

## Resolution C 15/2021

### **Implementation of United Nations General Assembly resolution 73/295 on the advisory opinion of the International Court of Justice on the legal consequences of the separation of the Chagos Archipelago from Mauritius in 1965**

Congress,

Considering

the Union's status as an intergovernmental organization and specialized agency of the United Nations, whose mission is to facilitate communication by guaranteeing the free circulation of postal items over a single postal territory composed of interconnected networks, and by encouraging the adoption of fair common standards and the use of technology, thus ensuring cooperation and interaction among stakeholders and the satisfaction of customers' changing needs,

Recognizing

that the General Assembly of the United Nations is the chief deliberative, policymaking and representative organ of the United Nations, mandated, among other things, to make recommendations for the peaceful settlement of any situation that might impair friendly relations among countries,

Recognizing also

that the International Court of Justice is the principal judicial organ of the United Nations whose role is to settle, in accordance with international law, legal disputes submitted to it by states and to give advisory opinions on legal questions referred to it by authorized United Nations organs and specialized agencies,

Taking note of

the advisory opinion of the International Court of Justice of 25 February 2019, which found that: i) the process of decolonization of Mauritius was not lawfully completed when the country became independent in 1968, following the separation of the Chagos Archipelago from Mauritius; ii) the United Kingdom is under an obligation to bring to an end its administration of the Chagos Archipelago as rapidly as possible; iii) all United Nations member states are under an obligation to cooperate with the United Nations to complete the decolonization of Mauritius; and iv) the resettlement on the Chagos Archipelago of Mauritian nationals, including those of Chagossian origin, is a human rights issue which should be addressed by the General Assembly during the completion of the decolonization process,

Recalling

that the General Assembly, by its resolution 73/295 of 22 May 2019, affirmed that the Chagos Archipelago forms an integral part of the territory of Mauritius and that the United Kingdom is under an obligation to bring to an end its administration of the Chagos Archipelago as rapidly as possible, and called on the United Nations and all of its specialized agencies to recognize Mauritius' sovereignty over the Chagos Archipelago, to support the decolonization of Mauritius as rapidly as possible, and to refrain from impeding that process by recognizing, or giving effect to any measure taken by or on behalf of, the "British Indian Ocean Territory",

Further recognizing

that, in accordance with articles IV and VI of the Agreement between the United Nations and the Universal Postal Union (which entered into force on 1 July 1948), the Union is required to: i) "arrange for the submission, as soon as possible, for appropriate action, to its Congresses or its Administrative Conferences or Commissions, or to its members, in conformity with the provisions of the Universal Postal Convention, of all formal recommendations which the United Nations may make to it"; ii) "enter into consultation with the United Nations upon request with respect to such recommendations, and in due course to report to the United Nations on the actions taken by the Union or by its members to give effect to such recommendations, or on the other results of their consideration"; and iii) "cooperate with and to give assistance to the United Nations, its principal and subsidiary organs",

Also taking note of

Congress-Doc 41 concerning the implementation by the Union of General Assembly resolution 73/295,

Convinced

of the importance of effective coordination of the activities of the United Nations and the Union,

*Decides*

- in accordance with the aforementioned Agreement between the United Nations and the Universal Postal Union, to approve the implementation, by the Union, of General Assembly resolution 73/295 of 22 May 2019;
- in the light of the above, to formally acknowledge henceforth that, for the purposes of the activities of the Union, the Chagos Archipelago forms an integral part of the territory of Mauritius,

*Instructs*

the International Bureau:

- to request that Mauritius keep the Union, through the International Bureau, regularly informed of any decisions regarding international postal operations on the territory of the Chagos Archipelago (including any authorizations to maintain the operation of international mail processing centres by foreign entities on that territory);
- in compliance with article 6 of the Universal Postal Convention, to cease the registration, distribution and forwarding of any and all postage stamps issued by the territory formerly known as the "British Indian Ocean Territory";
- to ensure that the use of any associated terminology in UPU documentation is consistent with the aforementioned decision, including the removal of any references to the "British Indian Ocean Territory", or to the Chagos Archipelago as part of the member country known as the "Overseas Territories of the United Kingdom of Great Britain and Northern Ireland", and
- to take any other measures deemed necessary to ensure due implementation of this Congress resolution.

(Proposal 11, third plenary meeting)