



INTERNATIONAL COURT OF JUSTICE

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**Case concerning Application of the Convention on the Prevention
and Punishment of the Crime of Genocide
(Bosnia and Herzegovina v. Yugoslavia)**

Extension of the time-limit for the filing of the Rejoinder of Yugoslavia

THE HAGUE, 17 December 1998. The International Court of Justice (ICJ) has extended the time-limit for the filing of the Rejoinder of Yugoslavia in the case concerning Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Bosnia and Herzegovina v. Yugoslavia).

By an Order of 11 December 1998, the Court extended the time-limit for the filing of that Rejoinder from 22 January 1999 to 22 February 1999.

The Order was made following a request from Yugoslavia and after the views of Bosnia and Herzegovina had been ascertained.

The subsequent procedure was reserved for further decision.

Background information

On 20 March 1993, Bosnia and Herzegovina filed an Application instituting proceedings against Yugoslavia in respect of a dispute concerning alleged violations of the Convention on the Prevention and Punishment of the Crime of Genocide of 9 December 1948. As the basis of the jurisdiction of the Court, Bosnia and Herzegovina invoked Article IX of that Convention.

In its Application, Bosnia and Herzegovina, among other claims, requested the Court to adjudge and declare that Yugoslavia, through its agents and surrogates, "has killed, murdered, wounded, raped, robbed, tortured, kidnapped, illegally detained, and exterminated the citizens of Bosnia and Herzegovina", that it has to cease immediately this practice of so-called "ethnic cleansing" and pay reparations.

On 20 March 1993 Bosnia and Herzegovina also submitted a request for provisional measures (an interim injunction). Hearings were held on 1 and 2 April 1993, and by an Order dated 8 April 1993 the Court indicated that Yugoslavia "should immediately . . . take all measures within its power to prevent commission of the crime of genocide" and that both Yugoslavia and Bosnia and Herzegovina "should not take any action . . . which may aggravate or extend the existing dispute". The Court limited its provisional measures to requests falling within the jurisdiction conferred on it by the Genocide Convention.

On 27 July 1993 Bosnia and Herzegovina filed a second request for provisional measures, followed on 10 August 1993 by a request for provisional measures of Yugoslavia. Hearings were held on 25 and 26 August 1993 and by an Order dated 13 September 1993 the Court reaffirmed the measures indicated earlier, adding that they should be immediately and effectively implemented.

A preliminary objection to the jurisdiction of the Court was then raised by Yugoslavia. Hearings took place between 29 April and 3 May 1996 and on 11 July 1996 the Court delivered a Judgment dismissing the objection and holding that it had jurisdiction to adjudge the dispute.

By an Order of 23 July 1996, the President of the Court, taking into account the views expressed by the Parties, fixed 23 July 1997 as the time-limit for the filing of the Counter-Memorial of Yugoslavia. Within the prescribed time-limit, Yugoslavia filed its Counter-Memorial and counter-claims.

In these counter-claims Yugoslavia asked the Court to adjudge that "Bosnia and Herzegovina is responsible for the acts of genocide committed against the Serbs in Bosnia and Herzegovina" and that it "has the obligation to punish the persons held responsible" for these acts. It also asked the Court to rule that "Bosnia and Herzegovina is bound to take necessary measures so that the said acts would not be repeated" and "to eliminate all consequences of the violation" of the Genocide Convention.

In an Order of 17 December 1997 the Court held that Yugoslavia's counter-claims were "admissible as such" and that they formed "part of the current proceedings" in the case. It directed the Parties to submit further written pleadings on the merits of their respective claims and fixed time-limits for the filing of a Reply by Bosnia and Herzegovina and of a Rejoinder by Yugoslavia. By an Order of 22 January 1998, these time-limits were extended to 23 April 1998 and to 22 January 1999 respectively, at the request of Bosnia and Herzegovina.

Bosnia and Herzegovina filed its Reply within the time-limit so extended.

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