



# INTERNATIONAL COURT OF JUSTICE

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## Press Release

Unofficial

No. 2018/44

6 September 2018

### **Legal Consequences of the Separation of the Chagos Archipelago from Mauritius in 1965** **(Request for Advisory Opinion)**

#### **Conclusion of public hearings**

#### **The Court to begin its deliberation**

THE HAGUE, 6 September 2018. The public hearings on the Request for an advisory opinion in respect of the Legal Consequences of the Separation of the Chagos Archipelago from Mauritius in 1965 were concluded today. The Court is now ready to begin its deliberation.

During the hearings, which opened on Monday 3 September 2018 at the Peace Palace, the seat of the Court, oral statements were presented (in the following order):

- on behalf of the Republic of Mauritius, by: H.E. Sir Anerood Jugnauth, G.C.S.K., K.C.M.G., Q.C., Minister Mentor, Minister of Defence, Minister for Rodrigues of the Republic of Mauritius, Head of Delegation; Mr. Pierre Klein, Professor at the Université libre de Bruxelles, Counsel; Ms Alison Macdonald, Q.C., Barrister at Matrix Chambers, London, Counsel; Mr. Paul S. Reichler, Attorney-at-Law, Foley Hoag LLP, member of the Bar of the District of Columbia, Counsel; Mr. Philippe Sands, Q.C., Professor of International Law at University College London, Barrister at Matrix Chambers, London, Counsel;
- on behalf of the United Kingdom of Great Britain and Northern Ireland, by: Mr. Robert Buckland, Q.C., M.P., Solicitor General; Mr. Samuel Wordsworth, Q.C., member of the English Bar, Essex Court Chambers, Counsel; Dr. Philippa Webb, member of the English Bar, 20 Essex Street Chambers, Counsel; Sir Michael Wood, K.C.M.G., member of the English Bar, 20 Essex Street Chambers, Counsel;
- on behalf of the Republic of South Africa, by: Ms J.G.S. de Wet, Chief State Law Adviser (International Law), Department of International Relations and Co-operation;
- on behalf of the Federal Republic of Germany, by: Dr. Christophe Eick, Legal Adviser, Federal Foreign Office, Berlin, Agent and Head of Delegation; Professor Dr. Andreas Zimmermann, University of Potsdam, Counsel;
- on behalf of the Argentine Republic, by: H.E. Mr. Mario Oyarzábal, Ambassador, Legal Adviser, Ministry of Foreign Affairs and Worship, Agent and Head of Delegation; Mr. Marcelo Kohén, Professor of International Law, Graduate Institute of International and

- Development Studies, Geneva; Member and Secretary-General of the Institute of International Law, Counsel and Advocate;
- on behalf of Australia, by: Mr. Bill Campbell, Q.C., Counsel; Dr. Stephen Donaghue, Q.C., Solicitor General of Australia;
  - on behalf of Belize, by: Dr. Ben Juratowitch, Q.C., Attorney-at-Law, Belize, and admitted to practice in England and Wales, and in Queensland, Australia, Freshfields Bruckhaus Deringer, Counsel and Advocate;
  - on behalf of the Republic of Botswana, by: Mr. Chuchuchu Nchunga Nchunga, Deputy Government Attorney, Attorney General's Chambers, Botswana, Head of Delegation and Counsel; Mr. Shotaro Hamamoto, Professor of International Law, Kyoto University, Japan, Counsel;
  - on behalf of the Federative Republic of Brazil, by: H.E. Ms Regina Maria Cordeiro Dunlop, Ambassador of the Federative Republic of Brazil to the Kingdom of the Netherlands;
  - on behalf of the Republic of Cyprus, by: H.E. Mr. Costas Clerides, Attorney General of the Republic of Cyprus, Agent; Ms Mary-Ann Stavrinides, Attorney of the Republic, Law Office of the Republic of Cyprus; Mr. Polyvios G. Polyviou, Chryssafinis & Polyviou LLC;
  - on behalf of the United States of America, by: Ms Jennifer G. Newstead, Legal Adviser, United States Department of State, Counsel and Advocate;
  - on behalf of the Republic of Guatemala, by: Mr. Lester Antonio Ortega Lemus, Minister Counsellor, Co-Representative of Guatemala, Counsel; H.E. Ms Gladys Marithza Ruiz Sánchez De Vielman, Ambassador, Representative of Guatemala, Head of Delegation;
  - on behalf of the Republic of the Marshall Islands, by: Mr. Caleb W. Christopher, Legal Adviser, Permanent Mission of the Republic of the Marshall Islands to the United Nations, New York;
  - on behalf of the Republic of India, by: H.E. Mr. Venu Rajamony, Ambassador of India to the Kingdom of the Netherlands;
  - on behalf of the State of Israel, by: Dr. Tal Becker, Legal Adviser, Ministry of Foreign Affairs; Dr. Roy Schöndorf, Deputy Attorney General (International Law), Ministry of Justice;
  - on behalf of the Republic of Kenya, by: H.E. Mr. Lawrence Lenayapa, Ambassador of the Republic of Kenya to the Kingdom of the Netherlands; Ms Pauline Mcharo, Deputy Chief State Counsel, Office of the Attorney General of Kenya;
  - on behalf of the Republic of Nicaragua, by: H.E. Mr. Carlos José Argüello Gómez, Ambassador of Nicaragua to the Kingdom of the Netherlands, Head of Delegation;
  - on behalf of the Federal Republic of Nigeria, by: Mr. Dayo Apata, Solicitor General of the Federal Republic of Nigeria, Permanent Secretary, Federal Ministry of Justice;
  - on behalf of the Republic of Serbia, by: Professor Aleksandar Gajić, Ph.D., Chief Legal Counsel at the Ministry of Foreign Affairs, Head of Delegation;
  - on behalf of the Kingdom of Thailand, by: H.E. Mr. Virachai Plasai, Ambassador of the Kingdom of Thailand to the United States of America, Head of Delegation;

- on behalf of the Republic of Vanuatu, by: Mr. Robert McCorquodale, Brick Court Chambers, member of the Bar of England and Wales; Ms Jennifer Robinson, Doughty Street Chambers, member of the Bar of England and Wales;
- on behalf of the Republic of Zambia, by: Mr. Likando Kalaluka, S.C., Attorney General, Head of the Delegation; Mr. Dapo Akande, Professor of Public International Law, University of Oxford;
- on behalf of the African Union, by: H.E. Dr. Namira Negm, Ambassador, Legal Counsel of the African Union and Director of Legal Affairs Directorate, Head of the Delegation; Dr. Mohamed Gomaa, Legal Counselor and Arbitrator, Counsel; Professor Dr. Makane Moïse Mbengue, Professor of International Law, University of Geneva and Affiliate Professor, Institut d'études politiques, Paris, Counsel.

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Note: The Court's press releases do not constitute official documents. The complete verbatim records of the hearings held from 3 to 6 September 2018 are published on the website of the Court ([www.icj-cij.org](http://www.icj-cij.org)).

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The International Court of Justice (ICJ) is the principal judicial organ of the United Nations. It was established by the United Nations Charter in June 1945 and began its activities in April 1946. The seat of the Court is at the Peace Palace in The Hague (Netherlands). Of the six principal organs of the United Nations, it is the only one not located in New York. The Court has a twofold role: first, to settle, in accordance with international law, legal disputes submitted to it by States (its judgments have binding force and are without appeal for the parties concerned); and, second, to give advisory opinions on legal questions referred to it by duly authorized United Nations organs and agencies of the system. The Court is composed of 15 judges elected for a nine-year term by the General Assembly and the Security Council of the United Nations. Independent of the United Nations Secretariat, it is assisted by a Registry, its own international secretariat, whose activities are both judicial and diplomatic, as well as administrative. The official languages of the Court are French and English. Also known as the "World Court", it is the only court of a universal character with general jurisdiction.

The ICJ, a court open only to States for contentious proceedings, and to certain organs and institutions of the United Nations system for advisory proceedings, should not be confused with the other — mostly criminal — judicial institutions based in The Hague and adjacent areas, such as the International Criminal Court (ICC, the only permanent international criminal court, which was established by treaty and does not belong to the United Nations system), the Special Tribunal for Lebanon (STL, an international judicial body with an independent legal personality, established by the United Nations Security Council upon the request of the Lebanese Government and composed of Lebanese and international judges), the International Residual Mechanism for Criminal Tribunals (IRMCT, mandated to take over residual functions from the International Criminal Tribunal for the former Yugoslavia and from the International Criminal Tribunal for Rwanda), the Kosovo Specialist Chambers and Specialist Prosecutor's Office (an ad hoc judicial institution which has its seat in The Hague), or the Permanent Court of Arbitration (PCA, an independent institution which assists in the establishment of arbitral tribunals and facilitates their work, in accordance with the Hague Convention of 1899).

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