



PERMANENT MISSION OF THE REPUBLIC OF MAURITIUS TO THE UNITED NATIONS  
AND OTHER INTERNATIONAL ORGANISATIONS

MISSION PERMANENTE DE LA REPUBLIQUE DE MAURICE AUPRES DES NATIONS UNIES  
ET DES AUTRES ORGANISATIONS INTERNATIONALES DGO

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The Permanent Mission of the Republic of Mauritius to the United Nations Office and other International Organisations in Geneva presents its compliments to the Secretariat of the International Union for Conservation of Nature (IUCN) and has the honour to inform the Secretariat of the IUCN as follows:

The Permanent Mission has learnt that the Secretariat of the IUCN is proposing to submit a position paper in the context of the public consultation launched by the British Government on 10 November 2009 on the proposal for the establishment of a marine protected area (MPA) around the Chagos Archipelago.

**The Permanent Mission wishes to inform the Secretariat of the IUCN that the Government of the Republic of Mauritius, as a Member State of the IUCN and as a country directly concerned by the MPA as proposed by the British Government and by any implications of that MPA on the sovereignty of the Republic of Mauritius over the Chagos Archipelago, urges the Secretariat of the IUCN not to make any written or otherwise submission on the matter or participate directly or indirectly in the above-mentioned consultation launched by the British Government.**

Pursuant to this request, the Permanent Mission wishes to bring to the attention of the Secretariat of the IUCN, for its official records, the position of the Government of the Republic of Mauritius on the proposal for the establishment of a marine protected area around the Chagos Archipelago, as follows:

- **The Government of the Republic of Mauritius unequivocally reaffirms its firm commitment to achieving the highest international standards for environment, including the marine environment and its ecosystems. In pursuance of this objective, the Government, through the Ministry of Environment and National Development Unit, has adopted successive national environment protection strategies as a key component of its sustainable development. In this respect, the Government is currently implementing a very comprehensive, all-encompassing and long-term multi-sectoral programme entitled "Maurice Ile Durable", adopted in 2008 and underpinning the overall national development strategy.**

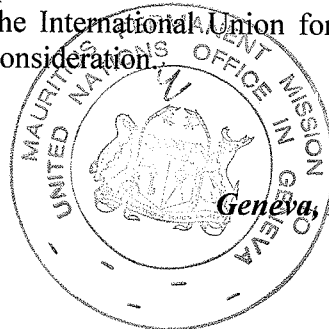
- While the Mauritius side had not agreed to the establishment of a marine protected area around the Chagos Archipelago as proposed by the British side during the bilateral talks between Mauritius and UK on the Chagos Archipelago held in Mauritius last July, it had, as stated in the Joint Communiqué issued following these bilateral talks (copy annexed), welcomed, in principle, the proposal for environmental protection and agreed that a team of officials and marine scientists from both sides would meet to examine the implications of the concept with a view to informing the next round of talks.
- Mauritius does not recognize the so-called British Indian Ocean Territory. The Chagos Archipelago, including Diego Garcia, was illegally excised from the territory of Mauritius prior to its independence in violation of UN General Assembly resolutions 1514 (XV) of 14 December 1960 and 2066 (XX) of 16 December 1965.
- Under both Mauritian law and international law, the Chagos Archipelago, including Diego Garcia, is under the sovereignty of Mauritius. The creation of any marine protected area (MPA) around the Chagos Archipelago would therefore require the agreement of the Government of Mauritius.
- Since there is an on-going bilateral Mauritius-UK mechanism for talks and consultations on issues relating to the Chagos Archipelago and a third round of talks is envisaged in the first quarter of 2010, it is inappropriate for the British Government to pursue consultations globally on the proposal for the establishment of an MPA around the Chagos Archipelago outside this bilateral framework. This position was brought to the attention of the British Government by way of Note Verbale dated 23 November 2009 issued by the Ministry of Foreign Affairs, Regional Integration and International Trade of the Republic of Mauritius to the UK Foreign and Commonwealth Office.
- The establishment of an MPA around the Chagos Archipelago should not be incompatible with the sovereignty of Mauritius over the Chagos Archipelago. Any endorsement of the proposed unilateral initiative of the British government would be tantamount to condoning the violation of international law as indicated above.
- Moreover, the issues of resettlement in the Chagos Archipelago, access to the fisheries resources, and the economic development of the islands in a manner which would not prejudice the effective exercise by Mauritius of its sovereignty over the Chagos Archipelago are matters of high priority to the Government of Mauritius. The exclusion of such important issues from any MPA project and a total ban on fisheries exploitation would not be compatible with resolution of the issue of sovereignty over the Chagos Archipelago and progress in the ongoing talks between Mauritius and the United Kingdom.

- **The existing framework for talks between Mauritius and the UK on the Chagos Archipelago and the related environmental issues should not be overtaken or bypassed by the public consultation launched by the British Government on the proposed establishment of an MPA around the Chagos Archipelago.**

The Permanent Mission would be grateful to the Secretariat of the IUCN if it could kindly acknowledge receipt of this Note Verbale and, therefore, of the position and request of the Government of the Republic of Mauritius contained therein.

The Permanent Mission would also appreciate it if the contents of this Note Verbale could be brought to the attention of all members of the IUCN.

The Permanent Mission of the Republic of Mauritius avails itself of this opportunity to renew to the Secretariat of the International Union for Conservation of Nature (IUCN) the assurances of its highest consideration.



*Geneva, 28 January 2010*

**THE SECRETARIAT  
ATTENTION: H.E. THE DIRECTOR GENERAL  
INTERNATIONAL UNION FOR CONSERVATION OF NATURE (IUCN)  
RUE MAUVERNEY 28,  
GLAND,  
1196, SWITZERLAND**

JOINT COMMUNIQUE

Delegations of the Mauritian and British Governments met in Port Louis on Tuesday 21 July 2009 for the second round of talks on Chagos Archipelago/British Indian Ocean Territory. The Mauritian delegation was led by Mr S. C. Seeballuck, Secretary to Cabinet and Head of the Civil Service. The British delegation was led by Mr Colin Roberts, Director of Overseas Territories Department, Foreign and Commonwealth Office. The purpose of the meeting was to resume dialogue between Mauritius and the United Kingdom on the Chagos Archipelago/British Indian Ocean Territory.

Both delegations reiterated their respective positions on sovereignty and resettlement as expressed at the first round of talks held in London on 14 January 2009.

The British side provided an update on developments regarding the proceedings before the European Court of Human Rights.

Both delegations were of the view that it would be desirable to have a coordinated submission for an extended continental shelf in the Chagos Archipelago/British Indian Ocean Territory region to the UN Commission on the Limits of the Continental Shelf, in order not to prejudice the interest of Mauritius in that area and to facilitate its consideration by the Commission. It was agreed that a joint technical team would be set up with officials from both sides to look into possibilities and modalities of such a coordinated approach, with a view to informing the next round of talks.

The British delegation proposed that consideration be given to preserving the marine biodiversity in the waters surrounding the Chagos Archipelago/British Indian Ocean Territory by establishing a marine protected area in the region. The Mauritian side welcomed, in principle, the proposal for environmental protection and agreed that a team of officials and marine scientists from both sides meet to examine the implications of the concept with a view to informing the next round of talks. The UK delegation made it clear that any proposal for the establishment of the marine protected area would be without prejudice to the outcome of the proceedings at the European Court of Human Rights.

The Mauritian side reiterated the proposal it made in the first round of the talks for the setting up of a mechanism to look into the joint issuing of fishing licences in the region of the Chagos Archipelago/British Indian Ocean Territory. The UK delegation agreed to examine this proposal and stated that such examination would also include consideration of the implications of the proposed marine protected area.

Both sides agreed to meet in London on a date to be mutually agreed upon during the first fortnight of October 2009.

Both Governments agreed that nothing in the conduct or content of the present meeting shall be interpreted as :

- (a) a change in the position of Mauritius with regard to sovereignty over the Chagos Archipelago/British Indian Ocean Territory;
- (b) a change in the position of the United Kingdom with regard to sovereignty over the Chagos Archipelago/British Indian Ocean Territory;
- (c) recognition of or support for the position of Mauritius or the United Kingdom with regard to sovereignty over the Chagos Archipelago/British Indian Ocean Territory;
- (d) no act or activity carried out by Mauritius, United Kingdom or third parties as a consequence and in the implementation of anything agreed to, in the present meeting or in any similar subsequent meetings shall constitute a basis for affirming, supporting, or denying the position of Mauritius or the United Kingdom regarding sovereignty of the Chagos Archipelago/British Indian Ocean Territory.

Port Louis  
Mauritius  
21 July 2009



**Annex I**

**Composition of Mauritian Delegation:**

- (i) Mr S. C. Seeballuck, Secretary to Cabinet and Head of the Civil Service; (Head of Delegation)
- (ii) Mr A. P. Neewoor, Secretary for Foreign Affairs
- (iii) Mr D. Dabee, Solicitor General
- (iv) Mr M. Kundasamy, Mauritius High Commissioner In UK;
- (v) Amb. J. Koonjul, Ministry of Foreign Affairs, Regional Integration and International Trade

***In attendance:***

- Mrs A. Narain, Assistant Parliamentary Counsel, Attorney-General's Office
- Mr M. Munboddh, Principal Fisheries Officer, Ministry of Agro Industry, Food Production and Security (Fisheries Division)
- Mr B. Gokool, First Secretary, Ministry of Foreign Affairs, Regional Integration and International Trade
- Mr A. Pursunon, Principal Assistant Secretary, Prime Minister's Office.

**Composition of the United Kingdom Delegation:**

- (i) Mr Collin Roberts, Director of Overseas Territories Department, Foreign and Commonwealth Office (FCO); (Head of Delegation)
- (ii) H.E. Mr John Murton, British High Commissioner In Mauritius;
- (iii) Mrs Joanne Yeadon, Head of Section for BIOT; and
- (iv) Mrs Katherine Shepherd, FCO Legal Advisor