

353-352

CLAIMS TRIBUNAL

352
دیوان داری دعاوی ایران - ایالات متحدہ

۳۵۳-۳۵۲

ORIGINAL DOCUMENTS IN SAFE

Case No. 353

Date of filing: 27-4-87

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

** DECISION - Date of Decision 27-4-87
_____ 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

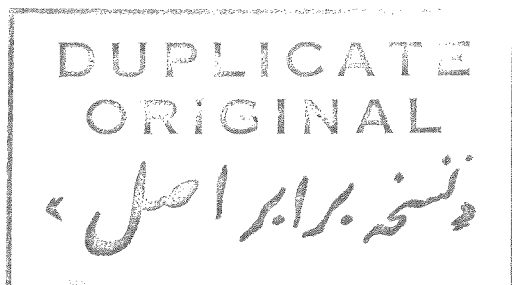
** DISSENTING OPINION of _____
- Date _____
_____ pages in English _____ pages in Farsi

** OTHER; Nature of document: _____

- Date _____
_____ pages in English _____ pages in Farsi

IRAN-UNITED STATES CLAIMS TRIBUNAL

دیوان دآوری دعاوی ایران - ایالات متحدہ



CASE NO. 353

CHAMBER TWO

DECISION NO. DEC 60-353-2

FMC CORPORATION,

Claimant,

and

THE MINISTRY OF NATIONAL DEFENCE,
 ZIARAN MEAT PRODUCTION AND
 PROCESSING COMPANY LTD,
 BANK MELLI IRAN,
 CENTRAL BANK OF IRAN,
 SAZEMANE SHAHANSHANI and
 THE ISLAMIC REPUBLIC OF IRAN,

Respondents.

IRAN UNITED STATES CLAIMS TRIBUNAL	دیوان دآوری دعاوی ایران - ایالات متحدہ
ثبت شد - FILED	
Date	27 APR 1987 تاریخ
	۱۳۶۶ / ۲ / ۷
No.	353 شماره

DECISION

1. On 6 April 1987, the Ministry of National Defence submitted a request for interpretation of certain portions of Award No. 292-353-2, pursuant to Article 35 of the Tribunal Rules.

2. Article 35 of the Tribunal Rules provides that a request for interpretation of an award be made "within thirty days after the receipt of the award". Furthermore, according to Article 2(3) of the Tribunal Rules, a document "shall be deemed to have been received by [the] arbitrating parties when it is received by the Agent of their Government".

3. The Tribunal observes that Award No. 292-353-2 was served on the Agent of the Government of the Islamic Republic of Iran on 12 February 1987. Accordingly, the request of the Ministry of National Defence filed on 6 April 1987 was not made within thirty days after the receipt of the Award as established by Article 35 of the Tribunal Rules and therefore is inadmissible.

4. In view of the foregoing, the request is hereby denied.

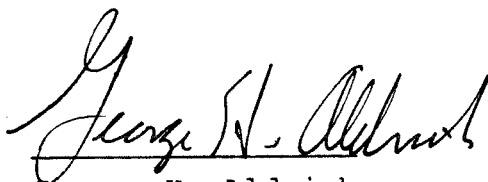
5. The Tribunal therefore, does not reach the question as to whether the submission could be considered a proper request for interpretation pursuant to the Tribunal Rules.

Dated, The Hague,
27 April 1987

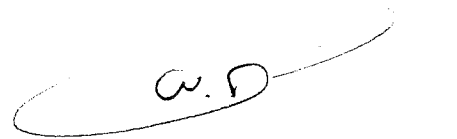


Robert Briner
Chairman

In the name of God



George H. Aldrich



Hamid Bahrami-Ahmadi
With respect to the
main Award see my
dissenting opinion