

**COMMERCIAL ARBITRATION IN PUBLIC PROCUREMENT.
EXPERIENCES OF THE INTERNATIONAL COMMERCIAL
ARBITRATION COURT ATTACHED TO THE CHAMBER OF
COMMERCE AND INDUSTRY OF ROMANIA**

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ABSTRACT: *Commercial arbitration regarding disputes in which one of the parties is the state or a public entity has been for a long time the subject of debate. Solving the public procurement contracts through commercial arbitration is a matter of great interest, taking into account the fact that the contracts were concluded in accordance with a procedure prescribed by law. The regulation of public procurement as well as the way to settle disputes follow the transposition of European Union directives in national law. In Romania, public procurement arbitration has had a sinuous legislative path. The article analyses both the new Arbitration Law on Procurement, which entered into force in 2016, as well as the relevant cases of the International Commercial Arbitration Court attached to the Chamber of Commerce and Industry of Romania.*

KEYWORDS: *public procurement; commercial arbitration; Romania; public authority; arbitration agreement; advertising; confidentiality; administrative contract.*

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