



chagossianvoices@gmail.com

To: Ms Ximena Hinrichs Oyarce, Judges: Albert J. Hoffman, Jin-Hyun Paik, José Luís Jesus, Stanislaw Pawlak, Shunji Yanai, Boualem Bouguetaia, Tomas Heidar, Neeru Chadha, Bernard H. Oxman, Nicolaas Schrijver

International Tribunal for the Law of the Sea
Dispute concerning delimitation of the maritime boundary between Mauritius and Maldives in the Indian Ocean (Mauritius/Maldives). October 2022

We write as a group of Chagossian natives and descendants to inform you that we do not accept the Mauritian claim of sovereignty over the Chagos Archipelago and therefore reject the legitimacy of this hearing at the International Tribunal for the Law of the Sea.

The Chagossians are the 'belongers' on the Chagos Islands¹ and the indigenous inhabitants of that territory². As such, the forcibly exiled Chagossians and their descendants have an inalienable right to decide the sovereignty of their territory. Mauritius's only relationship to the Chagos Islands was colonial - when the islands (2,000 km from Mauritius) were administered from Port Louis under British colonial rule.

As Chagossians we do not consider ourselves Mauritian. Chagossians have their own language, culture and had a living relationship to the islands and the oceans around them for more than 200 years. The question put to the International Court of Justice at the Hague by the Government of Mauritius in 2019 only dealt with the Mauritian right to self-determination and avoided the central issue of Chagossian self-determination completely. Chagossian identity was erased in the question to the court by referring to Chagossians as "Mauritians of Chagossian origin". Furthermore, Chagossians were not represented at the court and had no say in their own right, separate from any national Government.

Since we regard the question to the ICJ and the judgement to be illegitimate, we cannot accept that this hearing at ITLOS has any validity whatsoever.

We demand a rehearing of the case at the International Court of the Hague, in answer to a question posed by the Chagossian community and with proper representation of Chagossians. A further rehearing should then take place at ITLOS.

Frankie Bontemps, Louis Elyse, Bernadette Dugasse, Mylene Augustin, Jean-François Nellan Pascalina Nellan, Marie France, Aslam Thanaoulla, Myne Sylvio, Muhammad Ali Ackburally, Eugenie Iyapah, Rose-France Miner, Rose-Lange Legoffe, Julia Cantal, Marie Thomas, Maxwell Evenor

For Chagossian Voices (27th October 2022)

¹ Case No: CO/3775/98; Handed Down Judgment; In the High Court of Justice Queens Bench Division (The Administrative Court); Lord Justice Laws & Mr. Justice Gibbs; 3 November 2000.

² Pretoria Declaration: Institute of Pan-African Thought and Conversation, University of Johannesburg 5th October 2022