

**CONSIDERATIONS ON PROBATION IN INTERNATIONAL
COMMERCIAL ARBITRATION**

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ABSTRACT: *A general rule of international trade arbitration is that all the parties have to prove their affirmations. Moreover, it is a consecrated right of the arbitral tribunal to ask for any other evidence in a determined period of time. The regulations referring to the administration of evidence stipulate that these should remain at the discretion of the arbitral tribunal, which has the opportunity to apply a flexible procedure for stating the situation of fact. The efforts to eliminate the existing differences between different legal systems have concretized lately by the creation of an international legal system for processes in international trade arbitration. This study aims to analyze the probation in international commercial arbitration, considering the provisions contained in the relevant regulations of the arbitration institutions and the opinions expressed by the Romanian and foreign legal literature but also by the relevant case law.*

KEY WORDS: arbitration, probation, procedure, arbitral tribunal, evidence.

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