

Resumé

This thesis on selected aspects of the resolution of the international investments disputes tackles the challenge of the arbitrator under the Convention on the Settlement of Investment Disputes between States and Nationals of Other States.

Its main aim is to analyze current legal regulation of the arbitrator's qualification and the following challenge procedures. Further to analyze, how is current international practice with regard to issue of impartiality and independence of arbitrators in case law of the International Centre for Settlement of Investment Disputes. Upon such analysis to reveal shortcuts of the legal regulation and case law and propose future improvements for the whole system of the arbitrators' challenges.

The thesis itself is dividing into chapters, the first chapter deals with the arbitrators' qualifications and challenges in the international investment arbitration. Further refers to the interpretation of relevant articles of the Washington Convention by arbitral tribunals and to conclusions formulated by them in challenge decisions.

The second chapter is base on the comparison between arbitrators' challenges and qualifications in the international investment arbitration and the international commercial arbitration, where is main target to analyze differences of both systems. Special attention is devoted to the legal regulation of the mentioned topics within UNCITRAL Model Law.

The third chapter provides further comparison of the mentioned topics within the international investment arbitration and national – Czech arbitration proceedings, with concentration on differences of both systems.

Within fourth chapters are discussed the impact and benefits of soft law codices on the challenge proceedings, the duty of disclosure and qualifications of arbitrators.

Finally, the fifth chapter provides the further comparison between the challenge of the judge within the Czech legal order and the arbitrator in the investment arbitration.

In the conclusion are analysed outputs from the mentioned chapters and proposed future amendments towards the challenge proceedings within the international commercial arbitration.