

COUR INTERNATIONALE DE JUSTICE

RECUEIL DES ARRÊTS,
AVIS CONSULTATIFS ET ORDONNANCES

APPLICATION DE LA CONVENTION
POUR LA PRÉVENTION ET LA RÉPRESSION
DU CRIME DE GÉNOCIDE

(GAMBIE c. MYANMAR)

ORDONNANCE DU 16 OCTOBRE 2023

2023

INTERNATIONAL COURT OF JUSTICE

REPORTS OF JUDGMENTS,
ADVISORY OPINIONS AND ORDERS

APPLICATION OF THE CONVENTION
ON THE PREVENTION AND PUNISHMENT
OF THE CRIME OF GENOCIDE

(THE GAMBIA v. MYANMAR)

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YEAR 2023

16 October 2023

2023
16 October
General List
No. 178APPLICATION OF THE CONVENTION
ON THE PREVENTION AND PUNISHMENT
OF THE CRIME OF GENOCIDE

(THE GAMBIA v. MYANMAR)

ORDER

Present: President DONOGHUE; *Vice-President* GEVORGIAN; *Judges* TOMKA, ABRAHAM, XUE, SEBUTINDE, BHANDARI, 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 Articles 31, 44, 45, paragraph 2, and 48 of the Rules of Court,

Having regard to the Application filed in the Registry of the Court on 11 November 2019, whereby the Republic of The Gambia (hereinafter “The Gambia”) instituted proceedings against the Republic of the Union of Myanmar (hereinafter “Myanmar”) concerning alleged violations by the latter of the Convention on the Prevention and Punishment of the Crime of Genocide (hereinafter the “Genocide Convention”),

Having regard to the Order of 23 January 2020, whereby the Court fixed 23 July 2020 and 25 January 2021 as the respective time-limits for the filing of a Memorial by The Gambia and a Counter-Memorial by Myanmar,

Having regard to the Order of 18 May 2020, whereby the Court, further to a request of The Gambia, extended to 23 October 2020 and 23 July 2021 the respective time-limits for the filing of a Memorial by The Gambia and a Counter-Memorial by Myanmar,

Having regard to the Memorial of The Gambia filed within the time-limit thus extended,

Having regard to the preliminary objections raised by Myanmar on 20 January 2021, which had the effect, under Article 79*bis*, paragraph 3, of the Rules of Court, of suspending the proceedings on the merits,

Having regard to the Judgment of 22 July 2022, whereby the Court found that it had jurisdiction, on the basis of Article IX of the Genocide Convention, to entertain the Application filed by The Gambia on 11 November 2019, and that the said Application was admissible,

Having regard to the Order of 22 July 2022, whereby the Court fixed 24 April 2023 as the new time-limit for the filing of the Counter-Memorial of Myanmar,

Having regard to the Order of 6 April 2023, whereby the Court, further to a request of Myanmar, extended to 24 May 2023 the time-limit for the filing of the Counter-Memorial,

Having regard to the Order of 12 May 2023, whereby the Court, at the request of Myanmar, granted a further extension to 24 August 2023 of the time-limit for the filing of the Counter-Memorial,

Having regard to the Counter-Memorial of Myanmar filed within the time-limit thus extended;

Whereas, on 26 September 2023, a meeting was held by the President of the Court with the Agents of the Parties pursuant to Article 31 of the Rules of Court, in order to ascertain their views with regard to the further procedure to be followed in the case;

Whereas at this meeting, counsel for The Gambia stated that a Reply was necessary in order to respond to arguments made by Myanmar in its Counter-Memorial and that The Gambia requested a period of seven months for the preparation of its Reply, and that the same number of months should be granted to Myanmar for the preparation of its Rejoinder; and whereas the Agent of Myanmar indicated that his Government also considered that a second round of written pleadings was necessary and, referring to the fact that The Gambia had already benefited from one month to work on its Reply since the filing of the Counter-Memorial, stated that a period of seven months was sufficient for the preparation of the Reply of The Gambia and asked for a period of eight months, from the time-limit for the filing of the Reply, for the submission of the Rejoinder of Myanmar;

Taking into account the views of the Parties,

Authorizes the submission of a Reply by the Republic of The Gambia and a Rejoinder by the Republic of the Union of Myanmar;

Fixes the following time-limits for the filing of these written pleadings:

16 May 2024 for the Reply of the Republic of The Gambia;

16 December 2024 for the Rejoinder of the Republic of the Union of Myanmar; 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 sixteenth day of October, 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 the Republic of The Gambia and the Government of the Republic of the Union of Myanmar, respectively.

(Signed) Joan E. DONOGHUE,
President.

(Signed) Philippe GAUTIER,
Registrar.
