



INTERNATIONAL COURT OF JUSTICE

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Press Release

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

THE HAGUE, 23 September 2021. The Republic of Azerbaijan today instituted proceedings against the Republic of Armenia before the International Court of Justice, the principal judicial organ of the United Nations, concerning the interpretation and application of the International Convention on the Elimination of All Forms of Racial Discrimination (CERD).

According to the Applicant, “Armenia has engaged and is continuing to engage in a series of discriminatory acts against Azerbaijanis on the basis of their ‘national or ethnic’ origin within the meaning of CERD”. The Applicant claims that “through both direct and indirect means, Armenia continues its policy of ethnic cleansing”, and that it “incites hatred and ethnic violence against Azerbaijanis by engaging in hate speech and disseminating racist propaganda, including at the highest levels of its government”. Referring to the period of hostilities that erupted in autumn 2020, Azerbaijan contends that “Armenia once again targeted Azerbaijanis for brutal treatment motivated by ethnic hatred”. Azerbaijan further contends that “Armenia’s policies and conduct of ethnic cleansing, cultural erasure and fomenting of hatred against Azerbaijanis systematically infringe the rights and freedoms of Azerbaijanis, as well as Azerbaijan’s own rights, in violation of CERD”.

In the Application, Azerbaijan claims, *inter alia*, that Armenia’s policy and practice of anti-Azerbaijani discrimination “has had both the purpose and effect of nullifying and impairing the human rights and fundamental freedoms of Azerbaijanis in violation of Articles 2, 3, 4, 5, 6 and 7 of CERD”. Azerbaijan adds that “[t]he Parties’ attempts to negotiate a settlement of Azerbaijan’s claims over the last ten months have resulted in deadlock”. Azerbaijan therefore requests the Court “to hold Armenia accountable for its violations” under the CERD and to “redress the harm thereby visited on Azerbaijan and its people”.

As a basis for the Court’s jurisdiction, Azerbaijan 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 compel Armenia to abide by its international obligations under CERD and protect Azerbaijanis from the irreparable harm caused by Armenia’s ongoing conduct”, pending the Court’s determination of the case on the merits. Azerbaijan thus requests the Court to indicate certain provisional measures “as a matter of 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.

Azerbaijan’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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