

## **Abstract**

The Financial Arbitrator and alternative dispute resolution are the integral part of current decision-making practice. Their development is tendentious particularly in recent times. This diploma thesis aim is critically evaluate the institute of the Financial Arbitrator and compare it with arbitration and mediation. The thesis briefly describes the institutes themselves, their legal regulations and outlines their historical development. In my thesis I focused mainly on the similarities as well as differences of these institutes. Then I compared these decision-making practices with the court proceedings in the last fifth chapter, so the thesis gives a comprehensive overview of the possibilities of resolution making practice. The thesis focused on the situation in the Czech Republic and did not evaluate the foreign situation, although the author is aware of certain continuity with the development among the countries.

The methodology of the thesis was adapted to the chosen topic. The basis was literary research. By comparing the problems, opinions, hypotheses and premise was possible to reach a final reasoned opinion. The principal methods were the method of analysis and synthesis. An important basis for this work was the annual reports of the Financial Arbitrator available from the [finarbitr.cz](http://finarbitr.cz) website, statistics of arbitration proceedings of individual arbitration institutes and, last but not least, international databases focused on arbitration (ICC) and ADR, especially [heinonline.com](http://heinonline.com) and statistical data provided by the Ministry of Justice.

s After the investigation, I critically evaluated the number of disputes of the selected institutes and their effectiveness. Mediation is the biggest competitor of the Financial Arbitrator with regard to speed and financial demands. The effectiveness of the Financial Arbitrator is quite debatable in terms of enforceability. On the other hand, it offers a very simple and less costly way of securing a kind of out-of-court dispute resolution.