

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 18 MAI 2020

2020

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)

ORDER OF 18 MAY 2020

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APPLICATION OF THE CONVENTION
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(THE GAMBIA *v.* MYANMAR)

ORDER

Present: President YUSUF; Vice-President XUE; Judges TOMKA, ABRAHAM, BENNOUNA, CAÑADO TRINDADE, DONOGHUE, GAJA, SEBUTINDE, BHANDARI, CRAWFORD, GEVORGIAN, SALAM, IWASAWA; 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 Article 44, paragraph 3, 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”) for alleged violations of the Convention on the Prevention and Punishment of the Crime of Genocide,

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

Whereas, by a letter dated 24 April 2020, the Agent of The Gambia requested the Court to grant at least a three-month extension for the filing

of the Memorial, in light of the COVID-19 pandemic, adding that “the principle of equality of arms would entitle Myanmar to a similar extension of time for filing its Counter-Memorial”; and whereas, upon receipt of this letter, the Registrar transmitted a copy thereof to the Agent of Myanmar, in accordance with Article 44, paragraph 3, of the Rules of Court;

Whereas, by a letter dated 28 April 2020, the Alternate Agent of Myanmar indicated that, although his Government was of the opinion that the COVID-19 pandemic did not appear to constitute in and of itself a sufficient justification for The Gambia’s request, it took no position on that request and considered that it would be for the Court “to decide whether The Gambia has established a sufficient justification for an extension of time”;

Taking into account the views of the Parties,

Extends to 23 October 2020 the time-limit for the filing of the Memorial of the Republic of The Gambia;

Extends to 23 July 2021 the time-limit for the filing of the Counter-Memorial 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 eighteenth day of May, two thousand and twenty, 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*) Abdulqawi Ahmed YUSUF,
President.

(*Signed*) Philippe GAUTIER,
Registrar.
