Legal and Diplomatic Briefing: The ICJ Judgment in *The Gambia v. Myanmar (11 States Intervening)*

Application of the Convention on the Prevention and Punishment of the Crime of Genocide — Judgment of 19 November 2026

Organisers: The Representatives of Malaysia (H.E. Edmund Bon Tai Soon), Thailand (H.E. Asst. Prof. Dr. Bhanubhatra Jittiang) and Indonesia (H.E. Anita Ashvini Wahid) to the ASEAN Intergovernmental Commission on Human Rights (AICHR).

Supported by LAWASIA Human Rights Committee, Centre for Human Rights Research and Advocacy (CENTHRA) and the Working Group for an ASEAN Human Rights Mechanism (WGAHRM).

Date: 25 November 2026 (Wednesday)
Time: 12:30 – 2:00 pm (Malaysian time)
Platform: Online via Zoom
Register here: https://tinyurl.com/icj-judgment-briefing-asean

About this briefing

On 19 November 2026, the International Court of Justice (ICJ) held that Myanmar committed genocide against the Rohingya in northern Rakhine State, the first such finding against a State in the Court's history. It found that Myanmar failed to prevent and punish genocide and to enact implementing legislation, and breached the Court's 2020 provisional measures order to preserve evidence. Further, the ICJ recognised that the denial of citizenship to the Rohingya had been central to the broader pattern of discrimination and vulnerability identified by the Court and was a relevant consideration in its assessment of genocidal intent. Myanmar must investigate and, where warranted, prosecute and punish those responsible, and give assurances and guarantees of non-repetition. By way of restitution, it must enable displaced Rohingya, whether inside Myanmar or abroad, to return safely, voluntarily and with dignity to their places of residence, facilitate family reunification, and provide rehabilitation. It must also compensate the Rohingya group and its members for damage that restitution does not repair. The amount and form of compensation will be settled later, with Myanmar to report to the Court within two years.

This briefing unpacks the judgment and asks what it means for ASEAN and for the Rohingya.

What the briefing will cover

The session has three segments, each looking at the case from a different angle. The speakers will analyse the judgment: how the Court inferred genocidal intent and weighed the evidence, and why there were dissenting judgments. AICHR Representatives will examine the diplomatic and human rights implications for ASEAN, including Myanmar's compliance, regional protection mechanisms, and the position of ASEAN countries that host Rohingya refugees. Civil society responses and priorities on accountability, survivor-centred reparations and the Rohingya's future will also be shared. The programme closes with an open discussion.

Programme

Time	Session
12:30 pm	**Welcome & introduction**
12:35 pm	**Segment A — Legal analysis of the Judgment** (15 min) Dr. Francis Tom Temprosa, *Member (Asia-Pacific), UN Working Group on Mercenaries and Adjunct Professor, Ateneo de Manila University School of Law*
12:50 pm	**Segment B — Diplomatic and human rights implications in ASEAN** (25 mins) H.E. Anita Ashvini Wahid, *Representative of Indonesia to AICHR* H.E. Asst. Prof. Dr. Bhanubhatra Jittiang, *Representative of Thailand to AICHR* H.E. Edmund Bon Tai Soon, *Representative of Malaysia to AICHR*
1:15 pm	**Segment C — Civil society responses and the Rohingya's future** (15 mins) Athirah Nur Alia Dazalan, *Legal Fellow, Centre for Human Rights Research and Advocacy (CENTHRA)* Prof. Vitit Muntarbhorn, *Professor Emeritus at Faculty of Law, Chulalongkorn University*
1:30 pm	**Q&A and open discussion**
1:55 pm	**Closing remarks**
2:00 pm	**End**