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ON THE PROBLEMS OF INDIVIDUALS' PARTICIPATION IN CONSIDERATION OF CASES IN INTERNATIONAL COMMERCIAL ARBITRATION

The article deals with the concept of economic and procedural legal personality of individuals. The features of the participation of individuals as parties in cases on international commercial arbitration are discussed. Restrictions for individuals' participation in commercial arbitration procedures are defined. These restrictions of legal personality are always associated with the exceptional nature of participation of individuals in the international commercial arbitration as the part of economic procedure. Because of that position it is determined that the procedural rights and duties of personality can not be identified with legal personality. The approach of the European Court

of Human Rights to the concept of a commercial undertaking is analyzed. It is proposed to consider legal personality of individuals in the international commercial arbitration as an element of the overall foreign economic legal personality and self-employed personal status.

It is proposed to add information about the commercial legalization or independent professional activities of individuals in Rules of International Commercial Arbitration Court at the Ukrainian Chamber of Commerce and Industry regarding the content of the statement of claim. This will avoid problems with the competence of arbitration in cases involving foreign nationals.