

INTERNATIONAL COURT OF JUSTICE

## REQUEST

### FOR ADVISORY OPINION

transmitted to the Court pursuant to General  
Assembly resolution 71/292 (A/71/L.73)  
of 22 June 2017

## LEGAL CONSEQUENCES OF THE SEPARATION OF THE CHAGOS ARCHIPELAGO FROM MAURITIUS IN 1965

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COUR INTERNATIONALE DE JUSTICE

## REQUÊTE

### POUR AVIS CONSULTATIF

transmise à la Cour en vertu de la résolution  
71/292 (A/71/L.73) de l'Assemblée générale  
du 22 juin 2017

## EFFETS JURIDIQUES DE LA SÉPARATION DE L'ARCHIPEL DES CHAGOS DE MAURICE EN 1965

I. THE SECRETARY-GENERAL OF THE UNITED NATIONS  
TO THE PRESIDENT OF THE INTERNATIONAL  
COURT OF JUSTICE

23 June 2017.

I would like to inform you that on 22 June 2017, the United Nations General Assembly, under its agenda item 87, adopted resolution 71/292 (A/71/L.73) entitled “Request for an advisory opinion of the International Court of Justice on the legal consequences of the separation of the Chagos Archipelago from Mauritius in 1965”. Certified true copies of the resolution, in English and French, are attached.

In the resolution, the General Assembly decided, pursuant to Article 96 of the Charter of the United Nations, to request the International Court of Justice to render an advisory opinion in accordance with Article 65 of the Statute of the Court, on the following questions:

- (a) “Was the process of decolonization of Mauritius lawfully completed when Mauritius was granted independence in 1968, following the separation of the Chagos Archipelago from Mauritius and having regard to international law, including obligations reflected in General Assembly resolutions 1514 (XV) of 14 December 1960, 2066 (XX) of 16 December 1965, 2232 (XXI) of 20 December 1966 and 2357 (XXII) of 19 December 1967?”;
- (b) “What are the consequences under international law, including obligations reflected in the above-mentioned resolutions, arising from the continued administration by the United Kingdom of Great Britain and Northern Ireland of the Chagos Archipelago, including with respect to the inability of Mauritius to implement a programme for the resettlement on the Chagos Archipelago of its nationals, in particular those of Chagossian origin?”

In this regard, I would like to further inform you that, pursuant to Article 65, paragraph 2, of the Statute of the Court, the Secretariat will start to prepare a dossier containing a collection of all relevant documents that are likely to throw light upon the aforementioned questions. The dossier will be transmitted to the Court in due course.

(Signed) António GUTERRES.

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II. RESOLUTION 71/292 ADOPTED  
BY THE GENERAL ASSEMBLY ON 22 JUNE 2017

*[WITHOUT REFERENCE TO A MAIN COMMITTEE (A/71/L.73 AND ADD.1)]*

*Request for an Advisory Opinion of the International Court of Justice on the Legal Consequences of the Separation of the Chagos Archipelago from Mauritius in 1965*

*The General Assembly,*

*Reaffirming* that all peoples have an inalienable right to the exercise of their sovereignty and the integrity of their national territory,

*Recalling* the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in its resolution 1514 (XV) of 14 December 1960, and in particular paragraph 6 thereof, which states that any attempt aimed at the partial or total disruption of the national unity and the territorial integrity of a country is incompatible with the purposes and principles of the Charter of the United Nations,

*Recalling also* its resolution 2066 (XX) of 16 December 1965, in which it invited the Government of the United Kingdom of Great Britain and Northern Ireland to take effective measures with a view to the immediate and full implementation of resolution 1514 (XV) and to take no action which would dismember the Territory of Mauritius and violate its territorial integrity, and its resolutions 2232 (XXI) of 20 December 1966 and 2357 (XXII) of 19 December 1967,

*Bearing in mind* its resolution 65/118 of 10 December 2010 on the fiftieth anniversary of the Declaration on the Granting of Independence to Colonial Countries and Peoples, reiterating its view that it is incumbent on the United Nations to continue to play an active role in the process of decolonization, and noting that the process of decolonization is not yet complete,

*Recalling* its resolution 65/119 of 10 December 2010, in which it declared the period 2011-2020 the Third International Decade for the Eradication of Colonialism, and its resolution 71/122 of 6 December 2016, in which it called for the immediate and full implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,

*Noting* the resolutions on the Chagos Archipelago adopted by the Organization of African Unity and the African Union since 1980, most recently at the twenty-eighth ordinary session of the Assembly of the Union, held in Addis Ababa on 30 and 31 January 2017, and the resolutions on the Chagos Archipelago adopted by the Movement of Non-Aligned Countries since 1983, most recently at the Seventeenth Conference of Heads of State or Government of Non-Aligned Countries, held on Margarita Island, Bolivarian Republic of Venezuela, from 13 to 18 September 2016, and in particular the deep concern expressed therein at the forcible removal by the United Kingdom of Great Britain and Northern Ireland of all the inhabitants of the Chagos Archipelago,

*Noting also* its decision of 16 September 2016 to include in the agenda of its seventy-first session the item entitled "Request for an advisory opinion of the

International Court of Justice on the legal consequences of the separation of the Chagos Archipelago from Mauritius in 1965”, on the understanding that there would be no consideration of this item before June 2017,

*Decides*, in accordance with Article 96 of the Charter of the United Nations, to request the International Court of Justice, pursuant to Article 65 of the Statute of the Court, to render an advisory opinion on the following questions:

- (a) “Was the process of decolonization of Mauritius lawfully completed when Mauritius was granted independence in 1968, following the separation of the Chagos Archipelago from Mauritius and having regard to international law, including obligations reflected in General Assembly resolutions 1514 (XV) of 14 December 1960, 2066 (XX) of 16 December 1965, 2232 (XXI) of 20 December 1966 and 2357 (XXII) of 19 December 1967?”;
- (b) “What are the consequences under international law, including obligations reflected in the above-mentioned resolutions, arising from the continued administration by the United Kingdom of Great Britain and Northern Ireland of the Chagos Archipelago, including with respect to the inability of Mauritius to implement a programme for the resettlement on the Chagos Archipelago of its nationals, in particular those of Chagossian origin?”

CERTIFIED TRUE COPY.

New York, 23 June 2017.

*[Illegible signature.]*

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