



PERMANENT MISSION OF THE REPUBLIC OF MAURITIUS TO THE UNITED NATIONS

MISSION PERMANENTE DE LA REPUBLIQUE DE MAURICE AUPRES DES NATIONS UNIES

30 October 2020

Dear Chairperson,

In anticipation of the 24<sup>th</sup> Session of the Indian Ocean Tuna Commission (IOTC) to be held from 2 to 6 November 2020, I wish to inform you that the delegation of Mauritius intends to make a short statement under agenda item 4 relating to item 9.1 – Overview of the CoC Report and CoC recommendation and agenda item 9.2 – Adoption of the List of IUU Vessels.

We have noted that in some of the documents circulated under the above items for consideration by the forthcoming session of the Commission, reference has been made to "UK ("BIOT")" or "United Kingdom ("BIOT")" and "UK "BIOT"". In view of the Advisory Opinion of the International Court of Justice of 25 February 2019 and UN General Assembly Resolution 73/295, Mauritius considers that it would not be appropriate to have such references in IOTC documents.

In this regard I am pleased to enclose for your information an advance copy of the statement, that we propose to make.

Please accept, Dear Chairperson, the assurances of my highest consideration.

**Jagdish D. Koonjul G.O.S.K.**  
**Ambassador and Permanent Representative**  
**Head of the Mauritius Delegation**  
**to the 24<sup>th</sup> Session of the IOTC**

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**24<sup>th</sup> Session of the Indian Ocean Tuna Commission**

**2-6 November 2020**

**Statement by the Republic of Mauritius (Advance Copy)**

**Agenda Item 4: Adoption of the Agenda and Arrangements for the Session**

Madam Chairperson,

The Delegation of Mauritius wishes to register its objection to the references made in the various documents circulated for this meeting to “UK (“BIOT”)” or “United Kingdom (“BIOT”)” or “UK “BIOT””.

We are referring specifically to the documents relating to Agenda Item 9.1: Overview of the CoC17 Report and CoC recommendations and Agenda Item 9.2: Adoption of the List of IUU Vessels where these wordings have been used.

As the Commission will be aware, in its Advisory Opinion of 25 February 2019, the International Court of Justice (ICJ) has made clear that the Chagos Archipelago is, and has always formed, an integral part of the territory of Mauritius and that the UK’s continued administration of the Chagos Archipelago is an unlawful act of a continuing character. The Court accordingly concluded that the UK is under an obligation to bring to an end its administration of the Chagos Archipelago as rapidly as possible and that all Member States are under an obligation to cooperate with the United Nations in order to complete the decolonization of Mauritius.

The UN General Assembly which affirmed and endorsed the findings of the ICJ has in Resolution 73/295, *inter alia*, called upon the UN and all its specialized agencies as well as all other international, regional and intergovernmental organizations to recognize that the Chagos Archipelago forms an integral part of Mauritius, 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 so-called “British Indian Ocean Territory”.

Since the UK is not and cannot, under international law, be the coastal State in relation to the Chagos Archipelago, my delegation considers that it would be inappropriate to use the wordings in question in the official documents of the IOTC pending a formal decision on the termination of the membership of the UK in the Commission as a coastal State purporting to represent the Chagos Archipelago.

Similarly and for the same reasons, my delegation does not agree to the references made in the report of the 17<sup>th</sup> Session of the Compliance Committee (IOTC-2020-CoC17-R) to “waters of UK (“BIOT”)” and to the endorsement by the Commission of the recommendation contained in paragraph 83 of that report as well as to the recommendation for the inclusion of vessels reported by the UK or the so-called “BIOT” on the 2020 IOTC IUU Vessels List.

Thank you.