

## Secured electronic filing by Governments<sup>1</sup>

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### I. Scope of application

1. The Governments of the Contracting Parties that have opted for the Court's system of secured electronic filing shall send all their written communications with the Court by uploading them on the secured website set up for that purpose and shall accept written communications sent to them by the Registry of the Court by downloading them from that site, with the following exceptions:

(a) in the event of a dysfunction on the secure site, it is mandatory that the documents concerning a request for the indication of an interim measure under Rule 39 of the Rules of Court be sent by fax or email; in such cases the document must be clearly headed "**Rule 39. Urgent**";

(b) attachments, such as plans, manuals, etc. that may not be comprehensively viewed in an electronic format may be filed by post;

(c) the Court's Registry may request that a paper document or attachment be submitted by post.

2. If the Government have filed a document by post or fax, they shall, as soon as possible, file electronically a notice of filing by post or fax, describing the document sent, stating the date of dispatch and setting forth the reasons why electronic filing was not possible.

### II. Technical requirements

3. The Government shall possess the necessary technical equipment and follow the user manual sent to them by the Court's Registry.

### III. Format and naming convention

4. A document filed electronically shall be in PDF format, preferably in searchable PDF.

5. Unsigned letters and written pleadings shall not be accepted. Signed documents to be filed electronically shall be generated by scanning the original paper copy. The Government shall keep the original paper copy in their files.

6. The name of a document filed electronically shall be prefixed by the application number, followed by the name of the applicant as spelled in Latin script by the Registry of the Court, and contain an indication of the contents of the document<sup>2</sup>.

### IV. Relevant date with regard to time-limits

7. The date on which the Government have successfully uploaded a document on the secured website shall be considered as the date of dispatch within the meaning of Rule 38 § 2 or the date of filing for the purposes of Rule 73 § 1.

8. To facilitate keeping track of the correspondence exchanged, every day shortly before midnight the secured server generates automatically an electronic mail message listing the documents that have been filed electronically within the past twenty-four hours.

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1. Practice direction issued by the President of the Court in accordance with Rule 32 of the Rules of Court on 22 September 2008 and amended on 29 September 2014 and on 5 July 2018.

2. For example, 65051/01 Karagyozov Observ Adm Merits.

**V. Different versions of one and the same document**

9. The secured website shall not permit the modification, replacement or deletion of an uploaded document. If the need arises for the Government to modify a document they have uploaded, they shall create a new document named differently (for example, by adding the word “modified” in the document name). This opportunity should only be used where genuinely necessary and should not be used to correct minor errors.

10. Where the Government have filed more than one version of the same document, only the document filed in time shall be taken into consideration. Where more than one version has been filed in time, the latest version shall be taken into consideration, unless the President of the Chamber decides otherwise.