

## summary

In present time, Arbitration has become one of the most important investment guarantees due to the privileges that has been enjoyed, As it is characterized by speed in resolving the dispute, Flexibility and simplicity in procedures and the freedom of the parties in choosing arbitrators and the legal rules that apply to the dispute , And also ensure the confidentiality of the dispute.

All this made the arbitration deals with areas that were not included such as a dispute arising from administrative contracts.

But did the issue end with the legislator's permission for arbitration in the administrative contract ?

The answer to that is to resort to the administrative judiciary , As it is required to play its role in overseeing the arbitration mechanism in administrative contracts. But what is the role that the judiciary plays, Is it a role dominated by the character of assistance or censorship, Or both, What type of this censorship is formal or objective.

Therefore, We divide the research into two parts, the first part deals with the role of the judiciary before the issuance of the arbitration decision in administrative contract, In terms of judicial censorship prior to the issuance of the arbitration decision in administrative contract disputes as well as judicial censorship during arbitration in administrative contract disputes.

In the second part deals with the role of the judiciary after the issuance of the arbitration decision in administrative contract disputes in terms of appeal the nullity of the arbitration decision judicial censorship through the implementation of the arbitration decision.

In conclusion, recommended to assign jurisdiction to consider all disputes arising from administrative contract to the Administrative Judiciary Court in Iraq, As well as the need for Iraq to join the New York Convention of 1958 on recognition and implementation of foreign arbitration awards.