



INTERNATIONAL COURT OF JUSTICE

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Press Release

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Dispute over the Status and Use of the Waters of the Silala (Chile v. Bolivia)

The Court delivers its Judgment on the merits of the case, including the counter-claims of Bolivia

THE HAGUE, 1 December 2022. The International Court of Justice (ICJ), the principal judicial organ of the United Nations, has today delivered its Judgment in the case concerning the *Dispute over the Status and Use of the Waters of the Silala (Chile v. Bolivia)*.

In its [Judgment](#), which is final, without appeal and binding on the Parties, the Court:

(1) By fifteen votes to one,

Finds that the claim made by the Republic of Chile in its final submission (a) no longer has any object and that, therefore, the Court is not called upon to give a decision thereon;

IN FAVOUR: *President* Donoghue; *Vice-President* Gevorgian; *Judges* Tomka, Abraham, Bennouna, Yusuf, Xue, Sebutinde, Bhandari, Robinson, Salam, Iwasawa, Nolte, *Judges ad hoc* Daudet, Simma;

AGAINST: *Judge* Charlesworth;

(2) By fifteen votes to one,

Finds that the claim made by the Republic of Chile in its final submission (b) no longer has any object and that, therefore, the Court is not called upon to give a decision thereon;

IN FAVOUR: *President* Donoghue; *Vice-President* Gevorgian; *Judges* Tomka, Abraham, Bennouna, Yusuf, Xue, Sebutinde, Bhandari, Robinson, Salam, Iwasawa, Nolte, *Judges ad hoc* Daudet, Simma;

AGAINST: *Judge* Charlesworth;

(3) By fifteen votes to one,

Finds that the claim made by the Republic of Chile in its final submission (c) no longer has any object and that, therefore, the Court is not called upon to give a decision thereon;

IN FAVOUR: *President* Donoghue; *Vice-President* Gevorgian; *Judges* Tomka, Abraham, Bennouna, Yusuf, Xue, Sebutinde, Bhandari, Robinson, Salam, Iwasawa, Nolte, *Judges ad hoc* Daudet, Simma;

AGAINST: *Judge* Charlesworth;

(4) By fourteen votes to two,

Finds that the claim made by the Republic of Chile in its final submission (d) no longer has any object and that, therefore, the Court is not called upon to give a decision thereon;

IN FAVOUR: *President* Donoghue; *Vice-President* Gevorgian; *Judges* Tomka, Abraham, Bennouna, Yusuf, Xue, Sebutinde, Bhandari, Salam, Iwasawa, Nolte, *Judges ad hoc* Daudet, Simma;

AGAINST: *Judges* Robinson, Charlesworth;

(5) Unanimously,

Rejects the claim made by the Republic of Chile in its final submission (e);

(6) By fifteen votes to one,

Finds that the counter-claim made by the Plurinational State of Bolivia in its final submission (a) no longer has any object and that, therefore, the Court is not called upon to give a decision thereon;

IN FAVOUR: *President* Donoghue; *Vice-President* Gevorgian; *Judges* Tomka, Abraham, Bennouna, Yusuf, Xue, Sebutinde, Bhandari, Robinson, Salam, Iwasawa, Nolte, *Judges ad hoc* Daudet, Simma;

AGAINST: *Judge* Charlesworth;

(7) By fifteen votes to one,

Finds that the counter-claim made by the Plurinational State of Bolivia in its final submission (b) no longer has any object and that, therefore, the Court is not called upon to give a decision thereon;

IN FAVOUR: *President* Donoghue; *Vice-President* Gevorgian; *Judges* Tomka, Abraham, Bennouna, Yusuf, Xue, Sebutinde, Bhandari, Robinson, Salam, Iwasawa, Nolte, *Judges ad hoc* Daudet, Simma;

AGAINST: *Judge* Charlesworth;

(8) Unanimously,

Rejects the counter-claim made by the Plurinational State of Bolivia in its final submission (c).

*

Judges TOMKA and CHARLESWORTH append declarations to the Judgment of the Court; Judge *ad hoc* SIMMA appends a separate opinion to the Judgment of the Court.

History of the proceedings

The history of the proceedings can be found in [press releases](#) Nos. 2016/16, 2022/9, 2022/13 and 2022/62, available on the Court's website.

A summary of the Judgment appears in the document entitled "Summary 2022/5", to which summaries of the opinion and declarations are annexed. This press release, the summary and the full text of the Judgment are available on the Court's website under the heading [Cases](#).

Note: The Court's press releases are prepared by its Registry for information purposes only and do not constitute official documents.

The International Court of Justice (ICJ) is the principal judicial organ of the United Nations. It was established by the United Nations Charter in June 1945 and began its activities in April 1946. The Court is composed of 15 judges elected for a nine-year term by the General Assembly and the Security Council of the United Nations. The seat of the Court is at the Peace Palace in The Hague (Netherlands). The Court has a twofold role: first, to settle, in accordance with international law, through judgments which have binding force and are without appeal for the parties concerned, legal disputes submitted to it by States; and, second, to give advisory opinions on legal questions referred to it by duly authorized United Nations organs and agencies of the system.

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