

SUBMISSION OF THE REPUBLIC OF SEYCHELLES

TOWARDS THE

INTERNATIONAL COURT OF JUSTICE'S

ADVISORY OPINION ON THE LEGAL CONSEQUENCES OF THE

SEPARATION OF THE CHAGOS ARCHIPELAGO FROM MAURITIUS

IN 1965

1. By its Order dated 14th July 2017, the International Court of Justice (ICJ) invited written statements in accordance with Article 66 of its Statute in regards to UN General Assembly Resolution 71/292 requesting for an Advisory Opinion from 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?”
2. The matter at hand comprises of the separation of the Chagos Archipelago from Mauritius, in circumstances where the inhabitants of these islands were removed.
3. Numerous international forums have over the years reiterated the international community’s concerns over these happenings. Prominent examples of this common thread have been articulated in declarations and resolutions adopted by the Non-Aligned Movement, the Africa-South America Summit, the Organization of African Unity and subsequently the African Union, the Group of 77, as well as the United Nations.
4. Following the removal of the inhabitants from the Chagos Archipelago between 1967 and 1973, a significant number of the Chagossians were brought to the Seychelles where they have ultimately obtained citizenship and integrated into the communities and culture of the Seychelles. These evicted inhabitants still, however, have genuine connections, interests and sentiments towards the Chagos islands.

5. In the process of being removed from their homes and resettled elsewhere, the Seychellois Chagossians faced a myriad of indignities and disrespect for their fundamental human rights. It is essential to note that no compensation has ever been rendered to the community in the Seychelles in comparison to Chagossian communities located in other jurisdictions.
6. The Government of the Republic of Seychelles considers it to be of vital importance for the voice of the Seychelles Chagossian community to be present throughout these proceedings. In this view, the Government of the Republic of Seychelles requests that the unique perspectives and legitimate concerns of the Seychellois Chagossian community be taken into due consideration by the ICJ during its deliberations.
7. The Government of the Republic of Seychelles concludes these written contributions with a statement of its appreciation for the work of the United Nations and the opportunity to humbly submit its submission to the ICJ.