



INTERNATIONAL COURT OF JUSTICE

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Press Release

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The Republic of Armenia institutes proceedings against the Republic of Azerbaijan and requests the Court to indicate provisional measures

THE HAGUE, 16 September 2021. The Republic of Armenia today instituted proceedings against the Republic of Azerbaijan before the International Court of Justice, the principal judicial organ of the United Nations, with regard to alleged violations of the International Convention on the Elimination of All Forms of Racial Discrimination (CERD).

The Applicant contends that “[f]or decades, Azerbaijan has subjected Armenians to racial discrimination” and that, “[a]s a result of this State-sponsored policy of Armenian hatred, Armenians have been subjected to systemic discrimination, mass killings, torture and other abuse”. According to Armenia, these violations are directed at individuals of Armenian ethnic or national origin regardless of their actual nationality. Armenia claims that “[t]hese practices once again came to the fore in September 2020, after Azerbaijan’s aggression against the Republic of Artsakh and Armenia” and that “[d]uring that armed conflict, Azerbaijan committed grave violations of the CERD”. The Applicant alleges that “[e]ven after the end of hostilities”, following a ceasefire which entered into effect on 10 November 2020, “Azerbaijan has continued to engage in the murder, torture and other abuse of Armenian prisoners of war, hostages and other detained persons”.

In the Application, Armenia claims, *inter alia*, that Azerbaijan “is responsible for violating the CERD, including Articles 2, 3, 4, 5, 6 and 7”. Armenia further contends that “[a]ll good-faith efforts by Armenia to put an end to Azerbaijan’s violations of the CERD through other means [have] failed”. Armenia therefore requests the Court “to hold Azerbaijan responsible for its violations of the CERD, to prevent future harm, and to redress the harm that has already been caused”.

As a basis for the Court’s jurisdiction, the Applicant invokes Article 36, paragraph 1, of the Statute of the Court and Article 22 of the CERD, to which both States are Parties.

The Application also contains a Request for the indication of provisional measures, filed pursuant to Article 41 of the Statute of the Court and Articles 73, 74 and 75 of the Rules of Court. According to the Applicant, the purpose of its Request is to “protect and preserve Armenia’s rights and the rights of Armenians from further harm, and to prevent the aggravation or extension of this dispute, pending the determination of the merits of the issues raised in the Application”. Armenia thus requests the Court to indicate certain provisional measures “as a matter of extreme urgency”.

Pursuant to Article 74 of the Rules of Court, “[a] request for the indication of provisional measures shall have priority over all other cases”.

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

Armenia’s Application instituting proceedings and requesting provisional measures will be available shortly on the Court’s website (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 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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