

Statement by

**Ambassador Syed Akbaruddin
Permanent Representative**

On

Draft Resolution

**Advisory opinion of the International Court of Justice on the legal
consequences of the separation of the Chagos Archipelago from
Mauritius in 1965**

United Nations General Assembly

22 May 2019

Madam President,

1. Many long years ago, to be precise at the 15th session, on 14th December 1960, this august Assembly adopted the Declaration on Granting of Independence to Colonial Countries and Peoples.
2. The Declaration enshrined in Resolution 1514 recognized that the world ardently desires to end colonialism. It also proclaimed the necessity of bringing colonialism to an end, speedily and unconditionally.

Madam President,

3. As a result of sustained efforts, more than 80 former colonies have taken their rightful place here in this Assembly.
4. The support for the process of decolonisation is, in historic terms, one of the most significant contributions that the United Nations has made towards promotion of fundamental human rights, human dignity and the cause of larger human freedom.

5. However, here we are, nearly 59 years after adoption of Resolution 1514, being advised by the International Court of Justice, that having regard to international law, the process of decolonization of Mauritius was not lawfully completed when that country acceded to independence in 1968, following the separation of the Chagos Archipelago.

6. The highest international legal authority that can consider such issues has advised us that all Member States are under an obligation to cooperate with the United Nations in order to complete the decolonization of Mauritius.

7. As one of the few non-sovereign colonial territories to be a founding member of the United Nations, India, since its independence in 1947, has remained steadfast to the ideals of decolonization.

8. India was a co-sponsor of the landmark 1960 Declaration on the Granting of Independence to Colonial Countries and Peoples, which proclaimed the need to unconditionally end colonialism in all its forms and manifestations. India was elected as the first chair of the Decolonization Committee (Committee of 24), in 1962, that was established to monitor implementation of the 1960 Declaration and to make recommendations on its application.

9. The process of decolonisation that gathered momentum with India's own independence, still remains unfinished. We would like to see an early conclusion to this long-drawn process.

Madam President,

10. We have heard a view that this may be a bilateral dispute. The ICJ's Opinion articulated in paragraphs 88 to 90 on this is unambiguously clear.

11. The ICJ held that the issues raised by the General Assembly's request to it are located in the broader frame of reference of decolonization.

12. The ICJ also concluded that it did not consider that to give the opinion requested would have the effect of circumventing the principle of consent by a State to the judicial settlement of its dispute with another State.

Madam President,

13. India shares, with the international community, security concerns relating to the Indian Ocean. We are conscious of the need for collective commitment towards ensuring the security and prosperity of our oceanic space. However, this is a separate matter on which we urge the concerned Governments to reach a mutually agreeable understanding as soon as possible.

Madam President,

14. Mauritius is a fellow developing country from Africa, with which India has age-old people-to-people bonds. We are very happy to see in our midst Mauritian Prime Minister Pravind Jugnauth and we warmly welcome him here. As part of our longstanding support to all peoples striving for decolonization, India has consistently supported Mauritius in its quest for the restoration of sovereignty over the Chagos Archipelago.

15. In accordance with our consistent approach on this important issue of decolonization, India supports the draft resolution, submitted by Senegal on behalf of members of the Group of African States. India, therefore, will vote in favour of the draft Resolution contained in document A/73/L.84 Rev1.

I thank you, Madam President.