



ORIGINAL DOCUMENTS IN SAFE

151

Case No. 474

Date of filing: 17/5/91

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

** DECISION - Date of Decision 17 May 1991
_____ 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

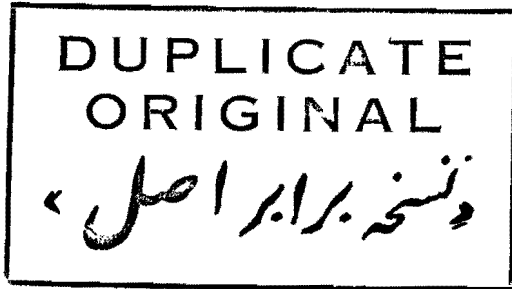
** DISSENTING OPINION of _____
- Date _____
_____ pages in English _____ pages in Farsi

** OTHER; Nature of document: _____

- Date _____
_____ pages in English _____ pages in Farsi

IRAN-UNITED STATES CLAIMS TRIBUNAL

دیوان داوری دعاوی ایران - ایالات متحدہ



CASE NO. 474

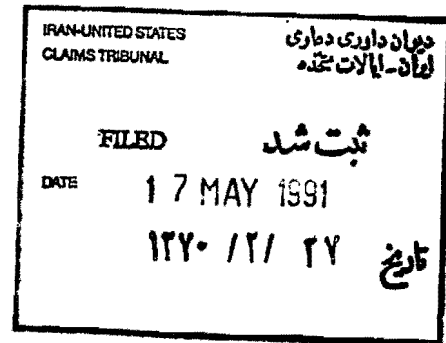
CHAMBER THREE

DECISION NO. DEC 97-474-3

PHIBRO CORPORATION,
Claimant,

and

MINISTRY OF WAR-ETKA CO. LTD.,
GOVERNMENT TRADING CORPORATION and
THE GOVERNMENT OF THE ISLAMIC
REPUBLIC OF IRAN,
Respondents.

DECISION

1. On 6 March 1991 the Agent of the Government of the Islamic Republic of Iran ("Iran") submitted to the Tribunal a "Request for Interpretation and Rendering of a Supplementary Award" with respect to Award No. 503-474-3 (18 Jan. 1991), reprinted in ___ Iran-U.S. C.T.R. ___ (the "Award"). Iran requests "that under the provisions of Article 35 of the Tribunal Rules the Tribunal interpret the Award with respect to ETKA and correct it accordingly."

2. Iran submitted its request in reliance on Article 35 of the Tribunal Rules, which provides for "an interpretation of the award" by the Tribunal. The Persian version of the Award was filed on 1 February 1991 and served upon the Agent of Iran on 4 February 1991. Iran's request was thus filed within the 30-day period required by the Tribunal Rules. See 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.

3. Article 35 permits a party to request an explanation of ambiguous language contained in an award. See, e.g., Sedco, Inc. and National Iranian Oil Company, et al., Decision No. DEC 64-129-3, para. 7 (22 Sept. 1987), reprinted in 16 Iran-U.S. C.T.R. 282, 284. Iran has pointed to no ambiguity in the Award. Moreover, its request merely repeats an argument previously made before the Tribunal. As such, the request constitutes an impermissible attempt to reargue an aspect of the Case on which Iran disagrees with the Tribunal's conclusion in the Award. See, e.g., Component Builders, Inc., et al. and Islamic Republic of Iran, Correction to Award No. 431-395-3, para. 6 (2 Feb. 1990), reprinted in ___ Iran-U.S. C.T.R. ___, ___.

4. The Tribunal therefore determines that no interpretation of the Award is warranted.

5. For the foregoing reasons,

THE TRIBUNAL DECIDES AS FOLLOWS:


The Request for Interpretation and Rendering of a Supplementary Award, filed on 6 March 1991 by the Agent of the Government of the Islamic Republic of Iran in respect of Award No. 503-474-3 (18 Jan. 1991), is denied.

Dated, The Hague
17 May 1991



Gaetano Arangio-Ruiz
Chairman
Chamber Three

In the Name of God



Richard C. Allison



Parviz Ansari Moin
See my Concurring
and Dissenting Opin-
ion filed on 31 Jan-
uary 1991.