

INTERNATIONAL COURT OF JUSTICE

REPORTS OF JUDGMENTS,
ADVISORY OPINIONS AND ORDERS

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)

ORDER OF 8 OCTOBER 2021

2021

COUR INTERNATIONALE DE JUSTICE

RECUEIL DES ARRÊTS,
AVIS CONSULTATIFS ET ORDONNANCES

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)

ORDONNANCE DU 8 OCTOBRE 2021

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8 October 2021

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(UKRAINE *v.* RUSSIAN FEDERATION)

ORDER

Present: President DONOGHUE; *Judges* TOMKA, ABRAHAM, BENNOUNA, YUSUF, XUE, SEBUTINDE, BHANDARI, ROBINSON, SALAM, IWASAWA, NOLTE; *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 Articles 31, 44, 45, paragraph 2, 48 and 49 of the Rules of Court,

Having regard to the Application filed in the Registry of the Court on 16 January 2017, whereby Ukraine instituted proceedings against the Russian Federation with respect to a dispute concerning alleged violations by the latter of its obligations under the International Convention for the Suppression of the Financing of Terrorism of 9 December 1999

and the International Convention on the Elimination of All Forms of Racial Discrimination of 21 December 1965,

Having regard to the Request for the indication of provisional measures submitted by Ukraine on 16 January 2017 and to the Order of 19 April 2017 by which the Court indicated certain provisional measures,

Having regard to the Order dated 12 May 2017, whereby the President of the Court fixed 12 June 2018 and 12 July 2019 as the respective time-limits for the filing of a Memorial by Ukraine and a Counter-Memorial by the Russian Federation,

Having regard to the Memorial of Ukraine filed within the time-limit thus fixed,

Having regard to the preliminary objections to the jurisdiction of the Court and to the admissibility of the Application raised by the Russian Federation on 12 September 2018, which had the effect, under Article 79, paragraph 5, of the Rules of Court, of suspending the proceedings on the merits,

Having regard to the Judgment of 8 November 2019, whereby the Court declared that it had jurisdiction to rule on the Application filed by Ukraine on 16 January 2017 and that the said Application was admissible,

Having regard to the Order dated 8 November 2019, whereby the Court fixed 8 December 2020 as the time-limit for the filing of the Counter-Memorial of the Russian Federation, to the Orders dated 13 July 2020 and 20 January 2021, whereby the Court, at the request of the Respondent, extended that time-limit first until 8 April 2021 and then until 8 July 2021, as well as the Order dated 28 June 2021, whereby the President of the Court, at the request of the Respondent, extended to 9 August 2021 the time-limit for the filing of the Counter-Memorial by the Russian Federation,

Having regard to the Counter-Memorial of the Russian Federation filed within the time-limit thus extended;

Whereas, at a meeting held by the President of the Court with the representatives of the Parties by video link on 30 September 2021, pursuant to Article 31 of the Rules of Court, the Co-Agent of Ukraine indicated that a Reply was necessary in order to respond, in particular, to the numerous factual allegations and legal arguments raised in the Counter-Memorial; whereas the Co-Agent of Ukraine stated, however, that his Government wished the case to proceed as expeditiously as possible in view of the urgency of the subject-matter; whereas he accordingly requested, on behalf of Ukraine, a period of nine months for the preparation of a Reply, from the date of the filing of the Counter-Memorial, and proposed that the same period of time be accorded for the preparation by the Respondent of a Rejoinder; and whereas, at the same meeting, the Agents of the Russian Federation stated that their Government was also

of the opinion that a second round of written pleadings was warranted but indicated that longer time-limits were required for the preparation of a Rejoinder, in light of the wide-ranging scope and complexity of the case and the extensive evidentiary material presented; and whereas the Agents of the Russian Federation accordingly requested that their Government be given a period of twelve months for the preparation of a Rejoinder;

Taking into account the views of the Parties,

Authorizes the submission of a Reply by Ukraine and a Rejoinder by the Russian Federation;

Fixes the following time-limits for the filing of those written pleadings:

8 April 2022 for the Reply of Ukraine;

8 December 2022 for 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 eighth day of October, two thousand and twenty-one, 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.

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