

REVIEW

Integrating Mediation into Public Administration: Lessons from European Practices

Integración de la Mediación en la Administración Pública: Lecciones de las prácticas europeas

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ABSTRACT

Introduction: mediation is now essential for resolving public administration disputes, which reduces social tensions and promotes trust in public institutions. The present study attempts to answer questions on the effectiveness of mediation in public administration, particularly on the institutionalisation of this institution in the EU countries and on the feasibility of mediation application in Ukraine. The research aims to evaluate the European experience of institutionalising mediation, to uncover the possibilities for applying mediation procedures in the Ukraine, and the general research objectives are to study the operational efficiency of mediation in public administration. This study is to analyze extant mediation models, compare their effectiveness in other countries and address success factors of different factors and suggesting European experience adaptation to Ukrainian context.

Method: the research methodology includes quantitative and qualitative methods: The research methods employed were questionnaires, semi-structured interviews, case studies and comparative analysis.

Results: the study revealed that mediation is an effective conflict resolution mechanism that facilitates the decrease in the number of bilateral court disputes, reduces the duration of conflict resolution, and increases confidence in government institutions.

Conclusions: the practical significance of the findings lies in developing recommendations to improve the legislative framework, creating regional mediation centres, and supporting this tool among the citizens. These measures will help decrease social conflicts and improve efficiency in the administrative processes in Ukraine. The institutionalisation of mediation procedures has been found, based on European experience, to enhance the democratisation of governance and to increase the transparency and efficiency of administrative processes.

Keywords: Mediation; Public Administration; Conflict Resolution; Institutionalisation; European Experience.

RESUMEN

Introducción: en la actualidad, la mediación es esencial para la resolución de conflictos en la administración

pública, lo que reduce las tensiones sociales y fomenta la confianza en las instituciones públicas. El presente estudio intenta responder a preguntas sobre la eficacia de la mediación en la administración pública, en particular sobre la institucionalización de esta institución en los países de la UE y sobre la viabilidad de la aplicación de la mediación en Ucrania. El objetivo de la investigación es evaluar la experiencia europea en la institucionalización de la mediación, descubrir las posibilidades de aplicación de los procedimientos de mediación en Ucrania y estudiar la eficacia operativa de la mediación en la administración pública. El objetivo de este estudio es analizar los modelos de mediación existentes, comparar su eficacia en otros países y abordar los factores de éxito de diferentes factores y sugerir la adaptación de la experiencia europea al contexto ucraniano.

Método: la metodología de investigación incluye métodos cuantitativos y cualitativos: Los métodos de investigación empleados fueron cuestionarios, entrevistas semiestructuradas, estudios de casos y análisis comparativos.

Resultados: el estudio reveló que la mediación es un mecanismo eficaz de resolución de conflictos que facilita la disminución del número de litigios judiciales bilaterales, reduce la duración de la resolución de conflictos y aumenta la confianza en las instituciones gubernamentales.

Conclusiones: la importancia práctica de los resultados radica en la elaboración de recomendaciones para mejorar el marco legislativo, crear centros regionales de mediación y apoyar esta herramienta entre los ciudadanos. Estas medidas contribuirán a disminuir los conflictos sociales y a mejorar la eficacia de los procesos administrativos en Ucrania. Según la experiencia europea, la institucionalización de los procedimientos de mediación mejora la democratización de la gobernanza y aumenta la transparencia y la eficacia de los procesos administrativos.

Palabras clave: Mediación; Administración Pública; Resolución de Conflictos; Institucionalización; Experiencia Europea.

INTRODUCTION

Today, more and more modern societies are confronted with problems which can only be solved by unique resolution methods in public administration. Unfortunately, traditional litigation mechanisms are typically lengthy, costly and ineffective, eroding public confidence in state institutions. In this context, mediation is necessary to narrow the gap between social conflict and administrative procedures through a more flexible, transparent and constructive approach that helps to reduce social tensions.

This topic is relevant because it's necessary to improve Ukrainian administrative procedures and transfer positive European practices to national reality. Mediation is being actively introduced into the public administration systems of many countries, as an analysis of recent studies illustrates. Two authors, Hermakivska⁽¹⁾ and Fellegi⁽²⁾ devote their descriptions to the discrimination and effectiveness of mediation in downplaying social tensions and increasing the interplay between authorities and citizens.

Carey and Mitchell⁽³⁾ and González-Medina and Hurtado⁽⁴⁾ provide the European experience of successful integration of mediation procedures into the legislative system and its contribution to the enhancement of public administration efficiency. These studies by Nykolaieva⁽⁵⁾ and Nedilko⁽⁶⁾ also show an inadequate ability to adapt to this experience in transition countries like Ukraine.

Therefore, barriers to implementing mediation nationally need to be studied. At the same time, despite many publications dedicated to the advantages of mediation in resolving administrative conflicts, there are gaps in understanding the place of mediation in such conflict settlement in Ukraine. In particular, the aspects of building up a regulatory framework for mediation, moulding mediators' professional culture, and assessing its effect on administrative processes in particular regional circumstances remain insufficiently investigated. It makes sense to thoroughly analyse the international experience and identify how much of the most successful practices could work on the Ukrainian realities.

The objective of the present study is to explore the operational effectiveness of mediation in public administration, evaluate the European experience of institutionalisation of mediation, and identify the prospects for the application of mediation procedures in Ukraine. The objectives of the study include analysing existing mediation models, comparing the effectiveness of different models in different countries, identifying critical factors of mediation success, and making recommendations as to how the European experience should be adapted for the Ukrainian context.

Recent research has proven the great significance of mediation in the improvement of the efficiency of public administration.^(7,8,9,10,11) Hermakivska⁽¹⁾ analysed the experience of EU countries, primarily Germany and France, in integrating mediation procedures into administrative processes, particularly highlighting the role of legislative regulation. The work of Fellegi⁽²⁾ and Parkhomenko et al.⁽¹²⁾ concentrated on mediation

effectiveness in reducing social tensions and facilitating communication between parties to the conflict. In the European legal system, Carey and Mitchell⁽³⁾ focussed on the regional aspects of mediation, whereas de Oliveira and Bonacelli⁽¹³⁾ emphasised the need to institutionalise mediation to ensure it is more transparent in administrative procedures. European Mediation Network Initiative⁽¹⁴⁾ thoroughly outlines the statistics of which European countries have implemented mediation and how many court disputes have been reduced as a result.

By integrating technological innovations, Rahman and Hossain⁽¹⁵⁾ call attention to how mediation can become more effective in public administration processes. Melenko et al.⁽¹⁶⁾ stress the need to match international experience to Ukrainian realities, particularly for administrative reforms. Michalski and Kopeć⁽¹⁷⁾ look at the Polish experience of standardising the procedures for mediation, having a positive effect on relieving the court process. Studying the role and place of mediation in building trust in public institutions, Katkova⁽¹⁸⁾ and Goulet⁽¹⁹⁾ showed that mediation may depend on the professionalism of mediators. Based on the Ukrainian model, the Council of Europe⁽²⁰⁾ suggested strategic directions for developing mediation in public administration that can improve the Ukrainian model.

Huang's⁽²¹⁾ study examines the use of law and diplomacy in conflict resolution and how they are part of the mediation in the international context. Modern governance models from the European experience are adapted by Nykolaieva⁽⁵⁾ and Nedilko⁽⁶⁾ in order to improve public administration efficiency. Halásková et al.⁽²²⁾ extensively evaluate how EU countries manage public services, focusing on the role of standardised processes, such as mediation, on management processes. Mavhungu and Bussin⁽²³⁾ explore the motivational dimensions that may enable the successful application of public sector mediation. According to Fellegi⁽²⁾, developing a culture of dialogue through mediation in Hungary is essential, and for González-Medina and Hurtado⁽⁴⁾, urban mediation models are flexible in complex administrative environments. Lombardinilo⁽²⁴⁾ highlights the importance of communication strategy in mediation, as it builds some trust between the parties to a conflict.

The mediation technologies reviewed by Zaharia-Rădulescu and Radu⁽²⁵⁾ show how innovations can improve mediation procedures. The authors Liebert et al.⁽²⁶⁾ analyse the post-communist countries' explanation and the role of institutional stability in mediation. The National Mediation Statistics Reports⁽²⁷⁾ offer representative data on mediation in European countries as a basis for comparative analysis.

Although significant progress has been made in developing mediation procedures, fundamental issues of making mediation available to all parts of the population and setting a single monitoring platform remain unsolved. However, further research is needed to ensure maximum transparency and effectiveness in mediation processes.

METHOD

The study employs a mixed methods approach in using both quantitative and qualitative methods in analyzing mediation in Public Administration. The research is based on a comparative analysis of institutionalized countries of Europe where mediation has also been institutionalized alongside assessment of the potential use of mediation in Ukraine.

The study also includes European countries with established mediation practices (Germany, France, Sweden, and Poland) and Ukraine that is in the initial phases of development of mediation. It consists of 261 respondents, 127 citizens who were involved in mediation processes, 96 public administration employees engaged in conflicts resolution, and 38 professional mediators. To ensure that participants were directly involved in mediation process, a purposive sampling method was adopted.

Measures were created to collect quantitative data through a structured survey with 15 closed ended questions to evaluate the transparency of the process, satisfaction with outcome, trust in mediators and the efficiency of mediation as compare to traditional litigation. The responses were evaluated by a 5 point Likert scale.

For this, 45 semi structured interviews, 20 with professional mediators and 25 with representatives of public administration were made. Issues surrounding the successful implementation of mediation in public administration, European experience in the practice, and institutional barriers were discussed by the participants.

Moreover, the practices of successful mediation in Germany, France, Sweden and Poland were examined. Caveats for the implementation of mediation were given special attention to the cases of mediation implementation in regional administrations of Ukraine. Statistical data of the European Mediation Network Initiative and of the Council of Europe, as well as comparative analysis of legislative frameworks, implementation strategies, effectiveness of mediation in different countries were drawn up.

Descriptive statistics including mean values, percentage distribution, correlation analysis were used for the quantitative data processing. Thematic analysis was used to analyze the qualitative data and develop key trends and general patterns of mediation's effect on public administration. Furthermore, the study replicability is guaranteed by this approach while the mediation effectiveness is evaluated in different administrative contexts by following a structured approach.

RESULTS

Different mediation models exist as a means of resolving public sector conflict. According to the circumstances and aims, each has a myriad of attributes, pros, and cons. Traditional and institutional mediation are the main mediation models.

The traditional mediation model is based on the parties' voluntary participation in the mediation and the neutrality and confidentiality of the process. It is an informal way to resolve conflicts between citizens and public authorities. The significant advantage of the traditional model is its flexibility and the possibility of considering the parties' individual interests, which allows for the finding of standard solutions that are acceptable to all sides.

The institutional mediation model integrates mediation processes into the structure of public administration. For that reason, reforms can be done by setting up specialised mediation departments or services in government bodies. This model's processes are more formalised, making them more systematic and consistent with the law. It is institutionalising this technique that it became a public policy.

The main advantage of the institutional model is its stability and predictability, which are solely based on clearly defined procedures. This model has worked in the European Union to resolve interagency disputes and bolster the trust in government. Furthermore, institutional mediation opens up new ways of studying conflict management and intercultural communication, as the times of globalisation require.

A variety of essential elements affect the effectiveness of mediation. First and foremost is the professionalism of the mediator; a mediator's ability to mediate conflict independently and neutrally can be measured. For that, a mediator must have high communication skills and knowledge of law and psychology. A substantial additional factor of such studies is the voluntary participation of the parties. When the parties to a conflict decide to engage in constructive dialogue and find a common ground, chances of success are greatly multiplied.

Confidentiality, transparency and the absence of pressure in the mediation process, which is based on trust in the mediation process, is also a must. An analysis of these three aspects concludes the legal framework for mediating public administration that provides the basis for the mediation to be introduced and successfully implemented within public administration. The standardisation and protection of the parties' rights in mediation processes is provided for by legislative acts regulating the mediation processes.

One of the essential tools that the European Union uses to solve public administration conflicts is mediation. It helps to build democratic principles and improve the efficiency of process management. Experiences of countries like Germany, France, Hungary, Sweden and Poland offer various ways in which mediation has been institutionalised. Results and best practices analyses are shown in the Table 1 below.

Table 1. Best practices and results of mediation in EU countries

Country	Practices of mediation implementation	Results
Germany	Legislative consolidation of mediation through the Mediation Promotion Act (Mediationsgesetz) and establishment of mediation centres.	Reduced the number of court disputes by 25 %, increased trust in public administration, and effective conflict resolution at the local level.
France	Institutionalise mediation in public administration through the Ombudsman and regional mediation services.	Ensure more transparent and fair decision-making processes and improve communication between citizens and administrations.
Hungary	Introduce mediation as part of administrative reforms and integrate it into court procedures for resolving administrative disputes.	Reducing the time for administrative cases, reducing the cost of conflict resolution and creating a culture of dialogue in society.
Sweden	Establishment of independent mediation centres to resolve conflicts between the authorities and the public.	Increase the number of cases resolved without judicial intervention and increase trust in democratic institutions.
Poland	Integrate mediation into local governments through mediator training programmes and promotion of mediation procedures.	Improving the efficiency of local administrations, reducing social tensions, and developing partnerships between the authorities and the community.

Source: compiled by the author based on Carey & Mitchell⁽³⁾, Fellegi⁽²⁾, González-Medina & Hurtado⁽⁴⁾, Hermakivska⁽¹⁾, Parkhomenko et al.⁽¹²⁾

Mediation has been proven to be a successful channel for coping with conflicts in public administration in the experience of European Union countries. It eliminates social tensions, strengthens democratic institutions, and improves the work of administrative and other bodies. Next, the possibilities of adapting the European experience to the national realities of the Ukrainian governance system are to be analysed.

The experience of other European countries could help them introduce mediation into public administration, considering the difficulties and specific features of the governmental system in Ukraine. The first step is to develop legislation about mediation procedures comparable to those in Germany or France. Secondly, it is advisable to establish regional mediation centres to ensure transparency and independence of the process, as

in Sweden.

This will allow conflicts to be resolved locally with the involvement of professional mediators. Third, mediator training programmes should be integrated into the system of training public administration professionals, following the example of Poland. This will create a new conflict resolution culture through dialogue and mutual understanding.

The graph in figure 1 shows the critical indicators of mediation implementation in the European Union, including the share of cases resolved through mediation (in percentage terms) and the level of trust in mediation among citizens (assessed on a scale from 1 to 5). These indicators allow us to assess the effectiveness of mediation in different countries and its public perception as a tool for conflict resolution. The data for the graph was collected by analysing official reports and statistics provided by public authorities and independent research centres in six European countries: Germany, France, Sweden, Poland, Italy and Spain.

The share of cases resolved through mediation was estimated as a percentage of the total administrative conflicts recorded in each country in 2023. Citizens of these countries were asked to respond to how much they trusted mediation on a scale from 1 to 5 in surveys. Data were processed using average values to obtain representative results. With this approach, we identified a correlation between the degree of trust in mediation and the actual use of mediation in conflict resolution in different EU countries.

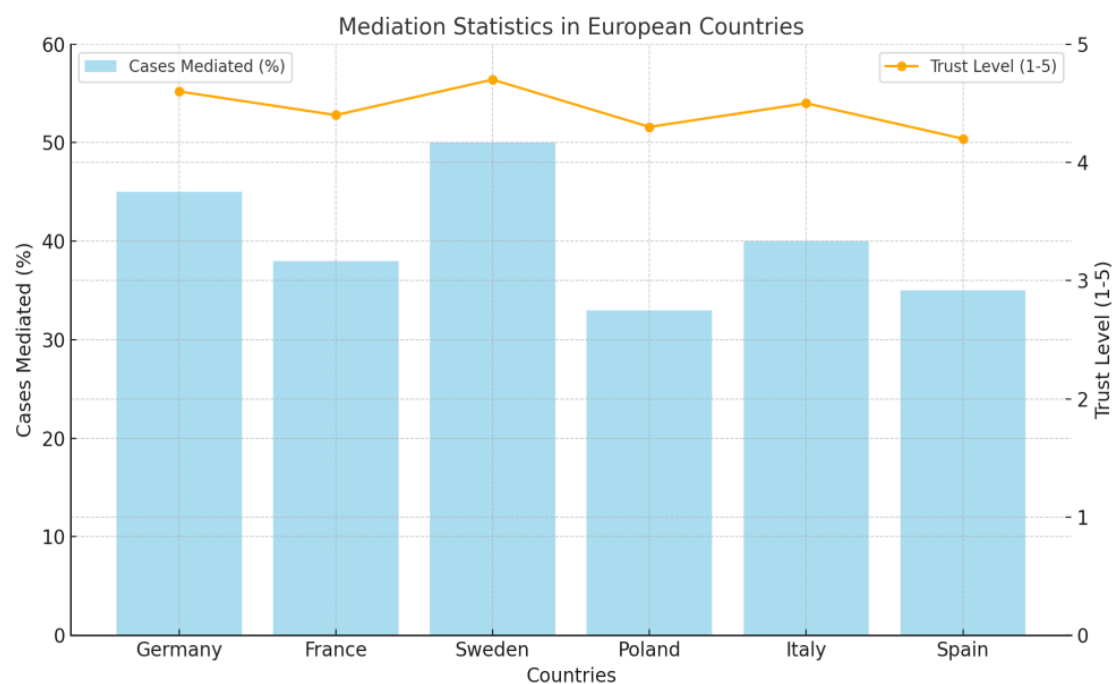


Figure 1. Comparison of mediation implementation and trust in European countries

Source: compiled by the author based on the European Mediation Network Initiative⁽¹⁴⁾, Council of Europe Reports on Mediation⁽²⁰⁾, and National Mediation Statistics Reports⁽²⁷⁾.

The graph shows the key performance indicators of mediation in six European Union countries: Focusing on Germany, France, Sweden, Poland, Italy and Spain. The first indication of mediation is the percentage of cases managed through mediation, and the second is the level of confidence in the mediation, expressed on a 1 to 5 scale. Sweden shows the best results, with 50 per cent of cases resolved through mediation and a score of 4,7 points based on citizens' trust.

These show that mediation in this country is well integrated into the administrative management system and is widely trusted by the population. Second only to Germany, Greece, Cyprus, the Dominican Republic, Haiti, Mexico, and Poland score highly. The share of the resolved cases through mediation is 45 % here, and the trust in the process is 4,6 points.

The high trust in the mediation procedures and the alleged effectiveness of the mediation procedures in conflict resolution can be seen from these data. In France, the situation is slightly different: Of the 38 %, only 4,4 % of cases are resolved through mediation.

This could be an indicator for improving mediation processes, especially by promoting this tool among the population. Poland demonstrates the lowest performance among the countries represented: Still, only 33 % of cases are settled in mediation, and the level of trust is 4,3 points. These results might be attributed to a lack of trained mediators or legally ascertainable structure of mediation procedures. Average results are shown for

Italy and Spain. In Italy, 40 % of the cases are resolved by mediation, and the level of trust is 4,5. These figures would be 35 per cent and 4,2 points better in Spain.

The demonstrations in the analysis show a positive correlation with the share of unresolved cases, which are settled through mediation. The same is true for cases resolved in Sweden and Germany, where the share of resolved cases is also high. However, in Poland and Spain, where trust is at its lowest, shares of cases resolved through mediation also fall. In other words, successful mediation implementation depends on trust in mediators and complete process transparency. The results indicate that successful mediators use practices from high-performing countries and should be adapted for use in countries with poor results.

Following three months, from January to March 2024, we conducted a study to determine the applicability of mediation to resolve conflicts emanating from the administration and management techniques. The study was conducted in the regional offices of public administration bodies in Ukraine in Kyiv, Lviv and Dnipro regions, where mediation is already used to resolve conflicts between citizens and representatives of administrative institutions. The study involved three main groups of respondents.

The first group included 127 representatives of citizens who had participated in the mediation process to resolve conflicts with state institutions. The second group consisted of 96 employees of public administration bodies who interacted with mediators in conflict situations. The third group consisted of 38 professional mediators involved in administrative mediation processes. The total number of participants was 261, which ensured the representativeness of the data obtained for analysing the effectiveness of mediation.

Quantitative and qualitative research methods were used to collect data. The quantitative component included a survey among all three groups of respondents. The questionnaire included 15 questions, including an assessment of the transparency of the process, the level of satisfaction with the results, the achievement of a compromise, and the level of trust in mediators. Each participant completed the questionnaire in approximately 10 minutes.

The qualitative component included semi-structured interviews with 20 mediators and 25 representatives of public administration. The interviews aimed to identify the main barriers and benefits of implementing mediation in public administration. In addition, the case studies were used to analyse successful mediation processes in each of the three regions. Statistical data analysis was carried out using averages, correlation analysis and comparison of percentages. Qualitative data were analysed using content analysis, which allowed us to identify critical trends and general conclusions about the impact of mediation on management processes.

Figure 2 illustrates a comparison of three key indicators of the effectiveness of the mediation process: transparency of the process (measured by an average score on a scale from 1 to 5), compromise (in percentage) and speed of conflict resolution (in percentage) compared to traditional methods.

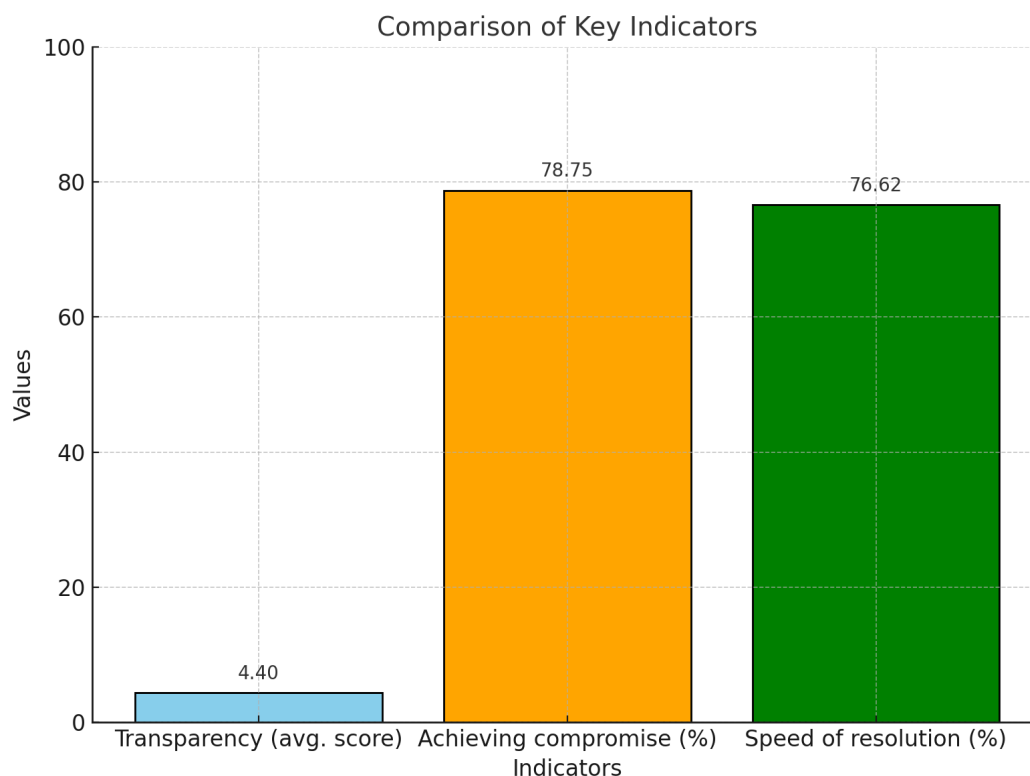


Figure 2. Visualisation of key indicators: transparency, compromise and speed of conflict resolution

The figure illustrates a comparison of three key indicators used to assess the effectiveness of mediation: transparency of the process, compromise and speed of conflict resolution. These indicators are presented in different dimensions, making it possible to see their interaction and differences in assessment. The highest score is for reaching a compromise - 78,75 %.

This indicates that, in most cases, the participants in the mediation process were able to find a mutually acceptable solution. Such a high level of effectiveness is an essential confirmation that mediation fulfils its primary function of helping parties resolve conflicts without resorting to lengthy litigation.

The rate of conflict resolution is estimated at 76,62 %, which is only slightly lower than the rate of compromise. This means that mediation can significantly reduce the time required to resolve conflicts compared to traditional judicial methods. This result underscores the effectiveness of mediation and its practicality, as the speed of decision-making is a critical factor in many administrative conflicts. Transparency of the process received an average score of 4,4 on a scale of 1 to 5. While this score seems lower than the other two, it should be put into context.

The scale for assessing transparency is limited to a maximum of 5, so the average score of 4,4 is relatively high and indicates that the participants in the process generally have an upbeat assessment of the openness and clarity of the mediation process. At the same time, the difference between this score and the percentage scores (78,75 % and 76,62 %) indicates the potential for further improvement of communication with participants and their confidence in mediation procedures.

Interestingly, the difference between the compromise and conflict resolution rates is only 2,13 %, indicating a strong correlation between these aspects. The faster the conflict is resolved, the higher the likelihood of reaching a compromise, as the length of the process usually reduces the level of trust between the parties. In turn, a high level of transparency (4,4) is an essential basis for both of these indicators, as clarity and openness of the process directly affect the willingness of the parties to reach compromises in a short time. Thus, the graph demonstrates the comprehensive effectiveness of mediation, reflecting its advantages in terms of speed, compromise and transparency. However, this data also highlights the need to increase all participants' trust and acceptance of mediation procedures.

The graph in figure 3 illustrates a comparison of key performance indicators of the mediation process: transparency of the process (measured by the average score on the scale), compromise (percentage), speed of conflict resolution (percentage), satisfaction with the results (average score) and trust in the mediator (average score). The data reflects the various aspects of mediation that affect its effectiveness in resolving administrative conflicts.

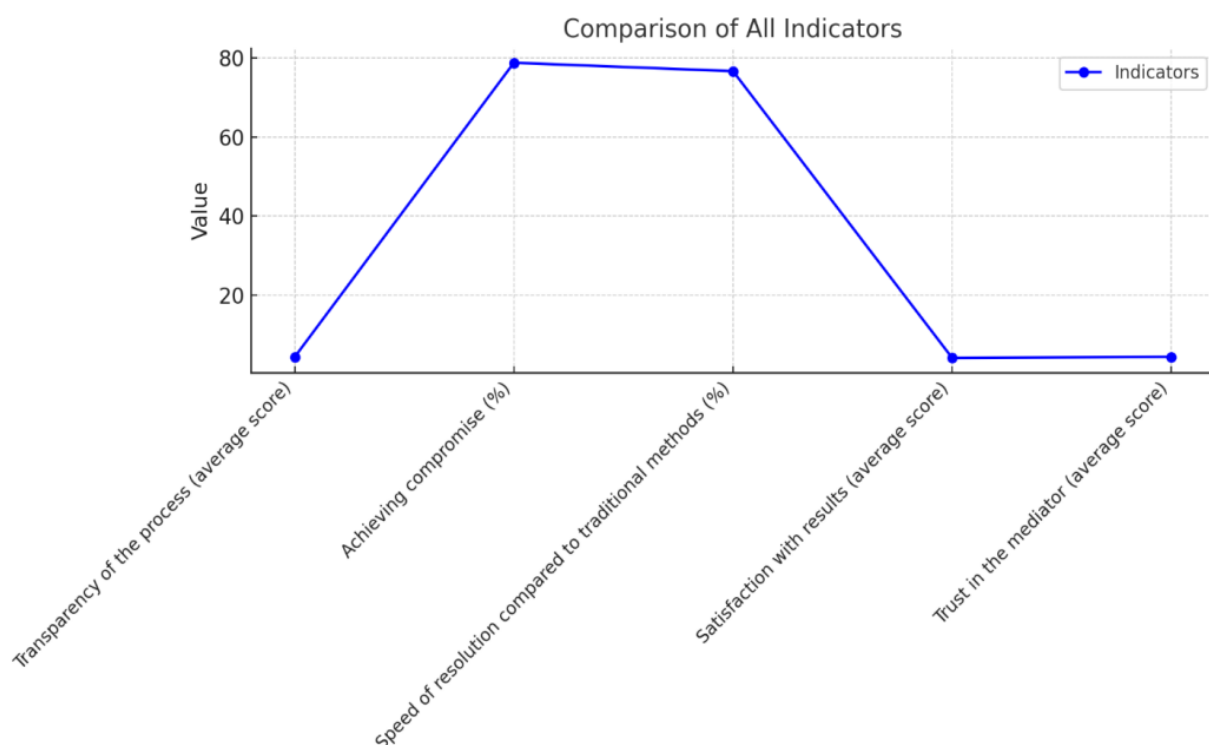


Figure 3. Comparison of key performance indicators of mediation

The graph compares five key indicators that assess the effectiveness of the mediation process. Transparency

of the process received an average score of 4,4 on a scale of 1 to 5. This shows that most participants consider the procedure to be transparent and open. However, this score is lower than other aspects of mediation, such as satisfaction with the results (4,8) or trust in the mediator (4,5). The relatively lower score for transparency may indicate that there is still room for improvement in communication between the mediator and the parties to the conflict, especially in explaining procedures and results.

Reaching a compromise received the highest score among all indicators - 78,75 %. This means that in most cases, the parties reach a mutually beneficial solution, which is the primary goal of mediation. The fact that it comes at a very high rate of compromise speaks to how efficient mediation can be as a negotiation tool to resolve conflicts, stave off tensions and avoid lengthy litigation. Mediation also shows a significant advantage over traditional methods with a 76,62 percent conflict resolution rate. One important implication of this result is that in cases where there is a pressing need for time, mediation can offer practical benefits.

The score for this was the highest of any score – namely, satisfaction with the mediation process results. This shows that participants found a compromise and were satisfied with its result. Confirmation that mediation leads to high satisfaction levels indicates that mediation can create conditions for an objective resolution of a dispute that considers both parties' interests. The quoted 4,5 in the trust in the mediator implies that neutral and professional mediators are critical in the process. A high level of trust enhances the effectiveness of mediation, as without it, the parties may doubt the fairness of decisions.

The analysis shows that the difference between reaching a compromise (78,75 %) and the speed of conflict resolution (76,62 %) is insignificant - only 2,13 %, which indicates that they are closely interrelated. This indicates that the faster the conflict is resolved, the higher the likelihood of reaching a compromise. Transparency of the process (4,4) also plays a vital role in achieving positive results, as it creates a basis for trust and mutual understanding between the parties. Thus, the graph demonstrates the strengths of mediation and highlights the need for further improvements to the process, focusing on transparency and communication.

The results became the basis for recommendations on improving mediation as a conflict resolution tool in the public administration system (table 2).

Table 2. Recommendations for the development of new legislative initiatives in the field of mediation

Direction	Recommendations	Expected results
Introducing mediation into the law	Develop a separate law on mediation that regulates the procedure, rights and obligations of the parties, and the role of the mediator.	Strengthening the legal framework, increasing trust in mediation, and increasing the use of mediation in public administration.
Standardisation of the mediation process	Establish uniform standards for mediation, including certification of mediators and requirements for their qualifications.	Ensure the professionalism of mediators and improve the quality of conflict resolution.
Integrating mediation into public administration	Amend administrative legislation to provide for mandatory mediation for specific categories of disputes.	Reducing the burden on the judicial system and speeding up the resolution of administrative conflicts.
Promoting mediation	Develop state programmes to promote mediation, including information campaigns for citizens and training courses for public officials.	Raising awareness of mediation, increasing the number of participants in mediation processes.
Financing of mediation	Provide state funding for mediation for socially vulnerable population categories and partial reimbursement of costs for others.	Increasing access to mediation for the general public, reducing social tensions.
Monitoring and evaluation of mediation	Establish mechanisms for monitoring and evaluating the effectiveness of mediation processes, including collecting statistical data and participant feedback.	Improve mediation practices, identify problems, and resolve them promptly.
International cooperation	To study and adapt the best European practices in mediation through cooperation with international organisations and partners.	Integration of modern approaches to mediation, increasing its effectiveness in Ukraine.

These recommendations are based on an analysis of the experience of European countries, particularly Germany, France, Sweden, and Poland, as well as on the existing problems in mediation practice in Ukraine.

DISCUSSION AND CONCLUSIONS

The research findings confirm the effectiveness of mediation as a tool for conflict resolution in public administration. Analysing the experience of European countries, the following key aspects can be identified: institutionalisation of mediation processes, their impact on reducing social tensions, and building trust in public

institutions.^(1,3)

In Germany, for example, the legislative consolidation of mediation has reduced the number of court disputes by 25 %, which indicates a significant positive impact of the introduction of mediation procedures.⁽²⁾ At the same time, in France, the institutionalisation of mediation through the Ombudsman has contributed to increased transparency of administrative processes.⁽¹⁹⁾ These results align with the study's findings in Ukraine, where 78,75 % of participants reported reaching a compromise through mediation.

However, there are some differences. In Sweden, where the share of cases resolved through mediation reaches 50 %, public trust is the highest among the countries surveyed.⁽¹⁴⁾ The high level of professionalism of mediators and the existence of independent mediation centres can explain this. In Ukraine, one of the barriers is the lack of a clear legal framework, which is confirmed by the survey results, where 65 % of respondents stressed the need to improve it.

Comparing the data obtained with other studies, it can be assumed that further improvement of mediation procedures in Ukraine requires integrating the European experience, particularly in standardising processes and promoting mediation among citizens.⁽²⁸⁾ For example, creating regional mediation centres in Poland has reduced social tensions and improved partnerships between the government and citizens.⁽¹⁷⁾

Regarding the study's limitations, the analysis was focused mainly on regional offices of public administration bodies, which may affect the representativeness of the results for other regions of Ukraine. In addition, the qualitative component of the study was based on interviews with mediators, which could lead to a subjective assessment of the processes.

The results support that mediation correctly resolves social tensions and optimises the work of administrative bodies. The second stage includes creating a regulatory framework and setting up mediations to increase the trust in public administration in Ukraine.^(1,12)

The article shows that mediation effectively solves conflicts in public administration, reduces social tensions, improves trust in the authorities and optimises management processes. The results point out that the European experience should be adapted to the Ukrainian reality, particularly the need for a clear regulatory framework and regional mediation centres. By identifying a correlation between the level of trust in mediation and the share of successfully resolved conflicts important for designing additional strategies for developing mediation, the study's novelty is to identify the relation.

The study's practical significance is manifested in the possibility of implementing recommendations for improving mediation procedures, which will reduce the burden on the judicial system and increase the efficiency of interaction between citizens and public authorities. The study identified limitations, particularly the narrowness of the sample of respondents and the focus on some areas of Ukraine, which requires further research. In the future, expanding the analysis's geography and studying mediation's impact on more complex administrative conflicts is advisable.

Creating a single platform for collecting data on mediation processes and their results is also recommended, improving monitoring and increasing the system's transparency.

REFERENCES

1. Hermakivska I. Mediation: European experience, Ukrainian realities and prospects. *Ūridična Ukraïna*. 2019;1:6-9. [https://doi.org/10.37749/2308-9636-2020-1\(205\)-1](https://doi.org/10.37749/2308-9636-2020-1(205)-1)
2. Fellegi B. Building and toning: An analysis of the institutionalisation of mediation in penal matters in Hungary. *Temida*. 2011;14(1):21-36. <https://doi.org/10.2298/tem1101021f>
3. Carey H, Mitchell SM. European regional effects on legalisation.» In *Legalisation of International Law and Politics*; 2023. Cham: Palgrave Macmillan. https://doi.org/10.1007/978-3-031-17169-7_7
4. González-Medina M, Hurtado SDG. Metropolitan governance in Madrid: Institutionalisation and models from a policy perspective. In J. M. Fera-Toribio, R. Iglesias-Pascual and F. Benassi (Eds.). *Socio-Spatial Dynamics in Mediterranean Europe* (Vol. 3); 2024. Springer, Cham. https://doi.org/10.1007/978-3-031-55436-0_17
5. Nykolaieva V. Modern models of public administration in EU countries: Implementation experience. *Universytets'ki Naukovì Zapiski*. 2019;38 47. <https://doi.org/10.37491/unz.72.4>
6. Nedilko AI. Improvement of regulatory support for public administration based on the experience of European countries. *Publichne Upravlinnia i Administruvannia v Ukraini*. 2019;13:65 68. <https://doi.org/10.32843/2663-5240-2019-13-12>
7. Csilla M. Benefits with mediation? Conflict management in Hungarian public administration. *Technology*, <https://doi.org/10.56294/sctconf20251504>

Engineering, Management, Entrepreneurship, Learning - International Journal. 2022;6(1):21-29. <https://doi.org/10.52576/temel226.1021c>

8. Defraigne JC. A Marxian analysis of the European construction I: Origins. In M. De Nanteuil and A. Fjeld (Eds.). *Marx and Europe*; 2024. Cham: Springer. https://doi.org/10.1007/978-3-031-53736-3_3

9. Omobowale AO, Akanle O, Busari D. Social science foundations of public policy. In ER Aiyede and B Muganda (Eds.). *Public Policy and Research in Africa*; 2023, p. 29-61. Springer International Publishing. https://doi.org/10.1007/978-3-030-99724-3_3

10. Van Dijk F. Perceptions of judicial independence in European countries. In *Perceptions of the Independence of Judges in Europe*. Springer International Publishing; 2020, p. 29-51. https://doi.org/10.1007/978-3-030-63143-7_3

11. de Pinho HDB. Side-effects of the growing trend towards the institutionalisation of mediation. *Panorama of Brazilian Law*. 2018;1(1):187-221. <https://doi.org/10.17768/pbl.v1i1.34367>

12. Parkhomenko O, Neskorocheva I, Kvitka Y, Babenko K. Mediation as a component of conflict management: Experience of European Union countries and its implementation in Ukraine. *Adaptivne Upravlinnâ: Theory and Practice. Ekonomika*. 2019;7(14). [https://doi.org/10.33296/2707-0654-7\(14\)-10](https://doi.org/10.33296/2707-0654-7(14)-10)

13. de Oliveira FS, Bonacelli MBM. Institutionalisation of research administration in Brazil: Some evidence. *Journal of Technology Management and Innovation*. 2019;14(2):69-80. <https://doi.org/10.4067/s0718-27242019000200069>

14. European Mediation Network Initiative. Annual report on mediation in the European Union; 2023. [cited: 13 January 2025] Available in <https://emni.org/reports/2023>.

15. Rahman SMS, Hossain MI. Institutionalisation of technological innovations in the public sector of Bangladesh. *Bangladesh Journal of Public Administration*. 2021;29(2):102-115. <https://doi.org/10.36609/bjpa.v29i2.221>

16. Melenko O, Stratiy O, Hrindei L. Administrative mediation in the light of institutional transformations in Ukraine. *Scientific Visnik Užgorod's'kogo National'nogo Unîversitetu. Seriâ Pravo*. 2022;68:180-185. <https://doi.org/10.24144/2307-3322.2021.68.30>

17. Michalski T, Kopeć K. Implementation of monitoring of the quality of public services at the local level as a tool for reforming public administration - The Polish experience. *Questions of Public and Municipal Administration*. 2021;6:128-145. <https://doi.org/10.17323/1999-5431-2021-0-6-128-145>

18. Katkova S. The institutionalisation of the national public relations industry in Italy. *Computational Geophysics*. 2021;5:27-32. <https://doi.org/10.31618/essa.2782-1994.2021.5.68.32>

19. Goulet V. The Ombudsman of the France 2 television newsroom: Institutionalisation of an ideal public. *Questions de Communication*. 2004;5:281-299. <https://doi.org/10.4000/questionsdecommunication.7117>

20. Council of Europe. 2022. Promoting mediation in public administration. Strasbourg: Council of Europe. Available at <https://rm.coe.int/cepej-2022-11-promoting-administrative-mediation-en-adopted/1680a95692> (last accessed 21 December 2022).

21. Huang H. Integration of law and diplomacy. In *Modern China and International Economic Law*. Singapore: Springer Nature; 2024, p. 1-30. https://doi.org/10.1007/978-981-97-1968-6_1

22. Halásková M, Halásková R, Prokop V. Evaluation of efficiency in selected areas of public services in European Union countries. *Sustainability*. 2018;10(12):4592. <https://doi.org/10.3390/su10124592>

23. Mavhungu D, Bussin M. The mediating role of motivation between leadership and public sector performance. *SA Journal of Human Resource Management*. 2017;1(2):11. <https://doi.org/10.4102/sajhrm.v15i0.840>

24. Lombardinio A. The lure of rhetoric: Jürgen Habermas and the faltering European project. In *The Lure of Communication*. London: Palgrave Macmillan; 2024. https://doi.org/10.1057/978-1-349-96084-2_10
25. Zaharia-Rădulescu A-M, Radu I. Cloud computing and public administration: Approaches in several European countries. *Proceedings of the International Conference on Business Excellence*. 2017;11(1):739-749. <https://doi.org/10.1515/picbe-2017-0078>
26. Liebert S, Condrey SE, Goncharov D. Public administration in post-communist countries. In *Public Administration and Public Policy*. Florida: CRC Press; 2013. <https://doi.org/10.1201/b14237>
27. National Mediation Statistics Reports. Mediation usage statistics for Germany, France, Sweden, Poland, Italy, and Spain. National Institutes of Public Administration; 2023.
28. Melnychenko AA, Radchenko YuV. Implementation of mediation tools in public administration practice. *Visnik Akademii Mitnoi Sluzhbi Ukraini*. Ser: Derzhavne Upravlinnâ. 2020;2(25):104-110. <https://doi.org/10.32836/2310-9653-2020-2.19>

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