

ORIGINAL DOCUMENTS IN SAFE

71

Case No. 11713Date of filing: 3 July 86

** AWARD - Type of Award _____
- Date of Award _____
_____ pages in English _____ pages in Farsi

** DECISION - Date of Decision 3 July 86
_____ 2 pages in English _____ 2 pages in Farsi

** CONCURRING OPINION of _____
- Date _____
_____ pages in English _____ pages in Farsi

** SEPARATE OPINION of _____
- Date _____
_____ pages in English _____ pages in Farsi

** DISSENTING OPINION of _____
- Date _____
_____ pages in English _____ pages in Farsi

** OTHER; Nature of document: _____

- Date _____
_____ pages in English _____ pages in Farsi

DUPLICATE
ORIGINAL

نسخه برابر اصل

دیوان داوری دعاوی ایران - ایالات متحد

CASE NO. 11713

CHAMBER ONE

Decision No. DEC 43-11713-1

71

RONALD STUART KOEHLER,

a claim of less than US\$ 250,000 presented
by the UNITED STATES OF AMERICA,

Claimant,

and

THE ISLAMIC REPUBLIC OF IRAN,

Respondent.

IRAN UNITED STATES CLAIMS TRIBUNAL	دادگاه داوری دعاوی ایران - ایالات متحد
ثبت شد - FILED	
Date	3 JUL 1986 تاریخ
	۱۳۶۵ / ۴ / ۱۲
No.	11713 شماره

DECISION

1. By a submission filed on 6 May 1986, the Agent of the Islamic Republic of Iran has made a Request for the correction of the Award issued in Case No. 11713. The Agent requests first that the name of the Claimant appearing in the caption at page one of the Award be changed to read "The Government of the United States of America, on behalf and for the benefit of the Ronald Stuart Koehler" and second, that the name of the payee of the amount awarded appearing in part IV of the Award be changed from "Ronald Stuart Koehler" to "the Government of the United States of America". He states that the requests are made in accordance with Article 36 of the Tribunal Rules.

2. Article III, paragraph 3, of the Claims Settlement Declaration provides:

"Claims of nationals of the United States and Iran that are within the scope of this Agreement shall be presented to the Tribunal either by claimants themselves or, in the case of claims of less than \$250,000, by the government of such national."

In the view of the Tribunal the above formulation indicates that notwithstanding the amount involved in a claim it remains the claim of the national and not of the Government of such national. In the case of claims of less than US\$ 250,000, the Government of the national owning such claim merely presents the claim on behalf of such national. Therefore the Tribunal is of the view that no correction of the Award is warranted.

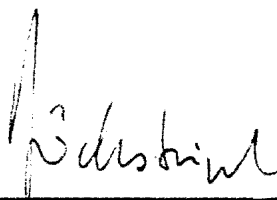
3. The Tribunal notes also that in any event, the correction sought to be made is not of the nature specified in Article 36 of the Tribunal Rules.

4. For the foregoing reasons,

The Tribunal denies the request for the correction of the Award in Case No. 11713.

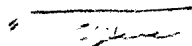
Dated, The Hague

3. July 1986



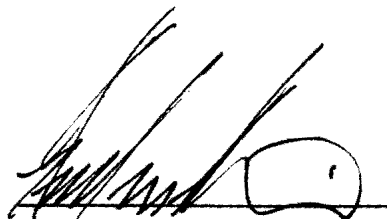
Karl-Heinz Böckstiegel
Chairman
Chamber One

In the Name of God



Mohsen Mostafavi

In my opinion it would be more appropriate for the Tribunal to use in this Award the caption of the Claimant as appearing in the Statement of Claim filed on 19 January 1982.



Howard M. Holtzmann