

**SPEECH BY HON. PRAVIND KUMAR JUGNAUTH, PRIME MINISTER  
OF THE REPUBLIC OF MAURITIUS, AT THE OFFICIAL LAUNCH  
OF A FIRST DAY COVER AND NEW STAMPS ON THE THEME  
'ICJ ADVISORY OPINION ON DECOLONISATION'**

**23 AUGUST 2019 AT 2.30 P.M.  
CONFERENCE ROOM, NEW TREASURY BUILDING, PMO**

The Rt Honourable Minister Mentor,  
Colleague Ministers,  
Excellencies,  
The Chairperson and members of the Board of Directors of The Mauritius Post Ltd,  
The Chief Executive Officer of The Mauritius Post Ltd,  
Distinguished guests,  
Ladies and Gentlemen,

The issue today by The Mauritius Post Ltd of a First Day Cover, two new stamps and a souvenir sheet on the theme '*ICJ Advisory Opinion on Decolonisation*' commemorates the significant milestone which the Advisory Opinion given by the International Court of Justice on 25 February 2019 constitutes in the struggle of Mauritius to complete its decolonisation.

Excellencies,  
Ladies and Gentlemen,

Let me recall that the UN General Assembly decided by consensus in September 2016 to include on its agenda an item relating to the request for an Advisory Opinion of the International Court of Justice on the legal consequences of the separation of the Chagos Archipelago from Mauritius in 1965. Subsequently, the General Assembly adopted on 22 June 2017 Resolution 71/292 to request an Advisory Opinion of the International Court of Justice.

Following the adoption of that resolution, a number of States and the African Union made written and oral submissions to the Court at its invitation. In the light of these submissions and the extensive dossier submitted by the UN Secretariat, the Court gave a very clear and decisive Advisory Opinion which confirms that the Chagos Archipelago is and has always formed an integral part of the territory of Mauritius.

The Court also concluded that:

- Having regard to international law, the process of decolonisation of Mauritius was not lawfully completed when it acceded to independence in 1968 following the separation of the Chagos Archipelago.

- The UK's continued administration of the Chagos Archipelago constitutes a wrongful act entailing the international responsibility of that State, and is an unlawful act of a continuing character.
- The UK is under an obligation to bring to an end its administration of the Chagos Archipelago as rapidly as possible.
- All Member States are under an obligation to cooperate with the United Nations to complete the decolonisation of Mauritius.

The Advisory Opinion is an important landmark not only for the decolonisation of Mauritius, but also for decolonisation in general.

The International Court of Justice being the principal judicial organ of the United Nations and the highest court of the world, its Advisory Opinion is an authoritative statement of the law. The Opinion has created new jurisprudence as regards the right to self-determination. The Court found that this right formed a fundamental part of customary international law at the time of the excision of the Chagos Archipelago in 1965. The Opinion has attracted much interest from international lawyers, scholars and the academia.

The Advisory Opinion is also highly significant given that in most Commonwealth countries, customary international law can be invoked as applicable in the domestic sphere. The UK Court of Appeal has recently granted leave to appeal against a High Court judgment in a case brought by Mr Bancoult, ruling that, I quote, "we consider the arguments based on the decision of the ICJ to have a real prospect of success". Unquote.

Excellencies,  
Ladies and Gentlemen,

The findings of the International Court of Justice were affirmed by the UN General Assembly in Resolution 73/295 which was tabled by African States Members of the United Nations and adopted on 22 May 2019 by an overwhelming vote of 116 to 6.

The tremendous support for this resolution is a clear indication that the majority of UN Member States believe in respect for the rule of law and for international institutions, including the International Court of Justice. It also conveys a strong signal that colonialism cannot and should not be tolerated.

Mauritius is deeply disappointed that despite its professed commitment to the rule of law and human rights, the United Kingdom has yet to make a commitment to the immediate implementation of the Advisory Opinion of the International Court of Justice and UN General Assembly Resolution 73/295.

Excellencies,  
Ladies and Gentlemen,

The Advisory Opinion of the International Court of Justice has rekindled the hope of the former inhabitants of the Chagos Archipelago who were forcibly removed by the UK from their birthplace that they will be able to return to the Chagos Archipelago soon.

I wish to reiterate that the struggle of Mauritius to complete its decolonisation and the right of Mauritian citizens, including those of Chagossian origin, to return to the Chagos Archipelago are indissociable. The Government of Mauritius supports the legitimate aspiration of the former inhabitants of the Chagos Archipelago, as Mauritian citizens, to resettle in the Chagos Archipelago.

The Government of Mauritius is committed to implementing a resettlement plan for the Chagos Archipelago. In this regard, a special provision of Rs 50 million has been made in the Budget for this financial year to meet expenses relating to, *inter alia*, preparations for eventual resettlement in the Chagos Archipelago.

With a view to enabling Mauritians of Chagossian origin and other Mauritians to continue exercising their rights, including the right to vote, when they would resettle in the Chagos Archipelago, the National Assembly of Mauritius adopted on 12 July 2019 a motion for the inclusion of the Chagos Archipelago, including Diego Garcia, in one of the constituencies of the Republic of Mauritius to be determined by the Electoral Boundaries Commission.

Excellencies,  
Ladies and Gentlemen,

I would like to reaffirm our profound gratitude for the support which Mauritius has constantly received from the international community in its endeavour to complete its decolonisation, including with respect to the request for an Advisory Opinion of the International Court of Justice and UN General Assembly Resolution 73/295.

I also wish to thank once again our external legal advisers. Two of them, namely Professor Philippe Sands QC and Mr Remi Reichhold, are with us this afternoon.

Let me also reiterate our deep appreciation to the Rt. Hon. Minister Mentor, Minister of Defence, Minister for Rodrigues for the passion and determination with which he led the fight for the completion of the decolonisation of Mauritius.

Following a decision taken by Air Mauritius, one of its new aircrafts named after the Chagos Archipelago came into operation in June this year. Today, with the issue of the stamps celebrating the landmark Advisory Opinion, I am proud to say that the completion of the decolonisation of Mauritius is taking a new dimension. The stamps are also meant to pay tribute to the International Court of Justice which stands to uphold

global peace and international law. It is therefore with a sense of profound emotion and patriotism that I launch the First Day Cover and the new stamps.

Before I conclude, I would like to thank The Mauritius Post Ltd which, by the way, deserves our warm congratulations for winning the bronze medal in this year's world philatelic competition.

I thank you for your attention.