

100-94

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ORIGINAL DOCUMENTS IN SAFE

Case No. 100

Date of filing: 1 MAR 85

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

** DECISION - Date of Decision 1 MARCH 85
3 pages in English 3 pages in Farsi

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

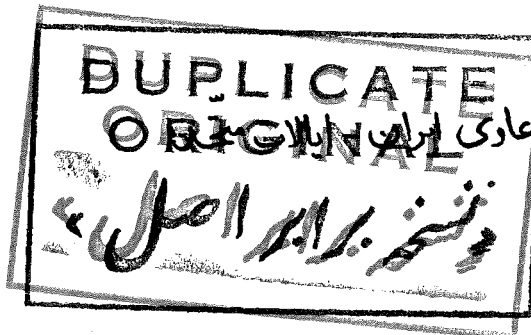
** SEPARATE OPINION of _____
- Date _____
_____ pages in English _____ pages in Farsi

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

** OTHER; Nature of document: _____

- Date _____
_____ pages in English _____ pages in Farsi

IRAN-UNITED STATES CLAIMS TRIBUNAL



دیوان دآوری دعاوی ایران

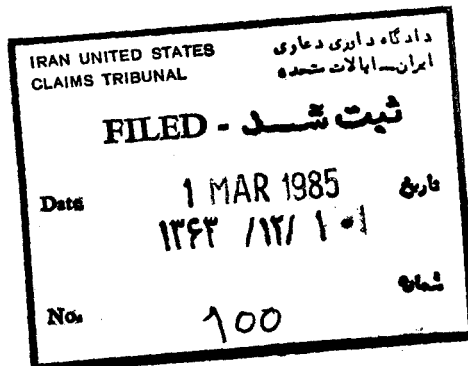
Case No. 100
Chamber Three

HOOD CORPORATION,
Claimant,

and

THE ISLAMIC REPUBLIC OF
IRAN, BANK MARKAZI IRAN
and BANK MELLAT,

Respondents.



DECISION

On 13 July 1984, the Tribunal rendered Award No. 142-100-3 in this case. The English text of the Award was served upon the Agent of the United States of America on 16 July 1984. The Farsi text of the Award was issued on 28 August 1984.

On 13 August 1984 the English text of a "Request for an Additional Award" by Hood Corporation was received by the Tribunal. The Farsi text of the request for an additional award was received on 30 August 1984 and the Tribunal accepted the filing of the request that day.

Article 37(1) of the Tribunal Rules states

Within thirty days after the receipt of the award either party, with notice to the other party, may request the arbitral tribunal to make an additional award as to claims presented in the arbitral proceedings but omitted from the award.

Interpreting Article 37 to give full effect to its purpose, the Tribunal decides that the date of "receipt of the award" is the date that the award in that party's

language is served upon the Agent of the relevant State-Party.¹ Likewise the Tribunal decides that for the purpose of meeting the 30-day limitation, the date a "request" is made is the date that the requesting submission, even if in only one language, is received. Such request may not be filed or acted upon, however, until the other language version is received and such other version must be received within a reasonable period. See, Article 17, Tribunal Rules.

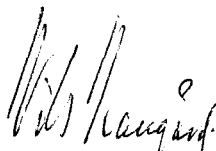
In the present case the English version of the Request for additional award was received on 13 August 1984, less than 30 days after receipt of the award by the Agent for the United States. Moreover, the Farsi version of the request was received in a timely fashion thereafter. Therefore, the request for additional award in the instant case was made in a timely manner.

The Tribunal has concluded, however, that it considered all of the claims and the grounds on which they were based, and that the award and the reasons therefore are adequate in form and do not warrant any additional consideration or modifications.

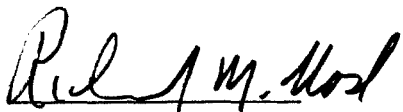
¹Cf. Note 3 to Article 2 of the Tribunal Rules ("The filing of documents with the Tribunal shall constitute service on all of the other arbitrating parties in the case and shall be deemed to have been received by said arbitrating parties when it is received by the Agent of their Government.")

The request of Claimant is therefore denied.

Dated, The Hague,
01 March 1985



Nils Mangård
Chairman
Chamber Three



Richard M. Mosk

In the name of God



Parviz Ansari Moin