



INTERNATIONAL COURT OF JUSTICE

Peace Palace, Carnegieplein 2, 2517 KJ The Hague, Netherlands

Tel.: +31 (0)70 302 2323 Fax: +31 (0)70 364 9928

[Website](#) [Twitter](#) [YouTube](#) [LinkedIn](#)

Press Release

Unofficial

No. 2023/40

14 July 2023

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

Request for the modification of the Court's Order indicating a provisional measure

THE HAGUE, 14 July 2023. On 6 July 2023, the International Court of Justice, the principal judicial organ of the United Nations, issued an Order on Armenia's request for the modification of the Court's [Order of 22 February 2023](#) indicating a provisional measure in the case concerning *Application of the International Convention on the Elimination of All Forms of Racial Discrimination (Armenia v. Azerbaijan)*. Armenia's Request was received in the Registry on 15 May 2023.

It is recalled that, in its Order of 22 February 2023, the Court, by thirteen votes to two, indicated the following provisional measure:

“The Republic of Azerbaijan shall, pending the final decision in the case and in accordance with its obligations under the International Convention on the Elimination of All Forms of Racial Discrimination, take all measures at its disposal to ensure unimpeded movement of persons, vehicles and cargo along the Lachin Corridor in both directions.”

In its Request, Armenia asked, in particular, that the Court modify its Order by including the following provisional measure requiring Azerbaijan, pending the resolution of the dispute on the merits, to “[w]ithdraw any and all personnel deployed on or along the Lachin Corridor since 23 April 2023 and refrain from deploying any such personnel on or along the Lachin Corridor”.

In its Order of 6 July 2023, the Court

“considers that, even if it can be said . . . that there has been a change in the situation that existed when the Court issued its 22 February 2023 Order, the . . . Request still concerns allegations of disruption in movement along the Lachin Corridor. The consequences of any such disruption for persons of Armenian national or ethnic origin would be the same as those noted by the Court in the Order of 22 February 2023. Moreover, the measure that the Court imposed in that Order applies without limitation to the cause of the impediment of such movement.”

Therefore, the Court concludes that the circumstances to which Armenia refers in its Request do not constitute a change in the situation justifying modification of the Order of 22 February 2023.

In the operative clause of the Order of 6 July 2023, which is final, without appeal and binding on the Parties, the Court:

“(1) Unanimously,

Finds that the circumstances, as they now present themselves to the Court, are not such as to require the exercise of its power to modify the Order of 22 February 2023 indicating a provisional measure;

(2) Unanimously,

Reaffirms the provisional measure indicated in its Order of 22 February 2023.”

History of the proceedings

On 16 September 2021, Armenia filed an Application instituting proceedings against Azerbaijan with regard to alleged violations of the International Convention on the Elimination of All Forms of Racial Discrimination. The Application also contained a Request for the indication of provisional measures. By an Order dated 7 December 2021, the Court indicated certain provisional measures. Armenia subsequently requested that the Court’s Order be modified. By an Order of 12 October 2022, the Court decided that the circumstances cited by Armenia “[did] not constitute a change in the situation justifying modification of the Order”.

On 28 December 2022, Armenia submitted a second Request for the indication of provisional measures, in which it sought, in particular, to have the Court direct Azerbaijan to “cease its orchestration and support of the alleged ‘protests’ blocking uninterrupted free movement along the Lachin Corridor in both directions” and to “ensure uninterrupted free movement of all persons, vehicles, and cargo along the Lachin Corridor in both directions”. By an Order dated 22 February 2023, the Court, by thirteen votes to two, indicated a provisional measure.

On 21 April 2023, Azerbaijan raised preliminary objections to the jurisdiction of the Court, and, in accordance with Article 79*bis*, paragraph 3, of the Rules of Court, the proceedings on the merits have therefore been suspended. The President has fixed 21 August 2023 as the time-limit within which Armenia may present a written statement of its observations and submissions on the preliminary objections raised by Azerbaijan.

Earlier [press releases](#) relating to this case are available on the Court’s website.

The full text of the [Order](#) is available on the Court’s website.

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.

Information Department:

Ms Monique Legerman, First Secretary of the Court, Head of Department: +31 (0)70 302 2336

Ms Joanne Moore, Information Officer: +31 (0)70 302 2337

Mr Avo Sevag Garabet, Associate Information Officer: +31 (0)70 302 2394

Email: info@icj-cij.org