

# **Resolving investment disputes from the perspective of case-law of international arbitration courts**

The purpose of my thesis is to analyse actual questions of international investment dispute resolution. In this research I would like to stress the differences between the institutional investment arbitration and the *ad hoc* investment arbitration while focusing on the ICSID Arbitration according to The Convention on the Settlement of Investment Disputes between States and Nationals of Other States followed by the Rules of Procedure for Arbitration proceedings and on the ad hoc arbitration according to the 1976 - UNCITRAL Arbitration Rules, as these two proceedings represent the most common modes of international investment dispute resolution. All my findings are going to be supported by relevant case-law of individual arbitration courts or by specialized publications.

The thesis consists of three chapters. Chapter One is introductory. It contains a simple analysis of what an international investment dispute means. This introduction is followed by a brief description of the history of international investment dispute resolution and of the modes of an international investment dispute resolution. The findings of this chapter are based on the comparison of provisions of the bilateral investment treaties concluded by The Czech Republic and by The United States of America.

Chapter Two examines the two arbitration procedures - Arbitration according to The Convention on the Settlement of Investment Disputes between States and Nationals of Other States followed by the Rules of Procedure for Arbitration proceedings and on the ad hoc arbitration according to the 1976 - UNCITRAL Arbitration Rules.

Chapter Three concerns on actual procedural tasks, which are considered to be the most problematic to the international investment dispute resolution system, the lack of transparency of arbitration proceedings, the lack of consistency of awards delivered in the arbitration proceedings and the lack of independence of the arbitrators.