

The main aim of this thesis is to explain the substance and function of intervention of the national courts in international commercial arbitration, explanation of its necessity and notice of possible danger connected to it. Besides describing all the principal situations when national courts usually participate in the proceedings, the attention is also given to concrete legislations and fundamental differences between them. The main focus is on Revised UNCITRAL Model Law of December 2006, which influenced the significant part of national legislations. Limitedly the thesis also deals with legislations and case-law of the United States of America, Great Britain, France and Germany. There is also clarified the specifics of the Czech national legislation at the end of the chapters.

The thesis is divided into two logical units. At the beginning of the first part you can find an introduction to international commercial arbitration in the form of a brief historical excursus, an explanation of differences between the court proceedings and arbitration, a description of particular kinds of arbitration and an enumeration of both Czech and international sources of law. The main part of this chapter is formed by a general specification of fundamental principles and terms related to international arbitration. The second part is focused on concrete forms of participation of the national courts in arbitration. This part is divided in three subchapters according to stages of the arbitration proceedings, in which the court usually intervenes - court participation at the beginning of the proceedings, during the proceedings and the inspecting function of the courts after making the award.