

Abstract

The purpose of my thesis is to analyse one of the most used type of extrajudicial procedures, the International commercial arbitration. The reason for my research is the progress and elevation of use of the arbitration and not only on international field.

The thesis is composed of six chapters, each of them dealing with different aspects of Arbitration. Chapter One is introductory and defines basic terminology used in the thesis. The chapter is subdivided into two parts. Part One describes international arbitration and domestic arbitration and explains differences between them. Part Two deals with the question of arbitrability in Czech Republic and in different countries.

Chapter Two is subdivided into five parts and provides an outline of permanent court of arbitration. Part One illustrates the approach to Arbitration Court attached to the Economic Chamber of the Czech Republic and Agricultural Chamber of the Czech Republic. Part Two looks at Court attached to International Chamber of Commerce in Paris. Part Three describes International court attached to Vienna International Arbitration Centre. Part Four looks at Slovak arbitration court in Bratislava and the last part deals with the oldest arbitration court, The London Court of International Arbitration.

Chapter Three examines relevant Czech and Foreign sources of arbitration. The chapter consists of four parts. Part One mentions permanent courts of arbitration and mostly focuses on UNCITRAL arbitration rules, Part Two investigates the most important multilateral and bilateral international conventions. Part Three addresses the issue of Czech legislation and the last part describes Model Law created by UNCITRAL.

Chapter Four concentrates on the process of arbitration. The chapter consists of three parts. Part One illustrates advantages and disadvantages of arbitration. Part Two explains species of arbitration as institutional arbitration and ad hoc arbitration. Part Three addresses the issue of arbitration agreement and different types of arbitration agreement.

The question of award is drawn in Chapter Five. The chapter is subdivided into two parts. Part One focuses on concept and requirements of the award. Part Two explains possibilities of annulment of an award by court and stoppage of mandated enforcement.

The last chapter consists of one part and deals with the recognition and enforcement of foreign arbitral awards.