



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

**No. 06/2023 (18570/46/142V24)**

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 holding of the 20<sup>th</sup> Session of the IOTC Compliance Committee to be held from 30 April to 2 May 2023 and on 4 May 2023 in Mauritius

The Ministry has the honour to transmit copy of four statements by the Republic of Mauritius on Agenda items 2, 10.2, 11 and 12 respectively. The Ministry would appreciate it if the attached statements by Mauritius could be annexed to the report of the meeting and be posted on the IOTC website. The original statements are being despatched.

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, 26 April, 2023**

**The Secretariat**  
**Indian Ocean Tuna Commission**  
**P.O. Box 1011 Victoria**  
**Mahé**  
**Seychelles**

---

**Newton Tower, Sir William Newton Street, Port Louis**

**Tel: (230) 405 2500**

**Fax: (230) 208 8087/ (230) 212 6764**

**Email: [mfa@govmu.org](mailto:mfa@govmu.org)**

**20<sup>th</sup> Session of IOTC Compliance Committee**  
**30 April – 2 May and 4 May 2023, Mauritius**

**Agenda Item 2: Letters of Credentials**

**Statement by the Republic of Mauritius**

The long-standing position of the Republic of Mauritius as regards the United Kingdom's purported membership of the Indian Ocean Tuna Commission as a "coastal State situated wholly or partly within the Area [of competence of the Commission]" remains unchanged. This is all the more relevant in the context of the decision which the Commission will be taking during its 27<sup>th</sup> Session in that regard.

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

**20<sup>th</sup> Session of IOTC Compliance Committee**  
**30 April – 2 May and 4 May 2023, Mauritius**

**Agenda Item 10.2: Review of CPCs Compliance Reports together with associated reports**

**Statement by the Republic of Mauritius**

The Republic of Mauritius reiterates the statements which it made with regard to the Chagos Archipelago and the Island of Tromelin at the last Session of the Compliance Committee held from 8-10 and 12 May 2022 in Seychelles and which are annexed to the report of that meeting (Document IOTC-2022-CoC19-R[E], Appendix 4).

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

---

**20<sup>th</sup> Session of IOTC Compliance Committee**  
**30 April – 2 May and 4 May 2023, Mauritius**

**Agenda Item 11: Review of information related to presumed IUU fishing activities**  
**in the IOTC Area of Competence**

**Statement by the Republic of Mauritius**

The Republic of Mauritius strongly objects to the disclaimer which the IOTC Secretariat has added to the document entitled “Reporting of vessels in transit through BIOT waters for potential breach of IOTC Conservation and Management Measures” (IOTC-2023-CoC20-08a) as it is inconsistent with UN General Assembly Resolution 73/295 and the legal advice provided by the FAO Legal Counsel on 6 May 2022 in relation to Agenda item 4 of the 26<sup>th</sup> Session of the Commission.

In Resolution 73/295, the UN General Assembly has recognized, in accordance with the Advisory Opinion of the International Court of Justice of 25 February 2019, that as a matter of international law, the Chagos Archipelago forms an integral part of the territory of the Republic of Mauritius. It has also called upon the United Nations 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 the Republic of Mauritius, to support the decolonization of the Republic 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”.

In her legal advice, the FAO Legal Counsel stated that “the FAO and the Depositary recognize that *“the Chagos Archipelago forms an integral part of the territory of Mauritius.”*” She also made it clear that the United Kingdom is not entitled to be a member of the IOTC as a coastal State.

Since the United Kingdom is not the coastal State in relation to the Chagos Archipelago and cannot lawfully take any action in respect of the Chagos Archipelago, including reporting on vessels in transit through the waters of the Chagos Archipelago, it would not be appropriate for

the Committee to consider the above-mentioned document purportedly submitted by the United Kingdom and for the United Kingdom to be requested to present the document.

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

---

**20<sup>th</sup> Session of IOTC Compliance Committee**  
**30 April – 2 May and 4 May 2023, Mauritius**

**Agenda Item 12: Review of the Draft IUU Vessels List – Res. 18/03**

**Statement by the Republic of Mauritius**

The Republic of Mauritius reiterates that it does not condone IUU fishing and that it is not opposed to the adoption and implementation of any measure against IUU fishing provided that any such measure is taken or implemented in conformity with international law, including the rights of the Republic of Mauritius under such law.

However, since the Republic of Mauritius is the only State which is lawfully entitled to exercise sovereignty and sovereign rights over the Chagos Archipelago and its maritime zones, it cannot endorse any recommendation for the inclusion on the IOTC IUU Vessels List of vessels reported by the United Kingdom purporting to act as the coastal State in relation to the Chagos Archipelago.

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

---