

ORIGINAL DOCUMENTS IN SAFECase No. 928Date of filing: 16 MARCH 84** AWARD

- Type of Award

FINAL

- Date of Award

16 MARCH 847 pages in English

_____ pages in Farsi

** DECISION - Date of Decision _____

_____ pages in English

_____ 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

928-66

۹۲۸-۶۶

CASE NO. 928

CHAMBER THREE

AWARD NO. 115-928-3

CBA INTERNATIONAL DEVELOPMENT
CORPORATION,

Claimant,

and

THE GOVERNMENT OF IRAN,

Respondent.

IRAN UNITED STATES CLAIMS TRIBUNAL	دادگاه داوری دعاری ایران - ایالات متحدہ
ثبت شد - FILED	
Date	۱۳۶۲ / ۱۲ / ۲۶
	16 MAR 1984
No.	928

AWARD

DUPLICATE
ORIGINAL

نسخه برابر اصل

Appearances:

For the Claimant:

Mr. Richard M. Asche,
Attorney

For the Respondent:

Mr. Mohammed K. Eshragh,
Agent of the Government of the
Islamic Republic of Iran,
Mr. Khosrow Tabasi,
Legal Adviser to the Agent,
Mr. Valiollah Ansari,
Attorney for the Ministry of
Defence,
Mr. Mohammad Khalil Shirzadi,
Representative of the Ministry
of Defence.

Also present:

Ms. Jamison M. Selby,
Deputy Agent of the Government
of the United States of America.

settlement, the Parties intended to submit any dispute arising under the Contract to an Iranian Court. To insist upon any other, more technical, interpretation of the word "arbitration" would introduce an ambiguity that otherwise would not exist, and deprive the whole Article of any sensible meaning and effect.

On this basis, the Article appears to satisfy with sufficient clarity the requirements of the exclusion provision contained in Article II paragraph 1 of the Claims Settlement Declaration.

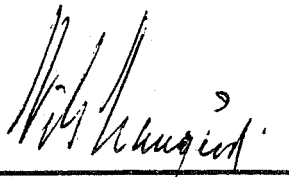
For the foregoing reasons,

The claim of CBA INTERNATIONAL DEVELOPMENT CORPORATION against the GOVERNMENT OF THE ISLAMIC REPUBLIC OF IRAN is hereby dismissed for lack of jurisdiction. The counterclaim of the GOVERNMENT OF THE ISLAMIC REPUBLIC OF IRAN is likewise dismissed as it arises out of the same contract.

Each Party shall bear its own costs of the arbitral proceedings.

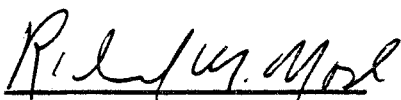
Dated, The Hague

16 March 1984

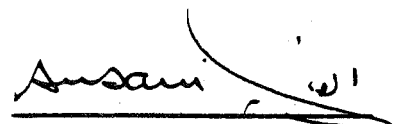


Nils Mangård
Chairman
Chamber Three

In the name of God



Richard M. Mosk
(Dissenting Opinion)



Parviz Ansari Moin