

## **Abstract: Czech and foreign arbitral award**

The purpose of this thesis is to describe and compare the position of Czech and foreign arbitral award in the Czech legislation. The author aims to clarify whether the Czech legislation grants to foreign arbitral awards the same possibility of enforcement as it grants, if the same conditions are met, to Czech arbitral awards. This thesis should also answer whether the decision-making practice of Czech courts is not in conflict with international obligations.

The thesis is divided into five parts. The first part is dedicated to general questions of arbitration. The purpose of this section is to introduce arbitration as an alternative method of dispute resolution. The author analyses the use of arbitration by describing its advantages and disadvantages. Further attention is paid to the main institutes of arbitration such as arbitrability of the dispute. The second part deals with the most important sources of law governing arbitration. For unambiguous application of sources of law, the author also deals with conflicts between different sources of law, for example in the form of a conflict of a multilateral international treaty with a bilateral international treaty on legal aid. The third part the author dedicates to the arbitral award itself. It deals with its division and analyses in detail the difference between Czech and foreign arbitral awards. The fourth part covers enforcement of Czech arbitral award, with emphasis on annulment of the arbitral award by the court. The fifth part is dedicated to the issue of recognition and enforcement of a foreign arbitral award. Here the greatest emphasis is put on the denial of recognition and enforcement of a foreign arbitral award, especially under the NY Convention regime. The last part of the thesis analyses the current decision-making practice of the Czech Supreme Court as the court decided to deny enforcement of foreign arbitral awards in execution proceedings under the Czech Act on Law Enforcement.