

EXTRACT

FORTY-SEVENTH ANNUAL MEETING OF MINISTERS FOR FOREIGN AFFAIRS OF THE GROUP OF 77 AND CHINA New York, 22 September 2023

MINISTERIAL DECLARATION

329. The Ministers recalled that the Chagos Archipelago, including Diego Garcia, was unlawfully excised by the United Kingdom from the territory of Mauritius, prior to independence, in violation of international law and UN General Assembly resolutions 1514 (XV) of 14 December 1960 and 2066 (XX) of 16 December 1965 and that all inhabitants of the Chagos Archipelago were forcibly evicted. In this regard, the Ministers took note of the adoption by the UN General Assembly on 22 May 2019 of resolution 73/295 welcoming the Advisory Opinion of the International Court of Justice (ICJ) of 25 February 2019 on the legal consequences of the separation of the Chagos Archipelago from Mauritius in 1965. The Ministers took note of the Court's findings that the right to self-determination was a rule of customary international law in 1965 and that the excision of the Chagos Archipelago from the territory of Mauritius was an internationally wrongful act. In that regard, the Ministers fully supported the Court's ruling that the United Kingdom is under an obligation to bring to an end its administration of the Chagos Archipelago as rapidly as possible. The Ministers also took note of the Judgment of the Special Chamber of the International Tribunal for the Law of the Sea (ITLOS) of 28 January 2021. The Ministers reaffirmed, in the light of the Advisory Opinion of the ICJ, that the Chagos Archipelago is and has always been part of the territory of Mauritius and that Mauritius is the sole State lawfully entitled to exercise sovereignty over the Chagos Archipelago and sovereign rights over the appurtenant maritime spaces. They resolved to cooperate fully with the UN General Assembly in ensuring the prompt decolonization of Mauritius, as required by the ICJ, and take all necessary measures for the process of decolonization of Mauritius to be completed without hindrance and as rapidly as possible.

330. The Ministers also took note of the concern expressed by the Republic of Maldives regarding the legal and technical issues arising from the United Kingdom's illegal decision in 2010 to declare a "marine protected area" in the Chagos Archipelago which overlaps the exclusive economic zone of the Republic of Maldives as declared in its Constitution without prejudice to future resolution of maritime delimitations.