

Kotvyakovskiy Y.O.,
*Senior Instructor at Department of Justice,
Sumy National Agrarian University*

SOME ISSUES ON ENFORCEMENT OF ARBITRATION DECISIONS

The article investigates issues related to the enforcement of arbitration decisions in civil cases. The author examines the issues of proceedings on granting a writ of execution against the arbitration decision and the grounds for refusal in the enforcement of arbitration decisions. Among these reasons, a special attention is paid to procedural aspects related to establishing the validity of the arbitration agreement as a basis for resolving a specific civil dispute by an arbitral tribunal.

Based on the analysis of the judicial practice of considering this category of cases, the author draws conclusions about the presence of varying approaches the courts of Ukraine use to establish the validity of the ar-

bitration agreement while solving the issue of a writ of execution against the arbitral tribunal.

In connection with this, it is proposed to complement the Article 389-9 of the Civil Procedural Code of Ukraine by a norm that provides the duty of the court to verify the arbitration agreement to the Law of Ukraine "On Arbitration Courts" in the process of considering an application for issuance of an executive document against the decision of the arbitral tribunal.

The author believes that implementation of the proposed approach will eliminate the inconsistency of judicial practice in cases of issuing writs against decisions of arbitration and improve protection of the rights and legitimate interests of parties to arbitration.