

**STATEMENT BY THE RT HON SIR ANEROOD JUGNAUTH, GCSK, KCMG, QC,
MINISTER MENTOR, MINISTER OF DEFENCE, MINISTER FOR RODRIGUES
TO THE NATIONAL ASSEMBLY ON 30 JUNE 2017**

Madam Speaker,

It is with great pride that I rise to inform the House that the United Nations General Assembly adopted on 22 June 2017 a Resolution entitled “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”.

The adoption of the Resolution is a crucial step in the endeavour of Mauritius to complete its decolonisation process, thereby enabling Mauritius to effectively exercise its sovereignty over the Chagos Archipelago.

The Chagos Archipelago has always formed and continues to form an integral part of the territory of Mauritius. The Chagos Archipelago was unlawfully excised from the territory of Mauritius prior to its accession to independence.

This excision was carried out in violation of international law and the provisions of the Charter of the United Nations, as interpreted and applied by pertinent resolutions of the United Nations General Assembly.

Prior to its independence, Mauritius had no legal competence, as a State, to give any consent to the excision of the Chagos Archipelago from its territory. Consent, if any, of the colony of Mauritius could not validate breaches of the UN Charter.

Moreover, Mauritius, as an independent sovereign State, has never entered into any agreement pertaining to such excision.

Mauritius does not recognise the so-called “British Indian Ocean Territory”. Nor does Mauritius recognise the sovereignty claim of the United Kingdom over the Chagos Archipelago.

Madam Speaker, as the House is aware, the UN General Assembly decided last September to include on the agenda of its current session 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. This item, namely item 87, was included by consensus on the UN General Assembly agenda on the understanding, following a request by the United Kingdom, that there would be no consideration of the item before June 2017 and that thereafter, it may be considered upon notification by a Member State.

The consideration of item 87 was deferred in order to allow the United Kingdom to engage in discussions with Mauritius, aimed at the completion of the decolonisation process of Mauritius and the exercise of full sovereignty by Mauritius over the Chagos Archipelago. Three rounds of talks were held between Mauritius and the United Kingdom.

However, these talks became pointless as the United Kingdom was unwilling to discuss a date for the completion of the decolonisation of Mauritius. The proposals made by the United Kingdom during the talks were manifestly inadequate, failing to address the completion of the decolonisation of Mauritius.

Lord Ahmad of Wimbledon, Minister of State for the Commonwealth and the United Nations at the UK Foreign and Commonwealth Office, who asked to meet with me on 19 June, three days before the plenary meeting of the General Assembly, while I was in New York, reiterated the unwillingness of the United Kingdom to discuss about the completion of the decolonisation of Mauritius.

In the absence of any prospect of the completion of the decolonisation of Mauritius, our Permanent Representative to the UN in New York wrote on 01 June 2017 to the President of the UN General Assembly to request that item 87 be considered by the General Assembly. On 22 June 2017, a plenary meeting of the General Assembly was held to consider item 87.

I led the Mauritian delegation to that meeting, which included the Solicitor-General, the Permanent Representative to the UN in New York, the Special Adviser and the Senior Adviser at my Office and the Minister Counsellor at the Prime Minister's Office as well as Mr Olivier Bancoult, Chairman and Leader of the Chagos Refugees Group, and three other representatives of the Chagossian community.

Madam Speaker,

The draft resolution which was prepared by Mauritius was tabled under item 87 by the Republic of the Congo on behalf of States Members of the United Nations that are members of the Group of African States. Argentina, Bolivia, Cuba, Ecuador, Nicaragua and Venezuela co-sponsored the draft resolution.

The draft resolution was also introduced by the Permanent Representative of the Republic of the Congo in his capacity as Chair of the African Group of Ambassadors in New York for the month of June 2017.

Following the statement of the Permanent Representative of the Republic of the Congo, I made a statement to call upon UN Member States to support the draft resolution.

Statements were also made by Venezuela on behalf of the Non-Aligned Movement and Angola on behalf of SADC Member States. India, Egypt, Kenya and Tanzania amongst others, which also participated in the debate, expressed their support for the draft resolution.

The draft resolution obtained the support of a large majority of UN Member States which hail from different parts of the world, namely Africa, Asia, the Middle East, Latin America, the Caribbean, the Pacific and Europe.

The draft resolution was adopted by a recorded vote of 94 in favour to 15 against, with 65 abstentions. A cursory look at the vote shows that only about 7.7% of 193 members of the United Nations did not support the resolution while over 92% were not against it.

I seize this opportunity to extend the heartfelt thanks of the Government and People of Mauritius to all the countries which have voted in favour of the draft resolution.

The adoption of the draft resolution is a historic moment not only for Mauritius, but for the African Union which has set itself the goal of ending by 2020 all remnants of colonialism on the African continent.

I would like with your permission, Madam Speaker, and I am sure hon. Members will agree, to express the deep appreciation of the House to our African brothers and sisters who have been unflinching in their support to Mauritius in this noble and just cause.

Madam Speaker,

The request for an advisory opinion of the International Court of Justice bears testimony to the resolve of the UN General Assembly to fulfil its continuing responsibility to complete the process of decolonisation.

The legality of the excision of the Chagos Archipelago from the territory of Mauritius is clearly a matter of direct interest to the General Assembly. Differing views of one or more States on that issue do not make of the excision a mere bilateral matter. This has been made absolutely clear by the International Court of Justice, including in recent opinions on Kosovo and the Wall.

The request for an advisory opinion of the International Court of Justice does not have any bearing on or adversely affect the security of any State. I have been conveyed to the authorities of the United States on several occasions, Mauritius has no objection to the continued operation of the military base in Diego Garcia within an agreed time bound framework for the return of the Chagos Archipelago to the effective sovereign control of Mauritius. I would also like to emphasise that the request for an advisory opinion of the International Court of Justice is in no way to be seen as unfriendly or hostile move towards any country.

The advice sought by the United Nations General Assembly will guide the United Nations in the fulfilment of its responsibility with regard to the completion of the decolonisation process.

Madam Speaker,

I would like to place on record my thanks to our team of officials in Mauritius as well as at our Mission in New York for their unrelenting efforts which have led to such an achievement. I also have a special word of thanks for our external legal team.

Last but not least, I would like to thank the Prime Minister for his commitment and personal involvement in the lobbying campaign that preceded the vote. I am sure that with such determination and assiduous work, we are going to succeed in the next steps of our struggle to complete our decolonisation. Our team is already at work preparing the submission to be made by Mauritius to the International Court of Justice.

Madam Speaker,

I wish to conclude by reiterating that the long-standing struggle of Mauritius for the completion of its decolonisation process and the effective exercise of its sovereignty over the Chagos Archipelago and the right of Mauritian citizens, particularly those of Chagossian origin, to return to and resettle in the Chagos Archipelago are indissociable. Government remains sensitive to the plight of Mauritian citizens who were forcibly removed by the United Kingdom from the Chagos Archipelago in the wake of its unlawful excision from the territory of Mauritius and is committed to improving their well-being.

I would like to pay a special tribute to all those Mauritians of Chagossian origin who had dedicated their lives to the struggle for the Chagossian cause. I have in mind late Fernand Mandarin, Lisette Talatte and Charlésia Alexis, amongst others whose sacrifices will certainly not go wasted with the new hopes that the historic UN vote has ushered. Mauritius has again proved it is a little great country and I once more appeal for national unity and patriotism to prevail when it comes to defend our sovereignty and territorial integrity.

Thank you, Madam Speaker.