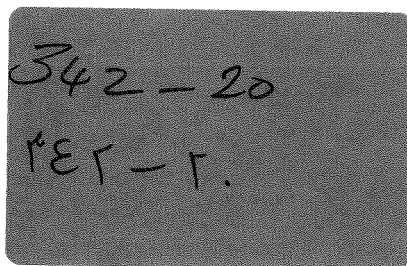


Case No.

342
۳۴۲



Date

9/9/19
10. Dec 82

ORIGINAL DOCUMENTS IN SAFE

- Award; No. of pages 7 Date of Award 10. Dec 82

- Decision; No. of pages _____ Date of Decision _____

- Order; No. of pages _____ Date of Order _____

- Other
No. of pages _____ Date of Document _____

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۳۴۲-۱.

CASE NO. 342

CHAMBER THREE

AWARD NO. 16 -342-3

SUNDSTRAND DATA CONTROL, INC.,
Claimant,

- and -

THE ISLAMIC REPUBLIC OF IRAN and
IRAN NATIONAL AIRLINES CORPORATION
(now ISLAMIC REPUBLIC OF IRAN AIR-
LINES CORPORATION),

Respondents.

IRAN UNITED STATES CLAIMS TRIBUNAL		دادگاه داورى دعاوى ايران - ايالات متحده
ثبت شد - FILED		
Date	۱۳۶۱ / ۹ / ۱۹	تاريخ
	10 DEC. 1982	
No.	342	شماره ۳۴۲

AWARD ON AGREED TERMS

Representatives:

For the Claimant : Mr. Stephen L. Gibson
Arent, Fox, Kintner, Plotkin & Kahn
Attorney

For the Respondents: Mr. Mohammed Bagherian
Managing Director
Mr. Seyed Hassan Sadat
Advisor to the Managing Director
Iran National Airlines Corporation

DUPLICATE
ORIGINAL
نسخه برابر اصل

SUNDSTRAND DATA CONTROL, INC. ("Claimant"), filed with the Tribunal on 18 January 1982 a Statement of Claim, naming as Respondents the ISLAMIC REPUBLIC OF IRAN and IRAN NATIONAL AIRLINES CORPORATION ("Respondents").

The Claim was asserted on the basis of an Agreement of 30 September 1975 between the Claimant, through its Trans Com Division ("Trans Com"), and Iran National Airlines Corporation ("Iran Air"), as later modified by supplements thereto, and refers to a settlement agreement between the same parties dated 6 January 1982 ("the Settlement Agreement").

In paragraph 1 of the Settlement Agreement, the Claimant and Iran Air agreed as follows:

1. In full and final settlement of all outstanding claims and disputes relating to and arising out of the [1975] Agreement the parties agree that:
 - 1.1 The amount of 123,650 U.S. dollars (one hundred twenty-three thousand six hundred fifty) is due and owing from Iran Air to Trans Com. Trans Com may submit this agreement to the Iran-United States Arbitration Tribunal ('the Tribunal'), in order to receive payment out of the escrow account held by the Tribunal in accordance with the procedures set forth by the Tribunal.

In its Statement of Claim, the Claimant alleged, inter alia, that Iran Air had not paid it the amount of U.S. \$123,650 thus owing under the Settlement Agreement.

Iran Air, in its Statement of Defence filed on 25 June 1982, agreed to the payment of that same amount to the Claimant out of the Security Account "provided that the ... claim is considered by the Tribunal as being under the provisions of the Algerian Declaration".

By an Order of 7 October 1982 the Tribunal requested the Respondents to submit a Reply to, inter alia, the following question:

Has a settlement been reached between the parties and, if so, do the Respondents wish the Tribunal to record the settlement as an Award on agreed terms?

In a submission filed on 14 October 1982 the Claimant requested

that the Tribunal (1) record the Settlement Agreement as an award on agreed terms and (2) order payment to Claimant of the amount of U.S. \$123,650 ... out of the Security Account in accordance with Article 34 of the UNCITRAL Rules and Paragraph 1.1 of the Settlement Agreement.

In the 14 October request the Claimant referred to a telex of 24 August 1982 in which counsel for Iran Air indicated that the Claimant may obtain an award by filing the Settlement Agreement with the Tribunal.

On 26 October 1982 Iran Air filed the following Statement:

The Islamic Republic of Iran Airlines Corporation hereby declares that the Letter of Understanding signed with Trans Com Division, Sundstrand Data Control, Inc. is acceptable and that any ruling issued by the Arbitral Tribunal on the basis thereof shall be acceptable as well.

The Tribunal finds that an award on agreed terms may be issued upon the submissions before it, in accordance with Article 34 of the Tribunal Rules and the standards applicable thereto.

Based on the foregoing,

THE TRIBUNAL AWARDS AS FOLLOWS:

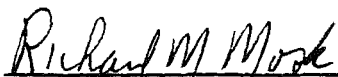
The settlement is hereby recorded as an Award on Agreed Terms, binding on all Parties, in full settlement of the entire case. Consequently, the Respondent, IRAN NATIONAL AIRLINES CORPORATION, shall pay to the Claimant, SUNDSTRAND DATA CONTROL, INC., the total sum of One Hundred Twenty-Three Thousand Six Hundred Fifty United States Dollars (\$123,650) which payment shall be made out of the Security Account established pursuant to paragraph 7 of the Declaration of the Government of the Democratic and Popular Republic of Algeria dated 19 January 1981.

The Tribunal hereby submits this Award to the President for notification to the Escrow Agent.

Dated, The Hague,
09 December 1982

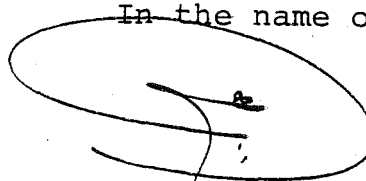


Nils Mangård
Chairman
Chamber Three



Richard M. Mosk

In the name of God,



M. Jahangir Sani