

941-116

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Case No. 941Date of filing: 22 sept 1992

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

** DECISION - Date of Decision 22 sept 1992
_____ 3 pages in English _____ 3 pages in Farsi

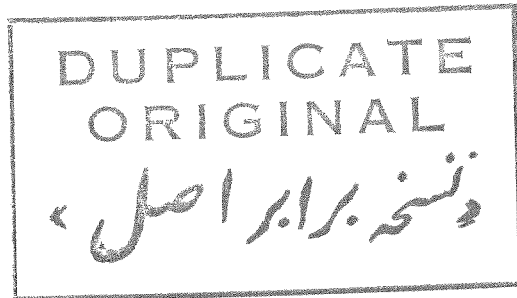
** CONCURRING OPINION of _____
- Date _____
_____ pages in English _____ pages in Farsi

** 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



CASE NO. 941

CHAMBER THREE

DECISION NO. DEC 107-941-3

W. JACK BUCKAMIER
Claimant,

and

THE ISLAMIC REPUBLIC OF IRAN,
ISIRAN/ARMY, TEHRAN REDEVELOP-
MENT CORPORATION, BANK MELLAT,
HEJRAT BRANCH (formerly Iran-Arab
Bank),

Respondents.

IRAN-UNITED STATES CLAIMS TRIBUNAL	دیوان دآوری دعاوی ایران - ایالات متحدہ
FILED	ثبت شد
DATE	22 SEP 1992
	تاریخ ۱۳۷۱ / ۶ / ۲۱

DECISION

1. On 17 July 1992 the Agent of the Government of the Islamic Republic of Iran, acting on behalf of one of the Respondents in the present Case, Tehran Redevelopment Corporation ("TRC"), filed a "Request for Correction of Award in Case No. 941."

2. Referring to the Tribunal's decision, stated in paragraph 32 of Award No. 528-941-3 ("the Award"), to reject its post-hearing submission doc. 108 as untimely filed, TRC argues that the said submission "clearly stated that whatever was submitted to the Tribunal was already referred in Doc. 20, and that the exhibits of the Respondent's submission were presented to the Tribunal only for the Tribunal's information and further argument of the matter already addressed in Doc. No. 20." On this basis TRC concludes that "the Tribunal should have logically considered in its computations the payments already made, including those indicated in TRC's Doc. 108."

3. According to the Agent of Iran, TRC has made its request for correction "in virtue of Art. 36 of the Tribunal Rules."

4. A request under this Article must be made "[w]ithin thirty days after the receipt of the award." The Persian version of the Award having been served upon the Agent of Iran on 17 June 1992, TRC's request was filed within this time limit. Cf. Hood Corporation and The Islamic Republic of Iran, et al., Decision No. DEC 34-100-3, pp. 1-2 (1 Mar. 1985), reprinted in 8 Iran-U.S. C.T.R. 53, 54.

5. Article 36 permits a party to request the Tribunal to correct in the award "any errors in computation, any clerical or typographical errors, or any error of similar nature." Having rejected, in accordance with its practice, TRC's doc. 108 as untimely filed, the Tribunal made the Award on the basis of all other documents in the record, including TRC's doc. 20. TRC's request fails to identify any computational or similar error committed thereby. Rather, the Tribunal notes, the request

constitutes an impermissible attempt to dispute the Tribunal's evaluation of that record.

6. The Tribunal therefore determines that no correction of the Award is warranted.

7. For the foregoing reasons,

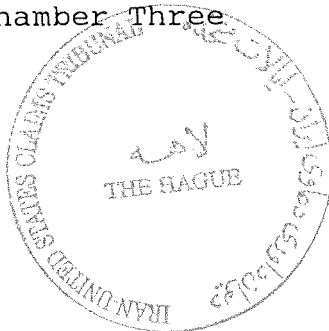
THE TRIBUNAL DECIDES AS FOLLOWS:

The Request for Correction, filed on 17 July 1992 by the Agent of the Government of the Islamic Republic of Iran in respect of Award No. 528-941-3 (6 Mar. 1992), is denied.

Dated, The Hague
22 September 1992



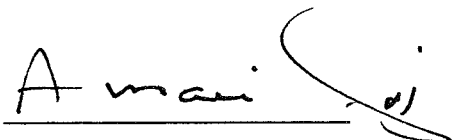
Gaetano Arangio-Ruiz
Chairman
Chamber Three



In the Name of God



Richard C. Allison



Parviz Ansari Moin
(With respect to the
Award: concurring in
part, dissenting in
part)