Abstract:

In the past, an Irish barrister and arbitrator James Bridgeman remarked that the arbitration of competition law is a meeting of two black arts. This perception has not changed since and yet, the adjudication of anti-competitive agreements in arbitration is an everyday event of real life. This thesis, after a brief summary of history of arbitrability of competition law, picks specific issues closely tied to current practical problems that arbitrators must face. First, whether arbitrators should consider themselves as being under obligation to raise competition issues of their own motion (*ex officio*) during arbitration proceedings, secondly, whether national courts of the EU Member States must automatically set arbitral awards in breach of competition rules aside and thirdly, whether arbitrators are in a good position to address complex antitrust questions properly and whether they can receive some help from the official competition authorities entrusted with primary enforcement of antitrust law. Mainly EU law will be covered here albeit with few brief excursions into particular problems of national law of the Czech Republic, to which this thesis endorses relevant solutions.