



EMBASSY OF THE KINGDOM OF LESOTHO

TO BELGIUM

BOULEVARD GENERAL WAHIS, 45 - 1030 BRUSSELS

YOUR REF. :

TEL. : 0032.2.705.39.76

FAX : 0032.2.705.67.79

OUR REF. **LM/ICJ/1**

E-mail : lesothobrusseles@hotmail.com

embassy@lesothobrusseles.be

NOTE NO. 15/2018

The Embassy of Kingdom of Lesotho presents its compliments to the International Court of Justice and with reference to the Legal Consequences of the Separation of the Chagos Archipelago from Mauritius in 1965, has the honour to forward herewith a written submission from the Government of the Kingdom of Lesotho in support of the Republic of Mauritius on the issue of the disputed Chagos Archipelago.

The Embassy of the Kingdom of Lesotho avails itself of this opportunity to renew to the International Court of Justice the assurances of its highest consideration.

BRUSSELS, 1ST MARCH 2018

International Court of Justice
Peace Palace
Carnegieplein 2
2517 KJ THE HAGUE
THE NETHERLANDS





LESOTHO

Minister's Office

Ministry of Foreign Affairs and
International Relations
P.O. Box 1387
MASERU 100

FR/INTER/16

01 March, 2018

Mr. Phillippe Couvreur
Registrar
International Court of Justice
Peace Palace
Carnegieplein 2
2517 KJ
The Hague
Netherlands

**LEGAL CONSEQUENCES OF THE SEPARATION OF THE CHAGOS
ARCHIPELAGO FROM MAURITIUS IN 1965
(REQUEST FOR ADVISORY OPINION)**

Excellency,

With reference to the above-mentioned proceedings, I have the honour to submit the written statement of the Kingdom of Lesotho in accordance with the timetable set by the Court.

It is recalled that on 22 June 2017, the United Nations General Assembly adopted Resolution 71/292, requesting the ICJ to give an advisory opinion on the following questions:

- 1) 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?
- 2) 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?

The UNGA competence to ask for the Advisory Opinion

Resolution 71/292 was adopted by the required majority of States present and voting under rule 85 of the General Assembly Rules of Procedure (94 votes to 15) and the questions addressed to the Court fall within the competence of the UNGA, which has been dealing with the decolonization of Mauritius as part of its decolonization mandate and pursuant to Resolution 1514 (XV) (1960).

The Nature of the Question

The two questions posed are of a legal character and of a broad nature which are of concern to the entire international community.

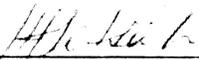
Jurisdiction and admissibility

The questions addressed to the Court are located in "a broader frame of reference than the settlement of a particular dispute and embrace other elements"; these elements "are not confined to the past but are also directed to the present and the future", and are "directly of concern to the United Nations". [Western Sahara Advisory Opinion, para. 38; Wall Advisory Opinion, para. 49].

Consequently, the Court has jurisdiction to answer the questions that have been referred to it, and it should exercise its discretion to do so.

The Kingdom of Lesotho reserves its right to supplement this statement with written comments on statements submitted by other States, in accordance with the timetable set by the Court in due course.

Please accept, Excellency, the assurances of my highest consideration.



Hon. Halebonoe James Setšabi (MP)
Acting Minister of Foreign Affairs
and International Relations
