

**LEGAL FRAMEWORK
OF INTERNATIONAL TRADE DISPUTES RESOLUTION
IN THE CZECH REPUBLIC AND IN FRANCE**

**Comparative study of legal regulation in the Czech Republic and in France with
emphasis on point of view of extent and limits of parties' autonomous will within dispute
resolution**

ABSTRACT

In relation to an important and continuously increasing growth of international trade and economic cooperation, a logic and proportionally increasing fact occurs, namely the existence and necessity of resolution of disputes arising out of such cooperation and business relationships. This dissertation focuses on specific area of such relations – on solution of property disputes in international trade and business relations arising out on private law basis between entrepreneurs and which affect in any manner the territories, more precisely the jurisdictions and the legal orders of two particular states, and that of France and the Czech Republic. The aim of the dissertation is to examine the extent of autonomous will, which the parties may assert within various methods of disputes resolution and to notify of its limits set by the respective legal regulation. Considering namely the main criteria of examination – i.e. the extent and limits of autonomous will of the parties within the dispute resolution – the author concentrates more deeply on three different methods of disputes resolution whereas each of the examined methods was chosen in respect of the extent of autonomous will the parties may assert. The court proceedings with an international element held by general courts, international arbitration or mediation resolving cross-border disputes – each of these institutes, in descending order, lowers sights for a limitation of the free will of the parties in respect of the influence on the method, course and result of resolution of their dispute. Each of the examined methods shows certain standardization in the respective category. By using the comparison method, the dissertation points out the differences between the legal regulations, which are relevant for the parties when applying the EU law, the legal regulations of France and of the Czech Republic. The aim of the dissertation is not only a theoretic-legal analysis of facts but also their comparison from the point of view of practical impacts of the expression of the parties' autonomy on disputes resolution.