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## **The equity in the documents and the arbitration of disputes foreign investment**

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Judicial Commission of the Expediency Council)

### **Abstract**

The procedure of arbitration of disputes arising from foreign investment is assumed that national and international regulations are largely fair. However, the growing complexity of causes such as differences in foreign investment and diversify the circumstances surrounding their situation might not be the solution to disputes arising from the application of regulation fair detected. So a degree of flexibility is required in the arbitration of disputes, foreign investment and access to it is not possible without justice. Fairness in arbitration disputes of foreign investment is the guarantor of international justice. So the basic fairness of judgment by the authorities of foreign investment and international arbitration proceedings as a fundamental principle in the legal systems of the world have been identified. In cases where the arbitrator issues a ruling on fairness, the scope of fairness in interpreting the terms of the contract or performance of the obligations of the parties in the event of an agreement on fairness acts as the main source of dispute resolution and, in the absence of reference to the contract as the source of the legal basis, to resolve the dispute between the parties Both before and after litigation.

### **Keywords:**

Position, Equity, Arbitration, Disputes, Foreign Investment

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