

7th Meeting of IOTC Technical Committee on Allocation Criteria
22-25 March 2021

Agenda Item 3: Letter of Credentials

Statement by the Republic of Mauritius

The Republic of Mauritius reiterates that the United Kingdom is not entitled to be a member of the Indian Ocean Tuna Commission (IOTC) as a “coastal State situated wholly or partly within the Area [of competence of the Commission]” and wishes to place on record its objection to the participation of the United Kingdom in the 7th meeting of the IOTC Technical Committee on Allocation Criteria as a coastal State purporting to represent the Chagos Archipelago.

In a Judgment delivered on 28 January 2021 in the case of *Mauritius v. Maldives*, a Special Chamber of the International Tribunal for the Law of the Sea (ITLOS) held that the Republic of Mauritius has undisputed sovereignty over the Chagos Archipelago.

In its Judgment, the Special Chamber, *inter alia*, ruled that:

- (a) the determinations made by the International Court of Justice (ICJ) in its Advisory Opinion of 25 February 2019 on the *Legal Consequences of the Separation of the Chagos Archipelago from Mauritius in 1965* have legal effect and clear implications for the legal status of the Chagos Archipelago;
- (b) the United Kingdom’s continued claim to sovereignty over the Chagos Archipelago is contrary to the determinations made by the ICJ that the detachment of the Chagos Archipelago by the United Kingdom from Mauritius was unlawful and that the United Kingdom’s continued administration of the Chagos Archipelago constitutes an unlawful act of a continuing character;

- (c) the fact that the time-limit of 22 November 2019 set by the UN General Assembly for the withdrawal of the United Kingdom's administration from the Chagos Archipelago has passed without the United Kingdom complying with that demand further strengthens the Special Chamber's finding that its claim to sovereignty over the Chagos Archipelago is contrary to the authoritative determinations made in the Advisory Opinion of the ICJ;
- (d) while the process of decolonization of the Republic of Mauritius has yet to be completed, the Republic of Mauritius' sovereignty over the Chagos Archipelago can be inferred from the ICJ's determinations;
- (e) the continued claim of the United Kingdom to sovereignty over the Chagos Archipelago cannot be considered anything more than "a mere assertion" and such assertion does not prove the existence of a dispute;
- (f) the Republic of Mauritius is to be regarded as the coastal State in respect of the Chagos Archipelago.

These rulings confirm that under international law, the Republic of Mauritius alone is the State lawfully entitled to exercise sovereignty and sovereign rights over the Chagos Archipelago and its maritime zones, as the coastal State. The United Kingdom cannot claim any rights over the Chagos Archipelago and therefore cannot be a member of the IOTC as a coastal State.

The Republic of Mauritius requests that this statement be annexed to the report of this meeting.



REPUBLIC OF MAURITIUS

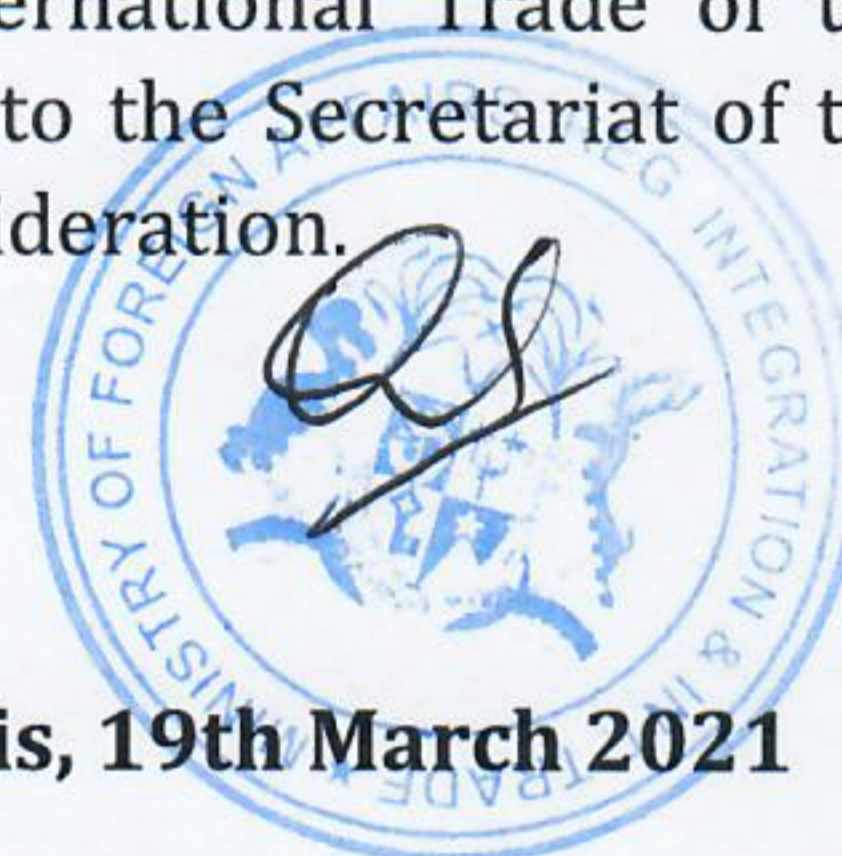
**MINISTRY OF FOREIGN AFFAIRS, REGIONAL INTEGRATION
AND INTERNATIONAL TRADE**

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The Ministry of Foreign Affairs, Regional Integration and International Trade of the Republic of Mauritius presents its compliments to the Secretariat of the Indian Ocean Tuna Commission (IOTC) and has the honour to transmit herewith two statements being made by Mauritius under Agenda Items 3 and 5 of the 7th Meeting of the Indian Ocean Tuna Commission Technical Committee on Allocation Criteria to be held virtually from 22nd to 25th March 2021.

The Ministry would be grateful if a copy of these statements could be annexed to the report of the 7th Meeting.

The Ministry of Foreign Affairs, Regional Integration and International Trade of the Republic of Mauritius avails itself of this opportunity to renew to the Secretariat of the Indian Ocean Tuna Commission the assurances of its highest consideration.



Port Louis, 19th March 2021

**Secretariat
Indian Ocean Tuna Commission
Victoria
Seychelles**