

IN THE
International Court of Justice

No. 135-2006

ARGENTINA,
Petitioner,
v.

URUGUAY,
Respondent.

Case Concerning Pulp Mills on the River Uruguay

BACKGROUND GUIDE

THE MATERIAL FACTS

Uruguay allowed a Spanish company, ENCE, to build a pulp mill on the Uruguay River. The Uruguay River is the natural border between Argentina and Uruguay, and exists as shared territory between the two countries. A treaty was put in place over the river requiring that both countries should inform the other one if something they are doing might have any effect on the river. The treaty does not mean that either country must give the other permission to go through with the intended project, as the river is joint territory and either state is allowed to do what they wish with it, the treaty simply means that the other state must be made aware of the actions of one state if the said actions may affect the river.

THE LEGAL FACTS

Both states, Argentina and Uruguay, are legally required to inform the other about projects which may affect the River Uruguay.

In Article 60 of the Statute of the River Uruguay, the ICJ has jurisdiction over this dispute in accordance with Article 36, paragraph 1, of the Statute of the Court.

THE LEGAL ISSUES

Will the pulp mill cause pollution to the River Uruguay?

What is the proper procedure to follow when informing the other state about actions affecting the River Uruguay?

Did Uruguay violate the Treaty?

VALUBALE RESEARCH AIDS

ICJ website with resources relating to every case, including petitions and responses, press releases and the United Nations Charter: <http://www.icj-cij.org/>

UN Treaty Collection with an expansive database of treaties that includes all multinational treaties filed with the Secretary General: <http://treaties.un.org/home.aspx>

Cornell Law Library's research guide for the ICJ, including resources for pertinent journal articles and books relating to the background of the ICJ as well as current issues, etc.: <http://library.lawschool.cornell.edu/WhatWeDo/ResearchGuides/ICJ.cfm>