

The Chagos Advisory Opinion and the Law of Self-Determination During Decolonisation

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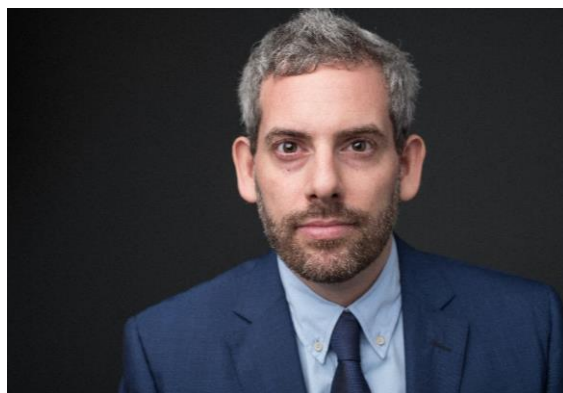
INTRODUCTION

The recent advisory opinion of the International Court of Justice (ICJ) on the Separation of the Chagos Archipelago from Mauritius in 1965 has been hailed as a major victory by the Government of Mauritius and by representatives of the Ilois who were forcibly removed from the islands to make way for the establishment of an American military facility on the island of Diego Garcia at the height of the Cold War.

The opinion was categorical: the process of the decolonisation of Mauritius was not lawfully completed when that country acceded to independence in 1968. The United Kingdom lost on every single argument it made before the Court and is under an obligation to end its administration of the Chagos Archipelago 'as rapidly as possible'. Only the American judge dissented.

In this presentation, Victor Kattan will talk about the Advisory Opinion by explaining how the UN General Assembly became involved with the case, what the ICJ said, and how the Judges responded in their declarations, separate opinions and the dissent. He also explains why the opinion could have consequences for another case before the ICJ.

ABOUT THE SPEAKER



Victor Kattan heads the Transsystemic Law Cluster at the NUS Middle East Institute. He is also an Associate Fellow of NUS Law and an Associate Member of Temple Garden Chambers in London. Victor's publications include two articles on the Chagos dispute that were published in *The Max Planck Yearbook of United Nations Law* and in *EJIL: Talk!* He has a longstanding interest in the impact of decolonisation on international law and has published widely on the topic. He was awarded the Asian Society of International Law Young Scholar Prize in 2017 for his article 'Decolonizing the International Court of Justice: The Experience of Judge Sir Muhammad Zafrulla Khan in the South West Africa Cases' published in 5(2) *The Asian Journal of International Law* (2015), 310-55.