



# INTERNATIONAL COURT OF JUSTICE

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## Press Release

Unofficial

No. 2022/5  
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### **Application of the Convention on the Prevention and Punishment of the Crime of Genocide (The Gambia v. Myanmar)**

#### **Conclusion of the public hearings on the preliminary objections raised by Myanmar**

#### **The Court to begin its deliberation**

THE HAGUE, 28 February 2022. The public hearings on the preliminary objections raised by Myanmar in the case concerning *Application of the Convention on the Prevention and Punishment of the Crime of Genocide (The Gambia v. Myanmar)* were concluded today. The Court will now begin its deliberation.

During the hearings, which opened on Monday 21 February 2022 at the Peace Palace, the seat of the Court, the delegation of Myanmar was led by H.E. Mr. Ko Ko Hlaing, Union Minister for International Cooperation of the Republic of the Union of Myanmar, as Agent. The delegation of The Gambia was led by H.E. Mr. Dawda Jallow, Attorney General and Minister of Justice, as Agent.

The Court's decision on the preliminary objections will be delivered at a public sitting, the date of which will be announced in due course.

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#### **Submissions of the Parties**

At the end of the hearings, the Agents of the Parties presented the following submissions to the Court:

*For Myanmar:*

“For the reasons given in Myanmar’s written preliminary objections and in its oral arguments at the hearing of the preliminary objections, and for any other reasons the Court might deem appropriate, Myanmar respectfully requests the Court to adjudge and declare:

1. that the Court lacks jurisdiction to hear the case brought by The Gambia against Myanmar; and/or
2. that The Gambia’s Application is inadmissible.”

*For The Gambia:*

“In accordance with Article 60 of the Rules of Court, for the reasons explained in our Written Observations of 20 April 2021 and during these hearings, the Republic of The Gambia respectfully asks the Court to:

- (a) Reject the Preliminary Objections presented by the Republic of the Union of Myanmar;
- (b) Hold that it has jurisdiction to hear the claims presented by The Gambia as set out in its Application and Memorial, and that those claims are admissible; and
- (c) Proceed to hear those claims on the merits.”

### **History of the proceedings**

The history of the proceedings can be found in [press releases](#) Nos. 2019/47, 2019/49, 2019/54, 2020/3, 2020/4, 2020/14 and 2022/1, available on the Court’s website ([www.icj-cij.org](http://www.icj-cij.org)).

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*Note:* The Court’s press releases are prepared by its Registry for information purposes only and do not constitute official documents. The complete verbatim records of the hearings held from 21 to 28 February will be published on the Court’s website.

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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, through judgments which have binding force and are without appeal for the parties concerned, 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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