

**STATEMENT BY HON. PRAVIND KUMAR JUGNAUTH, PRIME MINISTER OF THE
REPUBLIC OF MAURITIUS, TO THE NATIONAL ASSEMBLY ON 3 MAY 2019**

Madam Speaker,

I have two statements to make. In my statement to the House on 26 March 2019, I had indicated that at the request of the British authorities, I had a meeting with the British Prime Minister, the Rt. hon. Theresa May on 18 March 2019 in London.

During that meeting, I underscored the need to rapidly implement the findings of the International Court of Justice in its Advisory Opinion of 25 February 2019 on the legal consequences of the separation of the Chagos Archipelago from Mauritius in 1965. The British Prime Minister stated that the British authorities were still studying the Advisory Opinion and its implications for the UK Government. She also indicated that she would in the near future send a Foreign Office Minister to Mauritius to hold further discussions.

On 27 April 2019, the British High Commissioner called on me to hand over a letter addressed to me by the British Prime Minister. He also informed me that the UK had not yet been able to send a Minister to Mauritius because of discussions on Brexit in the UK, but still wished to do so. On the same day, I received a phone call from the Rt. hon. Jeremy Hunt, UK Secretary of State for Foreign and Commonwealth Affairs.

Both the British Prime Minister, in her letter, and the UK Foreign Secretary, during the phone conversation, conveyed to me that the UK cannot change its position on the Chagos Archipelago as long as it is required for defence purposes. They have both stressed the importance of the military base in Diego Garcia to keep people in Britain safe and for regional and global security.

During the phone conversation, the UK Foreign Secretary stressed that UK's sovereignty over the Chagos Archipelago was essential for the continued operation of the base in Diego Garcia. He added that the US held the same view and that a similar message was going to be delivered to me by the US Government.

While expressing the hope that Mauritius and the UK could continue to enjoy good bilateral relations, notwithstanding the Chagos Archipelago issue, he intimated to me that if Mauritius were to proceed with action at the United Nations, this could adversely impact on relations between Mauritius and the UK.

I expressed my deep disappointment to the UK Foreign Secretary at the fact that the UK had gone back to the stand which it had prior to the Advisory Opinion despite the clear and near unanimous findings of the International Court of Justice. I also pointed out to him that Mauritius has on several occasions, including in its submissions to the International Court of Justice, reassured the UK that Mauritius was prepared to enter into a long-term arrangement to accommodate the defence and security needs of the US and the UK. I expressed disappointment that the UK did not consider that offer. I made it clear that, in the circumstances, Mauritius would proceed with the tabling of a draft resolution before the General Assembly.

Regarding our bilateral relations, I indicated to the UK Foreign Secretary that Mauritius was committed to consolidating its relationship with the UK.

The points raised by the UK Prime Minister in her letter and by the UK Foreign Secretary during his phone call have been reiterated in a statement which Sir Alan Duncan, Minister of State for Europe and Americas of the UK, made on 30 April 2019 to the UK House of Commons. That statement clearly shows that the UK Government has decided to ignore the Advisory Opinion. This is in stark contrast to what the UK Attorney General stated during the Brexit debate in the UK House of Commons on 12 March 2019, I quote –

“as an Attorney General I simply could not give countenance to the idea that this country would break its international legal obligations.”

On the same day as Sir Alan Duncan made the statement to the House of Commons, my Office issued a communiqué to condemn the stand of the UK Government.

Madam Speaker,

The following points were highlighted in the communiqué –

- (a) Emanating from the principal judicial organ of the United Nations, the Advisory Opinion of the International Court of Justice is an authoritative statement of the law applicable to the conduct of the UK. The Court found that the UK is an unlawful colonizer of the territory of Mauritius, having illegally excised the Chagos Archipelago from the territory of Mauritius prior to its independence.
- (b) The International Court of Justice has clearly stated that the Chagos Archipelago is an integral part of the territory of the Republic of Mauritius, and that it is a legal situation which cannot be questioned or doubted under the rules and principles of international law. It is, therefore, undeniable that the Republic of Mauritius is the sole State lawfully entitled to exercise sovereignty and sovereign rights in relation to the Chagos Archipelago and its maritime zones. The UK cannot and does not have sovereignty over the Chagos Archipelago.
- (c) The UK Government’s flagrant disregard for the Advisory Opinion is an affront to the rule of law, to the African continent and to the United Nations. It will also prevent the resettlement of Mauritians, particularly those of Chagossian origin, in the Chagos Archipelago, thereby perpetuating a historically wrongful act vis-à-vis the forcibly evicted inhabitants of those islands.
- (d) Government considers that the UK’s claim in regard to defence and security is completely misplaced. Mauritius has confirmed on various occasions to the United Kingdom and the United States as well as to the United General Assembly and the International Court of Justice that it fully recognises the military base in Diego Garcia and will take no action that would impede its continued operation.
- (e) It is of the utmost importance for respect of international law and human rights that the findings of the International Court of Justice be promptly implemented by

the UK Government. Otherwise, disregard for the assertions of the Court would be a dangerous precedence that can result in the total breakdown of international institutions that stand in support of peace and security in the world.

Madam Speaker, I am tabling a copy of the full communiqué.

Madam Speaker,

On 01 May, in a letter addressed by the UK Leader of the Opposition to Prime Minister Theresa May and made public in the Guardian, the Leader of the Opposition has condemned the stand taken by the UK Government on the Advisory Opinion of the International Court of Justice and has made it clear that a Labour Government will respect the findings of the Court.

I commend the UK Leader of the Opposition for his and his Party's commitment to the rule of law both in the UK and abroad, the International Court of Justice and the United Nations, and its commitment to respecting the Advisory Opinion in full.

Madam Speaker,

The stand taken by the Labour Party in the UK clearly shows the divide in the country on the serious matter of respect for the rule of law and international institutions. This strengthens our resolve to pursue our struggle for the completion of our decolonisation.

Madam Speaker,

Mauritius is working closely with other countries to table shortly before the United Nations General Assembly a draft resolution calling for the implementation of the findings of the International Court of Justice.

Thank you, Madam Speaker.