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978-0-521-46441-3 - Iran—United States Claims Tribunal Reports: Volume 7

Edited by S. R. Pirrie and J. S. Arnold

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# IRAN—UNITED STATES CLAIMS TRIBUNAL REPORTS

Volume

**7**

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This volume may be cited as: 7 IRAN—U.S. C.T.R.—.

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# IRAN—UNITED STATES CLAIMS TRIBUNAL REPORTS

Volume

7

EDITED  
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A PUBLICATION OF  
THE RESEARCH CENTRE FOR INTERNATIONAL LAW,  
UNIVERSITY OF CAMBRIDGE



CAMBRIDGE

GROTIUS PUBLICATIONS LIMITED

1986

Cambridge University Press

978-0-521-46441-3 - Iran—United States Claims Tribunal Reports: Volume 7

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**CAMBRIDGE**  
UNIVERSITY PRESS

University Printing House, Cambridge CB2 8BS, United Kingdom

Published in the United States of America by Cambridge University Press, New York

Cambridge University Press is part of the University of Cambridge.

It furthers the University's mission by disseminating knowledge in the pursuit of education, learning and research at the highest international levels of excellence.

[www.cambridge.org](http://www.cambridge.org)

Information on this title: [www.cambridge.org/9780521464413](http://www.cambridge.org/9780521464413)

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First published by Grotius Publications Ltd 1986

First published 2011

Second Edition 2012

Reprinted 2013

*A catalogue record for this publication is available from the British Library*

ISBN 978-0-521-46441-3 Hardback

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## EDITORIAL NOTE

This series of *Reports* contains the texts of Decisions, Awards, Awards on Agreed Terms, Interim Awards, Interlocutory Awards, Refusal Cases and Selected Orders emanating from the Iran—U.S. Claims Tribunal set up under the Claims Settlement Declaration to which the Governments of Iran and the United States adhered on 19 January 1981.

The present volume contains material dated during the period 22 June 1984 to 21 December 1984 but often not made available until later.

*Decisions* are rendered by the Tribunal in cases arising directly between the Governments of Iran and the United States.

*Awards* are rendered in respect of claims by individual claimants, as are *Interim Awards*, *Interlocutory Awards* and *Awards on Agreed Terms*. In the last instance the agreement occasioning the Award has been printed together with the Award unless the parties have requested the Tribunal to keep the agreement confidential. Purely formal documents (such as powers of attorney) which were annexed to Awards on Agreed Terms have been omitted.

The texts of the Settlement Agreements on the basis of which *Awards on Agreed Terms* are rendered have in some cases been omitted. These omissions reflect the fact that many Settlement Agreements appear to follow a standard form, varying according to the subject matter of the claim, and that in some cases the content of the Settlement Agreement is reproduced extensively in the Award. However, where a Settlement Agreement is not in a standard form or otherwise seems to contain provisions which may have wider legal significance it will be printed in the appropriate place.

*Refusal Cases* are ones in which there has been an appeal from a refusal by the Registrar to accept the filing of a claim.

*Selected Orders* are selected from the many hundreds of interlocutory orders which the Tribunal or its Chambers make at various stages of the proceedings.

All known Decisions and Awards are printed in these *Reports*. To the extent that they are made public all *Awards on Agreed Terms* are printed, as is true also of *Refusal Cases*. The choice of *Selected Orders* has been made on the basis of availability to the *Reports* and has been further limited by the exclusion of those which appear to be of only limited or transient significance.

Careful consideration has been given to the question of the extent to which it would be appropriate to edit the texts issued by the Tribunal. The conclusion has been reached that it would be better if

no changes were made, even though this means that texts which appear here may occasionally look as if there have been lapses in printing. The reader is assured that special care has been taken in checking the proof.

The materials are printed in chronological order—on the basis of the dates on which they were signed. In some cases, dissenting or separate opinions have been filed by one or more Members of the Tribunal after the date of signature of the Decision, Award or Order; and in other cases, a separate or dissenting opinion may relate to more than one claim. In such situations, the order of appearance of the dissenting or separate opinion is regulated by the date of the signature it bears. The absence of a dissenting opinion of which the existence is in some way indicated in the printed texts means only that the document has not yet been released.

Editorial footnotes are identified by the enclosure within square brackets of both the footnote indicator and the footnote itself. All other footnotes are printed as they appear in the original texts.

The Index is limited to matters dealt with in the argument of the Tribunal or Chamber in each Decision or Award or in the separate, concurring or dissenting Opinions of individual Members, and does not cover matters appearing in the facts or in the arguments of the parties.

The Index and Tables of Cases of the present volume have been consolidated with those of the earlier volumes. There is also a separate Table of Cases for cases in this volume.

If further material dated within the period covered by this volume should become available after the publication of this volume, it will be printed in a later volume of the *Reports*

## ACKNOWLEDGMENTS

This volume has been prepared within, and upon the initiative of, the Research Centre for International Law of the University of Cambridge.

We wish to thank Mrs. M. DeVine and Miss L. O'Neill for the general editorial assistance which they have given and Mrs. S. Rainbow for her secretarial help.

We also wish to express our appreciation to all those who have contributed to the preparation of this volume and, in particular, the Gomer Press.

Cambridge  
July, 1986

S. R. PIRRIE  
J. S. ARNOLD

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## LIST OF MEMBERS OF THE IRAN-UNITED STATES CLAIMS TRIBUNAL

(As given in the Annual Report of the Secretary General for the period  
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### I. PRESENT MEMBERS

<i>Name</i>	<i>Appointed by</i>	<i>Country</i>	<i>Date of appointment</i>	<i>Chambre</i>
Karl-Heinz Böckstiegel	Appointing Authority, pursuant to Tribunal Rules	Federal Republic of Germany	1 October 1984	1
Robert Briner	Mutual agreement of Government-appointed members	Switzerland	1 June 1985	2
Michel Virally	Mutual agreement of Government-appointed members	France	1 July 1985	3
Hamid Bahrami Ahmadi	Government of the Islamic Republic of Iran	Iran	29 November 1984	2
Seyed Mohsen Mostafavi Tafreshi	Government of the Islamic Republic of Iran	Iran	29 November 1984	1
P. Ansari Moin	Government of the Islamic Republic of Iran	Iran	14 September 1983	3
Howard M. Holtzmann	Government of the United States of America	United States	1981 (Original member)	1
George H. Aldrich	Government of the United States of America	United States	1981 (Original member)	2
Charles N. Brower	Government of the United States of America	United States	16 January 1984	3

### II. FORMER MEMBERS

<i>Name</i>	<i>Appointed by</i>	<i>Country</i>	<i>Date of appointment</i>	<i>Chambre</i>
Seyyed H. Enayat	Government of the Islamic Republic of Iran	Iran	1981 (Original member)	3
Pierre Bellet	Mutual agreement of Government-appointed members	France	1981 (Original member)	2
M. Jahangir Sani	Government of the Islamic Republic of Iran	Iran	1 March 1982	3
Richard M. Mosk	Government of the United States of America	United States	1981 (Original member)	3
Gunnar K. Lagergren	Mutual Agreement of Government-appointed members	Sweden	1981 (Original member)	1
Mahmoud Kashani	Government of the Islamic Republic of Iran	Iran	1981 (Original member)	1
Shafie Shafeiei	Government of the Islamic Republic of Iran	Iran	1981 (Original member)	2

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<i>Name</i>	<i>Appointed by</i>	<i>Country</i>	<i>Date of appointment</i>	<i>Chamber</i>
Willem Riphagen	Appointing Authority, pursuant to Tribunal Rules	Netherlands	1 August 1983	2
Nils Mangård	Mutual agreement of Government-appointed members	Sweden	1981 (Original member)	3
III. MEMBERS APPOINTED BY AGREEMENT BETWEEN THE AGENTS				
Koorosh Hossein Ameli	(Agents agreement <i>ad hoc</i> )	Iran	1 August 1985	1
Richard M. Mosk	(Agents agreement <i>ad hoc</i> )	United States	1 August 1985	1
IV. SUBSTITUTE MEMBERS (NOTE TO ARTICLE 13 OF THE TRIBUNAL RULES)				
C. F. Salans	Government of the United States of America	United States	17 February 1984	—
W. H. Levit	Government of the United States of America	United States	14 March 1984	—
Richard M. Mosk	Government of the United States of America	United States	26 January 1984	—
V. FORMER MEMBERS UNDER III AND IV				
Charles N. Brower	Government of the United States of America	United States	7 March 1983	—
Mohsen Aghahosseini	Government of the Islamic Republic of Iran	Iran	6 December 1983	—