



INTERNATIONAL COURT OF JUSTICE

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Press Release

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Application of the International Convention for the Suppression of the Financing of Terrorism and of the International Convention on the Elimination of All Forms of Racial Discrimination (Ukraine v. Russian Federation)

Conclusion of the public hearings on the request for the indication of provisional measures submitted by Ukraine

The Court to begin its deliberation

THE HAGUE, 9 March 2017. The public hearings on the request for the indication of provisional measures submitted by Ukraine in the case concerning Application of the International Convention for the Suppression of the Financing of Terrorism and of the International Convention on the Elimination of All Forms of Racial Discrimination (Ukraine v. Russian Federation) were concluded today. The Court will now begin its deliberation.

Two rounds of oral observations on the request were held from Monday 6 to Thursday 9 March 2017 at the Peace Palace in The Hague, the seat of the Court. During the hearings, the delegation of Ukraine was led by H.E. Ms Olena Zerkal, Deputy Foreign Minister of Ukraine, as Agent. The delegation of the Russian Federation was led by H.E. Mr. Roman Kolodkin, Director, Legal Department, Ministry of Foreign Affairs of the Russian Federation, Mr. Grigory Lukiyantsev, Deputy Director, Department for Humanitarian Co-operation and Human Rights, Ministry of Foreign Affairs of the Russian Federation, and Mr. Ilya Rogachev, Director, Department of New Challenges and Threats, Ministry of Foreign Affairs of the Russian Federation, as Agents.

The Court's decision on the request for the indication of provisional measures will be delivered at a public sitting, the date of which will be announced in due course.

Requests of the Parties

At the end of the second round of oral observations, the Agents of the Parties made the following statements:

The Agent of Ukraine, H.E. Ms Olena Zerkal:

"1. I have the honour to respectfully submit to the Court, pursuant to Article 60, paragraph 2, of its Rules, Ukraine's final requests for the indication of provisional measures of protection.

2. With respect to the Terrorism Financing Convention, Ukraine requests that the Court order the following provisional measures:

- (a) The Russian Federation shall refrain from any action which might aggravate or extend the dispute under the Terrorism Financing Convention before the Court or make this dispute more difficult to resolve.
- (b) The Russian Federation shall exercise appropriate control over its border to prevent further acts of terrorism financing, including the supply of weapons from the territory of the Russian Federation to the territory of Ukraine.
- (c) The Russian Federation shall halt and prevent all transfers from the territory of the Russian Federation of money, weapons, vehicles, equipment, training, or personnel to groups that have engaged in acts of terrorism against civilians in Ukraine, or that the Russian Federation knows may in the future engage in acts of terrorism against civilians in Ukraine, including but not limited to the “Donetsk People’s Republic”, the “Luhansk People’s Republic”, the “Kharkiv Partisans”, and associated groups and individuals.
- (d) The Russian Federation shall take all measures at its disposal to ensure that any groups operating in Ukraine that have previously received transfers from the territory of the Russian Federation of money, weapons, vehicles, equipment, training, or personnel will refrain from carrying out acts of terrorism against civilians in Ukraine.

3. With respect to the CERD, Ukraine requests that the Court order the following provisional measures:

- (a) The Russian Federation shall refrain from any action which might aggravate or extend the dispute under CERD before the Court or make it more difficult to resolve.
- (b) The Russian Federation shall refrain from any act of racial discrimination against persons, groups of persons, or institutions in the territory under its effective control, including the Crimean peninsula.
- (c) The Russian Federation shall cease and desist from acts of political and cultural suppression against the Crimean Tatar people, including suspending the decree banning the Mejlis of the Crimean Tatar People and refraining from enforcement of this decree and any similar measures, while this case is pending.
- (d) The Russian Federation shall take all necessary steps to halt the disappearance of Crimean Tatar individuals and to promptly investigate those disappearances that have already occurred.
- (e) The Russian Federation shall cease and desist from acts of political and cultural suppression against the ethnic Ukrainian people in Crimea, including suspending restrictions on Ukrainian-language education and respecting ethnic Ukrainian-language and educational rights, while this case is pending.”

The Agent of the Russian Federation, H.E. Mr. Roman Kolodkin:

“In accordance with Article 60 of the Rules of the Court for the reasons explained during these hearings the Russian Federation requests the Court to reject the request for the indication of provisional measures submitted by Ukraine.”

History of the proceedings

The history of the proceedings can be found in Press Releases Nos. 2017/2 of 17 January 2017 and 2017/4 of 1 February 2017, available on the Court's website (www.icj-cij.org) under the heading "Press Room"/"Press Releases".

Note: The Court's press releases do not constitute official documents. The complete verbatim records of the hearings held from 6 to 9 March 2017 are published on the website of the Court (www.icj-cij.org).

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 seat of the Court is at the Peace Palace in The Hague (Netherlands). Of the six principal organs of the United Nations, it is the only one not located in New York. The Court has a twofold role: first, to settle, in accordance with international law, legal disputes submitted to it by States (its judgments have binding force and are without appeal for the parties concerned); and, second, to give advisory opinions on legal questions referred to it by duly authorized United Nations organs and agencies of the system. 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. Independent of the United Nations Secretariat, it is assisted by a Registry, its own international secretariat, whose activities are both judicial and diplomatic, as well as administrative. The official languages of the Court are French and English. Also known as the "World Court", it is the only court of a universal character with general jurisdiction.

The ICJ, a court open only to States for contentious proceedings, and to certain organs and institutions of the United Nations system for advisory proceedings, should not be confused with the other — mostly criminal — judicial institutions based in The Hague and adjacent areas, such as the International Criminal Tribunal for the former Yugoslavia (ICTY, an ad hoc court created by the Security Council), the International Criminal Court (ICC, the first permanent international criminal court, established by treaty, which does not belong to the United Nations system), the Special Tribunal for Lebanon (STL, an international judicial body with an independent legal personality, established by the United Nations Security Council upon the request of the Lebanese Government and composed of Lebanese and international judges), or the Permanent Court of Arbitration (PCA, an independent institution which assists in the establishment of arbitral tribunals and facilitates their work, in accordance with the Hague Convention of 1899).

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