

No. 9543

**ARGENTINA
and
URUGUAY**

**Protocol concerning the delimitation and marking of the
Argentine-Uruguayan boundary line in the River
Uruguay. Signed at Buenos Aires on 16 October 1968**

Authentic text: Spanish.

Registered by Argentina on 14 May 1969.

**ARGENTINE
et
URUGUAY**

**Protocole sur la démarcation et la définition de la frontière
argentino-uruguayenne sur l'Uruguay. Signé à Buenos
Aires le 16 octobre 1968**

Texte authentique: espagnol.

Enregistré par l'Argentine le 14 mai 1969.

[TRANSLATION — TRADUCTION]

PROTOCOL¹ CONCERNING THE DELIMITATION AND MARKING OF THE ARGENTINE-URUGUAYAN BOUNDARY LINE IN THE RIVER URUGUAY

His Excellency Mr. Emilio van Peborgh, Minister of Defence and Acting Minister for Foreign Affairs and Public Worship, and His Excellency Mr. Julio A. Lacarte Muró, Ambassador Extraordinary and Plenipotentiary of the Eastern Republic of Uruguay, meeting in the city of Buenos Aires, this sixteenth day of October nineteen hundred and sixty-eight, at the Ministry of Foreign Affairs and Public Worship of the Republic of Argentina, and being duly authorized by their respective Governments to establish procedures for marking the boundary line and islands in the River Uruguay as specified in the Treaty on Boundaries between the two countries concluded on the seventh day of April nineteen hundred and sixty-one, and ratified on the nineteenth day of January nineteen hundred and sixty-six, have agreed as follows :

Article 1

Pursuant to the Treaty on Boundaries, signed on 7 April 1961¹ and ratified on 19 January 1966,² the Mixed Boundary Commission, composed of technical representatives of both countries and established on 12 July 1968 in the city of Buenos Aires, shall be responsible for delimiting and marking the Argentine-Uruguayan boundary line and islands in the River Uruguay by setting up frontier posts or other markers and calculating their geographical co-ordinates and by preparing an official map of the River Uruguay, on which the boundary line shall be indicated.

The Mixed Commission shall also be responsible for replacing missing frontier posts and markers, repairing those that are damaged and bringing the map up to date as necessary.

Article 2

In order to implement the foregoing article, the Mixed Commission, without prejudice to carrying out the necessary geodesic or topographical work, may make use of such work already done by official institutions of both countries or may have work undertaken by specialized bodies operating under its supervision, as it may deem expedient.

¹ Came into force on 16 October 1968 by signature, in accordance with article 9.

² United Nations, *Treaty Series*, vol. 635, p. 21.

Article 3

All measures decided on by the Mixed Boundary Commission shall be recorded in instruments drawn up in two identical copies and signed by at least one representative of each country. These instruments, together with the related documentation (maps, monographs, etc.) shall be submitted to each Government for its information after being adopted by the Commission at a plenary meeting.

All instruments adopted at a plenary meeting shall be fully effective and shall be deemed to be definitive and valid.

A "plenary meeting" shall mean any meeting so designated which is convened by the Chairman of the Mixed Commission, regardless of how many representatives attend. Such meetings shall be held at least once a year.

Article 4

The Governments of the Republic of Argentina and of the Eastern Republic of Uruguay shall provide their respective commissions with the financial resources, staff, equipment, freedom of movement and anything else they may need to carry out their assignment. The common costs incurred in performing the duties set forth in article 1 of this Protocol shall be defrayed in equal proportions by the two Governments.

Article 5

The Mixed Commission shall prepare an over-all programme of the work to be done, indicating the time, financial resources and other facilities required; the plan shall be submitted to the Governments for the purposes of the foregoing article.

The Mixed Commission shall, at plenary meetings, agree on its annual work programme on the basis of this over-all programme.

Article 6

The Mixed Boundary Commission shall draw up its own technical and administrative rules of procedure, which shall be submitted to both Governments for information purposes only.

Article 7

Work planned in accordance with article 5 of this Protocol may not be suspended until it is fully completed, except for reasons of *force majeure*.

If a dispute arises concerning the delimitation and marking of the Argentine-Uruguayan boundary line and islands in the River Uruguay at any given point, the Mixed Boundary Commission shall leave the action to be taken in respect of the dispute to the decision of the two Ministries of Foreign Affairs. If they fail to agree, the case shall be submitted to an expert from a third country, who shall be designated by agreement between the Governments of both Contracting Parties. The proceedings relating to such disputes shall not cause the normal performance of the other work for which the Mixed Commission is responsible to be suspended.

Article 8

For the purposes of article 1 of this Protocol, the Contracting Governments agree to grant transport facilities and absolute freedom of entry and transit to the members and auxiliary personnel of the Mixed Commission and also in respect of the equipment, working materials, vehicles, vessels, aircraft and all tools and articles required by the Mixed Commission, which shall be exempt from customs duty.

Civil or military aircraft and/or vessels operating in connexion with this work shall enjoy freedom of movement in the boundary area, for which purpose they shall be granted every facility as regards fuelling, the use of installations and any other emergency assistance arising out of their operation.

For which purposes the two Governments shall issue to the representatives, and the Mixed Commission shall issue to the auxiliary personnel, the respective certifying documents.

Article 9

This Protocol shall enter into force upon its signature.

IN FAITH WHEREOF the undersigned have, on behalf of their respective Governments, signed and affixed their seals to two identical copies in the city of Buenos Aires this sixteenth day of October nineteen hundred and sixty-eight.

For the Government
of the Argentine Republic :

Emilio VAN PEBORGH
[SEAL]

For the Government
of the Eastern Republic
of Uruguay :

Julio A. LACARTE MURÓ
[SEAL]