



Australian Government

INTERNATIONAL COURT OF JUSTICE
SEPARATION OF THE CHAGOS ARCHIPELAGO FROM MAURITIUS IN 1965
(REQUEST FOR ADVISORY OPINION)
QUESTION PUT BY JUDGE CANÇADO TRINDADE
5 SEPTEMBER 2018

Question put by Judge Cançado Trindade:

“As recalled in paragraph (a) of the U.N. General Assembly’s request for an Advisory Opinion of the International Court of Justice (General Assembly resolution 71/292 of 22.06.2017), the General Assembly refers to obligations enshrined into successive pertinent resolutions of its own, as from 1960, namely: General Assembly resolutions 1514 (XV) of 14.12.1960, 2066 (XX) of 16.12.1965, 2232 (XXI) of 20.12.1966 and 2357 (XXII) of 19.12.1967.

In the course of the present oral advisory proceedings, references were often made to such resolutions by several delegations of participants.

In your understanding, what are the legal consequences ensuing from the formation of customary international law, with the significant presence of *opinio juris communis*, for ensuring compliance with the obligations stated in those General Assembly resolutions?”

Australia’s response:

As outlined in its Written Statement of 27 February 2018 and its oral submissions of 4 September 2018, Australia’s arguments in this case are limited to the jurisdiction of the Court and to its discretion to decline the advisory opinion requested by the General Assembly in its resolution 71/292. As such, Australia makes no observations in response to the question of Judge Trindade of 5 September 2018.

A handwritten signature in black ink, appearing to read 'W. M. Campbell', written in a cursive style.

W. M. Campbell
Representative of Australia
6 September 2018