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FACULTY OF LAW, UNIVERSITY OF LJUBLJANA

THE CASE CONCERNING THE PURIA RIVER (**ALVORA v. RAPIDIA**)



OSCE Court of Conciliation and Arbitration

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European
Parliament

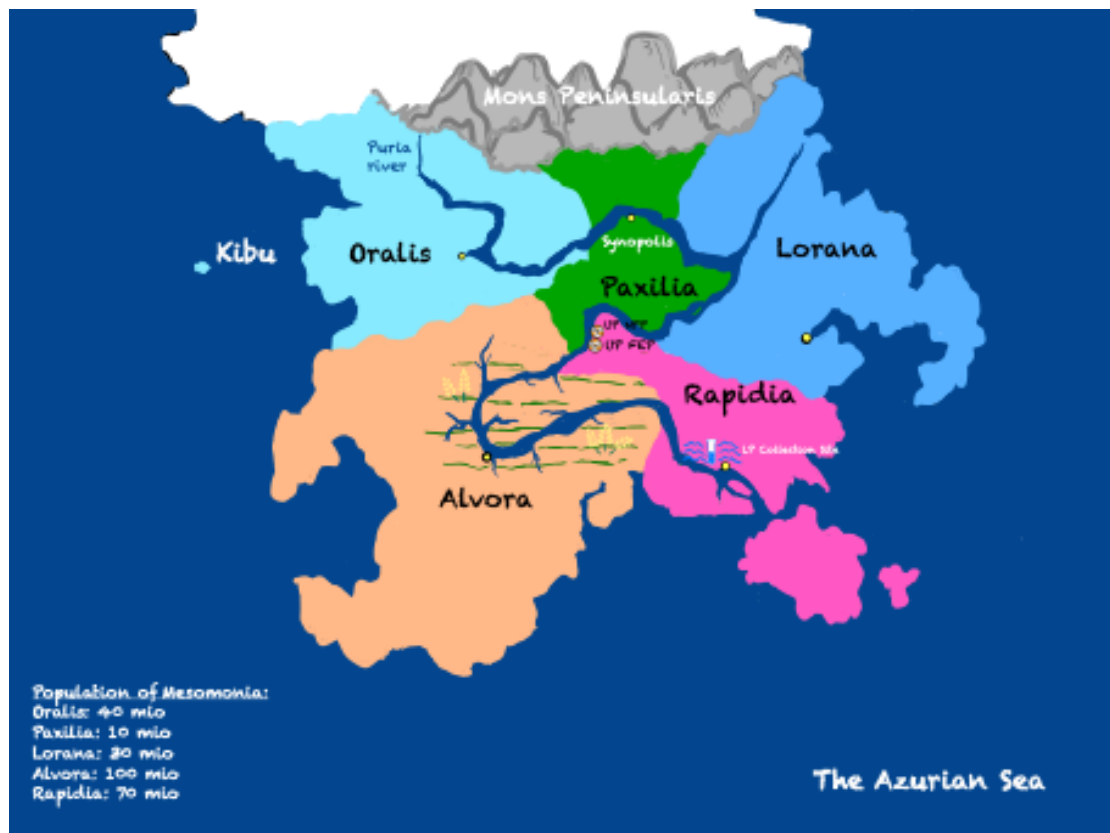


REPUBLIC OF SLOVENIA
MINISTRY OF FOREIGN
AND EUROPEAN AFFAIRS

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1. MESOMONIA REGION



(1) Mesomonia lies south of the Mons Peninsularis Mountain range, which encircles the region and contains significant uranium ore deposits. The region has been inhabited since as early as 500 BCE, when the Oryni tribe first settled along the banks of the Puria River, which emerges from the Mons Peninsularis. Over the centuries, successive waves of migration shaped the region's diverse cultural landscape, giving rise to distinct communities with their own traditions and identities. The Puria River was essential for the survival of early Mesomonian communities, serving as a vital source of drinking water, fishing, and irrigation for rice cultivation. Beyond sustenance, the river became a natural trade route, fostering exchange between settlements along its banks. Gradually, the unique cultural and social identities of the region's communities guided the delineation of territories, leading to the emergence of the five States that constitute Mesomonia today – Oralis (where the Oryni tribe first settled), Paxilia, Lorana, Alvora, and Rapidia.

(2) Disputes over the use of the Puria River have remained a persistent source of regional instability throughout history. On 14 June 1921, a nine-year conflict later known as the "Great

War” erupted in the region after Alvora bombed a dam Oralis was building on the Puria River. In the months that followed, the conflict drew in all the region’s States. Whereas previous wars in the region had been fought with conventional weapons, this war was marked by the strategic use of mustard agent, which the combatants employed to impede enemy advances along the frontlines and to undermine food security by destroying crops. Although all States maintained chemical weapons programs, Alvora managed to manufacture and stockpile the largest amount of chemical munitions. Historical records estimate that its stockpiles of mustard agent at the end of the war were around 40,500 tons.

(3) On 22 December 1930, a Peace Conference was held in the capital of Paxilia, Synopolis, where the States agreed that the conflicts over the use of the Puria River should no longer hinder the prosperity of their peoples. It was decided that Oralis, Paxilia, Lorana, Alvora and Rapidia would negotiate a treaty to govern the use of the shared watercourse (see Appendix I). Furthermore, considering the catastrophic effects of mustard agent use during the war on both the population and the natural environment, the States agreed to sign and ratify the Geneva Gas Protocol. Subsequently, all of them also became parties to the Chemical Weapons Convention. By the beginning of the 21st century, the States had destroyed their declared stockpiles of mustard gas. Alvora was the last State in the region to do so, eliminating its 35,980 tons of mustard agent.

(4) In 1938, Oralis’ scientist Dr. Vera Langford’s discovery of nuclear fission reaction set off a wave of intense uranium mining in the Mons Peninsularis. On 8 August 1966, Oralis successfully conducted a nuclear weapons test on its uninhabited island Kibu, becoming the first State in the region to acquire nuclear weapons. To address the resulting strategic imbalance, several other States in the region went on to establish nuclear weapons programs of their own. In 1971, the President of Paxilia convened a summit in Synopolis, bringing together the leaders of all regional States to deliberate on the implications of a nuclear arms race in the region. During the meeting, he urged all States to sign and ratify the Treaty on the Non-Proliferation of Nuclear Weapons (hereinafter: the NPT). By 1974, the treaty had been signed and ratified by all States in the region, and in the following years, their nuclear weapons programs were converted into civilian nuclear programs. Today, 40 nuclear power plants operate in the region, supplying approximately 50% of the electricity needs of Mesonomia's 250 million population.

2. RAPIDIA

(5) Rapidia, bordered by Paxilia to the north, Alvora to the east, and Lorana to the west, has a population of approximately 70 million. Like most States in the region, Rapidia relies heavily on the Puria River, which serves as its primary source of drinking water, and thus sustains the daily lives of its people. While the State has also invested in desalination to supplement its water supply, the high energy demands of this method means that nearly 80% of Rapidia's drinking water continues to be drawn from the Puria River. Rapidia operates several nuclear power plants, with the Upper Puria Nuclear Power Plant (hereinafter: the Upper Puria NPP) being the largest. Its proximity to the Puria River enables it to draw water from the river for its closed-cycle cooling system.

3. ALVORA

(6) Alvora is bordered by Oralis to the north and by Rapidia to the west. It has a population of 100 million. Rice cultivation lies at the heart of Alvora's economy and serves as the backbone of the nation's agricultural sector and overall livelihood. Seven million hectares of rice paddy fields are spread across the State's fertile eastern plains, yielding approximately 43 million tons of paddy rice each year. This intensive cultivation is supported by irrigation channels fed by the Puria River, enabling farmers to grow three rice crops per year and maintain year-round rice production. The rice sector is vital for the State's food security. At the same time, it accounts for the employment of approximately 20 million people, thereby highlighting its social and economic significance.

4. RISING TENSIONS IN MESOMONIA

(7) Throughout November 2022, Alvora recorded reduced streamflow of the Puria River on its territory. In accordance with Article 4(3) of the Treaty governing the use of the Puria River, it requested an extraordinary session of the Puria River Commission (hereinafter: the Commission) to examine the issue. On 3 December, the Commission convened in Synopolis, with delegations from Oralis, Paxilia, Lorana, Alvora and Rapidia in attendance. The representatives of Oralis, Paxilia, and Lorana presented hydrological data indicating no changes in the streamflow within their respective territories. Then the representative of Rapidia explained that the reduction could be linked to increased operations at the Upper Puria NPP: higher electricity demand during the winter months increases steam production in the reactors, which requires more heat to be removed. This, in turn, increases evaporation in the cooling towers and necessitates drawing additional water from the river to maintain the plant's cooling system.

(8) Although the winter season concluded in February and electricity demand was expected to return to normal, Alvora's hydrological data continued to show reduced streamflow within its territory in March 2023. Furthermore, Alvora grew increasingly frustrated with Rapidia's unwillingness to develop mitigating measures aimed at preventing adverse effects on Alvora's rice production. Thus, on 5 April, it notified Rapidia that its rice production had decreased by 10% over the preceding five months, with serious repercussions for the national economy, and demanded that Rapidia immediately cease the activities causing the harm.

(9) On 20 April, during an observation flight over Rapidia, conducted under the Treaty on Open Skies, Alvora's observation aircraft – equipped with infra-red line-scanning devices – detected a pronounced increase in the thermal signature of the Upper Puria Fuel Enrichment Plant (hereinafter: the Upper Puria FEP). After he received the mission report of the observation flight, Alvora's Minister of Defence convened a meeting on 25 April of Alvora's National Security Council. The Council assessed (see: Appendix II) that the increased thermal signature at the Upper Puria FEP is highly likely due to the multiplication of the centrifuges at the enrichment facility, suggesting that Rapidia intends to enrich uranium to the level required for developing nuclear weapons. The assessment further concluded that the reduced streamflow of the Puria River was

not caused by increased operation at the Upper Puria NPP, but rather by expanded operations at the Upper Puria FEP.

(10) On 7 May, the President of Alvora publicly accused Rapidia of engaging in a non-transparent military build-up. In her statement, she urged Rapidia to fully respect its international obligations, particularly those arising under the NPT, which remains the cornerstone of the global nuclear non-proliferation regime and a vital instrument for maintaining international peace and security. She further stressed that any deviation from these obligations would pose a serious threat to regional stability.

(11) In response to the Alvora's President statement, President of Rapidia accused Alvora of double standards. He referred to the Opinion of the Scientific Advisory Board (hereinafter: the Board) (see Appendix III), which examined the presence of thiodiglycol (hereinafter: TDG)—a known precursor and degradant of mustard agent—in water samples collected at the Lower Puria Collection Site on 8 August 2021. These samples had been taken only days after catastrophic flooding in Rapidia and Alvora, which also affected several storage facilities located near the Puria River in Alvora. In the Opinion, the Board stated that TDG presence can be indicative of illicit preparation or possession of chemical weapons. The President of Rapidia emphasized that the Board's findings confirmed long-standing suspicions that Alvora had failed to declare and destroy all of its chemical weapon's stockpiles after the "Great War". He noted that, following the Opinion, Alvora refused to negotiate constructively within the Commission and blocked consensus on adopting a decision. Moreover, Alvora declined Rapidia's call to permit a thorough on-site inspection of its territory in accordance with the Chemical Weapons Convention. He further argued that any subsequent measures undertaken by Rapidia were aimed solely at safeguarding its vital national interests and ensuring its survival, particularly in a regional context where one State concealed its possession of chemical weapons, another refused to comply with its nuclear disarmament obligations, and the threat of conflict involving weapons of mass destruction loomed over the region.

(12) Other States in the region expressed deep concern over the recent developments in Mesomonia. They urged both Rapidia and Alvora to engage in dialogue to address suspicions regarding the potential development of weapons of mass destruction, as well as alleged

violations of the Treaty governing the use of the Puria River. They emphasized that escalation must be avoided and reaffirmed diplomacy is the only viable path forward to resolve the dispute.

(13) The President of Paxilia, a prominent advocate for establishing a Weapons of Mass Destruction-Free Zone (WMDFZ) in Mesomonia, offered to facilitate negotiations between the two States, a proposal that both parties accepted. Between June 2023 and May 2024, several rounds of negotiation talks were held in Synopolis. Nevertheless, the lack of meaningful progress led both States to grow increasingly frustrated with the process.

5. COURT OF CONCILIATION AND ARBITRATION

(14) The Court of Conciliation and Arbitration, based in Geneva, provides a mechanism for the peaceful settlement of disputes between States. The Court was established by the Convention on Conciliation and Arbitration within the OSCE (hereinafter: the CCA Convention), which both Alvora and Rapidia have signed and ratified.

(15) On 10 June 2024, Alvora and Rapidia jointly submitted a request for arbitration (see Appendix IV) pursuant to Article 20, Paragraph 1 of the CCA Convention. Afterwards, an Arbitral Tribunal was constituted, and the Tribunal shall entertain the statements by both parties to the proceedings between the 28 and 30 of November 2025, whereas:

(16) Alvora requests the Arbitral Tribunal to issue and award:

- i. declaring that Rapidia bears international responsibility for causing the reduction in the streamflow of the Puria River, and ordering Rapidia to provide compensation to Alvora for the resulting economic damage;
- ii. declaring that Rapidia bears international responsibility for pursuing efforts to acquire nuclear weapons, and ordering Rapidia to suspend uranium enrichment activities exceeding peaceful nuclear purposes and to allow independent verification by the International Atomic Energy Agency (IAEA).

(17) Rapidia requests the Arbitral Tribunal to issue and award:

- i. declaring that Rapidia bears no international responsibility for the reduction in the streamflow of the Puria River and is under no obligation to provide compensation to Alvora for any resulting economic damage;
- ii. declaring that Rapidia bears no international responsibility for pursuing efforts to acquire nuclear weapons;
- iii. declaring that Alvora bears international responsibility for failing to declare and destroy all of its chemical weapons, and ordering that Rapidia permit independent inspections of relevant sites by the Organisation for the Prohibition of Chemical Weapons (OPCW).

APPENDIX I: The Treaty governing the use of the Puria River

Preamble

The Government of Oralis, the Government of Paxilia, the Government of Lorana, the Government of Alvora, and the Government of Rapidia, hereinafter referred to as “the Contracting Parties”,
Being equally desirous of ensuring the most equitable and mutually beneficial utilisation, sustainable development, conservation and management of the Puia River,
Determined to prevent military hostilities relating to the Puria River, so that they may never again hinder the prosperity of the Mesomonian people,
Recognising the necessity of defining and delimiting their respective rights and obligations concerning the use of the Puria River,
Mindful of the importance of establishing procedures for the settlement of any questions that may hereafter arise regarding the interpretation or application of the provisions of this Treaty,
Have resolved to conclude the present Treaty in furtherance of these objectives.

Article 1 - Principles of cooperation

- (1) The Contracting Parties shall cooperate based on the universally recognized principles of international law.
- (2) The Contracting Parties shall, inter alia, undertake:
- a) to utilize water resources of the Puria River in an equitable and reasonable manner with a view to attaining sustainable utilization thereof and benefits therefrom consistent with adequate protection of the river;
 - b) to strive to ensure the human right to a decent environment and access to clean drinking water;
 - c) to apply the precautionary principle, by virtue of which where there are threats of serious or irreversible damage to environment or human health, lack of full scientific certainty shall not be used as a reason for postponing cost-effective measures to prevent such degradation;
 - d) to apply in their national legislation the polluter pays principle, by virtue of which costs of pollution prevention, control and reduction measures shall be borne by the polluter;
 - e) to protect, utilize and manage water and other natural resources and ecosystems based on the integrated approach and in such a manner that the needs of the present generation are met without compromising the ability of future generations to meet their own needs.

(3) The Contracting Parties shall assume that no use of water resources of the Puria River enjoys inherent priority over other uses. In the event of a conflict between uses it shall be resolved with reference to all relevant geographic, hydrographic, hydrologic, climatic, environmental and demographic factors together, as well as the social and economic needs of the States of the Contracting Parties, with special regard being given to the requirements of vital human needs and the needs of ecosystems in ample water supply.

Article 2 - Exchange of data and information

(1) The Contracting Parties shall, every two months, exchange and provide the Commission with the reasonably available data and information on the status of the Puria River, in particular data and information of hydrological, hydrochemical, hydrobiological, meteorological, ecological and sanitary-hygienic nature.

(2) If a Contracting Party is requested by the other Contracting Party to provide data or information that is not reasonably available, the former shall make every effort to comply with the request but may condition its compliance upon the payment, by the requesting Contracting Party, of reasonable charges for collecting and, where appropriate, processing such data or information.

Article 3 - Liability and compensation for damages

(1) The Contracting Parties shall be responsible for good faith compliance with their obligations under the present Treaty.

(2) Each Contracting Party shall, in utilizing the river on the territory of its State, take all appropriate measures to prevent the causing of harm to another Contracting Party.

(3) Where a Contracting Party is notified that it is causing damage to one or more riparians from the use of the Puria River, that Contracting Party shall cease immediately the alleged cause of harm until such cause of harm is determined in accordance with paragraph 3 of this article.

(4) Where harm is caused to a Contracting Party, the Contracting Party whose use causes such harm shall, in the absence of agreement to such use, take all appropriate measures, in consultation with the affected Contracting Party, to determine all relative factors, the cause, extent of damage and responsibility for damages caused by that State in conformity with the principles of international law relating to State responsibility.

Article 4 - Puria River Commission

- (1) The Commission shall be a permanent body of the interstate cooperation of the Contracting Parties in protection, sustainable use and development of the Puria River.
- (2) The Commission shall consist of the delegations of the Contracting Parties. Each Contracting Party shall appoint its delegates, one of whom shall be head of delegation. The chairmanship of the Commission shall rotate according to the reverse alphabetical listing of the Contracting Parties and the Chairperson shall serve a term of one year.
- (3) The Commission shall meet at least once a year. If the need be, an extraordinary session shall be held on request of any Contracting Party. All meetings of the Commission shall be held in Synopolis, Paxilia.
- (4) The Scientific Advisory Board, composed of experts from relevant scientific institutions and bodies from, shall assist the work of the Commission. Each Contracting Party shall appoint three experts for a term of 10 years. Members of the Scientific Advisory Board shall serve in an impartial and independent capacity.
- (5) The Commission may, by a decision adopted by a majority of its members, request the Scientific Advisory Board to prepare an opinion on any matter relevant to the work of the Commission.
- (6) The Commission shall adopt decisions and recommendations which shall be to the utmost considered by competent authorities of the Contracting Parties in making decisions on matters to which the present Treaty relates.
- (7) Decisions and recommendations of the Commission shall be adopted by consensus.
- (8) The Contracting Parties shall notify the Commission through competent authorities about measures taken to implement decisions of the Commission, as well as any activities affecting or likely to affect the status of water and other natural resources and ecosystems of the Puria River.
- (9) The Commission shall submit an annual activity report to the Contracting Parties.
- (10) The Commission informs the public on the state of the Puria River and the results of its work.

Article 5 - Settlement of differences and disputes

- (1) Any question which arises between the Contracting Parties concerning the interpretation or application of this Treaty or the existence of any fact which, if established, might constitute a

breach of this Treaty shall first be examined by the Commission, which will endeavour to resolve the question by agreement.

(2) In the event the Commission is unable to resolve the difference or dispute within a timely manner, the issue shall be referred to the Contracting Parties to take cognizance of the matter for resolution by negotiation through diplomatic channels. Should the Contracting Parties find it necessary or beneficial to facilitate the resolution of the matter, they may, by mutual agreement, request the assistance of arbitration through an entity or party mutually agreed upon, and thereafter to proceed according to the principles of international law.

Signed at Synopolis, 30 June 1931

APPENDIX II: Alvora's National Security Council Assessment of the Recent Development in Rapidia

Date: 27 April 2025

Classification: Top Secret

1. Background

Considering the recent developments in Rapidia, the Minister of Defence convened an extraordinary meeting of the Alvora's National Security Council on 25 April 2025. The meeting was attended by the President, the Prime Minister, the Minister of Defence, the Chief of Army, the Head of the National Intelligence Agency, the Minister for Foreign Affairs, the Minister for Internal Security, the Minister for Energy, and an expert from Alvora's Nuclear Regulatory Commission.

2. Assessment of the recent developments

The Minister of Defence reported that, during an observation flight over Rapidia on 20 April, Alvora's observation aircraft – equipped with infra-red line-scanning devices – detected unusually high heat emissions at the Upper Puria FEP. Following the observation flight, the Ministry of Defence compared the data from this observation flights with that collected during the previous observation flights and determined significant increase in the thermal signature of the Upper Puria FEP, indicating an expansion of activities at the facility.

The Minister for Energy noted that, although Rapidia initially attributed the reduced streamflow of the Puria River to the increased operational demands of the Upper Puria NPP, this explanation is now clearly insufficient. With the conclusion of the winter season, the plant's operations should have returned to normal levels; nevertheless, streamflow within Alvora's territory remains reduced.

An expert from the Nuclear Regulatory Commission confirmed that uranium enrichment beyond 5% at the Upper Puria FEP would require hundreds of additional centrifuges and would correspondingly impact the facility's thermal signature. The expert further noted that Rapidia has

not announced any plans to construct an advanced reactor, which would require fuel enriched with High-Assay Low-Enriched Uranium (HALEU). Accordingly, there is no plausible explanation for why Rapidia would need to enrich U-235 beyond 5% for civilian purposes.

The Minister of Foreign Affairs noted that this development appears increasingly likely considering Rapidia's longstanding frustration with the slow progress on the disarmament pillar of the NPT. Rapidia has expressed a sense of unfairness that other regional States have relinquished ambitions to develop nuclear weapons and have adhered to their NPT obligations, while Oralis has demonstrated little political will to engage in discussions aimed at reducing or eliminating its own nuclear arsenal. Furthermore, Rapidia has accused Alvora of possessing chemical weapons and attempted to impose thorough on-site investigations on Alvora, which would have violated Alvora's sovereignty and territorial integrity, therefore Alvora refused to comply with Rapidia's unreasonable request.

3. Conclusions

In conclusion, the NSC assesses that it is highly likely that Rapidia is pursuing uranium enrichment to weapons-grade levels with the intent of developing nuclear weapons.

APPENDIX III: Opinion of the Scientific Advisory Board to the Puria River Consultative Commission

1. Background

In accordance with Article 4, Paragraph 5 of the Treaty governing the use of the Puria River, the Scientific Advisory Board was requested to provide an opinion regarding the Rapidia's Lower Puria Collection Site's Laboratory findings.

2. Findings of Rapidia's Lower Puria Collection Site Laboratory

In accordance with Article 2 of the Treaty governing the use of the Puria River, data and information of hydrological, hydrochemical, hydrobiological, meteorological, ecological and sanitary-hygienic nature is collected daily at several collection sites on the territory of Rapidia collecting different types of data.

Rapidia's Lower Puria Collection Site laboratory detected the presence of thiodiglycol (TDG) in water samples collected on 8 August 2021 using tandem mass spectrometry (MS/MS) with direct injection via liquid chromatography (LC).

3. Interpretation of the findings by the Scientific Advisory Board

Thiodiglycol is both a mustard agent precursor and degradant as well as an ingredient in water-based inks, ballpoint pen inks, dyes and some pesticides. It is considered a "Schedule 2" compound under the Chemical Weapons Convention (CWC).

Bis(2-chloroethyl) sulphide commonly known as sulphur mustard, mustard gas or mustard agent is a powerful vesicant and has been employed as a chemical warfare agent of historical and current interest. Compared with properties of an ideal CW agent, mustard gas meets the requirements like high toxicity, extreme multiple effectiveness, high persistency, insidiousness, high boiling point, low volatility, high penetrability, high chemical stability, high specific gravity and vapour density.

Sulfur mustard undergoes hydrolysis to form various products such as thiodiglycol (TG) in biological and environmental systems. TDG is a synthetic precursor and an environmental degradation product of sulfur mustard. Consequently, its presence can be indicative of illicit preparation or possession of chemical weapons.

APPENDIX IV: Arbitration Agreement between Alvora and Rapidia

Preamble

The Government of Alvora and the Government of Rapidia (hereinafter “the Parties”),
Recalling their obligations under the Treaty governing the use of the Puria River,
Bearing in mind their commitments under the Treaty on the Non-Proliferation of Nuclear Weapons and the Chemical Weapons Convention,
Desiring to resolve their dispute in a peaceful and lawful manner,
Acting pursuant to Article 20, Paragraph 1 of the Convention on Conciliation and Arbitration within the OSCE (hereinafter "the CCA Convention"),
Have agreed as follows:

Article 1 – Submission to Arbitration

- (1) The Parties hereby agree to submit their dispute concerning the alleged violations of the Treaty governing the use of the Puria River, and the obligations under the Non-Proliferation Treaty and the Chemical Weapons Convention, to arbitration under the auspices of the Court of Conciliation and Arbitration established by the CCA Convention.
- (2) The Arbitral Tribunal shall have jurisdiction to determine all claims and counterclaims arising directly from the present dispute.

Article 2 – Applicable Rules and Law

- (1) The Parties have signed and ratified all treaties relevant to the dispute, which shall be the applicable law to this arbitration.
- (2) The arbitration shall be conducted in accordance with the provisions of the MUNLaws 2025 Rules of Procedure.

Article 3 – Seat and Language

- (1) The Tribunal shall entertain the statements by both parties to the proceedings between the 28 and 30 of November 2025 in Ljubljana, Slovenia.
- (2) The languages of the proceedings shall be English.

Article 4 – Binding Force of the Award

- (1) The Parties undertake to accept as final and binding any award rendered by the Tribunal.
- (2) The Parties shall comply with the award in good faith and without delay.