



PROCEDURAL AND SUBSTANTIVE ISSUES RELATING TO THE DISPUTE BETWEEN ARMENIA E AZERBAIGIAN

On 16th September 2021, Armenia initiated proceedings against Azerbaijan, based on the alleged violation of the Convention against Racial Discrimination; the complaint was followed, a few days later, by an identical request made by Azerbaijan. While, on the one hand, the requests refer to acts that occurred between September and November 2020, the broader background of the case is the long conflict between the two States since the beginning of the 20th century and its subsequent developments, raising the question of the applicability of the CERD and the Court's *ratione materiae* jurisdiction. At the same time, the various requests for provisional measures made so far by both parties have been an opportunity for the Court to develop its jurisprudence on their use, including their modification. Finally, the parties' choice to file symmetrical applications instead of counterclaims leads one to reflect on the best procedural means available in a factual and legal situation such as the one at hand.