



INTERNATIONAL COURT OF JUSTICE

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Press Release

Unofficial

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Application of the International Convention on the Elimination of All Forms of Racial Discrimination (Armenia v. Azerbaijan)

The Court indicates provisional measures to protect certain rights claimed by Armenia and orders both Parties to refrain from any action which might aggravate or extend the dispute

THE HAGUE, 7 December 2021. The International Court of Justice, the principal judicial organ of the United Nations, has today delivered its Order on the Request for the indication of provisional measures made by the Republic of Armenia in the case concerning *Application of the International Convention on the Elimination of All Forms of Racial Discrimination (Armenia v. Azerbaijan)*.

In its [Order](#), which has binding effect, the Court *indicates* the following provisional measures:

(1) The Republic of Azerbaijan shall, in accordance with its obligations under the International Convention on the Elimination of All Forms of Racial Discrimination,

(a) By fourteen votes to one,

Protect from violence and bodily harm all persons captured in relation to the 2020 Conflict who remain in detention, and ensure their security and equality before the law;

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

AGAINST: *Judge* Yusuf;

(b) Unanimously,

Take all necessary measures to prevent the incitement and promotion of racial hatred and discrimination, including by its officials and public institutions, targeted at persons of Armenian national or ethnic origin;

(c) By thirteen votes to two,

Take all necessary measures to prevent and punish acts of vandalism and desecration affecting Armenian cultural heritage, including but not limited to churches and other places of worship, monuments, landmarks, cemeteries and artefacts;

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

AGAINST: *Judge* Yusuf; *Judge ad hoc* Keith;

(2) Unanimously,

Both Parties shall refrain from any action which might aggravate or extend the dispute before the Court or make it more difficult to resolve.

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Judge YUSUF appends a dissenting opinion to the Order of the Court; Judge IWASAWA appends a declaration to the Order of the Court; Judge *ad hoc* KEITH appends a declaration to the Order of the Court.

History of the proceedings

The history of the proceedings can be found in [press releases](#) Nos. 2021/20 and 2021/27, available on the Court's website.

A summary of the Order appears in the document entitled "Summary 2021/4", to which summaries of the opinion and declarations are annexed. This summary and the full text of the Order 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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