



## RESOLUTION ON CHAGOS ARCHIPELAGO

### Doc. EX.CL/901(XXVII)

Decision No: Assembly/AU/Res.1(XXV)

#### The Assembly,

**Recalling** the unlawful excision of the Chagos Archipelago, including Diego Garcia, from the territory of Mauritius by the United Kingdom, the former colonial power, prior to the independence of Mauritius, in violation of international law and UN Resolutions 1514 (XV) of 14 December 1960 and 2066 (XX) of 16 December 1965 which prohibit colonial powers from dismembering colonial territories prior to granting independence, as well as UN Resolutions 2232 (XXI) of 20 December 1966 and 2357(XXII) of 19 December 1967;

**Reaffirming** that the Chagos Archipelago, including Diego Garcia, forms an integral part of the territory of the Republic of Mauritius;

**Deploring** the continued unlawful occupation by the United Kingdom of the Chagos Archipelago, thereby denying the Republic of Mauritius the exercise of its sovereignty over the Archipelago and making the decolonization of Africa incomplete;

**Recalling** in this regard, *inter alia*:

- i) Resolution Assembly/AU/Res. 1 (XVI) of January 2011 of the Assembly of the African Union held in Addis Ababa, Ethiopia;
- ii) the Malabo Declaration adopted by the Third Africa-South America Summit held in Malabo, Equatorial Guinea in February 2013;
- iii) Declaration Assembly/AU/Decl.1 (XXI) of May 2013 of the Assembly of the African Union held in Addis Ababa, Ethiopia;
- iv) the Solemn Declaration on the 50<sup>th</sup> Anniversary of the OAU/AU adopted by 21<sup>st</sup> Ordinary Session of the Assembly of the African Union held in Addis Ababa, Ethiopia in May 2013.

**Reiterating its grave concern** that the United Kingdom purported to establish a „marine protected area’ („MPA’) around the Chagos Archipelago, in a manner that was inconsistent with its international legal obligations and which further impeded the exercise by the Republic of Mauritius of its sovereignty over the Chagos Archipelago;

**Noting** that the purported „MPA’ has been ruled to be illegal by the Arbitral Tribunal constituted under Annex VII to the United Nations Convention on the Law of the Sea in the case brought by the Government of the Republic of Mauritius on 20 December 2010 against the Government of the United Kingdom of Great Britain and Northern Ireland;

**Welcoming** the confirmation by two members of the Arbitral Tribunal that the Republic of Mauritius is the “coastal State” in relation to the Chagos Archipelago;

**Considering** that the Government of the Republic of Mauritius is resolutely committed to taking all appropriate measures for the effective exercise by the Republic of Mauritius of its sovereignty over the Chagos Archipelago, including Diego Garcia, in keeping with the principles of international law:

1. **WELCOMES** the Award of the Arbitral Tribunal constituted under Annex VII to the United Nations Convention on the Law of the Sea, which is binding on the United Kingdom, and the confirmation that the purported „MPA’ has been unlawfully established under international law;
2. **REAFFIRMS** that the United Kingdom is not to be treated as the “coastal State” in relation to the Chagos Archipelago and that any attempt by the United Kingdom to claim such a status in any international forum is to be treated as contrary to international law and opposed;
3. **REITERATES** its support to the Republic of Mauritius in its legitimate pursuit to effectively exercise its sovereignty over the Chagos Archipelago, including Diego Garcia;
4. **RENEWS** its call on the United Kingdom to expeditiously end its unlawful occupation of the Chagos Archipelago with a view to enabling the Republic of Mauritius to effectively exercise its sovereignty over the Archipelago;
5. **URGES** the United Kingdom, pending the return of the Chagos Archipelago to the effective control of the Republic of Mauritius, not to take any measures or decisions that might affect the interests of the Republic of Mauritius without the latter’s full prior involvement, in accordance with the Award of the Arbitral Tribunal and international law; and
6. **FULLY SUPPORTS** further efforts and actions in accordance with international law, including those of a diplomatic and legal nature at the level of the United Nations system, which may be taken by the Government of the Republic of Mauritius for the early and unconditional return of the Chagos Archipelago, including Diego Garcia, to the effective control of the Republic of Mauritius.