

## DECISION ON DECOLONISATION OF MAURITIUS

### The Assembly,

1. **TAKES NOTE** of the Introductory Note of the Chairperson of the Commission to the Annual Report on the activities of the African Union, and **WELCOMES** his Statement issued on 22 November 2019 calling upon the United Kingdom to carry out their obligations under United Nations General Assembly Resolution 73/295 of 22 May 2019;
2. **RECALLS** Decision Assembly/AU/Dec.747(XXXII), adopted at the 32nd Ordinary Session held in Addis Ababa, Ethiopia, in February 2019, which requested the Commission to report on the progress and implementation of this Decision to the Assembly in February 2020;
3. **CONGRATULATES** and **COMMENDS** the AU Member States and other States Members of the international community which participated in the International Court of Justice (ICJ) legal proceedings on the Chagos Archipelago;
4. **COMMENDS** the Commission for the excellent work done on behalf of the African Union in the ICJ legal proceedings in both the written submissions and oral hearings;
5. **WELCOMES** the Advisory Opinion of the International Court of Justice of 25 February 2019 on the legal consequences of the separation of the Chagos Archipelago from Mauritius in 1965 and United Nations General Assembly Resolution 73/295, which affirms, in accordance with the Advisory Opinion of the Court, that:
  - a. Because the detachment of the Chagos Archipelago was not based on the free and genuine expression of the will of the people of Mauritius, the decolonization of Mauritius has not been lawfully completed;
  - b. The Chagos Archipelago forms an integral part of the territory of Mauritius;
  - c. Since the decolonization of Mauritius was not conducted in a manner consistent with the right of the people to self-determination, it follows that the continued administration of the Chagos Archipelago by the United Kingdom of Great Britain and Northern Ireland constitutes a wrongful act entailing the international responsibility of that State;
  - d. The United Kingdom is under an obligation to bring to an end its administration of the Chagos Archipelago as soon as possible;
  - e. Since respect for the right to self-determination is an obligation *erga omnes*, all States have a legal interest in protecting that right and all Member States

are under an obligation to cooperate with the United Nations in order to complete the decolonization of Mauritius;

- f. The resettlement of Mauritian nationals, including those of Chagossian origin, must be addressed as a matter of urgency during the completion of the decolonization process;
6. **EXPRESSES** its deep concern at the failure of the United Kingdom to respect UN General Assembly Resolution 73/295, which demands that the United Kingdom withdraw its colonial administration from the Chagos Archipelago unconditionally within a period of no more than six months from the adoption of the resolution, thereby enabling Mauritius to complete the decolonization of its territory as rapidly as possible;
7. **EXPRESSES** further concern that the UK continues to challenge both the International Court of Justice and the UN General Assembly Resolution;
8. **DIRECTS** Member States of the African Union to support, at the UN General Assembly and at all international, regional and intergovernmental organizations, such as the Indian Ocean Tuna Commission, actions that are necessary to contribute to the complete decolonization of Mauritius in accordance with UN General Assembly Resolution 73/295;
9. **REQUESTS** the Chairperson of the Commission, through the Office of the Legal Counsel, to maintain the efforts to follow up on the implementation of UN General Assembly Resolution 73/295, and consider participation in any proceedings that will contribute to the decolonization of Mauritius and the safeguard of the right of return of the former inhabitants of the Chagos Archipelago, and to report on the results of these efforts in the next Assembly Session in February 2021;
10. **AUTHORIZES** the PRC to adopt the necessary budget for the implementation of this Decision, and **DECIDES** to remain actively seized with the matter.