p>

⁵⁸ Article 203⁴ of EPC; Article 279⁴, 279⁵ CPC

⁵⁹ Article 203⁴ (part 8) of EPC; Article (part 10) 279⁴ of CPC.

⁶⁰ Article 262 of EPC; Article 385¹ of CPC.

Contact

Yulia Shapovalova
Principal Counsel
Legal Transition Team
European Bank for Reconstruction & Development

ShapovaY@ebrd.com

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