

## **ABSTRACT IN ENGLISH**

The aim of this thesis is to determine and evaluate conflict of law rules for designating the applicable law in contractual obligations in the absence of parties' choice. Such rules can be found in international, European or national legal sources, hence the scope of any particular regulation has to be considered in detail. The core of this thesis shall be the European private international law, especially the Article 4 of the Regulation on the law applicable to contractual obligations (Rome I), effective from 17 December 2009, which shall apply to contractual obligations in civil and commercial matters in situations involving a conflict of laws, if the applicable has not been chosen by the parties.

New Article 4 of the Regulation tends to enhance certainty and to overcome interpretative difficulties in Rome Convention. Required certainty shall be expressed by introduction of hard-and-fast rules included in Article 4 (1) Regulation supplemented by the characteristic performance rule in paragraph 2. On the other hand, flexibility shall be ascertained through escape clause and closest connection rule, which aims to disregard applicable law designated by paragraphs 1 and 2 in situations when the contract is manifestly more closely connected with another country. Although the wording and formal changes in Article 4 presumes radical changes leading to certainty and improvement, in fact, it does not properly achieved its primary goals.