

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 3 FÉVRIER 2023

2023

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 3 FEBRUARY 2023

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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 3 février 2023,
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INTERNATIONAL COURT OF JUSTICE

YEAR 2023

3 February 20232023
3 February
General List
No. 166APPLICATION 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

Present: President DONOGHUE; *Judges* TOMKA, YUSUF, XUE, SEBUTINDE, 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,

Having regard to the Order dated 15 December 2022, whereby the Court, at the request of the Russian Federation, extended to 24 February 2023 the time-limit for the filing of the Rejoinder of the Russian Federation;

Whereas, by a letter dated 26 January 2023, the Ambassador of the Russian Federation to the Kingdom of the Netherlands requested the Court to grant a further extension of the time-limit for the filing of his Government's Rejoinder to 24 March 2023; whereas, in his letter, the Ambassador stated that a complete change of the Russian Federation's legal team continued to affect its ability to properly participate in the present proceedings; whereas he indicated that the case was moreover complicated because it involved two completely different legal instruments as well as different factual circumstances; whereas the Ambassador explained that, according to the Russian Federation, additional time was needed to respond to Ukraine's voluminous Reply which contained several new allegations and extensive expert reports; and whereas the Ambassador conveyed the Russian Federation's view that the extension requested would not unduly delay the proceedings;

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

Whereas, by a letter dated 1 February 2023, the Co-Agent of Ukraine responded that his Government was opposed to the Court granting the Russian Federation's second request for an extension; whereas, in particular, the Co-Agent contended that the grounds on which the Respondent relied for its new request were substantially similar to those advanced for its prior request, to which the Court had already partially acceded in its Order dated 15 December 2022; whereas, according to the Co-Agent, the Russian Federation had failed to identify any circumstances that were materially different which would justify the granting of additional time for the preparation of its Rejoinder; and whereas the Co-Agent underscored the fact that the Russian Federation had "now been allotted nearly ten months for the preparation of its Rejoinder" and indicated that no further extension was thus warranted;

Taking into account the views of the Parties,

Extends to 10 March 2023 the time-limit for the filing of the Rejoinder of the Russian Federation; and

Reserves the subsequent procedure for further decision.

Done in French and in English, the French text being authoritative, at the Peace Palace, The Hague, this third day of February, two thousand and

twenty-three, 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.
