

COUR INTERNATIONALE DE JUSTICE
RECUEIL DES ARRÊTS,
AVIS CONSULTATIFS ET ORDONNANCES

APPLICATION
DE LA CONVENTION CONTRE LA TORTURE
ET AUTRES PEINES OU TRAITEMENTS CRUELS,
INHUMAINS OU DÉGRADANTS

(CANADA ET PAYS-BAS
c. RÉPUBLIQUE ARABE SYRIENNE)

ORDONNANCE DU 1^{er} FÉVRIER 2024

2024

INTERNATIONAL COURT OF JUSTICE
REPORTS OF JUDGMENTS,
ADVISORY OPINIONS AND ORDERS

APPLICATION
OF THE CONVENTION AGAINST TORTURE
AND OTHER CRUEL, INHUMAN OR DEGRADING
TREATMENT OR PUNISHMENT

(CANADA AND NETHERLANDS
v. SYRIAN ARAB REPUBLIC)

ORDER OF 1 FEBRUARY 2024

Mode officiel de citation :

*Application de la convention contre la torture
et autres peines ou traitements cruels, inhumains ou dégradants
(Canada et Pays-Bas c. République arabe syrienne),
ordonnance du 1^{er} février 2024, C.I.J. Recueil 2024, p. 356*

Official citation:

*Application of the Convention against Torture
and Other Cruel, Inhuman or Degrading Treatment or Punishment
(Canada and Netherlands v. Syrian Arab Republic),
Order of 1 February 2024, I.C.J. Reports 2024, p. 356*

ISSN 0074-4441

ISBN 978-92-1-159357-0

e-ISBN 978-92-1-154401-5

<p>N° de vente : Sales number</p> <p>1315</p>
--

© 2025 CIJ/ICJ, Nations Unies/United Nations

Tous droits réservés/All rights reserved

IMPRIMÉ EN FRANCE/PRINTED IN FRANCE

1^{er} FÉVRIER 2024

ORDONNANCE

APPLICATION
DE LA CONVENTION CONTRE LA TORTURE
ET AUTRES PEINES OU TRAITEMENTS CRUELS,
INHUMAINS OU DÉGRADANTS

(CANADA ET PAYS-BAS
c. RÉPUBLIQUE ARABE SYRIENNE)

APPLICATION
OF THE CONVENTION AGAINST TORTURE
AND OTHER CRUEL, INHUMAN OR DEGRADING
TREATMENT OR PUNISHMENT

(CANADA AND NETHERLANDS
v. SYRIAN ARAB REPUBLIC)

1 FEBRUARY 2024

ORDER

INTERNATIONAL COURT OF JUSTICE

YEAR 2024

1 February 2024

2024
1 February
General List
No. 188APPLICATION
OF THE CONVENTION AGAINST TORTURE
AND OTHER CRUEL, INHUMAN OR DEGRADING
TREATMENT OR PUNISHMENT(CANADA AND NETHERLANDS
v. SYRIAN ARAB REPUBLIC)

ORDER

Present: President DONOGHUE; *Vice-President* GEVORGIAN; *Judges* TOMKA, ABRAHAM, YUSUF, XUE, SEBUTINDE, BHANDARI, SALAM, IWASAWA, NOLTE, CHARLESWORTH; *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 1, and 48 of the Rules of Court,

Having regard to the Application filed in the Registry of the Court on 8 June 2023, whereby Canada and the Kingdom of the Netherlands (hereinafter the “Applicant States”) instituted proceedings against the Syrian Arab Republic (hereinafter “Syria”) concerning alleged violations of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,

Having regard to the Request for the indication of provisional measures submitted by the Applicant States on 8 June 2023;

Whereas, by a letter dated 8 June 2023 accompanying the Application, Canada informed the Court of the appointment of Mr Alan H. Kessel, Assistant Deputy Minister and Legal Adviser at Global Affairs Canada, as Agent for the purposes of the case; and whereas, by a letter dated 2 November 2023, Canada subsequently informed the Court of the appointment of Mr Louis-Martin Aumais, Director General of the Public International Law Bureau at Global Affairs Canada, as Co-Agent;

Whereas, by a letter dated 8 June 2023 accompanying the Application, the Kingdom of the Netherlands informed the Court of the appointment of Mr René J. M. Lefeber, Legal Adviser at the Ministry of Foreign Affairs, as Agent for the purposes of the case, and of Ms Annemarieke Künzli, Legal Counsel at the Ministry of Foreign Affairs, as Co-Agent;

Whereas, by a letter dated 13 October 2023, Syria informed the Court of the appointment of Mr Ammar Al-Arsan, chargé d'affaires of the Embassy of Syria in Brussels, and of Mr Ihab Hamed, Counsellor at the Permanent Mission of Syria to the United Nations Office in Geneva, as Agents for the purposes of the case;

Whereas, by an Order of 16 November 2023, the Court indicated certain provisional measures;

Whereas, by letters dated 17 November 2023, the Registrar invited the Agents of the Parties, pursuant to Article 31 of the Rules of Court, to attend a meeting on 11 December 2023 in order for the President of the Court to ascertain the views of the Parties with regard to questions of procedure in the case;

Whereas, by a letter dated 6 December 2023, Syria requested that the meeting between the President of the Court and the Agents of the Parties, scheduled for 11 December 2023, be postponed for two weeks; and whereas the Applicant States opposed this request;

Whereas, by letters dated 8 December 2023, the Registrar informed the Parties that the meeting would be held on the date originally scheduled and that, in the event that Syria was not represented, the views expressed by the Applicant States with regard to the time-limits for the filing of the initial written pleadings in the case would be communicated to Syria by letter and that Syria would be allowed to present its views thereon in writing by 4 January 2024;

Whereas, on 11 December 2023, the President of the Court met with the representatives of the Applicant States; and whereas at this meeting the Applicant States requested a period of six months for the preparation of their Memorial, starting from the date of the Order fixing time-limits;

Whereas, by a letter dated 11 December 2023, the Registrar informed the Respondent of the views of the Applicant States and invited the Agents of

Syria to provide the views of their Government on the time needed for the filing of the Counter-Memorial by 4 January 2024 at the latest;

Whereas, by a letter dated 3 January 2024, Mr Ammar Al-Arsan, Agent of Syria, informed the Court that his Government was requesting a minimum of eighteen months for the preparation of its Counter-Memorial, from the date of receipt of the Memorial;

Taking into account the views expressed by the Parties,

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

3 February 2025 for the Memorial of Canada and the Kingdom of the Netherlands;

3 February 2026 for the Counter-Memorial of the Syrian Arab Republic; 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 first day of February, two thousand and twenty-four, in four copies, one of which will be placed in the archives of the Court and the others transmitted to the Governments of Canada and the Kingdom of the Netherlands and to the Government of the Syrian Arab Republic, respectively.

(Signed) Joan E. DONOGHUE,
President.

(Signed) Philippe GAUTIER,
Registrar.
