

1. The Government of the Republic of Seychelles submitted on 28 February 2018 a written statement to the International Court of Justice in relation to the UN General Assembly's request for an Advisory Opinion of the Court on the *Legal Consequences of the Separation of the Chagos Archipelago from Mauritius in 1965*.
2. The questions put to the Court are as follows:
 - 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?"
3. By its Order dated 17 January 2018, the Court invited States and organizations having presented written statements to submit written comments on the other written statements within the time-limit of 15 May 2018.
4. Pursuant to this Order, the Republic of Seychelles submits the following written comments.
5. In principal, the questions posed fall within the competence of the UN General Assembly which has been guiding the decolonization process of Mauritius pursuant to its numerous Resolutions on the matter.



6. On 8 November 1965, the United Kingdom excised Aldabra, Desroches and Farquhar islands from Seychelles. These islands, together with the Chagos Archipelago which was excised from Mauritius, were included in a new territory which the United Kingdom created and called the "British Indian Ocean Territory".
7. In the period leading to the independence of Seychelles, the political parties in Seychelles strongly pressed for the return of these islands so that the territorial integrity of Seychelles would be respected. During the Seychelles Constitutional Conference held in January 1976, the United Kingdom agreed to return the islands to Seychelles upon independence. Aldabra, Desroches and Farquhar were therefore rightfully returned to Seychelles when it attained independence on 29 June 1976, and they remain constitutionally part of the territory of the sovereign democratic Republic of Seychelles.
8. Indeed, as prescribed in Chapter 1 of the Constitution of the Republic of Seychelles, "the territory of Seychelles shall consist of the islands of the Seychelles Archipelago, as set out in Part 1 of Schedule 1" of its Constitution. Rightfully, the Aldabra Atoll, Desroches, and the Farquhar Atoll form an integral part of this supreme law of the Republic of Seychelles.
9. In contrast, the Chagos Archipelago remains to date under the control of the United Kingdom. By the time of the excision of the Chagos Archipelago, the right of self-determination was firmly established, including in the work of the United Nations in guiding the process of decolonization.
10. Accordingly, as subsequently recognized by numerous international bodies since, the decolonization of Mauritius was not completed when Mauritius was granted independence in 1968.
11. Mauritius seeks to exercise sovereignty over the entirety of the Chagos Archipelago, which will enable the implementation of a programme for the



resettlement in the Archipelago of the former inhabitants who were resettled by the United Kingdom.

12. The Republic of Seychelles, as it emphasized in its written statement submitted to the Court on 28 February 2018, reiterates that it considers it to be of vital importance for the legitimate concerns of the Seychelles Chagossian community to be taken into due consideration by the ICJ during its proceedings and deliberations throughout this Advisory Opinion.

Barry

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