

ORIGINAL DOCUMENTS IN SAFE

Case No. 70

Date of filing 24 May 1983

AWARD. Date of Award 24 May 1983

4 pages in English. 3 pages in Farsi.

70-77  
v. - vv

DECISION. Date of Decision \_\_\_\_\_

\_\_\_\_\_ pages in English. \_\_\_\_\_ pages in Farsi.

ORDER. Date of Order \_\_\_\_\_

\_\_\_\_\_ pages in English. \_\_\_\_\_ pages in Farsi.

CONCURRING 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  
نسخہ برابر اصل

70-77  
V. - 77

CASE NO. 70  
CHAMBER ONE  
AWARD NO. 45 -70-1

THE UPJOHN COMPANY,  
Claimant,  
and  
THE GOVERNMENT OF THE ISLAMIC  
REPUBLIC OF IRAN,  
NATIONAL INDUSTRIES  
ORGANIZATION , SHERKAT SAHAMI  
KHAS PU IRAN ("PU IRAN") ,  
Respondents.

IRAN UNITED STATES CLAIMS TRIBUNAL  
دادگاه داری دعاری ایران - ایالات متحدہ  
ثبت شد - FILED  
No. 70 شماره 70  
Date 24 MAY 1983 تاریخ  
۱۳۶۲ / ۲ / ۲

CH-1.

AWARD ON AGREED TERMS

The Upjohn Company and the Government of the Islamic Republic of Iran filed on 11 March 1983 with the Tribunal a joint request for an Award on agreed terms and a Settlement Agreement, dated 10 March 1983.

Subsequent to the filing of these documents the Parties informed the Tribunal that they wanted to make amendments to the request and the Settlement Agreement, and requested the Tribunal not to issue any award on agreed terms pending further information from the Parties. On 16 May 1983 the Upjohn Company and Sherkat Sahami Khas PU Iran ("PU Iran") filed a new request for an Award on agreed terms, dated 16 May 1983, together with an amended Settlement Agreement also dated 10 March 1983. In the amended Settlement Agreement the Upjohn Company and PU Iran agreed, inter alia, that PU Iran shall pay the Upjohn Company US \$1,050,000.00. The Upjohn Company and PU Iran have requested the Tribunal to record the amended Settlement Agreement as an Award on agreed terms.

The amended Settlement Agreement states that upon the Tribunal's recording of it as an Award on agreed terms, all claims and counter-claims in the case shall be considered withdrawn. Respondents the Government of the Islamic Republic of Iran and the National Industries Organization have in a separate document submitted to the Tribunal agreed to the withdrawal of all claims and counterclaims by or against either or both of them in accordance with the joint request for an Award on agreed terms, filed on 16 May 1983.

In the amended Settlement Agreement the Upjohn Company and PU Iran have requested that it shall not be made public.

The Tribunal considers that the joint request and the amended Settlement Agreement, filed on 16 May 1983, entirely

supersede the request, filed on 11 March 1983, and the Settlement Agreement attached thereto.

The Tribunal has satisfied itself that it has jurisdiction in this matter within the terms of the Declaration of the Democratic and Popular Republic of Algeria concerning the Settlement of Claims by the Government of the United States of America and the Government of the Islamic Republic of Iran, dated 19 January 1981.

The Tribunal accepts the amended Settlement Agreement in accordance with Article 34 of the Tribunal Rules.

Based on the foregoing,

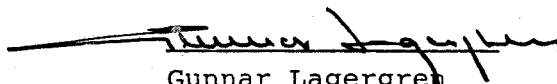
THE TRIBUNAL MAKES THE FOLLOWING AWARD:

The amended Settlement Agreement is hereby recorded as an Award on Agreed Terms, binding upon the Parties, in full settlement of the entire case. Consequently, the Respondent Sherkat Sahami Khas PU Iran ("PU Iran") is obligated to pay the Claimant, The Upjohn Company, the sum of One Million Fifty Thousand United States Dollars (\$1,050,000.00) which obligation shall be satisfied by payment out of the Security Account, established pursuant to paragraph 7 of the Declaration of the Democratic and Popular Republic of Algeria, dated 19 January 1981.

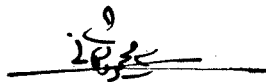
The Tribunal determines in accordance with the request of the Parties and pursuant to Article 32, paragraph 5, of the Tribunal Rules that the Settlement Agreement, and the amended Settlement Agreement shall not be made public.

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

Dated, The Hague,  
24 May 1983



Gunnar Lagergren  
Chairman  
Chamber One



Mahmoud M. Kashani  
Concurring Opinion



Howard M. Holtzmann