

British Indian Ocean Territory

:Written statement - HCWS1528

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Foreign and Commonwealth Office

Made on: 30 April 2019

Made by: [Sir Alan Duncan](#) (Minister of State for Europe and the Americas)

HCWS1528

British Indian Ocean Territory

Further to my Written Statement of 26 June 2017 (HCWS10), on 25 February the International Court of Justice (ICJ) issued an Advisory Opinion on the Legal Consequences of the Separation of the Chagos Archipelago from Mauritius in 1965. We were disappointed that this matter was referred to the International Court of Justice, contrary to the principle that the Court should not consider bilateral disputes without the consent of both States concerned. Nevertheless, the United Kingdom respects the ICJ and participated fully in the ICJ process at every stage and in good faith. An Advisory Opinion is advice provided to the United Nations General Assembly at its request; it is not a legally binding judgment. The Government has considered the content of the Opinion carefully, however we do not share the Court's approach.

As outlined in the previous Written Ministerial Statement, we have no doubt about our sovereignty over the Chagos Archipelago, which has been under continuous British sovereignty since 1814. Mauritius has never held sovereignty over the Archipelago and we do not recognise its claim. We have, however, made a long-standing commitment since 1965 to cede sovereignty of the territory to Mauritius when it is no longer required for defence purposes. We stand by that commitment.

The joint United Kingdom – United States defence facility on Diego Garcia helps to keep people in Britain and around the world safe. For nearly 40 years the facility has helped the United Kingdom, United States, other allies and our regional partners, including Mauritius, combat some of the most challenging threats to international peace and security, including those from terrorism, organised crime and piracy. The facility also remains ready for a rapid and impactful response in times of humanitarian crisis in the region. These functions are only possible under the sovereignty of the United Kingdom.

As the Foreign Secretary confirmed to PM Jugnauth on 27 April 2019, Mauritius is a valued friend, trading partner and member of the Commonwealth. We are fully committed to our bilateral relationship and also want to deepen and intensify engagement with Mauritius. With regard to the very important matter of the Chagossians we are continuing our work to design a support package worth approximately £40m, to improve Chagossian livelihoods in the communities in Mauritius, the Seychelles and the UK where they now live.

I have placed a copy of the Advisory Opinion in the libraries of both Houses.

The United States Recognizes the United Kingdom's Continued Sovereignty Over the British Indian Ocean Territory

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Press Statement

Morgan Ortagus

Department Spokesperson

Washington, DC

May 6, 2019

The United States supports the U.K.'s continued sovereignty over the British Indian Ocean Territory (BIOT) and the April 30 [statement by the U.K. Government](#). The joint U.S.-U.K. military base on Diego Garcia plays a critical role in the maintenance of regional and global peace and security.

The United States views the BIOT issue as a purely bilateral dispute between the U.K. and Mauritius, which can and should be addressed through efforts by both parties to negotiate a solution.

The United States remains concerned about the precedent the International Court of Justice (ICJ) case could set for all UN member states. UN General Assembly advisory opinion requests should not be used to litigate bilateral disputes, particularly when a State directly involved has not consented to the jurisdiction of the ICJ.