



Note No: 147/19

The Permanent Mission of the United Kingdom of Great Britain and Northern Ireland to the United Nations presents its compliments to Secretary General of the United Nations and, with reference to his communication of 28 March 2019 Ref.: CLCS.82.2019.LOS (Continental Shelf Notification), regarding receipt of the submission made by the Republic of Mauritius to the Commission on the Limits of the Continental Shelf, and with reference to Annex I, paragraphs 2(a) and 5, of the Commission on the Limits of the Continental Shelf Rules of Procedure, has the honour to convey the following:

In its Submission of March 2019, the Republic of Mauritius states at paragraph 6-4 that “the United Kingdom has never had, and has today, no sovereignty or sovereign rights under the Convention in relation to the Chagos Archipelago”. It is also said at paragraph 6-5 that the area of the continental shelf in the Submission “is not the subject of any dispute with any opposite or adjacent State, pursuant to paragraph 2(a) of Annex I to the Rules of Procedure”.

The United Kingdom has no doubt about its sovereignty over the British Indian Ocean Territory and its sovereign rights in relation to the continental shelf appertaining to the Territory.

There is clearly a dispute between the United Kingdom and the Republic of Mauritius with respect to sovereignty over the British Indian Ocean Territory (the Chagos Islands), as was correctly identified by the Republic of Mauritius at paragraph 6 of the Preliminary Information submitted to the Commission on the Limits of the Continental Shelf in May 2009. The Republic of Mauritius stated at paragraph 6 of its Preliminary Information submitted in May 2009 as follows: “The Republic of Mauritius states that the Chagos Archipelago is and has always formed part of its territory. The Republic of Mauritius wishes to inform the Commission, however, that a dispute exists between the Republic of Mauritius and the United Kingdom over the Chagos Archipelago.”. It follows that paragraph 5(a) of the Rules of Procedure is applicable with respect

to the Republic of Mauritius' Submission of March 2019. The United Kingdom does not consent to consideration by the Commission on the Limits of the Continental Shelf of that Submission.

The United Kingdom continues to enjoy the rights of the coastal State with respect to the British Indian Ocean Territory, subject always to the determinations made by the UNCLOS Annex VII Arbitral Tribunal in the Award dated 18 March 2015 in the Chagos Marine Protection Area Arbitration (Mauritius v. United Kingdom) case. As recorded at paragraph 349 of that Award, the United Kingdom is and remains willing for a submission to be made to the Commission on the Limits of the Continental Shelf under a "sovereignty umbrella", i.e. it is willing for a submission to be made to the Commission on the Limits of the Continental Shelf jointly by it and the Republic of Mauritius in order to protect the long-term interests of the Republic of Mauritius, and without prejudice to the issue of contested sovereignty. Further, as recorded at paragraph 110 of the Award, an agreement had been reached in 2009 to make such a submission. However, the Submission of March 2019 has been made unilaterally, and on the (contested) basis that the Republic of Mauritius is sovereign over the British Indian Ocean Territory.

The Permanent Mission of the United Kingdom of Great Britain and Northern Ireland to the United Nations avails itself of this opportunity to renew to the Secretary General of the United Nations the assurances of its highest consideration.



United Kingdom Mission
to the United Nations

28 June 2019