



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](#) [X](#) [YouTube](#) [LinkedIn](#)

Press Release

Unofficial

No. 2024/58

29 July 2024

Allegations of Genocide under the Convention on the Prevention and Punishment of the Crime of Genocide (Ukraine v. Russian Federation)

Poland files an application for permission to intervene and a declaration of intervention in the proceedings

THE HAGUE, 29 July 2024. On 23 July 2024, Poland filed in the Registry of the Court an application for permission to intervene under Article 62 of the Statute of the Court and a declaration of intervention under Article 63 of the Statute of the Court in the case concerning *Allegations of Genocide under the Convention on the Prevention and Punishment of the Crime of Genocide (Ukraine v. Russian Federation)*.

Pursuant to Article 62 of the Statute, whenever a State not party to a case considers that it has an interest of a legal nature which may be affected by the decision in the case, it may submit a request to the Court to be permitted to intervene.

In its [application for permission to intervene](#), Poland states that

“as a party to the Genocide Convention, the Republic of Poland has a legal interest . . . in the Convention’s proper application by other States. Mindful of its own obligation to prevent violation of the Genocide Convention, the Republic of Poland is aware that it cannot transfer arms or provide other assistance to a State committing genocide. Therefore, an accusation of genocide addressed towards Ukraine simultaneously affects the Republic of Poland’s legal position as a state providing a wide range of support to Ukraine, including its Eastern regions, since 2014”.

Pursuant to Article 63 of the Statute, whenever the construction of a convention to which States other than those concerned in the case are parties is in question, each of those States has the right to intervene in the proceedings. If they do so, the construction given by the judgment of the Court will be equally binding upon them.

In its [declaration of intervention](#), Poland relies on its status as a party to the Genocide Convention and states that

“the purpose of submitting a new declaration of intervention stems from the Republic of Poland’s intention to broaden its scope of intervention compared with [its] Declaration of Intervention submitted on 15 September 2022 [see press release No. [2022/37](#)], taking into account the Court’s Judgment of 2 February 2024”.

Poland further indicates that it considers Article I, Article II and Article VIII of the Genocide Convention “to be particularly in question” and that it “reserves the right to comment on” Article III, Article IV, Article V, Article VI, Article VII and Article IX of the Genocide Convention.

In accordance with Article 83 of the Rules of Court, Ukraine and the Russian Federation have been invited to furnish written observations on Poland’s application for permission to intervene and declaration of intervention.

The full texts of Poland’s application for permission to intervene and declaration of intervention are available on the [Court’s website](#).

History of the proceedings

On 26 February 2022, Ukraine filed in the Registry of the Court an [Application instituting proceedings](#) against the Russian Federation concerning “a dispute . . . relating to the interpretation, application and fulfilment of the 1948 Convention on the Prevention and Punishment of the Crime of Genocide” (the “Genocide Convention”).

Ukraine contends, *inter alia*, that

“the Russian Federation has falsely claimed that acts of genocide have occurred in the Luhansk and Donetsk oblasts of Ukraine, and on that basis recognized the so-called ‘Donetsk People’s Republic’ and ‘Luhansk People’s Republic’, and then declared and implemented a ‘special military operation’ against Ukraine”.

Ukraine “emphatically denies” that such acts of genocide have occurred and states that it submitted the Application “to establish that Russia has no lawful basis to take action in and against Ukraine for the purpose of preventing and punishing any purported genocide”.

As basis for the Court’s jurisdiction, Ukraine invokes Article 36, paragraph 1, of the Statute of the Court and Article IX of the Genocide Convention, to which both States are parties.

Together with the Application, Ukraine submitted a [Request for the indication of provisional measures](#) with reference to Article 41 of the Statute of the Court and to Articles 73, 74 and 75 of the Rules of Court. By an [Order dated 16 March 2022](#), the Court indicated certain provisional measures. In particular, it ordered the Russian Federation to immediately suspend the military operations that it commenced on 24 February 2022 in the territory of Ukraine and to ensure that any military or irregular armed units which may be directed or supported by it, as well as any organizations and persons which may be subject to its control or direction, take no steps in furtherance of such military operations. The Court further directed both Parties to refrain from any action which might aggravate or extend the dispute before the Court or make it more difficult to resolve.

By an [Order dated 23 March 2022](#), the Court fixed 23 September 2022 and 23 March 2023 as the respective time-limits for the filing of the Memorial of Ukraine and the Counter-Memorial of the Russian Federation. The Memorial of Ukraine was filed on 1 July 2022.

On 3 October 2022, the Russian Federation raised [preliminary objections](#) to the jurisdiction of the Court and to the admissibility of the Application. Consequently, in accordance with Article 79bis, paragraph 3, of the Rules of Court, the proceedings on the merits were suspended. By an [Order dated 7 October 2022](#), the Court fixed 3 February 2023 as the time-limit within which Ukraine could

present a written statement of its observations and submissions on the preliminary objections raised by the Russian Federation. Ukraine filed its written statement within the time-limit thus fixed.

Between 21 July 2022 and 15 December 2022, 33 States filed declarations of intervention in the case, pursuant to Article 63, paragraph 2, of the Statute of the Court. By an [Order dated 5 June 2023](#), the Court decided that the declarations submitted by 32 States were admissible at the preliminary objections stage of the proceedings. By the same Order, it fixed 5 July 2023 as the time-limit for the filing of written observations by those States on the subject-matter of the interventions. Thirty-one intervening States filed written observations within this time-limit. The [declarations and written observations](#) can be found on the Court's website.

Public hearings on the preliminary objections raised by the Russian Federation were held between 18 and 27 September 2023. Thirty-two intervening States presented oral observations at the hearings.

On 2 February 2024, the Court rendered its [Judgment on the preliminary objections](#).

By an [Order also dated 2 February 2024](#), the Court fixed 2 August 2024 as the new time-limit for the filing of the Counter-Memorial of the Russian Federation.

Earlier [press releases](#) relating to this case are 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, 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

Email: info@icj-cij.org