

10th Meeting of IOTC Technical Committee on Allocation Criteria
20-23 June 2022, Seychelles

Agenda Item 6: Review of Chair’s Proposed Allocation Regime Text,
Annexes and Appendices

Statement by the Republic of Mauritius in respect of the United Kingdom

The Chagos Archipelago forms 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 25 February 2019 and 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 (ITLOS) of 28 January 2021. The Special Chamber of ITLOS also held that the Republic of Mauritius is the coastal State in respect of the Chagos Archipelago.

As has been made clear by 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 Indian Ocean Tuna Commission (IOTC) concerning the clarification of the status of the United Kingdom’s membership of the IOTC, 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 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.

The United Kingdom cannot accordingly be listed as a coastal State CPC in Appendix 1 to the Chair’s draft proposal for an allocation regime (V4).

Since the Chagos Archipelago forms an integral part of the territory of the Republic of Mauritius, the United Kingdom cannot and should not be granted any Catch-based Allocation and any Coastal State Allocation in respect of the Chagos Archipelago.

The Catch-based Allocation and the Coastal State Allocation for the Republic of Mauritius should take into account the maritime zones of the Republic of Mauritius around the Chagos Archipelago as well.

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