



INTERNATIONAL COURT OF JUSTICE

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Press Release

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Application of the Convention on the Prevention and Punishment of the Crime of Genocide in Sudan (Sudan v. United Arab Emirates)

The Court rejects Sudan's Request for the indication of provisional measures and orders that the case be removed from the General List

THE HAGUE, 5 May 2025. The International Court of Justice today delivered its Order on the [Request for the indication of provisional measures](#) submitted by Sudan in the case concerning *Application of the Convention on the Prevention and Punishment of the Crime of Genocide in Sudan (Sudan v. United Arab Emirates)*. Public hearings on that request were held on 10 April 2025 (see press release [2025/17](#)).

In its Order, the Court observes that it may indicate provisional measures only if the provisions relied on by the applicant appear, *prima facie*, to afford a basis on which its jurisdiction could be founded. The Court further notes that the United Arab Emirates (the "UAE"), when acceding to the Genocide Convention, formulated a reservation to Article IX, seeking to exclude the jurisdiction of the Court.

Having regard to the UAE's reservation to Article IX of the Genocide Convention, the Court observes that Article IX of that Convention cannot constitute, *prima facie*, a basis for the jurisdiction of the Court in the present case. It follows that the Court cannot indicate the provisional measures requested.

Moreover, the Court considers that, in light of the UAE's reservation and in the absence of any other basis of jurisdiction, the Court manifestly lacks jurisdiction to entertain Sudan's Application. The case will therefore be removed from its docket.

The Court recalls, however, that there is a fundamental distinction between the question of acceptance by States of the Court's jurisdiction and the conformity of their acts with international law. Whether or not States have accepted the jurisdiction of the Court pursuant to Article IX of the Genocide Convention, they are required to comply with their obligations under that instrument, and they remain responsible for acts attributable to them which are contrary to their international obligations.

The operative part of the Court's [Order](#) reads as follows:

“THE COURT

(1) By fourteen votes to two,

Rejects the Request for the indication of provisional measures submitted by the Republic of the Sudan on 5 March 2025;

IN FAVOUR: *President* IWASAWA; *Vice-President* SEBUTINDE; *Judges* TOMKA, ABRAHAM, XUE, BHANDARI, NOLTE, CHARLESWORTH, BRANT, GÓMEZ ROBLEDO, CLEVELAND, AURESCU, TLADI; *Judge ad hoc* COUVREUR;

AGAINST: *Judge* YUSUF; *Judge ad hoc* SIMMA;

(2) By nine votes to seven,

Orders that the case be removed from the General List.

IN FAVOUR: *President* IWASAWA; *Vice-President* SEBUTINDE; *Judges* TOMKA, ABRAHAM, XUE, NOLTE, BRANT, AURESCU; *Judge ad hoc* COUVREUR;

AGAINST: *Judges* YUSUF, BHANDARI, CHARLESWORTH, GÓMEZ ROBLEDO, CLEVELAND, TLADI; *Judge ad hoc* SIMMA.”

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Judge YUSUF appends a dissenting opinion to the Order of the Court; Judges BHANDARI, CHARLESWORTH, GÓMEZ ROBLEDO, CLEVELAND, TLADI and Judge *ad hoc* SIMMA append a joint partly dissenting opinion to the Order of the Court; Judge GÓMEZ ROBLEDO appends a dissenting opinion to the Order of the Court; Judge *ad hoc* SIMMA appends a declaration to the Order of the Court.

A summary of the Order appears in the document entitled “Summary [2025/2](#)”, to which summaries of the opinions and declaration are annexed. This summary and the full text of the Order are available on the [case page](#) on the Court’s website.

Earlier [press releases](#) relating to these proceedings 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.

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