

15 DECEMBER 2022

ORDER

**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)

**APPLICATION DE LA CONVENTION INTERNATIONALE POUR LA RÉPRESSION
DU FINANCEMENT DU TERRORISME ET DE LA CONVENTION
INTERNATIONALE SUR L'ÉLIMINATION DE TOUTES
LES FORMES DE DISCRIMINATION RACIALE**

(UKRAINE c. FÉDÉRATION DE RUSSIE)

15 DÉCEMBRE 2022

ORDONNANCE

INTERNATIONAL COURT OF JUSTICE

YEAR 2022

**2022
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General List
No. 166**

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Present: President DONOGHUE; Judges TOMKA, ABRAHAM, YUSUF, XUE, SEBUTINDE, BHANDARI, SALAM, IWASAWA, NOLTE, CHARLESWORTH, BRANT; Registrar GAUTIER.

The International Court of Justice,

Composed as above,

After deliberation,

Having regard to Article 48 of the Statute of the Court and to Article 44, paragraph 3, of the Rules of Court,

Having regard to the Order dated 8 October 2021, whereby the Court fixed 8 April 2022 and 8 December 2022 as the respective time-limits for the filing of the Reply of Ukraine and the Rejoinder of the Russian Federation,

Having regard to the Order dated 8 April 2022, whereby the Court, at the request of Ukraine, extended to 29 April 2022 and 19 January 2023 the respective time-limits for the filing of the Reply of Ukraine and the Rejoinder of the Russian Federation,

Having regard to the Reply of Ukraine filed within the time-limit thus extended;

Whereas, by a letter dated 24 November 2022, the Agent of the Russian Federation requested the Court to extend the time-limit for the filing of the Rejoinder of the Russian Federation to 19 April 2023; whereas, in his letter, the Agent stated that Ukraine's Reply "presents new and lengthy arguments and allegations against the Russian Federation that [Ukraine] had not previously included in its Memorial"; whereas, he indicated that the "novel matters" raised by Ukraine in its pleading meant that the Russian Federation would require a longer period to prepare its Rejoinder; whereas the Agent further referred to the voluminous nature of Ukraine's Reply and annexed documents; whereas the Agent added that the newly constituted legal team of the Russian Federation also needed time to review the arguments and evidence that the Parties have exchanged since the case was instituted; whereas he explained that the same legal team was engaged in the case concerning *Allegations of Genocide under the Convention on the Prevention and Punishment of the Crime of Genocide (Ukraine v. Russian Federation)*, in which an "enormous wave of interventions under Article 63 of the Statute" had been submitted; and whereas the Agent noted that the legal team of the Russian Federation was thus dealing in parallel with two sets of proceedings involving overlapping procedural time-limits;

Whereas, on receipt of that letter, the Deputy-Registrar immediately transmitted a copy thereof to Ukraine;

Whereas, by a letter dated 5 December 2022, the Co-Agent of Ukraine responded that his Government was opposed to the Court granting the request of the Russian Federation; whereas, in particular, the Co-Agent stated that the Russian Federation had already delayed consideration of the case by requesting three successive extensions to the time-limit for the filing of its Counter-Memorial; whereas, according to the Co-Agent, the Russian Federation had failed to provide any compelling justification for its request; whereas the Co-Agent denied that Ukraine had presented "new" arguments and allegations in its Reply, contending that Ukraine's pleading was, on the contrary, a "measured and proportionate response" to the Russian Federation's Counter-Memorial; whereas the Co-Agent argued that the change in legal team of the Russian Federation was "a product of its own making" because members of its foreign counsel had resigned after "Russia unlawfully invaded Ukraine in late February 2022"; and whereas, with regard to the fact that the legal team of the Russian Federation was also dealing with the case concerning *Allegations of Genocide under the Convention on the Prevention and Punishment of the Crime of Genocide (Ukraine v. Russian Federation)*, the Co-Agent pointed out that "Ukraine [was] similarly situated and [found] it reasonable that some deadlines between the two matters overlap[ped]";

Taking into account the views of the Parties,

Extends to 24 February 2023 the time-limit for the filing of the Rejoinder of the Russian Federation; and

Reserves the subsequent procedure for further decision.

Done in English and in French, the English text being authoritative, at the Peace Palace, The Hague, this fifteen day of December, two thousand and twenty-two, in three copies, one of which will be placed in the archives of the Court and the others transmitted to the Government of Ukraine and the Government of the Russian Federation, respectively.

(Signed) Joan E. DONOGHUE,
President.

(Signed) Philippe GAUTIER,
Registrar.
