

12 May 2022

IOTC CIRCULAR 2022-32

Dear Madam / Sir

CORRECTION NOTICE

About this correction:

The below communication from Mauritius was previously circulated as IOTC Circular 2022-31. However, IOTC Circular number 2022-31 had already been allocated to a different matter (the draft IUU vessels list).

IOTC Circular 2022-31 that related to a communication from Mauritius, and IOTC Circular 2022-31_Rev1 (a correction to the English document) has now been replaced by IOTC Circular 2022-32.

A COMMUNICATION FROM MAURITIUS

Please find attached a communication from the Republic of Mauritius.

Yours sincerely



Christopher O'Brien
Executive Secretary

Attachment:

- letter from Mauritius

Distribution

IOTC Contracting Parties: Australia, Bangladesh, China, Comoros, Eritrea, European Union, France (Territories), India, Indonesia, Iran (Islamic Rep of), Japan, Kenya, Rep. of Korea, Madagascar, Malaysia, Maldives, Mauritius, Mozambique, Oman, Pakistan, Philippines, Seychelles, Somalia, South Africa, Sri Lanka, Sudan, United Rep. of Tanzania, Thailand, United Kingdom, Yemen. **Cooperating Non-Contracting Parties:** Senegal. **Intergovernmental Organisations, Non-Governmental Organisations. Chairperson IOTC. Copy to:** FAO Headquarters, FAO Representatives to CPCs.

This message has been transmitted by email only



REPUBLIC OF MAURITIUS

MINISTRY OF FOREIGN AFFAIRS, REGIONAL INTEGRATION
AND INTERNATIONAL TRADE

No: 4/2022 (18570/46/142)

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 refer to the Note Verbale (No. OTD/005/2022) dated 5 May 2022 from the Overseas Territories Directorate of the Foreign, Commonwealth and Development Office of the United Kingdom of Great Britain and Northern Ireland

The Republic of Mauritius regrets the claims which the United Kingdom continues to make in that Note Verbale, and unequivocally rejects them. The Chagos Archipelago is and has always formed an integral part of the territory of the Republic of Mauritius, as authoritatively determined by the International Court of Justice in its Advisory Opinion of the International Court of Justice of 25 February 2019. This is confirmed by UN General Assembly Resolution 73/295, and the Judgment of the Special Chamber of the International Tribunal for the Law of the Sea of 28 January 2021.

In this regard, the Republic of Mauritius refers to the Note dated 6 May 2022 from the Legal Counsel of the Food and Agriculture Organization of the United Nations in relation to Agenda item 4 of the 26th Session of the Commission concerning the clarification of the status of the United Kingdom's membership of the IOTC. The Note makes it clear that the instrument of acceptance purportedly submitted by the United Kingdom on 31 March 1995 in respect of the so-called "British Indian Ocean Territory" is invalid, and that the United Kingdom is not and cannot be a member of the IOTC as a coastal State, since the Chagos Archipelago is an integral part of the territory of the Republic of Mauritius.

In light of that Note, the Republic of Mauritius invites the United Kingdom to withdraw its Note Verbale, and to take all steps necessary to bring itself in compliance with the relevant rules of international law. The Republic of Mauritius wishes to reiterate that it welcomes the United Kingdom's membership in the IOTC as a distant water fishing nation and stands prepared to cooperate with it on matters of mutual benefit. It is crystal clear, however, that as a matter of international law, the United Kingdom is not, and cannot be treated as, a coastal State in respect of the Chagos Archipelago for the purposes of membership of the IOTC.

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The Ministry of Foreign Affairs, Regional Integration and International Trade would be grateful if this Note Verbale could be circulated to all the members of the Commission and annexed to the report of the 19th Session of the IOTC Compliance Committee scheduled for 8-10 and 12 May 2022 in Seychelles.

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, 9 May 2022

**Secretariat
Indian Ocean Tuna Commission
Victoria
Seychelles**