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**INTERNATIONAL COURT OF JUSTICE**

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

**REQUEST FOR AN ADVISORY OPINION**

**WRITTEN STATEMENT OF THE REPUBLIC OF NIGER**

**28 février 2018**

*[Translation by the Registry]*

**Re:** *Legal consequences of the separation of the Chagos Archipelago from Mauritius in 1965 (Request for an advisory opinion)*

With reference to the above-mentioned proceedings, I have the honour to transmit herewith, within the time-limit fixed by the International Court of Justice (ICJ), the Written Statement of the Republic of Niger.

On 22 June 2017, the United Nations General Assembly adopted resolution 71/292, whereby it requested the International Court of Justice to render an advisory opinion on the following two 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?

### **Competence of the United Nations General Assembly to request an advisory opinion**

Resolution 71/292 having been adopted by the requisite majority of the States present and voting (94 votes to 15), as provided for under Article 85 of the Rules of Procedure of the General Assembly, the questions submitted to the Court fall within the competence of the United Nations General Assembly, which is entrusted with ensuring the decolonization of Mauritius as part of its decolonization mandate and pursuant to resolution 1514 (XV) of 1960.

### **Nature of the question**

Both questions put to the Court are of a legal nature and form part of a broader framework which is of concern to the entire international community.

### **Jurisdiction and admissibility**

The questions put to the Court form part of “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, and *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion*, para. 49).

Consequently, the Court has jurisdiction to respond to the questions put to it and must exercise its discretionary power to do so.

The Republic of Niger reserves the right to supplement this Written Statement in any written observations it may present on the written statements submitted by other States in accordance with the schedule established by the Court, and to participate in any public hearings subsequently held by the Court.

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